



WEST VIRGINIA AIR QUALITY BOARD

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MINUTES WEST VIRGINIA AIR QUALITY BOARD October 1, 1996

I. General

The West Virginia Air Quality Board (the "Board") met on October 1, 1996, at 2:00 p.m.. The meeting was held by conference call at 1615 Washington Street, E., Charleston, West Virginia, and the Secretary of State was sent a Notice of Emergency Meeting. Chairman Thomas Ising called the meeting to order. Board members present at the meeting included:

Robert Foster
Allen Hamner
Thomas Ising, Chairman
Michael Koon, Vice Chairman
Don Kuntz (designee for Dr. Harry Taylor)
Jean Neely

Not Present:

Janet Fisher (designee of Gus Douglas)

II. Board Meeting

A. Motions

1. Concerned Citizens Coalition, Appeal No. 96-10-P

Steve Hass representing the State and Vivian Stockman representing the Concerned Citizens Coalition argued before the Board a Motion for Stay filed by the Concerned Citizens Coalition. Allen Hamner moved to deny the Motion for Stay, seconded by Jean Neely. The motion carried by a unanimous vote.

2. Omega Transworld, Ltd. West Virginia, Appeal No. 96-01-CD

Becky Charles briefed the Board on a Consent Order between the Office of Air Quality and Omega Transworld, Ltd., and a Motion to Withdraw the appeal was filed with the Board by Omega's legal counsel. Jean Neely moved to dismiss the appeal, seconded by Tom Ising. The

motion carried by a unanimous vote.

B. Letters to the Board

1. Letter from Norman Kilpatrick

Becky Charles discussed with the Board a letter from Norman Kilpatrick, of the Surface Mining Research Library, pertaining to what Mr. Kilpatrick feels is G. Dale Farley's disregard for the public's right to know in a case involving Virginia Electric and Power Company's air quality permit. The Board felt that they had no jurisdiction to redress his concerns and for Becky Charles to answer his letter by explaining the Boards organization regarding appeals.

2. Letter from the Sierra Club

Becky Charles discussed with the Board a letter from the Monongalia County Sierra Club, pertaining to the Larry Schwab, M.D. appeal. Becky Charles is to answer the letter from the Sierra Club and explain that this appeal has been decided by the Board, and that Dr. Schwab received a Notice of Right to Appeal to Circuit Court along with his final order. Since the Sierra Club was not a party in this case, the Board is unable to grant them any relief.

Whereupon the meeting was adjourned.

I hereby certify that the foregoing is a true and accurate representation of the proceedings held by the Air Quality Board on the 1st day of October 1996.

Submitted for approval the 2nd day of October 1996


Margaret Chico-Eddy
Clerk of the Boards