

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.

**AGREED ORDER GRANTING “JOINT MOTION TO EXTEND DEADLINES FOR  
SUBMITTING PROPOSED FINDINGS OF FACT/CONCLUSIONS OF LAW/ORDERS,  
AND FILING RESPONSES AND REPLIES REGARDING THE SAME”**

On a prior day, appellants J.C. Baker & Son, Inc. and Baker Oil Company, and appellee Jeremy W. Bandy, Director, Division of Water and Waste Management, Department of Environmental Protection, filed their *Joint Motion To Extend Deadlines For Submitting Proposed Findings Of Fact/Conclusions Of Law/Orders, And Filing Responses And Replies Regarding The Same (“Joint Motion”)* and, in so doing, moved the West Virginia Environmental Quality Board (“Board”) to extend certain deadlines for submitting proposed findings of fact/conclusions of law/orders, and filing responses and replies regarding the same. Having considered the *Joint Motion*, the Board has determined it should be granted. Accordingly, it is hereby **ORDERED** that the *Joint Motion* shall be, and hereby is, **GRANTED**.

It is further **ORDERED** that the deadlines established by the Board in the above-referenced appeal for submitting proposed findings of fact/conclusions of law/orders (“FOFCOL”), and filing

responses and replies regarding the same in connection with the evidence adduced at the hearing conducted by the Board on October 10, 2024 and October 11, 2024, shall be, and hereby are, **EXTENDED** as follows:

1. FOFCOL from Friday, December 13, 2024, to Wednesday, January 15, 2025;
2. Responses to FOFCOL from Friday, January 10, 2025, to Wednesday, February 12, 2025;
3. Replies to responses to FOFCOL from Friday, January 24, 2025, to Wednesday, February 26, 2025.


ENTERED this 18<sup>th</sup> day of December, 2024.

WEST VIRGINIA ENVIRONMENTAL  
QUALITY BOARD

*for* Kenna M DeRaimo  
Edward Snyder, Chairman

AGREED TO BY:

R. Terrance Rodgers  
R. TERRANCE RODGERS (WVSB #3148)  
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*Counsel for appellants J.C. Baker & Son,  
Inc. and Baker Oil Company*

for  with permission

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*Counsel for appellee Jeremy W. Bandy, Director,  
Division of Water and Waste Management,  
Department of Environmental Protection*

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**CERTIFICATE OF SERVICE**

I hereby certify that I, Kenna M. DeRaimo, Clerk for the West Virginia Environmental Quality Board, have this day, the 18<sup>th</sup> day of December, 2024, served a true copy of the foregoing *Agreed Order Granting "Joint Motion To Extend Deadlines For Submitting Proposed Findings Of Fact/Conclusions Of Law/Orders, And Filing Responses And Replies Regarding The Same"* to the following, via regular United States mail, postage prepaid, in envelopes addressed as follows:

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

9489 0090 0027 6628 8770 82

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

  
Kenna M. DeRaimo, Clerk