

**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 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 November 13, 2025.

At said prehearing conference, the parties represented to the Board that they have continued their efforts attempt to resolve this matter without need for an evidentiary hearing. Specifically, Appellants have engaged environmental consultants to conduct required sampling at the site at issue and have submitted an Initial Site Characterization Report to the WVDEP, which is currently under review by the agency. Therefore, a continuance of the evidentiary hearing has been requested by the parties to allow the parties additional time to attempt to reach a resolution of this matter.

A Status Conference shall be held on **February 26, 2026, at 10:00 a.m.** before the Board and/or legal counsel. Said Status Conference will be held via Zoom only. The Parties may attend via Zoom by using the following link: <https://us02web.zoom.us/j/81480077450>. Should it

be deemed necessary to schedule an evidentiary hearing based on the representations of the parties during the Status Hearing, the Board shall schedule said hearing accordingly.

It is so **ORDERED** and **ENTERED** this 18th day of November, 2025.

Environmental Quality Board

for Kenna M DeRaimo
Dr. Edward Snyder, Chairman

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CHARLESTON, WEST VIRGINIA**

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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 18th day of November, 2025, a true copy of the foregoing **ORDER FOR CONTINUANCE AND NOTICE OF STATUS CONFERENCE** has been served upon the following:

Jay and Pamela McClelland
Post Office Box 1342
Freer, TX 78357
Appellant Pro Se

*Via Certified U.S. First-Class Mail
9489 0090 0027 6726 0463 42
and Electronic Mail*

Jonathan C. Frame, Esq.
WV DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF LEGAL SERVICES
601 57th Street SE
Charleston, WV 25304
Counsel for Appellee

*Via Interdepartmental Mail
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Kenna M. DeRaimo, Clerk