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west virginia department of environmental protection

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Division of Water and Waste Management  
601 57<sup>th</sup> Street, SE  
Charleston, WV 25304  
Phone: 304-926-0495 / Fax: 304-926-0463

Harold D. Ward, Cabinet Secretary  
dep.wv.gov

**MEMORANDUM**

**To:** Marie Prezioso, Chair

**From:** Katheryn Emery, P.E. Engineer Chief  
Sewer Technical Review Committee

**Date:** February 19, 2025

**Subject:** City of Nitro  
IJDC Application - 2024SS-2548  
Phase II Stormwater Improvements Projectect

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1. This committee has reviewed the preliminary application and engineering report submitted for the above referenced project in accordance with Chapter 31, Article 15A. It has been determined that the proposed project is:
    - a.  Consistent with the intent of the Infrastructure and Jobs Development Act and is the most cost-effective, environmentally sound alternative for solving the wastewater needs in this area.
    - b.  Not consistent with the Act and may not be the most cost effective, environmentally sound alternative for solving the wastewater needs in this area.
    - c.  Same as (a) above except that certain issues need to be addressed prior to design and construction as the attached comments indicate.
  2. Our recommendation is that:
    - a.  The Funding Committee needs to review the proposed sources of funding to determine the best mix of grant and/or loan funds in accordance with applicable guidelines.
    - b.  The Funding Committee should recommend that the Council approve the proposed project and its funding plan.

- c. \_\_\_ The Funding Committee does not need to review the funding assumptions on this project because of deficiencies in the engineering report. The proposed project should be tabled for the consultant to address technical comments.
- d. \_\_\_ This project should be referred to the Consolidation Committee.

3. Other remarks:

This project is the second phase of a multiphase project that will install/replace a storm line running along the Kanawha River Railroad and along WV Route 25. This project will tie into the Phase I project along Walker Street. The project will address the hydraulic capacity and flooding issues in the area.

Using the Combined Application, the Total Engineering Fee and the Design Fee appear to be within the ASCE curve.

The proposed total cost for this project is \$5,235,000. The city intends to utilize \$325,000 from the Nitro City Council, \$2,888,000 in Congressionally Direction Spending, \$722,000 CDS match, and pursue \$800,000 in WDA Economic Enhancement Grant funding, and a \$500,000 CWSRF Principal Forgiveness Loan.

From the information provided, this project does not appear eligible for the green SRF principal forgiveness.

Preliminary Project Ratings:

Public Health Benefits: 5  
Compliance with Standards: 5



Sherrri A. Young, DO, MBA, FAAFP  
Cabinet Secretary

Jason R. Frame  
OEHS Director

## **MEMORANDUM**

**TO:** Meredith J. Vance, Director  
Environmental Engineering Division

**FROM:** Patrick Murphy, P.E.  
Environmental Engineering Division

**DATE:** February 6, 2025

**SUBJECT:** Town of Nitro  
IJDC Application- **2024SS-2548**  
Sewer Line Upgrades  
Kanawha County

### **Recommendation:**

We have reviewed this preliminary application and recommend that it be forwarded to the Funding Committee for review.

### **Project Scope:**

The scope of Phase I of the project is to install approximately 1,270 LF of 60" HDPE storm pipe. The scope of Phase II of the project is to install 400 LF 48" HDPE storm pipe; 720 LF 24" HDPE storm pipe; 1,260 LF 18" HDPE storm pipe; three (3) 48" Concrete Wingwalls; Two (2) 36" Concrete Wingwalls; Eleven (11) 24" Concrete Wingwalls; Six (6) Type G Inlets; 900 LF earthen ditch; and 535 SY asphalt street/ driveway replacement.

The total project cost is **\$1,750,000.00**

### **Need for the Project:**

The existing stormwater collection system is undersized and in a state of disrepair resulting in excessive flooding in various locations within the project area. The existing stormwater pipes and drainage ditches need upgraded due hydraulic capacity and reliability issues. The planning area does not have much growth potential due to being mostly developed. The only foreseeable driver to reverse the population trend is the development of an additional industrial base. Customer The stormwater collection system collects runoff from approximately 65 residents and 25 commercial businesses.



**Concerns:**

No concerns were noted.

**Permits:**

The following permits, certificates, and coordination may be required for this project.

- WV/NPDES construction storm water
- • WVDOH
- • WV Public Lands Permit
- • Norfolk Southern Railroad (KRR) Encroachment Permit



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**MEMORANDUM**

**TO:** Katheryn Emery, P.E., Engineer Chief, DWWM

**FROM:** Daniel Bailey, E.I., CFM, DWWM

**DATE:** February 14, 2025

**SUBJECT:** City of Nitro  
IJDC Application - 2024SS-2548  
Phase II Stormwater Improvements Project

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**RECOMMENDATION**

The IJDC Application and Preliminary Engineering Report (PER) prepared by New River Engineers, Inc. for the above referenced project has been reviewed and is technically feasible.

**PROJECT DESCRIPTION**

City of Nitro (City) owns and manages a stormwater collection system within the City in Kanawha County, West Virginia. The City has identified areas within the system that require replacement and have proceeded with a Phase I project to begin to address those needs.

The proposed project will install/replace 1,260 lf of 18-inch HDPE storm line running along the Kanawha River Railroad behind commercial properties along WV Route 25, install new HDPE storm line ranging from 48-inch to 24-inch along WV Route 25, and regrading earthen ditches along WV Route 25. This project will tie into the Phase I project along Walker Street.

The proposed total cost for this project is \$5,235,000. The city intends to utilize \$325,000 from the Nitro City Council, \$2,888,000 in Congressionally Direction Spending, \$722,000 CDS match, and pursue \$800,000 in WDA Economic Enhancement Grant funding, and a \$500,000 CWSRF Principal Forgiveness Loan. There is no monthly rate for stormwater in the city at this time.

## **NEED FOR PROJECT**

The existing stormwater collection system is undersized and in a state of disrepair resulting in excessive flooding in various locations within the project area. The existing stormwater pipes and drainage ditches need upgraded due hydraulic capacity and reliability issues.

## **DEFICIENCIES/COMMENTS**

- Using the Combined Application, the Design and Total Engineering Fees appear to be within the ASCE curve.
- The project schedule requires an update.
- O&M requirements need further clarification.

### **Preliminary Project Ratings:**

Public Health Benefits: 5

Compliance with Standards: 5

# Public Service Commission of West Virginia

201 Brooks Street, P.O. Box 812  
Charleston, West Virginia 25323

Phone: (304) 340-0300  
Fax: (304) 340-0325



February 12, 2025

Ms. Kathy Emery, P. E.  
Office of Water Resources  
Department of Environmental Protection  
601 57<sup>th</sup> St.  
Charleston, West Virginia 25304

Re: Public Service Commission Staff Review Comments  
Application No. 2024SS-2548  
City of Nitro – Storm Sewer Improvements  
Infrastructure Preliminary Application

Dear Ms. Emery:

As requested, the Technical Staff of the Public Service Commission of West Virginia has completed its review of the above-referenced Infrastructure application. In light of Technical Staff's comments enclosed herewith, we are recommending the application be:

- Forward the Application  
 Return the Application  
 Returned to the Applicant

Please advise if you have any questions.

Sincerely,

*Jonathan M Fowler*  
Jonathan M. Fowler, P.E.  
Engineering Division

Enclosures  
JMF:vb

**PUBLIC SERVICE COMMISSION STAFF  
TECHNICAL REVIEW**

**DATE:** February 12, 2025

**PROJECT SPONSOR:** CITY OF NITRO

**PROJECT SUMMARY:** In 2022 the City of Nitro received funding for the Walker Street Storm Project. The City also received matching money from The Governor's Fund. The amount requested was based upon a 2016 estimate so the City is requesting the difference (approximately \$850,000).

<b>PROPOSED FUNDING:</b> Congressionally Directed	\$2,888,000
CDS Match	\$722,000
WDA EEG	\$800,000
City Contributions	\$325,000
CWSRF Principal Forgiveness	<u>\$500,000</u>
Total	<u>\$5,235,000</u>

**CURRENT/  
PROPOSED RATES:** N/A

Application No. 2024SS-2548

**RECOMMENDATION:**  forward to the Funding Committee.  
 forward to the Consolidation Committee.  
 return to the Applicant.

**FINANCIAL:** Dave Acord

1. The PSC has no jurisdiction over stormwater.

**ENGINEERING:** Jim Spurlock

1. This project will not require a Certificate of Convenience and Necessity from the PSC.
2. Scope: The City of Nitro is seeking funding for Contract 2 of its stormwater improvements project. The project initially consisted of one contract for which bids came in high, and was subsequently separated into two



contracts for purposes of obtaining additional funding. Construction involves 2,380 feet of storm sewers, eight wingwalls and six catch basins.

Customer Density: N/A

Cost per Customer: N/A (stormwater project)

3. Project Feasibility: The project is technically feasible. Additional funding is required due to a bid overrun. The project is intended to alleviate excessive flooding along Route 25, Walker Street, and the Kanawha River Railroad.
4. Project Alternatives: The project does not lend itself to alternatives besides “do nothing”.
5. Consolidation: No consolidation opportunities are presented by the project.
6. Inconsistencies: None were noted.
7. Operation and Maintenance (O & M) Expenses: Operation and maintenance costs associated with the improvements is projected be \$15,000 annually. Supporting calculations were not provided.
8. Engineering Agreement: The application does not include information to determine compliance with West Virginia Code §§5G-1-1, et seq. Total technical services (engineering) costs for contract 2 total are \$197,500 which is equal to 13.58% of the construction cost of \$1,453,925 (including contingency).