

STATE OF NEW MEXICO  
BEFORE THE SECRETARY OF THE ENVIRONMENT

**THE MATTER OF HEARING DETERMINATION  
REQUEST CLASS 3 "EXCAVATION OF A NEW SHAFT  
AND ASSOCIATED CONNECTING DRIFTS"  
PERMIT MODIFICATION TO THE WIPP  
HAZARDOUS WASTE FACILITY PERMIT**

**HWB 21-02 (P)**

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**ORDER ESTABLISHING DEADLINES FOR PREHEARING MOTION PRACTICE**

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THIS PROCEDURAL ORDER is issued *sua sponte* by the Hearing Officer, filed as of record and served on the parties on April 1, 2021.

1. Under the applicable law, The Hearing Officer shall conduct a fair and impartial proceeding, assure that the facts are fully elicited, and avoid delay. The Hearing Officer shall have authority to take all measures necessary for the maintenance of order and for the efficient, fair and impartial adjudication of issues arising in proceedings governed by this Part. *See* 20.1.4.100 NMAC
2. Central to this Order is the law controlling opposed motion practice under 20.1.4.200 NMAC. The rule provides a 15-day period for a party to respond, and 10-days for the moving party to file a reply.
3. The hearing in this matter is scheduled to begin May 17, 2021 and continue as necessary.

4. Therefore, the deadline to file an opposed motion is on or before April 23, 2021.

IT IS SO ORDERED.

Gregory Chakalian Digitally signed by Gregory Chakalian  
Date: 2021.04.01 11:59:20 -06'00'

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Gregory Chakalian, ALJ OPF

## Certificate of Service

I hereby certify that on April 2, 2021 a copy of the foregoing **Order Establishing Deadlines** was emailed to the persons listed below. A copy will be mailed first class upon request.

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/s/ Madai Corral

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