



MARSHALL COUNTY PUBLIC SERVICE DISTRICT #4

ADALINE WATER EXTENSION

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December 6, 2011

Addendum #1

TO ALL BIDDERS:

The following will supplement and clarify the specifications sections referenced.

1) Section 00826 - Sediment Control Plan

A) The NPDES Water Pollution Control Permit for the project is attached for reference. The Contractor is to comply with the sedimentation and erosion control and other pertinent provisions of the Permit.

2) Section 00840 - Wage Rates

A) The Federal Davis-Bacon Wage Rates are updated and amended to include the attached Wage Rate Decision Modification.

Respectfully,

CERRONE ASSOCIATES, INC.

Dominick P. Cerrone, PE
Director of Engineering



General Decision Number: WV100010 12/02/2011 WV10

Superseded General Decision Number: WV20080010

State: West Virginia

Construction Type: Heavy

Counties: Boone, Brooke, Cabell, Clay, Fayette, Greenbrier, Hancock, Kanawha, Lincoln, Logan, Marshall, McDowell, Mercer, Mingo, Monroe, Nicholas, Ohio, Pocahontas, Putnam, Raleigh, Summers, Wayne, Wood and Wyoming Counties in West Virginia.

HEAVY CONSTRUCTION PROJECTS

Modification Number	Publication Date
0	03/12/2010
1	03/19/2010
2	04/02/2010
3	04/09/2010
4	04/16/2010
5	05/07/2010
6	05/28/2010
7	06/04/2010
8	07/16/2010
9	08/27/2010
10	10/15/2010
11	11/19/2010
12	12/03/2010
13	12/10/2010
14	12/17/2010
15	12/24/2010
16	03/25/2011
17	04/08/2011
18	06/03/2011
19	07/01/2011
20	07/22/2011
21	07/29/2011
22	08/12/2011
23	09/02/2011
24	09/16/2011
25	09/23/2011
26	10/14/2011
27	11/04/2011
28	11/11/2011
29	11/18/2011
30	12/02/2011

BRWV0001-002 07/01/2010

MARSHALL and OHIO COUNTIES

Rates

Fringes

BRICKLAYER

All refractory work.....\$ 30.72	14.29
Includes acid brick or acid resistant materials or any brick, block, stone, ceramic tile, or marble masonry in an industrial facility.....\$ 27.97	

BRWV0005-003 06/01/2011

CABELL, LINCOLN, MINGO, AND WAYNE COUNTIES

	Rates	Fringes
Bricklayer, Stonemason.....\$ 28.68		17.86

BRWV0006-004 06/01/2011

WOOD COUNTY

	Rates	Fringes
Bricklayer, Stonemason.....\$ 27.67		13.70

BRWV0009-003 12/01/2010

BOONE, CLAY, FAYETTE, GREENBRIER, KANAWHA, LOGAN, MCDOWELL, MERCER, MONROE, NICHOLAS, PUTNAM, RALEIGH, SUMMERS, and WYOMING COUNTIES

	Rates	Fringes
Bricklayer, Stonemason, Pointer, Caulker & Cleaner.....\$ 27.79		16.64

BRWV0011-002 07/01/2010

BROOKE and HANCOCK COUNTIES

	Rates	Fringes
BRICKLAYER All refractory work, acid brick or acid resistant materials or any brick, block, stone, ceramic tile or marble masonry in an industrial facility.....\$ 30.63		15.03

BRWV0015-003 12/01/2010

POCAHONTAS COUNTY

	Rates	Fringes
Bricklayer, Stonemason.....\$ 27.47		14.41

CARP0003-007 12/01/2009

BROOKE, HANCOCK, MARSHALL (North of 39 degrees 46' latitude),
and OHIO COUNTIES

	Rates	Fringes
CARPENTER.....	\$ 23.96	16.40

CARP0302-002 06/01/2011

CABELL, MINGO, and WAYNE COUNTIES

	Rates	Fringes
CARPENTER.....	\$ 28.84	16.50
File Driver.....	\$ 29.25	16.50

CARP0604-004 12/01/2009

POCAHONTAS COUNTY

	Rates	Fringes
Carpenter & Soft Floor Layer Including Drywall Hanging...	\$ 23.56	15.19

CARP0899-005 12/01/2009

WOOD and MARSHALL (South of 39 degrees 46' latitude) COUNTIES

	Rates	Fringes
CARPENTER.....	\$ 25.97	14.54

CARP1207-001 12/01/2009

BOONE, CLAY, KANAWHA, LINCOLN, LOGAN, NICHOLAS, and PUTNAM
COUNTIES

	Rates	Fringes
CARPENTER.....	\$ 25.97	14.54
File Driver.....	\$ 26.52	14.54

CARP1911-002 12/01/2009

FAYETTE, GREENBRIER, McDOWELL, MERCER, MONROE, RALEIGH,
SUMMERS, and WYOMING COUNTIES

	Rates	Fringes
CARPENTER.....	\$ 25.97	14.54

File Driver.....\$ 26.52 14.54

CARP2235-011 12/01/2009

BROOKE, HANCOCK, MARSHALL, and OHIO COUNTIES

Rates Fringes

File Driver.....\$ 29.95 12.17

ELEC0071-016 01/03/2011

BROOKE (EXCEPT BUFFALO TOWNSHIP) and HANCOCK COUNTIES

Rates Fringes

Line Construction:

Equipment operator.....\$ 28.13 11.25
Groundman.....\$ 20.31 11.25
Lineman & Cables Splicers...\$ 31.25 11.25

ELEC0141-004 09/05/2011

BROOKE (Buffalo Twp. only), MARSHALL and OHIO COUNTIES

Rates Fringes

CABLE SPLICER.....\$ 28.61 20.72
ELECTRICIAN.....\$ 30.01 21.25

ELEC0141-006 09/05/2011

BROOKE (Buffalo Twp. only), MARSHALL and OHIO COUNTIES

Rates Fringes

Line Construction:

Cable Splicer.....\$ 28.61 20.72
Groundman.....\$ 28.61 20.72
Lineman & Equipment
Operator.....\$ 28.61 20.72

ELEC0246-007 10/31/2011

BROOKE (Except Buffalo Township) and HANCOCK COUNTIES

Rates Fringes

ELECTRICIAN.....\$ 33.00 24.51+a

FOOTNOTE: a. 1 1/2 Paid Holidays: The last scheduled workday prior to Christmas & 4 hours on Good Friday.

ELEC0317-010 09/05/2011

BOONE, CABELL, CLAY, FAYETTE, KANAWHA, LINCOLN, LOGAN, MINGO, NICHOLAS, PUTNAM, RALEIGH, SUMMERS, WAYNE, and WYOMING COUNTIES

	Rates	Fringes
Line Construction:		
Cable Splicer.....	\$ 32.31	19.75%+7.11
Equipment Mechanic.....	\$ 22.87	19.75%+7.11
Equipment Operator A: John Henry Rock Drill, D6 (or equivalent) and above, Trackhoe Digger, & Cranes (greater than 25 tons and less than 45 tons).....	\$ 27.31	19.75%+7.11
Equipment Operator B: Cranes (6-25 tons), Backhoes, Road Tractor, Dozer up to D5, Pressure Digger-Wheeled or Tracked, & all Tension Wire Stringing Equipment.....	\$ 23.87	19.75%+7.11
Equipment Operator C: Trencher, Vibratory Compactor, Ground Rod Driver, Boom Truck (6 ton or below), & Skid Steer Loaders.....	\$ 18.76	19.75%+7.11
Groundman/Truck Driver.....	\$ 15.69	19.75%+7.11
Line Truck w/Auger.....	\$ 20.97	19.75%+7.11
Lineman & Technician.....	\$ 30.74	19.75%+7.11

All operators of 45 ton cranes or larger shall be paid the journeyman lineman's rate of pay.

ELEC0317-011 09/05/2011

CABELL, LINCOLN, LOGAN, MINGO AND WAYNE COUNTIES

	Rates	Fringes
Electricians:		
Cable Splicers.....	\$ 32.31	19.75%+7.11
Electricians.....	\$ 31.87	18.22

ELEC0466-002 06/01/2011

BOONE, CLAY, FAYETTE, KANAWHA, NICHOLAS, PUTNAM, RALEIGH,
SUMMERS, and WYOMING COUNTIES

	Rates	Fringes
CABLE SPLICER.....	\$ 37.88	15.03
ELECTRICIAN.....	\$ 34.44	15.03

ELEC0637-003 06/01/1998

GREENBRIER, MCDOWELL, MERCER, MONROE AND POCAHONTAS COUNTIES

	Rates	Fringes
Line Construction:		
Cable Splicer.....	\$ 20.31	3.80+3.5%
Equipment Operator.....	\$ 11.04	3.80+3.5%
Groundman & Truck with winch.....	\$ 10.82	3.80+3.5%
Lineman.....	\$ 19.34	3.80+3.5%

ELEC0637-004 06/01/2003

GREENBRIER, MCDOWELL, MERCER, MONROE AND POCAHONTAS COUNTIES

	Rates	Fringes
ELECTRICIAN.....	\$ 18.31	5.80+1.5%

ELEC0968-004 06/01/2011

WOOD COUNTY

	Rates	Fringes
ELECTRICIAN.....	\$ 30.14	19.26

ELEC0968-005 06/01/2011

WOOD COUNTY

	Rates	Fringes
Line Construction:.....	\$ 30.14	19.26
Cable Splicer, Equipment Operator, Groundman, and Lineman.....	\$ 30.14	19.26

* ENGI0132-002 12/01/2011

	Rates	Fringes
Power equipment operators:		
GROUP 1.....	\$ 31.00	16.30
GROUP 2.....	\$ 28.24	16.30
GROUP 3.....	\$ 27.13	16.30
GROUP 4.....	\$ 23.67	16.30

POWER EQUIPMENT OPERATOR CLASSIFICATIONS

GROUP 1: Class I shall include those operating the following equipment: cranes, tower cranes, derricks, derrick boats, dredge, draglines, clamshells, cableways, boom trucks, loaders of six (6) cubic yard capacity and over, excavators and shovels with an operating weight of one hundred ten thousand (110,000) pounds and over.

GROUP 2: Class II shall include those operating the

following equipment: loaders up to six (6) cubic yard capacity, gradall, hoist (two drums or more), mixer plant (two or more mixers including batch control), pile driver, trencher, backhoe, asphalt paver, cement paver, rotary drill, bulldozers, standard gauge locomotive, concrete pump, controlled fine grade machine, slip form paver, log loader, log skidder, motor grader, rubber tired scraper, tractor pan, Roto Miller, tow or work boat, mobile conveyor, transloader, articulating equipment, material hauler, carry deck, compactor with blade, skidsteer including attachments, fork lift, self-propelled concrete spreader, concrete finishing machine, derrick (single drum), hoist (single drum), single drum paver, air tugger, Ross Carrier, multiple concrete saw, hydraulic post driver, horizontal road-boring machine, tie distributor, track lining machine, ballast tamper, anchor application machine, ribbon rail puller, ballast regulator, auto sled, turn table, pavement breaker, asphalt batch plant, concrete batch plant, crushing plant, compactor with blade, power broom, vac-all truck, self-propelled concrete spreader and concrete finishing machine, mechanics with tools greasers. Class II shall also include excavators, and shovels with an operating weight of up to one hundred ten thousand (110,000) pounds.

GROUP 3: Class III shall include those operating the following equipment: Asphalt roller.

GROUP 4: Class IV shall include those operating the following type of equipment: air compressor, concrete mixer (under one (1) cubic yard), light plant, narrow gauge locomotive, fireman, mechanic's tender, assistant engineer, deckhand, screed man, spreader box man, joint sealer and pump, steam jenny, stationary conveyor (belt or bucket), gasoline or diesel powered welder, brakeman of locomotive, conductor of locomotive, A-frame tire man, screening and washing plant, form subgrader, power form handling equipment, burlap and curing machine, form grader, bull float, bar and joint installing machine, roller and compactor, hydroblaster, concrete mixer (single drum, one (1) cu. yd. or over), portable concrete saw and highway striping operator. Utility operators shall be paid Class II rate when operating more than one (1) but less than five (5) air compressors, pumps, stationary conveyors (belt or bucket), light plants, and gasoline or diesel powered welder, brakeman of locomotive conductor or locomotive, A-frame tire man, screening and washing plant, form subgrader, power form handling equipment, burlap and curing machine, form grader, bull float, bar and joint installing machine, roller and compactor, hydroblaster, concrete mixer (single drum, one (cu. yd. or over), portable concrete saw and highway stripping operator. Utility operators shall be paid Class II rate when operating more than one (1) but less than five (5) air compressors, pumps, stationary conveyors (belt or bucket), light pants, and gasoline or diesel powered welders.

A. Classes shall be paid the following rates for the years 2004 through and including 2006 as long as those rates are the prevailing rates for the respective years:

B. Operators operating excavators and endloaders of one and one-half (1 1/2) cu. yd. capacity to, and including, three (3) cu. yd. capacity shall receive an additional \$1.05 per hour worked above the Class II Rate. Operators operating excavators and endloaders from three (3) cu. yd. capacity to six (6) cu. yd. capacity shall receive an additional \$1.35 per hour worked above this Class II Rate. Operators required to have an Electricians License will receive an additional \$1.00 per hour.

C. Capacities for equipment shall be as per manufacturers maximum rated capacity.

D. \$0.25 per hour shall be added to all of the above schedules for tunneling and for all other underground work.

Footnote: (Hazardous/toxic waste material handling - wages for employees working in direct contact with a hazardous/toxic waste material which is classified level A or level B by the U.S. Environmental Protection Agency and who are required to wear personal protective equipment for respiratory, skin or eye protection for that level of work, shall be \$.50 above the appropriate classification rate).

IRON0301-002 06/01/2011

BOONE, CLAY, FAYETTE, KANAWHA, LINCOLN, LOGAN, MCDOWELL, MINGO, NICHOLAS, PUTNAM, RALEIGH, and WYOMING COUNTIES.

	Rates	Fringes
IRONWORKER.....	\$ 31.93	17.17

* IRON0549-005 12/01/2011

BROOKE, HANCOCK, MARSHALL, AND OHIO COUNTIES

	Rates	Fringes
IRONWORKER.....	\$ 33.56	16.04

IRON0697-004 12/01/2009

GREENBRIER, MERCER, MONROE, POCAHONTAS, and SUMMERS COUNTIES

	Rates	Fringes
IRONWORKER.....	\$ 31.55	11.43

* IRON0769-006 12/01/2011

CABELL and WAYNE COUNTIES

	Rates	Fringes
IRONWORKER.....	\$ 34.26	18.73

IRON0787-005 12/01/2010

WOOD COUNTY

	Rates	Fringes
IRONWORKER.....	\$ 30.67	17.05

* LABO0379-004 12/01/2011

BOONE, BROOKE, CABELL, CLAY, FAYETTE, GREENBRIER, HANCOCK, KANAWHA, LINCOLN, LOGAN, MCDOWELL, MARSHALL, MERCER, MINGO, MONROE, NICHOLAS, OHIO, POCAHONTAS, PUTNAM, RALEIGH, SUMMERS, WAYNE, WOOD, and WYOMING COUNTIES

	Rates	Fringes
Laborers:		
GROUP 1.....	\$ 25.85	13.10
GROUP 2.....	\$ 24.82	13.10
GROUP 3.....	\$ 23.76	13.10

LABORER CLASSIFICATIONS

GROUP 1: Blacksmith, Tunnel Driller, Tunnel Miner, Powderman, Mucker-Chucker, Reinforcing Bar Handler (Structures), Toxic and Hazardous Waste Removal Laborer, Asbestos Abatement Laborer and Lead Base Paint Removal Laborer, Inside Laborer, Laser Screed Operator, and GPS Operator.

GROUP 2: Pipelayer (Including Laser Beam Set Up), Form Setter (Road), Drill op., Air Tool op., Grade Checker and Asphalt Raker, Vibrator Man, Whacker, Chainsaw op., Mortarman, Brick Mason Tender, Blacksmith Tender, Cement Finisher Tender, Drill Tender, Powderman Tender, Water Proofer, Sheeter & Shorer, Placement of Lagging, Bull-Float Man, Pavement Reinforcing Placer, Handyman, Signal Man, Greencutter, Georgia Power Buggie, Burner, Cement Blower Man, Tree Trimmer, Deckhand, Bituminous Hand Sprayer, Bork 250 Remote Control Ditch Witch and Walk Behind Concrete Saw, Deckhand, Casion Bottom Man, Mulcher and Seeder (hand and machine), Installation of Ground Mounted Beams and Signs including Concrete Footers, Installation of Overhead sign Supports and Signs including concrete Footers, Installation of Guardrail and Anchors Assemblies, Tree Trimmer, Bush Hammering Laborer, Core Drilling Laborer, and Placement and Mixing of Grout Laborer.

GROUP 3: General Laborer, Flag Person, Traffic Control Maintenance Person, Watchman, Carpenter's Tender, Pipelayer

Tender, and Herbicide Sprayer.

PAIN0091-002 12/01/2008

BROOKE (SOUTH OF BUFFALO CREEK), MARSHALL, AND OHIO COUNTIES

	Rates	Fringes
Painters: (Smokestacks, Railroad and Highway Bridges, and Locks and Dams).....	\$ 27.70	10.00
Painters: (Substations, Power Line Towers).....	\$ 27.70	10.00

PAIN0438-004 12/01/2010

BROOKE (NORTH OF BUFFALO CREEK) and HANCOCK COUNTIES

	Rates	Fringes
Painters: Bridges, Locks, Dams, High Tension Towers, Energized Substations, Tanks, Smokestacks, Railroad & Highway.....	\$ 28.33	11.40
Power Generating Facilities.....	\$ 25.18	11.40

PAIN0813-002 12/01/2008

CABELL, LINCOLN, LOGAN, MINGO AND WAYNE COUNTIES

	Rates	Fringes
Painters: Brush, Roller, Spray, and Sandblast.....	\$ 24.83	10.00

PAIN0970-002 12/01/2010

BOONE, CLAY, FAYETTE, GREENBRIER, KANAWHA, MCDOWELL, MERCER, MONROE, NICHOLAS, POCAHONTAS, PUTNAM, RALEIGH, SUMMERS and WYOMING COUNTIES

	Rates	Fringes
Painters: Bridges; Locks; Dams; Tension Towers & Energized Substations.....	\$ 29.03	11.90
Power Generating Facilities.....	\$ 25.79	11.90

PAIN1144-004 12/01/2010

WOOD COUNTY

	Rates	Fringes
PAINTER		
Bridges; Locks; Dams;		
Tension Towers & Energized		
Substations.....	\$ 28.39	11.40
Power Generating Facilities..	\$ 25.24	11.40

PLAS0002-002 12/01/2005

MCDOWELL, MERCER AND WYOMING COUNTIES

	Rates	Fringes
CEMENT MASON/CONCRETE FINISHER...	\$ 24.45	11.50

PLAS0005-004 12/01/2005

MINGO COUNTY

	Rates	Fringes
CEMENT MASON/CONCRETE FINISHER...	\$ 25.91	11.50

PLAS0015-001 12/01/2005

POCAHONTAS COUNTY

	Rates	Fringes
CEMENT MASON/CONCRETE FINISHER...	\$ 28.24	7.12

PLAS0039-005 12/01/2009

BROOKE, HANCOCK, MARSHALL and OHIO COUNTIES

	Rates	Fringes
CEMENT MASON/CONCRETE FINISHER...	\$ 27.41	13.20

PLAS0181-003 12/01/2004

WOOD COUNTY

	Rates	Fringes
CEMENT MASON/CONCRETE FINISHER...	\$ 25.29	8.95

PLAS0887-002 12/01/2009

BOONE, CABELL, CLAY, FAYETTE, GREENBRIER, KANAWHA, LINCOLN,
LOGAN, MERCER, MONROE, NICHOLAS, PUTNAM, RALEIGH, SUMMERS, and
WAYNE COUNTIES

Rates Fringes

CEMENT MASON/CONCRETE FINISHER...\$ 28.98 12.20

PLUM0083-003 07/01/2011

BROOKE COUNTY (North to Route #27 due east to the State Line,
Excluding the City limits of Wellsburg), MARSHALL, AND OHIO
COUNTIES

	Rates	Fringes
Plumber; Steamfitter.....	\$ 34.41	18.18

PLUM0495-005 06/01/2011

BROOKE (City limits of Wellsburg and north of St. Rt. 27 to the
Pennsylvania State Line) and HANCOCK (Districts of Butler, Clay
and the part of Grant District south of the dividing line)
COUNTIES

	Rates	Fringes
Plumbers and Pipefitters.....	\$ 36.13	18.16

PLUM0521-004 06/01/2011

CABELL, LINCOLN, LOGAN, MCDOWELL, MINGO, WAYNE AND WYOMING
COUNTIES

	Rates	Fringes
Plumbers and Pipefitters.....	\$ 32.48	16.95

PLUM0565-003 07/01/2011

WOOD COUNTY

	Rates	Fringes
Plumbers and Pipefitters.....	\$ 32.79	18.32

PLUM0625-004 12/01/2010

BOONE, CLAY, FAYETTE, GREENBRIER, KANAWHA, MONROE, NICHOLAS,
POCAHONTAS, PUTNAM, RALEIGH and SUMMERS COUNTIES

	Rates	Fringes
Plumbers and Pipefitters.....	\$ 33.59	15.88

PLUM0625-006 12/01/2010

MERCER COUNTY

	Rates	Fringes
Plumbers and Pipefitters.....	\$ 33.59	15.88

* TEAM0092-002 12/01/2011

BROOKE AND HANCOCK COUNTIES

	Rates	Fringes
Truck drivers:		
GROUP 1.....	\$ 25.47	13.71
GROUP 2.....	\$ 27.22	13.71
GROUP 3.....	\$ 28.01	13.71

GROUP 1: Single Axle Trucks used as Dumps, Suppy, Fuel, Water, Van, Flatbody, Monorail, Distributor (other than Bituminous Distributors) including Towed Single Units, Team 4-Up, Team 2-Up & Pick-up trucks.

GROUP 2: Tandem and Tri-Axle Trucks used as Dumps, Supply, Fuel, Water, Van, Flatbody, Monorail and including Towed Single Units, Truck Tractors used in combination with Dumps, Van, Tank, Flatbed, Low platform or Pole Trailers, Bituminous Distributors, Agitators or Mixer Trucks (up to and including 20 cubic-yards), Rubber-tired tractors, (towing and pushing), Drag Drivers and Tag-alongs.

GROUP 3: Off Highway Trucks, Mobile Metered Mixer, Agitator or Mixer Trucks (over 20 cubic yards), Off Highway Rear Dump Trucks, Articulating Dumps, "A" Frame & Mechanic.

* TEAM0175-004 12/01/2011

BARBOUR, BOONE, BRAXTON, CALHOUN, CLAY, DODDRIDGE, FAYETTE, GILMER, GREENBRIER, KANAWHA, MCDOWELL, MERCER, MONROE, NICHOLAS, POCAHONTAS, PUTNAM, RALEIGH, SUMMERS, WOOD AND WYOMING COUNTIES

	Rates	Fringes
TRUCK DRIVER		
GROUP 1.....	\$ 24.97	14.20
GROUP 2.....	\$ 25.76	14.20
GROUP 3.....	\$ 26.44	14.20

GROUP 1: Single Axle Trucks used as Dumps, Supply, Fuel, Water, Van, Flatbody, Monorail, Distributor (other than Bituminous Distributors), and including Towed Single Units, Team 4-Up, Greasers, Tireman and Mechanic Tenders (Trucks), Yardmen, Team 2-Up and pick-up trucks.

GROUP 2: Tandem and Tri-Axle Trucks used as Dumps, Supply, Fuel, Water, Van, Flatbody, Monorail and including Towed Single Units, Truck Tractors used in combination with Dump, Van, Tank, Flatbed, Low Platform or Pole Tailers,

Bituminous Distributors, Agitator or Mixer Trucks (up to and including 20 cubic yards), Rubber-tired Tractors (lowing and pushing), Drag Drivers and Tag-alongs.

GROUP 3: Off Highway Trucks, Mobile Metered Mixer, Agitator or Mixer Trucks (over 20 cubic yards), Off Highway Trucks, Rear Dump Trucks, Articulating Dumps, "A" Frame, Mechanic (Truck).

* TEAM0505-006 12/01/2011

CABELL, LINCOLN, LOGAN, MINGO AND WAYNE COUNTIES

	Rates	Fringes
Truck drivers:		
GROUP 1.....	\$ 27.66	13.82+A
GROUP 2.....	\$ 28.63	13.82+A
GROUP 3.....	\$ 29.42	13.82+A

GROUP 1: Single Axle Trucks used as Dumps, Supply, Fuel, Water, Van, Flatbody, Monorail, Distributor (other than Bituminous Distributors) including Towed Single Units, Material Checkers & Receivers, Team 4-Up, Team 2-Up and Pick-up trucks.

GROUP 2: Tandem and Tri-Axle Trucks used as Dumps, Supply, Fuel, Water, Van, Flatbody, Monorail and including Towed Single Units, Truck Tractors used in combination with Dumps, Van, Tank, Flatbed, Low platform or Pole Trailers, Bituminous Distributors, Agitators or Mixer Trucks (up to and including 20 cubic-yards), Rubber-tired tractors, (towing and pushing), Drag Drivers and Tag-alongs.

GROUP 3: Off Highway Trucks, Mobile Metered Mixer, Agitator or Mixer Trucks (over 20 cubic yards), Off Highway Rear Dump Trucks, Articulating Dumps, "A" Frame, Mechanic.

A. Paid Holidays: New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Day after Thanksgiving, and Christmas Day.

TEAM0697-004 12/01/2010

MARSHALL AND OHIO COUNTIES

	Rates	Fringes
Truck drivers:		
GROUP 1.....	\$ 24.35	13.44
GROUP 2.....	\$ 25.25	13.44
GROUP 3.....	\$ 25.85	13.44

GROUP 1: Single Axle Trucks used as dumps, supply, fuel, water, van, flatbody, monorail, distributor (other than Bituminous Distributors), and including towed single units, material checkers and receivers, team 4-up, greasers,

tiremen and mechanic tenders (trucks), warehouse, yardmen, team 2-up John Deere gators and similar equipment.

GROUP 2: Tandem axle trucks used as dump, supply, fuel, water flatbody, monorail and including towed single units, truck tractors used in combination with dump, van, tank, flatbed, low platform, or pole trailers, bituminous distributors, agitator or mixer trucks (up to and including 20 c.y.), rubber-tired tractors (towing and pushing), drag drivers, tag-alongs, passenger vans and buses.

GROUP 3: Off Highway Trucks, mobile metered mixer, agitator or mixer trucks (over 20 cubic yards), off highway rear dump trucks, articulating dumps, "A" frame, mechanic (truck) and/or dispatchers

 WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.
 =====

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5. (a) (1) (ii)).

 In the listing above, the "SU" designation means that rates listed under the identifier do not reflect collectively bargained wage and fringe benefit rates. Other designations indicate unions whose rates have been determined to be prevailing.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the

Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

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END OF GENERAL DECISION



STATE OF WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER AND WASTE MANAGEMENT
601 57th STREET SE
CHARLESTON, WV 25304-2345

GENERAL
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WATER POLLUTION CONTROL PERMIT

Permit No. WV0115924

Issue Date: November 5, 2007

Effective Date: December 5, 2007

Expiration Date: December 4, 2012

Subject: Stormwater Associated
With Construction Activities

To Whom It May Concern:

This is to certify that any establishment with discharges composed entirely of stormwater associated with construction activities disturbing one acre or greater of land area (construction activities are land disturbing operations such as grubbing, grading, filling and excavation operations during site development for residential, commercial or industrial purposes) and agreeing to be regulated under the terms of this general permit, except for;

1. Operations that result in the disturbance of less than one acre of total land area, which are not part of a larger common plan of development or sale.
2. Stormwater discharges associated with land disturbing activities that may reasonably be expected to be causing or contributing to a violation of a water quality standard as determined by the Director.
3. Land disturbing activities already governed by other Department of Environmental Protection NPDES permits. This includes Division of Mining and Reclamation permits for coal mining and non-metallic quarries.
4. Landfills, except in the preparation of a new landfill and/or clay borrow areas.
5. Other activities exempt from NPDES permitting requirements as set forth in 40CFR 122.3(e) and 47CSR 10-3.2.b.4 (NPDES Program).
6. Land disturbing activities related to oil and gas activities as required by the Energy Policy Act of 2005. These activities include but are not limited to construction of drilling sites, waste management pits, and access roads, as

well as construction of the transportation and treatment infrastructure such as pipelines, natural gas treatment plants, natural gas pipeline compressor stations, and crude oil pumping stations. Construction activities that result in a discharge of a reportable quantity release or that contribute pollutants (other than non-contaminated sediments) to a violation of a water quality standard are still subject to permit coverage.

is hereby granted coverage under this General WV/NPDES Water Pollution Control Permit to allow stormwater discharges into the surface waters of the State. This General Permit is subject to the following terms and conditions:

The information submitted on and with the site registration application form will hereby be made terms and conditions of the General Permit with like effect as if all such information were set forth herein, and other pertinent conditions set forth in Sections A, B, C, D, E, F, G, H, I and J.

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 WV/NPDES Water Pollution Control Permit still apply except for the Notice of Termination requirement.

Sites approved from January 1, 2006, thru November 4, 2007, are hereby granted coverage under General WV/NPDES Water Pollution Control Permit WV0115924. Sites approved prior to January 1, 2006, will have until June 30, 2008, to have final stabilization completed. Final stabilization means disturbed areas shall be covered by the appropriate permanent protection. Final stabilization includes; pavement, buildings, stable waterways (riprap, concrete, grass or pipe), a healthy, vigorous stand of perennial grass that uniformly covers at least 70 percent of the ground, stable outlet channels with velocity dissipation which directs site runoff to a natural watercourse, and any other approved structure or material. If these sites are not stabilized by June 30, 2008, an application to receive permit coverage will be required to be submitted to the Division of Water and Waste Management on or before, July 1, 2008.

SECTION A. TERMS OF PERMIT

Discharges from sites covered under the General Permit shall not cause or contribute to a violation of 47CSR2 (Requirements Governing Water Quality Standards) and 46CSR12, (Requirements Governing Groundwater Standards) of the West Virginia Legislative Rules pursuant to Chapter 22, Article 11 and Article 12. Discharges that are not in compliance with these standards are not authorized.

SECTION B. SCHEDULE OF COMPLIANCE

Compliance with this General Permit and the approved Stormwater Pollution Prevention Plan is required upon the beginning of the construction project.

SECTION C. MANAGEMENT CONDITIONS

C.1. Duty to Comply

C.1.a. The permittee must comply with all conditions of this permit. Permit noncompliance constitutes a violation of the federal Clean Water Act (CWA) and State Act (Chapter 22, Article 11 and Article 12) and is grounds for enforcement action; for permit modification, revocation and reissuance, suspension or revocation; or denial of a permit renewal application.

C.1.b. The permittee shall comply with all effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

C.2. Duty to Reapply

If the permittee seeks to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for a new permit or general permit registration as detailed in permit reissuance.

C.3. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit, which has a reasonable likelihood of adversely affecting human health or the environment.

C.4. Permit Actions

This permit may be modified, revoked and reissued, suspended, or revoked for cause. The filing of a request by the permittee for permit modification, revocation and reissuance, or revocation, or a notification of a planned change or anticipated noncompliance, does not stay any permit condition.

C.5. Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege.

C.6. Signatory Requirements

All applications, reports, or information submitted to the Director shall be signed and certified as required in 47CSR10-4.6. (NPDES Program). If an authorization becomes inaccurate because a different individual or position has responsibility for the overall operation of the project, a new authorization must be submitted to the Director prior

to, or together with any reports, information, or applications to be signed by an authorized representative.

C.7. Transferability

This permit is not transferable to any person, except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary.

C.8. Duty to Provide Information

The permittee shall furnish to the Director, within a reasonable specified time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, suspending, or revoking this permit, or to determine compliance with this permit. This information may include water quality information as specified by the Director. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

C.9. Other Information

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall immediately submit such facts or information.

C.10. Inspections and Entry

The permittee shall allow the Director or an authorized representative upon the presentation of credentials and such other documents as may be required by law

C.10.a. To enter upon the permittee's premises in which an effluent source or activity is located, or where records must be kept under the conditions of this permit;

C.10.b. To have access to and copy at reasonable times any records that must be kept under the conditions of this permit;

C.10.c. To inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit;

C.10.d. To sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the State Act, any substances or parameters at any location.

C.11. Permit Modification

This permit may be modified, suspended, or revoked in whole or in part during its term in accordance with the provisions of Chapter 22, Article 11 of the Code of West Virginia. Any permittee wishing to modify his coverage under this permit shall submit such request at least 45 days prior to the commencement of the proposed action for modification if no public notice period is required. A modification that will have a public notice period must be submitted at least 90 days prior to construction to allow for the public notice procedure.

C.12. Water Quality

The effluent or effluents covered by this permit are to be of such quality so as to not cause violations of applicable water quality standards.

C.13. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the CWA.

C.14. Liabilities

C.14.a. Any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318 or 405 of the CWA is subject to a civil penalty not to exceed \$25,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing Section 301, 302, 306, 307, or 308 of the CWA is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than one year, or both.

C.14.b. Any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six months per violation, or by both.

C.14.c. Nothing in C.14.a. and C.14.b. shall be construed to limit or prohibit any other authority the Director may have under the State Water Pollution Control Act, Chapter 22, Article 11 and State Groundwater Protection Act, Chapter 22, Article 12.

C.15. Outlet Markers

An outlet marker shall be posted during the term of General Permit coverage in accordance with Title 47, Series 11, Section 9 (Special Rules) of the West Virginia Legislative Rules.

SECTION D. OPERATION AND MAINTENANCE

D.1. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of the permit.

D.2. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

D.3. Bypass

D.3.a. Definitions

D.3.a.1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility; and

D.3.a.2. "Severe property damage" means substantial physical damage to property, damage to the treatment facility which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

D.3.b. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of D.3.c. and D.3.d. of this permit.

D.3.c. Notification of bypass

D.3.c.1. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least 10 days before the date of the bypass.

D.3.c.2. If the permittee does not know in advance of the need for bypass, notice shall be submitted as requires in F.2.a. of this permit.

D.3.d. Prohibition of bypass

D.3.d.1. Bypass is permitted only under the following conditions, and the Director may take enforcement action against a permittee for bypass, unless;

D.3.d.1.A. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

D.3.d.1.B. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated sediment, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance. This condition is not satisfied if the sediment and erosion control structures were not installed in the proper sequence; and

D.3.d.1.C. The permittee submitted notices as required under D.3.c. of this permit.

D.3.d.2. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed in D.3.d.1. of this permit.

D.4. Upset

D.4.a. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with the terms and conditions of the permit and the Stormwater Pollution Prevention Plan because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

D.4.b. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of D.4.c. are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

D.4.c. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

D.4.c.1. An upset occurred and that the permittee can identify the cause(s) of the upset.

D.4.c.2. The permitted project was at the time being properly operated.

D.4.c.3. The permittee submitted notice of the upset as required in F.2.a. of this permit.

D.4.c.4. The permittee complied with any remedial measures required under C.3. of this permit.

D.4.d. Burden of proof. In any enforcement proceedings the permittee seeking to establish the occurrence of an upset has the burden of proof.

D.5. Removed Substances

Where removed substances are not otherwise covered by the terms and conditions of this permit or other existing permits by the Director, any solids, sludge, filter backwash or other pollutants (removed in the course of treatment or control of wastewater) and which are intended for disposal within the State, shall be disposed of only in a manner and at a site subject to the approval by the Director. If such substances are intended for disposal outside the State or for reuse, i.e., as a material used for making another product, which in turn has another use, the permittee shall notify the Director in writing of the proposed disposal or use of such substances, the identity of the prospective disposer or users, and the intended place of disposal or use, as appropriate.

SECTION E. MONITORING AND REPORTING

Monitoring of discharges is not required for construction activities unless directed by the Director.

E.1. Definitions

“As-built drawing” means a certified drawing of conditions as they were actually constructed.

“Best management practices” (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, other management practices and various structural practices such as but not limited to silt fence, sediment traps, seeding and mulching, and rip-rap used to prevent or reduce erosion and sediment runoff and the pollution of surface waters of the State. BMPs also include treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

“Buffer zone” means the region near the border of a protected area; a transition zone between areas managed for different objectives.

“Clearing” means cutting and removing vegetation with chain saws, brush axes, brush hogs and other mechanical means where there is little or no soil disturbance.

“Clean Water Act” (CWA) (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Public Law 92-500, as amended by Public Law 95-217, Public Law 97-117 and Public Law 95-576; 33 U.S.C. 1251 et seq.

“Common plan of development” is a contiguous construction project where multiple separate and distinct construction activities may be taking place at different times on different schedules but under one plan. The “plan” is broadly defined as any announcement or piece of documentation or physical demarcation indicating construction activities may occur on a specific plot; included in this definition are most subdivisions.

“Control” is a best management practice such as erosion control or sediment control that will reduce sedimentation on a construction project.

“Construction Activity” means land disturbance operations such as grubbing, grading, filling, and excavating during site development for residential, commercial or industrial purposes. This includes, but is not limited to, access roads, borrow and spoil areas.

“Director” means the Director of the Division of Water and Waste Management, Department of Environmental Protection, or her designated representative.

“Disturbed area” is the total area of land disturbing activity that will take place during all phases of a construction project, including, but not limited to, all waste and borrow sites, utility installation, road building, mass grading, and site development.

“Diversion” means a berm or excavated channel or combination berm and channel constructed across sloping land on a predetermined grade. This includes but is not limited to protecting work areas from upslope runoff and reducing the size of the drainage going to sediment trapping structures (clean water diversion), transporting runoff across a project to minimize erosion and diverting sediment-laden water to an appropriate sediment-trapping structure.

“Erosion” means the displacement of solids (soil, mud, rock, and other particles) by the agents of wind, water, and ice in response to gravity.

“Establishment” means an industrial establishment, mill, factory, tannery, paper and pulp mill, mine, colliery, breaker or mineral processing operation, quarry, refinery, well and each and every industry or plant or works in the operation or process of which industrial wastes, sewage or other wastes are produced.

“Estimate” means to be based on a technical evaluation of the sources contributing to the discharge.

“Excavating” means large scale grading accomplished usually with heavy machinery.

“Final stabilization” means disturbed areas shall be covered permanent protection. Final stabilization includes pavement, buildings, stable waterways (riprap, concrete, grass or pipe), a healthy, vigorous stand of perennial grass that uniformly covers at least 70 percent of the ground, stable outlet channels with velocity dissipation that directs site runoff to a natural watercourse, and any other approved structure or material.

“Grading” means changing surface contours by removing soil and stone from one place and building it up in another.

“Groundwater” means the water occurring in the zone of saturation beneath the seasonal high water table or any perched water zones.

“Groundwater Protection Plan” (GPP) means groundwater protection practices developed and implemented in accordance with WV Legislative Rules, 47CSR58 (Groundwater Protection Rule).

“Grubbing” means physically removing vegetative stumps and roots from the ground and disturbing the earth, usually by heavy machinery.

“Intermittent stream” means a stream that has no flow during sustained periods of no precipitation and does not support aquatic life whose life history requires residence in flowing waters for a continuous period of at least six months.

“Karst” means a type of topography formed over limestone, dolomite, or gypsum resulting in dissolving or solution of the underlying calcareous rock.

“Minor construction activity” means an activity which disturbs one acre or more, but less than three acres.

“National Pollutant Discharge Elimination System” (NPDES) means the national program for issuing, denying, modifying, revoking and reissuing, suspending, revoking, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements under Section 307, 318, 402, and 405 of CWA, including any approved state program.

“Notice of Intent” (NOI) is the form to be submitted by the applicant to register a small construction project (one that disturbs one to less than three acres) under the Construction Stormwater General Permit. A project that disturbs one to less than three acres but will have construction activities one year or longer must file a Site Registration Application Form.

“Notice of Termination” (NOT) is the form to be submitted by the permittee to terminate coverage under the Construction General Stormwater Permit, after final stabilization has been completed. See Final Stabilization.

“Permanent detention/retention facility” means: Detention- The process of reducing offsite stormwater discharge rates by temporarily holding the water in a storage basin and then releasing it slowly over a period of time. The objective of a detention facility is to regulate the runoff from a given rainfall event and to control discharge rates to reduce the impact on downstream stormwater systems. Retention- The prevention of stormwater runoff from being discharged into receiving waters by storing it in a storage area. Water is retained and stored until it is lost through percolation, removed by evapotranspiration by plants, or through evaporation from the free water surface. Retention systems are designed to not have any offsite discharges.

“Point source” is any discernible, confined and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, and container from which pollutants are or may be discharged to surface waters of the state.

“Pollutant” means industrial waste, sewage or other wastes.

“Post-development” means the anticipated final conditions of the project, including rooftops, parking lots, streets, drainage systems, vegetation, and any other structure planned. For subdivisions and speculative developments, it will be assumed that all lots are developed.

“Pre-development” means the condition of the land, the amount and health of the ground cover and vegetation prior to development.

“Runoff coefficient” means the fraction of total rainfall that is not infiltrated into the ground that will appear at the point of discharge as runoff.

“Runoff curve number” is the numeric value reflecting the runoff coefficient and is based on soils, slopes, and type and health of the ground cover.

“Secretary” means the Secretary of the Department of Environmental Protection, or her designated representative.

“Sediment” means any particulate matter that can be transported by fluid flow and which eventually is deposited as a layer of solid particles on the bed or bottom of a body of water or other liquid.

“Sedimentation” means the deposition by settling of a suspended material.

“Sediment trap” means a temporary ponding area formed by constructing an embankment or excavation and embankment that will trap the flow of sediment-laden runoff. Sediment traps have a properly stabilized outlet/weir or riser and pipe to detain sediment-laden runoff from small disturbed areas of five acres or less. Outlets must be designed to extend the detention time and allow the majority of the sediment to settle out.

“Sediment basin” means a temporary structure consisting of an earthen embankment, or embankment and excavated area, located in a suitable area to capture sediment-laden runoff from a construction site. A sediment basin reduces the energy of the water through extended detention (48 to 72 hours) to settle out the majority of the suspended solids and sediment and prevent sedimentation in waterways, culverts, streams and rivers. Sediment basins have both wet and dry storage space to enhance the trapping efficiency and are appropriate in drainage areas of five acres and greater.

“Sinkhole” means a depression in the land surface formed by solution or collapse that directs surface runoff into subsurface or to an underground drainage flow.

“Site Registration Application forms” means the forms designed by the Director for the purpose of registering for coverage under a general permit. Under the General Permit there will be two separate forms, one for one to less than three acres (Notice of Intent) and the Site Registration Application form for projects that disturb three acres and greater. A project that disturbs one to less than three acres but will have construction activities one year or longer must file a Site Registration Application form.

“Stormwater” means stormwater runoff, snowmelt runoff, and surface runoff and drainage.

“Stormwater management facilities” means structures such as ponds, basins, outlets, ditches, velocity dissipaters, infiltration trenches and basins, extended detention basins and ponds, and any other structure used to control the quality and quantity of stormwater from a development project.

“Stormwater Pollution Prevention Plan” (SWPPP) means the erosion and sediment control plan and the post development plan submitted as part of the Site Registration Application form.

“Tier 2.5 Waters” means Waters of Special Concern as identified in 60CSR5 (Antidegradation Implementation Procedures) and 47CSR2-4.1.c. (Requirements Governing Water Quality Standards).

“Tier 3 Waters” means waters as otherwise identified in 47CSR2-4.1.d. (Requirements Governing Water Quality Standards).

“Trout Streams” means any waters which meet the definition of 47CSR2-2.18. (Requirements Governing Water Quality Standards).

“1-year, 24-hour precipitation event” means the maximum 24-hour precipitation event with a probable recurrence interval of once in one year.

“25-year, 24-hour precipitation” means the maximum 24-hour precipitation event with a probable recurrence interval of once in 25 years.

SECTION F. OTHER REPORTING

F.1. Reporting Spill and Accidental Discharges

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to 47CSR11-2. (Special Rules) of the West Virginia Legislative Rules promulgated pursuant to Chapter 22, Article 11.

F.2. Immediate Reporting

F.2.a. The permittee shall report any noncompliance which may endanger health or the environment immediately after becoming aware of the circumstances by using the Department’s designated spill alert telephone number ((800) 642-3074). A written submission shall be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and time, and if, the noncompliance has not been corrected, the anticipated time it is

expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

SECTION G. OTHER REQUIREMENTS

G.1. Requiring an Individual Permit or an Alternative General Permit.

G.1.a. The Director may require any person authorized by this permit to apply for and obtain either an individual NPDES permit or an alternative NPDES General Permit. Any interested person may petition the Director to take action under this paragraph. The Director may require any owner or operator authorized by this permit to apply for an individual NPDES permit only if the owner or operator has been notified in writing that such a permit application is required.

G.2. Prohibition of Non-Stormwater Discharges

All discharges authorized by this permit shall be composed entirely of stormwater. Discharges of material other than stormwater are not authorized by this permit except as follows.

The following non-stormwater discharges are authorized by this permit: discharges from firefighting activities, fire hydrant flushing; waters used to wash vehicles or control dust; potable water sources, including waterline flushing; irrigation drainage; lawn watering; routine external building washdown which does not use detergents; pavement washwater where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used; air conditioning condensate; springs; uncontaminated groundwater; and foundation or footing drains where flows are not contaminated with process materials such as solvents that are combined with stormwater discharges associated with industrial activity.

This permit does not authorize the conveyance, diversion, channeling, directing or otherwise allowing the discharge of stormwater into a sinkhole without an Underground Injection Control Permit.

G.3. Releases in Excess of Reportable Quantities

This permit does not relieve the permittee of the reporting requirements of 40CFR117 and 40CFR302. The discharge of hazardous substances in the stormwater discharge(s) from a project is not authorized by this General Permit, and in no case shall the discharge(s) contain a hazardous substance equal to or in excess of reporting quantities.

G.4. Stormwater Pollution Prevention Plans and Groundwater Protection Plans (SWPPP/GPP)

A Stormwater Pollution Plan and a Groundwater Protection Plan shall be developed for each project covered by this permit. These two plans may be combined into one plan if all of the requirements for both plans are met. Alternatively, they may be developed and maintained as separate stand-alone documents.

Stormwater Pollution Prevention Plans shall be prepared in accordance with good engineering practices. The plan shall identify potential sources of pollution that may reasonably be expected to affect the quality of stormwater discharges associated with construction activity. In addition, the plan shall describe and ensure the implementation of practices that are to be used to reduce the pollutants in stormwater discharges associated with construction activity and to assure compliance with the terms and conditions of this permit.

Groundwater Protection Plans (GPP) shall be prepared in accordance with the requirements of 47CSR58-4.11. et seq (Groundwater Protection Regulations). The GPP shall identify all operations that may reasonably be expected to contaminate the groundwater resources with an indication of the potential for soil and groundwater contamination from those operations. In addition the GPP shall provide a thorough and detailed description of procedures designed to protect groundwater from the identified potential contamination sources. The GPP is not required to be submitted to the Division of Water and Waste Management for review. Guidance in the completion of a GPP is available from the Division of Water and Waste Management.

- G.4.a. The SWPPP and the GPP shall be signed in accordance with Section C.6. and retained onsite.
- G.4.b. The application and SWPPP shall be submitted to the Division of Water and Waste Management at least 45 days before construction is to begin, except as noted in G.4.b.3. and G.4.b.4. Prospective permittees should submit applications for review prior to accepting construction bids on the project. As the plans are evaluated by the Director or authorized representative, the Director or authorized representative may notify the permittee during the 45-day review period that the plan does not meet one or more of the minimum requirements of this section. After such notification from the Director or authorized representative, the permittee shall make changes to the plan in accordance with the time frames established below, and shall submit to the Director a written certification that the requested changes have been made.
 - G.4.b.1. Except as provided in G.4.b.2., the permittee shall have 30 days after such notification to make the changes necessary.
 - G.4.b.2. The permittee shall have 24 hours after such notification to make changes relating to sediment and erosion controls to prevent loss of sediment from an active construction site, unless additional time is provided by the Director or an authorized representative.

- G.4.b.3. Projects disturbing less than three acres and that do not discharge to or upstream of Tier 2.5 or Tier 3 waters shall submit only the Notice of Intent Form (NOI) 10 days prior to initiating construction. A project that disturbs one to less than three acres but will have construction activities one year or longer must file a Site Registration Application form.
- G.4.b.4. Projects that will discharge to or upstream of Tier 2.5 or Tier 3 waters and disturb three acres or more, or that will disturb 100 or more acres, or that the grading phase of construction will last for more than one year, shall submit the application and SWPPP at least 90 days prior to construction to allow for the public notice procedure.
- G.4.b.5. Within 24 hours of filing an NOI (one to less than three acres) or a Site Registration Application (three acres or more) with DWWM, all projects shall display a sign for the duration of the construction project near the entrance of the project or, for linear projects, at a location near an active part of the project that is accessible by the public, which contains the following information using the template found in the instructions: 1) the registrant's name or the name of a contact person along with a telephone number; 2) A brief description of the project; 3) a statement indicating that the NOI or SWPPP, as applicable, has been filed with the DWWM; 4) the address and telephone number of the agency where the NOI or SWPPP is maintained; and 5) That any person may obtain a copy of the NOI or SWPPP by contacting the DWWM at (800) 654-5227. The sign shall be a minimum of two feet by two feet and at least three feet above ground level, clearly visible and legible from a public roadway or right-of-way. If it is not feasible to display a sign at or near the project, the registrant, with prior approval from the DWWM, may post a notice containing the foregoing information at a local public building, including, but not limited to, a town hall or public library.
- G.4.c. The permittee shall modify, using forms provided by DWWM, the SWPPP whenever there is a change in design, construction, scope of operation, or maintenance, which has the potential to adversely impact the surface waters of the State, or if the SWPPP proves to be ineffective in achieving the general objectives of controlling pollutants in stormwater discharges associated with construction activities. Should conditions warrant, the Director, or the Director's representative, may request changes to the SWPPP during a field inspection. The Director may review changes or modifications to the SWPPP in the same manner as above.
- The permittee shall amend the GPP whenever there is a change in design, construction, operation, or maintenance which could reasonably be expected to have an impact on the potential contamination of groundwater.
- G.4.d. In addition to the requirements of G.4.e, the SWPPP shall also include, at a minimum, the following items:
- G.4.d.1. General management controls

G.4.d.1.A. Preventive maintenance – A preventive maintenance program shall involve inspection and maintenance of sediment and erosion control best management practices to identify and address conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters.

G.4.d.1.B. Good housekeeping – Good housekeeping requires the maintenance of a clean and orderly project.

G.4.d.1.C. Spill prevention and response procedures – Areas where potential spills may occur, and their accompanying drainage points, shall be identified clearly in the SWPPP/GPP. Where appropriate, specify material handling procedures and storage requirements in the SWPPP/GPP. Procedures for cleaning up spills shall be identified in the plan and made available to the appropriate personnel. The necessary equipment to implement a cleanup shall be available to personnel, including spill kits.

G.4.d.2. Consistency with other plans

Stormwater Pollution Prevention Plans may reflect requirements for Spill Prevention Control and Countermeasure (SPCC) plans under section 311 of the CWA or any Best Management Practices (BMP) and Groundwater Protection Plans (GPP) pursuant to 47CSR58 (Groundwater Protection Rule) or otherwise required by an NPDES permit and may incorporate any part of such plans into the Stormwater Pollution Prevention Plan by reference.

G.4.e. Requirements for construction activities – Operations that discharge stormwater associated with construction activity disturbing one or more acres are not only subject to the requirements of Section G.4.d. of this permit, but are also subject to the following requirements. The SWPPP shall include, as a minimum, the following items.

G.4.e.1. Site description – Each plan shall, at a minimum, provide a description of the following:

G.4.e.1.A. A description of the nature of the construction activity, including a proposed timetable for major activities;

G.4.e.1.B. Estimates of the total area of the site and the part of the site that is expected to undergo excavation or grading and the total amount of excavation by cut and fill;

G.4.e.1.C. For each discharge design point, the pre-construction peak discharge from a one year, 24-hour storm in cubic feet per second and an the post-development peak discharge from a one year, 24-hour storm in cubic feet per second shall be calculated. The design procedures shall follow professionally accepted engineering and hydrologic methodologies.

G.4.e.1.D. Site maps indicating, with a minimum of five-foot contours, drainage patterns and slopes prior to construction and anticipated conditions after grading activities, topsoil stockpiles, waste areas, borrow sites, locations of sediment control structures identified

in the narrative, the location of impervious areas after construction is complete, final stormwater routing including all ditches and pipe systems, property boundaries and easements, nearest receiving stream, access roads, legend and springs, surface waters and any other information necessary to describe the project in detail.

G.4.e.1.E. A description and detail of the proposed construction entrance(s). Each site shall have stone access entrance and exit drives and parking areas to reduce the tracking of sediment onto public or private roads. Except for haul roads, all unpaved roads on the site carrying more than 25 vehicles per day shall be graveled.

G.4.e.2. Controls – Each construction operation covered by this permit shall develop a description of controls appropriate for the project and implement such controls. The description of these controls shall address the following minimum components, including a schedule for implementing such controls.

G.4.e.2.A. Erosion and sediment controls

G.4.e.2.A.i. Vegetative practices – A description of interim and permanent stabilization practices, including site specific implementation schedules of the practices shall be provided. Site plans should ensure that existing vegetation is preserved where attainable and that disturbed portions of the site are stabilized as rapidly as possible. Stabilization practices may include: temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures. Also include in the plan seedbed preparation requirements and the type and amount of soil amendments necessary to establish a healthy stand of vegetation. A record of the dates when major grading activities will occur, and when construction activities temporarily or permanently cease on a portion of the site, and when stabilization measures will be initiated shall be included in the plan. Except as noted below, stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than seven days after the construction activity in that portion of the site has permanently ceased.

G.4.e.2.A.i.a. Where the initiation of stabilization measures by the seventh day after construction activity temporarily or permanently ceases is precluded by snow cover, stabilization measures shall be initiated as soon as conditions allow.

G.4.e.2.A.i.b. Where construction activity will resume on a portion of the site within 21 days from when activities ceased, (e.g., the total time period that construction activity is temporarily halted is less than 21 days) then stabilization measures do not have to be initiated on that portion of the site by the seventh day after construction activities have temporarily ceased.

G.4.e.2.A.i.c. Areas where the seed has failed to germinate adequately (uniform perennial vegetative cover with a density of 70%) within 30 days after seeding and

mulching must be reseeded immediately, or as soon as weather conditions allow.

G.4.e.2.A.i.d. Diversions must be stabilized prior to becoming functional.

G.4.e.2.A.ii. Structural practices – A description of the structural practices to be used to divert flows around exposed soils, store flows or otherwise limit runoff from exposed areas and eliminate sediment-laden runoff from the site. Such practices may include but are not limited to silt fences, earth dikes and berms, land grading, diversions, drainage swales, check dams subsurface drains, pipe slope drains, storm drain inlet protection, rock outlet protection, reinforced soil retention systems and geotextiles, gabions and riprap, and permanent and temporary sediment traps/basins.

G.4.e.2.A.ii.a. For locations on a site that have a drainage area of five acres or less, a sediment trap which provides a storage volume equal to 3,600 cubic feet per acre of drainage area shall be installed. Half of the volume of the trap will be in a permanent pool and half will be dry storage.

G.4.e.2.A.ii.b. For drainage areas of greater than five acres, a sediment basin providing 3,600 cubic feet per drainage acre shall be installed. Half of the volume of the basin shall be in a permanent pool and half shall be dry storage. Sediment basins must be able to dewater the dry storage volume in 48 to 72 hours. A sediment basin must be able to pass through the spillway(s) a 25-year, 24-hour storm event, and still maintain at least one foot of freeboard.

G.4.e.2.A.ii.c. The inlet(s) and outlet(s) for a sediment trapping structure must be protected against erosion by appropriate material such as riprap or other similar media.

G.4.e.2.A.ii.d. If necessary, diversions will be used to direct runoff to the trapping structure. Diversions must be stabilized prior to becoming functional.

G.4.e.2.A.ii.e. For locations served by a common drainage where a detention basin providing 3,600 cubic feet of storage is not attainable, additional sediment and erosion controls within the project area are required in lieu of the required sized sediment basin. Justification and a narrative description of the additional measures proposed must be provided for use of any practice(s) other than sediment basins or traps.

G.4.e.2.A.ii.f. Fill slopes must be protected by measures used to divert runoff away from fill slopes to conveyance measures such as pipe slope drains or stable channels.

G.4.e.2.A.ii.g. Sediment trapping structures will be eliminated and the area properly reclaimed and stabilized when the contributing drainage area is stabilized and the structures are no longer needed, unless the structure is converted into a permanent stormwater detention/retention structure.

G.4.e.2.A.ii.h. All trapped sediments will be disposed on an upland area where there is no chance of entering nearby streams.

G.4.e.2.A.ii.i. Breaching the embankment to dewater the structure is not permitted. Dewatering and structure removal shall not cause a violation of water quality standards. Provide a description of the procedures that will be used in removing these structures and the time frame.

G.4.e.2.A.ii.j. No sediment-laden water will be allowed to leave the site without going through an appropriate best management practice.

G.4.e.2.A.ii.k. Hay or straw bales are not acceptable BMPs.

G.4.e.2.A.iii. Presumptive conditions for discharges to Tier 2.5 and Tier 3 waters

Construction activities discharging to Tier 2.5 or Tier 3 waters will go through the Tier 2.5 or Tier 3.0 antidegradation review process.

G.4.e.2.B. Stormwater management plan

A description of measures that will be installed during construction to control pollutants in stormwater discharges after the project is completed shall be included in the SWPPP. The completed project shall convey stormwater runoff in a manner that will protect both the site and the receiving stream from post-construction erosion. All surface waters and other runoff conveyance structures shall be permanently stabilized as appropriate for expected flows. In developing structural practices for stormwater control, the permittee shall consider the use of, but not limited to: infiltration of runoff onsite; flow attenuation by use of open vegetated swales and natural depressions; stormwater retention structures and stormwater detention structures. A combination of practices may be utilized. The permittee should consider low impact development (LID) in the design of the site and the best management practices. This will allow the site to retain its natural hydrology and infiltrate stormwater within the boundary of the site. The use of impervious surfaces for stabilization should be avoided. Velocity dissipation devices shall be placed at the outlet of all detention or retention structures and along the length of any outlet channel as necessary to provide a non-erosive velocity flow from the structure to a water course.

Projects located in areas that have local government requirements and/or criteria for post development stormwater management must meet those requirements and/or criteria. Compliance with this general permit does not assure compliance with local codes regulations, or ordinances.

The permittee shall submit all calculations, watershed mapping, design drawings, and any other information necessary to explain the technical basis for the stormwater management plan. Since development site conditions vary widely, plan preparers will have significant latitude in designing practices to comply with this provision of the

permit. However, design procedures shall follow professionally accepted engineering and hydrologic methodologies. Permanent stormwater management structures that will impound water (detention/retention basins or similar structures) shall be designed and certified by a registered professional engineer. These structures shall also have a certified as-built drawing submitted with the Notice of Termination at the completion of the project.

G.4.e.2.C Other controls

G.4.e.2.C.i. Waste disposal – All solid waste and construction/demolition material must be disposed of in accordance with the Code of West Virginia and Legislative Rule Title 33 Series 1, (Solid Waste Management Rule).

G.4.e.2.C.ii. Provisions must be made to control fugitive dust.

G.4.e.2.C.iii. Groundwater Protection Plan (GPP) – The applicant shall prepare a GPP that will satisfy the 47CSR58-4.11. et seq. Groundwater must be protected in accordance with the Code of West Virginia and Legislative Rule Title 47 Series 58 (Groundwater Protection Rule).

G.4.e.2.C.iv. Employee training – Employee training programs shall inform personnel at all levels of responsibility of the components and goals of the SWPPP. Training should address topics such as spill response, good housekeeping and routine inspection. Training shall be on a quarterly basis and records of the training shall be maintained on site for review by the Director or the Director's representative.

G.4.e.2.C.v. Visual inspection – Company personnel shall be identified to inspect as set forth under G.4.e.2.D. A tracking procedure shall be used to ensure that adequate corrective actions have been taken in response to deficiencies identified during an inspection. Records of inspections shall be maintained onsite for review by the Director or the Director's representative.

G.4.e.2.C.vi. Recordkeeping and internal reporting procedures – Incidents such as spills, leaks and improper dumping, along with other information describing the quality and quantity of stormwater discharges should be included in the records. Inspection and maintenance records must be kept onsite for review by the Director or the Director's representative.

G.4.e.2.D Maintenance

A description of procedures to maintain in good and effective condition and promptly repair or restore all grade surfaces, walls, dams and structures, vegetation, erosion and sediment control measures and other protective devices identified in the site plan. At a minimum, procedures in a plan shall provide that all erosion controls on the site are inspected at least once every seven calendar days and within 24 hours after any storm event of greater than 0.5 inches of rain per 24-hour period.

G.4.e.2.D.i. All public and private roads adjacent to a construction entrance must be inspected and cleaned of debris originating from the construction site as necessary.

G.4.f. All Stormwater Pollution Prevention Plans and Groundwater Protection Plans required under this permit are considered reports that shall be available to the public under Section 308(b) of the CWA. The owner or operator of a project with stormwater discharges covered by this permit shall make plans available to members of the public upon request. However, the permittee may claim any portion of a Stormwater Pollution Plan or Groundwater Protection Plan as confidential in accordance with 47 CSR10-12.7. (NPDES Program).

G.4.g. Compliance with other laws and statutes

Nothing in this general permit shall be construed as excusing the permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G.5. Discharges to Impaired Waters

This permit does not authorize new sources or new discharges of constituents of concern to impaired waters unless consistent with the approved total maximum daily load (TMDL) and applicable state law. Impaired waters are those that do not meet applicable water quality standards and are listed on the Clean Water Act Section 303(d) list. Pollutants of concern are those constituents for which the water body is listed as impaired. Discharges of pollutants of concern to impaired waterbodies for which there is an approved TMDL are not eligible for coverage under this permit unless they are consistent with the approved TMDL. Within six months of the TMDL approval, permittees must incorporate any limitations, conditions or requirements applicable to their discharges necessary for compliance with the TMDL, including any monitoring or reporting required by DWWM rules, into their SWPPP in order to be eligible for coverage under this general permit.

Sites that discharge into a receiving water that has been listed on the Clean Water Act 303(d) list of impaired waters, and with discharges that contain the pollutant(s) for which the water body is impaired, must document in the SWPPP how the BMPs will control the discharge of the pollutant(s) of concern.

G.6. Endangered and Threatened Species

If a site discharges to a stream where a federally endangered or threatened species or its habitats are present, the applicant shall contact the U.S. Fish and Wildlife Service to insure that requirements of the federal Endangered Species Act are met.

H. Reopener Clause

If there is evidence indicating potential or realized impacts on water quality due to any stormwater discharge authorized by this general permit, the owner or operator of such discharge may be required to obtain an individual permit or alternative general permit in accordance with Section G.1. of this permit, or the permit may be modified to include different limitations and/or requirements.

I. The conditions, standards, and limitations of this General Permit will be reviewed at the time of reissuance for possible revisions that may lead to more or less stringent conditions, standards, and limitations.

J. Permit coverage for construction activities encompassed by this permit expires upon satisfactory stabilization of the site. Satisfactory stabilization means ALL disturbed areas shall be covered by some permanent protection. Stabilize includes pavement, buildings, waterways (riprap, concrete, grass, or pipe), a healthy, vigorous stand of grass that uniformly covers more than 70 percent of the ground, stable outlet channels with velocity dissipation which directs site runoff to a natural watercourse, and any other approved structure or material. The permittee will request a final inspection by sending in the Notice of Termination. The Notice of Termination shall also include as-built drawings, certified by a registered professional engineer, for any permanent ponds or basins. Sites not stabilized will continue to have coverage under this permit and will be assessed an annual permit fee as promulgated by the West Virginia Legislature. Sites will be assessed a prorated annual fee based upon the completion date and proper stabilization. The Notice of Termination must be submitted within 30 days after final stabilization is achieved.

The herein-described activity is to be constructed or installed and operated, used and maintained strictly in accordance with the terms and conditions of this permit with any plans, specifications, and information submitted with the individual site registration application form, with any plan of maintenance and method of operation thereof submitted and with any applicable rules and regulations promulgated by the Environmental Quality Board and the Secretary of the Department of Environmental Protection.

Failure to comply with the terms and conditions of this permit, with any plans, specifications and information submitted, and with any plan of maintenance and method of operation thereof submitted shall constitute grounds for the revocation or suspension of this permit to any individual establishment or other person and for the invocation of all the enforcement procedures set forth in Chapter 22, Articles 11 and 12 of the Code of West Virginia.

This permit is issued in accordance with the provisions of Chapter 22, Article 11 of the Code of West Virginia.

BY: 
Director

Please See Instructions Before Completing This Form

NPDES
FORM



Notice of Termination (NOT) of Coverage Under a NPDES General Permit for Storm Water Discharges Associated with Construction Activity

Submission of this Notice of Termination constitutes notice that the party identified in Section II of this form is no longer authorized to discharge storm water associated with construction activity under the NPDES program. ALL NECESSARY INFORMATION MUST BE PROVIDED ON THIS FORM.

I. Permit Information

NPDES Storm Water General

Date Storm Water Discharge Terminated: _____

Permit Registration Number: WVR10

II. Facility Operator Information

Name: _____ Phone: _____

Address: _____

City: _____ State: _____ ZIP Code: _____

III. Facility/Site Location Information

Name: _____

Address: _____

City: _____ ZIP Code: _____

County: _____

Latitude: _____ Longitude: _____

IV. Certification: I certify under penalty of law that all storm water discharges associated with construction activity from the identified facility that are authorized by a NPDES general permit have been eliminated or that I am no longer the operator of the facility or construction site. I understand that by submitting this Notice of Termination, I am no longer authorized to discharge storm water associated with construction activity under this general permit, and that discharging pollutants in storm water associated with construction activity to waters of the United States is unlawful under the Clean Water Act where the discharge is not authorized by a NPDES permit. I also understand that the submittal of this Notice of Termination does not release an operator from liability for any violations of this permit or the Clean Water Act.

Print Name: _____ Date: _____

Signature: _____

Instructions for Completing Notice of Termination (NOT) Form

Who May File a Notice of Termination (NOT) Form

Permittees who are presently covered under a National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activity may submit a Notice of Termination (NOT) form when their facilities no longer have any storm water discharges associated with construction activity.

For construction activities, elimination of all storm water discharges associated with construction activity occurs when disturbed soils at the construction site have been finally stabilized and temporary erosion and sediment control measures have been removed or will be removed at an appropriate time, or that all storm water discharges associated with construction activity from the construction site that are authorized by a NPDES general permit have otherwise been eliminated. Final stabilization means that all soil-disturbing activities at the site have been completed, and that a uniform perennial vegetative cover with a density of 70% of the cover for unpaved areas and areas not covered by permanent structures has been established, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.

Send this form to the Charleston address below:

WV DEP - DWWM
Permitting and Engineering Branch
601 57th Street SE
Charleston, WV 25304 -2345

Instructions
Notice of Termination (NOT) of Coverage Under The NPDES General Permit
for Storm Water Discharges Associated With Industrial Activity

Section I Permit Information

Enter the existing NPDES Storm Water General Permit registration number assigned to the facility or site identified in Section III.

Enter the date that the construction project was terminated and all disturbed areas were stabilized as required by the General Permit. A final inspection to determine the adequacy of the stabilization will be conducted by this agency.

Section II Facility Operator Information

Give the legal name of the person, firm, public organization, or any other entity that operates the facility or site described in this application. The name of the operator may or may not be the same name as the facility. The operator of the facility is the legal entity that controls the facility's operation, rather than the plant or site manager. Do not use a colloquial name.

Enter the complete address and telephone number of the operator.

Section III Facility/Site Location Information

Enter the facility's or site's official or legal name and complete address, including city, county and ZIP code.

Section IV Certification

State statutes provide for severe penalties for submitting false information on this application form. Federal regulations require this application to be signed as follows:

For a corporation: by a responsible corporate officer, which means: (i) president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

For a partnership or sole proprietorship: by a general partner or the proprietor; or

For a municipality, State, Federal, or other public facility: by either a principal executive officer or ranking elected official.

The completed form is to be submitted to the Charleston address for all projects.



NOTICE OF INTENT (NOI)
CONSTRUCTION STORMWATER WV/NPDES GENERAL PERMIT

GENERAL PERMIT REGISTRATION NO. WVR _____ (office use only)

1. Project name Adaline Water Extension

2. Applicant's name Marshall County Public Service District #4

Federal Employer Identification Number (FEIN) 55-0526736

Required for Application Processing

Address P.O. Box 709

Moundsville, WV 26041

Telephone (304) 843-1234

E-mail Address psdfour@frontier.com

3. Operator or contractor To be determined

Address _____

Telephone ()

4. Acres disturbed 1.7 (Must be less than 3 acres to use NOI Form)

5. Latitude DEGREES 39 MINUTES 45 SECONDS 46.32

Longitude DEGREES 80 MINUTES 39 SECONDS 14.87

6. Nearest Town Cameron

County Marshall

County Route CR 74

7. Receiving Stream*(s) Fish Creek

**(If the receiving stream tier is 2.5 or 3.0, the NOI Form cannot be used)*

Basin Ohio River

Municipal System Operator (if applicable) _____

8. Brief Description of Project (Use additional pages if necessary and label as Attachment 8)

Extend service to the Adaline area by adding approximately 10,000 feet of 4" and 2" waterline,

appropriate valves, flushouts and appurtenances to supply water to a potential 22 new customers.

9. Proposed Construction Schedule

June 2011 to October 2011 - install erosion control devices, stock pile topsoil, excavation,

install pipe, backfill, restore w/ topsoil, lime, fertilize, seed and mulch w/in 7 days of excavation


10. Topographic map with site located. (Label as "Attachment 11")
11. Groundwater Protection Plan (Do Not Attach. Maintain on Site)
12. Storm Water Pollution Prevention Plan - (Do Not Attach. Maintain on site.)

Preparer's Name Cerrone Associates, Inc.

13. Public Notice Sign (see 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 NOVEMBER 4, 2007. 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 THAT IT IS, TO THE BEST OF MY KNOWLEDGE, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT.

APPLICANT SIGNATURE  DATE 11-30-10
PRINT NAME George C Lagos

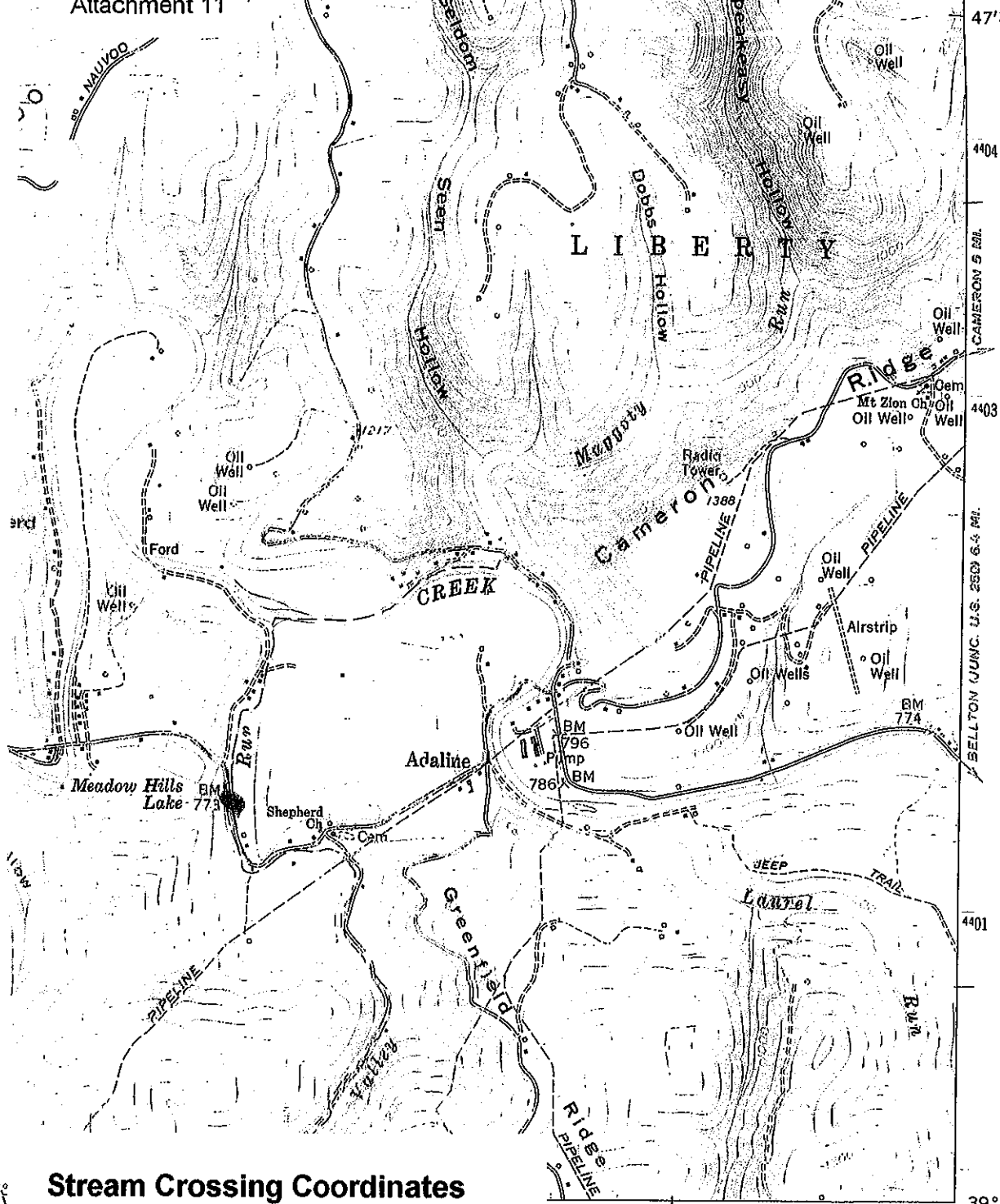
The application fee for construction projects disturbing between 1 to less than 3 acres in size is \$300.00. Prior to filing this application, you may wish to obtain a copy of the legislative rules of the Department of Environmental Protection, Title 47, Series 26, Water Pollution Control permit fee schedule. You may obtain a copy of the referenced rules from the Secretary of State's Office, State Capitol Building, Charleston, WV 25305.

Your check or money order for the application fee must be made payable to the West Virginia Department of Environmental Protection and mailed to:

Division of Water and Waste Management
Construction NPDES
601 57th Street, SE
Charleston, WV 25304

We will process your personal information (email address, mailing address and/or telephone number) in accordance with the State of West Virginia's Privacy Policy for appropriate and customary business purposes. 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 statutory or regulatory requirements, including Freedom of Information Act requests. The Division of Water and Waste Management will appropriately secure your personal information. If you have any questions about our use of your personal information, please contact the DEP's Chief Privacy officer at deprivacyofficer@wv.gov

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.



Stream Crossing Coordinates
39°45'50.09" N
80°39'32.50" W

INTERIOR—GEOLOGICAL SURVEY, RESTON, VIRGINIA—1977
 631000m.E. 39°45' 80°37'30"

ROAD CLASSIFICATION

Medium-duty Light-duty
 Unimproved dirt



GLEN EASTON, W. VA.
 SW/4 CAMERON 18' QUADRANGLE
 N3945—W8037.5/7.5

1960
 PHOTOREVISED 1976
 AMS 4863 I SW—SERIES V854

LITTLETON
 4863 II NE

EROSION AND SEDIMENT CONTROL DESCRIPTION

- 1) All stream activities will take place during periods of low flow.
- 2) No work shall be performed on the stream crossings during fish spawning season (April - June).
- 3) Sediment and erosion control structures shall be maintained for the duration of the project. Torn or deteriorated materials shall be replaced. All sediment control devices shall be removed after the end of the project. All sediment control devices to be checked at a minimum of once every seven calendar days and after every storm event of .05 inches or greater.
- 4) Sediment build-up shall be removed when it reaches half of the storage volume provided by the control.
- 5) Excavations across streams shall be made using diversion walls and flume pipe. Refer to the construction drawings for details and locations.
- 6) Pumps used for dewatering shall be provided with inlet screens or filters to reduce sucking mud. Pumped water shall be directed to a dewatering bag before being released into the stream.
- 7) Stream banks disturbed during installation of the pipe must be reshaped and stabilized with appropriate material the same day the backfill is completed.
- 8) Stream bed smoothing should be kept to a minimum.
- 9) Any areas which cannot be restored within seven (7) days of reaching final grade will be temporarily mulched and seeded.
- 10) Slopes with a grade of 2:1 or greater shall be covered with an establishment blanket.
- 11) Refer to the attached specifications (Section 02936) for additional seeding details.

SPILL PREVENTION, CONTROL & CONTAINMENT NOTES

The Contractor shall provide means to handle spills and waste material disposal. This shall include but not be limited to the following:

- 1) A containment dike shall be provided around any on-site fuel storage tanks. It shall have a capacity of 110% of the size of the storage tank.
- 2) Absorbent pads shall be available on-site for petroleum spills or leaks on ground. Absorbent booms shall be provided for spills in streams.
- 3) Excess concrete shall not be disposed of near streams. Any excess concrete will be taken off site by the concrete supplier.
- 4) Sanitary facilities shall be maintained by the provider, with cleaning and waste disposal on a weekly basis.

SECTION 02936

SEEDING

PART 1 GENERAL

1.01 SECTION INCLUDES

- A. Seeding and fertilizing.
- B. Seed protection on slopes.
- C. Maintaining seeded areas until acceptance.

1.02 DELIVERY, STORAGE AND HANDLING

- A. Deliver grass seed in original containers showing analysis of seed mixture, percentage of pure seed, year of production, net weight, date of packaging and location of packaging. Damaged packages are not acceptable.
- B. Deliver fertilizer in waterproof bags showing weight, chemical analysis, and name of manufacturer.

1.03 EXISTING CONDITIONS

- A. Beginning work means acceptance of existing conditions.

PART 2 PRODUCTS

2.01 GROWING MEDIA

- A. Imported Topsoil: Natural, fertile, agricultural soil typical of locality, capable of sustaining vigorous plant growth, from well drained site free of flooding, not in frozen or muddy condition, not less than 10% organic matter. Free from subsoil, slag, clay, stones, lumps, live plants, roots, sticks, crabgrass, coughgrass, noxious weeds and foreign matter.
- B. Existing Topsoil: Natural, fertile agricultural soil capable of sustaining vigorous plant growth, not in frozen or muddy condition, containing not less than 10% organic matter. Free from subsoil, slag, clay, stones, lumps, live plants, roots, sticks, crabgrass, noxious weeds, and foreign matter.

- C. Peatmoss: Horticultural Grade Class A decomposed plant material, elastic and homogeneous. Free of decomposed colloidal residue, wood, sulphur, and iron. Peatmoss: pH value of 5.9 to 7.0, 60% organic matter by weight, moisture content not exceeding 15% and water absorption capacity of not less than 300% by weight on over dry basis.
- D. Sand: Hard, granular natural beach sand, washed, free of impurities, chemical or organic matter.
- E. Fertilizer: 10-20-10, commercial type with 50% of the elements derived from organic sources.
- F. Lime: Used to correct pH of soil to the range of 6.0 to 6.5 pH.

2.02 SEED

- A. Seed Mixture A: 40 Percent Kentucky Blue grass, 40 percent Creeping Red Fescue, and 20 percent Pennlawn Fescue.
- B. Seed Mixture B: 70% orchard grass, 20% Bird's foot Trefoil, and 10% White Ladino Clover. Include specific inoculation for the trefoil and clover.
- C. Seed Mixture C: Mixture to match existing growth if requested by property owner.
- D. Seed Mixture D: Temporary Seeding (areas which cannot be permanently seeded within 21 days) - rye (grain), 120 lbs. per acre, or mulch, 2 to 3 tons per acre in lieu of seeding.

2.03 ACCESSORIES

- A. Mulching Material: Oat or wheat straw, reasonably free from weeds, foreign matter detrimental to plant life, and in dry condition. Hay or chopped cornstalks is not acceptable except for woodland seeding.

- B. Establishment Blanket: Uniform, open weave jute matting; erosion control mulching fabric consisting of knitted construction of yarn interwoven with strips of biodegradable paper; or organic fiber protective fiber mat consisting of half-inch layer of chopped straw, knitted into mat with thin netting of biodegradable polypropylene.

PART 3 EXECUTION

3.01 PREPARATION

- A. Grade to eliminate rough spots and low areas where ponding may occur. Maintain smooth, uniform grade.
- B. Assure positive drainage away from structures.
- C. Finish ground level firm and sufficient to prevent sinkage pockets when irrigation is applied.

3.02 SPREADING TOPSOIL

- A. Lawns: Use existing topsoil. If additional topsoil is required, imported topsoil is to be used. When suitable topsoil is not available a growing medium consisting of 50% peatmoss, 40% horticultural grade vermiculite, and 10% sand with 1 pound of 10-10-10 fertilizer per 100 cubic feet may be used.
- B. Fields and woodlands: Use existing topsoil.
- C. Seed Bed Cultivation: Spread and cultivate topsoil to depth of 6 inches over area to be seeded. Place during dry weather, and on dry unfrozen subgrade. Rake until surface is smooth.
- D. Remove from site, foreign materials collected during cultivation.
- E. Grade to eliminate rough spots and low areas where ponding may occur. Maintain smooth, uniform grade.
- F. Assure positive drainage away from structures.
- G. Finish ground level firm and sufficient to prevent sinkage pockets when irrigation is applied.

3.03 FERTILIZING

- A. Apply fertilizer, at a rate of 1,000 lbs. per acre (23 lbs. per 1,000 sq. ft.).
- B. Apply lime at a rate of 2 tons per acre (92 lbs. per 1000 sq. ft.). Apply lime after the fertilizer has been applied and before the grass seed, not at the same time.

3.04 SEEDING

- A. Apply Seed Mixture A or C at a rate of 200 lbs. per acre (4-1/2 lbs. per 1,000 sq. ft.) evenly in two intersecting directions. Rake in lightly.
- B. Do not sow immediately following rain, when ground is too dry, or during windy periods.
- C. Immediately following seeding and compacting, apply mulch to a thickness of 1/8 inch. Maintain clear of shrubs and trees.

3.05 SEEDING FIELDS AND WOODLANDS

- A. Apply Seed Mixture B or C at a rate of 100 lbs. per acre (2 lb. per 1,000 sq. ft.) evenly in two intersecting directions. Rake in lightly.
- B. Do not sow immediately following rain, when ground is too dry, or during windy periods.
- C. Apply mulch at a rate of 2 tons per acre (92 lbs. per 1000 sq. ft.).

3.06 SEED PROTECTION ON SLOPES

- A. Cover seeded slopes where grade is 2:1 or greater with establishment blanket. Roll blanket down over slopes without stretching or pulling.
- B. Lay blanket smoothly on soil surface, burying top end of each section in narrow trench, 6 inches deep. Leave 12 inches overlap from top roll over bottom roll. Leave 4 inches overlap over adjacent section.

- C. Staple outside edges and overlaps at 36 inch intervals.
- D. Lightly dress slopes with topsoil to ensure close contact between blanket and soil.
- E. In ditches, unroll blanket in direction of flow. Overlap ends of strips 6 inches with upstream section on top.

3.07 MAINTENANCE

- A. Maintain surfaces and supply additional topsoil where necessary, including areas affected by erosion.
- B. Water where required to ensure uniform seed germination and to keep surface of soil damp.
- C. Apply water slowly so that surface of soil will not puddle and crust.
- D. Replant damaged grass areas showing root growth failure, deterioration, bare or thin spots, and eroded areas.
- E. Control growth of weeds in lawns. Apply herbicides in accordance with manufacturer's instructions. Remedy damage resulting from improper use of herbicides.

3.08 RESTORATION

- A. Restore pavement, concrete, grassed areas, planted areas and structures damaged during execution of work of this section.

3.09 ACCEPTANCE

- A. Seeded areas will be accepted at end of maintenance period when seeded areas are properly established and otherwise acceptable.

END OF SECTION

2'-0"

2'-0"

For Info on NPDES Storm
Water Permit

To comment on Sediment Control Plan: ← .8"

Call: 800-654-5227

or
plan@wvdep.org

DEP 601 57 Street, Charleston WV 25304

Application date: 11/15/2010

Marshall County PSD No. 4

Adaline Water Extension
(304) 843-1234

← 1.6"