

NEW MEXICO WATER QUALITY CONTROL COMMISSION
NOTICE OF PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO 20.6.2
NMAC – DAIRY RULES



The New Mexico Water Quality Control Commission (WQCC) will hold a public hearing following an open meeting beginning at 9:00 a.m. on April 13, 2010 and continuing on subsequent days, as necessary, in Room 307 of the State Capitol Building, 490 Old Santa Fe Trail, Santa Fe, to consider proposed amendments to 20.6.2 NMAC. At the hearing, the WQCC will consider specific rules to protect ground water for the dairy industry (Dairy Rules) as required by NMSA 1978, Section 74-6-4(K) (2009) of the Water Quality Act. Under that statutory section, the Water Quality Control Commission is to adopt new rules for the dairy industry "to specify...the measures to be taken to prevent water pollution and to monitor water quality."

The New Mexico Environment Department will propose Dairy Rules in a revised petition to be filed with the WQCC on January 29, 2010. The revised petition will be available at: <http://www.nmenv.state.nm.us/gwb/> and will be considered at the hearing. The proposed Dairy Rules would add definitions, notice, permitting, engineering, operating, monitoring, contingency, closure, record retention, transfer and transition provisions for the dairy industry.

The hearing will be conducted pursuant to NMSA 1978, Section 74-6-6 of the Water Quality Act; the Guidelines for WQCC Regulation Hearings; and the Procedural and Scheduling Orders entered by the WQCC Hearing Officer appointed for this purpose. These documents are available at: <http://www.nmenv.state.nm.us/gwb/>. They may also be obtained electronically or reviewed in person by contacting the WQCC Administrator, Joyce Medina. Persons interested in participating should visit the website listed above or contact Ms. Medina closer to the date of the hearing to be apprised of any changes to these documents. Ms. Medina's contact information is:

Joyce Medina, WQCC Administrator,
1190 St. Francis Dr.,
PO Box 5469,
Santa Fe, NM 87502
Tel: (505) 827-2425
Fax: (505) 827-2836
Email: joyce.medina@state.nm.us

The WQCC is expected to make a decision at its regular meeting in either September or October 2010.

Technical Testimony:

In order to present technical testimony at the hearing, a person must file a notice of intent to present technical testimony with the WQCC Administrator no later than March 8, 2010. The notice shall:

1. identify the person for whom the witness(es) will testify;
2. identify each technical witness the person intends to present and state the qualifications of that witness including a description of their educational and work background;
3. attach the full direct testimony in writing of each technical witness;
4. include the text of any recommended modifications to the proposed regulatory change; and

5. identify and attach all exhibits to be offered by the person.

Participation by the General Public:

Any member of the public may present non-technical testimony and exhibits at the hearing. No prior notification is required. Persons desiring to present non-technical testimony may be heard each day that the hearing continues. The Hearing Officer may provide an opportunity to present such testimony outside normal working hours. A member of the public may submit a written non-technical statement for the record in lieu of oral testimony at any time before the close of the hearing.

If any person requires assistance, an interpreter or auxiliary aid to participate in this process, please contact Judy Bentley at least ten days before the hearing date at NMED, Personnel Service Bureau, Room N-4071, 1190 St. Francis Dr., PO Box 5469, Santa Fe, NM 87502 or by telephone at (505) 827-9872. TDY users please access Ms. Bentley's number through the New Mexico Relay Network at 1-800-659-8331.