



§ 401 WATER QUALITY CERTIFICATION PROGRAM

West Virginia Department of Environmental Protection

Brian Bridgewater

Regulatory Authority

■ Clean Water Act Section 401

- *Any applicant for a federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may result in any discharge into the navigable waters, shall provide the licensing or permitting agency a certification from the state in which the discharge originates or will originate, or, if appropriate, from the interstate water pollution control agency having jurisdiction over the navigable waters at the point where the discharge originates or will originate, that any such discharge will comply with the applicable provisions of sections 301, 302, 303, 306, and 307 of this title.*

Regulatory Authority

■ 47 CSR 5A

- *The purpose of this legislative rule is to carry out the responsibilities placed upon the state by section 401 of the federal clean water act, 33 U.S.C. §1341 and W. Va. Code §§22-1-6(d)(7) and 22-11-7(a). Section 401 of the clean water act requires that any applicant for a federal license or permit to conduct an activity that will or may discharge into waters of the united states (as defined in the clean water act) to present the federal authority with a certification from the appropriate state agency. This rule establishes the procedures and criteria for the application, processing and review of state water quality certifications that require a federal permit including those from the united states army corps of engineers under section 404 of the clean water act, 33 U.S.C. §1344; section 10 of the rivers and harbors act of 1899, 33 U.S.C. §403; and licenses issued by the federal energy regulatory commission under the federal power act, 16 U.S.C. §1791 et. Seq.*

Relationship Between §404 and §401

- **§ 404 is administered by the United States Army Corps of Engineers.**
 - *The USACE uses Nationwide Permits (NWP) and Individual Permits (IP) to regulate physical impacts to “waters of the United States”*
 - *Nationwide permits are general permits that cover common activities that have a “minimal” impact*
 - *Individual Permits are issued for larger impacts and involve a public comment period*
- **§ 401 is administered by the West Virginia Department of Environmental Protection**
 - *§ 401 Certification is required for any § 404 permit to be valid.*

Common § 404 Nationwide Permits

- NWP 3 – Maintenance
- NWP 13 – Bank Stabilization
- NWP 18 – Minor Discharge
- NWP 19 – Minor Dredging
- NWP 39 – Commercial and Institutional Development
- NWP 43 – Stormwater Management Facilities
- NWP 46 – Discharge in Ditches
- NWP 51 – Land Based Reusable Energy Generation Facility

§401 WQC AND NATIONWIDE PEMRITS

- **Nationwide Permit Pre-Construction Notification (PCN) requirements**
- **Nationwide Permit General Conditions and Regional Conditions**
- **Nationwide Permit §401 Special Conditions**
- **Impact Considerations**
- **Mitigation Requirements**
- **Approval Timing**



Inlet View

NWP 3: MAINTENANCE



NWP 13: BANK STABILIZATION

A photograph of a rectangular pit lined with grey stone blocks, filled with dark brown soil. A wooden sign is placed in the center of the pit. The sign is light-colored wood with the words "THIS IS ONE CUBIC YARD" written in black, hand-painted capital letters. The pit is situated outdoors, with trees and a black tarp visible in the background.

THIS IS
ONE
CUBIC YARD

NWP 18 – MINOR DISCHARGES
NWP 19 – MINOR DREDGING



**NWP 39 – COMMERCIAL AND
INSTITUTIONAL DEVELOPMENT**



**NWP 43 – STORMWATER
MANAGEMENT FACILITIES**



**NWP 51 – LAND BASED REUSABLE
ENERGY GENERATION FACILITY**

Individual §404 Permit

- Individual Permits are utilized for projects with impacts exceeding the allowable limits of NWP, or when the activity is not covered by a particular NWP.
- Individual Permits are required to be put on Public Notice and the comments addressed prior to authorization.
- An Individual Permit is not valid without the states §401 Water Quality Certification.

Individual §401 Water Quality Certifications

- Required for some NWP's under §401 Special Conditions and all individual §404 permits.
- Individual WQC application and the Public Notice process.
- Assessment of impacts and required mitigation.
- After application is deemed complete, DEP has 12 months to approve, deny, or waive 401 certification

Isolated State Waters

- West Virginia Code §22-11-8(b)(3), a permit is needed to place a waste into any water of the State.
- Any applicant proposing to impact an isolated water must contact WV DEP DWWM to obtain all necessary approvals for activities impacting any isolated State waters.

A scenic view of a waterfall cascading over rocks in a lush green forest. The water flows from a rocky ledge into a pool of water surrounded by large, smooth boulders. The surrounding area is densely packed with vibrant green trees and foliage, creating a serene and natural atmosphere.

Questions?

You can contact me at:

Brian Bridgewater

304-926-0499 ext. 1829

Brian.L.Bridgewater@wv.gov

Diving Deep with DEP

Getting to know the DEP

Division of Water and Waste Management

September 6, 2018

Laura Cooper

Assistant Director DWWM, Water Quality Standards

Laura.k.cooper@wv.gov

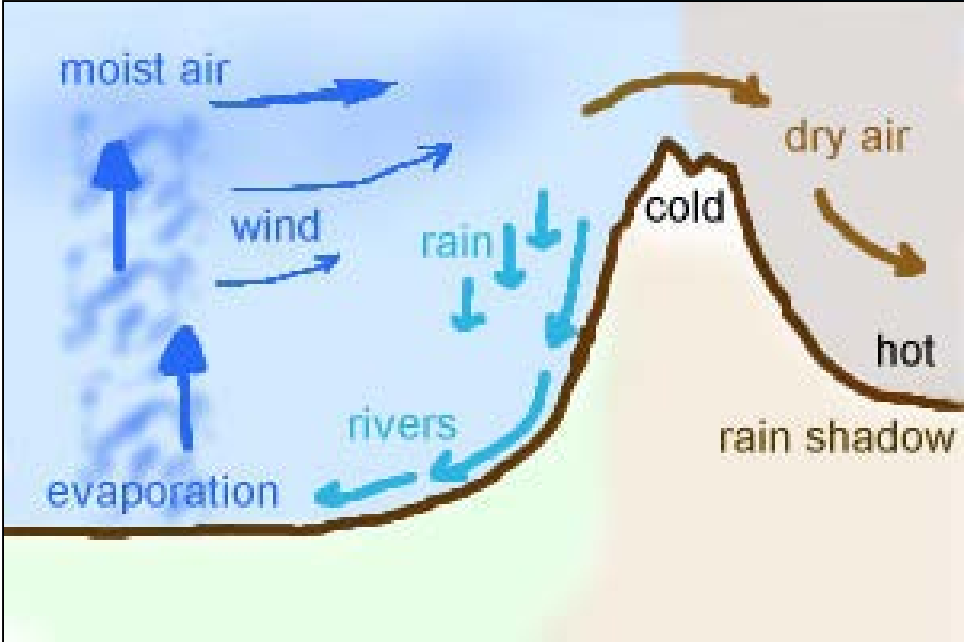
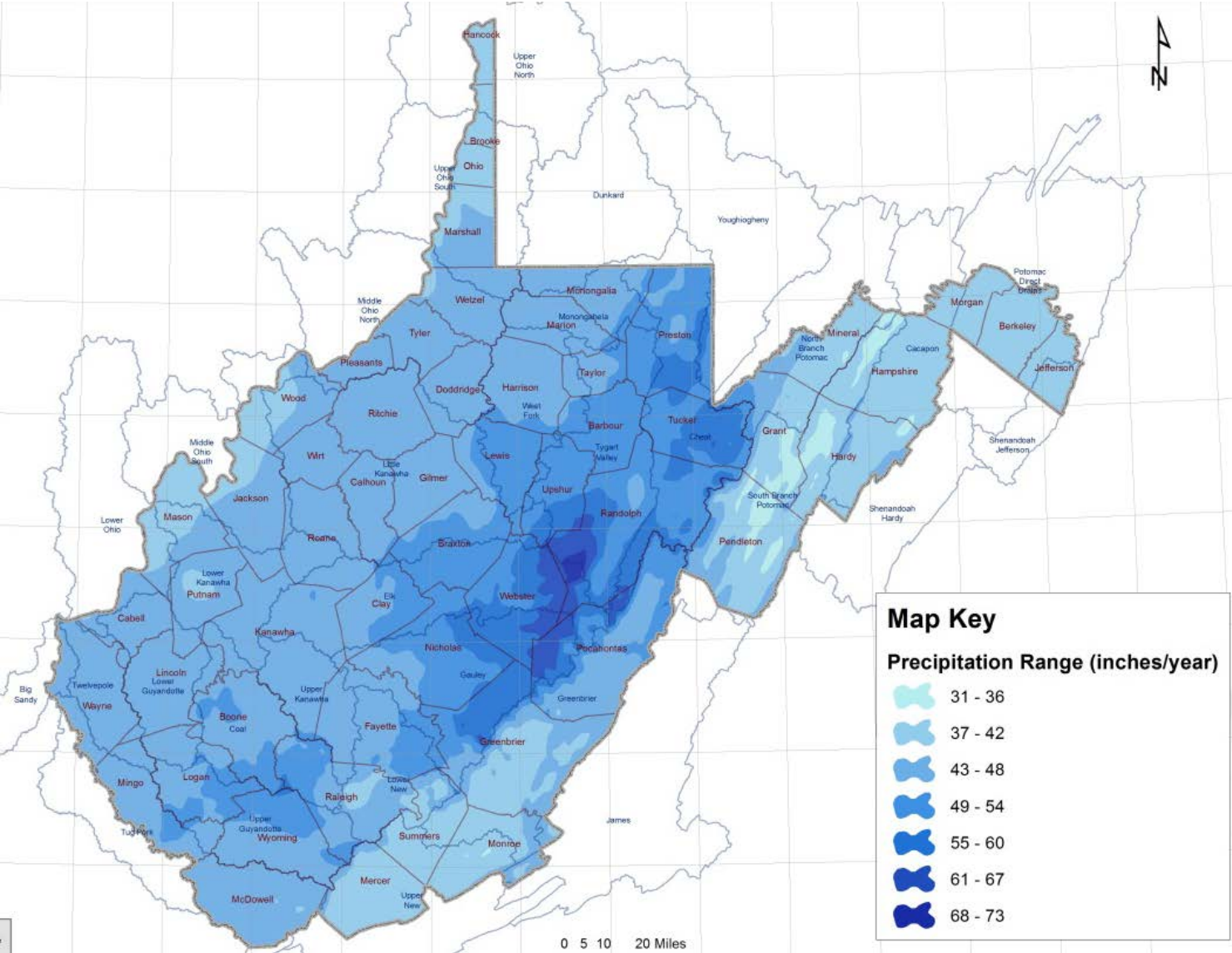


Mission Statement of WV DEP Division of Water & Waste Management

...to preserve, protect, and enhance the state's watersheds for the benefit and safety of all its citizens through implementation of programs **controlling hazardous waste, solid waste and surface & groundwater pollution**, from any source.

WET 604(b) 401 DMRs
SRF UST NPDES GWPA
EE CPP UIC CSO HAU
SSO **DWWWM** SRF TMDL
319 WMP RCRA AST NPS
MS4 ILF 303(d) CWA

Average Annual Precipitation in WV



Water Quality Standards

- ▶ Reviewed every 3 years
- ▶ Monitor Nutrients & Algae
- ▶ Protect the Designated Uses of WV Waters



401 Water Quality Certification

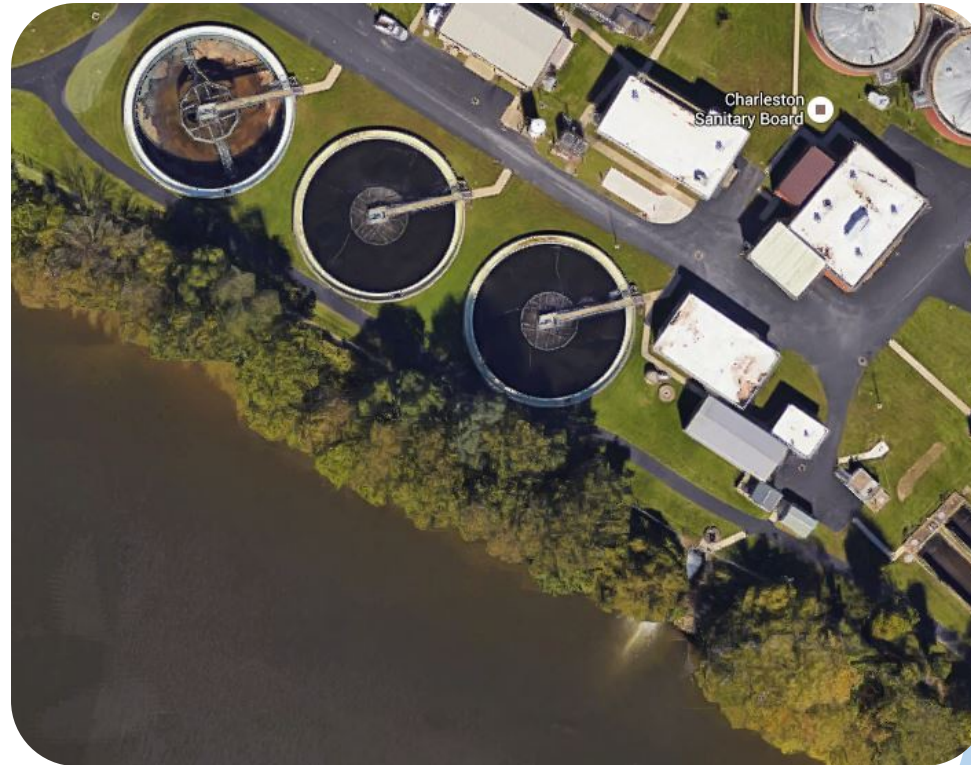
401 Certification

- ▶ Development/Mitigation
- ▶ Examples: Pipelines, Hydropower, road construction



Permits: NPDES and Stormwater

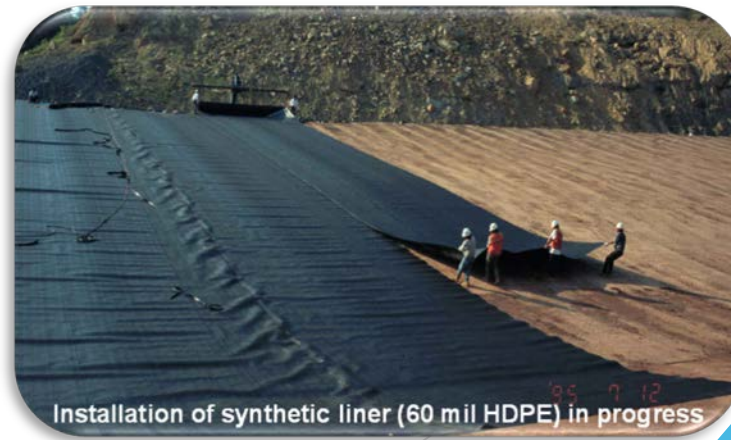
- ▶ Industrial NPDES Permits
- ▶ Construction Stormwater Discharges
- ▶ Groundwater and Class V Underground Injection Program
- ▶ MS4



Permits: Wastewater

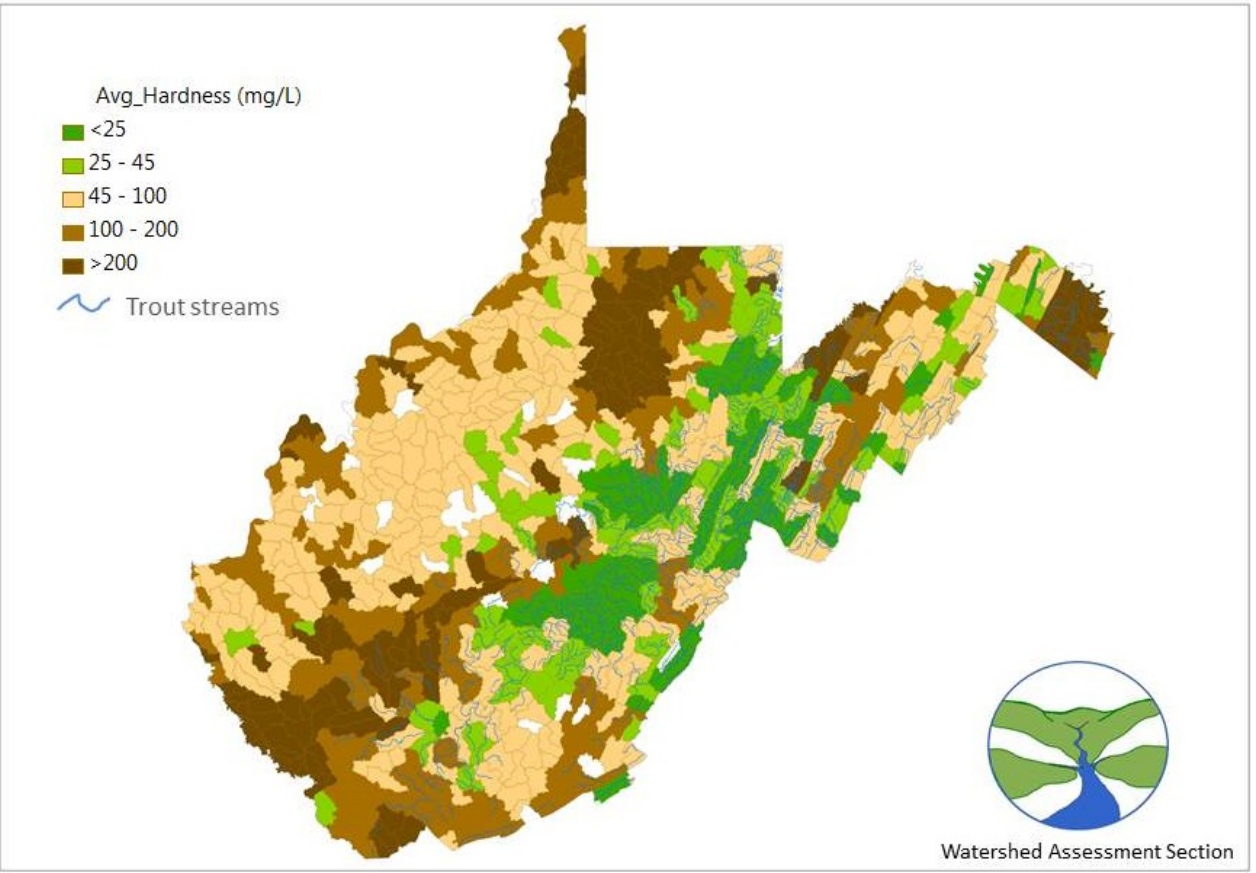
- ▶ Municipal and Industrial Landfills
- ▶ Hazardous Waste Facility Permitting

Raleigh County Landfill owned and operated by the Raleigh Co. Solid Waste Authority



Installation of synthetic liner (60 mil HDPE) in progress

Watershed Assessment Branch



State Revolving Fund

- ▶ Revolving Loans to build public wastewater plants
- ▶ DWWM Engineers review plans and oversee construction; financial specialists manage the loans
- ▶ Lab Certification Program



Watershed Improvement Branch

- ▶ §319 Nonpoint Source Program
 - ▶ Citizens Volunteer Monitoring
 - ▶ Project WET



Watershed Improvement Branch

- ▶ §319 Nonpoint Source Program
 - ▶ Funding projects for runoff, livestock exclusion, AMD
 - ▶ Chesapeake Bay Restoration
 - ▶ Watershed Association Grants and Support
- ▶ In Lieu Fee Mitigation Program



Environmental Enforcement

- ▶ AST
- ▶ UST
- ▶ LAST
- ▶ LUST
- ▶ Dam Safety
- ▶ Hazardous Waste
- ▶ Water
- ▶ Groundwater
- ▶ Solid Waste



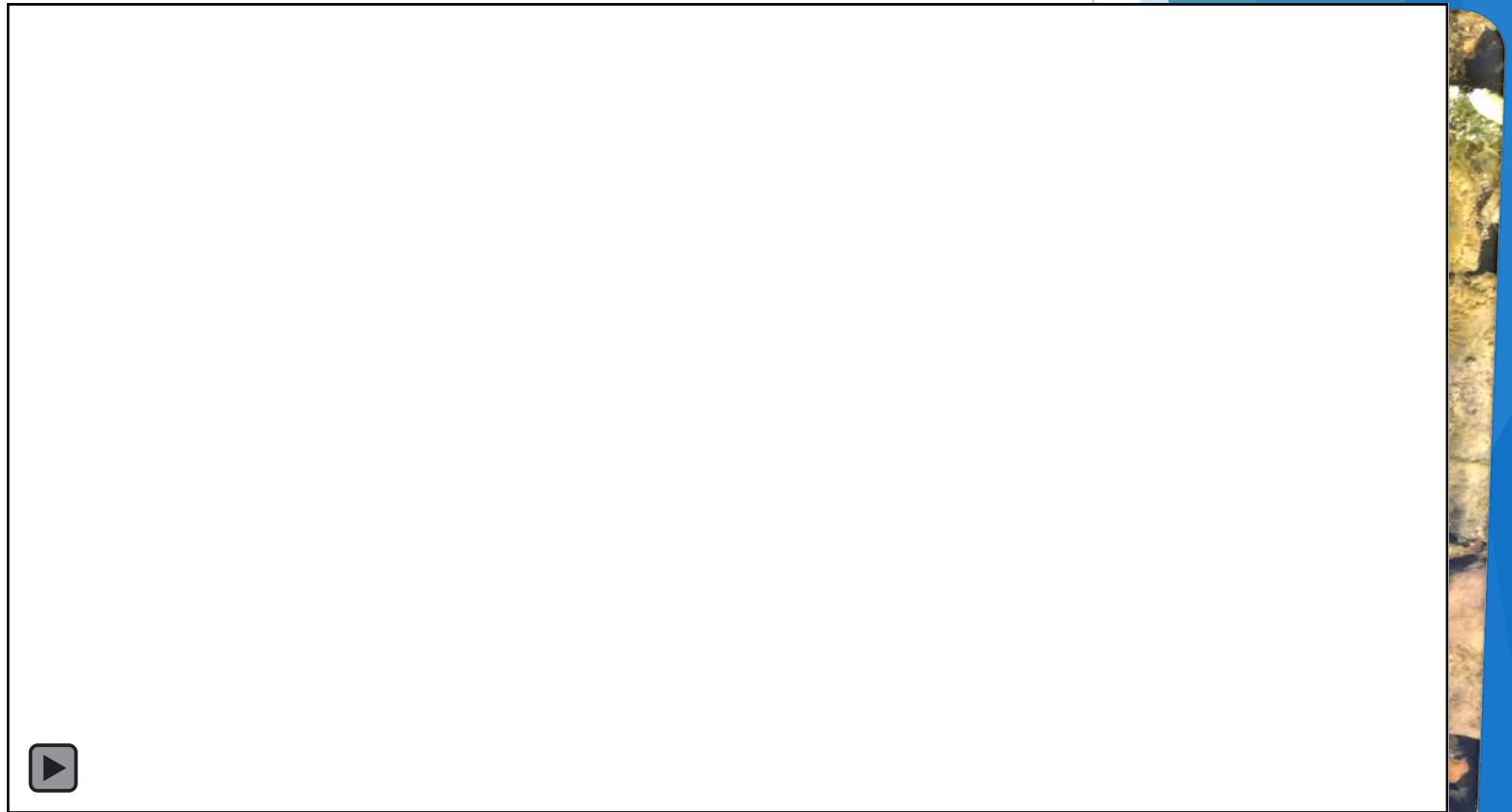
What questions do you have?

Reach me at:

Laura Cooper

Office: 304-926-0499 x1110

Email: Laura.K.Cooper@wv.gov



Stormwater Construction

Permitting Process

Jon Michael Bosley
Stormwater Permitting Supervisor

Notice of Intent

- **Who needs one?**
 - More than 1 acre less than 2.99 acres of disturbance
- **When to apply?**
 - Not less than 15 days prior
- **How much does it cost?**
 - \$300
- **What is the processing timeframe?**
 - Stormwater-15 business days
 - Oil and Gas-10 business days



Site Registration Application

- **Who needs one?**
 - More than 3 acres of disturbance (other factors may contribute)
- **When to apply?**
 - Not less than 45 days prior – O&G
 - Not less than 60 days prior – CSW
- **How much does it cost?**
 - \$700 - \$1750
- **What is the processing timeframe?**
 - Stormwater - 60 business days (unless public notice)
 - Oil and Gas - 45 business days (unless public notice)



Common NOI Mistakes

Incomplete applications delay coverage!

- Not listing time frame
- Signature page not signed and attached
- No topo



- Bay Forms not completed and attached
 - Berkeley
 - Grant
 - Hardy
 - Hampshire
 - Jefferson
 - Morgan
 - Mineral
 - Pendleton



Common SRA Mistakes

Incomplete applications delay coverage!

- 3600 cubic feet drainage area requirements
- Access road controls
- No SWPPP/not signed
- Consultant signed the “signature” page
- Rock construction entrance
- Maintenance schedule wording, both normal and for TMDL issues
- Re-vegetation timeframe wording, both normal and for TMDL issues



Creating an Account



Air

[Division of Air Quality Home](#)
[Air Quality Index](#)
[Open Burning Regulations](#)
[Air Monitoring Data](#)
[Permit Application Forms](#)
[Policies](#)

[See More](#)



Land

[REAP](#)
[Abandoned Mine Lands and Reclamation](#)
[Division of Mining and Reclamation](#)
[Office of Oil and Gas](#)
[Special Reclamation of Industrial Lands](#)

[See More](#)



Water and Waste

[Water and Waste Home](#)
[303\(d\) List](#)
[Water Withdrawal Guidance Tool](#)
[Permitting](#)
[Water Use](#)
[Aboveground Storage Tanks](#)

[See More](#)



Inside DEP

[Environmental Advocate](#)
[Contact the Executive Office](#)
[Environmental Enforcement](#)
[Youth Environmental Program](#)
[Public Information Office](#)
[Proposed Legislative Rules](#)

[See More](#)

Permitting

[Narrative Water Quality Permitting Guidance](#)
[Electronic Submission System](#)
[DEP's Document Management](#)

[See More](#)

How Do I...?

[Find a job with DEP](#)
[File a FOIA Request](#)
[Find a Public Notice](#)
[Report a Spill](#)
[Volunteer](#)

[See More](#)

Agency Geospatial Technologies

[ITO's GIS Unit](#)
[Map Applications](#)
[GIS Data](#)

[See More](#)

Events

[DEP Earth Day Celebration](#)
[04/20/2017](#)
[Environmental Protection Advisory Council Meeting](#)
[04/20/2017](#)
[Adopt-A-Highway Statewide Cleanup](#)
[04/29/2017](#)

[See More](#)



Creating an Account

Electronic Submission System

dep west virginia department of environmental protection

Electronic Submission System

News

Released	Office	Application
08/17/2018	ESS Maintenance	The ESS application will be unavailable starting at 6:30 AM on 8/18/2018 and will be unavailable throughout the weekend as upgrades are performed
07/20/2018	Division of Air Quality	The G40 ESS application for nonmetallic mineral processing plants will be available for use to industry on July 23, 2018. At that time, any submitted applications will be available for public review. G40 paper applications will continue to be accepted for a period of at least six (6) months after this date. DAQ will announce any future dates for new General Permit applications or when we will no longer accept G40 paper applications. If you have any questions, please send an email to jerry.williams@wv.gov .
05/22/2018	Division of Air Quality	The ESS application for asbestos and demolition contractors will be available for use on 05/22/2018. At that time, any submitted applications will be available for public review. Asbestos notifications in hard copy format will continue to be accepted until September 1, 2018. If you have any questions, please e-mail marqaret.a.porter@wv.gov or Jeffery.w.hedgecock@wv.gov

Electronic Submission System (ESS) is the preparation, delivery, review, correction, approval, and publication of permit application data by using web-based technologies to integrate industry, regulators and the public with a common interface. Information requirements are the same as the paper counterparts.

The only technical requirements are an Internet connection, an email account, and Microsoft's Internet Explorer (Version 9.0 or later). Also, Firefox and Chrome will work for most applications.

NOTE:

You do not have to be signed up to access the [Public Query](#).

- If you have never signed up for a log in and password, do so now by clicking [here](#) or the 'Sign Up' button.
- Once your information has been verified, an account will be set up for you in the system.
- You will be notified of your user id and password by email, usually within 72 hours.
- You will then have access to complete your Electronic Submissions online.

Please Note: Applications are reviewed only during regular business hours.

System Tour

- Take Tour

Account

- Login
- Sign Up

Aboveground Storage Tanks (ASTs)

- Do I need to register?
- Do I need to Modify My Tank Registration?
- Registration User's Guide
- Sample Registration

ESS Guidance

- Sign Up Guidance
- Security Guidance

Mining

- Tour
- General FAQ
- Maps
- eMaps
- Overview

eDMR Info


- Users Guide
- FAQ
- File Structure

Public

- Query

Privacy Statement: We process your personal information as needed to establish and maintain a business relationship with your company. Your personal information may be disclosed to other State agencies or third parties in the normal course of business or as needed to comply with laws, including Freedom of Information Act requests. A complete privacy notice is available [here](#) or You can e-mail the WV DEP Privacy Officer at depprivacyofficer@wv.gov.

In accordance with West Virginia Code Chapter 29B and the Department of Environmental Protection Privacy Policy, specific information collected in mining applications has been determined to be personally identifiable information (PII), which is information about a person (or entity) that is readily identifiable to that specific individual or entity. Therefore, fields requesting an entity's FEIN number and an individual's social security number have been removed from applications previously submitted and/or approved and also from applications prepared from this date forward.





user login request

Welcome To The Registration Process

NOTE: You do not have to be signed up to access the Public Query.

The registration process gives you, the user the ability to gain access to the program of your choice. Whether you are a current user wanting to gain access to another program or a new user to the system, just answer the questions for registration. Click on [\(Need help?\)](#), below to better determine how to proceed with the user login process.

Before proceeding, you need to know whether you are requesting a login ID as a "Security Agent" or not. A **Security Agent** is an individual from an organization/company that is in charge of a principle business function or who performs similar policy or decision making functions with the authority to sign documents for that organization/company, and also has the authority to authorize existing WV DEP Electronic Submission System (ESS) customers to prepare and review electronic document submittals on behalf of the organization/company.

The **Security Agent must write a letter on company letterhead** detailing who will have Security Agent rights within DEP's Electronic Submission System (ESS) for the organization/company ([Click here for Sample letter](#)). The letter must be signed by an authorized company official and attached within the Sign Up process. For more detailed instructions and information, please read the "Sign Up Guidance" and "Security Guidance" located on the main Electronic Submission System page.

The company official appointed as **Security Agent** is in charge of authorizing existing WV DEP Electronic Submission System (ESS) customers to prepare and review electronic document submittals on behalf of the organization/company. This individual will be responsible for not only adding users, but will also be responsible for changing security settings and deactivating users when needed. The Security Agent must be someone with the company.

If you are requesting a user login ID so you can **complete work on behalf of a company or companies**, and are not the company's Security Agent, please continue completing this registration. Once registered, contact the company's Security Agent or Agent to be granted appropriate access to that company in ESS. You will have the same user login ID, regardless of whether you work for one or multiple companies.

Do you already have a user login:

[\(Need help?\)](#)

Quit Registration

Continue >>





user login request

Begin The Registration Process

Not a registered user yet? Just provide us with the following information in the form below.

Legal Last Name:	Jon
Legal First Name:	Bosley
Legal Middle Name (if you do not have one, use N/A):	Michael
Company/Organization (or N/A):	WVDEP
Address:	601 57th Street SE
City:	Charleston
State:	West Virginia
Zip Code:	25309 -
Telephone:	304 926 0499 Ext: 1059
Email Address: (system sends your account info here once processed)	Jon.M.Bosley@wv.gov
Due to changes to meet CROMERR the above email address MUST be an individual email account:	Yes
Please select one DEP office (this will not limit you to this office).	Water and Waste Management (OWR) For Aboveground Storage Tanks, select Waste Management (OWMS)
Which type of documents will you be submitting through ESS initially, i.e. mining or water permit application, AST registration, eDMR? <input type="text" value="permit applications, eDMR's, eReports"/>	
Are you going to be the Security Agent for this Organization/Company or owner of a Sole Proprietorship business?	Yes
Click to read the Electronic Subscriber Agreement	Agree
If yes, Security Agents attach copy of Authorization Letter; Sole Proprietorships attach copy of West Virginia State Tax Department Business Registration Certificate.	<input type="text"/> Browse... (Document Samples)
Secret Question:	Mother's Maiden Name
Secret Answer:	Angus





user login request

Continue The Registration Process

Please select the item below that indicates your program preference. Once your selection is made, click continue to complete registration.

- ePermitting, eDMR or Aboveground Storage Tank Registration

Quit Registration

<< Back Up

Continue >>





Enter Login Information:

Login:

Password:

Once you have successfully entered your login information, any period of inactivity for 2 hours will log you out of the system.

[Forgot login or password?](#)

If you have a Microsoft Internet Explorer Browser higher than 9.0. Please follow these instructions:

Here are instructions to work around the problems we are having with Windows 7 or 8 and IE 10 or IE 11 whether it be marking a section complete and/or inputting lab to retrieve parameters for eDMR. Open IE 10 or IE 11. If the menus are not visible at the top of the browser, as the above picture, hit the 'Alt' key one time. Click on the menu item 'Tools'. There you will see to items, 'Compatibility View' and 'Compatibility View settings'. If you click on 'Compatibility View' it will set this mode for all web sites. If you use 'Compatibility View settings' you can put in specific URLs. Using one of these two settings will allow Windows 8 and IE 10 uses to work properly.



Tuesday September 04, 2018
"Promoting a Healthy Environment."
Please use Microsoft Internet Explorer 9.0 and up





electronic submission system

selection process

- My Account
- Return Home
- eDMR Schedule
- AST Tanks
- Browser Support
- Log Out

Welcome BOSLEY(Support), JON MICHAEL

Process:

Office:

Applicant: (Who is this?)

Type:

Ref. ID:

Last 60 days work-in-progress

Office	Applicant	App Type	ID	Application Name (Ref. ID)	Progress	Submitted
OWR	CHARLESTON, QTY OF	NPD-1		MS4 (03/26/2018)	0% completed	

You will continue to receive choices as you make each selection.

Once your choice is selected, you will receive another response box to make your next selection.

Once all your selections are made, you will be able to begin your application.





electronic su selection process

em

- [My Account](#)
- [Return Home](#)
- [eDMR Schedule](#)
- [AST Tanks](#)
- [Browser Support](#)
- [Log Out](#)

Welcome BOSLEY(Support), JON MICHAEL

- Process:** Electronic DMR - EDMR (OWR)
- Electronic Reports No Permits - ERNP (OWR)
- Electronic Reports with Permit - ERPT (OWR)
- ILF Participant Information Form - PIF (OWR)
- LQU - Industrial Water Survey - LQUIW (OWR)
- LQU - Oil and Gas Operator - LQUOG (OWR)
- LQU - Water Provider Survey - LQUWP (OWR)
- Modify Existing NPDES Permit - NPM (OWR)
- Modify Existing UIC Permit - UIC-M (OWR)
- Modify NPDES/State Storm Water Construction - NPSWM (OWR)
- New NPDES Industrial Permit - NPD-I (OWR)
- New NPDES Sewage Treatment - NPD-S (OWR)
- New NPDES/State Storm Water Construction - NPDSW (OWR)
- New UIC Permit - UIC (OWR)
- Notice of Termination (Stormwater Const Only) - NOT (OWR)
- Reissue NPDES Industrial - NPR-I (OWR)
- Reissue NPDES Sewage Treatment - NPR-S (OWR)
- Reissue NPDES/State Storm Water Construction - NPSWR (OWR)
- Reissue UIC Permit - UIC-R (OWR)
- Transfer NPDES Permit - NPT (OWR)
- Waste Load Allocation - WLA (OWR)

Help

Log out

Last 60 days work-in-progress

Office	Applicant	App Type	ID	Application Name (Ref. ID)	Progress	Submitted
OWR	CHARLESTON, CITY OF	NPD-I		MS4 (03/26/2018)	0% completed	

You will continue to receive choices as you make each selection.

Once your choice is selected, you will receive another response box to make your next selection.

Once all your selections are made, you will be able to begin your application.





electronic submission system

section list

- Attachments
- Comments
- Activities
- Print
- Progress
- Milestones
- Change Ref Id
- Delete Application
- Request Copy
- Payment Report
- Verify Signature
- Return Home
- Log Out

Current User: BOSLEY(Support), JON MICHAEL **Applicant:** CHARLESTON, CITY OF
Ref. Id: Bosley's Development (09/04/2018) **Type:** New NPDES/State Storm Water Construction
Status: New **Permit No.:** New/Pending



Index For: Storm Water Applications **[Add]**

Tuesday September 04, 2018
"Promoting a Healthy Environment."
Please use Microsoft Internet Explorer 9.0 and up
Test Environment

The items listed to the right make up the application.
By clicking on each item, you can fill out the required form and submit your application for approval.





electronic submission system

section list

- Attachments
- Comments
- Activities
- Print
- Progress
- Milestones
- Change Ref Id
- Delete Application
- Request Copy
- Payment Report
- Verify Signature

- Return Home
- Log Out

The items listed to the right make up the application.
By clicking on each item, you can fill out the required form and submit your application for approval.

Current User: BOSLEY(Support), JON MICHAEL
Ref. Id: Bosley's Development (09/04/2018)
Status: New

Applicant: CHARLESTON, CITY OF
Type: New NPDES/State Storm Water Construction
Permit No.: New/Pending

Index For: Storm Water Applications [Add](#)

Dynamic Sections
Select a Form and click OK

- Stormwater Construction 1 to less than 3 Acres (Notice of Intent)
- Storm Water Construction 3 acres and greater**
- Stormwater Construction 1 to less than 3 Acres (Notice of Intent) (Oil & Gas)
- Storm Water Construction 3 acres and greater (Oil & Gas)
- Small Storm Sewer Systems

OK Cancel





electronic submission system

section list

- Attachments
- Comments
- Activities
- Print
- Progress
- Milestones
- Change Ref Id
- Delete Application
- Request Copy
- Payment Report
- Verify Signature
- Return Home
- Log Out

Current User: BOSLEY(Support), JON MICHAEL **Applicant:** CHARLESTON, CITY OF
Ref. Id: Bosley's Development (09/04/2018) **Type:** New NPDES/State Storm Water Construction
Status: New **Permit No.:** New/Pending



Index For: Storm Water Applications **[Add]**
Menu for: Storm Water Construction 3 acres and greater **[Remove]**

Tuesday September 04, 2018
 "Promoting a Healthy Environment."
 Please use Microsoft Internet Explorer 9.0 and up
Test Environment

The items listed to the right make up the application.

By clicking on each item, you can fill out the required form and submit your application for approval.





electronic submission system

section list

- Back
- Print
- Return Home
- Log Out

Current User: BOSLEY(Support), JON MICHAEL **Applicant:** CHARLESTON, CITY OF
Ref. Id: Bosley's Development (09/04/2018) **Type:** New NPDES/State Storm Water Construction
Status: New **Permit No.:** New/Pending



Menu for: Storm Water Construction 3 acres and greater

- Attachments
- Comments
- Instructions

The items listed to the right make up the application.

By clicking on each item, you can fill out the required form and submit your application for approval.

- Sections 1 - 3: [Project Information](#)
- Section 5 - 8: [Site Information](#)
- Section 4: [Prepare's Information](#)
- Sections 9 - 11: [Description of Project, Estimates, and Cubic Yards](#)
- Sections 12 - 14: [Relative Time Line, Sediment Controls, and Sequence](#)
- Sections 15 - 18: [Site Maps, Discharge Area Maps, Storm Water Management](#)
- Section 19: [Permanent Stormwater Management Facility and Public Sign](#)
- Section 20: [Public Notice Sign](#)
- Information: [Supplemental Information](#)
- Certification: [Signature Page](#)
- Index For: [Statement For Billing, Class I](#) [Add](#)

[Back](#) | [Next](#) | [Menu](#) | [Index](#)

Tuesday September 04, 2018
 "Promoting a Healthy Environment."
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Test Environment





Please read the directions below for instructions on how to complete this form:

**INSTRUCTIONS TO COMPLETE A SITE REGISTRATION
APPLICATION FORM FOR THE
GENERAL WV/NPDES PERMIT FOR
CONSTRUCTION STORM WATER ACTIVITY
(THREE ACRES AND GREATER ONLY)
IN WEST VIRGINIA**

A. GENERAL INSTRUCTIONS

The Division of Water and Waste Management (DWWM) has developed and issued a General WV/NPDES Water Pollution Control permit to regulate stormwaters containing sediment flowing into the waters of the State from discharges associated with construction activity. This General Permit was issued on December 4 2012, became effective on January 4, 2013, and will expire on January 4, 2018.

As of July 1, 2011, electronic submission of site registration applications is required.

Certain establishments which discharge sediment laden stormwater and fall under the definition of "Stormwater Associated with Industrial Activity" can elect to be regulated under the General Permit. Those establishments must file a Site Registration Application Form with the DWWM. Individuals will be regulated under the General Permit only if they agree to do so, and if they satisfy the registration requirements. The DWWM reserves the right to require any individual to obtain a facility-specific WV/NPDES Permit. Individuals not wishing to be regulated by the General Permit are required to apply for and obtain an individual permit.

All permittees will be required to develop a Stormwater Pollution Prevention Plan (SWPPP) for the project to be covered by the permit. Upon receipt of the site registration application form along with the Erosion and Sediment Control Plan, which together comprise the SWPPP, a review will be conducted by the DWWM to determine if the information provided meets the minimum requirements of the permit.

Persons with questions regarding the General Permit for Construction should contact the DWWM, Construction Stormwater Team in Charleston at (304) 926-0495.

B. WHO MUST APPLY

Any establishment, pursuant to Chapter 22, Article 11, where, stormwater associated with construction activity is or may be discharged into the waters of the State or, where designated by the Director, is a contributor to a violation of the Water Quality Standards or that result in a significant pollutant loading to the receiving waters must apply. Any person proposing a construction activity, three acres or greater of land disturbance in size, shall submit a site registration application form 45 days prior to commencing operation. Persons proposing a minor construction project between one and less than three acres should use the Notice of Intent forms that can be obtained from the Construction Stormwater website <http://www.wvdep.org/dwwm/stormwater/construction.htm>, or by request from the Charleston office. Construction of single family residences by the homeowner or homeowner's contractor requiring land disturbances less than three acres in size are provided coverage under the General WV/NPDES Water Pollution Control Permit and do not require application for registration. However, all other terms and conditions of the General Permit still apply except for the Notice of Termination requirement. When the construction activity is owned by one person but operated by another, it is the responsibility of the owner to obtain the permit.

C. WHERE TO APPLY

Self-explanatory. Any documents you did not attach electronically as preferred, you'll need to mail to:





Current User: BOSLEY(Support), JON MICHAEL
Ref. Id: Bosley's Development (09/04/2018) App Effective Date: 12/15/2015
Status: New

Applicant: CHARLESTON, CITY OF
Type: New NPDES/State Storm Water Construction
Permit No.: New/Pending

Sections 1 - 3: Project Information

Section Complete Section Incomplete

Activities Attachments Comments Instructions

1. Project Name: [REDACTED]

2. Applicant's Name: CHARLESTON, CITY OF
 Federal Employer Identification Number: [REDACTED]
 Attention: THOMAS F. ELKINS, JR.
 Address: 105 MCFARLAND ST.
 City: CHARLESTON State: WV Postal Code: 25301 PostalCode Ref.
 Telephone No.: 304-348-8106 (###-###-####) Fax Number: (###-###-####)
 Email Address: tom.elkins@cityofcharleston.org Country: United States of America

Same As Applicant's Address? : Contractor Known? Yes

3. Contractor: [REDACTED]
 Attention: [REDACTED]
 Address: [REDACTED]
 City: [REDACTED] State: WV Postal Code: [REDACTED] PostalCode Ref.
 Telephone No.: [REDACTED] (###-###-####) Fax Number: [REDACTED] (###-###-####)
 Email Address: [REDACTED] Country: United States of America





Current User: BOSLEY(Support), JON MICHAEL
Ref. Id: Bosley's Development (09/04/2018) App Effective Date: 12/15/2015
Status: New

Applicant: CHARLESTON, CITY OF
Type: New NPDES/State Storm Water Construction
Permit No.: New/Pending

Section 5 - 8: Site Information

Section Complete Section Incomplete

Activities Attachments Comments Instructions

5. Acres disturbed:

Rain Fall Zone: Precipitation Zones

Application Fee:

6. Latitude:
 Degrees: Minutes: Seconds: N (ss.ssss)
 Longitude:
 Degrees: Minutes: Seconds: W (ss.ssss) Interactive Mapper
 Geospatial Method:
 Datum: UTM Zone:
 UTM Northing: UTM Easting:
 Topographic Map with site located:

7. Facility Address:

Nearest Town:

County Name:

County Route:

Postal Code:

8. Name of Immediate Receiving Stream Unnamed Tributary of
 tributary of tributary of
 tributary of tributary of
 Major Basin:

Municipal System Operator (if applicable):

Is this project located within the city limits of a municipality or a MS4? Yes No.

Do you have approval from the municipality or MS4 to begin construction activities? Yes No.

Directions to Site:





- impaired streams, iron
- tier 3 streams
- major basins
- TMDL area

- Map Layers**
- ESRI street map
 - ESRI aerial
 - simplified
 - topo
 - hillshade
 - 1996 aerial
 - 2003 aerial
 - 2007 aerial
 - 2009 aerial
 - 2011 aerial

location [Close]

Location: 38.938611 , -80.778611
Major Basin: Little Kanawha
Rec. Stream: Mudlick Run
TMDL SWS Code: None Found

Measurement

Measurement Result

0.46km
 0.2mi





Current User: BOSLEY(Support), JON MICHAEL
Ref. Id: Bosley's Development (09/04/2018) App Effective Date: 12/15/2015
Status: New

Applicant: CHARLESTON, CITY OF
Type: New NPDES/State Storm Water Construction
Permit No.: New/Pending

Section 4: Preparer's Information

Section Complete Section Incomplete

- Activities
- Attachments
- Comments
- Instructions

4. Preparer's Name:

Company's Name:

Address:

City: State: WV Postal Code: PostalCode Ref.

Telephone No.: (### ### ####) Fax Number: (### ### ####)

Email Address: Country: United States of America





Current User: BOSLEY(Support), JON MICHAEL
Ref. Id: Bosley's Development (09/04/2018) App Effective Date: 12/15/2015
Status: New

Applicant: CHARLESTON, CITY OF
Type: New NPDES/State Storm Water Construction
Permit No.: New/Pending

Sections 9 - 11: Description of Project, Estimates, and Cubic Yards

Section Complete Section Incomplete

Activities Attachments Comments Instructions

9. Project Description:

10. Estimated Start and Completion Dates for Project:

11. Cubic Yards of Excavation (Cut/Fill) and Waste/Borrow Sites (Attached Soils Report):





Current User: BOSLEY(Support), JON MICHAEL
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Permit No.: New/Pending

Sections 12 - 14: Relative Time Line, Sediment Controls, and Sequence

Section Complete Section Incomplete

Activities Attachments Comments Instructions

12. Relative Time Line of Construction Activities:

Note: If any of the following conditions apply, submit a notarized, signed statement for billing so that the project can be sent out to public notice

- 1 Grading phase of construction will last for 1 year or longer
- 2 Disturbance of 100 acres or more
- 3 Discharge to or upstream of Tier 3 water

See instructions for detail and notice process

No Yes If yes, you must fill out the Statement For Billing Form.

13. Narrative description of Erosion and Sediment Controls:

14. Sequence of Construction:





Current User: BOSLEY(Support), JON MICHAEL
Ref. Id: Bosley's Development (09/04/2018) **App Effective Date:** 12/15/2015
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Permit No.: New/Pending

Sections 15 - 18: Site Maps, Discharge Area Maps, Storm Water Management

Section Complete Section Incomplete

Activities Attachments Comments Instructions

- 15. Detailed Site Map(s) of Erosion and Sediment Controls:(Attach)
- 16. Site Map of the Final Conditions Showing the Stormwater Management Facilities (Attach):
- 17. Pre and Post Development Discharge Area Maps Identifying Discharge Points and Supporting Calculations (Attach):
 Pre-Development Peak Discharge Rate(s) for 1yr/24 Hour Storm:

 Post-Development Peak Discharge Rate(s) for 1yr/24 Hour Storm:
- 18. Narrative Description of the Final Storm Water Management and Pollution Prevention:





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Permit No.: New/Pending

Section 19: Permanent Stormwater Management Facility and Public Sign

Section Complete Section Incomplete

Activities Attachments Comments Instructions

19. DO YOU HAVE A PERMANENT STORM WATER MANAGEMENT FACILITY ON THIS PROJECT?
CHECK THE APPROPRIATE BOX. IF YES, COMPLETE 19A.
 Yes No
A: WHICH OF THE FOLLOWING BEST MANAGEMENT PRACTICES (BMPS) WILL BE UTILIZED FOR THIS PROJECT? ALSO, WHAT IS THE AMOUNT OF DRAINAGE ACREAGE (IN ACRES) THAT WILL FLOW THROUGH THESE BMPS WHILE ACTING AS PERMANENT STORM WATER MANAGEMENT FACILITIES?

1	Best Management Practice:	<input type="text"/>
	Latitude:	<input type="text"/> ° <input type="text"/> ' <input type="text"/> "
	Longitude:	<input type="text"/> ° <input type="text"/> ' <input type="text"/> "
	Geo Spatial Method:	<input type="text"/>
	Datum:	<input type="text"/>
	Acres Drained:	<input type="text"/>

Add 1 row

A list of BMPs and their definitions may be found by clicking the ICON to the right.

20. PUBLIC NOTICE SIGN (SEE INSTRUCTIONS AND SECTION G.4.b.6 OF THE GENERAL PERMIT). ALL APPLICANTS ARE REQUIRED TO POST A PUBLIC NOTICE SIGN ONSITE WITHIN 24 HOURS OF SUBMITTED APPLICATION. ATTACH SITE SPECIFIC TEMPLATE.





Current User: BOSLEY(Support), JON MICHAEL
Ref. Id: Bosley's Development (09/04/2018) **App Effective Date:** 12/15/2015
Status: New

Applicant: CHARLESTON, CITY OF
Type: New NPDES/State Storm Water Construction
Permit No.: New/Pending

Section 20: Public Notice Sign

Section Complete Section Incomplete

Activities Attachments Comments Instructions

20. PUBLIC NOTICE SIGN (SEE INSTRUCTIONS AND SECTION G.4.b.6 OF THE GENERAL PERMIT). ALL APPLICANTS ARE REQUIRED TO POST A PUBLIC NOTICE SIGN ONSITE WITHIN 24 HOURS OF SUBMITTED APPLICATION. ATTACH SITE SPECIFIC TEMPLATE.





Current User: BOSLEY(Support), JON MICHAEL
Ref. Id: Bosley's Development (09/04/2018) **App Effective Date:** 12/15/2015
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Type: New NPDES/State Storm Water Construction
Permit No.: New/Pending

Information: Supplemental Information

Section Complete Section Incomplete

Activities Attachments Comments Instructions

A. Supplemental Information: (If none click Section Complete)





Current User: BOSLEY(Support), JON MICHAEL
Ref. Id: Bosley's Development (09/04/2018) App Effective Date: 12/15/2015
Status: New

Applicant: CHARLESTON, CITY OF
Type: New NPDES/State Storm Water Construction
Permit No.: New/Pending

Certification: Signature Page

Section Complete Section Incomplete

- Activities
- Attachments
- Comments
- Instructions

BY COMPLETING AND SUBMITTING THIS APPLICATION, I HAVE REVIEWED AND UNDERSTAND AND AGREE TO THE TERMS AND CONDITIONS OF THE GENERAL PERMIT ISSUED ON DECEMBER 4, 2012. I UNDERSTAND THAT PROVISIONS OF THE PERMIT ARE ENFORCEABLE BY LAW. VIOLATION OF ANY TERM AND CONDITION OF THE GENERAL PERMIT AND/OR OTHER APPLICABLE LAW OR REGULATIONS CAN LEAD TO ENFORCEMENT ACTION.

I CERTIFY UNDER PENALTY OF LAW THAT I HAVE PERSONALLY EXAMINED AND AM FAMILIAR WITH THE INFORMATION SUBMITTED ON THIS FORM AND ALL ATTACHMENTS AND THAT, BASED ON MY INQUIRING OF THOSE INDIVIDUALS IMMEDIATELY RESPONSIBLE FOR OBTAINING THE INFORMATION, THE INFORMATION SUBMITTED IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT.

OFFICIAL SIGNATURE

Print Name:

Print Title:

Date:

PRIOR TO FILING THIS APPLICATION, YOU MAY WISH TO OBTAIN A COPY OF THE LEGISLATIVE RULES OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, TITLE 47, SERIES 26, WATER POLLUTION CONTROL PERMIT FEE SCHEDULE IN ORDER TO DETERMINE THE APPROPRIATE PERMIT APPLICATION FEE REQUIRED TO ACCOMPANY YOUR SUBMISSION OF THIS APPLICATION. YOU CAN OBTAIN A COPY OF THE REGULATION FROM THE SECRETARY OF STATE'S OFFICE, STATE CAPITOL BUILDING, CHARLESTON, WV 25305. HOWEVER, YOU MAY WISH TO USE THE TABLE FOUND IN ITEM V. OF THE ATTACHED INSTRUCTIONS.


YOUR CHECK OR MONEY ORDER FOR THE APPROPRIATE APPLICATION FEE MUST BE MADE PAYABLE TO THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION.

ALL SPILLS OR ACCIDENTAL DISCHARGES ARE REQUIRED TO BE REPORTED IMMEDIATELY TO THE EMERGENCY RESPONSE SPILL ALERT SYSTEM TOLL FREE TELEPHONE NUMBER 1-800-642-3074. CALLS FROM OUT OF STATE SHOULD BE MADE TO 304-348-8899.

Please Print, Sign, Scan and attach this document rather than mailing as a wet ink signature is no longer required.



Attach/View Files - Internet Explorer


Applicant: CHARLESTON, CITY OF
Facility: Bosley's Development (09/04/2018)
Status: New
Type: New NPDES/State Storm Water Construction
Permit: New/Pending

Additional Documents you want to attach

Action	Description	Select file to upload	File name/ Upload date	Version	CBI?
	Certification Signature Page (Change description if necessary)	<input type="text" value="Browse..."/>		0	

Additional Documents you want to attach

130%



Submit

Brownfield Site



- If soil it contaminated it must:
 - be taken to an approved Hazardous Waste Landfill
 - No Commercial Hazardous Waste Landfill in West Virginia
 - or
 - Encapsulated on-site
- Site specific Groundwater Protection Plan
- Soil handling plan

Stormwater Construction

Permitting Staff

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Robert.D.Biller@wv.gov

general questions regarding payments, applications, etc

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NOI's – Oil and Gas, and Construction SW

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Carole.A.Moore@wv.gov



EROSION AND SEDIMENT CONTROL BEST MANAGEMENT PRACTICE MANUAL

WEST VIRGINIA

DEPARTMENT OF ENVIRONMENTAL
PROTECTION
DIVISION OF
WATER AND WASTE MANAGEMENT

2006

REVISED
AUGUST 29, 2016

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