

February 27, 2004

Water pollution limits study halted

By Ken Ward Jr.

STAFF WRITER

The state Environmental Quality Board on Thursday dropped — at least for now — its study of rewriting the way West Virginia calculates water pollution limits.

Board members noted that industry officials had not come up with any concrete examples of why the change was needed.

The board held a six-week public comment period on the issue. No companies or industry trade groups submitted any comments, board technical advisor Libby Chatfield said.

“We continually hear how we are economically impeding the regulated community, but when an opportunity is given to present the facts behind that, nothing is given,” said board member Ted Armbrecht.

For years, chemical makers and other industry groups have pushed the state to adopt a new way of measuring stream flow when it sets water pollution limits.

Industry officials want the state to base permit limits on the average flow in streams. Currently, the state bases permits on a low-flow figure, which generally more strictly limits pollution discharges.

The proposed change gained momentum in the early 1990s, as part of a plan by then-Gov. Gaston Caperton to bring a new pulp and paper mill to Mason County. It died when the Affiliated Construction Trades Foundation, which opposed the mill, launched an advertising campaign that dubbed the change “the Cancer Creek bill.”

In late 2002, then-Department of Environmental Protection Secretary Michael Callaghan briefly revived the proposal. DEP quickly backed off, and Gov. Bob Wise urged the board to delay any change until its potential effects could be studied more.

On Thursday, DEP engineer Cliff White said that an agency review, which DEP hopes to conduct with the U.S. Geological Survey, could take up four years or more. White said DEP has not heard yet if it will receive federal money for the study. Last year, board members Cameron Hackney and Scott Simonton had insisted the board continue its own review of the matter. Hackney and Simonton told board staff to put the issue on the agenda of every monthly board meeting.

Ambrecht said that studying the issue is a good process to go through. But, he said, if industry won't provide facts to back up its claims, "Frankly, I would agree to dropping the whole thing."

Ambrecht moved that the board take the issue off its agenda until DEP learns if it will obtain money for its study.

The board unanimously approved his motion.

To contact staff writer Ken Ward Jr., use e-mail or call 348-1702.