

BOARD MINUTES

February 15, 1991

No Board members were in for this hearing. By agreement of the parties the agenda followed the attached notice as filed in the Office of the Secretary of State ^{and} was heard by Lowell Greenwood, Legal Advisor to the Board. Also present were the Board's technical advisor and yours truly.

Kessel Lumber - Appeal No. 424 - on motion of appellant continued until March 5 - see transcript in file.

Union Carbide Corp. - Appeal No. 421 - Motion for Summary Judgement - arguments by counsel - see transcript in file.

Quaker State - Appeal No. 314 - negotiating - may be dismissed soon.
Farrell & Augusta Fisher - negotiating - need more time to settle (Appeal No. 410)
Koppers Co. - Appeal No. 362 - consent order forthcoming/negotiating.
Dev. Authority of Mercer Co. - Appeal 365 - may have dismissal order next meeting.
Don's Disposal - Appeals 136, 373 & 376 - will be withdrawn by appellant.
Carl Crooks - Appeal No. 356 - appellant will submit letter to dismiss.
Appalachian Power - Appeal No. 313 - if not resolved by consent order hearing to be scheduled.
Northwestern Disposal - Appeal No. 384 - no report given.
Black Gold - Appeal 394 - possibly moot - Kan. court order.
Rhone Poulenc - Appeal No. 399 - new permit may render this moot if not schedule.
Morgantown Utility Board - Appeal No. 402 - motion to dismiss will be sent by AG.
Kesner, Jefferson & Dearborn - Appeal 404, 406 - may be dismissed soon.

See file for transcripts.

attachment - notice of hearing
attendee list



STATE OF WEST VIRGINIA
STATE WATER RESOURCES BOARD

1260 Greenbrier Street
Charleston, West Virginia 25311
(304) 348-4002

FILED
1990 FEB -6 PM 2:45
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

CHARLES R. JENKINS, Ph.D.
SARAH LEE NEAL
DAVID E. SAMUEL, Ph.D.
EDWARD M. SNYDER, Ph.D.
DONALD C. TARTER, Ph.D.

February 6, 1990

GASTON CAPERTON
Governor

STAFF
FRANCES E. HUNTER
Executive Secretary

JAN R. TAYLOR, Ph.D.
Technical Advisor

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

Re: Notice of Hearing/Meeting

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 meet on February 15, 1990 in conference room located at 1260 Greenbrier Street, Charleston, West Virginia purpose as follows:

- 9:00 A.M. - Hear Motion To Dismiss - Kessell Lumber Supply, Incorporated, Appellant vs. L. Eli McCoy, Chief, Division of Water Resources, State Department of Natural Resources, Appellee;

Hear arguments - Motion For Summary Judgment - Appeal No. 421, Union Carbide Chemicals and Plastics Company, Inc., Appellant, v. Chief, Division of Water Resources, Appellee;

- 10:30 A.M.- Status Reports and/or Consent Orders in the following:

Appeal No. 314 - Quaker State;

" " 410 - Farrell & Augusta Fisher;

" " 362 - Koppers Company;

" " 365 - Development authority of Mercer County;

Appeals Nos. 136, 373, 376 - Don's Disposal;

Appeal No. 313 - APCO (Mountaineer Plant);

The Honorable Ken Hechler

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Status Reports and/or Consent Orders (continued)

- Appeal No. 356 - Carl Crooks;

" " 384 - Northwestern Disposal, Inc.;

" " 394 - Albert Miller et al. (Black Gold);

" " 399 - Rhone Poulenc;

" " 402 - Morgantown Utility Board;

" " 404 - R. N. Kesner;

" " ⁴⁰⁶ M. H. Jefferson & M. Dearborn; and

- Other business which may properly come before the Board.

The above hearing/meeting is open to the public and the conference room has a seating capacity of 20 persons.

Very truly yours,



Frances E. Hunter
Executive Secretary

WRB

Attendee

List

2-15-90

Name

Organization

Ann A. Spaner

AG's Office

Barbara Little

Union Carbide