

**WEST VIRGINIA SURFACE MINE BOARD
CHARLESTON, WEST VIRGINIA**

AMSTED GRAPHITE MATERIALS, LLC,

Appellant,

v.

Appeal No. 21-04-EQB

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

Appellee.


ORDER FOR CONTINUANCE AND NOTICE OF HEARING

The Appellant, Amsted Graphite Materials LLC, by counsel, and the Appellee, Katheryn D. Emery, Director, Division of Mining and Reclamation, West Virginia Department of Environmental Protection, by counsel, at the prehearing status conference held on May 26, 2022, moved to continue the evidentiary hearing in the above-styled matter from its currently scheduled date of June 9-10, 2022 to the new date of August 11-12, 2022. In support of their motion, the parties cited continuing negotiations.

Finding that the motion is made in good faith and not for the purposes of delay, the **evidentiary hearing** in this matter shall be continued until the **August 11-12, 2022** meeting of the Board. The hearing will begin at 8:30 a.m. at the Board's offices located at 601 57th Street, Charleston, Kanawha County, West Virginia. Remote participation information will be circulated by the Clerk of the Board prior to the hearing.

A prehearing conference shall be held on **July 28, 2022** beginning at 10:00 a.m. before the Board's Chairman and/or legal counsel. Parties may appear in person or by telephone. If appearing in person, the prehearing status conference will be conducted at the Board's offices. If appearing by telephone, dial 1-800-309-2350. After the welcome message, dial the conference ID 78252 followed by the pound (#) key. Remote participation information will be circulated by the Clerk of the Board prior to the conference.

It is so ORDERED and ENTERED this 6th day of June, 2022.

for 
Dr. Edward Snyder, Chairman

WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD

AMSTED GRAPHITE MATERIALS, LLC,

Appellant,

v.

Appeal No. 21-04-EQB

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

Appellee.

CERTIFICATE OF SERVICE

I hereby certify that I, Kenna M. DeRaimo, Clerk for the Environmental Quality Board, have this day, the 6th day of June, 2022, served a true copy of the foregoing **ORDER FOR CONTINUANCE AND NOTICE OF HEARING** to the following:

Allyn G. Turner, Esquire
David M. Flannery, Esquire
Steptoe & Johnson PLLC
P.O. Box 1588
Charleston, WV 25326-1588

*Via Certified First Class U.S. Mail
9489 0090 0027 6402 6054 74*

Charles S. Driver, Esquire
Office of Legal Services
WV Department of Environmental Protection
601 57th Street, S.E.
Charleston, WV 25304

Via Interdepartmental Mail


Kenna M. DeRaimo, Clerk