



## **WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD**

1615 Washington Street, East, Suite 301

Charleston, West Virginia 25311-2126

(304) 558-4002

Fax: (304) 558-0899

Cecil Underwood  
Governor

Dr. Edward M. Snyder  
Chairman

### **MINUTES OF THE WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD MEETING OF AUGUST 12<sup>TH</sup> - 13<sup>TH</sup>, 1999**

#### **I. General**

On August 12-13, 1999, a quorum of the members of the Environmental Quality Board met. The meeting was held at the Board's offices at 1615 Washington Street E.; Charleston, West Virginia. The Chair, Edward Snyder called the meeting to order at 9:00 A.M..

The Board members present were:

Edward Snyder, Co-Chair  
Betsy Dulin  
David Samuel

Absent were the following Board members:

Donald Tarter, Co-Chair  
Charles R. Jenkins

#### **II. Water Quality Standards**

##### **A. Antidegradation**

Libby Chatfield provided an update of the first meeting of the stakeholder group, held on August 11th. The group is scheduled to meet on alternate Thursdays. Chairman Snyder encouraged Board member attendance at the stakeholder group meetings.

##### **B. EPA review of 46 CSR 1, Requirements Governing Water Quality Standards**

Ms. Chatfield distributed a memorandum summarizing EPA's disapprovals of portions of the WQS rule as provided in their letters to the Board dated June 8, 1999 and June 22, 1999. The

Board reviewed the memorandum and agreed to set aside additional time for discussion of the issues at the September meeting.

**C. Drinking Water Use Category (Public A)**

Ms. Chatfield reminded the Board of the October 31, 1999 deadline for review and revision of the current public A provision. They agreed to set aside time at the next meeting or, if needed, schedule a conference call on September 9<sup>th</sup>, to discuss this issue.

**III. Appeals**

**A. Chamber of Commerce v. Chief, Office of Water Resources Appeal No. 99-02-EQB**

The Board heard a status report in this appeal. The parties stated that they would have a final agreement by September 17, 1999, and they said that no hearing would be needed.

**B. Monongahela Power v. Chief, Office of Water Resources, Appeal No. 99-06-EQB**

Armando Benincasa appeared before the Board to state that there was a schedule conflict for this case and the attorneys. The attorneys are scheduled to be in Kanawha County Circuit Court on September 17, 1999. The Board agreed to continue this appeal and schedule it for October.

**C. Southland/ 7 - Eleven v. Chief, Office of Water Resources, Appeal No. 99-03-EQB**

The Board held the evidentiary hearing for this appeal. The hearing began on August 12, 1999 and was concluded on August 13, 1999.

**IV. Minutes**

Dave Samuel moved that the minutes from the July 15, 1999 meeting be approved. The motion was seconded by Besty Dulin and carried by unanimous vote.

I hereby certify that the foregoing is a true and correct record of the proceedings of the meeting held on August 12<sup>th</sup> and 13<sup>th</sup>, 1999 by the West Virginia Environmental Quality Board.

Approved by the Board as submitted on September 30, 1999.

Approved by the Board as amended on \_\_\_\_\_.

  
Melissa Carte, Clerk