

West Virginia Division of Environmental Protection
MR-35 COMPLAINT INVESTIGATION

PERMIT NUMBER M2000000	COMPLAINT		METHOD OF COMPLAINT (<input type="checkbox"/>) IN PERSON (<input type="checkbox"/>) HOTLINE (<input checked="" type="checkbox"/>) FACSIMILE	(<input type="checkbox"/>) LETTER (<input type="checkbox"/>) PHONE (<input type="checkbox"/>) OTHER
	DATE 04/09/02	TIME 1001		

CITIZEN NAME Kirsten Weiblen CITIZEN TO ACCOMPANY?

ADDRESS HC 64 Box 41, Yellow Springs, WV 26865 PHONE _____

(NOC) NATURE OF COMPLAINT Ms. Weiblen is concerned about the "shale pit" being operated about 150 yards from her house on the Clyde Brill property. She is concerned the WUDEP is not regulating this commercial activity. She is concerned about the noise & possible erosion as well as air & water quality. The local roads suffer from the heavy equipment. Ms. Weiblen believes such unregulated "activities" affect her quality of life.

PERMITTEE ID# _____ NAME _____

OPERATOR ID# _____ NAME Clyde Brill

NPDES NUMBER NA MSHA NUMBER NA

COUNTY Hampshire POST OFFICE Capon Bridge / Yellow Springs

RECEIVING STREAM Capon River LOCATION Hocks Mill Road Capon Bridge

INVESTIGATION RESULTS COMPLAINT STATUS INITIAL () OPEN () TERMINATED ()
() UNSUBSTANTIATED () WITHDRAWN

INSPECTOR ID 042 Charles M. Combs

DATE INVESTIGATION 04/08/02	DATE RIGHT TO REVIEW ADVISED MM/DD/YY	DATE MR35 PROVIDED MM/DD/YY	DATE COMPANY CONTACTED 04/10/02
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COMPANY CONTACT NAME Clyde Brill PHONE _____

INSPECT DATE 04/08/02	TIME 0915	FORM# MR35	FACILITY WV	ENE STD WV	VIOL# WV
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(FND) FINDINGS shale road (WV DCM) hauling team property today. Clyde Brill on site today. Brill says he does not sell the shale. They haul to use it. Our (WUDEP) policy this date is that since the material is being used for fill or "borrow" or unspecified materials then it is not quarrying by definition. It is a borrow pit. We don't regulate borrow pits.

DISTRIBUTED TO NAME: _____ PLEASE PRINT TITLE: _____

ACTING AS: _____ DISTRIBUTION DATE AND TIME CERTIFIED MAIL #
 DELIVERED CERT. MAIL REG. MAIL 04/19/02 1600 _____

ADDRESS: _____ IF MAILED WV DEP REP Charles M. Combs

DISTRIBUTED TO SIGNATURE: _____ DATE: _____