

STATE OF WEST VIRGINIA
Department of Environmental Protection
Environmental Enforcement
NOTICE OF VIOLATION

Violation No **W25-19-076-KRA**

To the Operator or Agent of:

Facility Name: **Blake Solar** Permit No. **WVR111837**

Permittee or Individual: **Horus West Virginia 1, LLC**

Located at or near: **Kabletown Road** in **Jefferson County**

Representative: **Jose Antonio Gil Segura** Date: **9/10/2025** Time: **8:25 am**

Address / phone number: **615 Crescent Executive Court Suite 130 Lake Mary Fl 32771/561-208-5597**

Whereas, an inspection of the above named operation by the undersigned, duly authorized agent of the Secretary, at which the following described condition or practice exists, in violation of Chapter **22**, Article **11**, Section(s) **1 et. Seq.** of the Code of West Virginia and/or Section(s) _____ of the Rules and Regulations and/or Section(s) **I, II, III** of the Permit referenced above promulgated thereunder in that you:

Have violated the following terms and conditions of WV/NPDES General Water Pollution Control Permit No. WV0115924, Registration No. WVR111837

1.) Section I.B.- Horus West Virginia 1, LLC failed to comply with the General Permit and approved Storm Water Pollution Prevention Plan (SWPPP). Sediment traps, ST-4, ST-6, ST-7, ST-8, ST-9, ST-10, ST-11, ST-12, ST-13, ST-14, ST-15, ST-16, ST-17, ST-18, ST-19, ST-20 have been removed prior to the contributing drainage area being stabilized contrary to the approved SWPPP. Sediment Traps ST-1, ST-2, ST-3 and ST-5 have been converted from sediment trapping structures to stormwater management structures prior to the contributing drainage area being stabilized contrary to the approved SWPPP. Sediment basins SB-12, SB-14 & SB-16 have been removed prior to the contributing drainage area being stabilized contrary to the approved SWPPP. Sediment Basins SB-1, SB-2, SB-3, SB-4, SB-5, SB-6, SB-7, SB-8, SB-9, SB-10, SB-11, SB-13 & SB-15 have been converted to final stormwater facilities prior to all upstream disturbance being stabilized. Sediment laden water is leaving the property via all outlets from ponds 2A, 3A, 4A and 4B due to the lack of adequate treatment.

2.)Section III.C.2.- Horus West Virginia 1, LLC has failed to modify the SWPPP whenever there was a change in design, construction, scope of operation, or maintenance of BMPS, which has the potential to adversely impact the surface waters of the State, or which has a significant effect on the potential for the discharge of pollutants to the waters of the State, or if the SWPPP proves to be ineffective in achieving the general objectives of controlling pollutants in storm water discharges associated with construction activities. Sediment Basin 17 has been removed and a stormwater management pond referred to as Pond 14A (redlined) has been installed without a formal modification of the permit being submitted or approved. All upstream disturbance has not been stabilized prior to sediment basin 17 being removed and redlined pond 14A being installed contrary to the approved SWPPP. Diversion berms being installed per county requirement. The berms are not shown on the approved SWPPP and a permit modification needs to be done to include the berms.

3. Section II.H.1.d.- Horus West Virginia 1, LLC. failed to gravel, or have other durable surface on all unpaved roads. Access roads lack stabilization throughout the project.
- 4.) Section III.A.3.-Horus West Virginia 1, LLC failed to reseed areas that failed to germinate adequately (uniform perennial vegetative cover with a density of 70%) within 30 days after seeding.

Have violated the following West Virginia State Code:

5. Chapter 22 Article 11 Section 16. - Horus West Virginia 1, LLC failed to comply with Order No. 10223 Order For Compliance 1. The permit holder has failed to immediately take measures to initiate compliance with all terms and conditions of its WV/NPDES permit and pertinent laws and rules. There is still significant non-compliance on this site and inadequate action has been taken to bring the site into compliance.

The following corrective measures were discussed with you at the time of this inspection:

Take measures to correct the aforementioned violations.

Within **20** days provide a written response to the inspector named below, at the address indicated, detailing the actions taken to abate this violation.

Received by:

Sent Certified Mail

Signature

Title



Duly Authorized Agent /
Inspector

304-545-8114
Telephone

keith.r.allison@wv.gov
E-mail

Send Response to the Inspector at the address indicated below:

WV Department of Environmental Protection
Environmental Enforcement / WW
22288 Northwestern Pike Romney, WV 26757