

BOARD MINUTES

February 14, 1992

The State Water Resources Board met at 9:00 A.M. in conference room located at 1260 Greenbrier Street, Charleston, WV with the following members present: Chairman Dr. David Samuel, Dr. Charles R. Jenkins and Dr. Donald C. Tarter - absent - Sarah Lee Neal and dr. Edward M. Snyder.

The Board again discussed a pay raise for yours truly and the absence of a technical advisor - it was agreed to put a notice in a Science/Technical Magazine to advertise this position. The Board also discussed the number of hours Lowell Greenwood had been working as our financial situation is not too bright. There had been discussion between Lowell and the Cabinet Secretary's Office of his getting on full time at the start of the new fiscal year as we have been promised more monies from the Water Resources Section as soon as the groundwater and lab rules get in place but until that time our funds are limited. The three Board members present (after a discussion was held with Mr. Tom Pendleton) to give yours truly a \$2500 pay raise and the paperwork would be hand carried to Mr. Pendleton for processing.

The Board by proper motion and vote then acted on the items as listed in the notice of hearing:

- accepted motions for Pro Hac Vice in Appeals Nos. 498, 499, 418 & 500.
- agreed to continue Appeals Nos. 486, 497, 485, 479, 447, 452 & 495 (see transcripts in file).

The Board then had a informal discussion with persons as listed on the attendee list as it related to proposed groundwater rules. There will be another informal meeting on this on March 23, 1992.

Yours truly related to the Board that at approximately 11:20 A.M. a call was received from C. C. Strawderman in which "they were not going to pursue the landfill any more and would not be coming to Charleston for the scheduled hearing." Counsel for the state will prepare a Motion To Dismiss and the Board thus upheld the DNR's Cease & Desist Order which was the subject of the appeal.

A Request For Stays in the Island Creek Mining Company was hand delivered this date but the Board did not consider them. They will meet February 28, 1992 to take up the Stay.

attachments - attendee list

Notice of Hearing



STATE WATER RESOURCES BOARD

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

January 29, 1992

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

1992 JAN 29 PM 4:15

FILED

The Honorable Ken Hechler
Secretary of State
State Capitol Bldg. # 1
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 9:00 A.M. February 14, 1992 in conference room located at 1260 Greenbrier Street, Charleston, West Virginia with agenda as follows:

Rule on Motions for Pro Hac Vice filed by counsel for Appellee in the following appeals:

- Appeal No. 498 - Valero Terrestrial Corporation v. West Virginia Division of Natural Resources ("DNR");
- " " 499 - Lackawanna Transport Company v. DNR et al.;
- " " 418 - Nathaniel Hendricks v. DNR; and
- " " 500 - Waste Removal, Inc. v. DNR.

Status Reports/Dismissal Orders and/or Consent Orders in:

- Appeal No. 486 - Appalachian Mining, Inc. v. DNR;
- " " 497 - Hobet Mining, Inc. v. DNR;
- " " 485 - Transdistribution WV, Inc. v. DNR;
- " " 479 - Dutch Pantry, Inc. v. DNR;
- " " 447 & 452 - C. W. Bentley, Inc. v. DNR; and
- " " 495 - Wayne County Concerned Citizens, et. al. v. DNR.

9:45 A.M. - 12:00 A.M. - Informal public meeting to discuss comments with regulators, permittees and any interested parties on upcoming groundwater rules;

"An independent Board dedicated to the protection of West Virginia waters and to the fair adjudication of environmental disputes"

BOARD MEMBERS

Charles R. Jenkins, Ph.D.
Sarah Lee Neal
David E. Samuel, Ph.D.
Edward M. Snyder, Ph.D.
Donald C. Tarter, Ph.D.

STAFF

Executive Secretary	Frances E. Hunter
Technical Advisor	James R. Taylor, Ph.D.
Special Assistant	
Local Advisor	Lowell D. Greenwood

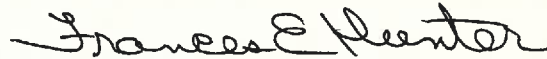
The Honorable Ken Hechler
January 29, 1992
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NOON - 1:15 P.M. - LUNCH

1:15 P. M. - Evidentiary hearing and all matters, motions, consent orders, or other pleadings in connection with Appeal 496 - C. C. Strawderman, Appellant v. Director, DNR and Chief, Waste Management Section, DNR, Appellees.

- Other business that may properly come before the Board. The above meeting/hearing is open to the public and the conference room has a seating capacity of 20 persons.

Very truly yours,



Frances E. Hunter
Executive Secretary

c Capitol News Media

Attendee List
 WRB Hearing / Meeting
 February 14, 1992

Name

Organization

Mari Fekedey	AG
Dave Yausy	Robinson & McEwee
Randy Cox	Silva, Thomas
Missy Wolcott	WV-CAG
Tom Leet	WV-CAG
Tom Rogers	WVEC
J. Michael Brown	Appalachian Power Co.
Patrick Pearlman	Jackson & Kelly
DAVID P. WATKINS	DNR - WRS
Cindy Rauh	WV Highlands Conservancy
Ken Greene	WVRRF
Lisa L. Burgess	Yessadon Corp.
Jed Kowalczyk	WV AG
W Hill	WV AG
L.S. Altha	DNR - Solid Waste