RECEIVED
EPA REGION III
JUN 11 2012
NPDES PERMITS BRANCH
(3WP41)

west virginia department of environmental protection

Division of Mining and Reclamation
601 57th Street, SE
Charleston, WV 25304-2345
Phone: (304) 926-0490
Fax: (304) 926-0456

June 5, 2012

Earl Ray Tomblin, Governor
Randy C. Huffman, Cabinet Secretary
www.dep.wv.gov

HAMPDEN COAL COMPANY LLC
PO BOX 1389
GILBERT, WV 25621

Gentlemen:

Enclosed is your WVNPDES Permit No. WV1024892 for your Surface Mine located near Gilbert in Logan, Mcdowell, Mingo County, West Virginia.

We suggest that this permit or a copy of it be kept in the office nearest the discharge point.

If you have any questions, please contact me at (304) 792-7250 or by mail at:

Department of Environmental Protection
1101 George Kostas Drive
Logan, WV 25601
Attention: Melissa Johnson

Sincerely,

Melissa Johnson

Melissa Johnson
Permit Writer

cc: Environmental Protection Agency
Environmental Inspector
DEP Regional Office File
Headquarters NPDES File

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601 57th Street, SE
Charleston, WV 25304-2345
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Earl Ray Tomblin, Governor
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WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WATER POLLUTION CONTROL PERMIT

NPDES PERMIT NO.: WV1024892 **ISSUE DATE:** June 5, 2012

ASSOCIATED PERMITS: S500410(SMA) **EXPIRE DATE:** June 5, 2017

SUBJECT: Auger Contour; Haulroad; Highwall Miner; Surface Mine

SUPERSEDES/ EFFECTIVE DATE: N/A

HEALTH CERTIFICATE:

LOCATION:	Gilbert	Logan, Mcdowell, Mingo	Group E	Upper Guyandotte River
	(City)	**(County)**	**(Hydrologic)**	**(Drainage Basin)**

TO WHOM IT MAY CONCERN:

This is to certify that: HAMPDEN COAL COMPANY LLC
PO BOX 1389
GILBERT, WV 25621

is hereby granted a West Virginia NPDES Water Pollution Control Permit to:

The Canebrake Surface Mine and Haulroad proposes to surface mine utilizing area, contour, steep slope, auger and highwall methods of mining in the Williamson, Lower Williamson, Upper Cedar Grove, Lower Cedar grove Upper Alma Rider, Upper Alma Upper Bench, Upper Alma Lower Bench & Lower Alma seam and all associated splits and riders. The operation will discharge treated and stormwater into Unnamed tributaries of Canebrake Branch and Canebrake Branch, Unnamed tributaries of Browning Fork and the Guyandotte River all of the Guyandotte River. This operation is located 2.5 miles northwest of Gilbert in Mingo County WV.

This permit is subject to the following terms and conditions:

--The effluent limitations, monitoring requirements and other conditions set forth in Section A, B, C and D.

By : _____
Thomas L. Clarke
Director

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

1. The permittee is authorized to discharge from Outlet Number(s) listed below:

2. **EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

Outlet Number	Effluent Type	Latitude Longitude	Elevation In Feet	EFFLUENT CHARACTERISTICS	Begins	Ends	Quan/ Conc	DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS	
								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.	Sample Type
001	L	37°39'08" 81°53'10"	1520	Flow	06/05/2012		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				Specific Conductance	06/05/2012		Conc	Report Only	Report Only	Report Only	UMHO/CM	Semi-monthly	Grab
				pH	06/05/2012		Conc	6.00	N/A	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	06/05/2012		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	06/05/2012		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Total Sulfates (as S04)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Selenium, Total Recoverable	06/05/2012		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab
				Iron, Total (as Fe)	06/05/2012		Conc	Report Only	0.90	1.56	MG/L	Semi-monthly	Grab
				Manganese, Total (as Mn)	06/05/2012		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	06/05/2012		Conc	Report Only	0.37	0.64	MG/L	Semi-monthly	Grab
				Aluminum, Diss. (as Al)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Total Dissolved Solids (TDS)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
		(See 3, 4)											

2014-00657202349

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002	L	37°39'02" 81°53'14"	1560	Flow	06/05/2012		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				Specific Conductance	06/05/2012		Conc	Report Only	Report Only	Report Only	UMHO/CM	Semi-monthly	Grab
				pH	06/05/2012		Conc	6.00	N/A	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	06/05/2012		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	06/05/2012		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Total Sulfates (as SO4)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Selenium, Total Recoverable	06/05/2012		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab
				Iron, Total (as Fe)	06/05/2012		Conc	Report Only	0.90	1.56	MG/L	Semi-monthly	Grab
				Manganese, Total (as Mn)	06/05/2012		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	06/05/2012		Conc	Report Only	0.37	0.64	MG/L	Semi-monthly	Grab
				Aluminum, Diss. (as Al)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Total Dissolved Solids (TDS)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
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003	L	37°38'44" 81°53'11"	1560	Flow	06/05/2012		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				Specific Conductance	06/05/2012		Conc	Report Only	Report Only	Report Only	UMHO/CM	Semi-monthly	Grab
				pH	06/05/2012		Conc	6.00	N/A	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	06/05/2012		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	06/05/2012		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Total Sulfates (as SO4)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Selenium, Total Recoverable	06/05/2012		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab
				Iron, Total (as Fe)	06/05/2012		Conc	Report Only	0.90	1.56	MG/L	Semi-monthly	Grab
				Manganese, Total (as Mn)	06/05/2012		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	06/05/2012		Conc	Report Only	0.37	0.64	MG/L	Semi-monthly	Grab
				Aluminum, Diss. (as Al)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Total Dissolved Solids (TDS)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
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004	L	37°38'35" 81°53'11"	1558	Flow	06/05/2012		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				Specific Conductance	06/05/2012		Conc	Report Only	Report Only	Report Only	UMHO/CM	Semi-monthly	Grab
				pH	06/05/2012		Conc	6.00	N/A	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	06/05/2012		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	06/05/2012		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Total Sulfates (as SO4)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Selenium, Total Recoverable	06/05/2012		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab
				Iron, Total (as Fe)	06/05/2012		Conc	Report Only	0.90	1.56	MG/L	Semi-monthly	Grab
				Manganese, Total (as Mn)	06/05/2012		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	06/05/2012		Conc	Report Only	0.37	0.64	MG/L	Semi-monthly	Grab
				Aluminum, Diss. (as Al)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Total Dissolved Solids (TDS)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
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005	L	37°38'40" 81°53'03"	1560	Flow	06/05/2012		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				Specific Conductance	06/05/2012		Conc	Report Only	Report Only	Report Only	UMHO/CM	Semi-monthly	Grab
				pH	06/05/2012		Conc	6.00	N/A	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	06/05/2012		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	06/05/2012		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Total Sulfates (as SO4)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Selenium, Total Recoverable	06/05/2012		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab
				Iron, Total (as Fe)	06/05/2012		Conc	Report Only	0.90	1.56	MG/L	Semi-monthly	Grab
				Manganese, Total (as Mn)	06/05/2012		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	06/05/2012		Conc	Report Only	0.37	0.64	MG/L	Semi-monthly	Grab
				Aluminum, Diss. (as Al)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Total Dissolved Solids (TDS)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
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006	L	37°38'38" 81°52'53"	1555	Flow	06/05/2012		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				Specific Conductance	06/05/2012		Conc	Report Only	Report Only	Report Only	UMHO/CM	Semi-monthly	Grab
				pH	06/05/2012		Conc	6.00	N/A	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	06/05/2012		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	06/05/2012		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Total Sulfates (as SO4)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Selenium, Total Recoverable	06/05/2012		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab
				Iron, Total (as Fe)	06/05/2012		Conc	Report Only	0.90	1.56	MG/L	Semi-monthly	Grab
				Manganese, Total (as mn)	06/05/2012		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	06/05/2012		Conc	Report Only	0.37	0.64	MG/L	Semi-monthly	Grab
				Aluminum, Diss. (as Al)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Total Dissolved Solids (TDS)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
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007	L	37°38'58" 81°52'40"	1560	Flow	06/05/2012		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				Specific Conductance	06/05/2012		Conc	Report Only	Report Only	Report Only	UMHO/CM	Semi-monthly	Grab
				pH	06/05/2012		Conc	6.00	N/A	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	06/05/2012		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	06/05/2012		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Total Sulfates (as SO4)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Selenium, Total Recoverable	06/05/2012		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab
				Iron, Total (as Fe)	06/05/2012		Conc	Report Only	0.90	1.56	MG/L	Semi-monthly	Grab
				Manganese, Total (as Mn)	06/05/2012		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	06/05/2012		Conc	Report Only	0.37	0.64	MG/L	Semi-monthly	Grab
				Aluminum, Diss. (as Al)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
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								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.	Sample Type
008	L	37°38'48" 81°52'34"	1560	Flow	06/05/2012		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				Specific Conductance	06/05/2012		Conc	Report Only	Report Only	Report Only	UMHO/CM	Semi-monthly	Grab
				pH	06/05/2012		Conc	6.00	N/A	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	06/05/2012		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	06/05/2012		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Total Sulfates (as S04)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Selenium, Total Recoverable	06/05/2012		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab
				Iron, Total (as Fe)	06/05/2012		Conc	Report Only	0.90	1.56	MG/L	Semi-monthly	Grab
				Manganese, Total (as Mn)	06/05/2012		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	06/05/2012		Conc	Report Only	0.37	0.64	MG/L	Semi-monthly	Grab
				Aluminum, Diss. (as Al)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
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009	L	37°38'42" 81°52'38"	1520	Flow	06/05/2012		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				Specific Conductance	06/05/2012		Conc.	Report Only	Report Only	Report Only	UMHO/CM	Semi-monthly	Grab
				pH	06/05/2012		Conc	6.00	N/A	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	06/05/2012		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	06/05/2012		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Total Sulfates (as SO_4)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Selenium, Total Recoverable	06/05/2012		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab
				Iron, Total (as Fe)	06/05/2012		Conc	Report Only	1.42	2.46	MG/L	Semi-monthly	Grab
				Manganese, Total (as Mn)	06/05/2012		Conc	Report Only	2.00	3.47	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	06/05/2012		Conc	Report Only	3.00	6.00	MG/L	Semi-monthly	Grab
				Aluminum, Diss. (as Al)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
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								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.	Sample Type
010	L	37°38'37" 81°52'43"	1556	Flow	06/05/2012		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				Specific Conductance	06/05/2012		Conc	Report Only	Report Only	Report Only	UMHO/CM	Semi-monthly	Grab
				pH	06/05/2012		Conc	6.00	N/A	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	06/05/2012		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
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				Iron, Total (as Fe)	06/05/2012		Conc	Report Only	1.42	2.48	MG/L	Semi-monthly	Grab
				Manganese, Total (as Mn)	06/05/2012		Conc	Report Only	2.00	3.47	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	06/05/2012		Conc	Report Only	3.00	6.00	MG/L	Semi-monthly	Grab
				Aluminum, Diss. (as Al)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
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		(See 3, e)											

2014-00657202349

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

1. The permittee is authorized to discharge from Outlet Number(s) listed below:

2. **EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

Outlet Number	Effluent Type	Latitude Longitude	Elevation In Feet	EFFLUENT CHARACTERISTICS	Begins	Ends	Quan/ Conc	DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS	
								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.	Sample Type
011	L	37°38'32" 81°53'38"	1576	Flow	06/05/2012		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				Specific Conductance	06/05/2012		Conc	Report Only	Report Only	Report Only	UMHO/CM	Semi-monthly	Grab
				pH	06/05/2012		Conc	6.00	N/A	9.00	Std Units	Semi-monthly	Grab
				Alkalinity, Total	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Total Suspended Solids	06/05/2012		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	06/05/2012		Conc	Report Only	Report Only	0.50	ML/L*	See Section A of Permit	Grab
				Calcium, Total (as Ca)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Magnesium,Tot (as Mg)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Sodium,Total (as Na)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Potassium, Total (as K)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Total Sulfates (as S04)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Selenium, Total Recoverable	06/05/2012		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab
				Iron, Total (as Fe)	06/05/2012		Conc	Report Only	1.42	2.46	MG/L	Semi-monthly	Grab
				Manganese, Total (as Mn)	06/05/2012		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	06/05/2012		Conc	Report Only	0.73	1.27	MG/L	Semi-monthly	Grab
				Aluminum, Diss. (as Al)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Chronic Tox-Ceriodaphnia Dubia	06/05/2012		Conc	Report Only	0.82	1.64	TUc	Semi-monthly	Grab
				Total Dissolved Solids (TDS)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
		(See 3, 4)											

2014-00657202349

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

1. The permittee is authorized to discharge from Outlet Number(s) listed below:

2. **EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

Outlet Number	Effluent Type	Latitude Longitude	Elevation in Feet	EFFLUENT CHARACTERISTICS	Begins	Ends	Quan/ Conc	DISCHARGE LIMITATIONS Min. Daily	Avg. Monthly	Max. Daily	Units	MONITORING REQUIREMENTS Measurement Freq.	Sample Type
012	L	37°38'37" 81°53'44"	1564	Flow	06/05/2012		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				Specific Conductance	06/05/2012		Conc	Report Only	Report Only	Report Only	UMHO/CM	Semi-monthly	Grab
				pH	06/05/2012		Conc	6.00	N/A	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	06/05/2012		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	06/05/2012		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Total Sulfates (as SO4)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Selenium, Total Recoverable	06/05/2012		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab
				Iron, Total (as Fe)	06/05/2012		Conc	Report Only	1.42	2.46	MG/L	Semi-monthly	Grab
				Manganese, Total (as Mn)	06/05/2012		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	06/05/2012		Conc	Report Only	0.73	1.27	MG/L	Semi-monthly	Grab
				Aluminum, Diss. (as Al)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Total Dissolved Solids (TDS)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
		(See 3, 4)											

2014-00657202349

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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Outlet Number	Effluent Type	Latitude Longitude	Elevation in Feet	EFFLUENT CHARACTERISTICS	Begins	Ends	Quan/ Conc	DISCHARGE LIMITATIONS Min. Daily	Avg. Monthly	Max. Daily	Units	MONITORING REQUIREMENTS Measurement Freq.	Sample Type
013	L	37°38'42" 81°53'54"	1480	Flow	06/05/2012		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				Specific Conductance	06/05/2012		Conc	Report Only	Report Only	Report Only	UMHO/CM	Semi-monthly	Grab
				pH	06/05/2012		Conc	6.00	N/A	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	06/05/2012		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	06/05/2012		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Total Sulfates (as SO4)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Selenium, Total Recoverable	06/05/2012		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab
				Iron, Total (as Fe)	06/05/2012		Conc	Report Only	1.42	2.46	MG/L	Semi-monthly	Grab
				Manganese, Total (as Mn)	06/05/2012		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	06/05/2012		Conc	Report Only	0.73	1.27	MG/L	Semi-monthly	Grab
				Aluminum, Diss. (as Al)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Total Dissolved Solids (TDS)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
		(See 3, 4)											

2014-00657202349

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

1. The permittee is authorized to discharge from Outlet Number(s) listed below:

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Outlet Number	Effluent Type	Latitude Longitude	Elevation in Feet	EFFLUENT CHARACTERISTICS	Begins	Ends	Quan/ Conc	DISCHARGE LIMITATIONS Min. Daily	Avg. Monthly	Max. Daily	Units	MONITORING REQUIREMENTS Measurement Freq.	Sample Type
014	L	37°38'50" 81°53'46"	1540	Flow	06/05/2012		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				Specific Conductance	06/05/2012		Conc	Report Only	Report Only	Report Only	UMHO/CM	Semi-monthly	Grab
				pH	06/05/2012		Conc	6.00	N/A	9.00	Std. Units	Semi-monthly	Grab
				Total Suspended Solids	06/05/2012		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	06/05/2012		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Total Sulfates (as SO4)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Selenium, Total Recoverable	06/05/2012		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab
				Iron, Total (as Fe)	06/05/2012		Conc	Report Only	1.42	2.46	MG/L	Semi-monthly	Grab
				Manganese, Total (as Mn)	06/05/2012		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	06/05/2012		Conc	Report Only	0.73	1.27	MG/L	Semi-monthly	Grab
				Aluminum, Diss. (as Al)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Total Dissolved Solids (TDS)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
		(See 3, 4)											

2014-00657202349

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

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Outlet Number	Effluent Type	Latitude Longitude	Elevation In Feet	EFFLUENT CHARACTERISTICS	Begins	Ends	Quan/ Conc	DISCHARGE LIMITATIONS Min. Daily	Avg. Monthly	Max. Daily	Units	MONITORING REQUIREMENTS Measurement Freq.	Sample Type
015	L	37°38'59" 81°53'50"	1545	Flow	06/05/2012		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				Specific Conductance	06/05/2012		Conc	Report Only	Report Only	Report Only	UMHO/CM	Semi-monthly	Grab
				pH	06/05/2012		Conc	6.00	N/A	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	06/05/2012		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	06/05/2012		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Total Sulfates (as SO4)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Selenium, Total Recoverable	06/05/2012		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab
				Iron, Total (as Fe)	06/05/2012		Conc	Report Only	1.42	2.46	MG/L	Semi-monthly	Grab
				Manganese, Total (as Mn)	06/05/2012		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	06/05/2012		Conc	Report Only	0.73	1.27	MG/L	Semi-monthly	Grab
				Aluminum, Diss. (as Al)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Total Dissolved Solids (TDS)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
		(See 3,4)											

2014-00657202349

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

1. The permittee is authorized to discharge from Outlet Number(s) listed below:
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Outlet Number	Effluent Type	Latitude Longitude	Elevation In Feet	EFFLUENT CHARACTERISTICS	Begins	Ends	Quan/ Conc	DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS	
								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.	Sample Type
016	L	37°39'02" 81°54'02"	1538	Flow	06/05/2012		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				Specific Conductance	06/05/2012		Conc	Report Only	Report Only	Report Only	UMHO/CM	Semi-monthly	Grab
				pH	06/05/2012		Conc	6.00	N/A	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	06/05/2012		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	06/05/2012		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Total Sulfates (as S04)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Selenium, Total Recoverable	06/05/2012		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab
				Iron, Total (as Fe)	06/05/2012		Conc	Report Only	1.42	2.46	MG/L	Semi-monthly	Grab
				Manganese, Total (as Mn)	06/05/2012		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	06/05/2012		Conc	Report Only	0.73	1.27	MG/L	Semi-monthly	Grab
				Aluminum, Diss. (as Al)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Total Dissolved Solids (TDS)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
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								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.	Sample Type
017	L	37°39'09" 81°54'06"	1520	Flow	06/05/2012		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				Specific Conductance	06/05/2012		Conc	Report Only	Report Only	Report Only	UMHO/CM	Semi-monthly	Grab
				pH	06/05/2012		Conc	6.00	N/A	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	06/05/2012		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	06/05/2012		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Total Sulfates (as S04)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Selenium, Total Recoverable	06/05/2012		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab
				Iron, Total (as Fe)	06/05/2012		Conc	Report Only	1.42	2.46	MG/L	Semi-monthly	Grab
				Manganese, Total (as Mn)	06/05/2012		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	06/05/2012		Conc	Report Only	0.73	1.27	MG/L	Semi-monthly	Grab
				Aluminum, Diss. (as Al)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Total Dissolved Solids (TDS)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
		(See 3, 4)											

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1. The permittee is authorized to discharge from Outlet Number(s) listed below:

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Outlet Number	Effluent Type	Latitude Longitude	Elevation In Feet	EFFLUENT CHARACTERISTICS	Begins	Ends	Quan/ Conc	DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS	
								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.	Sample Type
018	L	37°39'13" 81°53'46"	1480	Flow	06/05/2012		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				Specific Conductance	06/05/2012		Conc	Report Only	Report Only	Report Only	UMHO/CM	Semi-monthly	Grab
				pH	06/05/2012		Conc	6.00	N/A	9.00	Std Units	Semi-monthly	Grab
				Alkalinity, Total	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Total Suspended Solids	06/05/2012		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	06/05/2012		Conc	Report Only	Report Only	0.50	ML/L*	See Section A of Permit	Grab
				Calcium, Total (as Ca)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Magnesium,Tot (as Mg)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Sodium,Total (as Na)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Potassium, Total (as K)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Total Sulfates (as S04)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Selenium, Total Recoverable	06/05/2012		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab
				Iron, Total (as Fe)	06/05/2012		Conc	Report Only	1.42	2.46	MG/L	Semi-monthly	Grab
				Manganese, Total (as Mn)	06/05/2012		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	06/05/2012		Conc	Report Only	0.73	1.27	MG/L	Semi-monthly	Grab
				Aluminum, Diss. (as Al)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Chronic Tox-Ceriodaphnia Dubia	06/05/2012		Conc	Report Only	0.82	1.64	TUc	Quarterly	Grab
				Total Dissolved Solids (TDS)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
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19	L	37°39'22" 81°53'54"	1520	Flow	06/05/2012		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				Specific Conductance	06/05/2012		Conc	Report Only	Report Only	Report Only	UMHO/CM	Semi-monthly	Grab
				pH	06/05/2012		Conc	6.00	N/A	9.00	Std Units	Semi-monthly	Grab
				Total Suspended Solids	06/05/2012		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	06/05/2012		Conc	N/A	N/A	0.50	ML/L*	See Section A of Permit	Grab
				Total Sulfates (as SO_4)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Selenium, Total Recoverable	06/05/2012		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab
				Iron, Total (as Fe)	06/05/2012		Conc	Report Only	1.42	2.46	MG/L	Semi-monthly	Grab
				Manganese, Total (as Mn)	06/05/2012		Conc	Report Only	1.00	1.73	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	06/05/2012		Conc	Report Only	0.73	1.27	MG/L	Semi-monthly	Grab
				Aluminum, Diss. (as Al)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Total Dissolved Solids (TDS)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
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								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.	Sample Type
020	L	37°39'15" 81°52'56"	1040	Flow	06/05/2012		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				Specific Conductance	06/05/2012		Conc	Report Only	Report Only	Report Only	UMHO/CM	Semi-monthly	Grab
				pH	06/05/2012		Conc	6.00	N/A	9.00	Std Units	Semi-monthly	Grab
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				Settleable Solids	06/05/2012		Conc	Report Only	Report Only	0.50	ML/L*	See Section A of Permit	Grab
				Calcium, Total (as Ca)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Magnesium,Tot (as Mg)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Sodium,Total (as Na)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Potassium, Total (as K)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Total Sulfates (as S04)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Selenium, Total Recoverable	06/05/2012		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab
				Iron, Total (as Fe)	06/05/2012		Conc	Report Only	0.90	1.56	MG/L	Semi-monthly	Grab
				Manganese, Total (as Mn)	06/05/2012		Conc	Report Only	2.00	3.47	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	06/05/2012		Conc	Report Only	0.37	0.64	MG/L	Semi-monthly	Grab
				Aluminum, Diss. (as Al)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Chronic Tox-Ceriodaphnia Dubia	06/05/2012		Conc	Report Only	0.82	1.64	TUc	Quarterly	Grab
				Total Dissolved Solids (TDS)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
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1. The permittee is authorized to discharge from Outlet Number(s) listed below:

2. **EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should be limited and monitored by the permittee as specified below:

Outlet Number	Effluent Type	Latitude Longitude	Elevation In Feet	EFFLUENT CHARACTERISTICS	Begins	Ends	Quan/ Conc	DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS	
								Min. Daily	Avg. Monthly	Max. Daily	Units	Measurement Freq.	Sample Type
021	L	37°39'02" 81°52'52"	1020	Flow	06/05/2012		Quan	Report Only	Report Only	Report Only	GPM	Semi-monthly	Estimated
				Specific Conductance	06/05/2012		Conc	Report Only	Report Only	Report Only	UMHO/CM	Semi-monthly	Grab
				pH	06/05/2012		Conc	6.00	N/A	9.00	Std Units	Semi-monthly	Grab
				Alkalinity, Total	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Total Suspended Solids	06/05/2012		Conc	Report Only	35.00	70.00	MG/L	Semi-monthly	Grab
				Settleable Solids	06/05/2012		Conc	Report Only	Report Only	0.50	ML/L*	See Section A of Permit	Grab
				Calcium, Total (as Ca)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Magnesium,Tot (as Mg)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Sodium,Total (as Na)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Potassium, Total (as K)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Total Sulfates (as S04)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Selenium, Total Recoverable	06/05/2012		Conc	Report Only	4.70	8.20	UG/L	Semi-monthly	Grab
				Iron, Total (as Fe)	06/05/2012		Conc	Report Only	0.90	1.56	MG/L	Semi-monthly	Grab
				Manganese, Total (as Mn)	06/05/2012		Conc	Report Only	2.00	3.47	MG/L	Semi-monthly	Grab
				Aluminum, Total (as Al)	06/05/2012		Conc	Report Only	0.37	0.64	MG/L	Semi-monthly	Grab
				Aluminum, Diss. (as Al)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
				Chronic Tox-Ceriodaphnia Dubia	06/05/2012		Conc	Report Only	0.82	1.64	TUc	Quarterly	Grab
				Total Dissolved Solids (TDS)	06/05/2012		Conc	Report Only	Report Only	Report Only	MG/L	Semi-monthly	Grab
		(See 3, 4)											

2014-00657202349

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

* Instantaneous maximum limitation not to be exceeded at any time.

3. COMPLIANCE POINT: Samples taken for compliance with the above monitoring requirements shall be taken at the following locations: Outlet sites

4. ALTERNATE EFFLUENT LIMITATIONS: If alternate effluent limits are chosen, the following monitoring scheme applies:
   (a) Table I Alternate Storm Limitations applies to any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period.

   (b) Analyze the required parameters, which are determined by effluent type (listed in A.1.) and rainfall event, listed in Table I Alternate Storm Limitations.

   (c) The permittee shall have the burden of proof that the discharge or increase in discharge was caused by the applicable rainfall event. This shall be verified by the use of a rainfall gauge located within three miles of the discharge point and last emptied no more than twenty-four hours prior to the time the sample was taken. Automated rain gauges may also be utilized. The sampling date and amount of rainfall measured by the gauge shall be reported on the Discharge Monitoring Report(DMR).

5. The rainfall gauge shall be located within three miles of the discharge point and last emptied not more than 24 hours prior to the time the sample was taken. Automated rain gauges may also be utilized. The sampling date and amount of rainfall measured for the 24-hour period of the sample being collected shall be reported on the Discharge Monitoring Report(DMR) for each DMR reported.

6. SUBMISSION OF DISCHARGE MONITORING REPORTS (DMRs):
   (a) Permittee shall submit each quarter, according to the enclosed format, a Discharge Monitoring Report (DMR) indicating the values of the constituents listed in Part A, to be in the discharge measured at the specific compliance points. All analyses must be determined by methods required in 40 CFR Part 136.

   (b) The required quarterly reports shall be postmarked no later than twenty (20) days following the end of the reporting period and shall be sent to:

   West Virginia Department of Environmental Protection
   Division of Mining & Reclamation / HPU / NPDES Section
   601 57th Street SE
   Charleston, West Virginia 25304

   (c) Enter reported average and maximum values under Quantity and Concentration in the units specified for each parameter, as appropriate.

   (d) Specify the number of analyzed samples that exceed the allowable permit conditions in the columns labeled N.E. (i.e. number exceeding).

   (e) Specify frequency of analysis of each parameter as number of analyses/specified period (e.g. 3/month is equivalent to 3 analyses performed every calendar month). If continuous enter Cont. The frequency listed on format is the minimum required. Notwithstanding the frequency of sampling/analyses, there must be at least 10 calendars days between two of the sampling/analyses.

   (f) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic means unless otherwise specified in the permit. "No discharge" or "no flow" cannot count as a sample collected for calculating the arithmetic average when reporting the monthly average limit or averaging of measurement for reporting purposes.

7. Any "not detected (ND)" results by the permittee must be "ND" at the method detection limit (MDL) for the test method used for that parameter and must be reported as less than the MDL used. The permittee may not report the result as zero, "ND", or report the result as less than a minimum level (ML), reporting limit (RL), or practical quantitation limit (PQL).

   When averaging values of analytical results for DMR reporting purposes for monthly averages, the permittee should use actual analytical results when these results are greater than or equal to the MDL and should use zero (0) when these results are less than the MDL. If all analytical results are non-detect at the MDL (<MDL), then the permittee should use the actual MDL in the calculation for averaging and report the results as less than the average calculation.

8. In incidences where a specific test method is not defined, the permittee shall utilize an EPA approved method with a method detection limit (MDL) sensitive enough to confirm compliance with the permit effluent limit for that parameter. If a MDL is not sensitive enough to comfirm compliance, the most sensitive approved method must be used. If a more sensitive EPA approved method becomes available, that method shall be used. Should the current and/or new method not be sensitive enough to confirm compliance with the permitted effluent limit, analytical results reported as "not detected" at the MDL of the most sensitive method available will be deemed compliant for purposes of permit compliance. Results shall be reported on the Discharge Monitoring Reports as a numeric value less than the MDL.

TABLE 1
ALTERNATE STORM LIMITATIONS

EFFLUENT TYPES	DRY WEATHER	DCP*	1 YEAR - 24 HOUR	2 YEAR - 24 HOUR	10 YEAR - 24 HOUR
ACID OR FERRUGINOUS CATEGORIES					
a. Discharges from underground workings of underground mines not commingled	TSS pH Iron Flow Manganese WQBEL***		(NO ALTERNATE LIMITATIONS)		
b. Discharges from underground workings of underground mines commingled	TSS pH Iron Flow Manganese WQBEL***				Flow pH WQBEL***
c. Controlled surface mine drainage(except steep slope and mountaintop removal)	TSS pH Iron Flow Manganese WQBEL***				Flow pH WQBEL***
d. Non-controlled surface mine drainage(except steep slope and mountaintop removal)	TSS Iron Flow pH Manganese WQBEL***	SS** pH Iron Flow Manganese WQBEL***		SS** pH Flow WQBEL***	Flow pH WQBEL***
e. Discharges from coal refuse disposal areas	TSS pH Iron Flow Manganese WQBEL***		Flow SS** pH WQBEL***		Flow pH WQBEL***
f. Discharges from steep slope and mountaintop removal areas	TSS Iron Flow pH Manganese WQBEL***	Flow SS** pH WQBEL***			Flow pH WQBEL***
g. Discharges from preparation plants and preparation plant associated areas (excluding coal refuse piles)	TSS Iron Flow pH Manganese WQBEL***	Flow SS** pH WQBEL***			Flow pH WQBEL***
h. Discharges from reclamation areas	Flow SS** pH WQBEL***				Flow pH WQBEL***
ALKALINE CATEGORY					
i. Discharges from underground workings of underground mines not commingled	TSS ph Iron Flow WQBEL***		(NO ALTERNATE LIMITATIONS)		
j. Alkaline Mine Discharges	TSS Iron Flow pH WQBEL***	Flow SS** pH WQBEL***			Flow pH WQBEL***
k. Reclamation areas	Flow SS** pH WQBEL***				Flow pH WQBEL***
WATER QUALITY BASED LIMITS					
l. Water quality based effluent limits	TSS Flow pH WQBEL***	SS** pH Flow WQBEL***			
m. Bathhouse & Sewage	(NO ALTERNATE LIMITATIONS)				

DCP* -- Discharge or increase in the volume of a discharge caused by precipitation within any 24 hour period
SS** -- Settleable Solids
WQBEL*** -- All Parameters with calculated Water Quality Based Effluent Limits

County: Mingo 1-Year 02.42 2-Year 02.77 10-Year 04.00

B. SCHEDULE OF COMPLIANCE

1. The permittee shall achieve compliance with the following interim requirements with the discharge limitations specified in this permit in accordance with the following schedule:

Interim Requirement	Completion Date
Effective date of this permit	

2. Reports of compliance or non-compliance with, and progress reports on the interim and final requirements contained in the above compliance schedule shall be submitted no later than fourteen (14) days following each schedule date.

N/A

C. TERMS AND CONDITIONS INCORPORATED BY REFERENCE TO THE WV NPDES REGULATIONS FOR COAL MINING AND FACILITIES, TITLE 47, SERIES 30.

5.1 Duty to Comply, Penalties

5.2 Duty to Reapply

5.3 Duty to Halt or Reduce Activity

5.4 Duty to Mitigate

5.5 Proper Operation and Maintenance

5.6 Permit Actions

5.7 Transfer

5.8 Property Rights

5.9 Duty to Provide Information

5.10 Inspection and Entry

5.11 Monitoring and Records

5.12 Signatory Requirements

5.13 Reporting Requirements

5.14 Bypass

5.15 Upset

5.16 Reopener Clause

5.17 Removed Substances

5.18 New Sources (if applicable)

5.19 Definitions

D. OTHER REQUIREMENTS

1. REPORTING SPILLS AND ACCIDENTAL DISCHARGES

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties established pursuant to Series 3, Section 1 of the Environmental Quality Boards regulations.

Attached is a copy of the West Virginia Spill Alert System for use in complying with Series 3, Section 1 of the regulations as they pertain to the reporting of spills and accidental discharges.

2. HAULAGEWAYS AND ACCESS ROADS

Haulageways and access roads shall be constructed and maintained in accordance with best management practices including, but not limited to, the performance standards contained in Title 38, Series 2, Section 4 of the West Virginia Surface Mining Reclamation Regulations.

3. RECEIVING STREAMS

The receiving streams shall be monitored by grab samples as required at the stream sampling points listed below, and the samples shall be analyzed for the parameters listed below. The flow of the stream shall also be estimated at the time of monitoring. Monitoring shall be done approximately at the same time as the discharge points are monitored as required under Section A of this permit. A quarterly report of the stream monitoring and flow shall be sent to the NPDES section in Charleston, on the enclosed forms along with the reports required under Section A. Based upon the stream monitoring flow data, water quality standards or other information, the Department may at any time modify the effluent limits in Section A of this permit for any of the discharge points if necessary, to insure compliance with water quality standards.

STREAM STATION	LATITUDE	LONGITUDE	ELEV.
BAS 1	37° 39' 04.4000"	81° 52' 27.2000"	890

Parameters: Temperature, C/ Flow/ Specific Conductance/ Dissolved Oxygen/ pH/ Alkalinity, Total/ Bicarbonate Ion-(as HC03)/ Carbonate ion-(as C03)/ Total Suspended Solids/ Calcium, Total (as Ca)/ Magnesium,Tot (as Mg)/ Sodium,Total (as Na)/ Potassium, Total (as K)/ Chloride (as Cl)/ Total Sulfates (as S04)/ Selenium, Total Recoverable/ Iron, Total (as Fe)/ Manganese, Total (as Mn)/ Aluminum, Total (as Al)/ Aluminum, Diss. (as Al)/ Total Dissolved Solids (TDS)

37° 39' 08.3000"	81° 52' 44.7200"	964

Parameters: Temperature, C/ Flow/ Specific Conductance/ Dissolved Oxygen/ pH/ Alkalinity, Total/ Bicarbonate Ion-(as HC03)/ Carbonate ion-(as C03)/ Total Suspended Solids/ Calcium, Total (as Ca)/ Magnesium,Tot (as Mg)/ Sodium,Total (as Na)/ Potassium, Total (as K)/ Chloride (as Cl)/ Total Sulfates (as S04)/ Selenium, Total Recoverable/ Iron, Total (as Fe)/ Manganese, Total (as Mn)/ Aluminum, Total (as Al)/ Aluminum, Diss. (as Al)/ Total Dissolved Solids (TDS)

37° 38' 28.8900"	81° 54' 17.5100"	960

Parameters: Temperature, C/ Flow/ Specific Conductance/ Dissolved Oxygen/ pH/ Alkalinity, Total/ Bicarbonate Ion-(as HC03)/ Carbonate ion-(as C03)/ Total Suspended Solids/ Calcium, Total (as Ca)/ Magnesium,Tot (as Mg)/ Sodium,Total (as Na)/ Potassium, Total (as K)/ Chloride (as Cl)/ Total Sulfates (as S04)/ Selenium, Total Recoverable/ Iron, Total (as Fe)/ Manganese, Total (as Mn)/ Aluminum, Total (as Al)/ Aluminum, Diss. (as Al)/ Total Dissolved Solids (TDS)

STREAM STATION	LATITUDE	LONGITUDE	ELEV.
BAS 4	37° 39' 13.9700"	81° 54' 34.6300"	1035
	Parameters: Temperature, C/ Flow/ Specific Conductance/ Dissolved Oxygen/ pH/ Alkalinity, Total/ Bicarbonate Ion-(as HC03)/ Carbonate ion-(as C03)/ Calcium, Total (as Ca)/ Magnesium,Tot (as Mg)/ Sodium,Total (as Na)/ Potassium, Total (as K)/ Chloride (as Cl)/ Total Sulfates (as S04)/ Selenium, Total Recoverable/ Iron, Total (as Fe)/ Manganese, Total (as Mn)/ Aluminum, Total (as Al)/ Aluminum, Diss. (as Al)/ Total Dissolved Solids (TDS)		
CB1	37° 39' 09.0000"	81° 52' 45.0000"	957
	Parameters: Flow/ Specific Conductance/ pH/ Total Sulfates (as S04)/ Selenium, Total Recoverable/ Iron, Total (as Fe)/ Manganese, Total (as Mn)/ Aluminum, Total (as Al)/ Aluminum, Diss. (as Al)/ Total Dissolved Solids (TDS)		
DBF2	37° 38' 31.0000"	81° 54' 16.0000"	964
	Parameters: Flow/ Specific Conductance/ pH/ Total Sulfates (as S04)/ Selenium, Total Recoverable/ Iron, Total (as Fe)/ Manganese, Total (as Mn)/ Aluminum, Total (as Al)/ Aluminum, Diss. (as Al)/ Total Dissolved Solids (TDS)		
DBF3	37° 38' 57.0000"	81° 54' 21.0000"	1001
	Parameters: Flow/ Specific Conductance/ pH/ Total Sulfates (as S04)/ Selenium, Total Recoverable/ Iron, Total (as Fe)/ Manganese, Total (as Mn)/ Aluminum, Total (as Al)/ Aluminum, Diss. (as Al)/ Total Dissolved Solids (TDS)		
DCB2	37° 38' 41.0000"	81° 52' 02.0000"	800
	Parameters: Flow/ Specific Conductance/ pH/ Total Sulfates (as S04)/ Selenium, Total Recoverable/ Iron, Total (as Fe)/ Manganese, Total (as Mn)/ Aluminum, Total (as Al)/ Aluminum, Diss. (as Al)/ Total Dissolved Solids (TDS)		
DGUY	37° 38' 29.0000"	81° 52' 20.0000"	798
	Parameters: Flow/ Specific Conductance/ pH/ Total Sulfates (as S04)/ Selenium, Total Recoverable/ Iron, Total (as Fe)/ Manganese, Total (as Mn)/ Aluminum, Total (as Al)/ Aluminum, Diss. (as Al)/ Total Dissolved Solids (TDS)		
DUBF3	37° 39' 13.0000"	81° 54' 27.0000"	1038
	Parameters: Flow/ Specific Conductance/ pH/ Total Sulfates (as S04)/ Selenium, Total Recoverable/ Iron, Total (as Fe)/ Manganese, Total (as Mn)/ Aluminum, Total (as Al)/ Aluminum, Diss. (as Al)/ Total Dissolved Solids (TDS)		
UBF1	37° 36' 32.0000"	81° 54' 14.0000"	1000
	Parameters: Flow/ Specific Conductance/ pH/ Total Sulfates (as S04)/ Selenium, Total Recoverable/ Iron, Total (as Fe)/ Manganese, Total (as Mn)/ Aluminum, Total (as Al)/ Aluminum, Diss. (as Al)/ Total Dissolved Solids (TDS)		
UCB	37° 39' 07.0000"	81° 52' 45.0000"	957
	Parameters: Flow/ Specific Conductance/ pH/ Total Sulfates (as S04)/ Selenium, Total Recoverable/ Iron, Total (as Fe)/ Manganese, Total (as Mn)/ Aluminum, Total (as Al)/ Aluminum, Diss. (as Al)/ Total Dissolved Solids (TDS)		

4. SURFACE MINES

If the coal mining operation has been granted Phase II revegetation release and all discharge points have been eliminated during the period this permit is in effect, the discharge limitations and monitoring requirements in Section A and Section D.3 stream monitoring shall not apply. The coal mining operation shall be maintained in accordance with best management practices including, but not limited to the applicable performance standards contained in Title 38, Series 2, West Virginia Mining Reclamation Regulation until the associated performance bond has been final released.

5. STORM WATER DISCHARGES

Such discharges shall comply with the applicable Water Quality Standards in 47 CSR 2. Activities consisting of discharges of storm water runoff or snow melt composed entirely of flows which are from conveyances used for collecting and conveying precipitation runoff, in accordance with 47 CSR 30, Section 3.1.a.6 and are authorized under Chapter 22, Article 3, are authorized by this permit. Such storm water discharges shall not involve any mineral removal, pumping of storm water, or storm water runoff commingled with mine drainage, refuse drainage, coal stockpile areas, preparation plant areas, loading areas or unloading areas. The activities shall be constructed and maintained in accordance with the issued Article 3 Permit Revision including incidental boundary revisions and with the best management practices and performance standards contained in 38 CSR 2 and Chapter 22, Article 3. These storm water discharges are authorized under this Condition upon issuance of the associated Article 3 application for the life of this permit. Updated NPDES permit application information will be submitted in the next reissuance application for activities covered under this Condition. The Director reserves the right to require any permittee to submit a NPDES modification when the Director determines that such receiving stream will be better protected by an individual NPDES modification.

6. SPECIAL EFFLUENT CHARACTERIZATION CONDITION

The permittee must perform Table 2-IV-A, B, C analyses within two (2) years of commencement of a new discharge. The permittee is also required to identify and analyze any potential pollutants not covered under 2-IV-A, B, C analyses which may be present due to use, manufacturing or byproduct. Representive outlets are acceptable for discharges which receive drainage from similar mining activities and are of the same outlet type. Two (2) copies of the Table 2-IV-A, B and C analyses and any additional potential pollutant analyses must be submitted to the regional office Permit Supervisor and Inspector Supervisor within two (2) years of commencement of discharge.

7. SPECIAL SAMPLING CONDITIONS

As set forth in the remainder of this condition, Permittee shall monitor following a qualifying event at the constructed on-bench outlet (precipitation induced) which has been disturbed by mining activity with the largest component drainage area and at the constructed on-bench outlet (precipitation induced) at the lowest elevation on the down dip portion of the operation that has been disturbed by mining activity* at the time of the qualifying event. The stream monitoring stations associated with the monitored outlets must also be monitored at approximately the same time. A qualifying event is defined as any event where 0.3 inches or more of rainfall occurs within a consecutive 24 hour period. The monitoring can be initiated at any point after rain gauge data indicates 0.3 inches of precipitation has occurred and shall be completed no later than eighteen (18) hours after cessation of the precipitation event. Once a qualifying event is sampled in a given calendar month, this condition is satisfied for that calendar month.

Monitoring at both the outlets and at the associated stream monitoring stations required by this condition shall be for flow, pH, total dissolved solids, specific conductivity and sulfates

In the event of a discharge from the precipitation induced outlets, the sample(s) may be substituted for one of the required semi-monthly samples for the outlet(s) and as such, must be analyzed for all parameters listed in Section A of the permit for each respective outlet and parameters listed in Section D.3 of the permit for the associated stream monitoring station(s). Samples collected from an event that are in addition to the required semi-monthly monitoring must be analyzed for total dissolved solids, sulfates, specific conductivity, flow and pH for each respective outlet and associated stream station(s).

Rain gauge information must be maintained during the term of the life of the permit and made available to the Director upon request. The Director may require additional sampling if necessary to document that narrative water quality standards are being achieved.

*Note: Outlets with technology-based post mining effluent limitations (flow, pH and settable solids) are exempt from this condition and shall not be sampled to fulfill the requirements of such.

Monthly reports must be maintained detailing which outlet(s) and stream monitoring station(s) were monitored for this condition. The reports must document that the outlet(s) sampled met the criteria defined in the special condition.

Each report must contain the following information:

Date, time and rain gauge reading for the event sampled.

Analytical results (flow, pH, total dissolved solids, specific conductivity and sulfates) for the outlet(s) stream monitoring station(s) sampled each month to fulfill the requirements of this condition.

These monthly reports must be submitted quarterly no later than twenty (20) days following the end of each quarter. In the event that the sample will be used to substitute for one of the required semi-monthly sampling requirements, the analysis must also be included in the discharge monitoring report for that given month.

Copies of the quarterly reports are to be submitted in a format prescribed by WVDEP to:

West Virginia Department of Environmental Protection
DMR – NPDES Program Manager
601 57th Street S.E.
Charleston, WV 25304
and
WVDEP – Regional Office - Permit Inspector

8. REOPENER CLAUSE

This permit may be reopened and modified, suspended, revoked and reissued or revoked at any time if information becomes available and demonstrates that the established controls do not attain and maintain the narrative water quality criteria at 47 CSR 3.2.e and 47 CSR 3.2.i.

9. WHOLE EFFLUENT TOXICITY LIMITS

The permittee shall quarterly perform chronic toxicity tests as described below, on the effluent from Outlet(s) 011, 018, 020, 021

a. Such testing will determine if an appropriate dilute effluent sample affects the survival or reproduction of the test species. Grab samples of the effluent, as prescribed in Section A, shall be collected for testing. The first day of sampling must be limited to when there has been less than 0.3 inches of rain in the three days prior to sampling and less than 0.1 inches of rain in the 24 hours prior to sampling (this only applies to the first grab sample of the test). An appropriate statistical test shall be used to determine whether differences in control and effluent data are significant.

The permittee shall conduct a three brood (6-8 days) Ceriodaphnia Dubia survival and reproduction toxicity test on the final effluent diluted by appropriate control water. Toxicity will be demonstrated if there is a statistically significant difference at the 95 percent confident level in survival or reproduction between Ceriodaphnia Dubia exposed to an appropriate control water and the final effluent. All test solutions shall be renewed using an approved renewal schedule. DEP requires TDS, conductivity, sulfate, and bicarbonate analyses for each aliquot used in WET testing. If, in any control, more than 20% of the test organisms die, or less than 60% of surviving females in controls produced their third brood, that test shall be repeated.

b. Results shall be reported in terms of chronic toxic units (TUc) and shall be submitted with the corresponding monthly Discharge Monitoring Report (DMR).

TUc = 100/NOEC or NOEL

Where NOEC (or NOEL) is No Observed Effect Concentration (or Level), which is expressed as Percent (volume) effluent in dilution water. For Example, if NOEC is 10%, TUc= 100/10=10

When the effluent demonstrates no toxicity at 100% effluent (no observed effect), the permittee may report zero TUc.

c. The monitoring required, herein, shall be conducted in accordance with the sample collection, preservation, and analytical procedures specified in 40 CFR 136.

d. In addition to the monitoring data reporting requirements of 40 CFR 136, the exact age of the test organisms at the initiation of the test shall be reported. The range of the Ceriodaphnia Dubia used must be reported as a range in hours. All Ceriodaphnia Dubia used in the test must be less than 24 hours of age at test commencement. The age difference between the youngest and oldest Ceriodaphnia Dubia used in the test must not exceed eight(8) hours.

e. The chronic toxicity testing shall be performed on a quarterly (1/quarter) basis with at least thirty (30) days between tests. The first chronic toxicity testing shall be carried out within 3 months from the construction of the above specified Outlet(s).

f. If chronic effluent toxicity testing shows noncompliance with the specified limitations prescribed in Section A, the permittee shall immediately resample and test the effluent. This shall be performed within 30 days of the initial demonstration of noncompliance with the whole effluent toxicity discharge limitations prescribed herein. Copies of the retesting results shall be provided to the Director immediately upon completion of the test.

g. If the second test shows compliance, chronic effluent toxicity testing shall continue in accordance with the requirements, as prescribed herein. However, if the second test shows noncompliance, the permittee must, within 60 days, submit an adaptive management plan (AMP) identifying actions it will take to achieve compliance with the WET discharge limitations.

h. The Director may impose further requirements should the chronic effluent toxicity testing results demonstrate noncompliance.

All information to be provided shall be sent to the issuing WVDEP Regional Office - NPDES Supervisor and Environmental Resources Analyst and to WVDEP Headquarters (Address: West Virginia Department of Environmental Protection, DMR - NPDES Program Manager, 601 57th Street S. E. , Charleston, WV 25304).

10. BIO-MONITORING

The permittee shall conduct semiannual benthic surveys at the location of each biological monitoring stations listed below. The benthic surveys shall be conducted between April 15 - May 30th and July 15 to September 1 each year, avoiding to the maximum extent practicable times when the sample location is influenced by abnormal conditions, including drought and/or scouring flood. All biological surveys should be conducted as close to the anniversary date of the original surveys as possible. The benthic survey shall be in accordance with the established and accepted protocols for the collection, analysis, documentation and presentation of the biological data from Standard Conditions for Environmental Assessment on wadable Streams provided with the WVDNR Scientific Collection Permit and WVDEP's West Virginia Stream Condition Index ("WVSCI") protocol and consistent with the Enhanced Monitoring Plan provided in the AEPP.

If the agency finds the condition of the aquatic ecosystem at the assessment station prior to initiation of the permitted activity to be satisfactory, taking into account all potentially applicable criteria, then the acceptable future biological conditions is a WVSCI score greater than or equal to the WVSCI value representing the 5th percentile of reference (currently 68.0). If the agency finds the condition of the aquatic ecosystem at the assessment stations is less than satisfactory (currently 68.0), taking into account all potentially applicable criteria, then the applicant shall identify existing conditions within the watershed that may be contributing to the problem. If a TMDL addressing biological impairment for ionic stress is not in effect, a WVSCI score greater than or equal to the baseline value would represent an acceptable future condition. A WVSCI score below 68 at BAS 1 shall be a violation of this permit until such time as a biological score from the comparable season (Spring/Summer) at the same station reaches acceptable future biological condition. There will be an affirmative defense for violation of this provision if the violation arose from causes other than activities associated with the Permittee's operation and beyond the control of the Permittee, including its employees, agents, consultants and contractors, which could not be overcome by due diligence, and provided that the permittee demonstrates that it was in compliance with all provisions of this permit, including implementation of the AEPP at the time the violation was detected. The permittee bears the burden of proof and must establish the affirmative defense in a report submitted to WVDEP within 30 days of discovering the violation. This affirmative defense will not be afforded if the Permittee fails to establish any element of this affirmative defense or if operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation caused or contributed in any way to the violation.

Biological Monitoring Stations:

Station	Latitude	Longitude
BAS 1	37* 39' 04.4000"	81* 52' 27.2000"
BAS 2	37* 39' 08.3000"	81* 52' 44.7200"
BAS 3	37* 38' 28.8900"	81* 54' 17.5100"
BAS 4	37* 39' 13.9700"	81* 54' 34.6300"

Within 90 days after conducting the benthic survey the permittee shall provide:

a. The West Virginia Stream Condition Index (WVSCI) benthic score (0 to 100 basis) and supporting metrics necessary for its calculation.

b. The corresponding stream habitat assessment scores RBP Visual-Based Habitat Assessment (0 to 200 basis) for the benthic stations listed above.

c. Concurrent in-stream samples for specific conductivity, total dissolved solids (TDS), pH, sulfate, alkalinity, calcium, magnesium, sodium, and potassium must be taken at the same locations along with the benthic samples.

d. Representative legible photography of the survey sites.

e. A narrative Executive Summary/Abstract stream characterization utilizing the benthic and habitat scores, water quality, photos, field work and other applicable information such as tier level, warm-water class, stream order, major/minor basins, pre-law mining impacts, logging activities, other land uses, etc.

f. Benthic macroinvertabrate data. Data shall be entered into the Access (Contract v3.4 or 3.5) provided to holders WV Scientific Collection Permits. Data shall be submitted via the export queries built into the database. Minimum data to be provided: WVSCI score and associated metrics; raw data (identifications and count); and number of grids picked in order to get 200 organism subsample. Also, habitat and water quality data must be submitted via the export queries into the database.

All information to be provided shall be sent to the issuing WVDEP Regional Office - NPDES Supervisor and Environmental Resources Analyst and to WVDEP Headquarters (Address: West Virginia Department of Environmental Protection, DMR - NPDES Environmental Resources Analyst, 601 57th Street S. E., Charleston, WV 25304.

11. Aquatic Ecosystem Protection Plan (AEPP).

The permittee shall implement the Aquatic Ecosystem Protection Plan (AEPP) submitted on May 30, 2012, see Attachment [AEPP) which is incorporated by reference herein. The permittee shall retain a copy of the AEPP required by this permit at the facility, and it must be immediately available to WVDEP, EPA or any other agency at the time of an onsite inspection or upon request. Failure to implement the AEPP shall constitute a violation of this permit and shall be grounds for revocation or suspension of this permit. The permittee shall submit quarterly reports to WVDEP on the adequacy of the performance of the AEPP and whether revisions are needed.

The herein-described activity is to be extended, modified, added to, made, enlarged, acquired, constructed or installed, and operated, used and maintained strictly in accordance with the terms and conditions of this permit; the plans and specifications submitted with Permit Application No. WV1024892, completed the 30 day of April 2012; the information submitted with the application for Reissuance No. N/A completed the N/A day of N/A N/A, with the plan of maintenance and method of operation thereof submitted with such application(s) with the WVNPDES Regulations, Series 30 and with any applicable rules and regulations promulgated by the State Environmental Quality Board.

Failure to comply with the terms and conditions of this permit, with the plans and specifications submitted with Permit Application No. WV1024892, completed the 30 day of April, 2012, with the information submitted with Application No. for Reissuance No. N/A completed the N/A day of N/A, N/A and with the plan of maintenance and method of operation thereof submitted with such application(s) shall constitute grounds for the revocation or suspension of this permit and for the invocation of all the enforcement procedures set forth in Article 11, Chapter 22 of the code of West Virginia.

This permit is issued in accordance with the provisions of Article 11, Chapter 22 of the Code of West Virginia and is transferable under the terms of WVNPDES Regulations, Series 30, Subsection 3.5.c.

EMERGENCY RESPONSE SPILL ALERT SYSTEM
WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION

REQUIREMENTS:

West Virginia Legislative Rules Title 47, Series 11, Section 2 effective July 1, 1987.

RESPONSIBILITY FOR REPORTING:

Each and every person who may cause or be responsible for any spill or accidental discharge of pollutants into the waters of the State shall give immediate notification to the Emergency Notification Number **1-800-642-3074**. Such notification shall set forth insofar as possible and as soon thereafter as practical the time and place of such spill or discharge, type or types and quantity or quantities of the material or materials therein, action or actions taken to stop such spill or discharge and to minimize the polluting effect thereof, the measure or measures taken or to be taken in order to prevent a recurrence of any such spill or discharge and such additional information as may be requested by the Department of Environmental Protection. A written verification of such notification shall be submitted upon request of the Department of Environmental Protection.

It shall be the responsibility of each industrial establishment or other entity discharging directly into a stream to have available the following information pertaining to those substances that are employed or handled in its operation in sufficiently large amount as to constitute a hazard in case of an accidental spill or discharge into a public stream:

1. Potential toxicity in water to main, animals and aquatic life;
2. Details on analytical procedures for the quantitative estimation of such substances in water; and
3. Suggestions on safeguards or other precautionary measures to nullify the toxic effects of a substance once it has gotten into a stream.

Failure to furnish such information as required by Section 14, Article 11, Chapter 22, Code of West Virginia shall be punishable under Section 24, Article 11, Chapter 22, Code of West Virginia.

It shall be the responsibility of any person who causes or contributes in any way to the spill or accidental discharge of any pollutant or pollutants into State waters to immediately take any and all measures necessary to contain such spill or discharge. It shall further be the responsibility of such person to take any and all measures necessary to clean up, remove and otherwise render such spill or discharge harmless to the water of the State.

When the Director, Division of Water and Waste Management determines it necessary for the effective containment and abatement of spills and accidental discharges, the Director of Water and Waste Management may require the person or persons responsible for such spill or discharge to monitor affected waters on a manner prescribed by the Director of Water and Waste Management until the possibility of any adverse effect on the waters of the State no longer exists.

VOLUNTARY REPORTING BY LAW OFFICERS, U.S. COAST GUARD, LOCK MASTERS AND OTHERS:

In cases involving river and highway accidents where the responsible party may or may not be available to report the incident, law officers, U.S. Coast Guards, Lock Masters and other interested persons should make the report.

WHO TO CONTACT:

Notify Department Headquarters in Charleston, West Virginia at the following number: 1-800-642-3074. (This is a toll-free, 24-hour emergency response number.)

INFORMATION NEEDED:

- Source of spill or discharge
- Location of incident
- Time of incident
- Name of material spilled/discharged
- Amount of material spilled/discharged
- Spilled/discharged materials toxicity
- Personnel at the scene
- Actions initiated
- Shipper/Manufacturer identification
- Railcar/Truck identification numbers
- Container type

RIGHT TO APPEAL

Notice is hereby given of your right to appeal the terms and conditions of this agency action as provided under West Virginia Code § 22-11-21. Pursuant to the provisions of § 22B-1-7(c), a person subject to this action (permittee) may file an appeal to the Environmental Quality Board (EQB) within 30 days of being served notice of such agency action.
For other parties (citizens) adversely affected or aggrieved by this action, an appeal may be filed to the EQB within 30 days after the date upon which service was complete to the subject person "(permittee)". Such Notice of Appeal shall be sent to the EQB on the form prescribed by the Board.

West Virginia Environmental Quality Board
601 57th Street, SE
Charleston, West Virginia 25304