



ENVIRONMENTAL QUALITY BOARD

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MINUTES WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD October 24, 1997

I. General

The West Virginia Environmental Quality Board (the "Board") met on October 24, 1997, at 9:00 a.m. The meeting was held at 1615 Washington Street, E., Charleston, West Virginia. Edward M. Snyder, Chair of the Environmental Quality Board, called the meeting to order. Board members present included:

Edward Snyder, Chair - By Phone
Donald Tarter, Vice-Chair
Betsy Dulin
Charles R. Jenkins - By Phone
David Samuel

Staff Members Present:

Becky Charles, Legal Counsel
Libby Chatfield, Technical Advisor
Margaret Chico-Eddy, Clerk of the Boards
Ann Holstein, Administrative Secretary

II. Administrative Matters

1. Minutes

David Samuel made a motion to accept the September 29, 1997 and May 14, 1997 minutes, which was seconded by Don Tarter. The motion carried by a unanimous vote.

2. 360 Evaluations

Libby Chatfield discussed the schedule of events for the upcoming performance evaluations.

3. Budget Report

Ann Holstein informed the Board that less than 25% of the budget has been spent. Ann explained to the Board that the line item of miscellaneous expenses included bills incurred by the Air Quality Board (AQB) and will be reimbursed by the AQB.

Bob Jenkins inquired about money for salary increases. Ann Holstein explained that 10% per employee had been added to the appropriation package for each year.

Ann Holstein informed the Board that due to the new state purchasing cards, there will be a new line item added to the budget report.

4. Richard L. Trenary, Jr., Appeal No. 97-03-EOB, Final Decision

Betsy Dulin made a motion to modify the permit as follows: we will modify the permit such that within six months after this order and after the treatment plant commences operation Office of Water will determine the actual flows and loading to the plant and whether additional connections can be added without exceeding the capacity of the plant. If the capacity is not exceeded by existing flows, DEP shall allow additional connections in accordance with the capacity of the plant. In addition Office of Water shall insure that the discharges from the plant are in compliance with the Groundwater Protection Act, West Virginia Code §22-12-1 et seq. The motion was seconded by Bob Jenkins, and carried by a unanimous vote. Don Tarter did not participate in this decision, due to not attending the hearing.

5. Mepco Remining Variance Application

Libby Chatfield reported on the liability of the amended water quality standards. A conference call with Ken Politan, EPA's water quality division and EPA's mining division, on a bond release issue in which EPA is supposed to send the Board something in writing. The Mepco variance includes two tributaries Booths Creek and Mays Run. Mays Run will show improvements in its water quality, but not in the aquatic life of Booths Creek.

Bob Jenkins disconnected from the call at this time.

6. Joint Board Meeting

The Board selected January 16 or 23, 1998 as a date for a joint meeting between the Environmental and Air Quality Boards. These dates now need to be approved by the Air Quality Board.

7. Water Quality Standards

Libby Chatfield informed the Board of the West Virginia Manufacture's Association's

plans during the Legislature to amend the Board's rule dealing with the Public A category within a half mile of a drinking water intake.

8. Dissolved Metals Committee

Libby Chatfield gave the Board an update on recruiting members for the dissolved metals committee. The Affiliated Construction Trades Foundation turned down an invitation to participate. David Flannery suggested Jim Kotcon from the Sierra Club to serve on the committee. Libby Chatfield suggested Senator Don Macnaughtan as a possible member, because he is a chemist.

Libby also suggested someone from academia to serve. Betsy Dulin will check at West Virginia University Institute of Technology for someone to serve from the educational community. A staff member from EPA was also suggested, but David Samuel doesn't want them participating.

Ed Snyder disconnected from the call at this time.

9. Personnel Manuel

The Board made the following changes to the draft personnel manuel:

Smoking Restricted Section - Omit the statement "If you smoke, ask your Team Leader about designated smoking areas for your agency."

Absence Reporting - Employees are to notify the office to report in sick or running late.

Breaks - The Board was informed the language here was preliminary and that Libby Chatfield was searching for some language for this section. The Board suggested that the language imply that the breaks be "no longer than" twenty minutes.

Emergency Situation/Inclement Weather - Omit the statement "Contact the Team Leader."

David Samuel departed from the meeting at this time.

10. Procedural Rule

The Board made the following changes to the draft procedural rules:

Page 2 - Section 2.3. - Add calendar days

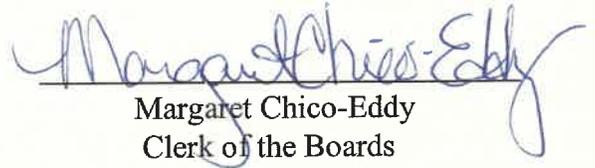
Page 6 - Section 6.2. - Omit showing good cause and add compelling but retain in ten days before the hearing.

11. Status Reports for November Meeting

The Board requested status reports in Valero Terrestrial Corporation, Appeal Nos. 561 & 581 and Lackawanna Transport Company, Appeal No. 562. The Board made it clear to the staff that attendance by all parties is mandatory.

I hereby certify that the foregoing is a true and correct record of the proceedings of the meeting held on October 24, 1997 by the West Virginia Environmental Quality Board.

Submitted this 24th day of November 1997.


Margaret Chico-Eddy
Clerk of the Boards