

MVCAC Minutes  
May 9, 2005

Duane discussed the new plan for MVCAC meetings. Rather than having two whole group meetings on the 2nd and 4th Mondays, the plan is to have committee meetings on the 2nd Monday and whole group meetings on the 4th Monday. The group unanimously supported this plan. The committees and structure of MVCAC are as follow:

Convenor - Duane Nichols  
Treasurer - Deb Fulton  
Secretary - Linda Shuster

Education/Outreach/Media Committee - Cindy O'Brien, Karen Woodfork, Sandy Cress, Jim Evans

Speaker's Bureau - Larry H., Deb Fulton, Bill Wonderlin, Jim Kotcon, Larry Schwab

Legal Committee - Bill Wonderlin, Duane Nichols, Jim Kotcon

Monitoring (air quality) Committee - Karen Woodfork, Larry Schwab, Dennis Groce

Longview Committee - Jarrett Jamison, Paula Hunt

Executive Committee (for dealing with emergency issues) - current and former convenors:  
Duane Nichols, Paula Hunt, Bill Wonderlin, Jim Kotcon, Linda Shuster

This list is not carved in stone. Anyone who is interested may join a committee (but you can't resign).

Duane reported that he had spoken to Jim Kotcon over the weekend. Jim stated that, although he is living in Washington DC during the week, he would serve as a consultant to the group. In addition, Jim said that he would conduct an educational workshop on air quality, so that other members of the group can answer questions and provide information on air quality.

Duane reported on the issue of the stack height for the proposed Longview Power Plant. The Federal Aviation Administration (FAA) is now concerned about the stack height relative to the Morgantown airport and is conducting an aeronautical study. The stack height of 554 feet exceeds the height specified by the FAA (500 feet) for structures near airports. Pilots are concerned about this, because such a stack creates updrafts that can cause them to lose control of the plane during landing. Updrafts are already a problem at the airport, due to our mountainous terrain. Duane stated that Camp Dawson in Preston County has been designated as the official eastern center for efforts to fight terrorism. As a result, the flights into the Morgantown area will increase. He contacted a group called South Wings. South Wings is an environmental conservation group that uses pilots "to protect and conserve the natural resources and ecosystems of the Southeast." Duane indicated that South Wings was interested in the issue. Duane also contacted Dan Boroff, Morgantown City Manager, since the airport is in the city. They were to talk again on Thursday. Duane indicated that there were three questions that the FAA needs to address:

- 1) Is this an open file process? Can we get copies of documents?
- 2) How is the decision made, i.e., what is the decision process?
- 3) Can there be a public hearing?

The FAA is taking public comment until May 18, 2005.

Duane noted that today was the last day for public comment to the DEP on the proposed concrete batch plant on Baker's Ridge Rd. A number of members of our group sent letters.

Bill reported that Phil Gaujot suggested that we appeal the decision by Judge Clawges regarding the suit pertaining to the PILOT agreement for the proposed Longview plant. Judge Clawges issued a summary judgment, dismissing the case before it could be heard. Bill suggested that he and Duane meet with Phil to discuss the appeal. He also volunteered to write a press release regarding our decision to appeal. The last day to file an appeal is August 4. Duane suggested that we check with the groups who were part of the original suit, to determine whether they want to participate in the appeal.

Jarrett called the Public Service Commission (PSC) and learned that GenPower had filed a Certificate for Public Convenience and Necessity for a high voltage transmission line on May 5. He circulated a copy of the letter from GenPower's attorneys.

Jarrett filed an appeal to the Air Quality Board (AQB) regarding the air quality permit issued by the PSC. The AQB found in GenPower's favor. Jarrett and the Forks of Cheat Forest property owners have filed appeals regarding this decision in the Kanawha County Circuit Court of Appeals. Although it was intended to be a single suit, it became two different suits before two different judges. Duane asked for a consolidation of the suits (which GenPower supported), however, this request was rejected. The Forks of Cheat Forest appeal is scheduled for May 19.

Larry H., who is on the DEP Advisory Committee, offered to bring up the issue of monitoring in Morgantown when they meet on June 7. Currently, it is not clear how many monitors are actually functioning, where they are located, and where the data from the monitor(s) are being reported (accurately).

Duane suggested that we develop a flyer that could be placed in racks in restaurants and hotel lobbies. He stated that this may cost a small fee, but would be worth the money if it helps to get the message out.

Bill suggested that MVCAC write a letter to Chet Parsons (who is spearheading the development of the new transportation plan for Morgantown) requesting that issues relating to air quality be taken into account in the transportation plan.