

**ENVIRONMENTAL QUALITY BOARD**

**H.A.M. SANITARY LANDFILL, LLC,**

**Appellant,**

**v.**

**Appeal No. 17-17-EQB**

**DIVISION OF WATER AND WASTE  
MANAGEMENT, WV DEPARTMENT  
OF ENVIRONMENTAL PROTECTION,**

**Appellee.**



**MOTION FOR A CONTINUANCE**

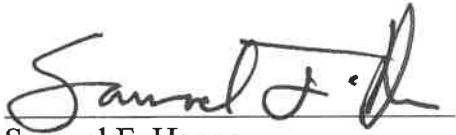
Comes now the Appellant H.A.M. Sanitary Landfill, LLC (HAM), by counsel, Samuel F. Hanna, and hereby moves to continue the evidentiary hearing scheduled for May 9, 2019, and as the basis for said Motion states as follows:

1. On January 4, 2018, HAM made a FOIA request for certain documents that were necessary to prosecute this appeal.
2. It has come to the attention of HAM that there is a question about whether all documents were produced pursuant to the FOIA request.
3. Counsel for HAM has discussed this matter with counsel for the West Virginia Department of Environmental Protection, Scott Driver, and he is researching this issue.
4. Counsel for the West Virginia Department of Environmental Protection has no objection to the granting of this request for a continuance.

**PRAYER**

Wherefore, H.A.M. Sanitary Landfill, LLC prays that this matter be continued to a future date agreeable to all parties and for such further relief as this Board deems fit and proper.

Respectfully submitted;



Samuel F. Hanna  
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H.A.M. SANITARY LANDFILL, LLC

By counsel

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**CERTIFICATE OF SERVICE**

I, SAMUEL F. HANNA, counsel for the Appellant does hereby certify that service of the foregoing **MOTION FOR CONTINUANCE** has been made upon the following parties by depositing the same in the regular course of the United States Mail, first class postage pre-paid on this the **29<sup>th</sup> day of April, 2019:**

Dr. Edward Snyder, Chairperson  
Environmental Quality Board  
601 57<sup>th</sup> Street, S.E.  
Charleston, West Virginia 25304

Harold Ward, Acting Director  
Division of Water and Waste Management  
WV Department of Environmental Protection  
601 57<sup>th</sup> Street, S.E.  
Charleston, WV 25304

Charles S. Driver, Esquire  
Office of Legal Services  
WV Department of Environmental Protection  
601 57<sup>th</sup> Street, S.E.  
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SAMUEL F. HANNA