

**WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD  
CHARLESTON, WEST VIRGINIA**

**APPALACHIAN POWER COMPANY  
dba AEP,**

**Appellant,**

**v.**

**Appeal No. 21-06-EQB**

**DIVISION OF WATER AND WASTE  
MANAGEMENT, WEST VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION,**

**Appellee,**

**ORDER FOR CONTINUANCE AND NOTICE OF HEARING**

Appeal No. 21-06-EQB was filed with the West Virginia Environmental Quality Board ("Board") on June 23, 2021. In accordance with West Virginia Code §22B-1-7(f), an evidentiary hearing concerning matters as more fully set forth in the Notice of Appeal filed in Appeal No. 21-06-EQB is scheduled for April 14, 2022.

At the prehearing conference held on March 31, 2022, the Board was informed that the parties have reached an agreement in principle for all issues currently under appeal. It was represented that the terms of the settlement will be effectuated through submittal of a permit modification application by AEP to the WVDEP and shall become effective once the permit modification application is processed and issued. Therefore, a 60-day continuance of the evidentiary hearing was requested in order to allow sufficient time for said permit modification application to be submitted and processed. The parties also agree to an extension of the stay currently in place until such time that this matter is resolved through issuance of the final permit modification.

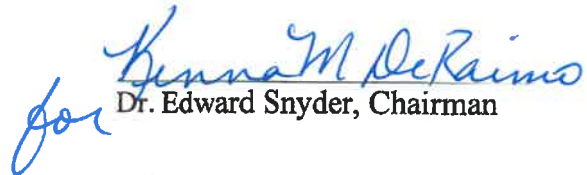
Based on the representations of the parties, the Board does hereby order that the evidentiary hearing in Appeal No. 21-06-EQB shall be continued until the **June 9-10, 2022**, Board meeting. Said hearing will begin at 8:30 a.m. at the Board's offices located at 601 57<sup>th</sup> Street, Charleston, Kanawha County, West

Virginia 25304. The stay currently in place shall be extended as set forth herein, and as agreed to by the parties.

A Prehearing Conference shall be held on **May 26, 2022**, at 10:00 a.m. before the Board's Chairman and/or legal counsel. Parties may appear in person or by telephone. If appearing in person, the parties shall appear at the Board's offices. If appearing by telephone, the parties shall call 1-800-309-2350. After the welcome message, dial the conference ID 78252 followed by the # key.

It is so **ORDERED** and **ENTERED** this 11<sup>th</sup> day of April, 2022.

**Environmental Quality Board**

  
for Kenneth M. DeRains  
Dr. Edward Snyder, Chairman

Prepared by:

  
Jonathan Frame  
Office of Legal Services  
WV Department of Environmental Protection  
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Charleston WV 25304  
(304) 926-0499  
**Counsel to the WVDEP**

WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD

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PROTECTION,

Appellee.

CERTIFICATE OF SERVICE

I hereby certify that I, Kenna M. DeRaimo, Clerk for the Environmental Quality Board, have this day, the 11<sup>th</sup> day of April, 2022, served a true copy of the foregoing **Order for Continuance and Notice of Hearing** to the following:

Kathy G. Beckett, Esquire  
Allyn G. Turner, Esquire  
Steptoe & Johnson PLLC  
707 Virginia Street, East  
Charleston, WV 25301

*Via Certified First-Class U.S. Mail*  
9489 0090 0027 6402 6159 92

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Jonathan C. Frame, Esquire  
Office of Legal Services  
WV Department of Environmental Protection  
601 57<sup>th</sup> Street, S.E.  
Charleston, WV 25304

*Via Interdepartmental Mail*

  
Kenna M. DeRaimo, Clerk