

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.

**AMENDED AGREED SCHEDULING ORDER REGARDING SUBMITTING/FILING
PROPOSED ORDERS, RESPONSES THERETO, AND REPLIES TO THOSE RESPONSES**

On a prior day came appellants J.C. Baker & Son, Inc. (“J.C. Baker & Son, Inc.”) and Baker Oil Company (“Baker Oil”) (J.C. Baker Inc. and Baker Oil are collectively “Appellants”), by their counsel, R. Terrance Rodgers, of Kay Casto & Chaney PLLC, and appellee Katheryn D. Emery, P.E., Director Division of Water and Waste Management, West Virginia Department of Environmental Protection (“Appellee”), by her counsel, Charles S. Driver and Brooke A. Hirst, Office of Legal Services, West Virginia Department of Environmental Protection, and requested that the West Virginia Environmental Quality Board (“Board”), amend its March 6, 2023 *Agreed Scheduling Order Regarding Submitting/Filing Proposed Orders, Responses Thereto, And Replies To Those Responses* and change the deadlines for Appellants and Appellee to each submit their proposed order, with findings of fact and conclusions of law

("proposed order"), for each of them to respond to the other's proposed order, and for each of them to reply to the other's response, as follows:

(a) April 14, 2023 for Appellants and Appellees to each submit to the Board their/her proposed order;

(b) May 22, 2023 for filing responses with the Board to each other's proposed order; and

(c) June 12, 2023 for filing replies with the Board to each other's response to their/her proposed order.

Having considered the aforesaid request of Appellants and Appellees, the Board has determined that the same should be honored. Accordingly, it is hereby **ORDERED** that the schedule for Appellants and Appellees to each submit to the Board their proposed order, to file their responses with the Board to each other's proposed order, and to file their replies with the Board to each other's response to their/her proposed order, shall be amended as follows:

1. April 14, 2023 for Appellants and Appellee to each submit to the Board their/her proposed order;

2. May 22, 2023 for filing responses with the Board to each other's proposed order; and

3. June 12, 2023 for filing replies with the Board to each other's response to their/her proposed order.

ENTERED: _____


Dr. Edward Snyder, Chairperson

PRESENTED BY:



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For  with permission

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