

**WEST VIRGINIA AIR QUALITY BOARD
CHARLESTON, WEST VIRGINIA**

**TUCKER UNITED, FRIENDS OF BLACKWATER,
and WEST VIRGINIA HIGHLANDS CONSERVANCY**

Appellants,

v.

Appeal No. 25-01-AQB

**DIRECTOR, DIVISION OF AIR QUALITY,
DEPARTMENT OF ENVIRONMENTAL PROTECTION,**

Appellee.

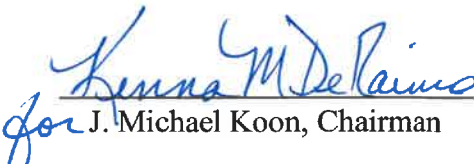
NOTICE OF ORAL ARGUMENT HEARING ON MOTION TO DISMISS

Appeal No. 25-01-AQB was filed with the West Virginia Air Quality Board (“Board”) on June 10, 2025. On July 18, 2025, counsel for Appellee West Virginia Department of Environmental Protection (“Appellee”) filed a Motion to Dismiss. On July 28, 2025, counsel for Appellants, Tucker United, Friends of Blackwater, and West Virginia Highlands Conservancy (“Appellants”) filed a response to Appellee’s Motion to Dismiss.

A status conference was held on August 25, 2025 at 1:30 p.m. wherein it was decided that the Board will hear oral argument on the motion to dismiss. Said **oral argument hearing** will begin at **1:00 p.m. on Wednesday, September 3, 2025**, at the Board’s offices located at 601 57th Street, Charleston, Kanawha County, West Virginia 25304. The Parties may attend in person or participate remotely: (1) via Zoom audio by using the following link: <https://us02web.zoom.us/j/81766486397>, or (2) via Zoom audio, by dialing any one of the following numbers: 1-305-224-1968, 1-309-205-3325, 1-312-626-6799, 1-646-558-8656. You may be requested to enter the **Meeting ID which is 817 6648 6397**. The complete Zoom invitation is attached to this notice. The proceedings may be recorded and transcribed at a later date if necessary.

ORDERED and ENTERED this 26th day of August, 2025.

Air Quality Board


for J. Michael Koon, Chairman



Kenna DeRaimo is inviting you to a scheduled Zoom meeting.

Topic: 25-01-AQB Oral Argument on Motion to Dismiss

Time: Sep 3, 2025 08:30 AM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/81766486397>

Meeting ID: 817 6648 6397

One tap mobile

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CHARLESTON, WEST VIRGINIA**

**TUCKER UNITED, FRIENDS OF BLACKWATER,
and WEST VIRGINIA HIGHLANDS CONSERVANCY,**

Appellants,

v.

Appeal No. 24-01-AQB

**DIRECTOR,
DIVISION OF AIR QUALITY, DEPARTMENT
OF ENVIRONMENTAL PROTECTION,**

Appellee.

CERTIFICATE OF SERVICE

This is to certify that I, Kenna M. DeRaimo, Clerk for the Air Quality Board, hereby certify that on this day, the 26th day of August, 2025, have served a true copy of the foregoing **NOTICE OF ORAL ARGUMENT HEARING ON MOTION TO DISMISS** upon the following:

J. Brent Easton, Esq.
BRENT EASTON ATTORNEY AT LAW PLLC
Post Office Box 267
Davis, West Virginia 26260
Counsel for Appellants

*Via Certified First-Class U.S. First Mail
and Electronic Mail*

9489 0090 0027 6692 2648 63

Charles S. Driver, Esq.
WV DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF LEGAL SERVICES
601 57th Street, S.E.
Charleston, WV 25304
*Counsel for Appellee
West Virginia Department
of Environmental Protection*

*Via Interdepartmental Mail
and Electronic Mail*

Kenna M. DeRaimo, Clerk