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west virginia department of environmental protection

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Division of Mining and Reclamation  
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Earl Ray Tomblin, Governor  
Randy C. Huffman, Cabinet Secretary  
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**February 20, 2014**

**To All Mining (Coal and Quarry) Related NPDES Permittees:**

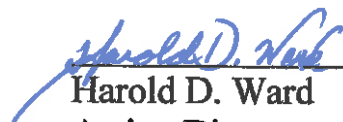
**Termination of ORDER**

On February 26, 2013 an ORDER was issued pursuant to the authority granted to the West Virginia Department of Environmental Protection by the West Virginia Water Pollution Control Act, West Virginia Code §§ 22-11-4(a)(13) and 4(b).

The purpose of the ORDER was to provide the data necessary to establish new hardness-based water quality criteria for dissolved aluminum as proposed in an emergency rule filed with the Secretary of State on January 30, 2013. At this time, it appears that the emergency rule will not be approved by the Legislature by March 2014 and therefore will expire.

The ORDER, requiring all permittees with aluminum effluent limits or monitoring requirements for aluminum at any outlet required to conduct instream monitoring only once per month to collect an additional sample each month at each instream monitoring point designated by the permit, analyze for hardness, pH, total aluminum and dissolved aluminum and report the results to the Department along with all other data being reported on quarterly discharge monitoring report is hereby **TERMINATED**. Any permit holder who has been required to add the additional sampling requirement as described above to their NPDES permit may apply for minor modification to have the additional monitoring requirement removed.

Nothing in this Termination Order shall operate to revise or alter existing NPDES permit monitoring or reporting requirements.

  
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Harold D. Ward  
Acting Director