

**STATE OF NEW MEXICO
WATER QUALITY CONTROL COMMISSION**



IN THE MATTER OF:
WASTE CONTROL SPECIALISTS LLC'S)
PETITION FOR REVIEW AND NOTICE)
OF APPEAL OF THE GROUND WATER)
QUALITY BUREAU OF THE)
NEW MEXICO ENVIRONMENT)
DEPARTMENT'S REJECTION OF WASTE)
CONTROL SPECIALISTS LLC'S)
WITHDRAWAL OF ITS APPLICATION FOR)
DISCHARGE PERMIT AND)
DETERMINATION THAT A DISCHARGE)
PERMIT IS REQUIRED)
)
WASTE CONTROL SPECIALISTS LLC,)
)
Petitioner.)
_____)

Docket No.
WQCC 17-01(A)

**JOINT MOTION OF WASTE CONTROL SPECIALISTS AND THE NEW MEXICO
ENVIRONMENT DEPARTMENT TO EXTEND ALL BRIEFING DEADLINES,
AND FOR A CONTINUANCE OF THE MAY 9, 2017 MOTIONS HEARING**

Waste Control Specialists LLC (“WCS”) and the New Mexico Environment Department (“NMED”) (collectively the “Parties”) jointly move the Commission for a thirty (30) day extension of all briefing deadlines in this appeal, (including briefing on two pending motions and the full briefing on the merits). The Parties also request a one month continuance of the hearing on the two pending motions that are currently scheduled for the May 9, 2017 Commission meeting, pursuant to the Order granting the Parties Joint Motion to Extend all Briefing Deadlines and for a Continuance of the April 11, 2017 motions hearing, granting April 6, 2017. As grounds for this Joint Motion the Parties state:

1. WCS and NMED are still actively engaged in promising settlement discussions which have the potential to resolve the issues in this appeal and allow for a jointly submitted request for dismissal of the entire appeal.

2. No prejudice will result to any party or member of the public if the Joint Motion is granted.

WHEREFORE, the Parties request that the Commission grant a thirty (30) day extension of all briefing deadlines in this appeal, and for a one month continuation of the currently scheduled May 9, 2017 motions hearing.

Jointly Submitted,

**MODRALL, SPERLING, ROEHL, HARRIS
& SISK, P.A.**

By:  _____

Stuart R. Butzier
Christina C. Sheehan
Attorneys for Waste Control Specialists
Post Office Box 2168
Albuquerque, New Mexico 87103-2168
Telephone: 505.848.1800

NEW MEXICO ENVIRONMENT DEPARTMENT

By: *Electronically Approved 5/2/17* _____

Lara Katz
Assistant General Counsel
New Mexico Environment Department
1190 Saint Francis Drive
Santa Fe, NM 87502
Lara.Katz@state.nm.us

CERTIFICATE OF SERVICE

I hereby certify that on May 2, 2017 a copy of the Joint Motion of Waste Control Specialists LLC and the New Mexico Environment Department's Joint Motion to Extend All Briefing Deadlines, and For a Continuance of the May 9, 2017 Motions Hearing was hand delivered to:

Pam Castaneda
Commission Administrator
Water Quality Control Commission
New Mexico Environment Department
1190 Saint Francis Drive
Santa Fe, NM 87502
Pam.Castaneda@state.nm.us

And emailed and mailed to:

John T. Grubescic
Office of the Attorney General
P.O. Box 1508
Santa Fe, New Mexico 87504-1508
jgrubescic@nmag.gov
Counsel for the Water Quality Control Commission

**MODRALL, SPERLING, ROEHL, HARRIS
& SISK, P.A.**

By: 

Stuart R. Butzier
Christina C. Sheehan
Attorneys for Attorneys for Waste Control Specialists LLC
Post Office Box 2168
Albuquerque, New Mexico 87103-2168
Telephone: 505.848.1800