

WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD
CHARLESTON, WEST VIRGINIA

WEST VIRGINIA WATER RESOURCES, INC.,

Appellant,

Appeal No.: 24-01-EQB

v.

JEREMY W. BANDY, DIRECTOR,
DIVISION OF WATER AND WASTE MANAGEMENT,
WEST VIRGINIA DEPARTMENT OF
ENVIRONMENTAL PROTECTION,

Appellee.

**ORDER GRANTING MOTION FOR CONTINUANCE
and EXTENDING STAY PENDING APPEAL**

On Thursday, April 25, 2024, the parties, by and through their legal counsel, appeared before the Environmental Quality Board ("Board"), via Zoom, for a prehearing status conference in this appeal and to address related issues. Prior to the conference, the parties filed a "Joint Motion to Continue Evidentiary Hearing," and Appellant West Virginia Water Resources, Inc. filed its "Motion to Extend Stay Pending Appeal" (which was unopposed). Both motions were presented for consideration and addressed by counsel at the conference.

For good cause shown, the Board GRANTS the Joint Motion and ORDERS that the evidentiary hearing in this appeal shall be continued to **July 11-12, 2024**, beginning at **8:30 a.m.**, at the Board's offices located at 601 57th Street, Charleston, Kanawha County, West Virginia 25304. As indicated in the previous Notice of Hearing, parties may participate in the evidentiary hearing either at the Board's offices or virtually via Zoom, using the following link:

<https://us02web.zoom.us/j/84964935668>

Additionally, the **prehearing status conference** shall be held on **June 27, 2024**, at **10:00 a.m.**, **via Zoom only**, using the following link: <https://us02web.zoom.us/j/86499579106>

For good cause shown, and pursuant to W.Va. Code R. § 46-4-5.2, the Board PARTIALLY GRANTS the Appellant's Motion to Extend Stay Pending Appeal. The Stay previously granted in this appeal by Order entered on February 23, 2024, shall continue in effect until **July 12, 2024**.

All other matters addressed in the previous Notice of Hearing shall continue to apply.

It is so **ORDERED** and **ENTERED** this 3RD day of May, 2024.

WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD

By:

Kenna M DeRaino
for Dr. Edward Snyder, Chairperson

**WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD
CHARLESTON, WEST VIRGINIA**

WEST VIRGINIA WATER RESOURCES, INC.,

Appellant,

v.

Appeal No. 24-01-EQB

**KATHERYN EMERY, DIRECTOR,
DIVISION OF WATER AND WASTE MANAGEMENT,
WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL
PROTECTION,**

Appellee.

CERTIFICATE OF SERVICE

I, Kenna M. DeRaimo, Clerk for the Environmental Quality Board, hereby certify that on this day, the 3RD of May, 2024, have served a true copy of the foregoing **ORDER GRANTING MOTION FOR CONTINUANCE AND EXTENDING STAY PENDING APPEAL** upon the following:

Christopher B. Power, Esq.
Robert M. Stonestreet, Esq.
BABST CALLAND CLEMENTS AND ZOMNIR, PC
Truist Square
300 Summers Street, Suite 1000
Charleston, WV 25301
*Counsel for Appellants
West Virginia Water Resources, Inc.*

Via Certified U.S. First Class Mail
9489 0090 0027 6501 9600 47

Charles S. Driver, Esq.
Chance J. Chapman, Esq.
WV DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF LEGAL SERVICES
601 57th Street, S.E.
Charleston, WV 25304
*Counsel for Appellee
West Virginia Department of Environmental Protection*

Via Interdepartmental Mail


Kenna M. DeRaimo, Clerk