

WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD  
CHARLESTON, WEST VIRGINIA

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 “APPELLANTS’ UNOPPOSED MOTION TO  
CONTINUE EVIDENTIARY HEARING” AND NOTICE OF HEARING**

Appellants J.C. Baker & Son, Inc., and Baker Oil Company, having moved the West Virginia Environmental Quality Board (“Board”), unopposed, for a continuance of the evidentiary hearing, the Board grants the *Motion*. Accordingly, the **evidentiary hearing** on the issues of ownership and operation shall be continued until the **February 9 and February 10, 2023** meeting of the Board. The hearing will begin at 8:30 a.m., at the Board’s offices at 601 57<sup>th</sup> Street, Southeast, Charleston, West Virginia. Parties may appear or person or remotely. If appearing in person, the parties shall appear at the Board’s offices. If appearing remotely, the parties shall participate using a Zoom link which will be provided prior to said hearing.

Each party shall provide the Clerk of the Board with two (2) paper copies, pre-marked, of any exhibits intended to be used at the evidentiary hearing. These must arrive by Wednesday, February 1, 2023, and may be hand delivered or mailed to:

Kenna M. DeRaimo  
Clerk, Environmental Quality Board  
601 57<sup>th</sup> Street, S.E.  
Charleston, West Virginia 25304

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

**A prehearing status conference shall be held on Thursday, January 26, 2023, 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 enter the conference ID number 78252#.

It is ORDERED and ENTERED this 19<sup>th</sup> day of December, 2022.

ENVIRONMENTAL QUALITY BOARD

*Kenna M DeRaimo*  
for \_\_\_\_\_  
Dr. Edward M. Snyder, Chairman

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**CERTIFICATE OF SERVICE**

I hereby certify that I, Kenna M. DeRaimo, Clerk for the Environmental Quality Board, have this day, the 19<sup>th</sup> day of December, 2022, served a true copy of the foregoing *Order Granting "Appellants' Unopposed Motion To Continue Evidentiary Hearing" And Notice Of Hearing* to the following, in envelopes addressed as follows:

R. Terrance Rodgers, Esquire  
Kay Casto & Chaney PLLC  
P.O. Box 2031  
Charleston, West Virginia 25327

*Via U.S. Certified Mail*  
7021 1970 0001 1851 9592

Charles S. Driver, Esquire  
WV Department of Environmental Protection  
Office of Legal Services  
601 57<sup>th</sup> Street, S.E.  
Charleston, West Virginia 25304

*Via Interdepartmental Mail*

  
Kenna M. DeRaimo, Clerk