



# WEST VIRGINIA SOLID WASTE MANAGEMENT BOARD

601 57<sup>th</sup> St. SE  
Charleston, WV 25304  
Phone: (304)926-0448

Mark D. Holstine, PE, Executive Director  
[www.state.wv.us/swmb](http://www.state.wv.us/swmb)

## MINUTES

### West Virginia Solid Waste Management Board January 18, 2023 11:00 a.m.

#### 1. Roll Call.

Present - Board:	Mallie Combs, Tim Blankenship, Roger Bryant, Howard Coffield, Yogesh Patel, Lee Orr, and Steve Pilato.
Absent:	None.
Board Counsel:	None.
Staff:	Mark Holstine, Scott Norman, Jayne Ann Arthur, Carol Throckmorton, Paul Hayes, Cathleen Salmons, Rosamary Kincaid, and Brittany Cummings.
Visitors Listed:	Cheryl Flanagan, Summers County Solid Waste Authority.

The regular meeting was properly advertised in accordance with W.Va. Code, Chapter 6, Article 9A. The meeting was called to order by Chair Mallie Combs, at 11:00 a.m., in conference room 1203/1204, in the DEP Headquarters located at 601 57<sup>th</sup> St. SE, Charleston, WV 25304. Jayne Ann Arthur called the roll. The Chair announced a quorum was present.

**2. Approval of minutes of the December 21, 2022 Board meeting.**

Chair Combs requested a motion for approval of the minutes from the last meeting. Howard Coffield moved to approve the minutes, Tim Blankenship seconded the motion and it passed unanimously.

**3. Financial Reports.**

**A. Financial Statements.**

Scott Norman gave an overview of the balance sheet and income statement for November 2022 and informed the Board that there were no significant changes. Office Expenses are for a new color printer and computer monitor. Travel expenses were for trips to the Tucker County landfill, the SHRM Conference, and the Association Conference.

**B. Purchasing Card Report.**

Mr. Norman asked if the board had any questions regarding the detailed report provided in the board packet as the expenses were previously discussed during the financial statements.

**C. Assessment Fee and Tonnage Data.**

The assessment fee and tonnage data for November 2022 was explained to the Board by Scott Norman. November assessment fee checks in the amount of \$2,235.00 were mailed out on November 9, 2022. Average check for the year is \$2,197.00.

Assessment fee revenue for the month of November 2022 was \$245,852.00. Average revenue for the year is \$241,616.00. The year-to-date tonnage comparison to FY 2022 is 108.72%.

**D. Grant Status Report.**

Mr. Norman stated he has been communicating with the counties regarding necessary documentations such as sworn statements of expenses that are needed to progress closing them for FY 2022. FY2023 semi-annual grant period will close on February 1, 2023 and semi-annual reports will be due on February 22, 2023.

**E. None.**

**4. Standing Committee Reports.**

**A. None.**

**5. Executive Director Report.**

**Tucker County SWA** – The Tucker County SWA board met on January 10, 2023. Four major topics were discussed at that meeting; 1) conversion of accounting software to QuickBooks, 2) revision of agreement to include additional services with Mark Joseph, CPA, 3) potential agreement with Renewable Natural Gas Company to install and operate a methane gas capture system at the landfill, and 4) addressing a letter to the Tucker County Commission requesting its consideration to create a five-member board for the Blackwater PSD with the Tucker County SWA as a member.

The conversion to QuickBooks will allow Mark Joseph, CPA remote access to the landfills accounts and should save time and money. Additional services that he may provide include budgeting and planning.

The potential agreement with Renewable Natural Gas Company is being reviewed by the board and legal counsel before any decisions are made. Due to recent events, this discussion will be put on hold for at least another month.

Lastly, the Tucker County SWA board learned from one of its members and County Commissioner Fred Davis that the Commission was considering creating a three member board for the Blackwater PSD without representation from the SWA. The SWA agreed to send a letter to the Commission which you will find in your board packets behind the New Business tab. For your consideration today is a letter addressed to the Tucker County Commission from the SWMB requesting its consideration of having the Tucker County SWA represented on the board of the Blackwater PSD.

**Legislative Session** - The Legislative session began on January 11, 2023. A listing of bills that deal with solid waste or could affect Solid Waste Authorities is available on our website and is updated regularly. Currently, there are no solid waste related bills that would affect the Board directly.

**Public Service Commission**

**Bionic Tire Recycling** - Previously Mark Holstine reported that Bionic Tire Recycling filed an application to operate a waste tire facility in Preston County that will be entirely under roof. On December 28, 2022, Bionic responded to the staff recommendation that since two companies will be involved in the operation of the waste tire processing facility, they should apply jointly for the certificate of need. Bionic said the PSC staff

memo did not cite any examples of where a company arrangement for the transportation and disposal or sale of recycled materials were required to file a joint application. The response did cite examples of similar arrangements that were not required to file joint applications.

Hovatter Group, an LLC with common member managers with Bionic, will receive the tire derived matter from Bionic and apply additional processes to the material to enhance the marketability of the tire derived materials for beneficial reuse including processing material into crumb rubber. The response further states that Hovatter Group is not required to obtain a permit from the DEP as a solid waste facility because a facility which breaks down waste tires into its respective constituents of crumb rubber is not required to obtain a solid waste facility permit from the DEP.

A January 9, 2023, Final Joint Staff Memorandum from the PSC asserts that no documentation or evidence was provided to support Bionic's interpretation that they would be classified as a type of facility that would be exempt from PSC and/or DEP regulations. In a January 11, 2023 Procedural Order, the PSC stated if the DEP requires Hovatter to apply, the Commission will see a future filing but that the staff should process the application before it. A Further Final Joint staff Memo is due within 45 days.

### **Other**

The 2023 West Virginia Solid Waste Management Plan was delivered to the Speaker of the House of Delegates, Roger Hanshaw and the President of the Senate - Craig Blair. A copy of the final plan can be found on our website or at this link: <https://www.state.wv.us/swmb/State%20Plans/2023%20Complete%20State%20Plan.pdf>

Halltown Paperboard Mill in Jefferson County has closed its doors. The facility was the oldest continuously operating manufacturing plant in West Virginia. The 153 year old recycled paperboard plant closure means the loss of about 70 jobs. The plant suffered fire damage in June 2021, but the supply chain disruptions and labor shortage were cited as reasons for the closure. Additional information can be found in an article in the FYI section of your board packet.

**Staff** - Please welcome Brittany Cummings who has joined the SWMB staff.

**Recycling Coalition of WV** - Paul Hayes presented these updates on behalf of Mr. Holstine that on January 5, 2023, Mr. Hayes presented a Recycling Champion Award to Hampshire County resident Terree Hofe. Hofe diligently works to recycle as many materials as possible in all aspects of her life. Every week, she collects cardboard from the Springfield Assembly Food Pantry, along with other boxes in the church and pantry.

She also picks up cardboard at Capon Bridge Elementary and transports it to a drop off facility along with other recyclable materials from the school's classrooms.

As a volunteer librarian at Capon Bridge Elementary, Hofe cleans up and mends donated books so students are able to receive free books. She also coordinates the "Backpack Ministry" program at Capon Bridge Elementary with the help of multiple churches, providing items weekly for students/families in need. Hofe is dedicated to ensuring all the cardboard cartons of the 100-plus items of food are recycled.

**6. Unfinished Business.**

A. None.

**7. New Business.**

**A. Blackwater Public Service District.**

Mr. Roger Bryant moved the Solid Waste Management Board to send a letter to the Tucker County Commission requesting Mr. Holstine to hold a seat on the Blackwater Public Service District Board. Mr. Bryant also moved that Mr. Holstine make any technical changes necessary to the letter before sending. Motion seconded by Mr. Tim Blankenship, the motion passed unanimously.

**B. Roane County Solid Waste Authority Equipment Disposal Request.**

Scott Norman, informed the Board that the Roane County Solid Waste Authority is requesting permission to sell their Homestead Recycling Trailer, which was partially purchased with Solid Waste Management Board Grant Funds in 2015.

In accordance with WV Code Rules § 54-5-11-1, Mr. Coffield moved that the Board approve Roane County Solid Waste Authority to be given permission to sell their Homestead Recycling Trailer, which was partially purchased with Solid Waste Management Board Grant Funds in 2015, and that any funds realized from this sale be used in their recycling program, provided that Roane County Solid Waste Authority notify the Solid Waste management Board of the sale and the disposition of the funds realized there from. Seconded by Mr. Pilato, the motion passed unanimously.

C. None.

**8. Miscellaneous Business.**

A. None.

9. **Public Comment – Limited to three minutes.**

None.

10. **Next Meeting.**


Chair Combs set the next meeting of the Solid Waste Management Board, for **Wednesday, February 15, 2023 at 11:00 am.**

11. **Adjournment.**

There being no further business to discuss, Chair Combs adjourned the meeting at 11:26 am.

Respectfully submitted,

  
Mallie Combs  
Chair

  
Mark D. Holstine  
Secretary/Treasurer