



ENVIRONMENTAL QUALITY BOARD

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Gaston Caperton
Governor

Charles R. Jenkins
Chairman

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MINUTES

WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD

December 12, 1995

I. General

The West Virginia Environmental Quality Board (the "Board") met on December 12, 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
Sarah Lee Neal

Members not present:
Dr. David Samuel

II. Board Meeting

A. Administrative Meeting

1. Five Mile Rule

On Sunday, December 12, 1995, the Legislative Rulemaking Review Committee met and considered the Board's proposed amendments to 46 CSR 1. Libby Chatfield discussed the meeting with the Board and informed the Board that the proposed rule was approved by the committee without amendments.

2. EQB/AQB Chairman Meeting in Morgantown

Chairman Jenkins and Libby Chatfield discussed with the Board, the details of a meeting held in Morgantown with AQB Chairman Jean C. Neely. Items discussed included staff performance evaluations,

staff salary increases, and the possibility of merging the EQB and AQB budgets.

3. Minutes from November Meeting

One change was made in the November Board minutes in section B-4, March should be changed to May Sarah Lee Neal made a motion to accept the minutes as amended.

4. Scheduling Letters to Attorneys

Board counsel Becky Charles presented a letter to the Board that will be sent to attorneys that commonly practice before the Board, on scheduling and continuances. The Board reviewed the letter and made comments.

5. Budget Report

Ann Tipton presented a budget report to determine if there would be monies available for pay raises during this fiscal year.

6. Pro Se Group from Hancock County

Margaret Chico-Eddy informed the Board of twenty-two pro se appeals that were filed on permit no. WV0101729, which was issued to the Hancock County Public Service District. A discussion with the Board lead to a vote on traveling to Hancock County for a hearing or having the hearing in Charleston. The Board voted unanimously to hold the hearing in Charleston.

7. DuPont Final Order

The Board voted unanimously to release the DuPont/ACT Appeal Numbers 599 and 602 final orders. Donald Tarter moved to release the final order and Sarah Lee Neal seconded the motion.

B. Case Summaries

Case summaries were provided and the Board members were briefed by Becky Charles. She presented a prehearing summary on Certified Oil Appeal No. 620 and a post-hearing summary on Dunloup Creek Appeal No. 610.

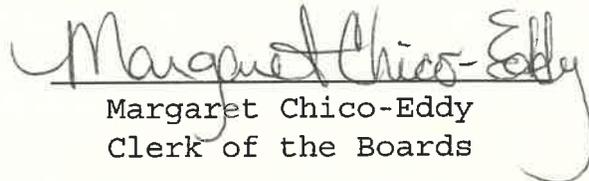
C. Evidentiary Hearing

1. Certified Oil Company, Appeal No. 620

An evidentiary hearing was held in Certified Oil Company, Appeal No. 620.

I hereby certify that the foregoing is a true and correct record of the proceedings of the meeting held on December 12, 1995 by the West Virginia Environmental Quality Board.

Submitted this 8th day of February 1996.


Margaret Chico-Eddy
Clerk of the Boards