

BEFORE THE NEW MEXICO ENVIRONMENT DEPARTMENT

IN THE MATTER OF THE AGENCY
INITIATED MODIFICATION OF THE
HAZARDOUS WASTE FACILITY PERMIT
FOR THE WASTE ISOLATION PILOT PLANT
CARLSBAD, NEW MEXICO
EPA ID NO. NM4890139088

No. HWB 04-01 (M)



**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
MOTION TO POSTPONE HEARING**

The Hazardous Waste Bureau of the New Mexico Environment Department hereby requests the Hearing Officer in this proceeding to postpone the hearing in this proceeding by approximately 60 days. The hearing in this proceeding is currently scheduled for April 6, 2004 at 9:00 am. As reasons for this motion, the Hazardous Waste Bureau states:

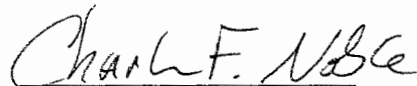
1. On January 30, 2004, several interested persons filed public comments on the agency initiated modification proposed in this proceeding. The comments and attached exhibits were voluminous, comprising thousands of pages. On April 8, 2004, several parties filed Notices of Intent in conformity with the requirements of the Public Notice published in this proceeding. The Notices of Intent were also particularly voluminous, also comprising many thousands of pages.
2. Due to the voluminous nature of the comments and Notices of Intent, and an agency focus on other DOE related issues, the Hazardous Waste Bureau believes that it will need three months to prepare for hearings in this matter.
3. The Department of Energy does not oppose this motion on the condition that it not be rescheduled on the dates of July 12-18 or August 16-20, 2004. Washington TRU



Solutions does not oppose this motion. The Environmental Evaluation Group does not oppose this motion. CMH2 Hill does not oppose this motion. The New Mexico Attorney General does not oppose this motion, but requests that it not be scheduled between June 10 through 18 or July 12 through August 3. Southwest Research and Information Center, Concerned Citizens for Nuclear Safety, and Citizens Against Radioactive Dumping do not oppose this motion so long as it is not scheduled for the time period of June 7 through 15.

WHEREFORE, the Hazardous Waste Bureau respectfully requests that the hearing in this matter be postponed for approximately 60 days. If the motion is granted, the Hazardous Waste Bureau will publish a public notice of the new hearing date scheduled by the Hearing Officer, and will also provide notice by mail to persons that have filed comments, entries of appearance, or notices of intent to present technical testimony.

Respectfully submitted,



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STATE OF NEW MEXICO
BEFORE THE SECRETARY OF ENVIRONMENT

IN THE MATTER OF THE AGENCY
INITIATED MODIFICATION OF THE
HAZARDOUS WASTE FACILITY PERMIT
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Postpone Hearing was sent via first class mail on March 9, 2004 to the following:

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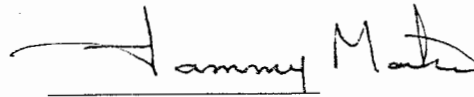
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