

**WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD**

**CLEVELAND-CLIFFS WEIRTON LLC,**

**Appellant,**

**v.**

**Appeal No. 22-06-EQB**

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

**Appellee.**

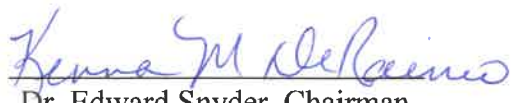
**ORDER FOR CONTINUANCE AND NOTICE OF HEARING**

Appeal No. 22-06-EQB was filed with the West Virginia Environmental Quality Board (“Board”) on August 30, 2022. 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. 22-06-EQB is scheduled for September 29, 2022.

The Board, on its own motion, determined that the evidentiary hearing in Appeal No. 22-06-EQB shall be continued until the **December 8-9, 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, S.E., Charleston, Kanawha County, West Virginia 25304. The Parties may attend in person or participate remotely via Zoom. A Zoom link will be provided to the Parties prior to the hearing.

It is so **ORDERED** and **ENTERED** this 1<sup>st</sup> day of September, 2022.

**Environmental Quality Board**

*for*   
Dr. Edward Snyder, Chairman

**WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD**

**CLEVELAND-CLIFFS WEIRTON LLC,**

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**Appeal No. 22-06-EQB**

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

**Appellee.**

**NOTICE OF PREHEARING STATUS CONFERENCE**

Appeal No. 22-06-EQB was filed with the West Virginia Environmental Quality Board (“Board”) on August 30, 2022. In accordance with West Virginia Code §22B-1-7(f), an evidentiary hearing concerning the matters more fully set forth in the Notice of Appeal is scheduled for December 8, 2022.

Pursuant to CSR §46-4-5.2 of the *Procedural Rules Governing Appeals Before the Environmental Quality Board*, a Prehearing Status Conference will be held on **November 18, 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 said prehearing will be conducted at the Board’s offices located at 601 57<sup>th</sup> Street, Charleston, Kanawha County, West Virginia 25304. If appearing by telephone, dial 1-800-309-2350. After the welcome message, dial the conference ID 78252 followed by the pound (#) key.

The proceedings will be recorded and transcribed at a later date, if necessary. The following will be discussed at the prehearing:

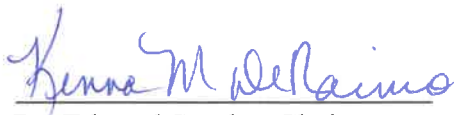
- (1) Presentation and consideration of preliminary legal issues;
- (2) Stipulations to facts that are not contested by the parties;
- (3) Stipulations to the admission of evidence to avoid unnecessary proof;
- (4) Identification and reduction of number of witnesses; and
- (5) Consideration of any other matters that will aid in the expeditious  
conduct of the hearing.

It is further ordered that each counselor representative attending the prehearing conference is required to have a thorough knowledge of the case, be prepared to discuss it, and to make stipulations or admissions where appropriate and to argue any pending motions. Each counselor representative must have full authority from the party represented and any law firm with which associated to take such action as may be necessary to comply with this order.

It is further ordered that at the conclusion of the conference, either orally for the record or by separate writing, an order will be entered which recites any action taken and agreements reached by the parties. The order will take the place of all that has gone before and will control the subsequent course of the hearing unless modified to prevent manifest injustice.

**ORDERED** and **ENTERED** this 1<sup>st</sup> day of September, 2022.

**Environmental Quality Board**

  
for Dr. Edward Snyder, Chairperson

**WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD**

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**Appellee.**

**CERTIFICATE OF SERVICE**

I, Kenna M. DeRaimo, Clerk for the Environmental Quality Board, hereby certify that I have this day, the 1<sup>st</sup> day of September, 2022, served a true copy of the foregoing **ORDER FOR CONTINUANCE AND NOTICE OF HEARING** and **NOTICE OF PREHEARING STATUS CONFERENCE** to the following:

Marc C. Bryson, Esq.  
Marissa G. Nortz, Esq.  
STEPTOE & JOHNSON PLLC  
707 Virginia Street, East  
Charleston, WV 25326  
*Counsel for Appellant  
Cleveland-Cliffs Weirton LLC*

*Via Certified U.S. First Class Mail*


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Charles S. Driver, Esq.  
Jonathan C. Frame, Esq.  
OFFICE OF LEGAL SERVICES  
WV DEPARTMENT OF ENVIRONMENTAL PROTECTION  
601 57<sup>th</sup> Street, S.E.  
Charleston, WV 25304  
*Counsel for WVDEP*

*Via Interdepartmental Mail*

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

*Via Interdepartmental Mail*

  
Kenna M. DeRaimo, Clerk