

October 6, 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 on Thursday, October 14, 2004, at 9:00 a.m., the West Virginia Air Quality Board ("Board") will conduct a public meeting in the first floor hearing room at the Board's new offices. **Please note that the Board's new address is 601 57<sup>th</sup> St., SE., (Kanawha City), Charleston, Kanawha County, West Virginia.** The purpose of the meeting is to discuss the following agenda\*\*:

**Administrative Matters**

- 1.) Review and Approval of the August 4, 2004, Air Quality Board Meeting Minutes
- 2.) Schedule Future Board Meetings
- 3.) General Budget Update:
  - Purchasing Card Report
  - Discussion of the Board's current budget and projected funding deficit for fiscal year 2005
  - Analysis of the Board's available funding and ability to cover operating expenses for the Board through the end of the current fiscal year
  - Overview of the discussion conducted by the Environmental Quality Board members regarding budgetary and personnel matters

At 10:00 a.m. the Air Quality Board and the Environmental Quality Board will convene a joint meeting to discuss personnel issues and budget matters. A separate meeting notice regarding the October 14, 2004, joint meeting of the Boards has been filed.

At the conclusion of the joint meeting of the two Boards, the Air Quality Board will resume its regular meeting to discuss appeal related matters. Board discussions regarding appeals are not subject to the requirements of the Open Governmental Proceedings Act and will not be open to the public. The Board will discuss the following appeals:

## **II. Appeals**

1.) 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 will make a decision in Appeal No. 04-01-AQB (Murphy) during the October 14, 2004, Board meeting.

2.) 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 will make a decision in Appeal No. 04-02-AQB (Jamison) during the October 14, 2004, Board meeting.

## **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