

BOARD MINUTES

October 26, 1992

The Water Resources Board met at 9:00 A.M. on the above date in the hearing room located at 1615 Washington Street, East, Charleston, WV with the following members present: Chairman David E. Samuel, members Sarah Lee Neal and Dr. Donald C. Tarter. Absent: Dr. Edward M. Snyder and Dr. Charles R. Jenkins (in Cyprus). By proper motion and vote the following actions were taken: received and approved Motion for Admission Pro Hac Vice in Appeal No. 531 - Potomac Edison Company and Appeal No. 532 - Coastal Lumber Co. v. Chief Water Resources Section.

The Board then received testimony in Appeal Nos. 505, 506 and 507 - Island Creek Coal Company vs. Director, DEP and Buckhannon-Tygart River Coalition, et. al. For further information see transcript in file.

Attachment - attendee list and copy

of Notice as filed in the Office of the Secretary of State



DEPARTMENT OF COMMERCE, LABOR, AND ENVIRONMENTAL RESOURCES

STATE WATER RESOURCES BOARD

1615 Washington Street, East
Charleston, West Virginia 25311-2126

Telephone: (304) 558-4002

FAX No.: (304) 558-0899

GASTON CAPERTON
Governor

JOHN M. RANSON
Cabinet Secretary

October 13, 1992

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

Re: Notice of hearings/meetings

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Oct 13 3 34 PM '92

FILED

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 the dates, locations, time and purposes as listed below:

October 26, 1992 - Hearing Room Located at 1615 Washington Street, East

9:00 A.M. - Motion for Admission Pro Hac Vice, Appeal No. 531, Potomac Edison Company v. Chief, Water Resources Section and Appeal No. 532 - Coastal Lumber Company v. Chief, Water Resources Section;

Continuance of evidentiary hearing in Appeal Nos. 505, 506 and 507 - Island Creek Coal Company, Appellant vs. Director, Division of Environmental Protection, Appellee, and Buckhannon-Tygart River Coalition, Mountaineer Chapter of Trout Unlimited, and the West Virginia Highland's Conservancy, Intervenors.

October 30, 1992 - Hearing Room Located at 1615 Washington Street, East

9:00 A.M. - Continuance of evidentiary hearing in Appeal No. 494 - Braxton County Citizens for a Better Environment, et al., Appellants, v. Division of Natural Resources, J. Edward Hamrick, and G. Max Robertson, Waste Management Section, Appellees, and Central West Virginia Refuse, Incorporated, Intervenor.

"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 Elizabeth M. Chatfield
Legal Advisor

November 6, 1992 - Hearing Room Located at 1615 Washington Street, East

9:00 A.M. - Receive status reports/consent orders/and/or dismissal orders in the following:

- Appeal No. 305 - Union Carbide (Sistersville);
- " " 314 - Quaker State (Newell Plant);

- " " 360 - John H. Schmidt III;
- " " 417 - Friends of Sleepy Creek;
- " " 418 - Nathaniel Hendricks;
- " " 463 - Marion County Solid Waste Authority;
- " " 478 - Phoenix Refining Company;
- " " 487 - Big Sandy PSD;
- " " 489 - Francis O'Day Co.;
- " " 500 - Waste Removal, Inc.;
- " " 502 - Adsorption Systems, Inc.;
- " " 503 - Columbia Gas Transmission Corp.;
- " " 504 - Capon Springs and Farms, Inc.; and
- " " 532 - Coastal Lumber Company.

- All Motions in Appeal No. 501 - Beaumont Glass;

- All Motions in Appeal No. 518 - Centre Foundry and Machine Co.; and

- All Motions and Evidentiary Hearing - Appeal No. 523, International Mill Service.

December 14, 1992 - Hearing Room Located at 1615 Washington Street, East

9:00 A.M. - Evidentiary Hearing Consolidated Appeal No. 527 - Cat Run Coal Company; Appeal No. 528 - Inter-State Lumber Company; and Appeal No. 529 - Donald Frazee.

December 15 & 16, 1992 - Government Organization Committee Room, Capitol Complex Bldg. # 1 - East Wing - 2nd Floor - Room 215

9:00 A. M. - Continuation of above appeals.

- Other business that may properly come before the Board.

The Board will break for lunch at noon until 1:30 P.M. on each day. The above hearings/meetings are open to the public and the hearing rooms have a seating capacity of 30 persons.

Sincerely yours,



Frances E. Hunter
Executive Secretary

Attendee List
W.R.B. Hearings
10-26-92

<u>Name</u>	<u>Organization</u>
Don Gasper	WV DNR - FISH
Mike Shingleton	WV DNR - Fisheries
John M. Febrin	Buckhannon-Tygart River Coalition
Ken Johnson	ICC
Bob Michy	Jackson & Kelly
Mary Sue Pick	West Virginia Rivers Coalition
Cindy Rank	W.V. Highlanders Conservancy
Mary Anne Maul	WV Attorney General
Ken Politan	WV DEP
Jay Tjell	A.G.'s Office for WV DEP