

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

**APPALACHIAN POWER COMPANY,
dba AEP**

Appellant,

v.

Appeal No. 21-06-EQB

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

Appellee,

AGREED STAY ORDER

Both parties to this appeal, Appalachian Power Company and the West Virginia Department of Environmental Protection, jointly agree to stay the permit conditions in renewal of WV/NPDES Permit NO. WV0001074 and the related Order No. 9952, both issued on May 17, 2021 concerning the following:


1. Outlet 003 – TSS effluent limits;
2. Outlets 003, 004, and 005 – fecal coliform limits and monitoring; and
3. New Outlets 104, 105, 106, and 403 monitoring and DMR reporting.

The TSS effluent requirements for Outlet 003 of the previous 2014 NPDES permit shall become effective for the duration of the stay.

The term of the stay shall be 120 days from the date this fully executed agreement is filed with the Environmental Quality Board. The WVDEP agrees to an extension of the stay solely

based on the availability of the Environmental Quality Board to finalize a hearing and issue an order on the merits.

ENTERED this 6th day of July, 2021.



Dr. Edward M. Snyder, EQB Chairman

Prepared and Agreed to by:



Kathy G. Beckett
Steptoe & Johnson PLLC
P.O. Box 1588
Charleston, WV 25326
(304) 353-8172
Counsel for Appellant

and:



Jonathan C. Frame (WV Bar No. 10182)
Associate Counsel
Office of Legal Services
WV Department of Environmental Protection
601 57th Street, SE
Charleston, WV 25304
(304) 926-0460
Counsel for Appellee

ENVIRONMENTAL QUALITY BOARD

**APPALACHIAN POWER COMPANY,
dba AEP**

Appellant,

v.

Appeal No. 21-06-EQB

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

Appellee.

CERTIFICATE OF SERVICE

I hereby certify that I, Jackie D. Shultz, Clerk for the Environmental Quality Board, have this day, the 9th day of July, 2021, served a true copy of the foregoing **Agreed Stay Order** via certified US First-Class Mail or Hand Delivery to the following:

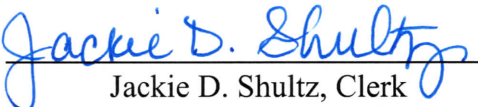
via certified US Mail:

Kathy G. Beckett, Esquire
Allyn G. Turner, Esquire
Steptoe & Johnson PLLC
707 Virginia Street, East
Charleston, WV 25301

via hand delivery:

Jonathan C. Frame, Esquire
Office of Legal Services
WV Department of Environmental Protection
601 57th Street, S.E.
Charleston, WV 25304

Katheryn Emery, P.E., Director
Division of Water and Waste Management
WV Department of Environmental Protection
601 57th Street, S.E.
Charleston, WV 25304


Jackie D. Shultz, Clerk