

**STATE OF NEW MEXICO
BEFORE THE SECRETARY OF ENVIRONMENT**



**IN THE MATTER OF:)
THE APPLICATION OF S&R)
SEPTIC FOR THE RENEWAL OF)
A SEPTIC DISPOSAL FACILITY,)
DISCHARGE PERMIT, DP-465)**

GWB 19-28 (P)

MOTION FOR EXTENSION OF HEARING

Comes now the Applicant through their counsel and for their motion states:

1. The Applicant has previously had three permits, and closure plans, at this location. None of these permits require the deep borings with extensive sampling required in the draft permit.
2. In order to provide data showing the impacts of the operations in the soil below the cells the Applicant has retained EA Engineering to supervise EnviroDrilling to perform a soil boring to identify the chemical characteristics and depth of nitrate impact below the site.
3. EnviroDrilling cannot perform its drilling until early to mid-October. The results are not expected to be available until November 2019. Because the impact of the discharges on the soil below the properties is the central issue in the hearing a postponement and rescheduling of the hearing for 45 days is requested.
4. The Applicant does not anticipate that a postponement of the hearing for 45 days will prejudice any parties. Counsel for NMED has been contacted and opposes this motion.

Wherefore the Applicant requests the hearing scheduled October 16, 2019 be rescheduled for 45 days later.

IT IS SO REQUESTED.

Respectfully submitted,

DOMENICI LAW FIRM, P.C.

/s/ Pete V. Domenici, Jr.

Pete V. Domenici, Jr., Esq.

320 Gold Avenue SW, Suite 1000

Albuquerque, New Mexico 87102

(505) 883-6250

pdomenici@domicilaw.com