

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.

**ORDER GRANTING UNOPPOSED MOTION TO CONTINUE
AND NOTICE OF HEARING**

The Appellee in the above-styled matter having moved the Board, unopposed, for a continuance in the above-styled matter, the Board grants the motion for the reasons stated therein. Accordingly, the evidentiary hearing on the issues of ownership and operation shall be continued until the **January 12 and January 13, 2023** meeting of the Board. The hearing will begin at **8:30 a.m.** at the Board's offices at 601 57th Street Southeast, Charleston, West Virginia. Parties may appear in person or remotely. If appearing in person, the parties shall appear at the Board's offices. If appearing remotely, the parties shall participate using the following Zoom link: <https://us02web.zoom.us/j/83346570632>.

Each party shall provide the Clerk of the Board with two paper copies, pre-marked, of any exhibits intended to be used at the evidentiary hearing. These must arrive by Wednesday, January 4, 2023 and may be hand-delivered or mailed to:

Kenna DeRaimo
Clerk, Environmental Quality Board
601 57th Street Southeast
Charleston WV 25304

In addition, the parties shall send copies of the exhibits by electronic mail to Kenna.M.DeRaimo@wv.gov and to opposing counsel. These must be in an easily accessible format for use of the Board during the evidentiary hearing.

A prehearing conference shall be held on **December 29, 2022, at 10:00 a.m.** 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** and entering the conference ID number **78252#**.

It is so ORDERED and ENTERED this 2ND day of November, 2022.

ENVIRONMENTAL QUALITY BOARD

Kenna M. DeRaimo
for Edward Snyder, Chairman

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DIVISION OF WATER AND WASTE
MANAGEMENT, DEPARTMENT OF
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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 2nd day of November, 2022, served a true copy of the foregoing **ORDER GRANTING UNOPPOSED MOTION TO CONTINUE AND NOTICE OF HEARING** 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
7021 1970 0001 1851 9301

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

Via Interdepartmental Mail


Kenna M. DeRaimo, Clerk