STATE OF NEW MEXICO WATER QUALITY CONTROL COMMISSION

IN THE MATTER OF PROPOSED AMENDMENTS TO GROUND AND SURFACE WATER PROTECTION REGULATIONS, 20.6.2 NMAC



No. WQCC 17-03 (R)

LOS ALAMOS NATIONAL SECURITY, LLC'S REPORT IN RESPONSE TO THE AUGUST 29, 2017 ORDER ON EXPEDITED <u>MOTION FOR PREHEARING CONFERENCE</u>

Los Alamos National Security, LLC ("LANS"), pursuant to the Hearing Officer's August 29, 2017 Order on LANS' Expedited Motion for Prehearing Conference, reports that it conferred with all parties on whether to extend the October 13, 2017 deadline for submittal of pre-filed rebuttal testimony and that all of the parties, except Amigos Bravos and the Gila River Information Project, concurred in a two-week extension of the deadline to October 27, 2017. Amigos Bravos and GRIP take no position on the extension. Because no party opposed the extension, the proposed form of order granting the extension of the deadline from October 13, 2017 to October 27, 2017 is attached to this Report.

Respectfully submitted,

MONTGOMERY & ANDREWS, P.A.

By:

Louis W. Rose Kari Olson

Post Office Box 2307

Santa Fe, New Mexico 87504-2307

(505) 982-3873

lrose@montand.com

kolson@montand.com

Timothy A. Dolan
Pranava Upadrashta
Office of Laboratory Counsel
Los Alamos National Laboratory
P.O. Box 1663, MS A187
Los Alamos, NM 87545
(505) 667-7512
tdolan@lanl.gov
pranava@lanl.gov

Attorneys for Los Alamos National Security LLC

CERTIFICATE OF SERVICE

I hereby certify that on September 28, 2017, a true and correct copy of the foregoing Los Alamos National Security, LLL's Report in Response to the August 29, 2017 Order on Expedited Motion for Prehearing Conference was served via electronic mail or hand-delivered to the following:

Jaimie Park

John Verheul
Lara Katz
Assistant General Counsel
Office of General Counsel
New Mexico Environment Department
Post Office Box 5469
Santa Fe, NM 87502-5469
John.verheul@state.nm.us
Lara.katz@state.nm.us

Douglas Meiklejohn
Jonathan Block
Eric Jantz
New Mexico Environmental Law Center
1405 Luisa Street, Ste. 5
Santa Fe, NM 87505
jpark@nmelc.org
dmeiklejohn@nmelc.org
jblock@nmelc.org
ejantz@nmelc.org

Dalva L. Moellenberg Gallagher & Kennedy, PA 1239 Paseo de Peralta Santa Fe, NM 87501-2758 DLM@gknet.com

Rachel Conn
Projects Director
Amigos Bravos
Post Office Box 238
Taos, NM 87571
rconn@amigosbravos.org

Pete Domenici, Jr.
Lorraine Hollingsworth
Reed C. Easterwood
Domenici Law Firm, P.C.
320 Gold Ave, SW, Suite 1000
Albuquerque, NM 87102

William C. Olson 14 Cosmic Way Lamy, NM 87540 Billjeanie.olson@gmail.com pdomenici@domenicilaw.com lhollingsworth@domenicilaw.com reasterwood@domenicilaw.com

William Brancard
Cheryl Bada
Energy, Minerals and Natural Resources
Department
1220 South St. Francis Drive
Santa Fe, NM 87505
Bill.brancard@state.nm.us
Cheryl.bada@state.nm.us

Russell Church, President NMML EQA Subsection New Mexico Municipal League Post Office Box 846 Santa Fe, NM 87504-0846 rchurch@redriver.org

Michael L Casillo Litigation Attorney AFLOA/JACE 1500 West Perimeter Road, Suite 1500 Joint Base Andrews, MD 20762 Michael.l.casillo2.civ@mail.mil

Michael Bowen
Executive Director
New Mexico Mining Association
1470 St. Francis Drive
Santa Fe, NM 87505
nmma@comcast.net

Stuart R. Butzier
Christina C. Sheehan
Modrall, Sperling, Roehl Harris & Sisk
Post Office Box 2168
Albuquerque, NM 87103-2168
Stuart.butzier@modrall.com
Christina.sheehan@modrall.com

John Grubesic
Assistant Attorney General
Office of the Attorney General
Post Office Drawer 1508
Santa Fe, NM 87504-1508
jgrubesic@nmag.gov

*Pam Castaneda, Administrator Water Quality Control Commission Room N-2168, Runnels Building 1190 St. Francis Drive Santa Fe, NM 87505 Pam.castaneda@state.nm.us

* by hand delivery

Louis W. Rose

STATE OF NEW MEXICO WATER QUALITY CONTROL COMMISSION

IN THE MATTER OF PROPOSED AMENDMENTS TO GROUND AND SURFACE WATER PROTECTION REGULATIONS, 20.6.2 NMAC

No. WQCC 17-03 (R)

ORDER ON THE EXTENSION OF THE DEADLINE FOR SUBMITTAL OF REBUTTAL TESTIMONY

THIS MATTER came before the Hearing Officer after the meet and confer requested by the August 29, 2017 Order on Los Alamos National Security, LLC's Expedited Motion for Prehearing Conference and it appearing that all of the parties, except Amigos Bravos and the Gila River Information Project, which have indicated that they take no position on the proposed extension of the deadline for submittal of rebuttal testimony, concur in a two-week extension of the deadline;

The request is GRANTED and the deadline in the Scheduling Order for submittal of prefiled rebuttal testimony is extended from October 13, 2017, to October 27, 2013.

> Erin O. Anderson, Administrative Law Judge New Mexico Environment Department Hearing Officer for WQCC 17-03 (R)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Order on the Extension of the Deadline for Submittal of Rebuttal Testimony was served to the following parties on September ___, 2017, via hand delivery or mail, and email:

Via hand delivery and email
John Verheul
Lara Katz
Assistant General Counsel
Office of General Counsel
New Mexico Environment Department
Post Office Box 5469
Santa Fe, NM 87502-5469
John.verheul@state.nm.us
Lara.katz@state.nm.us

Dalva L. Moellenberg Gallagher & Kennedy, PA 1239 Paseo de Peralta Santa Fe, NM 87501-2758 DLM@gknet.com

Pete Domenici, Jr.
Lorraine Hollingsworth
Reed C. Easterwood
Domenici Law Firm, P.C.
320 Gold Ave, SW, Suite 1000
Albuquerque, NM 87102
pdomenici@domenicilaw.com
lhollingsworth@domenicilaw.com
reasterwood@domenicilaw.com

Jaimie Park
Douglas Meiklejohn
Jonathan Block
Eric Jantz
New Mexico Environmental Law Center
1405 Luisa Street, Ste. 5
Santa Fe, NM 87505
jpark@nmelc.org
dmeiklejohn@nmelc.org
jblock@nmelc.org
ejantz@nmelc.org

Rachel Conn
Projects Director
Amigos Bravos
Post Office Box 238
Taos, NM 87571
rconn@amigosbravos.org

William C. Olson 14 Cosmic Way Lamy, NM 87540 Billjeanie.olson@gmail.com William Brancard
Cheryl Bada
Energy, Minerals and Natural Resources
Department
1220 South St. Francis Drive
Santa Fe, NM 87505
Bill.brancard@state.nm.us
Cheryl.bada@state.nm.us

Russell Church, President NMML EQA Subsection New Mexico Municipal League Post Office Box 846 Santa Fe, NM 87504-0846 rchurch@redriver.org

Michael L Casillo Litigation Attorney AFLOA/JACE 1500 West Perimeter Road, Suite 1500 Joint Base Andrews, MD 20762 Michael.l.casillo2.civ@mail.mil

Louis W. Rose
Kari Olson
Montgomery & Andrews, P.A.
Post Office Box 2307
Santa Fe, NM 87504-2307
lrose@montand.com
kolson@montand.com

Michael Bowen
Executive Director
New Mexico Mining Association
1470 St. Francis Drive
Santa Fe, NM 87505
nmma@comcast.net

Timothy A. Dolan
Pranava Upadrashta
Office of Laboratory Counsel
Los Alamos National Laboratory
Post Office Box 1663, MS A187
Los Alamos, NM 87545
tdolan@lanl.gov
pranava@lanl.gov

Stuart R. Butzier
Christina C. Sheehan
Modrall, Sperling, Roehl Harris & Sisk
Post Office Box 2168
Albuquerque, NM 87103-2168
Stuart.butzier@modrall.com
Christina.sheehan@modrall.com

John Grubesic
Assistant Attorney General
Office of the Attorney General
Post Office Drawer 1508
Santa Fe, NM 87504-1508
jgrubesic@nmag.gov