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November 20, 2018

On this 20th day of November, 2018, Nadine Padilla, counsel for Petitioners, caused to be served by hand the original and nine copies of this waiver to the Albuquerque-Bernalillo Air Quality Control Board and have further served a copy of this waiver to the hearing officer, and the Board's legal counsel.

Pursuant to section 20.11.81.12 NMAC, included in this packet are the following documents:

- The original and 9 copies for the hearing clerk
- One copy for the hearing officer
- One copy for the Board's legal counsel

Hand delivered

Air Quality Control Board
One Civic Plaza NW
3rd Floor, Room 3023
Albuquerque, NM 87102



Nadine Padilla
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STATE OF NEW MEXICO
Before the
ALBUQUERQUE-BERNALILLO COUNTY
AIR QUALITY CONTROL BOARD

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IN THE MATTER OF THE PETITION FOR
A HEARING ON THE MERITS REGARDING
AIR QUALITY PERMIT NO. 3340
[NEW MEXICO TERMINAL SERVICES, LLC.]

MOUNTAIN VIEW NEIGHBORHOOD ASSOCIATION,
as an organization, and
NORA GARCIA, as an individual,
Petitioners,

v.

AQCB Docket No. 2018-1

CITY OF ALBUQUERQUE, ENVIRONMENTAL
HEALTH DEPARTMENT, Air Quality Program,
Respondent.

WAIVER OF DEADLINE FOR A HEARING

Pursuant to section 20.11.81.14(C) NMAC, Petitioners, by and through counsel Nadine Padilla and Eric Jantz of the New Mexico Environmental Law Center, hereby waive the 60-day deadline to begin a hearing on the merits as required by NMSA 1978, §74-2-7(I). Petitioners timely filed a Petition for a Hearing on the Merits on October 26, 2018 and now waive the right to have a hearing begin within 60 days of this date. As required by section 20.11.81.14(C), this waiver is filed more than seven days before the expiration of the deadline for a hearing.

Respectfully submitted,



Nadine Padilla
Eric Jantz
Counsel for Petitioners
NM Environmental Law Center
(505) 989-9022
1405 Luisa St, Ste. 5
Santa Fe, NM 87505

CERTIFICATE OF SERVICE

On this 20th day of November, 2018, Nadine Padilla, counsel for Petitioners, caused to be served by hand the original and nine copies of this waiver to the Albuquerque-Bernalillo Air Quality Control Board and have further served a copy of this waiver to the hearing officer, the Board's legal counsel, legal counsel for the Environmental Health Department, and the Registered Agent for the Permittee by the following methods:

Hand delivered

Air Quality Control Board
One Civic Plaza NW
3rd Floor, Room 3023
Albuquerque, NM 87102

Hand delivered & Electronically delivered

Randall Thompson
Registered Agent and Legal Counsel
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