



Office of Mining & Reclamation
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West Virginia Division of Environmental Protection

Cecil H. Underwood
Governor

Michael C. Castle
Director

23 February 2000

Mr. Clyde Brill
304 Prospect Drive, SW
Leesburg, VA 20175-3520

Dear Mr. Brill:

Thank you very much for your response to my request for information regarding the surface disturbance activity at the intersection of Cacapon River Road and Hooks Mill Road in Hampshire County, WV. The request was an objective attempt to gather information regarding this disturbance. As you can see from the Code cites in my first letter, this can be an extremely confusing and complex legal issue. While it is not my intention to intrude upon private property rights and issues, law requires me to investigate suspicious activity and/or citizen complaints.

As part of your response, I received written information dated 20 January 2000 from the WV Division of Highways on 16 February 2000. I have relied upon this information to determine that your activity at this time is associated with pursuits other than mining and in conjunction with the WV Division of Highways. Therefore, the Office of Mining and Reclamation (OMR) plans no further actions in this matter.

The concern and legal mandate are to protect the environment and citizens of West Virginia. Unregulated mining has caused great harm to this State. Based upon your information, it is believed that your activity does not currently come under the jurisdiction of State surface mining law. Your response will be kept on file for future reference.

Again, thank you for your cooperation in this matter.

Sincerely,

L. Brent Wiles
Environmental Supervisor

CC: Harold M. Parsons, Jr., Assist. Chief, Northern Operations
Scott Brand, Environmental Inspector Specialist
Charles Combs, Environmental Inspector
William W. Hartman, District Administrator, WVDOH District Five
Olin Teter, County Administrator, Hampshire County, WVDOH
%WVDOH, P.O. Box 99, Burlington, WV 26710-0099

"To use all available resources to protect and restore West Virginia's environment in concert with the needs of present and future generations."



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Environmental Protection