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By Environmental Improvement Board at 7:44 am, Jan 15, 2021

**STATE OF NEW MEXICO  
BEFORE THE ENVIRONMENTAL IMPROVEMENT BOARD**

**IN THE MATTER OF  
20.7.11.17 NMAC - *Periodic Review***

No. LWP 21-01 \_\_\_\_\_

**New Mexico Environment Department,**

Movant.

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**NEW MEXICO ENVIRONMENT DEPARTMENT'S  
MOTION FOR EXTENSION OF TIME**

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COMES NOW, the New Mexico Environment Department (“Department”), and respectfully submits this Motion for Extension of Time, pursuant to 20.1.2.111(B) NMAC, on the following grounds:

1. The Department is required to provide to the Environmental Improvement Board (“Board”) an annual report for “periodic review” by January 15 of each calendar year, pursuant to 20.7.11.17 NMRA, *Liquid Waste Treatment and Disposal Fees*.
2. The current Public Health Emergency mandates that virtually all Department employees telework. Because of this, non-essential Department staff have not had regular access to the types of information necessary to develop the reports required under 20.7.11.17 NMRA.
3. In addition, due to safety concerns related to the event of January 6, 2021, all State buildings are closed to all non-essential employees until January 21, 2021.

4. Due to the combination of the Public Health Emergency and the closure of all state buildings, it is not possible to complete the reports in time for a January 15, 2021 submittal. The Bureau will not be able to finish compiling the information required for the report until after January 21, 2021.
5. Granting this motion will not prejudice the rights of the public or any party.
6. The Board has the authority to grant this motion pursuant to NMSA 1978, 74-1-8(A)(3) (1993 as amended through 2000) and 20.1.22(A)(2) NMAC; and no hearing is required.
7. This motion is unopposed; there are no other parties to this motion.

WHEREFORE, The Department respectfully moves the Board grant a ninety (90) -day extension of time to the Department to file the annual report for periodic review in this matter.

NEW MEXICO ENVIRONMENT DEPARTMENT

**Christopher J.  
Vigil**

Digitally signed by  
Christopher J. Vigil  
Date: 2021.01.14 16:00:43  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Motion was served on the following party on this the 14th day of January 2021 by email:

Pam Jones  
NMED Hearing Clerk  
Runnels Building, Room S-2104  
New Mexico Environment Department  
1190 Saint Francis Drive  
Santa Fe, NM 87505  
[Public.Facilitation@state.nm.us](mailto:Public.Facilitation@state.nm.us)

*/s/Chris Vigil*  
Chris Vigil  
Assistant General Counsel