

WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD
CHARLESTON, WEST VIRGINIA

ASHCO-A-CORPORATION,

APPELLANT,

v.

Appeal No. 06-14-EQB

DIRECTOR, DIVISION OF WATER AND WASTE MANAGEMENT
DEPARTMENT OF ENVIRONMENTAL PROTECTION,

APPELLEE.

ORDER

Appellant, Ashco-A-Corporation, by its counsel, Robert G. McLusky, Esquire, has submitted a Motion to Dismiss its appeal without prejudice to its ability to resubmit an application to WVDEP for a waste load allocation and NPDES permit for discharges to the stream at issue in this appeal.

Accordingly, the Board does hereby **DISMISS** this appeal without prejudice.

ORDERED and **ENTERED** this 13th day of November, 2008.



Dr. Edward Snyder, Chairperson
Environmental Quality Board