



## ENVIRONMENTAL QUALITY BOARD

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Chairman

### MINUTES

## WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD

June 11 & 12, 1996

### I. General

The West Virginia Environmental Quality Board (the "Board") met on June 11 & 12, 1996, beginning at 8:15 a.m. each day. 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 Jenkins, Chairman  
Dr. David Samuel, Vice-Chairman  
Dr. Edward Snyder  
Sarah Lee Neal

Members not present:  
Dr. Donald Tarter

### II. Board Meeting

#### A. Administrative Meeting

##### 1. Team Management Evaluation

A motion was made by David Samuel to permanently adopt the team management system for the Board staff and to designate Libby Chatfield as team leader. Sarah Lee Neal seconded the motion. The motion passed by unanimous vote of the members present.

##### 2. Scheduling

The Board along with staff discussed September hearing dates, hearing rooms and which Board members would be in attendance.

### **3. Budget**

Libby Chatfield and Ann Holstein reported on their meeting with Eli McCoy and Mary Hunt of the DEP regarding budget matters. Items discussed included concerns about unauthorized changes to the Boards' expenditure schedules by DEP staff and reallocation of groundwater funds by the Office of Water Resources.

### **4. Kenneth M. Orr, et al. Appeal Nos. 628-649**

Board decided not to require a public hearing and gave Becky Charles authority to inform the parties immediately of their oral decision. The Board scheduled a conference call on July 8th to discuss the draft order. The Board instructed Becky to draft an order for their review and approval.

### **5. David White, Appeal No. 651**

The Board approved the draft order proposed by Becky Charles. David Samuel moved to accept the draft final order with the listed modifications and Sarah Lee Neal seconded the motion. The motion passed by unanimous vote of the members present

### **6. General Motors Corporation, Appeal No. 624**

The Board approved and signed an Agreed Order.

### **7. Michael L. Queen, Appeal No. 621**

The Board decided this appeal and instructed Becky Charles to draft an order consistent with their findings.

### **8. G.E. Specialty Chemicals, Inc., Appeal No. 615**

Sarah Lee Neal moved that the Board adopt the language for the Agreed Order and David Samuel seconded the motion. The motion carried by unanimous vote of the members present.

### **9. Draft Letter to EPA**

Libby Chatfield discussed with the board a draft letter to EPA on West Virginia Legislative Rule governing water quality standards. The Board made changes to Libby's draft letter after reviewing the documents. Sarah Lee Neal moved to have Libby make the changes that had been discussed and to draft the letter, Ed

Snyder seconded the motion. All members present voted in favor of the motion. David Samuel was not present for this vote.

**10. Manufactures Association**

West Virginia Manufactures Association requested Bob Jenkins and Libby Chatfield attend a meeting on detection limit issues. The Board decided that Libby may attend for purposes of discussion of issues, but the Board will not enter into any agreement on the issue.

**11. Emergency Rule**

The Board voted unanimously to propose, on an emergency basis, amendments to 46 CSR 1, the Water Quality Standards Rule, which would remove existing body burden values in section 8.22.1 and 8.22.2 which are inconsistent with numeric water quality criteria.

**12. Executive Session**

The Board went into executive session per WV Code §6-9A-4 on a motion by Bob Jenkins. The Board discussed personnel issues during this session.

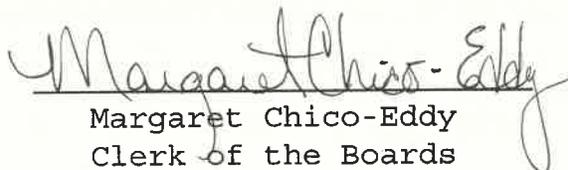
**B. Evidentiary Hearing**

**1. Monty Fowler, et al., Appeal Nos. 591B, 594 & 595B**

Becky Charles briefed the Board and discovery motions were decided.

I hereby certify that the foregoing is a true and correct record of the proceedings of the meeting held on June 11 & 12, 1996 by the West Virginia Environmental Quality Board.

Submitted this 7th day of <sup>Aug.</sup>~~June~~ 1996.

  
Margaret Chico-Eddy  
Clerk of the Boards