



# WEST VIRGINIA SOLID WASTE MANAGEMENT BOARD

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## MINUTES

### West Virginia Solid Waste Management Board April 17, 2024 11:00 am

#### 1. Roll Call.

|                  |  |
|------------------|--|
| Present - Board: | Mallie Combs, Tim Blankenship, Roger Bryant, Jason Frame, Howard Coffield, Yogesh Patel, and Steve Pilato.   |
| Absent:          | None.  |
| Board Counsel:   | Kelley Goes, Esq.  |
| Staff:           | Mark Holstine, Scott Norman, Jayne Ann Arthur, Carol Throckmorton, Paul Hayes, Rosamary Kincaid, Brittany Cummings, Maxine Johnson and Cathleen Salmons. |
| Visitors Listed: | Travis Kiblinger-Raleigh County Solid Waste Authority<br>James Allen-Raleigh County Solid Waste Authority<br>Carol Blankenship                           |

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 am, in the Boardroom at the Raleigh County Solid Waste Authority located at 200 Fernandez Drive, Beckley WV 25801. Jayne Ann Arthur called the roll. The Chair announced a quorum was present.

**2. Approval of minutes of the March 20, 2024 Board meeting.**

Chair Combs requested a motion for approval of the minutes from the last meeting. Mr. Blankenship moved to approve the minutes of the March 20, 2024 meeting. Mr. Bryant seconded the motion and it passed unanimously.

**3. Financial Reports.**

**A. Financial Statements.**

Mr. Norman gave an overview of the balance sheet and income statement for February 2024 and informed the Board that there were no significant changes. Travel Expenses for the February board meeting and staff to the Tucker County Solid Waste Authority.

Mr. Norman continued with the Pcard report and stated the expenses detailed on the Purchasing Card Invoice report for February 2024 again were for staff to travel to Tucker County landfill, as well as the monthly board meeting. Office expenses for supplies, quarterly copier charges, SWANA fees, cell phone charges for the SWMB cell phone for December and January and Roberts Rules of Order books for the training sessions.

**B. Assessment Fee and Tonnage Data.**

The assessment fee and tonnage data for February 2024 was explained to the Board by Scott Norman. February assessment fee checks in the amount of \$2,108.00 were mailed out on February 08, 2024. Average check for the year is \$2,097.00.

Assessment fee revenue for the month of February 2024 was \$231,892.00. Average revenue for the year is \$230,693.00. The year-to-date tonnage comparison is 98.20%.

**C. Grant Status Report.**

Mr. Norman reported that the FY 2023 grants program reports have been reviewed and all but Clay have been closed. Mr. Norman stated he is waiting on a few items from three authorities and two sworn statements for the FY 2024 grants program; semi-annual reports were due on February 22.

D. **Other.** - None.

4. **Standing Committee Reports.**

A. **None.**

5. **Executive Director Report.**

**SWMB Training Series** - Training is set to begin tomorrow at 9:00 am, with sign-ins beginning at 8:30 am. Raleigh County SWA has been very helpful in coordinating amenities with the SWMB staff. They are also offering a tour to anyone that would like to see their entire facility after today's meeting.

Presenters for the training will be Carol Throckmorton (SWA General Responsibilities & Comprehensive and Siting Plans), Scott Norman and Brittany Cummings (SWMB Grants), Niki Davis and Travis Cooper (DEP-REAP Grants), Lauren Plymale, Esq. Director of the WV State Auditor's Public Integrity and Fraud Unit, Jayne Ann Arthur and Cathleen Salmons (Ethics), and Director Holstine will end the day with a discussion on conducting meetings. We will provide lunch, coffee, and water. The DEP's Michael Huff will video the training and we will publish the video after our second training in September.

**Tucker County SWA** - We are still waiting for a response from Western Pocahontas Land on the cost per acre for the construction of a new stormwater pond. It is crucial to obtain this property in order to install a properly designed sediment pond for the borrow area and current operating area. If this pond can be constructed, it will resolve most if not all of the storm water effluent issues.

The TCSWA has received a design to install a manhole sump which will enable the leachate coming from the landfill to be pumped into leachate Pond 2. The absence of this is leading to consistent seep problems in the active cell. Leachate can not gravity flow into the pond due to the outlet in the pond being near the bottom of the pond. This leads to leachate being trapped in the cells of the landfill and seeps forming.

A majority of the most recent NOV's cited by DEP involve leachate seeps, inadequate storage of leachate, lack of stormwater detention, and of course wind-blown litter. Leachate management is still the most costly and difficult issue to resolve at the facility.

**Pocahontas County SWA** - Director Holstine accompanied the DEP's Deputy Secretary Scott Mandirola and General Counsel Jason Wandling to a special meeting of the Pocahontas County Commission on Friday, April 12. The purpose of the meeting was to discuss the ownership of the closure/post-closure responsibilities of the landfill. This conversation was important because the landfill is permitted and operated on leased property. The SWA board members, the property owners, and the general public attended the meeting. Mr. Mandirola and Mr. Wandling did a great job explaining the DEP's rules, policies, and opinions on the matter.

**Public Service Commission** - An update on the Apple Valley Waste Services, Inc. case. The WV DEP has filed a Notice of Intervention in the case stating a ruling could affect the regulation of solid waste in the state. A filing from Waste Management, LCS, Republic Services and Jefferson County SWA requested the PSC declare their November 8, 2023 Order moot and vacate it considering the passage of Senate Bill 603. On April 10, 2024 a Commission Order granted the DEP motion to intervene and stated the Order of November 8, 2023 is of no effect as of March 1, 2024. The case was closed and removed from the docket of active cases.

**Other** - Maxine Johnson presented the Mercer County Performance Review at the March 25, 2024 meeting of the Mercer County SWA. She will be attending the quarterly meeting with the Region VIII SWA to present their Performance Review on April 18, 2024. A Performance Review was conducted at Greenbrier County at both the landfill and recycle center on March 27, 2024. Brittany Cummings and Paul Hayes attended Marshall Earth Day Fair on April 10, 2024. Paul Hayes will also be attending another Earth Day Block Party presented by the Ohio County Solid Waste Authority and Wheeling University on Saturday April 20th.

There was a meeting with the consultant, DEP-REAP, and Director Holstine to discuss the Waste Characterization study on March 29. This study is funded with an EPA grant through DEP-REAP. The meeting went very well and the DEP is hopeful that the results of the study will be made available during the AWVSWA-REAP conference in October.

**6. Unfinished Business.**

**A. None.**

7. **New Business.**

A. **None.**

8. **Miscellaneous Business.**

A. **None.**

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

A. **None.**


10. **Next Meeting.**


Chair Combs set the next meeting of the Solid Waste Management Board, for **Wednesday, May 15, 2024 at 11:00 am.** The location of the meeting at this time will be in conference room 1125 in the DEP Headquarters located at 601 57th Street SE, Charleston WV 25304.

11. **Adjournment.**

There being no further business to discuss, Chair Combs adjourned the meeting at 11:35 am.

Respectfully submitted,

  
Mallie Combs  
Chair

  
Mark D. Holstine  
Secretary/Treasurer