STATE OF NEW MEXICO
ALBUQUERQUE-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., 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,
Intervenor

ORDER SUSPENDING HEARING AND WAIVING DEADLINES

This matter comes before me by joint motion of Intervenor American Cement Corporation and Petitioner/Appellents, unopposed by Respondent City of Albuquerque, to suspend the hearing in this matter, waive applicable deadlines, and reschedule the hearing for March 16 and 17th, 2010 in order to allow for negotiation between the parties. Conference with parties has revealed irreconcilable scheduling conflicts among the parties and the Hearing Officer with respect to the schedule proposed by the moving parties. The Parties agree to an alternative hearing date of March 9 and 10, 2010, if another Hearing Officer is available. Therefore, being fully advised in the premises, the motion to suspend the hearing and waive the deadlines for motion practice is granted. Rescheduling the hearing and re-establishing the motion practice schedule is stayed

pending a decision by the Board on the appointment of an alternative Hearing Officer. Nothing in this Order shall preclude the Intervenor from filing on or before February 8, 2010 a reply to Petitioner's response to Intervenor's Motion to Disqualify Member Brinkman, or preclude the Board from deliberating and ruling on such motion at its February 10, 2010 meeting.

Bill Grantham
Hearing Officer