



Division of Water & Waste Management
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West Virginia Department of Environmental Protection

Bob Wise
Governor

Stephanie R. Timmermeyer
Cabinet Secretary

September 24, 2003

Mr. Scott Kelley, Chief Chemist
The Huntington Sanitary Board
P.O. Box 1659
Huntington, West Virginia 25717

Re: Incineration of Municipal Solid Waste

Dear Mr. Kelley:

I am writing in response to your written inquiry, received on September 24, 2003, regarding the possible utilization of the Huntington Sanitary Board's incinerator to incinerate municipal solid waste (MSW) and as a follow-up to our telephone conversation earlier today.

As discussed earlier, the Huntington Sanitary Board's incinerator was "grandfathered" and actually permitted as a part of the wastewater treatment plant's WV/NPDES permit, as a dedicated means to dispose of the sewage sludge. With the enactment of Chapter 22, Article 15, Section 19 of the Code of West Virginia, the use of incineration as a means for solid waste disposal was specifically banned. Therefore, no such activity is allowed, nor would it be possible to modify the existing incinerator's permit to allow such an activity.

I am enclosing a copy of Chapter 22, Article 15, Section 19 of the Code of West Virginia for your use. Should you have any questions or require further assistance regarding this matter, please do not hesitate to contact me at (304) 558-6350.

Sincerely,

Richard L. Pino
Solid Waste Permitting Unit

cc: H. Michael Dorsey, Assistant Director, DEP/DW&WM
Sudhir Patel, Permitting Supervisor, DEP/DW&WM
Charles Morris, EE Inspector
OEE District Office



West Virginia Department
of Environmental Protection

"Promoting a healthy environment."