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JUN 8 2022

Environmental Quality
Board

WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD

J.C. BAKER & SON, INC.
and BAKER OIL COMPANY,

Appellants,

v.

Appeal No. 22-03-EQB


KATHERYN D. EMERY, DIRECTOR,
DIVISION OF WATER AND WASTE
MANAGEMENT, WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL
PROTECTION,

Appellee.

APPELLEE'S WITHDRAWAL OF MOTION TO DISMISS

The Appellee, Katheryn D. Emery, Director, Division of Water and Waste Management,
West Virginia Department of Environmental Protection, hereby voluntarily withdraws its
previously filed Appellee's Motion to Dismiss for Untimely Filing.

Respectfully Submitted,
KATHERYN D. EMERY
By Counsel


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Appellee.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and complete copy of the attached Appellee's Withdrawal of Motion to Dismiss was served on the following persons by electronic mail on June 8, 2022, with hard copies served by United States Postal Service mail, first class, on the same date.

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