STATE OF NEW MEXICO
ABUQUERQUE BERNALILLO COUNTY AIR QUALITY CONTROL BOARD

IN THE MATTER OF THE PETITION FOR A HEARING ON THE MERITS
REGARDING AMERICAN CEMENT CORPORATION
AIR QUALITY PERMIT No. 0902-M3

Greater Gardner Neighborhood Assoc.,
North Valley Coalition of Neighborhood
Assoc.s. Kyle Silfer, David Wood, Marcia
Finical, as individuals,

AQCB Petition No. 2009-7

Petitioner /Appellants,

v.

City of Albuquerque Environmental Health
Department, Air Quality Division

Respondent/Appellee,

American Cement Corporation,

Intervener.

AMENDED SCHEDULING ORDER

Pursuant to the authority granted to me as Hearing Officer under Subsection B of 20.11.81.12 NMAC and the Scheduling Order issued November 30, 2009 by the Chairman of the Albuquerque-Bernalillo County Air Quality Control Board ("Board"), and after consultation with the parties, IT IS ORDERED:

1. The hearing on the merits in the above-captioned matter shall be held on February 22 and 23, 2010, beginning at 9:00 a.m on each day. Opportunities for public comment shall be provided from 12:00 noon to 1:00 p.m and from 5:00 6:00 p.m., as necessary, on each

day. Testimony of the parties may continue past 6:00 p.m. at the discretion of the Hearing Officer.

2. The hearing shall be held in the Vincent E. Griego Chambers in the Albuquerque-Bernalillo County Government Center, or at another suitable location secured by the clerk in the event such Chambers are not available.

3. Statements of Intent to present technical evidence shall be filed and served no later than February 5, 2010. Each party shall provide the information specified in Paragraph (2) of Subsection (H) of 20.11.81.14 NMAC for each witness the party intends to call, regardless of whether the witness's testimony is technical or non-technical.

4. Any pre-hearing motions shall be filed and served no later than January 22, 2010.

5. In computing any time period prescribed or allowed by 20.11.81 NMAC, where differing periods are provided for 30 day and 60 day hearing procedures, the period applicable to 60 day hearing procedure shall govern.

Bill Grantham
Hearing Officer