



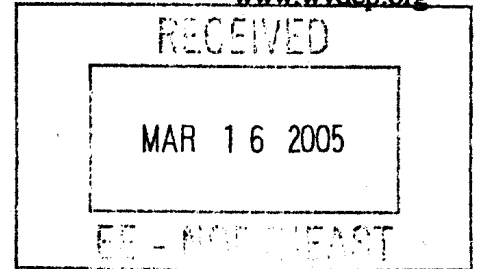
**west virginia department of environmental protection**

Division of Water and Waste Management  
601 57th Street SE  
Charleston, West Virginia 25304-2345  
(304) 926-0495  
(304) 926-0496 fax

Joe Manchin III, Governor  
Stephanie R. Timmermeyer, Cabinet Secretary  
[www.wvdep.org](http://www.wvdep.org)

March 01, 2005

BRILL, CLYDE  
304 PROSPECT DR, SW  
LEESBURG, VA 20175-3520



**CERTIFIED RETURN RECEIPT REQUESTED**

Re: General Permit Registration No. WVR101478  
Hooks Mill Shale Pit, Hampshire County

Dear Permittee:

The Division of Water and Waste Management has received the Notice of Intent form for your construction activity and assigned the above referenced registration number. You are now authorized to operate under General Permit No. WV0115924. You should carefully read the contents of the General Permit and become familiar with all requirements needed to remain in compliance with the permit.

Please note in particular the following important requirements:

1. Permit Registration must be terminated upon satisfactory stabilization of the construction site. This is important to insure correct annual fee billing. Stabilization means that all disturbed areas and drainage structures are covered by some type of permanent protection. This includes pavement, rock, concrete, pipe, buildings, established grass (that covers more than 70 percent of the ground), or similar materials as described in the SWPPP. To terminate coverage under the General Permit, the permittee must request a final inspection by submitting a "Notice of Termination" (form enclosed). Upon confirmation that site is stabilized, a prorated invoice for the annual permit fee may be prepared.
2. In accordance with Section G.4 of the General Permit, a storm water pollution prevention plan (SWPPP) must be developed. The permittee may use the generic SWPPP developed by the Division of Water and Waste Management. The SWPPP is to be retained on site and be available for review by the Director or his authorized representative as of the date of your coverage by the General Permit, which is the date of this letter.
3. The erosion and sediment control measures shall be maintained in proper condition to perform the functions for which they were designed. In order to insure the efficiency and proper maintenance of these measures, the permittee shall make sufficiently frequent, periodic inspections to detect any impairment of the designed stability, capacity or environmental requirements of the approved measures. The permittee shall take immediate steps to correct any such impairment found to exist.
4. If the SWPPP proves to be ineffective in controlling erosion and the sediment in storm water discharges associated with industrial/construction activities, or site conditions change, the Permittee

BRILL, CLYDE  
Page 2  
March 01, 2005

Section G.4.c) of the permit and the application instructions.

5. The current General Permit expires on December 4, 2007. If you wish to continue an activity regulated by this permit after the expiration date of the permit, provisions for coverage will be made during the public notice process for any new General Permit to be issued at that time.

Issuance of this approval of the General Permit registration does not authorize any injury to persons or property or invasion of other private rights, or any infringement of federal, state or local law or rules.

**The validity of this General Permit Registration is contingent upon payment of the applicable annual permit fee, as required by Chapter 22, Article 11, Section 10 of the Code of West Virginia.**

Your efforts toward preventing the degradation of our natural resources are greatly appreciated. If you have any questions, please contact Randolph Ramsey of this Office at (304) 926-0495 or our TTY number (304) 926-0489.

Sincerely,



Ken Ellison  
Acting Director

KE:fr

Enclosures

WV/NPDES Permit No.: WVR101478

### NOTICE TO PERMITTEES

The 1999 regular session of the West Virginia legislature revised the Water Pollution Control Act, Chapter 22, Article 11, Section 10 of the Code of West Virginia relating to fees associated with permits. This section of the Code requires all holders of a State water pollution control permit or a national pollutant discharge elimination system permit to be assessed an annual permit fee, based upon rules promulgated by the Secretary of the Department of Environmental Protection. The Secretary has promulgated a final rule in accordance with the code revision to this effect and these rules were effective May 4, 2000. The rules establish an annual permit fee based upon the relative potential to degrade the waters of the State which, in most instances, relate to volume of discharge. However, for sewage facilities, the annual permit fee is based upon the number of customers served by the facility. You may contact the Secretary of State's Office, State Capitol Building, Charleston, WV 25305, to obtain a copy of the rules. The reference is Title 47, Legislative Rules, Department of Environmental Protection, Division of Water Resources, Series 26 Water Pollution Control Permit Fee Schedules.

Based upon the volume of discharge for which your facility is currently permitted, the number of customers served by your facility or for the category you fall within, pursuant to Section 7 of Title 47, Series 26, your annual permit fee is \$100.00. This fee is due no later than the anniversary date of permit issuance in each year of the term of the permit or in the case of coverage under a general permit, the fee is due no later than the anniversary date of your coverage under the general permit. **You will be invoiced by this agency at the appropriate time for the fee.** Failure to submit the annual fee within ninety(90) days of the due date will render your permit void upon the date you are mailed a certified written notice to that effect.