

NEW MEXICO ENVIRONMENTAL IMPROVEMENT BOARD
NOTICE OF PUBLIC MEETING AND RULEMAKING HEARING

The New Mexico Environmental Improvement Board ("Board") will hold a public hearing on January 3, 2012 at 9:00 am in Room 307 of the New Mexico State Capitol Bldg, 490 Old Santa Fe Trail, Santa Fe 87501. The purpose of the hearing is to consider the matter of EIB No. 11-18(R), revisions to the New Mexico Drinking Water Regulations.

The Safe Drinking Water Act section 300(g)(2)(a)(1) requires states with primary enforcement responsibility for public water systems to adopt regulations that are no less stringent than the national primary drinking water regulations. The proposed revision would update New Mexico's incorporation by reference of the National Primary Drinking Water Regulations, 40 CFR Part 141, so that future changes to those regulations will be automatically incorporated into New Mexico law. Other revisions to the regulations are also proposed to reflect existing implementation in New Mexico where federal regulations allow state discretion or require state interpretation. The overarching goal of the proposed changes is to increase the consistency of implementation among the regional offices in the bureau and to provide more transparency and predictability to the regulated water systems.

The proponent of this regulatory revision is the New Mexico Environment Department ("NMED"). At <http://www.nmenv.state.nm.us/dwb/index.htm>, the proposed drinking water regulation revision may be downloaded using the "Laws & Regulations" or the "WHAT'S NEW" links. During regular business hours the proposed drinking water regulation revisions can be reviewed at the NMED Drinking Water Bureau office, 1052 Main Street NE, Los Lunas, New Mexico or by contacting Angela Faye Cross at (505) 841-5376 or angelafaye.cross@state.nm.us.

The hearing will be conducted in accordance with 20.1.1 NMAC – Rulemaking Procedures— Environmental Improvement Board as amended on October 3, 2011; the Environmental Improvement Act, Section 74-1-9 NMSA 1978; and other applicable procedures. Copies of 20.1.1 NMAC as amended October 3, 2011 may be obtained from the Board Administrator at the address below.

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. Persons wishing to present technical testimony must file with the Board a written notice of intent to do so. The notice of intent shall:

- (1) identify the person for whom the witness(es) will testify;
- (2) identify each technical witness that the person intends to present and state the qualifications of the witness, including a description of their education and work background;
- (3) summarize or include a copy of the direct testimony of each technical witness and state the anticipated duration of the testimony of that witness;
- (4) list and describe, or attach, each exhibit anticipated to be offered by that person at the hearing; and
- (5) attach the text of any recommended modifications to the proposed new and revised regulations.

Notices of intent for the hearing must be received in the Office of the Board not later than 5:00 pm on December 14, 2011, and should reference the docket number, EIB No. 11-18 (R), and the date of the hearing. Notices of intent to present technical testimony should be submitted to:

Carmella Casados, Board Administrator
Office of the Environmental Improvement Board
Harold Runnels Building
1190 St. Francis Dr., Room N-2150 / 2153
Santa Fe, NM 87502
Phone: (505) 827-2425, Fax (505) 827-2836

Any member of the general public may testify at the hearing. No prior notification is required to present non-technical testimony at the hearing. Any such member may also offer exhibits in connection with his testimony, so long as the exhibit is not unduly repetitious of the testimony.

A member of the general public who wishes to submit a written statement for the record, in lieu of providing oral testimony at the hearing, shall file the written statement prior to the hearing, or submit it at the hearing.

Persons having a disability and needing help in being a part of this hearing process should contact Judy Bentley by December 14, 2011 at the NMED, Personnel Services Bureau, P.O. Drawer 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502, telephone 505-827-9872. TDY users please access her number via the New Mexico Relay Network at 1-800-659-8331.

The Board may make a decision on the proposed drinking water regulation revisions at the conclusion of the hearing, or the Board may convene a meeting after the hearing to consider action on the proposal.