



## ENVIRONMENTAL QUALITY BOARD

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Chairman

### MINUTES

## WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD March 14 & 15, 1996

### I. General

The West Virginia Environmental Quality Board (the "Board") met on March 14 & 15, 1996, at 8:00 a.m.. The meeting was held in the conference room located at 1615 Washington Street, East, in Charleston, West Virginia. Vice-Chairman David Samuel called the meeting to order. Board members present at the meeting included:

Dr. David Samuel, Vice-Chairman  
Dr. Edward Snyder  
Sarah Lee Neal

Members not present:

Dr. Charles Jenkins, Chairman  
Dr. Donald Tarter  
Dr. David Samuel, not present on 3-15-96

### II. Board Meeting

#### A. Administrative Meeting

##### 1. T & T Fuels, Inc. Final Order

The Board voted unanimously to release the final order in T & T Fuels, Inc. Appeal No. 584.

##### 2. Absent Board Chair and Vice-Chair

David Samuel appointed Edward Snyder to Chair the March 15, 1996 evidentiary hearing in his absence. The Board decided that during times of unavailability of the Chair and Vice-Chair, Becky Charles will be responsible for finding a Board member to Chair Stays or other Administrative matters.

3. ACT's Motion to Reconsider

The Board voted by unanimous consent to grant ACT's Motion to Reconsider. David Samuel made a motion to grant the Reconsideration and Edward Snyder seconded the motion.

4. Budget Report

Ann Tipton presented two different budget report formats and the Board approved the combined budget report.

5. Letter from Office of Legal Services

The Board was presented with a letter from Office of Legal Services pertaining to the Board's management policy. The Board decided to reply to this letter to ease the fears of OLS and designated Libby Chatfield or Becky Charles to respond.

6. Minutes from February Meeting

The Board approved the minutes from the February 8, 1996 meeting. Sarah Lee Neal made the motion and Edward Snyder seconded the motion.

7. Agenda

David Samuel requested that agendas be sent to all Board members prior to the hearings, even if they are tentative.

B. Case Summaries

Case summaries were provided and the Board members were briefed by Becky Charles. She presented prehearing summaries on Kellwood Company, Appeal No. 625 and Monongahela Power Company, Appeal No. 626.

C. Evidentiary Hearing

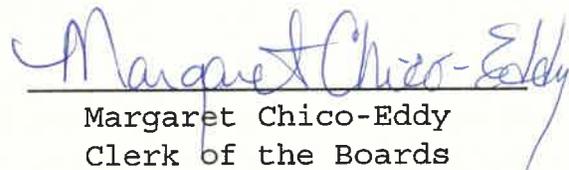
1. Michael L. Queen

The Board discussed the Motion to Reconsider the Appellee's Motion to Dismiss in Michael L. Queen Appeal No. 621. The Board by unanimous consent denied the motion. Edward Snyder made the motion and Sarah Lee Neal seconded the motion.

This hearing was held without a quorum of the Board with the consent of both parties and upon agreement that absent Board members read the official transcript before making their decision.

I hereby certify that the foregoing is a true and correct record of the proceedings of the meeting held on March 14 & 15, 1996 by the West Virginia Environmental Quality Board.

Submitted this 18th day of April 1996.

  
Margaret Chico-Eddy  
Clerk of the Boards