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west virginia department of environmental protection

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Environmental Enforcement  
Hazardous Waste/Underground Storage Tanks  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304  
Telephone: 304-926-0470  
Fax: 304-926-0477

Joe Manchin III, Governor  
Randy C. Huffman, Cabinet Secretary  
[www.wvdep.org](http://www.wvdep.org)

September 15, 2008

Robert F. Kelly  
US Environmental Protection Agency  
OSC, Region III  
1650 Arch Street, 8th Floor, Mail Code 3HS32  
Philadelphia, PA 19103

RE: Site Request for Identification of State Applicable or Relevant and Appropriate Requirements (ARARs)  
Old Athens Turnpike Lead Site, Mercer County, Princeton, WV

Dear Mr. Kelly:

The West Virginia Department of Environmental Protection has identified sections of the West Virginia Code of State Rules (CSR) as being potentially applicable or relevant and appropriate to the USEPA's tentative removal project at the Old Athens Turnpike Lead Site, Mercer County, Princeton, WV

CSR Title 33 Series 20, *Hazardous Waste Management Rule*

CSR Title 33 Series 01, *Solid Waste Management Rule*

CSR Title 47 Series 10, *National Pollutant Discharge Elimination System (specifically pretreatment rules)*

CSR Title 47 Series 11, *Special Regulations (for reporting spills and accidental discharges)*

CSR Title 47 Series 58, *Groundwater Protection Rule*

Promoting a healthy environment.

I hope this letter meets your needs. Should you need clarification or if I can be of assistance in some other matter, please feel free to contact me at (304) 926-0499, extension 1279.



Thomas A. Fisher  
Assistant Chief Inspector  
HW/UST

cc: Michael Zeto, EE Chief Inspector  
Michael Dorsey, Homeland Security Chief  
Don Martin, Land Restoration  
Chris Gatens, EE Inspector Supervisor  
Penny Harris, EE Inspector