



## ENVIRONMENTAL QUALITY BOARD

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### MINUTES WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD December 16, 1996

#### I. General

The West Virginia Environmental Quality Board (the "Board") met on December 16, 1996, beginning at 9:30 a.m. The meeting was held by teleconference 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, Chair  
Dr. Edward Snyder, Vice-Chair  
Sarah Lee Neal  
Dr. David Samuel  
Dr. Donald Tarter

Staff Members Present:  
Becky Charles, Legal Counsel  
Libby Chatfield, Technical Advisor  
Margaret Chico-Eddy, Clerk of the Boards

#### II. Board Meeting

##### A. Appeals

##### 1. Ohio Valley Aviation Sales, Appeal No. 658

The Board granted a Consent Order by Ohio Valley Aviation Sales and the State. Don Tarter made a motion to sign the Order, seconded by Bob Jenkins. The motion carried by a unanimous vote.

##### B. Administrative Matters

### **1. Response Letter to Shirley Skaggs**

The Board elected to send the response letter drafted by legal counsel, Becky Charles.

### **2. FOIA Request by Laurel Aggregates**

Legal counsel, Becky Charles, presented an FOIA request to the Board from Robert Shostak's office, counsel for the Intervenors in Laurel Aggregates, Inc. The Board directed Becky Charles, to draft a letter to the Intervenors stating the full cost of their FOIA request, but that the Board had agreed to copy the materials at cost, which is \$100.00.

### **3. New Numbering System for Appeals**

Becky Charles discussed developing a new numbering system with the Board. The Board was agreeable to Becky's idea and the Board staff was given the okay to proceed.

### **4. Personnel Matters**

Libby Chatfield, reported to the Board that the Air Quality Board ("AQB") decided at their last meeting that the chairs of the two boards should meet to discuss a policy for determining staff merit increases. At the end of the discussion, David Samuel made a motion to propose to the AQB that the chairs of the two Boards be given authority to make decisions on staff merit raises. This would be done after the Boards review the performance evaluations conducted by the team leader with input from the chairs of the boards. The motion was seconded by Sarah Lee Neal. The motion carried by unanimous vote.

### **5. Compensatory Time Policy**

Libby Chatfield discussed with the Board our previously instituted policy on compensatory time which was implemented on a temporary basis in August and was to be reviewed after six months. Becky Charles has recently conducted research on this matter and has found our policy to be inconsistent with the West Virginia Division of Personnel policy and the law. A new policy will be drafted for the Board's review and approval at the next meeting.

### **6. Body Burden Meeting**

Sarah Lee Neal made a motion to designate Don Tarter as the official Board member on the Committee; the motion was seconded by Ed Snyder. The motion carried by unanimous vote.

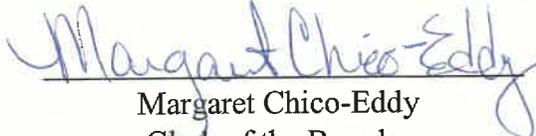
### **7. Triennial Review**

Libby Chatfield discussed with the Board her plans to travel to Philadelphia to meet with the water quality staff at USEPA, Region 3 to discuss the upcoming triennial review of the water quality standards rule.

Ms. Chatfield also reported to the Board that she intends to send letters to all variance holders informing them that updated information is necessary to review their variances and to determine whether they should be continued.

I hereby certify that the foregoing is a true and correct record of the proceedings of the meeting held on December 16, 1996 by the West Virginia Environmental Quality Board.

Submitted this 7th day of February 1997.

  
Margaret Chico-Eddy  
Clerk of the Boards