

9

Notification to Affected Agencies

CONTENTS

Notification to Affected Agencies	
Affected Agencies to be Notified	
WV Soil Conservation Districts	
WV Regional Planning and Development Councils	
Checklist - Affected Agency Notification	
Memorandum regarding MOU	
Notification Form to Federal Agencies in MOU	
Notification to the West Virginia Development Office	

SUBJECT:	Notification to Affected Agencies
DATE:	March 1, 1997
Revised:	May 30, 2000

Upon receipt of an "Administratively Complete" application for a surface mining permit, Amendment, significant permit revision/IBR, or permit renewal, DEP shall notify all federal or state government agencies with authority to issue permits and licenses applicable to the proposed surface mining and reclamation operation or those agencies with an interest in the proposed operation. Send agency notification letter and copy of legal ad to the agencies listed on the following page (*sample letter in this section*).

Reviewer shall complete checklist (*sample in this section*)

AFFECTED AGENCIES TO BE NOTIFIED

1. WV Soil Conservation District *(listing in this section)*
2. Regional Planning Development Council *(listing in this section)*
3. *Applications in Northern WV to Pittsburgh except in Braxton/Webster/Pocahontas/Gilmer to Huntington. Applications in Southern WV to Huntington*

U. S. Army Corps of Engineer 1000 Liberty Avenue ATTN: Chief Regulatory Branch Pittsburgh, PA 15222-4186	U. S. Army Corps of Engineers 502 8 th Street ATTN: Chief of Energy Resource Branch Huntington, WV 25701
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4. National Park Service *Only applications on the Gauley, New, or Bluestone Rivers*
 National Resource Management
 Specialist
 104 Main Street
 P. O. Box 246
 Glen Jean, WV 25846
5. WV Department of Environmental
 Protection, Division of Air Quality
 601 57th Street
 Charleston, WV 25304
6. Division of Culture and History
 Historic Preservation Officer
 1900 Kanawha Blvd. East
 Charleston, WV 25305
7. U. S. Fish & Wildlife Service
 P.O. Box 1278
 Elkins, WV 26241
 Attn: Field Supervisor
8. DNR Wildlife Heritage Data Base
 Elkins Operations Center
 Box 67, Ward Road
 Elkins, WV 26241
9. Office of Miner’s Health, Safety and Training
 1615 Washington Street, East
 Charleston, WV 25311-2126

10. *Office of Surface Mining
1027 Virginia Street, East
Charleston, WV 25301
Attn: Field Office Director
11. *Environmental Protection Agency (EPA)
1650 Arch Street
Philadelphia, PA 16103-2029
Attn: Director of the NCER
12. If in city limits, notify municipal government
13. Any public works which may have an interest of be affected (*sewage & water treatment authorities or water companies in locality of operation*).
14. West Virginia Coalfield Development Office ***Surface applications only***
Capitol Complex, Building 6, Room 620
Charleston, WV 25305-0311
Attn: Energy Development Specialist

NOTE: *When approved for advertisement, place copy of application on file at County Clerk's Office.*
* *Notification required only for applications proposing valley fills.*

WEST VIRGINIA SOIL CONSERVATION DISTRICTS (“SCD”)**Updated 01/23/2014**

Capitol SCD 418 Goff Mountain Road, Suite 102 Cross Lanes, WV 25313	Kanawha
Eastern Panhandle SCD 151 Aikens Center Suite 1 Martinsburg, WV 25401	Berkeley, Jefferson, Morgan
Elk SCD 740 Airport Road Sutton, WV 26601 (304) 765-2535	Braxton, Clay, Nicholas, Webster
Greenbrier Valley SCD 179 Northridge Drive Lewisburg, WV 24901	Greenbrier, Monroe, Pocahontas
Guyan SCD 2631 5 th Street Road Huntington, WV 25701	Boone, Cabell, Lincoln, Logan, Mingo, Wayne
Little Kanawha SCD 91 Boyles Lane Parkersburg, WV 26104	Calhoun, Ritchie, Roane, Wirt, Wood
Monongahela SCD 201 Scott Avenue Morgantown, WV 26508	Marion, Monongalia, Preston
Northern Panhandle SCD 1 Ballpark Drive McMechen, WV 26040	Brooke, Hancock, Marshall, Ohio
Potomac Valley SCD 500 East Main St. Romney, WV 26757	Grant, Hampshire, Hardy, Mineral, Pendleton
Southern SCD 463 Ragland Road Beckley, WV 25801	Fayette, McDowell, Mercer, Raleigh, Summers, Wyoming
Tygarts Valley SCD Route 4, Box 501 Philippi, WV 26416	Barbour, Randolph, Taylor, Tucker, Upshur
Upper Ohio SCD 10 Pleasant View Lane Sistersville, WV 26175	Pleasants, Tyler, Wetzel
Western SCD 224-C First Street Point Pleasant, WV 25550	Jackson, Mason, Putnam
West Fork SCD Rt. 2, Box 204-E Mt. Clare, WV 26408	Doddridge, Gilmer, Harrison, Lewis

WEST VIRGINIA REGIONAL PLANNING AND DEVELOPMENT COUNCILS

Region I Planning and Development Council Suite 5 1439 Main Street Princeton, WV 24740 (304) 431-7225	McDowell, Mercer, Monroe, Summers, Raleigh, Wyoming
Region II Planning and Development Council P. O. Box 939 720 Fourth Ave. Huntington, WV 25712 (304) 529-3357	Cabell, Lincoln, Logan, Mason, Mingo, Wayne
Region III Planning and Development Council 315 D Street South Charleston, WV 25303 (304) 744-4258 FAX: 744-2534	Boone, Clay, Kanawha, Putnam
Region IV Planning and Development Council 425 Main Street - Suite A Summersville, WV 26651 (304) 872-4970	Fayette, Greenbrier, Nicholas, Pocahontas, Webster
Region V Planning and Development Council 531 Market Street, P. O. Box 247 Parkersburg, WV 26105 (304) 422-4993 FAX: 442-4998	Calhoun, Jackson, Pleasants, Ritchie, Roane, Tyler, Wirt, Wood
Region VI Planning and Development Council 7003-C Mountain Park Drive Fairmont, WV 26554 (304) 366-5693	Doddridge, Harrison, Marion, Monongalia, Preston, Taylor
Region VII Planning and Development Council 1 Edmiston Way, Suite 225 Buckhannon, WV 26201 (304) 472-6564	Barbour, Gilmer, Lewis, Randolph, Braxton, Tucker, Upshur
Region VIII Planning and Development Council P. O. Box 849 Petersburg, WV 26847 (304) 257-2448	Grant, Hampshire, Hardy, Mineral, Pendleton
Region IX Planning and Development Council 400 W. Stephen Street, Suite 301 Martinsburg, WV 25401 (304) 263-1743	Berkeley, Jefferson, Morgan
Region X Planning and Development Council P. O. Box 2086 Wheeling, WV 26003 (304) 242-1800	Ohio, Marshall, Wetzel
Region XI Brooke-Hancock-Jefferson Metropolitan Planning Commission 124 North Fourth Street, Second Floor Steubenville, OH 43952 (740) 282-3685	Brooke, Hancock

Sample Notification to Affected Agency

Date

Name and Address of Affected Agency

TO WHOM IT MAY CONCERN:

You are hereby notified that an application as described in the attached notice is on file with the West Virginia Department of Environmental Protection located at

_____.

For applications with AOC variance and Post Mining Land Use, the following paragraph is used:

This application contains an Approximate Original Contour variance and a Post Mining Land Use change.

For SMA and Renewal, the following paragraph is used:

If you should desire to review or submit comments on this application, you may do so in accordance with the attached notice within 50 days of the date of this letter.

For IBR and Revision, the following paragraph is used:

If you should desire to review or submit comments on this application, you may do so in accordance with the attached notice within 15 days of the date of this letter.

Any comments should reference the company name and application number as shown on the attached notice.

Sincerely,

OMR Representative

Attachment

CHECKLIST AFFECTED AGENCY NOTIFICATION

APPLICANT: _____ PERMIT/SMA # _____

TYPE OF APPLICATION SMA Renewal Significant IBR/Revision Amendment

*Agency Notification Letter and Copy of Legal Ad has been sent to the following:
(see Affected Agencies to be Notified page for addresses)*

____ 1. Send public review copy of application to appropriate County Clerk

____ 2. Division of Culture & History

____ 3. Division of Air Quality

____ 4. Division of Natural Resources

____ 5. Regional Planning Commission

____ 6. WV Soil Conservation District

____ 7. If in city limits, notify municipal government

____ 8. National Park Service (if applicable)

____ 9. Public Works (Sewage and Water Treatment authorities in locality of operation (Question C-8 of MR-4)

____ 10. * U. S. Army Corps of Engineers (Pittsburgh or Huntington)

____ 11. * U. S. Fish & Wildlife Service

****Items 10 and 11, use standard agency notification unless valley fills are proposed. If valley fills are involved, items 10 thru 13 require valley fill notification, sample legal ad and maps. Send within 10 days of receipt of application.***

____ 12. * U. S. Office of Surface Mining (OSM) (*valley fills only*)

____ 13. * U. S. Environmental Protection Agency (EPA) (*valley fills only*)

____ 14. WV Development Office (*if applicable*)

____ 15. Office of Miner’s Health, Safety and Training

(LETTERHEAD)

MEMORANDUM

TO: Permit Supervisors

FROM: Lewis A. Halstead, Assistant Chief

DATE: April 12, 1999

RE: Notification to Affected Agencies

A Memorandum of Understanding (MOU) has been executed between DEP and the Office of Surface Mining, EPA, U. S. Army Corps of Engineers and the U. S. Fish and Wildlife Service. In accordance with the MOU, all surface mine applications submitted **with fills** will now require the attached notification letter to be submitted to each of the noted federal agencies along with a copy of the sample ad and two maps.

Please inform all applicants that if the surface mining application contains fills, they must submit eight (8) additional maps with the application. Four (4) topographic maps at a scale of 1" to 500' (1" to 200' for underground) and four (4) topographic maps of a scale of 1" to 2000' (standard USGS topographic maps) will be required by the applicant. The notification to the federal agencies is to be mailed within ten (10) days of receipt of the application. Each region is to insert their address on the letterhead of the notification to indicate which region is reviewing the application. At the bottom of the second page of the notification is the agency and contact person to receive the notification.

Please use this notification process immediately. The notification to other affected agencies will not change. If you have any questions, please contact this office.

LAH:fl



Division of Mining and Reclamation

REGIONAL OFFICE ADDRESS

West Virginia Department of Environmental Protection

Cecil H. Underwood
Governor

Michael P. Miano
Director

In accordance with the Memorandum of Understanding between the U. S. Office of Surface Mining, the U. S. Environmental Protection Agency, the U. S. Army Corps of Engineers, the U. S. Fish and Wildlife Service and the West Virginia Department of Environmental Protection, the following information will be submitted to the federal agencies for applications resulting in the placement of excess spoil fills and underground development spoil (from the face-up operation) in the waters of the United States.

Applicant Name: _____ SMA No. _____

Mailing Address: _____

1. Type of Mining Proposed:

- ___ SURFACE ___ UNDERGROUND
___ Area Mine
___ Mountaintop
___ Contour
___ Steep Slope
___ Auger
___ Other (Specify):

2. Excess Spoil Information:

Number of Fills _____

Table with 3 columns: Fill ID, Watershed acreage above the toe of fill, Receiving Stream. Includes 5 rows of blank lines for data entry.

Add additional lines if necessary.

3. Location of the Operation:

County _____ Quadrangle _____ Nearest Post Office _____

Latitude _____ ° _____ ’ _____ ” Longitude _____ ° _____ ’ _____ ”

Acreage proposed in the application _____

4. Check the following that are present in the initial submittal and attach this information:

- ___ Potential threatened and endangered species habitat
- ___ Potential wetlands or other special aquatic site impacts
- ___ Proposed Mitigation Plan

Comments _____

5. The applicant shall submit:

- Four (4) topographic maps at a scale of 1” to 500’, (1” to 200’ for underground) color coded to show the boundaries and extent of the proposed operation (same as proposal/drainage map)
- Four (4) topographic maps of a scale of 1” to 2000’ (standard USGS topographic maps) which show the boundaries of the proposed operation
- Sample ad

NOTE: DEP shall complete this form, attach a copy of the sample ad and a copy of each map and submit to the following federal agencies. No additional notices to these agencies will be required for Article 3 by WVDEP.

**U. S. Office of Surface Mining (OSM)
Attn: Field Office Director
1027 Virginia Street, East
Charleston, WV 25301**

**U. S. Environmental Protection Agency (EPA)
Attn: Office of Environmental Programs –
Assistant Division Director
1650 Arch Street
Philadelphia, PA 16103-2029**

**U. S. Army Corps of Engineers (COE)
Attn: Chief of Regulator Division
502 8th Street
Huntington, WV 25701**

**U. S. Fish and Wildlife Service (FWS)
Attn: Project Leader
P. O. Box 1278
Elkins, WV 26241**

Additional information may be supplied to the federal agencies upon request.

NOTE: This information has not been reviewed and is subject to change during the review process.

<i>SUBJECT:</i>	Notification to the West Virginia Development Office
<i>DATE:</i>	May 30, 2000
<i>Approval:</i>	Ken Politan, Assistant Chief, OMR

Effective immediately, the West Virginia Development Office (Development Office) is to be notified upon receipt of a Surface Mining Application (SMA), Amendment, Renewal, or significant revision/IBR when it pertains to **surface mining only**.

The Development Office address and contact person has been added to the bottom of the affected agency notification on page 3 of this section. For this notification only, the notification letter included in this section must be revised to indicate the date the application was received by DEP. It is important for the Development Office to know the date the application was received because the applicant must submit information to the Development Office within a specific time frame. A copy of the legal ad is to be attached to the notification letter.