

RECEIVED
DEC 16 2022

WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD
CHARLESTON, 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.

**APPELLANTS' UNOPPOSED MOTION TO
CONTINUE EVIDENTIARY HEARING**

Come now appellants J. C. Baker & Son, Inc. (“J. C. Baker”) and Baker Oil Company (“Baker Oil”) (J.C. Baker and Baker Oil are collectively “Appellants”), by their counsel, R. Terrance Rodgers, of Kay Casto & Chaney PLLC, and hereby moves the West Virginia Environmental Quality Board (“Board”) for entry of an order continuing the evidentiary hearing on the issues of ownership and operation from its previously scheduled dates of January 12 and January 13, 2023, to the February 9 and February 10, 2023 meeting of the Board.

Appellee Katheryn D. Emery, P.E., Director, Division of Water and Waste Management, Department of Environmental Protection, does not oppose this *Motion*.

This *Motion* is filed in good faith and not for the purposes of delay or prejudice to the parties.

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

Appellants,

BY COUNSEL:



R. TERRANCE RODGERS (WVSB #3148)
KAY CASTO & CHANEY PLLC
P. O. Box 2031
Charleston, West Virginia 25327
(304) 720-4217 / Telephone
(304) 345-8909 / Telefax
trodgers@kaycasto.com

WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD
CHARLESTON, WEST VIRGINIA

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

Appellants,

Appeal No. 22-03-EQB

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

Appellee.

CERTIFICATE OF SERVICE

I, R. Terrance Rodgers, do hereby certify that I, on this 13th day of December, 2022, served the forgoing *Appellants' Unopposed Motion To Continue Evidentiary Hearing* via email to the Honorable Kenna M. DeRaimo, Clerk of the West Virginia Environmental Quality Board, at kenna.m.deraimo@wv.gov, and via regular United States mail, postage prepaid, in an envelope addressed to the Honorable Kenna M. DeRaimo, Clerk of the West Virginia Environmental Quality Board, at 601 57th Street, S.E., Charleston, West Virginia 25304, and via regular United States mail, postage prepaid, in envelopes addressed as follows:

Charles S. "Scott" Driver, Esquire
Office of Legal Services
West Virginia Department of Environmental Protection
601 57th Street, S.E.
Charleston, West Virginia 25304

Katheryn Emery, P.E., Director
Division of Water and Waste Management
West Virginia Department of Environmental Protection
601 57th Street, S.E.
Charleston, West Virginia 25304


R. Terrance Rodgers (WVSB #3148)