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west virginia department of environmental protection

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Division of Air Quality  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304  
Phone 304/926-0475 • FAX: 304/926-0479

Earl Ray Tomblin, Governor  
Randy C. Huffman, Cabinet Secretary  
[www.dep.wv.gov](http://www.dep.wv.gov)

May 25, 2016

Brian Kalt  
Fairmont Brine Processing, LLC  
1501 Reedsdale Street, Suite 505  
Pittsburgh, PA 15233

Re: Permit Applicability Determination  
Fairmont Brine Processing, LLC  
Fairmont Facility  
Determination No. PD16-034  
Plant ID No. 049-00130

Dear Mr. Kalt,

It has been determined that a permit will be required under 45CSR13 for your proposed modification of a water treatment facility. This determination is based on information included with your permit determination form dated May 18, 2016, which indicates that the change will cause a violation of permit condition 4.1.3 in permit R13-2794.

The appropriate application forms which need to be completed can be obtained from the WVDEP website at [www.dep.wv.gov/daq/](http://www.dep.wv.gov/daq/). Submit the completed forms, appropriate permit application fee, and any other applicable fees to the above address. If you should have any questions concerning which forms are required or have trouble downloading them, call the Permitting Secretary at (304) 926-0499 ext. 1250. Please address this matter as soon as possible to ensure expediency of the permit review process.

Should you have any questions, please contact the undersigned engineer at (304) 926-0499 ext. 1223.

Sincerely,

Jerry Williams, P.E.  
Engineer

Enclosures

c: NCRO