

<i>SUBJECT:</i>	Drainage System – Pit Control
<i>DATE:</i>	November 1, 2001 - Revised 09-01-06

Legal Authority: 22-4-5(c)(8), 22-4-14, 38-3-7.3a, 38-3-7.6a

The West Virginia Quarry Rule 38-3-7.3a provides that diversion ditches above the highwall are not required, while 38-3-7.6a requires that all reasonable measures shall be taken to intercept all undisturbed surface water to prevent water from entering the pit area.... An application that does not contain plans for intercepting the undisturbed water prior to entering the pit must include within the narrative a discussion of pit control. This discussion should include:

- The minimum pit configuration that demonstrates the required storm is effectively controlled within the pit without contributing to surface water contamination and,
- The method and equipment used, including pumping to maintain the water level within the pit.

In addition, all pit discharges must be routed through an NPDES outlet to insure water quality except permits that maintain pit water level through ground water seepage must include a ground water protection plan within the associated NPDES Permit.

SUBJECT: Drainage System – Ditch Below Spoil

DATE: November 1, 2001 - Revised 09-01-06

Legal Authority: 22-4-5(c)(8), 22-4-14, 38-3-7.3.c

The West Virginia Quarry Rule 38-3-7.3.c provides that diversion ditches “shall be located as close as practical to the anticipated disturbance.” However, it provides that the director may waive this rule. Therefore, an application that proposes to use a natural drainway or stream to carry sediment to a sediment control structure must provide the following information within the application:

- A discussion of practical alternatives considered and how the proposed configuration is the least environmentally damaging practicable alternative and,
- A plan to return the natural drainway or stream to premining condition must be part of the Quarry and Reclamation Plan.

In addition, for any disturbance within a stream, the applicant must have a Corp of Engineers permit as a condition of permit approval.

SUBJECT:

Reduced Storage Factor

DATE:

November 1, 2001 - Revised 09-01-06

Legal Authority: 22-4-5(c)(8), 22-4-14, 38-3-7.4.b

The West Virginia Quarry Rule 38-3-7.4.b provides that the director may consider approving a reduced storage factor for sediment control structures where the applicant has demonstrated a reasonable likelihood, and the director finds the effluent limitations will be met.

The demonstration may be made using historical water discharge data, including DMR information and the absence of water quality violations at the applicant's existing operations. The minimum allowable reduced storage factor is 0.0625 acre feet per disturbed acre.

Effluent violations may be considered justification for revoking the reduced storage factor.