



ENVIRONMENTAL QUALITY BOARD

1615 Washington Street, East, Suite 301
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Gaston Caperton
Governor

Charles R. Jenkins
Chairman

MINUTES WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD NOVEMBER 20, 1995

I. General

The West Virginia Environmental Quality Board (the "Board") met on November 20, 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. Donald Tarter
Dr. David Samuel
Sarah Lee Neal

II. Board Meeting

A. Appeals

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

Wheeling-Pittsburgh Steel presented a status report (on the record) to the Board. The DEP and Wheeling-Pittsburgh Steel presented the Board with an Interim Order which they had negotiated. The Board decided to continue the case (which had been scheduled for December) until the five-mile rule is promulgated and certain studies have been performed by Wheeling-Pittsburgh Steel.

2. Elkem Metals, Appeal No. 622

The Board voted unanimously to grant the DEP's Motion to Dismiss Elkem Metals Appeal No. 622 on the basis of late filing.

3. General Motors, Appeal No. 624

General Motors sent the Board an Agreed Order in their Appeal No. 624. The DEP wished to make a minor modification to the order before the Board approved it. The Board agreed to the Order and any modification so long as no substantive changes were made to it.

4. Certified Oil, Appeal No. 620

The Board requested that the staff try to reschedule the Certified Oil appeal from December 13 to the 12th since it will be the only evidentiary hearing for that meeting.

5. Harlan Bowser, Appeal No. 613

The Board voted unanimously to uphold the state's denial of the permit renewal.

6. Dunloup Creek, Appeal No. 610

The Board wishes to wait until December to decide the Dunloup Creek Appeal No. 610. The Board's attorney is to review the transcript for any points that the Board should consider in their decision.

B. Administrative Meeting

1. Budget

The Board discussed the budget with EQB staff. The Board decided that the secretary should present a budget summary every quarter.

2. Team Leader

Staff management was discussed by the Board. Staff goals were presented to the Board for their review. The technical advisor/team leader is to evaluate these goals for the December meeting.

3. Future Board hearing dates

Future meeting dates were discussed and the following represents the Board members whose schedules permit them to attend the meetings:

February 8 - 9, 1996	Samuel, Snyder, Tarter (ONLY on the 9th) Neal (?)
March 21 - 22, 1996	Samuel, Snyder, Tarter (ONLY on the 22nd) Neal (?)
April 18 - 19, 1996	Samuel, Snyder, Tarter (ONLY on the 19th) Neal (?)
May 2 - 3, 1996	Proposed as the next potential date for a meeting.

4. EQB Chair out of the country

The EQB Chair discussed the fact that he will be out of the country from January until March.

5. EPA triennial review

The Technical Advisor discussed a letter from EPA concerning a triennial review. The Board felt that since the last such review was approved by the legislature in 1995 that they should not be required to do another one this year. The Board believes that the next triennial review should be in 1998. The Board does not wish to use emergency rulemaking to make the changes desired by EPA.

6. September meeting minutes

Minutes from the September meeting were approved on the condition that they be amended to reflect that the Board went into executive session to hold personnel interviews.

I hereby certify that the foregoing is a true and correct record of the proceedings of the meeting held on November 20, 1995 by the West Virginia Environmental Quality Board.

Submitted this 14 day of December, 1995.


Margaret Chico-Eddy
Clerk of the Boards



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AGENDA

Meeting of the Environmental Quality Board
1615 Washington Street, E.
Charleston, West Virginia
November 20 & 21, 1995
9:00 a.m.

I. Hearings & Motions

- A. Wheeling-Pittsburgh Steel, Appeal No. 616 & 617
- B. General Motors Corporation, Appeal No. 624
- C. GE Specialty Chemicals, Appeal No. 615
- D. Elkem Metals, Appeal No. 622

II. Discussion of Cases

- A. Harlan Bowser, Appeal No. 613
- B. Dunloup Creek Watershed Association, Appeal No. 610
- C. DuPont/ACT, Appeal Nos. 599 & 602

III. Scheduling of Cases

- A. December 12 & 13, 1995
- B. January 11 & 12, 1996

IV. Administrative Matters

- A. Notice of Meeting/Executive Session
- B. GAPP Letter
- C. Consent Order Rhone-Poulenc/ACT, Appeal Nos. 588 & 606
- D. Discuss Memo on Team Management Concept

V. Rulemaking

- A. EPA's November 9 Letter Re: Water Quality Standards
- B. EPA Comments on Proposed 46 CSR 6 - Variance Rule
- C. WV Manufacturer's Association's Proposed Amendment to our Five Mile Rule Proposal