

**ENVIRONMENTAL APPEALS BOARD**  
**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**WASHINGTON, D.C.**

In re:	)	
	)	
City of Ruidoso Downs and Village of Ruidoso WWTP	)	Appeal No. 17-03
	)	
NPDES Permit No. NM 0029165	)	
	)	

**ORDER EXTENDING STAY OF PROCEEDINGS**

On May 2, 2018, the Board issued an order staying the above-captioned matter until July 9, 2018, to allow for on-going settlement discussions, which the parties represented could result in withdrawal of the pending petition for review. The Board also scheduled a status conference for June 19, 2018, and re-scheduled Oral Argument to August 16, 2018. Having heard from the parties regarding progress toward settlement during the June 19 status conference, the Board now extends the stay of this matter to July 25, 2018, and leaves in place the scheduled August 16, 2018 Oral Argument.

During the status conference, counsel for petitioner Rio Hondo and the permittee, the City of Ruidoso Downs and Village of Ruidoso WWTP, reported that settlement discussions have been fruitful and continue to move forward. Counsel for petitioner and the permittee indicated that additional time was needed to reach a comprehensive resolution of matters related to the water quality of the Rio Ruidoso including matters that are the subject of this appeal. Counsel for EPA Region 6 and Office of General Counsel supported the parties' settlement efforts and concurred with the need for additional time.

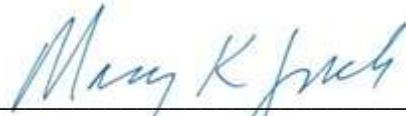
In view of the progress made to date and to aid the parties' efforts to achieve a comprehensive settlement of this matter, the Board extends the stay of this matter to July 25, 2018. The Board will hold an additional status conference at 4:00 p.m. EDT on July 25, 2018, to hear what progress the parties have made. The Board leaves in place the current date for Oral Argument, which is scheduled to begin at 1:00 p.m. EDT on August 16, 2018, to facilitate expedient resolution of this petition for review if the parties are unable to report an expected settlement of this matter.

As established in the Board's May 2, 2018 Order, the parties must notify the Board no later than August 2, 2018, of the names of counsel who will present at oral argument and whether they will attend in person or request to appear by videoconference. All other parameters for oral argument remain unchanged from the Board's April 12, 2018 Order Scheduling Oral Argument.

So ordered.

**ENVIRONMENTAL APPEALS BOARD**

Dated: **Jun 21 2018**

By:   
Mary Kay Lynch  
Environmental Appeals Judge

**CERTIFICATE OF SERVICE**

I certify that copies of the foregoing *Order Extending Stay of Proceedings* in the matter of City of Ruidoso Downs and Village of Ruidoso WWTP, NPDES Appeal No. 17-03, were sent to the following persons in the manner indicated:

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Dated: Jun 21 2018

  
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Annette Duncan  
Administrative Specialist