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NOTICE OF PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE

PUBLIC HEARING

AGENCY: West Virginia State Water Resources Board

RULE TYPE: Legislative Rule

RULE TITLE: W. Va. Legislative Rule - Series I - Water Quality
Standards - Section 7.2.d.2.i.A.

A PUBLIC HEARING ON THE ABOVE PROPOSED RULE WILL BE HELD AT 9:00 A.M.
ON January 13, 1986 AT conference room located at 1260
Greenbrier Street, Charleston, W. Va. 25311

COMMENTS ARE LIMITED TO: ORAL WRITTEN BOTH

COMMENTS MAY ALSO BE MAILED TO: The State Water Resources Board
1205 Greenbrier Street, Charleston, W. Va. 25311

THE AGENCY REQUESTS THAT PERSONS WISHING TO MAKE COMMENTS AT THE
HEARING MAKE AN EFFORT TO SUBMIT WRITTEN COMMENTS IN ORDER TO
FACILITATE A REVIEW OF THESE COMMENTS.

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THE PROPOSED RULE.

Frances E. Hunter

Executive Secretary



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STATE OF WEST VIRGINIA
STATE WATER RESOURCES BOARD

1205 Greenbrier Street
Charleston, West Virginia 25311
(304) 348-4002

1000 DEC -9 PM 2:38

STAFF
FRANCES E. HUNTER
Executive Secretary

PAUL L. HILL, JR., PH.D.
Technical Assistant

ROBERT K. PARSONS
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Legal Advisor

OFFICE LOCATION
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JOHN C. AILES
P.O. Box 1036
Romney, West Virginia
DR. DAVID E. SAMUEL
Box 16 Rt. 6
Morgantown, West Virginia
ROBERT B. SCOTT
601 David Avenue
Elkins, West Virginia
DR. ALLEN HAMNER
3 Lincoln Way
Buckhannon, West Virginia
WILLIAM PLASS
21 Grandview Drive
Princeton, West Virginia

★★ The Charleston Gazette, Monday, December 9, 1985

7B

LEGAL ADVERTISEMENT

NOTICE OF
PUBLIC HEARING
(VARIANCE)
OF WATER QUALITY
STANDARDS

Public Notice Date: Decem-
ber 9, 1985

The West Virginia State Wa-
ter Resources Board will hold a
public hearing on the Ohio
Power Company's Mitchell
Plant, near Moundsville, W.Va.,
request for revision of water
quality standards to Conner
Run tributary of the Ohio Riv-
er.

The hearing will be held on
January 13, 1986 at 9:00 a.m. in
conference room located at
1260 Greenbrier Street, Char-
leston, W.Va.

People wishing to make com-
ments on the above are invited
to be present or represented at
the hearing. Although oral
statements will be accepted,
written statements are encour-
aged for the accuracy of the
record. Comments will be ac-
cepted until January 13, 1986.

Copies of the Information
Sheet prepared by the Board
on this request may be re-
viewed at the Department of
Natural Resources' District
Offices in Fairmont, W.Va., or
may be obtained by contacting
the State Water Resources
Board at 1205 Greenbrier
Street, Charleston, W.Va. 25311
or by calling area code
304-348-4002.

(1526)



STATE OF WEST VIRGINIA
STATE WATER RESOURCES BOARD

1206 Greenbrier Street
Charleston, West Virginia 25311
(304) 348-4002

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1260 Greenbrier Street

December 9, 1985

The Honorable Ken Hechler
Secretary of State
State Capitol Bldg. # 1, Room 157K
Charleston, West Virginia 25305

Attn: Mr. Rich O. Hartman

Dear Mr. Secretary:

Enclosed are two (2) copies of proposed amendments to the State Water Resources Board's Series I, Water Quality Standards, for filing in the State Register pursuant to the Administrative Procedures Act.

If you have any questions do not hesitate to contact this office.

Very truly yours,

Frances E. Hunter
Executive Secretary

enclosures

REC-9
DEC 9 1985
11:58

FISCAL NOTE FOR PROPOSED RULES

Rule Title: West Virginia Legislative Rules----- Series I
Water Quality Standards

Type of Rule: X Legislative Interpretive Procedural

Agency State Water Resources Board Mailing: 1205 Greenbrier Street
Charleston, W. Va. 25311 Address Charleston, W. Va. 25311

OFFICE LOCATION:
1260 Greenbrier Street
Charleston, W. Va. 25311

| 1. Effect of Proposed Rule | ANNUAL | | FISCAL YEAR | | |
|----------------------------|----------|----------|-------------|------|------------|
| | Increase | Decrease | Current | Next | Thereafter |
| Estimated Total Cost | \$ | \$ | \$ | \$ | \$ |
| Personal Services | NONE | | | NONE | |
| Current Expense | | | | | |
| Repairs and Alterations | | | | | |
| Equipment | | | | | |
| Other | | | | | |

2. Explanation of above estimates:

N/A

3. Objectives of these rules: Revised rules are proposed to more appropriately, adequately and judiciously govern the preservation and use of our State's water resources. Through the M.O.A. with the U.S. EPA the State is required to open to public comment and make appropriate improvements once every three years. This proposal meets that requirement.

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

None

B. Economic Impact on Political Subdivisions; Specific Industries; Specific groups of citizens.

Revised rules should prove economically beneficial to all subdivisions, industries and citizens in that the permitting process will be expedited, allowances and restrictions are spelled-out and new cost-effective federal provisions have been added.

C. Economic Impact on Citizens/Public at Large.

The goal of all regulatory or governing agencies is to better serve the populus they govern. Economic impact of these rules may not be readily measured but, by improving the quality of rules and in keeping with the public policy of W. Va. Code 20-5A-1, there should be beneficial economic effects accrued by society as a whole.

Date: December 9, 1985

Signature of Agency Head or Authorized Representative

Frances E. Hunter

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WEST VIRGINIA LEGISLATIVE RULES

STATE WATER RESOURCES BOARD

Chapter 20-5 and 20-5A

Series I
(1985)

WATER QUALITY STANDARDS

Mailing Address:
State Water Resources Board
1205 Greenbrier Street
Charleston, WV 25311

Office Location:
1260 Greenbrier Street
Charleston, WV 25311

Phone: (304) 348-4002

*NOTE: Proposed revision is found on page 12 of this document and is
underscored.

WEST VIRGINIA LEGISLATIVE RULES
STATE WATER RESOURCES BOARD
Chapter 20-5 and 20-5A
Series I
(1985)

I N D E X

Series I - Requirements Governing Water Quality Standards

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WEST VIRGINIA LEGISLATIVE RULES
Chapter 20 and 20-5A
Series I

(1985)

SUBJECT: Requirements Governing Water Quality Standards

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| | | |
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WQS

Leg. Rule, 20-5 & 20-5A
Series I, Sec. 7.2.c.1

7.2.c.1 MC - Cheat River and all its tributaries
except those listed below:

7.2.c.1.i MCB - Blackwater River and all its
tributaries.

7.2.c.2 MW - West Fork River and all its tributaries.

7.2.c.3 MT - Tygart River and all its tributaries
except those listed below:

7.2.c.3.i MTB - Buckhannon River and all its
tributaries.

7.2.c.3.ii MTM - Middle Fork River and all its
tributaries.

7.2.c.4 MY - Youghigheny River and all its
tributaries to the West Virginia-Maryland State line.

7.2.c.5 Exception; to 7.2.c: Except that flow in the
main stem of the Monongahela River, as regulated by the Tygart
Reservoir, operated by the U. S. Army Corps of Engineers, is based
on a minimum flow of 345 cfs at Lock and Dam No. 8, river mile
point 90.8. This exception does not apply to tributaries of the
Monongahela River.

7.2.c.5.i Exception; to 7.2.c.4: Water Use Categories
D, and E are excluded from the tributaries of the Youghiogheny
River in West Virginia which flow into Maryland.

7.2.d O - Ohio River Basin. The Ohio River and all
its tributaries to the West Virginia-Ohio-Pennsylvania State lines
excluding the following major tributaries which are designated as
follows:

7.2.d.1 O1 - Ohio River - main stem. The main stem
of the Ohio River from the Ohio-Pennsylvania-West Virginia State
line to the Ohio-Kentucky-West Virginia State line.

7.2.d.2 O2 - Ohio River - tributaries. All
tributaries of the Ohio River excluding the following major
tributaries:

7.2.d.2.i Exceptions; to 7.2.d.2:

7.2.d.2.i.A Except the stretch of Conners Run (O-77-A) (a
tributary of Fish Creek), shall not have the Water Use Category A;
therefore may contain arsenic not to exceed 200 ug/l and selenium
not to exceed 62 ug/l, and iron not to exceed 3.5 mg/l as a
monthly average and 7 mg/l as a daily maximum.