

**WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD**

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

**Appellants,**

v.

**Appeal No. 22-03-EQB**

**KATHERYN EMERY, P.E., DIRECTOR,  
DIVISION OF WATER AND WASTE  
MANAGEMENT, DEPARTMENT OF  
ENVIRONMENTAL PROTECTION,**

**Appellee.**

**ORDER GRANTING UNOPPOSED MOTION TO CONTINUE**

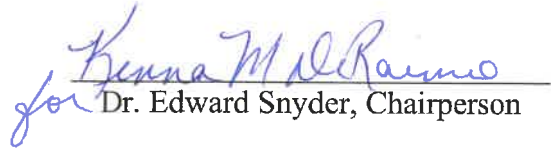
Appeal No. 22-03-EQB was filed with the West Virginia Environmental Quality Board (“Board”) on May 31, 2022. In accordance with West Virginia Code §22B-1-7(f), an evidentiary hearing concerning matters as more fully set forth in the Notice of Appeal filed in Appeal No. 22-03-EQB is scheduled for September 8-9, 2022.

Pending before the Board is Appellee’s Unopposed Motion to Continue. Based on the above referenced-motion, this Board hereby ORDERS that the evidentiary hearing in Appeal No. 22-03-EQB scheduled for October 13-14, 2022, shall be continued.

The evidentiary hearing in Appeal No. 22-03-EQB is rescheduled to the **November 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, S.E., Charleston, Kanawha County, West Virginia 25304. The Parties may attend in person or participate remotely via Zoom. A Zoom link will be provided to the Parties prior to the hearing.

Additionally, it is hereby ORDERED that a prehearing conference shall be schedule for **October 27, 2022**, at 10:00 a.m. Parties may appear in person at the Board's offices or by telephone by dialing 1-800-309-2350. After the welcome message, dial the conference ID 78252 followed by the pound (#) key.

It is so **ORDERED** and **ENTERED** this 7<sup>th</sup> day of October, 2022.

  
for Dr. Edward Snyder, Chairperson

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**Appellee.**

**CERTIFICATE OF SERVICE**

I hereby certify that I, Kenna M. DeRaimo, Clerk for the Environmental Quality Board, have this day, the 7<sup>th</sup> day of October, 2022, served a true copy of the foregoing **ORDER GRANTING UNOPPOSED**

**MOTION TO CONTINUE** to the following:

R. Terrance Rodgers, Esq.  
KAY CASTO & CHANEY PLLC  
Post Office Box 2031  
Charleston, WV 25327  
*Counsel for Appellants  
J.C. Baker & Son, Inc. and  
Baker Oil Company*

*Via Certified U.S. First Class Mail*

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Charles S. Driver, Esq.  
WV DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF LEGAL SERVICES  
601 57<sup>th</sup> Street, S.E.  
Charleston, WV 25304  
*Counsel for WVDEP*

*Via Interdepartmental Mail*

  
Kenna M. DeRaimo, Clerk