

STATE WATER RESOURCES BOARD MEETING

Charleston, West Virginia

December 13, 1971

The State Water Resources Board convened at 9:30 A. M. December 13, 1971 at 1201 Greenbrier Street, Charleston, West Virginia. The following persons were present:

John C. Ailes, Chairman - State Water Resources Board

Herman E. Kirchner - State Water Resources Board Member

Charles T. Holland - " " " " "

Luther N. Dickinson - " " " " "

Edgar N. Henry, Chief - Water Resources Division

John H. Hall, Jr., Assistant Chief - Water Resources Division

Mr. Ailes opened the meeting with the introduction of Mrs. Frances Hunter to the Board members and a motion was made by Mr. Charles T. Holland and seconded by Mr. Herman E. Kirchner that Mrs. Hunter be officially appointed as secretary of the State Water Resources Board. Motion passed.

Discussion was then held on the S. George Company's appeal. Mr. Henry discussed correspondence and telephone communication with the company officials on denial of permit. Mr. Ailes then suggested continuing the case until further notice.

Wellsburg was then discussed, ORSANCO is going to call a meeting re their sewage treatment plant; officials of the S. George Company would be present.

The Linan case was brought up - the question arose as to which is a "final order". Discussion was held on this. The intent of the Water Resources Board was to give them their permit but with certain conditions to be met as set forth by the Board. This case is still under appeal and it was stated that the State Supreme Court should hear this to have the court set forth the validity of our statute, which protects industry, etc.

Mr. Henry then asked a question on Article 20-5-1 -- could a lawyer be hired? Mr. Ailes interpreted it to mean yes. Discussion was then held on this subject. Money for the attorney's fee would be approximately \$12,000 to be asked for in the next year's budget. Mr. Henry requested the State Water Resources Board to prepare and send a letter to the Director requesting the hiring of an attorney, full-time, no other work to be done by him.

The increase in the budget and personnel hired by the Division was then brought up. The supervisor in the Romney District is to be in charge of a Comprehensive Survey in the North Branch of the Potomac on Acid Mine Drainage, thus creating an inspector vacancy in this district. Dents Run watershed project was discussed.

An engineer is now working in the Acid Mine Drainage Section, also an engineer has been hired in the Municipal Wastes Section, Don Caldwell has been put in charge of special projects, such as the Dents Run Project, Sandy Creek, etc. Other personnel changes were presented to the Board members.

The question arose as has the State been lenient in getting sewer programs started for smaller towns - cost properties were discussed. Under Federal Act we are to come up with a State Plan by 1973, an Interim Plan has to go to the Federal government and in turn consolidation of towns (sewage treatment facilities) are to be put in at the least cost. Morgantown's sewage treatment plant and surrounding communities were given as an example. There has been a hold-up on some projects by the Environmental Protection Agency, requiring dual-power, no by-passing and other details. Mr. Henry suggested a meeting be set up with the Environmental Protection Agency, the State Health Department and the Water Resources Division to discuss these and other problems that may arise in the future.

State Matching Funds for sewage projects were brought up - Public Law

660 funds have been our basic grant. New legislation has been introduced as such. Lack of the State's participation has been hurting the citizens of the State. The legislative committee and the Department of Natural Resources has drafted an Act similar to the Ohio Bill to make it applicable to West Virginia. An Authority, consisting of five (5) members called the West Virginia Water Development Board, will set up a secretary and staff to do one thing - sell revenue bonds for sewage and water facilities. The Authority gets the basic grant and will operate the facility over the life span of the bonds - when bonds are retired it goes back to the city. If a municipality will not move, the Authority can step in to get the city moving. Lengthy discussions were held on this. Besides sewage and water facilities, it allows industry, dams, facilities to be built to combat acid mine drainage, abandoned mines or a community without a consultant to hire one and to have prefeasibility studies made. This Authority is to sell bonds at a reasonable rate.

Total coliform and fecal coliform was then brought up. Ways of testing for total coliform was discussed. Tests for total coliform, fecal coliform, and fecal strept. are now run in our lab. Mr. Henry suggested the Water Resources Division propose to the Board standards on coliform and it be presented at a later date. ORSANCO cannot set stream standards just effluent standards. West Virginia has to enforce Federal standards set by them and as a State we have no set standards.

The afternoon session opened by general discussion of the new State Matching Fund Bill.

Reclamation practices were then brought up - the number of acres reclaimed in the past year - the amount of \$70.00 per acre going to a "Special Fund" for orphaned land. There are now reclamation contractors who bid on lands to be reclaimed - conditions set forth by the State and the lowest bidder gets the job - paid for out of this "Special Fund".

Phenol conditions were brought up and the division is to carry out surveys on getting backgrounds on phenols. "Background" is what is naturally or otherwise in streams before what you are looking for goes into the water. In view of getting a regulation on this, if it can be determined, where natural conditions exist vs. additives - this matter is to be checked into and brought up before the Board at the next meeting.

Other matters were briefly discussed and the Board adjourned.