

**BUREAU OF THE ENVIRONMENT  
ENVIRONMENTAL QUALITY BOARD**

1615 Washington Street, East, Suite 301  
Charleston, West Virginia 25311-2126  
(304) 558-4002  
Fax: (304) 558-4116

**MINUTES  
WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD  
SEPTEMBER 8, 2000**

**I. General**

On September 8, 2000, a quorum of the members of the Environmental Quality Board (hereinafter referred to as the "Board") met at its offices located at 1615 Washington St. E., Charleston, West Virginia. Chairman Snyder called the meeting to order at 9:00 a.m.

Board members present were as follows:

Ed Snyder, Chair  
Bob Jenkins  
Cameron Hackney  
Betsy Dulin  
Dave Samuel

Whereupon, the Board addressed the issues set forth in the Agenda as follows:

**II. Rulemaking**

1. 46 CSR 1 - Requirements Governing Water Quality Standards

a.) Update on the filing of the Board approved proposed Legislative rule:

Ms. Chatfield informed the Board that the staff completed the changes made to the proposed rule during the August 17<sup>th</sup>, 18<sup>th</sup>, and 21<sup>st</sup>, Board meetings and that the rule was filed in the Secretary of State's office and the Legislative Rulemaking Review Committee on September 1, 2000. The Committee will probably place the rule on the agenda for the January 2001 Legislative Session.

Ms. Charles informed the Board members that the proposed rule will be placed on the Board's temporary web site as soon as possible so that it will be easily accessible to the general public. Paper copies of the rule are also available from the Board office.

b.) Update on Public "A":

Ruben Gillespie of the Bureau of Public Health appeared before the Board to update the Board members on the status of the Bureau's delineation of the Zones of Critical Concern as required by the Federal Safe Drinking Water Act. The Board will consider using these delineations for the application of the Public "A" Use Category.

The Board decided that further discussion and updates on the Bureau's delineation of the Zones of Critical Concern should be placed on the November 17<sup>th</sup>, 2000, Board meeting agenda.

### **III. Administrative Matters**

1. The Board members were informed that the minutes of the August 17<sup>th</sup>, 18<sup>th</sup> and 21<sup>st</sup>, 2000, Board meetings have not been completed at this time. These minutes should be completed in time to be considered during the September 25, 2000, Board meeting.
2. Ms. Coleman presented a brief overview of the Board's budget. She informed the Board members that during the joint meeting with the Air Quality Board on October 20, 2000, the Boards will receive an in-depth report of the budget and that the Boards' have serious budget issues to address.
3. The Board set future meeting dates for January 11<sup>th</sup> & 12<sup>th</sup>, 2001 and February 15<sup>th</sup> & 16<sup>th</sup>, 2001.

#### IV. Appeals

1. Appeal #00-05-EQB (Sparks):

Although the appeal was scheduled for hearing during this meeting, Ms. Charles informed the Board that the Chairman granted the appellant's request for a continuance due to the Appellant's medical problems. The appellant also requested that the location of the hearing be moved to Morgantown. After discussion, Dr. Jenkins moved and Ms. Dulin seconded that the Board deny that request and schedule the hearing in Appeal #00-05-EQB (Sparks) for September 25, 2000, at the Board's offices in Charleston and the motion passed unanimously 5 to 0.

2. Appeal #00-06-EQB (Hedrick):

The Board was informed that although the hearing in this appeal was also scheduled for this meeting, the appellant claimed that he did not receive the Notice of Hearing and therefore, was not prepared and further could not attend a hearing on this date.

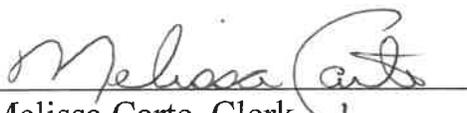
After discussion, Dr. Jenkins moved and Dr. Samuel seconded that the hearing on Appeal 00-06-EQB (Hedrick) be rescheduled for September 25, 2000 and the motion passed unanimously 5 to 0.

3. Appeal #00-08-EQB (Asbury):

Ms. Charles presented the Appellee's Motion to Dismiss Appeal #00-08-EQB (Hedrick) and the also the Appellant's response to that motion. After discussion, Dr. Samuel moved and Dr. Jenkins seconded that Appeal #00-06-EQB (Asbury) be dismissed, and the motion passed unanimously 5 to 0.

WHEREUPON, Dr. Jenkins moved and Dr. Samuel seconded that the September 8, 2000, Environmental Quality Board meeting be adjourned, and the motion passed unanimously 5 to 0.

I hereby certify that the forgoing is a true and correct record of the proceedings of the meeting held on September 8, 2000, by the West Virginia Quality Board. The minutes were approved by the Environmental Quality Board on 9-25, 2000.

  
\_\_\_\_\_  
Melissa Carte, Clerk