



ENVIRONMENTAL QUALITY BOARD

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MINUTES WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD October 23, 1998

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I. General

The West Virginia Environmental Quality Board (the "Board") met on October 23, 1998, at 9:00 a.m. The meeting was held at 1615 Washington Street, E., Charleston, West Virginia. Ed 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
Charles R. Jenkins

Staff Members Present:

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

II. Administrative Matters

A. Minutes

Don Tarter made a motion to accept the September 17 & 18, 1998 minutes. This motion was seconded by Bob Jenkins. The motion carried by a unanimous vote.

B. Betsy Dulin's Reappointment

The Board was informed of the reappointment and Senate confirmation of Betsy Dulin to the Environmental Quality Board.

C. Building Lease

Becky Charles explained to the Board that our rent was going to increase again by 5 percent. She discussed her conversation with the landlord, and her attempt to keep the increase at 3 percent. Ms. Cassis informed Becky that due to property tax increases and maintenance costs her accountant recommended the increase.

D. January Hearing Dates

The Board set hearing dates for January 11 and 12, 1999. The hearing on the 11th will begin at 8:00 a.m. with Water Quality Standards. Evidentiary hearings will begin after the Board completes their discussion on Water Quality Standards and will continue through the 12th of January.

E. Legislative Audit

Don Tarter made a motion to request a legislative audit. This motion was seconded by Betsy Dulin. The motion carried by a unanimous vote.

F. The Southland Corporation

Don Tarter made a motion Dismissing the Southland Corporation, Appeal No. 98-15-EQB without prejudice. This motion was seconded by Betsy Dulin. The motion carried by a unanimous vote.

G. Cookman Realty Group, Inc., Appeal No. 98-18-EQB

Bob Jenkins made a motion to grant the Motion to Consolidate. This motion was seconded by Don Tarter. The motion carried by a unanimous vote.

H. Weirton Steel Corporation, Appeal No. 98-14-EQB

Becky Charles discussed the Joint Status Report with the Board. Don Bluedorn, Legal Counsel for Weirton expressed to the Clerk of the Boards that their final report to the Board should be ready at the end of December.

I. Eunice Subdivision Property Owners, Appeal No. 98-16-EQB

The Board discussed the Motion to Dismiss filed by the Division of Environmental Protection. Betsy Dulin made a motion to Dismiss based on the untimely filing of the appeal. This motion was seconded by Bob Jenkins. The motion carried by a unanimous vote.

J. Flexsys America L.P., Appeal No. 98-07-EQB

Don Tarter made a motion to adopt the Agreed Resolution filed by the parties to this appeal. This motion was seconded by Betsy Dulin. The motion carried by a unanimous vote.

K. Betty J. Fuller, d/b/a S.S. Belcher & Company, Appeal No. 98-08-EQB

Betsy Dulin made a motion to adopt the Agreed Resolution. This motion was seconded by Don Tarter. The motion carried by a unanimous vote.

III. Evidentiary Hearing

A. Paitsel Lockhart, Appeal No. 98-06-EQB

The Board heard evidence in the Paitsel Lockhart, Appeal No. 98-06-EQB case.

IV. Water Quality Standards

A. Antidegradation

Libby Chatfield updated the Board on the status of antidegradation implementation committees review of the public comments received on the draft antidegradation implementation procedures. Kathy Beckett requested having a stakeholder group developed to work on the procedures. The Board requested that Libby Chatfield put together a proposal for a stakeholders group and report to the Board at the November meeting. Libby Chatfield is also to present a schedule/proposal to the Board on antidegradation at the November meeting.

B. Public A Category

Betsy Dulin suggested the Board discuss in an open forum, their views and opinions on the Public A. Don Tarter, Ed Snyder and Betsy Dulin agreed that a discussion among themselves was needed. The Board requested Libby Chatfield to supply them with information on what our surrounding states are doing with Public A.

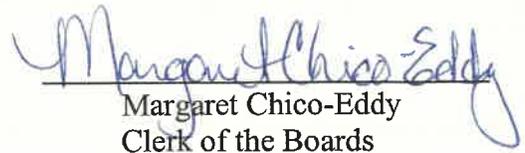
C. Other

The Board requested that Margaret Chico-Eddy place on the agenda for December, the review of the comments on the triennial review from US EPA. In addition, the Board will discuss comments received from Office of Water Resources on 46 CSR 1 at the December meeting.

I hereby certify that the foregoing is a true and correct record of the proceedings of the meeting held on October 23, 1998 by the West Virginia Environmental Quality Board.

Submitted this 12 day of January 1998.

Approved by the Board as submitted on January 12, 1999.
Approved by the Board as amended on _____.


Margaret Chico-Eddy
Clerk of the Boards