

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

**AMSTED GRAPHITE MATERIALS  
LLC  
Appellant,**

**v.**

**Appeal No. 21-04-EQB**

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

**Appellee.**

**AMENDED ORDER GRANTING CONTINUANCE AND EXTENDING STAY**

On August 31, 2023, Appellant Amsted Graphite Materials, LLC (“Appellant” or “AGM”), and Appellee, Division of Water and Waste Management, West Virginia Department of Environmental Protection (“WVDEP”), by and through their undersigned counsel, appeared for a pre-hearing conference for the above-styled appeal.

During the pre-hearing conference, counsel for AGM represented that the parties were having productive discussions to resolve the appeal issues through an administrative order, and accordingly requested a short continuance and a short extension of the stay currently in place. Counsel for the WVDEP concurred in the request.

Based upon the arguments and representations of the parties, the Board GRANTS the request for a continuance and hereby ORDERS (1) that the hearing in this matter be set

for hearing on October 12, 2023, (2) that a pre-hearing conference be set for September 28, 2023, (3) and that the stay be extended for 30 days, until October 17, 2023.

ENTERED this 28<sup>th</sup> day of September, 2023.

**Environmental Quality Board**

*for* Kenna M DeRaimo  
Edward M. Snyder, Chairman

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**Appellee.**

**CERTIFICATE OF SERVICE**

I, Kenna M. DeRaimo, Clerk for the Environmental Quality Board, hereby certify that on this day, the 28<sup>th</sup> day of September, 2023, a true copy of the foregoing **AMENDED ORDER GRANTING CONTINUANCE AND EXTENDING STAY** has been served upon the following:

Allyn G. Turner, Esquire  
STEPTOE & JOHNSON PLLC  
P.O. Box 1588  
Charleston, WV 25326-1588

*Via Email and Certified First Class Mail*  
9489 0090 0027 6501 9452 97

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

*Via Email and Interdepartmental Mail*

  
Kenna M. DeRaimo, Clerk