

**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.**

**ORDER FOR CONTINUANCE AND NOTICE OF HEARING**

Appeal No. 21-06-EQB was filed with the West Virginia Environmental Quality Board (“Board”) on June 23, 2021. 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. 21-06-EQB was scheduled for June 9-10, 2022.

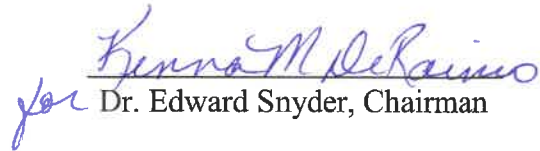
At the prehearing conference held on May 26, 2022, the Board was informed that the parties have reached an agreement in principle for all issues currently under appeal. The settlement is being effectuated through a permit modification application submitted in May by AEP to the WVDEP and shall become effective once the permit modification application is processed and the permit modification is issued. A 60-day continuance of the evidentiary hearing was requested by the parties in order to allow sufficient time for the comment period and for the permit modification application process to be completed. The parties also agree to an extension of the stay currently in place until such time that this matter is resolved through issuance of the final permit modification.

Based on the representations of the parties, the Board does hereby order that the evidentiary hearing in Appeal No. 21-06-EQB shall be continued until the **August 11-12, 2022**, Board meeting. Said hearing will begin at **8:30 a.m.** at the Board’s offices located at 601 57<sup>th</sup> Street, Charleston, Kanawha County, West Virginia 25304.

A Prehearing Conference shall be held on **July 28, 2022, 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 parties shall appear at the Board's offices. If appearing by telephone, the parties shall call (877) 302-0757, entering the conference ID number 8855847#.

It is so **ORDERED** and **ENTERED** this 7<sup>th</sup> day of June, 2022.

**Environmental Quality Board**

  
for Dr. Edward Snyder, Chairman

WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD

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Appellee.

CERTIFICATE OF SERVICE

I hereby certify that I, Kenna M. DeRaimo, Clerk for the Environmental Quality Board, have this day, the 7<sup>th</sup> day of June, 2022, served a true copy of the foregoing **Order for Continuance and Notice of Hearing** to the following:

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

*Via Certified First-Class U.S. Mail*  
9489 0090 0027 6402 6055 28

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Jonathan C. Frame, Esquire  
OFFICE OF LEGAL SERVICES  
WV DEPARTMENT OF ENVIRONMENTAL PROTECTION  
601 57<sup>th</sup> Street, S.E.  
Charleston, WV 25304

*Via Interdepartmental Mail*

  
Kenna M. DeRaimo, Clerk