

STATE DEPARTMENT OF HEALTH

Charleston, West Virginia

June 26, 1967

Honorable Robert Bailey
Secretary of State
State of West Virginia
State Capitol
Charleston, West Virginia 25305

Dear Sir:

Enclosed are two copies of a Special Rule issued by this Department regarding water pollution in the Pocatalico River and its effect on the peace, health, safety and welfare of the residents of Sissonville. This regulation is designated Series VI of Chapter 16-1 of the West Virginia Administrative Regulations.

I hereby certify that the attached regulation is a true and accurate copy of official regulation adopted by this Department on June 24, 1967.

Very truly yours,



N. H. Dyer, M. D., M. P. H.
State Director of Health

FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 6/26/67

WEST VIRGINIA ADMINISTRATIVE REGULATIONS
State Department of Health

Chapter 16-1
Series VI
(1967)

FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 6/26/67

Subject: Emergency Rules and Regulations - Water Pollution in the
Pocatalico River and its Effect on the Peace, Health,
Safety and Welfare of the Residents of Sissonville.

SPECIAL RULE

Section 1. General

1.01. Scope.--Rules and Regulations - Water pollution in the Pocatalico River and its effect on the peace, health, safety and welfare of the residents of Sissonville.

1.02. Authority.--These rules and regulations are issued under authority of West Virginia Code 29A-3-5 and Code 16-1-3.

1.03. Effective Date.--These rules and regulations are to become effective immediately.

1.04. Filing Date.--These rules and regulations were filed in the office of the Secretary of State, June 26, 1967.

1.05. Certification.--These rules and regulations were certified authentic by the Secretary of State by certification number _____.

Section 2. Emergency Rules and Regulations - Water Pollution in the Pocatalico River and its Effect on the Peace, Health, Safety and Welfare of the Residents of Sissonville.--

WHEREAS, it has come to the attention of the State Board of Health that water source serving the Community of Sissonville is being contaminated and rendered unfit for use through the acts of certain persons, firms and corporations located in Roane County, West Virginia; and

WHEREAS, it has been determined that the source of said pollution emanates from oil or other drilling operations in Roane County, located along the

Pocatalico River and its tributaries, which watershed serves the Community of Sissonville; and

WHEREAS, the pollution aforesaid consists of brines and other industrial wastes, which brines contain chlorides which, if present in public water systems in sufficient amounts, are detrimental to health; and

WHEREAS, the nature of brines is such that they are not cleansed or neutralized by time or passage through distance or water, but rather retain their dangerous potentialities, which potentialities are cumulative in nature and are not susceptible to treatment by existing equipment of the local water suppliers; and

WHEREAS, the Community of Sissonville is without an adequate alternate supply of water to serve the residents thereof; it is

THEREFORE determined that a condition exists wherein the peace, health, safety and welfare of the residents of Sissonville are imperiled and must be immediately preserved. The West Virginia Board of Health, meeting in Special Session, does hereby make and promulgate the following Emergency Rules, pursuant to the authority contained in Code 29A-3-5 and Code 16-1-3, such rules to take effect immediately and remain in effect until the situation has been remedied, or for 90 days, whichever comes first:

1. The discharge or release of brines or other industrial wastes into the waters of the Pocatalico River or its tributaries, either directly or indirectly, is prohibited.
2. The health officials of the counties of Roane and Kanawha are directed to immediately commence investigation and enforcement of this rule.

Approved by West Virginia State Board of Health in Special Session
June 24, 1967.

FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 6/26/67