

December 1, 2004

The Honorable Joe Manchin  
Secretary of State  
Administrative Law Division  
Building 1, Room 157K  
Charleston, WV 25305

**RE: Notice of Meeting for Publication in the West Virginia Register**

Dear Mr. Secretary:

In accordance with Chapter 6, Article 9A of the West Virginia Code, notice is hereby given that the West Virginia Air Quality Board ("Board") will conduct a public meeting on Tuesday, December 14, 2004, at 9:00 a.m.. The meeting will be held in **1st floor hearing room at the Board offices located at 601 57<sup>th</sup> St., SE, Charleston, Kanawha County, West Virginia.** During the meeting the Board will discuss the following agenda\*\*:

**I. Administrative Matters**

- 1.) Review and Approval of the October 14, 2004, Air Quality Board Meeting Minutes
- 2.) Review and Approval of the minutes of the October 14, 2004, joint meeting of the Air Quality Board and the Environmental Quality Board.
- 3.) Review and Approval of the minutes of the October 29, 2004, joint meeting of the Air Quality Board and the Environmental Quality Board.
- 4.) Budget Report
- 5.) Personnel Matters
- 6.) Establish Future Board Meetings Dates

## **II. Appeals**

1.) Board Docket:

The Board will review and discuss the docket of appeals currently pending before the Air Quality Board.

2.) Appeal No. 04-01-AQB (Murphy):

Appeal No. 04-01-AQB (Murphy Consolidated Industries) was filed with the Air Quality Board on January 26, 2004. The Board conducted the evidentiary hearing on this appeal during the May 18, 2004, AQB Meeting. The parties were also provided with the opportunity to submit Proposed Findings of Fact and Conclusions of Law and Response Briefs. The Board made a decision in Appeal No. 04-01-AQB (Murphy) during the October 14, 2004, Board meeting, and the Final Order was Entered on November 12, 2004. Appeal No. 04-01-AQB (Murphy) has now been removed from the Board's docket.

3.) Appeal No. 04-02-AQB (Jamison):

Appeal No. 04-02-AQB (Jamison) was filed with the Board on April 1, 2004. The evidentiary hearing was conducted on June 24, 2004, and July 12, 2004. The parties were also provided with the opportunity to submit Proposed Findings of Fact and Conclusions of Law and Response Briefs. The Board made a decision in Appeal No. 04-02-AQB (Jamison) during the October 14, 2004, Board meeting, and the Final Order was Entered on November 30, 2004. Appeal 04-02-AQB (Jamison) has now been removed from the Board's docket.

## **III. Other Business**

The Board may take up additional administrative matters and may also consider such business as it may deem appropriate consistent with the Open Governmental Proceedings Act (WV Code §6-9A-1). Portions of this meeting may not be subject to the Open Governmental Proceeding Act.

**\*\*Items may not be discussed by the Board in the order in which they are listed on the agenda**

Sincerely,

Melissa Carte  
Clerk of the Boards