



ENVIRONMENTAL QUALITY BOARD

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Gaston Caperton
Governor

Charles R. Jenkins
Chairman

MINUTES

WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD August 23 & 24, 1995

I. General

The West Virginia Environmental Quality Board (the "Board") met on August 23 & 24, 1995, at 9:00 a.m.. 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
Dr. Donald Tarter
Sarah Lee Neal

II. Board Meeting

A. Appeals

1. Dunloup Creek Watershed Association, Appeal No. 610

Prior to the hearing Becky Charles briefed the Board on the issues in this case. An evidentiary hearing was held on August 23, 1995, no decision will be made on the issues until a transcript is produced.

2. PPG Industries, Inc. Appeal No. 582 & 601

A Consent Order was presented to the Board for their review. With all Board members present the vote was unanimous to sign the Order.

3. Marine Terminal, Appeal No. 608

An Order of Dismissal was entered and after a full vote of Board members present the Order was signed by the Chairman.

4. Thompson Oil Company, Appeal No. 578

A Motion to Dismiss was presented to the Board, after a vote of all members present the Order was signed.

5. George R. Hart, Appeal No. 583

A reconsideration of the Final Order was presented to the Board by the State for their review. After a review by the full Board the reconsideration was denied.

6. Augustine Peter, Appeal No. 607

With all members present the Board upheld the Chief's Order that Mr. Peter owned the tanks and that the Board is not barred by statute of limitations.

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

A Motion to Dismiss was presented to the Board, and with four members present the Board voted to grant the Motion. Sarah Lee Neal was not present for the vote.

8. Rhone-Poulenc/ACT, Appeal Nos. 588 & 606

A Motion to Enter its Proposed Order to Amend its Notice of Appeal in Appeal No. 606 was presented to the Board. All members present reviewed and voted to sign the Dismissal Order. David Samuel was not present for the vote.

9. DuPont/ACT, Appeal Nos. 599 & 602

The Board made some preliminary decisions concerning these appeals. They also voted to have the technical advisor Libby Chatfield and legal advisor Becky Charles research some remaining issues for the Board so that a final decision can be made at a later date.

10. Monongahela Power Company, Appeal Nos. 611 & 612

An Agreed Consent Order was entered by the two parties involved, but was not satisfactory to the Board. After a conference call with the State represented by Mark Rudolph, Gary Jack representing Monongahela Power Company and the Board, suggested changes were discussed and the Order was modified. David Samuel was not present for the vote.

B. Administrative Meeting

1. Reappointment Letter

A draft letter was discussed by the Board, to be sent to Governor Caperton asking that four Board members be reappointed to the Board. Board members Dr. Charles R. Jenkins, Dr. David E. Samuel, Dr. Donald C. Tarter and Sarah Lee Neal are all representing the Board with expired terms.

2. Hiring of New Administrative Secretary

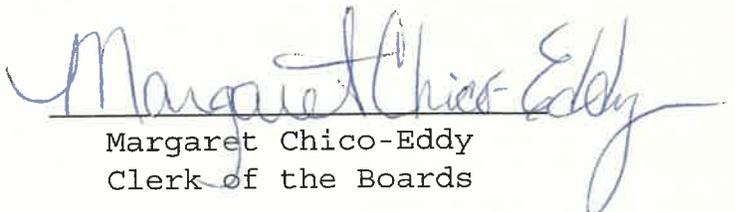
The Board discussed the hiring process to replace our outgoing secretary Frances E. Hunter. The discussion focused around advertising for the new position.

3. 46 CSR 6

The Board reviewed the comments received during the public comment period on 46 CSR 6, "procedural rules governing site specific revisions to Water Quality Standards" with Libby Chatfield, technical adviser.

I hereby certify that the foregoing is a true and correct record of the proceedings of the meeting held on August 23 & 24, 1995 by the West Virginia Environmental Quality Board.

Submitted this 12th day of September, 1995.


Margaret Chico-Eddy
Clerk of the Boards