

BOARD MINUTES DECEMBER 1, 1986

The Board met on the above date with all four (4) members present.

In the matter of Howes Leather Company, Inc., Appellant vs. Chief, Division of Water Resources, State Department of Natural Resources, Appellee-Appeal 193, the Appellant represented by Kim Brown Poland, Esq. and Appellee represented by Kristi Treadway (due to an illness in Karen G. Watson's family), presented an agreed to Consent Order to the Board. The Board unanimously agreed with the issues as presented and by proper motion and vote entered the Order, effective date to be December 4, 1986.

Let the record show that Mr. John Ailes, Chairman along with the Board members commended the efforts of the parties in resolving the issues in the Howe's appeal and that he would contact the press, citing what can happen when industry and the State work together (see attachment).

Under other business discussion was held on the "Groundwater Issue" and the changes needed in the NPDES regulations before EPA would approve them entirely.

The Rayle Coal "wetland" project was also discussed and the Water Quality Standard's inclusion by reference of the Wildlife Division's High Quality Streams listing.

No date was established for the Board's next meeting.



STATE OF WEST VIRGINIA
STATE WATER RESOURCES BOARD

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November 20, 1986

WILLIAM PLASS
21 Grandview Drive
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The Honorable Ken Hechler
Secretary of State
State Capitol
Charleston, West Virginia 25305

Re: Notice of Meeting

Dear Mr. Secretary:

Pursuant to Chapter 6, Article 9 of the Code of West Virginia and in accordance with rules and regulations promulgated and filed by the Board in your office, notice is hereby given that the State Water Resources Board will be meeting at 10:00 A. M. December 1, 1986 in conference room located at 1260 Greenbrier Street, Charleston, West Virginia for purposes of:

- To Consider Proposed Consent Order in Appeal No. 193, Howe's Leather Company, Inc.; and
- Other business which may properly come before the Board.

The meeting is open to the public pursuant to above Code. Seating capacity of the conference room is 20.

Very truly yours,

Frances E. Hunter
Executive Secretary

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OFFICE OF THE SECRETARY OF STATE

State water board, tannery make pact

By Skip Johnson
STAFF WRITER

The state water resources board and Howes Leather Co. have reached an agreement that board chairman John Ailes said Tuesday will protect the water quality of the East Fork of Greenbrier River and preserve jobs.

The 85-year-old firm, located at Frank in Pocahontas County, employs 165 people and is one of only three tanneries remaining in operation in the country. Foreign competition and other factors have forced most of them out of business.

Centerpiece of the agreement is a computer program developed by Howes environmental consultant Leonard Cook that determines the amount of discharges the stream can handle.

The East Fork is regarded by the Department of Natural Resources and fishermen as a high-quality trout stream. For this reason, standards for protecting it are higher than normal.

Ailes called the agreement "an excellent example of what can happen when state regulatory agencies and industry work together."

Randy Sovic of the industrial wastes section of the state water resources division said the agreement culminated 2½ years of negotiations. "If the computer program works as it's supposed to," he said, "it should protect the quality of the stream."

Basically, Sovic said, the computer determines the amount of

treated wastewater that can be safely discharged into the stream at a given time, considering rate of flow and other factors.

Without the computer approach, Sovic said, the only alternative for Howes would have been to shut down.

Kim Poland, a Charleston lawyer who represented Howes, said the agreement "is a credit to Len-ny [the environmental consultant]. His computer program will evaluate what's in the discharges and monitor the stream. As far as I know, it's the only program of its kind in the state."

Poland pointed out the problem of regulating discharges into the East Fork is heightened by extremes in flows, which range from very high to very low.

Cook, who formerly worked full time for Howes but is now employed on a consultant basis, said the computer program will enable the firm to meet in-stream water quality standards, as opposed to end-of-pipe standards. He contended it would not have been economically possible to meet the latter standards.

"The state acknowledged there was no way those could have been met due to the nature of the industry," he said.

Employment and production at the Pocahontas County plant has dropped over the past several years from 240 to 165, Cook said.

The firm, said to be the world's largest sole leather tannery, tans cowhides that are used for shoe soles. Tannin is the chief pollutant that must be controlled.