west virginia department of environmental protection

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

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

MEMORANDUM

To: Water Development Authority

From: Katheryn Emery, P.E., Program Manager
Sewer Technical Review Committee

Date: July 20, 2026

Subject: City of Vienna
28th Street Storm Drainage Improvements
IJDC No. 2026S-2747

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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 water 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 seeks to reduce flooding along Pond Run by installing a new stormwater system consisting of perforated pipes, recharge trenches, drywells, along with more traditional sewer facilities such as gravity storm sewers, manholes, and catch basins. The recharge trenches and perforated pipe will promote groundwater infiltration and the drywells will allow VUB to store a larger portion of the runoff, reducing stormwater flows discharged to Pond Run during storm events.

The proposed cost for this project is $1,793,600. The City of Vienna will pursue a funding scenario of a $500,000 CWSRF Green Projects Reserve Principal Forgiveness Loan and $1,293,600 in City funds.

<u>Preliminary Project Ratings:</u>
Public Health Benefits: 5
Compliance with Standards: 5

West Virginia Department of HEALTH

WEST VIRGINIA DEPARTMENT OF HEALTH
Bureau for Public Health

Arvin Singh, EdD, MBA, MPH, MS, FACHDM, FACHE
Secretary of Health

Mark E. McDaniel, DO, FAAFP
Acting Commissioner & State Health Officer

MEMORANDUM

TO: Meredith J. Vance, Director
Environmental Engineering Division

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

DATE: June 30, 2026

SUBJECT: City of Vienna
IJDC Application- **2026S-2747**
Line Upgrade/Replacement
Wood County

Recommendation: This preliminary application and Preliminary Engineering Report has been reviewed and is technically feasible.

Project Scope: This project scope was not addressed in the PER available; however, under Alternative 1, the project proposes existing storm sewer system along the project area will be rebuilt using water recharge trenches with a combination of manholes and drywells.

The total project cost is **$1,793,600.00**

Need for the Project: The need for the project is to address the WVDEP MS4 program requirements.

Concerns: No concerns noted.

Permits: Permits and/or agency consultations that may be expected to be required include: WVDH, WVDEP. Others may be required depending upon the final scope of work being determined.

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MEMORANDUM

TO: Katheryn Emery, P.E., Program Manager, DWWM

FROM: Spencer Fultineer, DWWM

DATE: July 13, 2026

SUBJECT: City of Vienna
28th Street Storm Drainage Improvements
IJDC No. 2026S-2747

RECOMMENDATION

The IJDC application and Preliminary Engineering Report (PER) prepared by Burgess & Niple Inc., for the above referenced project have been reviewed and are technically feasible.

PROJECT DESCRIPTION

The Vienna Utility Board (VUB) manages the Municipal Separate Stormwater System (MS4) for the City of Vienna. The City is home to approximately 10,676 people and is located along the Ohio River. The stormwater system in Vienna mainly discharges into either Pond Run or the Ohio River. VUB operates its MS4 program under NPDES Permit No. WVR030032 and serves 5,231 customers across a catchment area of 8,015 acres, including 4,961 residential customers and 270 commercial customers.

This project is designed to mitigate issues associated with concentrated stormwater runoff in the 28th Street area. The existing system in the project area will be replaced and upgraded to include water recharge trenches with manholes and drywells, which will retain normal stormwater and allow it to permeate into the soil over time. The drywells included in the project will address surge events and allow this system to only discharge any excess flows into Pond Run. This project will install 30” to 48” perforated HDPE pipe, 12” and 24” HDPE pipe, catch basins, storm manholes, drywells, recharge trenches, and associated appurtenances.

The proposed cost for this project is $1,793,600. The City of Vienna will pursue a funding scenario of a $500,000 CWSRF Green Projects Reserve Principal Forgiveness Loan and $1,293,600 in City funds. The proposed monthly sewer rate for 3,400 gallons provided in the Preliminary Application is $45.63 (0.91% MHI). The current storm sewer rate is $4.00 (0.08% MHI) per residential customer and $10.00 (0.19% MHI) per commercial customer.

NEED FOR PROJECT

The City of Vienna is an area prone to flooding during storm events. This project is the next phase in the MS4 program operated by Vienna Utility Board (VUB). Despite previous projects including stormwater system work in the 40th Street and 55th Street areas, Pond Run continues to experience flooding during storm events. This project will continue to limit the amount of stormwater runoff that reaches Pond Run. During heavy rainfall, the existing stormwater system proved incapable of handling the quantity of stormwater runoff in this area. This project will increase the system's capacity of runoff that can be retained and discharged through infiltration into the surrounding soil. By increasing the quantity of runoff that can be handled by VUB's stormwater system prior to final stream discharge, this project can decrease the amount of flooding experienced by Pond Run and its surrounding communities.

DEFICIENCIES/COMMENTS

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

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

July 6, 2026

Brad Sergent, Chair
Water Development Authority, Acting Executive Director
Katheryn Emery, P.E., Program Manager
CWSRF & DWTRF, Division of Water and Waste Management, WVDEP
Meredith Vance, Director
Environmental Engineering Division, WVBPH

Re: Public Service Commission Staff Review Comments
Application No. 2026S-2747
Vienna, City of – Stormwater System Improvements (28th Street)
Infrastructure Preliminary Application

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:

__X__ Forwarded to the Funding Committee

_____ Forwarded to the Consolidation Committee

_____ Returned to the Applicant

Please advise if you have any questions.

Sincerely,

Brandon Crace

Brandon Crace
Engineering Division

Enclosures

PUBLIC SERVICE COMMISSION STAFF
TECHNICAL REVIEW

DATE: July 6, 2026

PROJECT SPONSOR: **CITY OF VIENNA – (SEWER)**

PROJECT SUMMARY: The City of Vienna is proposing to make improvements to its existing stormwater system

PROPOSED FUNDING:

CWSRF Green Funding Forgiveness Loan	$ 500,000
Local Contribution	1,290,000
Total	$1,790,000

CURRENT RATES:

$35.12	3,400 gallons
$41.32	4,000 gallons

PROPOSED RATES:

$45.63	3,400 gallons
$53.68	4,000 gallons

Application No. 2026S-2747

RECOMMENDATION:
__X__ Forward to the Funding Committee
____ Forward to the Consolidation Committee
____ Return to the Applicant

FINANCIAL: Nathan Nelson

1. Current rates ($35.12 for 3,400 gallons) are below the rates attributable to 1.25% ($57.48), 1.5% ($68.98), 1.75% ($80.47), and 2.0% ($91.97) of the Median Household Income (MHI). Increasing current rates to 1.25%, 1.5%, 1.75%, and 2.0% of the MHI would provide additional revenues of $1,564,620, $2,369,037, $3,173,454, and $3,977,871 respectively.

2. Using Scenario 1, the preferred funding package consisting of a CWSRF Green Funding Forgiveness Loan of $500,000 and a local contribution of $1,290,000, proposed rates ($45.63 for 3,400 gallons) will provide a cash flow surplus of $212,784 and debt service coverage of 218.64%.

3. Using the Scenario 2 alternate loan package of $1,790,000 (in uncommitted funds) at 5% for 40 years (paid back over 38 years), proposed rates ($47.10 for 3,400 gallons) will provide a cash flow surplus of $196,477 and debt service coverage of 197.33%.

4. Notes to Comments:

   A. Staff's detailed adjustments are listed on Attachment A for Scenario 1 (Preferred Funding Package) and Attachment B for Scenario 2 (Loan Package).

   B. Staff prepared the attached Cash Flow Analysis utilizing information from the Annual Report for the Fiscal Year Ended June 30, 2025, and the applicant's Cash Flow Statement submitted with the application.

   C. The $45.63 (3,400 gallons) rates are the final phase of a three-step annual rate increase beginning in June, 2026. The applicant has used this rate at Proforma, as this rate will likely be in effect upon substantial completion of the project. However, this grant funded project has no impact on the proposed rates which were implemented due to a Going Level deficit. Thus, the project sponsor is requesting a waiver of the Draft Rule 42 Exhibit requirement.

   D. Staff notes the Applicants filing includes the impact of pending and various proposed projects to be undertaken. The project which is the subject of this review is identified as the 28th Street Project, which is the Project following the Step 3 Project and ultimately the fourth proposed project listed. The applicable Cash Flow Analysis reflects increased rates for the Step 1 (effective June 7, 2026), Step 2 (effective June 7, 2027), and Step 3 (effective June 7, 2028) Projects. The Applicant's preferred rates for this project, 28th Street, are $45.63 for 3,400 gallons, which are the Step 3 rates, effective June 7, 2028. Staff analysis takes into consideration the impact of all projects and the preferred rates of $45.63 for 3,400 gallons.

   E. Staff notes a small difference between the project cost of $1,793,600 listed in the application and project funding of $1,790,000. The Preliminary Engineering Report also lists the total cost of $1,790,000. Staff reflected $1,790,000 as the basis for its analysis.

F. Senate Bill 234, effective June 12, 2015, required water and sewer utilities that are political subdivisions of the state to maintain a cash working capital reserve in an amount of no less than one-eighth (1/8) of actual annual operation and maintenance expenses. It should be noted that the cash flows provided by the project sponsor include funding for the 1/8 cash working capital reserve. Staff accepted that amount in its analyses. However, this amount may be reviewed by the Commission in future filings in accordance with Public Service Commission General Order 183.11.

G. The City of Vienna should carefully evaluate its revenue requirements before passing a rate ordinance in order to ensure that rates are sufficient to provide a reasonable surplus and meet coverage requirements. Staff notes that the City is a political subdivision of the state and it has at least 4,500 customers and annual gross revenues of $3 million or more. Therefore, in accordance with Senate Bill 234, effective June 12, 2015, the Commission has no jurisdiction regarding the City's rates pursuant to WV Code 24-2-4b. However, the Commission does have jurisdiction pursuant to WV Code 24-2-1 (b)(6) for the investigation and resolution of disputes involving political subdivisions of the state regarding inter-utility agreements, rates, fees and charges, service areas and contested utility combinations.

ENGINEERING: Brandon Crace

1. Pursuant to House Bill 2742 passed in the 2025 Legislative Session, this project will not require a Certificate of Convenience and Necessity from the PSC.

2. Scope: The City of Vienna is proposing to make improvements to its existing stormwater system. The proposed project scope includes: mobilization, pre-construction video, erosion and sediment control, traffic control, 200 LF of 12-inch HDPE pipe, 50 LF of 24-inch HDPE pipe, 240 LF of 30-inch HDPE pipe (perforated), 420 LF of 36-inch HDPE pipe (perforated), 900 LF of 48-inch HDPE pipe (perforated), a 30-inch by 12-inch tee, 5 precast concrete storm manholes, 7 dry wells, 12 catch basins, a concrete headwall, 3500 SY of Type A pavement restoration, 200 SY of Type E pavement restoration, 3500 SY of cold milling, 3500 SY of full width asphalt pavement, 35 CY of slope protection, 3200 SY of grading and seeding, 100 CY of compacted backfill, 7 plugs on existing sewers, 280 SF of sidewalk, and necessary appurtenances. The estimated construction cost is $1,940,000 (includes

15.13% construction contingency), and the estimated total project cost is $2,500,000 (includes 1.82% project contingency).

Need: The PER indicates that

Customer Density: This project is an improvements project; therefore, customer density will remain unchanged.

Cost per Customer: The PER indicates "…the Board services 5,231 customers…", and based upon the estimated total project cost of $1,793,600, the cost per customer will be approximately $343.

3. Project Alternatives: The PER indicates that 2 Alternatives were considered: Alternative #1 – Install Stormwater Control, and Alternative #2 – Upsizing Storm Drains. The PER indicates that Alternative #1 was selected as this option will mitigate stormwater flooding experienced on Pond Run and the 28th Street area.

4. Consolidation: There are no consolidation opportunities presented by this project.

5. Operation and Maintenance (O&M) Expenses: The PER did include a discussion of anticipated changes to O&M expenses, and indicates an annual increase of $9,200 is anticipated related to labor, material and supplies, and equipment replacement.

6. Engineering Agreement: The application includes information to determine compliance with West Virginia Code §5G-1-1, *et seq*. Total technical services (engineering) costs for the project are $214,100, which is equal to 14.18% of the construction cost of $1,510,000 (includes 8.63% construction contingency).

7. Deficiencies/Comments:
   - The included 5G documentation was dated 2011. Additionally, the included documentation states "The anticipated period of service will be for calendar years 2011 through 2016, which may be extended on an annual basis."
   - The proposed scope is a stormwater project, and does not propose improvements to sewer infrastructure.

CITY OF VIENNA - SEWER
CASH FLOW ANALYSIS
YEAR ENDED: June 30, 2025
APPLICATION NO: 2026S-2747
July 6, 2026

PREFERRED FUNDING PACKAGE
SCENARIO 1

		Cash Flow Going Level * Per Application Before Project	Cash Flow Proforma Per Application with Project	Staff Adjustments		Per Staff Analysis
		1	2	3		4
		$	$	$		$
AVAILABLE CASH						
Operating Revenues		2,164,977	3,193,379	(266,794)	(1)	2,926,586
Other Operating Revenue		42,397	42,397	-		42,397
SB 234 Annual Working Cash Collections				266,794	(2)	266,794
Interest Income & Other Misc.		38,000	38,000	-		38,000
Total Cash Available		2,245,374	3,273,776	-		3,273,777
OPERATING DEDUCTIONS						
Operating Expenses		2,117,219	2,134,352	-		2,134,352
Taxes		47,645	47,645	-		47,645
Total Cash Requirements Before Debt Service		2,164,864	2,181,997	-		2,181,997
Cash Available for Debt Service	(A)	80,510	1,091,779	-		1,091,780
DEBT SERVICE REQUIREMENTS						
Principal & Interest	(B)	113,018	499,345	-		499,345
Other Debt		-	-	-		-
Reserve Account @ 10%		-	38,633	-		38,633
Renewal & Replacement Fund (2.5%)		56,134	81,844	(7,619)	(3)	74,225
Total Debt Service Requirement		169,152	619,822	(7,619)		612,203
SB 234 Cash Working Capital		264,652	266,794	-		266,794
Remaining Cash		(353,294)	205,163	7,619		212,784
Percent Coverage	(A) / (B)	71.24%	218.64%			218.64%
Average rate for 3,400 gallons		$ 30.94	$ 45.63	$ -		$ 45.63
Average rate for 4,000 gallons		$ 36.40	$ 53.68	$ -		$ 53.68

*** GL per cash flow provided by project sponsor. Current rate, as of June 7, 2026, is now $35.12 (3,400 gallons).**

CITY OF VIENNA - SEWER
CASH FLOW ANALYSIS
YEAR ENDED: June 30, 2025
APPLICATION NO: 2026S-2747

Attachment A
PREFERRED FUNDING PACKAGE
SCENARIO 1

Staff Adjustments

	Adjustment Description		$	Increase <Decrease>
(1)	**Operating Revenues**	**Per Staff Analysis**	**2,926,586**	**(266,793)**
		Per Application with Project	**3,193,379**	
	Adjust revenues in accordance with PSC General Order 183.11.			
(2)	**SB 234 Annual Working Cash Collections**	**Per Staff Analysis**	**266,794**	**266,794**
		Per Application with Project	**-**	
	Account for SB 234 (2015) funding pursuant to PSC General Order 183.11.			
(3)	**Renewal & Replacement Fund (2.5%)**	**Per Staff Analysis**	**74,225**	**(7,619)**
		Per Application with Project	**81,844**	
	Staff used 2.5% of the projection of "Operating & Other Revenues" as the basis of the renewal & replacement fund.			

CITY OF VIENNA - SEWER
CASH FLOW ANALYSIS
YEAR ENDED: June 30, 2025
APPLICATION NO: 2026S-2747
July 6, 2026

LOAN FUNDING PACKAGE
SCENARIO 2

		Max Rate Going Level * Per Application Before Project	Max Rate Proforma Per Application with Project	Staff Adjustments		Per Staff Analysis
		1	2	3		4
		$	$	$		$
AVAILABLE CASH						
Operating Revenues		2,164,977	3,296,379	(266,794)	(1)	3,029,585
Other Operating Revenue		42,397	42,397	-		42,397
SB 234 Annual Working Cash Collections				266,794	(2)	266,794
Interest Income & Other Misc.		38,000	38,000	-		38,000
Total Cash Available		2,245,374	3,376,776	-		3,376,776
OPERATING DEDUCTIONS						
Operating Expenses		2,117,219	2,134,352	-		2,134,352
Taxes		47,645	47,645	-		47,645
Total Cash Requirements Before Debt Service		2,164,864	2,181,997	-		2,181,997
Cash Available for Debt Service	(A)	80,510	1,194,779	-		1,194,779
DEBT SERVICE REQUIREMENTS						
Principal & Interest	(B)	113,018	604,659	805	(3)	605,464
Other Debt		-	-	-		-
Reserve Account @ 10%		-	38,633	10,612	(4)	49,245
Renewal & Replacement Fund (2.5%)		56,134	84,419	(7,619)	(5)	76,800
Total Debt Service Requirement		169,152	727,711	3,798		731,508
SB 234 Cash Working Capital		264,652	266,794	-		266,794
Remaining Cash		(353,294)	200,274	(3,798)		196,477
Percent Coverage	(A) / (B)	71.24%	197.60%			197.33%
Average rate for 3,400 gallons		$ 30.94	$ 47.10	$ -		$ 47.10
Average rate for 4,000 gallons		$ 36.40	$ 55.41	$ -		$ 55.41

*** GL per cash flow provided by project sponsor. Current rate, as of June 7, 2026, is now $35.12 (3,400 gallons).**

CITY OF VIENNA - SEWER
CASH FLOW ANALYSIS
YEAR ENDED: June 30, 2025
APPLICATION NO: 2026S-2747

Attachment B
LOAN FUNDING PACKAGE
SCENARIO 2

Staff Adjustments

	Adjustment Description		$	Increase <Decrease>
(1)	**Operating Revenues**	**Per Staff Analysis**	**3,029,585**	**(266,794)**
		Per Application with Project	**3,296,379**	
	Adjust revenues in accordance with PSC General Order 183.11.			
(2)	**SB 234 Annual Working Cash Collections**	**Per Staff Analysis**	**266,794**	**266,794**
		Per Application with Project	**-**	
	Account for SB 234 (2015) funding pursuant to PSC General Order 183.11.			
(3)	**Principal & Interest**	**Per Staff Analysis**	**605,464**	**805**
		Per Application with Project	**604,659**	
	The difference in P&I is related to Staff's calculation of a loan of $1,790,000 for 40 years (paid over 38 years) at 5%.			
(4)	**Reserve Account @ 10%**	**Per Staff Analysis**	**49,245**	**10,612**
		Per Application with Project	**38,633**	
	Staff assumed a 10% reserve on the new debt.			
(5)	**Renewal & Replacement Fund (2.5%)**	**Per Staff Analysis**	**76,800**	**(7,619)**
		Per Application with Project	**84,419**	
	Staff used 2.5% of the projection of "Operating & Other Revenues" as the basis of the renewal & replacement fund.			