

State Water Resources Board Minutes - November 6, 1992

9:00 A.M.

The Board met at 1615 Washington Street, East, Charleston, WV with Dr. Donald Tarter as Acting Chairman and members Sarah Lee Neal and Dr. Edward M. Snyder present. Absent Dr. David Samuel and Dr. Charles R. Jenkins (in Cyprus). By proper motion and vote the following actions were taken:

- Orders of Dismissal entered in Appeal No. 360, 418, 463 & 500.

- Status reports received and agreed to continue the following as negotiations are continuing towards settlement in cases No. 305, 314, 502, 504 and 532.

The State will submit a Motion To Dismiss in Appeal No. 417 and it was not known who was now responsible for Appeal No. 478 - Barbara Little will check on this and Dave Yaussy reported on Appeal No. 489. The Board agreed to hear Appeal No. 487 (Big Sandy PSD) and Appeal No. 503 -Columbia Gas Transmission Corp. on the merits on November 23, 1992.

- Beaumont Glass - Appeal No. 501 - will be withdrawn by the parties;

- Order entered dismissing appeal No. 518 - Centre Foundry & Machine Co.; and

- Heard Motions and took evidence in Appeal No. 523 - International Mill Service. The Board denied the Stay request. For further information see transcript in file.

attachments

attendee list

notice of hearing as filed in the Secretary of State's Office

Attendee List
WRB Hearing
11-6-92

<u>Name</u>	<u>Organization</u>
MARK VIGNONIC	Weirton Steel
Ann Ross-Ray	Balst, CALL AND CLEMENTS + JOHNSON
Donald Bluedorn	" " "
Leon Z Heller	International Mill Service
KEITH MARTELL	INTERNATIONAL MILL SERVICE
Michael Connolly	International Mill Service
David Yuss	Robinson & McElwee
David Olson	ALMES ASSOC.
MIKE HOFFMAN	COLUMBIA GAS TRANSMISSION CORPORATION
Art Vickers	WV DEP - Water Resources
BARBARA LITTLE	Jackson + Kelly
JAMES D. KAUFFELT	KAUFFELT + KAUFFELT (BIG SANDY PSD)
Bill Hill	AG
Mary Anne Paul	AG
John King	Water Res.
Teleg. George	attorney - at - law
Stephen Van Camp	AG
Paul Ware	OWR - DEP
Dr. R. Eli McCoy	" - DEP
John Lynch	" - "
John Britton	
David L. Lahr	AG



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