

*SUBJECT:*

**NPDES/401 ADVERTISEMENTS**

*DATE:*

**August 7, 2006**

Several NPDES/401 advertisements being submitted to PIO to be placed on the Public Notice website and the DEP mailing list contain errors. Please ensure all corrections are handled during the technical review process to guarantee consistency with the referenced application and to allow for correct advertisements. Examples of errors include, incorrect addresses, punctuation, spelling, incorrect stream listings, latitudes and longitudes that do not match the location map, and pertinent information not supplied as required.

Guidance for correct advertisements provided in a July 22, 2005 memo has been updated and is attached to this policy.

Please read the Rule section referenced in the guidance document and the instructions to the advertisement form, and also pay close attention to the storm water discharges and the types of activities that the permit is covering.

If the map indicates an access road to a ventilation shaft/borehole discharging storm water runoff into a receiving stream that receives no outlet discharges, then that stream needs to be listed in the application and in the advertisement form.

The advertisements are to be reviewed by the NPDES permit reviewer/writer and then by the regional NPDES permit supervisor to ensure the accuracy, completeness, grammar, and spelling. The advertisement must be forwarded to the NPDES section in headquarters where it will be hand delivered to the PIO representative. The PIO representative will place the advertisements on the DEP Public Archive for DEP Public Notice website and also to the DEP enhanced mailing list.

## **GENERIC PUBLIC NOTICE GUIDANCE**

The minimum requirements for public notices are enumerated in 47CSR30 Section 10.2.e. Additional requirements can be found in the instruction for each specific advertisement form. The required information can be obtained from the NPDES application form, SMCRA application form, or SMCRA advertisement form. The MR-34-B ad form was used in this example.

Blank 1 – Module 1, Part I, A

Blank 2 – Module 1 also Module 1, Part II.C.

Blank 3 – Module 1

Blank 4 – Regional office receiving the application

Blank 5 – Module 1, Part II, C – capture all of the types of activities that the applicant listed. However, verify that the applicant listed all of the activities for operations being covered or to be covered. As a general matter, storm water should be listed as other if there is a haulroad or other storm water only activity.

Blank 6 – Coal seams can be found in the corresponding SMCRA ad form, Section I in the SMA, and various other Sections in the SMA.

Blank 7 – Module 2, Table 2-I-A – verify all receiving streams are listed in the Table 2-I-A. If an unnamed tributary, list it as such on Table 2-I-A and the ad form, all receiving streams receiving storm water discharges shall be listed in both the ad form and Table 2-I-A.

Blank 8 – Module 2, Table 2-I-A and Module 1

Blank 9 – Module 1, Part II, A.

Blank 10 – Module I, Part II, A and SMCRA Ad form.

Blank 11 – Module I, Part II, A.

Blank 12 & 13 – Module I, Part II, A, and SMCRA Ad form.