



west virginia department of environmental protection

Division of Waster and Water Management
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Charleston West Virginia 25304-2345
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Harold D. Ward, Cabinet Secretary
dep.wv.gov

July 22, 2022

Re: WV Permit No. WV0115924
PARTNER, INC.
Registration Application No. WVR110387
Response to Public Comments

Dear Citizen,

The State of West Virginia, Department of Environmental Protection (DEP), Division of Water and Waste Management (DWWM) would like to take this opportunity to thank those who submitted written comments on the application form. This Response to Public Comments highlights the issues and concerns that were identified through the comments received during the public notice period. The comments have been summarized to the greatest extent possible.

New Pak Inc. (New Pak Inc-Poultry Operation Reissue) proposes the reissuance of WVR110387 to continue coverage of construction activities associated with the installation of poultry houses. This permit registration was originally issued on 07/30/2019, proposed to disturb 36 acres and estimated to take 12 months to complete the construction project. Under this reissuance it is now estimated to take another 12 months to complete the construction project.

Since the grading phase of this construction project exceeded one year, this reissuance was subject to public notice and therefore a Class I legal advertisement (Public Notice SM-38-2020) was published in The Grant County Press on August 31, 2021. This public notice allowed the DWWM to receive public comments on the proposed project. The public comment period closed on September 30, 2021.

Over the comment period, comments were received via email by 6 citizens on September 30, 2021. The comments received were general in nature mostly concerning the potential that the operation of chicken houses could cause odors, noise, and contaminate surrounding streams and ground water. DWWM has reviewed and considered all comments received. This document will respond to these comments prior to the reissuance of WVR110387.

Promoting a healthy environment.

This permit registration will be reissued on July 29, 2022. Notice is hereby given of your right to appeal the terms and conditions of this permit registration of which you are aggrieved to the Environmental Quality Board by filing a NOTICE of APPEAL on the form prescribed by such Board, in accordance with the provisions of Section 21, Article 11, Chapter 22 of the Code of West Virginia within thirty (30) days after issuance of this permit registration.

Thank you for your interest and comments on this application. If you have any further questions or concerns, please do not hesitate to contact Rick Adams of my staff at 304-926-0499 ext. 43763 or by email at rick.d.adams@wv.gov.

Sincerely,

Katheryn Emery, P.E.
Director

KDE/rda

Enclosure

Response to Public Comments

Comments are shown in italics with the agency response below in bold.

Comment 1: Loss of water to springs due to wells being dug to support the operation of this facility.

Response 1: It is beyond the purview of the Division of Waste and Water Management to evaluate comments that are not specifically related to the Construction Stormwater General Permit requirements, which primarily concerns discharge of sediment laden water to streams and waterways.

Comment 2: Comments on this site/application being a CAFO.

Response 2: While all comments are reviewed, it is beyond the purview of the Division of Waste and Water Management to evaluate comments that are not specifically related to the Construction Stormwater General Permit requirements.

Comment 3: Comments received about noise, air, smells, crushing stone, and water pollution.

Response 3: WVR110387 is a registration under the General WV/NPDES Water Pollution Control Permit WV0115924 which deals with sediment type loading during earth disturbing construction activities. Storm water runoff will be directed through appropriate erosion and sediment control during construction activities. Complaints about violations of air and water permit requirements should be directed to the Enforcement division of the WVDEP. Increased noise levels, or traffic volumes should be directed toward municipal or local jurisdictions. Improper burning complaints should be directed toward the WVDEP Office of Air Quality. Crushing stone on site and using it for fill/stabilization on site is allowable.

While all comments are reviewed, it is beyond the purview of the Division of Waste and Water Management to evaluate comments that are not specifically related to the Construction Stormwater General Permit requirements.

Comment 4: Request for a public hearing.

Response 4: The Director may hold a public hearing whenever a finding is made, based on requests, that there is a significant degree of public interests on issues relevant. In this case based on the public comments, a public hearing was not recommended.