

NEW MEXICO ENVIRONMENT DEPARTMENT  
NOTICE OF PUBLIC HEARING TO CONSIDER PROPOSED REVISION OF RURAL WATER SUPPLY  
FACILITIES REGULATIONS, 20.7.2 NMAC, AND WASTEWATER FACILITY CONSTRUCTION LOAN  
POLICIES AND GUIDELINES, 20.7.6 NMAC

The Secretary of the New Mexico Environment Department, (Secretary) will hold a public hearing at 9:00 a.m. on August 28<sup>th</sup>, 2007, and continuing thereafter as necessary, at the New Mexico Environment Department, Harold Runnels Building, Room N2167, 2<sup>nd</sup> floor, Santa Fe, New Mexico to consider proposed amendments to the Rural Water Supply Facilities Regulations, 20.7.2 NMAC, and Wastewater Facility Construction Loan Policies and Guidelines, 20.7.6 NMAC. The Construction Programs Bureau of the New Mexico Environment Department is the proponent of the proposed amendments. Amendments proposed to 20.7.2 NMAC include (i) addition of and amendments to various definitions, (ii) addition of solid waste as an eligible facility, (iii) amendments to establish an administrative fund and allocate up to two percent of the total balance in the fund to pay for administrative expenses necessary to carry out the provisions of the Rural Infrastructure Act (iv) amendments to loan information and financial report requirements, (v) amendments to maximum loan and grant amounts, (vi) amendments to eligible local authorities, (vii) amendments to repayment installments, and (viii) amendments to remove restrictive language. Amendments proposed to 20.7.6 NMAC include (i) addition of and amendments to various definitions, (ii) amendments to clarify language (iii) changes that allow the Department to create a separate administrative fund to recover administrative costs, and (iv) amendments to remove retainage language to conform with the Retainage Act.

The proposed changes may be reviewed during regular business hours at the Office of the Hearing Clerk for the New Mexico Environment Department, Harold Runnels Building, 1190 St. Francis Drive, Room N-2153, Santa Fe, NM, 87505. In addition, a copy of the proposed amendments is posted on the NMED website at <http://www.nmenv.state.nm.us/cpb/cpbtop.html> Written comments may be submitted to the Department regarding the amendments at the above address, and should reference docket number CP 07-31 (R) for 20.7.2 NMAC and docket number CP 07-32 (R) for 20.7.6 NMAC.

The Secretary may conduct the hearing in accordance with 20.1.1 NMAC (Rulemaking Procedures of the Environmental Improvement Board) and other applicable procedures. All interested persons will be given reasonable opportunity at the hearing to submit relevant evidence, data, views and arguments, orally or in writing, to introduce exhibits, and to examine witnesses. Any person who wishes to submit a non-technical written statement for the record in lieu of oral testimony must file such statement prior to the close of the hearing. Persons wishing to present technical testimony must file with the Board a written notice of intent to do so. The notice of intent shall:

- identify the person or entity for whom the witness(es) will testify;
- identify each technical witness that the person intends to present and state the qualifications of the witness, including a description of his or her education and work background;
- summarize or include a copy of the direct testimony of each technical witness and state the anticipated duration of the testimony of that witness;
- list and describe, or attach, each exhibit anticipated to be offered by that person at the hearing, including any proposed statement of reasons for adoption of the rules; and,
- attach the text of any recommended modifications to the proposed changes.

Notices of intent for the hearing must be received in the Office of the Hearing Clerk not later than 5:00 pm on August 10th, 2007, and should reference the name of the regulation and the date of the hearing. Notices of intent to present technical testimony should be submitted to:

Sally Worthington  
Office of the Hearing Clerk  
Harold Runnels Building  
1190 St. Francis Dr., Room N-2153  
Santa Fe, NM 87502

If you are an individual with a disability and you require assistance or an auxiliary aid, e.g. sign language interpreter, to participate in any aspect of this process, please contact the Personnel Services Bureau by August 10th, 2007. The Personnel Services Bureau can be reached at the New Mexico Environment Department, 1190 St. Francis Drive, P.O. Box 26110, Santa Fe, NM 87502, (505) 827-9872. TDD or TDY users may access this number via the New Mexico Relay Network (Albuquerque TDD users: (505) 275-7333; outside of Albuquerque: 1-800-659-1779)