

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

**JAY and PAMELA McCLELLAND,**

**Appellants,**

**v.**

**Appeal No.: 24-11-EQB**

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

**Appellee.**

**ORDER FOR CONTINUANCE  
AND NOTICE OF HEARING AND PREHEARING STATUS CONFERENCE**

Appeal No. 24-11-EQB was filed with the West Virginia Environmental Quality Board (“Board”) on September 26, 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. 22-04-EQB was scheduled for December 12-13, 2024.

At a prehearing conference on November 26, 2024, it was represented that the parties have been engaged in discussions in an effort to work towards a potential resolution of this matter and those efforts are ongoing. Therefore, a continuance of the evidentiary hearing has been requested to allow the parties additional time to attempt to resolve this matter.

Based on the representations of the parties, the Board does hereby order that the evidentiary hearing in Appeal No. 24-11-EQB shall be continued until the **March 13, 2025, Board meeting at 8:30 a.m.** Said hearing will be held via Zoom only. The Parties may attend via Zoom by using the following link:

<https://us02web.zoom.us/j/83532872563>.

A Prehearing Conference shall be held on **February 27, 2025, at 10:00 a.m.** before the Board and/or legal counsel. Said prehearing conference will be held via Zoom only. The Parties may attend via Zoom by using the following link: <https://us02web.zoom.us/j/83296627332>.

It is so **ORDERED** and **ENTERED** this 20<sup>th</sup> day of December, 2024.

**Environmental Quality Board**

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

WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD  
CHARLESTON, WEST VIRGINIA

JAY and PAMELA McCLELLAND,

Appellants,

Appeal Nos. 24-11-EQB

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DIRECTOR, DIVISION OF WATER AND  
WASTE MANAGEMENT, 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 20<sup>th</sup> day of December, 2024, a true copy of the foregoing **ORDER FOR CONTINUANCE AND NOTICE OF HEARING AND PREHEARING STATUS CONFERENCE** has been served upon the following:

Jay and Pamela McClelland  
Post Office Box 1342  
Freer, TX 78357  
*Appellants*

*Via Certified First-Class Mail*

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Jonathan C. Frame, Esq.  
WV DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF LEGAL SERVICES  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304  
*Counsel for Appellee*  
*West Virginia Department of Environmental Protection*

*Via Interdepartmental Mail*

  
Kenna M. DeRaimo, Clerk