

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

**RIVERSIDE VALLEY SERVICES, LLC,**

**Appellant,**

**v.**

**Appeal Nos. 24-08-EQB**

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

**Appellee.**

**ORDER GRANTING MOTION TO EXPEDITE EVIDENTIARY HEARING  
WITH NOTICE OF HEARING AND PREHEARING STATUS CONFERENCE**

Appeal No. 24-08-EQB was filed with the West Virginia Environmental Quality Board (“Board”) on July 22, 2024. In accordance with West Virginia Code §22B-1-7(f), an evidentiary hearing concerning matters as more fully set forth in the *Notice of Appeal* filed in Appeal No. 24-08-EQB was scheduled for December 12, 2024.

On August 14, 2024, Appellant, Riverside Valley Services, LLC, filed a Motion to Expedite Evidentiary Hearing. After consideration of the motion, the Board has determined that the evidentiary hearing in Appeal No. 24-08-EQB shall be moved to **October 10-11, 2024, Board meeting beginning at 8:30 a.m.** The Parties may attend and participate in the evidentiary hearing in person or via Zoom by using the following Zoom link: <https://us02web.zoom.us/j/89819531328>.

Additionally, pursuant to CSR §46-4-5.2 of the *Procedural Rules Governing Appeals Before the Environmental Quality Board*, a **Prehearing Status Conference (PHSC) will be held on Thursday, September 26, 2024, at 10:00 a.m.** before the Board’s Chairman and/or legal counsel. The Parties may attend and participate in the PHSC by ***Zoom only*** by using the following Zoom link:

<https://us02web.zoom.us/j/83779945731>.

The proceedings will be recorded and transcribed later, if necessary. The following will be discussed at the prehearing:

- (1) Presentation and consideration of preliminary legal issues;
- (2) Stipulations to facts that are not contested by the parties;
- (3) Stipulations to the admission of evidence to avoid unnecessary proof;
- (4) Identification and reduction of number of witnesses; and
- (5) Consideration of any other matters that will aid in the expeditious conduct of the hearing.

It is further ordered that each counselor representative attending the prehearing conference is required to have a thorough knowledge of the case, be prepared to discuss it, and to make stipulations or admissions where appropriate and to argue any pending motions. Each counselor representative must have full authority from the party represented and any law firm with which associated to take such action as may be necessary to comply with this order.

It is further ordered that at the conclusion of the conference, either orally for the record or by separate writing, an order will be entered which recites any action taken and agreements reached by the parties. The order will take the place of all that has gone before and will control the subsequent course of the hearing unless modified to prevent manifest injustice.

It is so **ORDERED** and **ENTERED** this 26<sup>th</sup> day of August, 2024.

**Environmental Quality Board**

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

WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD  
CHARLESTON, WEST VIRGINIA

RIVERSIDE VALLEY SERVICES, LLC,

Appellant,

v.

Appeal No. 24-08-EQB

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 26<sup>th</sup> day of August, 2024, a true copy of the foregoing **ORDER GRANTING MOTION TO EXPEDITE  
EVIDENTIARY HEARING WITH NOTICE OF HEARING AND PREHEARING STATUS CONFERENCE** has been  
served upon the following:

Marissa G. Nortz, Esq.  
Armando F. Benincasa, Esq.  
Allyn G. Turner, Esq.  
Steptoe & Johnson PLLC  
707 Virginia Street, East  
Charleston, WV 25301  
*Counsel for Appellant  
Riverside Valley Services, LLC*

*Via Certified First-Class Mail*

9489 0090 0027 6628 8858 58

Charles S. Driver, Esq.  
Jonathan C. Frame, Esq.  
WV Department of Environmental Protection  
Office of Legal Services  
601 57<sup>th</sup> Street, S.E.  
Charleston, WV 25304  
*Counsel for Appellee  
West Virginia Department of Environmental Protection*

*Via Interdepartmental Mail*

  
Kenna M. DeRaimo, Clerk