



FEMA

MAY 20 2014

The Honorable Earl Ray Tomblin
Governor of West Virginia
1900 Kanawha Boulevard
Charleston, West Virginia 25305

Dear Governor Tomblin:

This is in response to your May 8, 2014, appeal for a major disaster declaration for the State of West Virginia as a result of the severe water outage following the chemical spill on January 9, 2014. You specifically appealed the denial of your request for emergency protective measures (Category B), including direct federal assistance, under the Public Assistance program for nine counties and Hazard Mitigation statewide.

On January 10, 2014, emergency declaration FEMA-3366-EM was declared as a result of the chemical spill during the period of January 9-20, 2014. The emergency declaration and subsequent amendments authorized emergency protective measures (Category B), including direct federal assistance, for the nine requested counties. The reimbursement for emergency protective measures was limited to those measures taken during the incident period of January 9-20, 2014.

After a thorough review of all the information contained in the initial request and your appeal, we reaffirm our original findings that the event does not meet the legal definition of a "major disaster" under 42 U.S.C. § 5122. Furthermore, it has been determined that the assistance provided under FEMA-3366-EM is sufficient to meet the needs of the event. Therefore, I must inform you that your appeal for a major disaster declaration is denied.

Sincerely,

A handwritten signature in blue ink, appearing to read "W. Craig Fugate".

W. Craig Fugate
Administrator