

Environmental Quality Board

DD Oil Company.,

Appellant,

v.

Appeal No. 22-01-EQB

**State of West Virginia, ex rel.,
Harold D. Ward, Cabinet Secretary,
West Virginia Department of
Environmental Protection,**

Order Quashing Subpoenas of Ward, Harman, and Dye

Upon review of the written pleadings, the Board hereby grants WVDEP's motions to quash the subpoenas of Harold D. Ward, Henry J. Harmon, and Jeffrey Dye as it is evident they do not have information relevant or necessary to address DD Oil's appeal of this matter. In addition, attempting to have Mr. Dye, a WVDEP attorney, testify at hearing would likely require the disclosure of privileged or other protected matter.

The Board also takes such action in accordance with W. Va. Code R. § 46-4-5.2, in that the Board may, in its administrative discretion, and in the interests of fairness and justice, rule on motions which tend to regulate the course of hearing, simplify the issues, and dispose of procedural requests or similar matters.

Please note that if evidence is presented that may make Ward's or Harmon's testimony relevant, the Board will revisit the issue.

ORDERED and ENTERED this 6th day of June, 2022.


Ed Snyder, EQB Chairperson

WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD

**DD OIL COMPANY,
A WEST VIRGINIA CORPORATION,**

Appellant,

v.

Appeal No. 22-01-EQB

**STATE OF WEST VIRGINIA, EX REL.,
HAROLD D. WARD, CABINET SECRETARY,
WEST VIRGINIA DEPARTMENT OF
ENVIRONMENTAL PROTECTION,**

Appellee.

CERTIFICATE OF SERVICE

I hereby certify that I, Kenna M. DeRaimo, Clerk for the Environmental Quality Board, have this day, the 8th day of June, 2022, served a true copy of the foregoing **ORDER QUASHING SUBPOENAS OF WARD, HARMAN, AND DYE** upon the following:

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Kenna M. DeRaimo, Clerk