

STATE WATER RESOURCES BOARD MINUTES

JUNE 25, 1963

THE REGULAR QUARTERLY MEETING OF THE STATE WATER RESOURCES BOARD WAS HELD ON JUNE 25, 1963 AT 9:30 A.M., ROOM 522, STATE OFFICE BUILDING No. 1, IN THE CITY OF CHARLESTON, WEST VIRGINIA. THE FOLLOWING MEMBERS WERE PRESENT.

DR. WARDEN M. LANE, CHAIRMAN
DR. N. H. DYER
MR. JOHN AILES
MR. BERNHARD H. JACOBSON
MR. W. W. JENNINGS
MR. ARTHUR H. RITCHIE

MEMBERS ABSENT:

DR. PAUL H. PRICE

OTHERS PRESENT:

MR. BERN WRIGHT AND MR. LYHLE E. GILLENWATER - DIVISION OF WATER RESOURCES
MR. J. P. CREAGH - SOUTH CHARLESTON SEWAGE TREATMENT COMPANY - UNION
CARBIDE CHEMICALS COMPANY
MR. EWELL MITCHELL - GOODRICH GULF CHEMICALS, INC.
MR. GILBERT HEAVENER AND MR. HARRY J. WIDNEY - HOWES LEATHER COMPANY

A QUORUM BEING PRESENT THE MEETING WAS CALLED TO ORDER BY THE CHAIRMAN.

SOUTH CHARLESTON SEWAGE TREATMENT COMPANY

MR. WRIGHT STATED THAT A BRIEF HAD BEEN PREPARED BY THE STAFF AND SENT TO THE BOARD MEMBERS IN REGARD TO THE PROBLEM WITH THE SOUTH CHARLESTON SEWAGE TREATMENT COMPANY. IN SUMMARIZING MR. WRIGHT STATED THAT THE SOUTH CHARLESTON SEWAGE TREATMENT COMPANY TREATS THE DOMESTIC WASTE FROM THE CITY OF SOUTH CHARLESTON AND THE INDUSTRIAL WASTE FROM THE UNION CARBIDE CHEMICALS COMPANY PLANT IN SOUTH CHARLESTON. MR. WRIGHT STATED THAT PRIOR TO 1957, A PILOT PLANT WAS CONSTRUCTED AND OPERATED AT THE SOUTH CHARLESTON CARBIDE PLANT TO DETERMINE WHETHER OR NOT THEY COULD TREAT THE INDUSTRIAL WASTE. THE PILOT PLANT STUDY INDICATED THAT A GUMMY, STICKY SLUDGE WOULD BE FORMED IN THE TREATMENT OF THE INDUSTRIAL WASTE AND WOULD BE DIFFICULT TO HANDLE. AT THAT TIME, THE COMPANY ASKED FOR AN ADDITIONAL YEAR AFTER THE COMPLETION OF THE TREATMENT PLANT TO STUDY THE INDUSTRIAL SLUDGE PROBLEM IN ORDER TO DETERMINE HOW IT COULD BE HANDLED.

THE PLANT IS NOW COMPLETED, ALTHOUGH APPROXIMATELY A YEAR AND A HALF BEHIND THE ORIGINAL SCHEDULE.

MR. WRIGHT STATED THAT THE COMPANY HAS APPLIED FOR AN EXTENSION OF ITS PERMIT, REQUESTING THAT IT BE GIVEN PERMISSION TO DISCHARGE A PORTION OF THE INDUSTRIAL SLUDGE FROM THE PRIMARY UNIT INTO THE KANAWHA RIVER UNTIL THE END OF THE YEAR.

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MR. CREAGH STATED THAT IT WAS THE INTENTION OF THE SOUTH CHARLESTON SEWAGE TREATMENT COMPANY TO MOVE WITH ALL POSSIBLE HASTE IN SOLVING THE INDUSTRIAL SLUDGE PROBLEM. HE STATED THAT THE FIRST PHASE WOULD INVOLVE PUMPING AT LEAST PART OF THE INDUSTRIAL SLUDGE TO AN EXISTING FLY ASH POND SYSTEM IN WARD HOLLOW. THE FIRST PHASE OF THIS PROBLEM IS TO BE EXPERIMENTAL AND IF THE TESTS SHOW THAT THE SLUDGE IS COMPATIBLE WITH THE FLY ASH POND ENVIRONMENT THE COMPANY THEN INTENDS TO USE THIS POND TO PUMP ALL THE INDUSTRIAL SLUDGE TO THE FLY ASH POND. MR. CREAGH STATED THAT THE FIRST PHASE WAS SCHEDULED TO START ON JULY 15, 1963. HE STATED THAT THEY PLANNED TO BE READY BY DECEMBER 15TH TO SEND THE ENTIRE SLUDGE LOAD TO THE FLY ASH POND. DURING THE NEXT COUPLE OF YEARS, HE SAID, THE COMPANY WILL CONTINUE TO STUDY INCINERATION AND DEWATERING BY FILTRATION AND CENTRIFUGATION AND OTHER MEANS OF PERMANENT SLUDGE DISPOSAL.

AFTER CONSIDERABLE DISCUSSION, THE BOARD DECIDED UPON A MOTION BY DR. DYER AND AN AMENDMENT TO THE MOTION BY MR. JENNINGS WHICH WAS SECONDED BY MR. RITCHIE, THAT THE SOUTH CHARLESTON SEWAGE TREATMENT COMPANY BE GRANTED PERMISSION TO TRANSFER A PORTION OF THE SLUDGE TO THE FLY ASH BASINS BEGINNING ABOUT JULY 15TH WITH THE REMAINDER OF THE SLUDGE NOT TRANSFERRED TO THE FLY ASH POND TO BE DISCHARGED TO THE KANAWHA RIVER AND THAT THE SLUDGE BE COMPLETELY TRANSFERRED TO A SUITABLE DISPOSAL AREA BY JANUARY 1, 1964.

GOODRICH GULF CHEMICALS, INC.

MR. WRIGHT READ FROM THE BRIEF PREPARED BY THE STAFF ON THE GOODRICH GULF PROBLEM. MR. WRIGHT POINTED OUT THAT THE GOODRICH GULF CHEMICALS, INC. AT INSTITUTE WILL BE UNABLE TO MEET THE BOARD'S DEADLINE OF JUNE 30, 1963 FOR THE CONSTRUCTION AND OPERATION OF WASTE TREATMENT FACILITIES, DESIGNED TO EFFECT A 40 PER CENT REDUCTION IN BOD AND OTHER REQUIREMENTS OF THE BOARD'S MINIMUM WATER QUALITY OBJECTIVES. THE TREATMENT PLANT, WHICH WAS ORIGINALLY SCHEDULED FOR COMPLETION BY JUNE 1, 1963 WILL NOT BE COMPLETED UNTIL OCTOBER 1963. THE COMPANY HAS APPLIED FOR A PERMIT GIVING THEM AN EXTENSION OF TIME UNTIL OCTOBER 1963, AND HAS BEEN TOLD THAT IN VIEW OF THE BOARD'S ACTION ON OCTOBER 31, 1962 THE STAFF COULD GRANT A PERMIT ONLY UNTIL JUNE 30, 1963 AND THAT THEIR REQUEST WOULD BE TAKEN BEFORE THE BOARD. ANOTHER LENGTHY DISCUSSION FOLLOWED AFTER WHICH UPON A MOTION BY DR. DYER WHICH WAS SECONDED BY MR. JENNINGS THE BOARD VOTED TO EXTEND THE PERMIT OF THE GOODRICH GULF CHEMICALS, INC. THROUGH NOVEMBER 30, 1963.

HOWES LEATHER COMPANY

MR. WRIGHT SUMMARIZED THE BRIEF PREPARED BY THE STAFF ON THE HOWES LEATHER COMPANY. HE STATED THAT THERE IS A DEFINITE BOD PROBLEM WHICH RESULTS IN A DISSOLVED OXYGEN SHORTAGE. IN ADDITION THERE IS A PROBLEM OF COLOR AND A HIGH SOLIDS CONTRIBUTION ACCOMPANIED BY A HIGH ALKALINITY. THE SANITARY WASTES FROM THE PLANT ARE NOT TREATED AND ARE DISCHARGED TO THE RIVER ALONG WITH THE WASTE FROM THE TANNERY.

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MR. WRIGHT POINTED OUT THAT THE COMPANY HAS PONDS IN OPERATION AND THAT THEY ALSO SPRAY SOME OF THE TANNIN WASTE DURING THE SUMMER MONTHS.

MR. HEAVENER, THE ENGINEER FOR THE COMPANY, STATED THAT THEY HAD STARTED ON THEIR WASTE DISPOSAL UNIT WHICH CONSISTED OF AN EIGHT (8) MILLION GALLON LAGOON. HE SAID THEIR PLANS FOR FUTURE WASTE TREATMENT WERE BASED UPON THE PURCHASE OF LAND ADJACENT TO THEIR COMPANY PROPERTY. THE OWNERS OF THIS LAND HAVE INDICATED TO THE COMPANY THAT THEY DO NOT WISH TO SELL TO THE HOWES LEATHER COMPANY. MR. HEAVENER STATED THEY FIGURED THIS LAGOON WOULD BE LARGE ENOUGH TO LAST FOR 10 YEARS.

MR. WRIGHT ASKED IF THE COMPANY FELT THAT THE PROPOSED NEW LAGOON OR ADDITIONAL LAGOONS WOULD PROVIDE FOR A REDUCTION IN BOD. MR. HEAVENER REPLIED HE THOUGHT IT WOULD WITH THE ELIMINATION OF SODA FROM THE BLEACH. HE STATED THIS WAS BEING DONE NOW IN THE COMPANY'S TANNERIES IN OTHER STATES.

THE QUESTION OF CONDEMNATION OF LAND AROSE DURING THE LENGTHY DISCUSSION WHICH FOLLOWED. IT WAS POINTED OUT TO THE COMPANY THAT THEY WERE OPERATING WITHOUT A PERMIT AND WAS SUBJECT TO FINES FOR POLLUTING WITHOUT A PERMIT SIGNIFYING THE APPROVAL OF THE BOARD OF THEIR FACILITIES.

MR. WRIGHT STATED ONCE AGAIN THAT HE WOULD LIKE TO POINT OUT THAT THE STAFF QUESTIONS THAT THE LAGOON WILL SETTLE OUT SUFFICIENT SOLIDS TO SOLVE THE BOD PROBLEM. MR. WRIGHT STATED THE DISSOLVED SOLIDS WHICH CAUSE THE BOD OR A GOOD PORTION OF IT, WILL NOT SETTLE OUT, BUT HE STATED IF IT IS THE COMPANY'S OPINION THAT THEY CAN MEET OUR BOD REQUIREMENT THEN WE SHOULD ALLOW THEM AN OPPORTUNITY TO DO WHAT THEY PROPOSED.

UPON THE HEARING OF FURTHER DISCUSSION, DR. DYER MOVED THAT A PERMIT NOT BE ISSUED FOR FURTHER POLLUTION AND THAT THE COMPANY BE DIRECTED, BUT NOT ORDERED, TO CEASE POLLUTION AND FURTHER DIRECTED THAT IF THEY WISH THE RIGHT OF EMINENT DOMAIN THEY SHOULD APPLY FOR SUCH WITHIN 30 DAYS. THE MOTION WAS SECONDED BY MR. RITCHIE AND PASSED UNANIMOUSLY. MR. WRIGHT STATED THAT THE POINT SHOULD BE MADE CLEAR THAT THE REQUIREMENT FOR TREATMENT FACILITIES IS A YEAR AROUND REQUIREMENT EXCEPT FOR THE SPRAYING OF TANNINS.

FEDERAL GRANT-IN-AID PROGRAM

MR. WRIGHT REPORTED THAT THE FEDERAL GOVERNMENT HAS ISSUED 6 GRANTS UNDER THE ACCELERATED PUBLIC WORKS PROGRAM TOTALING \$1,080,552. THESE PROJECTS ARE IN ADDITION TO THE PUBLIC LAW 660 PROJECTS. MR. WRIGHT STATED THAT THE STAFF HAD RECEIVED ABOUT 40 OTHER APPLICATIONS UNDER THE ACCELERATED PUBLIC WORKS PROGRAM TOTALING IN REQUESTS \$10,551,000 WHICH WOULD BE AN ESTIMATED CONSTRUCTION COST OF \$22,000,000. THERE ARE 40 MORE APPLICATIONS WHICH HAVE BEEN PROCESSED AND FORWARDED TO THE PUBLIC HEALTH SERVICE WHICH WOULD BE APPROXIMATELY \$23,000,000 IN CONSTRUCTION WORK.

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MR. WRIGHT STATED HE THOUGHT IT ADVISABLE TO SET A DEADLINE FOR THE APPLICATIONS FOR PUBLIC LAW 660 FUNDS. MR. WRIGHT STATED HE THOUGHT THE TWO PROGRAMS COULD BE COORDINATED SO THAT EACH CITY APPLYING FOR GRANTS COULD OBTAIN A 50 PER CENT GRANT EVEN THOUGH 30 PER CENT OF IT WAS UNDER PUBLIC LAW 660, THE OTHER 20 PER CENT COULD BE HAD UNDER THE ACCELERATED PUBLIC WORKS PROGRAM. IT WAS AGREED TO SET SEPTEMBER 1, 1963 AS THE DEADLINE FOR APPLICATIONS UNDER PUBLIC LAW 660.

CITY OF CHESTER

THE CITY OF CHESTER DECLINED THE INVITATION TO APPEAR BEFORE THE BOARD. MR. WRIGHT STATED THERE WAS AN EXPLANATION WHICH HE FELT THE BOARD WOULD BE WILLING TO ACCEPT. THE CITY OF CHESTER IN OCTOBER 1961 COMPLAINED TO THE STAFF THAT THEY HAD NOT BEEN GIVEN PRIORITY FOR A GRANT. THEY WERE INFORMED THAT THERE WAS NOT ENOUGH FEDERAL FUNDS AT THAT TIME TO GO AROUND TO ALL OF THOSE MAKING APPLICATION. HOWEVER, ON APRIL 12TH THE CITY OF CHESTER ACCEPTED A FEDERAL GRANT-IN-AID OF \$105,735, THE AMOUNT WHICH THEY HAD REQUESTED EARLIER. THEY WERE TOLD AT THAT TIME THAT PROJECTS WOULD HAVE TO BE UNDER CONSTRUCTION WITHIN 180 DAYS OR THE BOARD WOULD TAKE FORMAL ACTION.

THE CITY FAILED TO ADVERTISE FOR CONSTRUCTION BIDS EVEN THOUGH THEY HAD BEEN NOTIFIED BY THE PUBLIC HEALTH SERVICE THAT FINAL PLANS AND SPECIFICATIONS HAD BEEN APPROVED. THE CITY WAS ASKED TO EXPLAIN WHY THEY HAD NOT PROCEEDED WITH THE PROJECT AND TO EXPLAIN THE DELAY AND TO SUBMIT A REVISED TIMETABLE. NO WORD WAS HEARD FROM THE CITY UNTIL JUNE 24TH WHEN IN CONVERSATION WITH THE COUNTY SANITARIAN IT WAS LEARNED THAT THE CITY HAD A NEW MAYOR AND COUNCIL AND THAT THE CITY HAD EXPRESSED A SINCERE INTEREST IN GOING AHEAD WITH THE PROJECT. THE COUNTY SANITARIAN TELEPHONED ON JUNE 25TH THAT THE MAYOR AND CITY COUNCIL HAD DECIDED TO GO AHEAD WITH THE PROJECT AS QUICKLY AS THEY COULD.

MR. JENNINGS MOVED THAT THE EXECUTIVE SECRETARY WRITE A LETTER TO THE CITY OF CHESTER INFORMING THEM TO PROCEED WITHIN 30 DAYS OR FACE A CITATION TO A HEARING BEFORE THE BOARD. THE MOTION WAS SECONDED BY DR. DYER AND PASSED UNANIMOUSLY.

ACID MINE DRAINAGE

MR. WRIGHT STATED THAT THE STAFF WAS BEGINNING TO RECEIVE A LARGE NUMBER OF COMPLAINTS ABOUT ACID MINE DRAINAGE. HE STATED THAT THE PROBLEM IS GETTING TO THE POINT NOW WHERE THE STAFF FEELS IT IS IMPERATIVE THAT AN ORGANIZED CONCERTED PROGRAM WILL SOON BE NECESSARY AND THAT PLANNING SHOULD BE STARTED AS SOON AS POSSIBLE. HE STATED THAT ORSANCO HAS ALREADY ADOPTED AN ACID MINE DRAINAGE CONTROL MEASURE AND HAS WORKED UP THROUGH ITS COAL INDUSTRY ACTION COMMITTEE TWO GUIDES WHICH IT IS FELT WILL BE OF HELP IN WORKING ON THIS PROBLEM.

DR. LANE STATED THAT A SUM OF APPROXIMATELY \$20,000 HAD BEEN APPROPRIATED

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BY THE LEGISLATURE TO BE USED SOLELY ON THE LAUREL RUN-SNOWY CREEK AREA. MR. WRIGHT STATED THAT THE STAFF HOPES TO HAVE PREPARED BY THE TIME THE NEXT LEGISLATURE MEETS RULES AND REGULATIONS AND A DRAFT PROGRAM ON ACID MINE DRAINAGE. HE STATED THAT ADDITIONAL FUNDS AND PERSONNEL SHOULD BE MADE A PART OF OUR LEGISLATIVE REQUEST.

SOUTHERN WATER RESOURCES CONFERENCE

MR. WRIGHT STATED THAT WEST VIRGINIA IS A MEMBER OF THE SOUTHERN WATER RESOURCES CONFERENCE WHICH IS COMPRISED OF SEVERAL SOUTHERN STATES. HE STATED THAT PRACTICALLY EVERY STATE HAD NOW BEEN HOST TO THE CONFERENCE EXCEPT WEST VIRGINIA. HE ASKED IF THE BOARD WOULD WANT TO EXTEND AN INVITATION TO THIS CONFERENCE TO COME TO WEST VIRGINIA FOR ITS NEXT MEETING. IT WAS THE CONSENSUS OF THE BOARD THAT THIS ORGANIZATION SHOULD BE INVITED TO WEST VIRGINIA FOR ITS 1964 CONFERENCE.

MINIMUM WATER QUALITY OBJECTIVES

MR. WRIGHT STATED THAT THE MINIMUM WATER QUALITY OBJECTIVES OF THE BOARD ALLOWS FOR HIGHER VALUES TO BE SET FOR DISSOLVED OXYGEN IN CERTAIN STREAMS IF FOUND TO BE NECESSARY. HE RECALLED THAT ON DIFFERENT OCCASIONS THE BOARD HAD EXPRESSED A DESIRE TO PROTECT THESE STREAMS WHICH ARE NOW CLEAN. HE RECALLED THE BOARD'S INTENTION TO KEEP THE LITTLE KANAWHA RIVER FREE OF POLLUTION.

MR. WRIGHT STATED THAT THE STAFF RECOMMENDED THAT HIGHER OBJECTIVES SHOULD BE REQUIRED ON DISSOLVED OXYGEN FOR CLEAN STREAMS THAN IS SPECIFIED IN THE MINIMUM WATER QUALITY OBJECTIVES. HE STATED THE STAFF FELT THAT A LIMIT OF NO LESS THAN 5 PARTS PER MILLION OF DISSOLVED OXYGEN BE ESTABLISHED FOR THE LITTLE KANAWHA, TUG FORK, GREENBRIER AND SOUTH BRANCH OF THE POTOMAC RIVERS. MR. RITCHIE MOVED TO ACCEPT THE STAFF RECOMMENDATION. MR. JACOBSON SECONDED THE MOTION AND IT WAS PASSED UNANIMOUSLY.

THERE BEING NO FURTHER BUSINESS TO BE BROUGHT BEFORE THE BOARD, THE MEETING WAS ADJOURNED.

STATE WATER RESOURCES BOARD

S/ BERN WRIGHT

EXECUTIVE SECRETARY