

BOARD MINUTES

The Board met at 9 A.M. March 5, 1990 in conference room located at 1260 Greenbrier Street with all members present along with Lowell Greenwood, Legal Advisor, Jan Taylor - Technical Advisor and yours truly. The agenda followed the notice of hearing (attached) and by proper motion and vote:

- continued Appeal No. 424 - Kessell Lumber (need affidavit);
- continued upon motion of the parties Appeal No. 427 - DuPont;
- " " " " " " " " 428 Allegheny Properties;
- received status report Appeal No. 340 - Twin Branch Coal Co. - consent order may be presented at next hearing;
- received and entered Consent Order Appeal No. 365 - Dev. Auth. of Mercer Co.;
- received and entered Dismissal Order Appeal 384 - Northwestern Disposal;
- " " " " " " 406 - Highlander Village;
- heard report in Appeal No. 402 - Morgantown Utility Board - a Consent Order may be presented at next hearing;
- heard report in Appeal 413 - Edsel Simmons - continued by the parties - working on settlement;

See transcripts in file for more information.

The Board members traveled to the capitol to see space allotted - where the staff would be moving this upcoming June.

The Board also discussed upcoming revisions to the water quality standards that were suggested by EPA.

Schedule for upcoming meetings as follows: March 19
April 11 & 25
May 17 & 18
June 5
and perhaps July 14.

notice of hearing attached
attendee list



**STATE OF WEST VIRGINIA
STATE WATER RESOURCES BOARD**

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

FILED
1990 FEB 22 PM 12: 50

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 21, 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 Hearings/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 March 5, 1990 in conference room located at 1260 Greenbrier Street, Charleston, West Virginia purpose as follows:

- 9:00 A.M. - Hear Motion to Dismiss - Appeal No. 424, Kessell Lumber Supply Incorporated, Appellant vs. L. Eli McCoy, Chief, Division of Water Resources, Division of Natural Resources, Appellee;

Hear Appeal No. 427 - E. I. du Pont de Nemours & Company, Inc., Appellant v. Chief, Section of Water Resources, Division of Water Resources, Appellee;

Hear Appeal No. 428 - Allegheny Properties, Inc., a West Virginia Corporation, Appellant, v. Division of Water Resources, State Department of Natural Resources, Appellee;

Receive status reports, consent orders or hear the following:

Appeal No. 340 - Twin Branch Coal Company, Appellant, vs. Director, Department of Natural Resources, Appellee;

Appeal No. 365 - Development Authority of Mercer County, Appellant v. Chief, Division of Water Resources, Department of Natural Resources, Appellee;

- NOON - 1:30 LUNCH

- 1:30 P.M. - Enter Order dismissing:

Appeal No. 384 - Northwestern Disposal, Inc., Appellant, vs. Division of Waste Management, Department of Natural Resources, Appellee;

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Appeal No. 406 - Highlander Village Inc., Appellant vs. Chief,
Division of Water Resources, Department of Natural Resources,
Appellee;

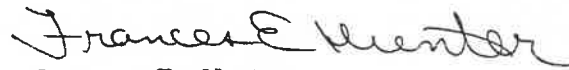
Enter Consent Order, receive status report or hear Appeal No. 402,
Morgantown Utility Board, Appellant, vs. Director, Department of
Natural Resources, Appellee;

Evidentiary Hearing - Appeal No. 413 - Edsel Simmons, Appellant,
vs. B. Douglas Steele, Chief, Division of Waste Management,
Department of Natural Resources, Appellee; and

- Other business which may properly come before the Board.

The above hearings/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 - Hearing
march 4, 1990

Name

Organization

Chauncey Browning
Shirley [unclear]
R. [unclear]

Kessel Lumber Supply, Inc
AG's Office - DNR.
" " "

Clifton Browning
E. [unclear]
Paul Moore

WV DNR
WV DNR
WV DNR
" "

Randy Moore

WV DNR

[unclear]
Pravin Sangani

WV - DNR

Edsel Simmons (march 5) 90

Thomas C. [unclear] III

Randy Hoffman

WV DNR