



ENVIRONMENTAL QUALITY BOARD

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Gaston Caperton
Governor

Charles R. Jenkins
Chairman

MINUTES

WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD

June 9, 1995

I. General

The West Virginia Environmental Quality Board (the "Board") met on June 9, 1995, at 9:00 am. The meeting was held in the conference room located at 1615 Washington Street, East, in Charleston, West Virginia. Chairman Charles R. Jenkins called the meeting to order. Board members present at the meeting included:

Dr. Charles R. Jenkins, Chairman
Dr. Edward Snyder
Dr. David Samuel
Sarah Lee Neal

II. Board Meeting

A. Appeals

1. Wheeling-Pittsburgh Steel, Appeal Nos. 616 & 617

A Motion for Stay was heard by the Board in appeal nos. 616 & 617. The Board voted to grant a partial stay after hearing oral arguments in the case.

2. Marine Terminal, Appeal No. 608

The State represented by Mark Rudolph presented their case to the Board. Marine Terminal's, J.S. Succurro, did not appear before the Board on his own behalf.

3. Harlan Bowser, Appeal No. 613

Due to a medical emergency with Mr. Bowser's family the Board was only able to hear the State's side of the case. The Board voted to allow Mr. Bowser to present his side of the case by obtaining the transcript of the June 9, 1995 hearing and sending a written submission into the Board so they may make a final ruling on the case.

4. Coyne Textile Services, Appeal No. 614

After a review of the file the Board felt that the Appellant was not authorized by any statute to seek relief from the Environmental Quality Board. The Board issued a final order dismissing the appeal.

5. Augustine Peter, Appeal No. 607

The Board discussed the status of the case.

6. Sycamore Landfill, Inc., Appeal No. 609

The Board was informed by the EQB staff that Disposal Services, Inc., Intervened in this case.

7. T&T Fuels, Inc., Appeal No. 584

The Board was informed by Counsel that all briefs due in this case have been received and the Board request a draft order be prepared by Counsel for their review.

B. Administrative Matters

1. Consolidation of Budgets

The Board was advised of the request by the Air Quality Board to consolidate the two budgets. After a discussion by the Board, the members voted unanimously not to consolidate the two budgets and this vote will be relayed to the Air Quality Board.

2. Office Equipment

Executive Secretary Francis E. Hunter gave a report of equipment purchases to the Board from the Air Quality Board budget.

3. Hiring Process with Air Quality Board

Two Air Quality Board members, Joseph Schock and Robert Foster, met with the Environmental Quality Board during the lunch break to discuss the hiring of a new secretary after Francis E. Hunter retires in October.

4. Adoption of May 15 & 16, 1995 Board Minutes

Minutes from the May 15 & 16, 1995 meeting were approved, after one word was changed in Section B entitled Certified Files.

C. Procedural Rules

1. Proposed Procedural Rules

The Board agreed to adopt the current draft of the proposed procedural rule for variances rule and send it to public notice.

2. Five Mile Rule

The Board reviewed and discussed a draft of the proposed changes to the "five mile rule" prepared by technical advisor, Libby Chatfield. The Board voted to adopt the draft and send it out to public notice.

I hereby certify that the foregoing is a true and correct record of the proceedings of the meeting held on May 15 & 16, 1995 by the West Virginia Environmental Quality Board.

Submitted this 5th day of July, 1995.


Margaret Chico-Eddy
Clerk of the Boards