

BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENT PROTECTION AGENCY
WASHINGTON, D.C.

In re: _____)
)
Mora Mutual Domestic Water Consumers and) NPDES Appeal No. 08-20
Sewage Works Association)
)
Permit No. NM0024996)
_____)


RESPONSE TO ORDER ALLOWING REGION 6 TO RESPOND TO REQUEST
FOR AN EXTENSION OF APPEAL DEADLINE
AND
REQUEST FOR ADDITIONAL TIME EXTENSION OF ONE WEEK TO NOVEMBER 10TH

On October 15, 2008, Souder, Miller and Associates, on behalf of the Mora Mutual Domestic Water Consumer and Sewage Works Association ("Mora"), filed a request for extension of the deadline in which to appeal the final NPDES permit No. NM0024996 issued by the permitting authority, U.S. Environmental Protection Agency Region 6 ("Region") on September 17, 2008. On October 27, 2008, the Environmental Appeals Board ("Board") issued an Order providing the Region until October 28, 2008, to file a response to Mora's request. In this Order, the Board stated that the October 16 letter from Mora did not include a copy of the NPDES permit for the Board to corroborate that October 20, 2008 was in fact the deadline for filing the appeal. The Order further states that Mora's letter does not "state whether the [Region] was served with the October 16 letter.

Mora is attaching to this letter the NPDES permit ("Exhibit A") for the Board's review. Mora further attaches a Certificate of Service listing the persons copied on the October 16 letter.

Mora patiently awaits the Board's decision on the request for extension of appeal deadline and further requests an extension of appeal deadline to November 10, 2008. Mora secured a meeting on November 6th with the Surface Water, Ground Water and Construction Programs Bureaus of the New Mexico Environment Department (NMED) to discuss feasible and economically sustainable treatment options for the Mora MDWC & SWA. Mora continues to develop their appeal during this time.

SOUDER, MILLER & ASSOCIATES

By: 
Kari J. Edenfield, P.E.
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Santa Fe, New Mexico 87507
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Response to Order Allowing Region 6 to Respond to Request for an Extension of Appeal Deadline and Request for Additional Time Extension of One Week to November 10th, in the matter of Mora Mutual Domestic Water Consumer and Sewage Works Association, NPDES Appeal No. 08-20, and the previous October 16 Request for Two Week Extension of NPDES Permit No. NM0024996 Appeal Period, were sent to the following persons in the manner indicated:

By US FED EX and via electronic submittal to the Board's Website:

Edward E. Reich
Environmental Appeals Judge
Environmental Appeals Board (EAB)
Colorado Building
1341 G Street, N.W., Suite 600
Washington, D.C. 20005

By First Class Mail Postage Prepaid:

Clarence Aragon, President
Mora MDWC & SWA
P.O. Box 304
Mora, New Mexico 87732

Ron Curry, Secretary
New Mexico Environment Department (NMED)
P.O. Box 26110
Santa Fe, New Mexico 87502-6110

Renea Ryland, 6RC-M
Assistant Regional Council
EPA, Region 6
1445 Ross Ave., Suite 1200
Dallas, Texas 75202

Bill Olson, Chief
NMED Ground Water Bureau
P.O. Box 26110
Santa Fe, New Mexico 87502-6110

Congressman Tom Udall
811 St. Michaels Drive, Suite 104
Santa Fe, New Mexico 87505

Glenn Saums, Acting Chief
NMED Surface Water Quality Bureau
P.O. Box 26110
Santa Fe, New Mexico 87502-6110

Senator Jeff Bingaman
119 E. Marcy Street, Suite 101
Santa Fe, New Mexico 87501

Senator Pete Dominici
120 S. Federal Place, Suite 302
Santa Fe, NM 87501

Dated:

By:



Kari Edenfield, P.E.
Project Engineer

