



ENVIRONMENTAL QUALITY BOARD

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MINUTES WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD March 4, 1998

I. General

The West Virginia Environmental Quality Board (the "Board") met on March 4, 1998, 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
Donald Tarter, Vice-Chair,
Betsy Dulin (by telephone)

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

A. Minutes

Don Tarter made a motion to accept the December 19, 1997 minutes, which was seconded by Betsy Dulin. The motion carried by a unanimous vote.

Don Tarter made a motion to accept the January 22, 1998 minutes, which was seconded by Betsy Dulin. The motion carried by a unanimous vote.

Don Tarter made a motion to accept the minutes as amended of January 23, 1998, which was seconded by Betsy Dulin. The motion carried by a unanimous vote.

Don Tarter made a motion to accept the minutes as amended of February 3, 1998, which was seconded by Betsy Dulin. The motion carried by a unanimous vote.

The Board decided to forward to the Senate and House the minutes from December 19, 1997, November 24, 1997, January 27, 1998 and February 3, 1998 to demonstrate the Board's responsiveness to industry requests and issues on the State Water Quality Standards. Further, the Board suggested that Libby Chatfield review preliminary comments by industry to

determine issues suggested during the triennial review on Water Quality Standards.

B. Budget Report

Ann Holstein discussed with the Board the recent cost of two transcripts totaling \$2,000.00. Ann explained the \$1,500.00 for rent, which was due to the landlord raising our rent without approval by the Auditor's office. She also discussed attending a two-day Windows computer program seminar. The Board instructed Ann to check on a government rate for the seminar and check back with them.

C. Amicus Attorney Software Seminar

The Amicus Attorney Software seminar which Margaret Chico-Eddy was rescheduled for March 10 - 15.

D. Personnel Handbook

Ed Snyder informed the staff and the Board members that he and Mike Koon, Chair of the Air Quality Board, have discussed the handbook and how it should be used. The staff and Board discussed various sections of the manual. The Board will discuss this with staff in more detail later.

The dress code section was discussed and the Board agreed that the provision should remain as currently written and that the staff should use discretion and good personal judgement in complying with it.

The Board discussed the telephone use provision and decided to leave the provision as written. The Board said that personal use of the telephone is permissible but should be limited. Betsy Dulin requested Becky Charles to send her a copy of the Ethics Commission opinion regarding long distance telephone use.

The Board then discussed the provision on the use of the State mail system. At this time Board member Betsy Dulin left from the discussion. The two remaining Board members, Ed Snyder and Don Tarter stated that they favored leaving the provision as written in the handbook.

The two Board members, Ed Snyder and Don Tarter also discussed the sick and annual leave policies in the handbook. Staff members raised concerns about how these leave provisions should be carried out and to whom does the staff report an absence.

III. Variance Application

A. Mepeco Remining Variance Application

Libby Chatfield discussed with the Board what the Company has submitted to date. The Company is to keep the Board informed and updated. The Board said that they thought a post-mining benthic survey would be adequate in this situation because the mining would be complete in five years. MEPCO and the Board said that June may be a good time for a public hearing.

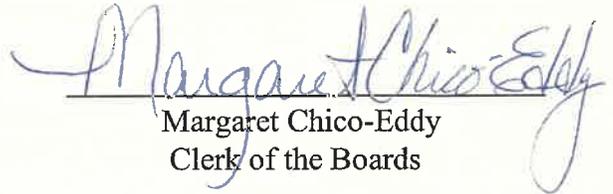
IV. Motion Hearings

A. Motions to Dismiss, Appeal Nos. 97-08-EOB, 97-09-EOB, 97-10-EOB & 97-11-EOB

The Board heard the Motions to Dismiss in Timberline Utilities, Inc., Martin Jefferson, Franklyn Engler and Monongahela Power Company. Betsy Dulin made a motion to deny the Motions to Dismiss, which was seconded by Don Tarter. The motion carried by a unanimous vote.

I hereby certify that the foregoing is a true and correct record of the proceedings of the meeting held on March 4, 1998 by the West Virginia Environmental Quality Board.

Submitted this 17th day of April 1998.


Margaret Chico-Eddy
Clerk of the Boards