

BOARD MINUTES May 18 & 19, 1992

The Board met at their office located at 1615 Washington Street, East, Charleston, WV with the following members present: Chairman - Dr. David E. Samuel and members Sarah Lee Neal, Dr. Charles R. Jenkins and Dr. Edward M. Snyder. Absent - Dr. Donald C. Tarter.

Dr. Samuel informed the members that he had received a call from John Ranson's Office that it would be all right for the Board to hire Libby Chatfield. After a brief discussion, by proper motion and vote the Board agreed to hire her on a 12-month probabationary period with a 6-month review period at the starting salary of \$35,000.00 + fringe benefits. She is to start on June 1 - Water Resources Section has some money (\$5,000) to help "get her on Board."

The Board then traveled to 1558 Washington Street, East - the Air Pollution Control hearing room.

The order of business is as the attached notice of hearing as filed in the Secretary of State's Office and by proper motion and vote the following actions were taken:

- Agred to hold off on the promulgation of the groundwater quality standards - a letter will be prepared by the committee that worked on the Act - there was concern of coal and coal related activity not being exempt from the rules;

- an Order of dismissal will be prepared in Appeal No. 453 - Wm. Chirgwin;

- Appeal No. 466 - D & R Distributors - to be set for hearing;

- Appeal No. 504 - Capon Springs & Farms - negotiations are proceeding nicely - sixty day continuance and possible settlement at that time;

- Appeal No. 508 - Mary Woddell (Link Land) - continued - report back to Board in 60 days - file needs to be recertified;

- Appeal No. 510 - Wood Guard Lumber - issue moot - Order of Dismissal to be prepared;

- Appeal No. 502 - Adsorption Systems, Inc. - need 60 days to negotiate - by mutual consent;

- Appeal No. 305 - UCC (Sistersville) - New permit to be issued in October; report back to Board in 60 days.

- Appeal Nos. 505, 506 & 507 - hearing scheduled for June 2 & 3, 1992;

- Appeal No. 494 - Hearing scheduled for June 25 & 26;

- appeal No. 501, 447 & 452 and 462 - continued.

- Appeal No. 457 - Hubert McKinney - heard - for further information see transcript in file.

- Appeal No. 482 - Heard - see transcript in file for further information; and

- Appeal No. 483 - Jeff Assif - Appellant did not appear. Board dismissed.

Next meetings of the Board are scheduled for June 2 & 3, June 25 & 26, and July 7 & 8.

Attachments - attendee list &  
Notice filed in Secretary of State's  
office



# STATE WATER RESOURCES BOARD

~~1260 Greenbrier Street~~ 1615 Washington Street, East  
Charleston, WV 25311  
(304) 348-4002  
FAX (304) 558-0899

May 6, 1992

The Honorable Ken Hechler  
Secretary of State  
State Capitol Bldg. # 1  
Charleston, West Virginia 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 meet at 9:00 A.M. May 18 & 19, 1992, in the Air Pollution Control hearing room located at 1558 Washington Street, East, Charleston, West Virginia with agenda as follows:

May 18, 1992

9:00 A.M. - Final public hearing prior to promulgation of the Board's Groundwater Quality Standards as Emergency Rules;

10:00 A.M. - Status Reports, entry of Consent and/or Dismissal Orders in the following:

- Appeal No. 453 - William J. Chirgwin;
- " " 466 - D & R Distributors;
- " " 504 - Capon Springs & Farms;
- " " 508 - Mary Woddell (Link Land);
- " " 510 - Wood Guard Lumber;
- " " 502 - Adsorption Systems, Inc.; and
- " " 305 - Union Carbide (Sistersville).

11:00 A.M. - Hear objections to Stay in Appeal Nos. 505, 506 and 507 - Island Creek Coal Company, Appellant vs., Director, Division of Natural Resources, Appellee, and Buckhannon-Tygart River Coalition, Mountaineer Chapter of Trout Unlimited, and The West Virginia Highlands Conservancy, Intervenors.

NOON - 1:30 P.M. - LUNCH

*"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	<del>Jan R. Taylor, Ph.D.</del>
Special Assistant	
Legal Advisor	Lowell D. Greenwood

- 1:30 P.M. - Hear Motion To Dismiss - Appeal No. 494 - Braxton County Citizens for a Better Environment et al., Appellants, vs. Division of Natural Resources, J. Edward Hamrick & G. Max Robertson, Waste Management Section, Appellees;
- 2:00 A.M. - Hear Motion To Dismiss - Appeal No. 501 - Beaumont Glass Company, Appellant, vs. Department of Natural Resources, Appellee;
- 3:00 P.M. - Evidentiary Hearing - Appeal Nos. 447 & 452 - C. W. Bentley, Appellant, vs. Director, Division of Natural Resources, Appellee; and
- Evidentiary Hearing - Appeal No. 462 - W. Va. Mountain Stream Monitors, Appellants, vs. Director, Division of Natural Resources, Appellee.

May 19, 1992

- 9:00 A.M. - Continuation of evidentiary hearings from May 18, 1992;
- 11:00 A.M. - Evidentiary Hearing Appeal No. 457, Hubert McKinney, Appellant, vs. Division of Natural Resources, Appellee;
- NOON - 1:30 P.M. - LUNCH
- 1:30 P.M.- Resume hearing in Appeal No. 457 (if needed);
- Hear Appeal No. 482 - Hollen G. Smith, Appellant, vs. Division of Natural Resources, Appellee;
- Hear Appeal No. 483 - Jeff Assif, Appellant, vs. Division of Natural Resources, Appellee; and
- Other business that may properly come before the Board. The above hearings/meetings are open to the public and the hearing room has a seating capacity of 50 persons.

Sincerely yours,

  
Frances E. Hunter  
Executive Secretary

REGISTER

Date	Name	Address	Company Affiliation
5/19	Ed Snyder	WRB	
5/19	Gerald Lee Neal	WRB	
5/19	Arnon Swinton	WRB	
5-19	F. Frank Welch e. Frank Kelly	P.O. Box 201 Corning, WV 25826	
5-19	Bob Pellett	WRB	
	Stanley Woffe	WRB Hearing, DNR	
	John Lamon	WRB	
	T. J. Kooly	CLER	
	W Hill	AG's office	
	BRAD SWIGER	WUDNR	

REGISTER

Date	Name	Address	Company Affiliation
5-18-92	Mark Heald	1380 one valley square Charlottesville VA 22901	Smith, Heald & Altkon
—	—	—	—
5-19-92	Hubert McFinnex	BOX 104 ALEX JUNCTION VA 22580	—
—	Stephanie Thacker	Building 3 Capitol Complex	AG office
—	George Summerton	Bldg 3 Capitol Complex UNDER 1	AG office
—	Samuel N. Larned	600 DEL MACARTHUR	DNR
—	Joe Bradley	—	—
—	Lawell Summers	WRB	WRB
—	Lance Jensen Deas	ECHO Reporting	C.R.
—	C. M. Orkin	WRB	—
—	Robert Bates	WRS	WRS - DNR
—	David Samuel	WRB	WRB

REGISTER

Date	Name	Address	Company Affiliation
19 May 92	Hollen G. Smith	R#6 Box 180 Buckhannon	
	Maurice J. Rudolph	AG En. 'Em	Govt.
	Minter Foster	WU DNR	