

WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD

CLEVELAND-CLIFFS WEIRTON, LLC,

Appellant,

v.

Appeal No. 22-06-EQB

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

Appellee.

**ORDER GRANTING JOINT MOTION TO CONTINUE
AND MOTION TO EXTEND STAY**

Counsel for Appellant and Appellee jointly moved this Board to continue the evidentiary hearing in the above-styled matter currently set for December 8, 2022. Based on the above referenced motion, the Board grants the motion for the reasons stated therein and hereby ORDERS that the evidentiary hearing in Appeal No. 22-06-EQB scheduled for December 8, 2022, shall be continued.

Accordingly, the evidentiary hearing on the issues of ownership and operation shall be continued until the **February 9 and 10, 2023** meeting of the Board. The hearing will begin at **8:30 a.m.** at the Board's offices at 601 57th Street Southeast, Charleston, West Virginia. Parties may appear in person or remotely. If appearing in person, the parties shall appear at the Board's offices. If appearing remotely, the parties shall participate using the following Zoom link:

<https://us02web.zoom.us/j/83994218875>.

Each party shall provide the Clerk of the Board with two paper copies, pre-marked, of any exhibits intended to be used at the evidentiary hearing. These must arrive by **Wednesday, February 2, 2023** and may be hand-delivered or mailed to:

Kenna DeRaimo, Clerk
Environmental Quality Board
601 57th Street Southeast
Charleston WV 25304

The parties shall also send copies of the exhibits by electronic mail to Kenna.M.DeRaimo@wv.gov and to opposing counsel. These must be in an easily accessible format for use of the Board during the evidentiary hearing.

It is hereby ORDERED that a prehearing conference shall be held on **January 26, 2023, at 10:00 a.m.** 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 **1-800-309-2350** and entering the conference ID number **78252#**.

In addition, finding it proper to do so, the Board GRANTS the motion to extend the stay pending resolution of this appeal. The Board takes such action in accordance with W. Va. Code R. § 46-4-5, in that the Board may, in its administrative discretion, and in the interests of fairness and justice, rule on motions which tend to regulate the course of hearing, simplify the issues, and dispose of procedural requests or similar matters.

It is so ORDERED and ENTERED this 14th day of November, 2022.

ENVIRONMENTAL QUALITY BOARD


for Dr. Edward Snyder, Chairman

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.

CERTIFICATE OF SERVICE


I, Kenna M. DeRaimo, Clerk for the Environmental Quality Board, hereby certify that I have this day, the 11/14 day of November, 2022, served a true copy of the foregoing **ORDER GRANTING JOINT MOTION TO CONTINUE AND MOTION TO EXTEND STAY** to the following:

Marc C. Bryson, Esq.
Marissa G. Nortz, Esq.
STEPTOE & JOHNSON PLLC
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*Counsel for Appellant
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Via Certified U.S. First Class Mail
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OFFICE OF LEGAL SERVICES
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Charleston, WV 25304
Counsel for WVDEP

Via Interdepartmental Mail


Kenna M. DeRaimo, Clerk