

Board Minutes

June 25, 1985

The Board met at their conference room at 1260 Greenbrier Street on above date at 9:00 a. m. with the following members present: Mr. John Ailes, Dr. David Samuel, Mr. Robert Scott and Mr. William Plass - absent for the variance hearings was Dr. Alan Hamner (was present for the 7:00 p. m. hearing at the Armory).

The Board heard requests for 5 considerations for revisions to the water quality standards from American Cyanamid, Howes Leather, New River Co., Corning Glass and Weirton Steel - see transcripts in file.

By proper motion and vote the Board entered a Consent Order in Appeal No. 156 - Beckley Coal Mining - see file for more details.

At 7:00 P. M. with all members present the Board held a public hearing on their Legislative regulation proposals..

Note - The Board also agreed to a continuance in appeal No. 268 - Quaker State scheduled for June 26th - to be heard at a future date.



Other Bus.
Riffe ?

STATE OF WEST VIRGINIA
STATE WATER RESOURCES BOARD

1206 Greenbrier Street
Charleston, West Virginia 25311
(304) 348-4002

JOHN C. AILES
P.O. Box 1036
Romney, West Virginia
DR. DAVID E. SAMUEL
Box 16 Rt. 6
Morgantown, West Virginia

ROBERT B. SCOTT
601 David Avenue
Elkins, West Virginia

DR. ALLEN HAMNER
3 Lincoln Way
Buckhannon, West Virginia

WILLIAM PLASS
21 Grandview Drive
Princeton, West Virginia

STAFF
FRANCES E. HUNTER
Executive Secretary
PAUL L. HILL, JR., PH.D.
Technical Assistant
ROBERT K. PARSONS
ASSISTANT ATTORNEY GENERAL
Legal Advisor

OFFICE LOCATION
1260 Greenbrier Street

June 11, 1985

SECRETARY OF STATE

1985 JUN 11 PM 1:30

FILED

The Honorable Ken Hechler
Secretary of State
State Capitol Bldg. # 1 Room 157K
Charleston, W. Va. 25305

Re: Notice of Hearings/
Meetings

Dear Mr. Secretary:

Pursuant to Chapter 6, Article 9A of the Code of West Virginia and in accordance with rules and regulations promulgated and filed by this Board in your office, notice is hereby given that the State Water Resources Board will be meeting at 1260 Greenbrier Street, Charleston, W. Va. times, dates and purposes listed below:

<u>Date</u>	<u>Time</u>	<u>Purpose</u>
June 18, 1985	9:00 A.M.	Appeal No. 289 - Viking Coal Company, Appellant v Chief, Division of Water Resources, State Department of Natural Resources, Appellee;
		Appeal No. 289 - John Roberts, et al., Appellants, v Chief, Division of Water Resources, State Department of Natural Resources, Appellee;
		Receive Status Report Appeal No. 172 - Rayle Coal Company, Appellant v Chief, Division of Water Resources, State Department of Natural Resources, Appellee;

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9:30 A.M. Evidentiary Hearing - Appeal No. 256
and 257 - Union Carbide Corp.,
Appellant v Chief, Division of Water
Resources, Appellee;
heard
see
file
Other business which may properly
come before the Board.

June 25, 1985 9:30 A.M. Public Hearing on Proposed Revision
to Water Quality Standards -
American Cyanamid Company;

10:00 A.M. Public Hearing on Proposed Revision
to Water Quality Standards - Howes
Leather Company;

10:30 A.M. Public Hearing on Proposed Revision
to Water Quality Standards - The
New River Company;

11:00 A.M. Public Hearing on Proposed Revision
to Water Quality Standards - Corning
Glass Company;

11:30 A.M. Public Hearing on Proposed Revision
to Water Quality Standards - Weirton
Steel Corporation;

7:00 P.M. PUBLIC HEARING ON PROPOSED RULES -
COONSKIN ARMORY - Water Quality
Standards (Series I); NPDES Regs.
(Series II); Special Regs. (Series
III); and UIC (Series IX).

June 26, 1985 9:00 A.M. Evidentiary Hearing - Appeal No.
268 - Quaker State Oil Company,
Appellant v Chief, Division of
Water Resources, State Department
of Natural Resources, Appellee;
Other business which may properly
come before the Board.

July 15, 1985 9:00 A.M. Begin deliberations and review of
comments on proposed legislative
rules, Series I, II, III, and IX;

July 16, 1985 9:00 A.M. Hear Appeal No. 271, Pinch PSD,
Appellant v Chief, Division of

Mr. Ken Hechler
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Water Resources, State Department
of Natural Resources, Appellee;

9:30 A.M. Evidentiary Hearing - Appeal No.
283 - Linda Elkinton and West
Virginia Highlands Conservancy,
Inc., Appellant v Chief, Division
of Water Resources, State Depart-
ment of Natural Resources,
Appellee;

Receive update of pending appeals.

Other business which may properly
come before the Board.

July 29 and
30, 1985 9:00 A.M. Continue deliberations and review
of comments on proposed Legislative
Rules, Series I, II, III, and IX;

Other business which may properly
come before the Board.

August 20, 1985 9:00 A.M. Evidentiary Hearing - Appeal No.
268 - Ohio Power Company, Appellant
v Chief, Division of Water
Resources, Appellee;

Other business which may properly
come before the Board.

Seating capacity of conference room located at 1260
Greenbrier Street is 20. The above meetings are open to the
public pursuant to above Code.

Very truly yours,



Frances E. Hunter
Executive Secretary

c Capitol News Media

HEARING AGENDA - JUNE 25, 1985

Water Quality Revisions (Variances)

Five to consider:

1. American Cyanamid - 9:30 A.M.
2. Howes Leather - 10:00 A.M.
3. New River Co. - 10:30 A.M.
4. Corning Glass - 11:00 A.M.
5. Weirton Steel - 11:30 A.M.

Comments will be limited to these revisions.

American Cyanamid and New River Co. are in affect now as emergency rules and generally resulted from a Consent Decree.

Taking each revision in turn we would like to hear
from:

1. The requestor of the revision.
2. Briefly the Chief's position, i.e. approve, disapprove, or recommendations.
3. And next from the public or any interested person.

Charleston Gazette
Monday, May 20, 1985

NOTICE OF
PUBLIC HEARING AND
COMMENT PERIOD ON
PROPOSED RULES
PUBLIC HEARING
AGENCY: West Virginia
State Water Resources Board
RULE TYPE: Legislative
Rules
RULE TITLE: Legislative
Rules, State Water Resources
Board, Series I, Water Quality
Standards; Series II, National
Pollutant Discharge Elimina-
tion System (NPDES) Series
III, Special Regulations; Series
IX, Underground Injection
Control
A PUBLIC HEARING ON
THE PROPOSED REVISIONS
TO THE ABOVE RULES WILL
BE HELD AT 7:00 P.M. ON
JUNE 25, 1985 AT THE COON-
SKIN ARMORY. COMMENTS
SHALL BE LIMITED TO THE
PROPOSED REVISIONS AND
MAY BE EITHER ORAL OR
WRITTEN.
COMMENTS MAY ALSO BE
MAILED TO:
State Water Resources Board
1205 Greenbrier Street
Charleston, WV 25311
1. The Board requests that
persons wishing to make
comments at the hearing make an
effort to also submit written
comments to facilitate the re-
view process.
2. Copies of the proposed re-
visions for the above rules may
be obtained from the Secretary
of State's Office and at the
Board's Office, 1260 Greenbrier
Street, Charleston, WV 25311
(phone 348-4002) and may be
viewed at all Department of
Natural Resources District
Offices.
3. The Board realizes that the
responsibility for promulgation
of certain portions of the above
proposed regulations will
change as a result of the re-
cently passed "Energy Act",
especially as they pertain to
coal and oil and gas related is-
sues. However since the major-
ity of the proposed revisions
merely update the State regu-
lations to comply with federal
EPA regulations, this hearing
will expediate the rule mak-
ing process and it should make
the transfer of regulatory re-
sponsibility to the Energy De-
partment more efficient.
(1408)

NOTICE OF PUBLIC HEARING
AND
COMMENT PERIOD ON PROPOSED RULES
(REVISIONS TO WATER QUALITY STANDARDS)
AGENCY: West Virginia State Water Resources Board
RULE TYPE: Legislative Rule
RULE TITLE: Legislative Rule, State Water Resources Board,
Series I, Water Quality Standards
A PUBLIC HEARING ON THE PROPOSED REVISIONS TO
WATER QUALITY STANDARDS WILL BE HELD STARTING AT
9:30 A.M. ON JUNE 25, 1985 AT 1260 GREENBRIER STREET,
CHARLESTON, WEST VIRGINIA, IN ACCORDANCE WITH THE
FOLLOWING SCHEDULE:
TIME REQUESTER
9:30 A.M. American Cyanamid Company
10:00 A.M. Howes Leather
10:30 A.M. New River Company
11:00 A.M. Corning Glass
11:30 A.M. Weirton Steel
COMMENTS SHALL BE LIMITED TO THE PROPOSED REVI-
SIONS AND MAY BE EITHER:
ORAL OR WRITTEN
BOTH
COMMENTS MAY BE MAILED TO:
State Water Resources Board
1205 Greenbrier Street
Charleston, WV 25311
THE PERIOD FOR RECEIVING WRITTEN COMMENTS ENDS
AT 5:00 P.M., JULY 5, 1985.
1. The Board requests that persons wishing to make comments
at the hearing make an effort to also submit written com-
ments to facilitate the review process.
2. Copies of the proposed revisions to the above rules may be
obtained from the Secretary of State's Office and at the
Board's Office located at 1260 Greenbrier Street, Charleston,
WV 25311 (phone 348-4002) and may be reviewed at all Depart-
ment of Natural Resources District Office. By way of explana-
tion, these proposed revisions, when adopted by the Board,
will be inserted into Series I regulations at the Sections Indi-
cated.
(1408)

pursuant to Series VI.

AGENDA

State Water Resources Board Meeting Days

Following is the tentative schedule of the Board - appellate and regulatory for the next few months.

The Board did announce on January 8, 1985 that it would be reviewing all Legislative rules and that any suggestions would be accepted until March 15, 1985. The Board has also set the first and third Tuesday of each month for appellate and any other necessary Board actions. Meetings will begin at 10:00 a. m. and notices will be duly filed in the Office of the Secretary of State pursuant to the State's Administrative Procedure's Act.

- March 26 - Regular Board Meeting - Appellate function. Begin informal review of suggestions for revisions of Legislative rules.
- April 2 - Same as above.
- April 16 - " " "
- May 7 - " " "
- May 10 - File proposed Legislative rules with Secretary of State along with notice of hearing date. Comment period begins.
- May 21 - Regular Board Meeting.
- June 4 - " " "
- June 25 - Regular Board Meeting. Official public hearing at Coonskin Armory at 7:00 p. m. on proposed Legislative Rules. Close of comment period July 5, 1985.
- July 9 - Regular Board Meeting. Begin review of comments, deliberations of Legislative Rules.
- July 16 - Same as above.
- Aug. 6 - " " "
- Aug. 12 - Proposed Legislative Rules filed with the Legislative Rule Making Review Committee and the Secretary of State.
- Aug. 20 - Regular Board Meeting.

1985 MAR 25 AM 10:04
FILED
OFFICE OF THE SECRETARY OF STATE

Board Hearing - 0930

June 25, 1985

name
Samuel
Scott

Name

Organization

LEONARD COOK	HAWES LEATHER COMPANY
Richard HEAD	Allegheny Power Service CORP
Gary JACK	Monongahela Power
Jim NOE	American Cyanamid
ANDY SOVIC	WV DNR
Jim Bradley	Robinson & McClure
JOHN CHERILL	CORNING GLASS WORKS
MILTON SIMPSON	" " "
Bob Desser	ICF Incorporated (Weirton Steel)
BOB KODONCAT	EPA III, PHILA, PA.
Wale Pike	Consolidation Coal
Kim Brown Poland	Robinson & McClure
Andrew Zettle	Huddleston Bolen Bently Pule & Copen
John BEARD	Weirton Steel
Jeff Nelson	Weirton Steel
Harb Seil	Weirton Steel
Gene CURRENT	Weirton Steel
MARK FARA	GATES EUB Co Rep. The New River Co
Paul Ware	Water Resources Div.
Doug Wood	Division Of Water Resources
William Kendall	Div. Water Resources, WUDNR
Joseph A. [unclear]	WVU
David Robinson	Div. Wild Res
William Cox	Weirton Steel
Foy George	USEPA
Frank Jarnetjic	WV DNR - Wildlife