

**STATE OF NEW MEXICO  
ENVIRONMENT DEPARTMENT**

ENVIRONMENTAL HEALTH DIVISION,  
HAZARDOUS WASTE BUREAU,

Complainant,

v.

UNITED STATES DEPARTMENT  
OF ENERGY, and  
NUCLEAR WASTE PARTNERSHIP, LLC,

Respondents.

WASTE ISOLATION PILOT PLANT  
EDDY COUNTY, NEW MEXICO

COMPLIANCE ORDER NO.  
HWB-14-21 (CO)

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**MOTION FOR EXTENSION OF TIME TO FILE AN  
ANSWER AND REQUEST FOR HEARING**

Come now the United States Department of Energy (DOE), and Nuclear Waste Partnership, LLC (Respondents), and move for an extension of time until January 9, 2015, for Respondents to file an Answer and Request for Hearing, pursuant to Complainant's Adjudicatory Procedures, 20.1.5.100(G)(2) NMAC.

As good cause therefor, Respondents state the following:

On December 6, 2014 a copy of the CO was hand-delivered to DOE. The CO becomes final 30 days after receipt of the CO, unless a Request for Hearing and Answer is filed with the Hearing Clerk. The CO contains numerous, complex allegations, and assesses a significant, unprecedented, civil penalty. Many of the personnel required to review the CO and provide information to answer the CO are not available due to holidays. Additionally, Respondents have requested, but have not yet received, Complainant's narrative

summary of its penalty calculations, which is necessary for Respondents to develop their Answer.

Respondents have obtained the agreement of Complainant's Counsel to extend until January 9, 2015, the time to answer the CO and request a hearing.

Respectfully submitted this 22<sup>nd</sup> day of December 2014.

BY: Signature on File  
George W. Hellstrom, Legal Counsel  
Department of Energy  
Carlsbad Field Office  
P.O. Box 3090  
Carlsbad, NM 88221  
575-234-7010

BY: Signature on File  
Dennis Cook, General Counsel  
Nuclear Waste Partnership, LLC  
P.O. Box 2078  
Carlsbad, NM 88221-2078  
575-234-7116

**Certificate of Service**

I hereby certify that I served the foregoing Stipulated Motion for Extension of Time on the 22nd day of December by depositing a true copy thereof in the U.S. Mail, postage prepaid, addressed as follows: at the following address:

Ryan Flynn, Secretary  
New Mexico Environment Department  
1190 Saint Francis Drive, S-2103  
P.O. Box 5469  
Santa Fe, New Mexico 87502-5469

and that further that a copy of this answer and request for hearing was served on counsel for the HWB.

BY: Signature on File  
George W. Hellstrom, Legal Counsel  
Department of Energy  
Carlsbad Field Office  
P.O. Box 3090  
Carlsbad, NM 88221  
575-234-7010