

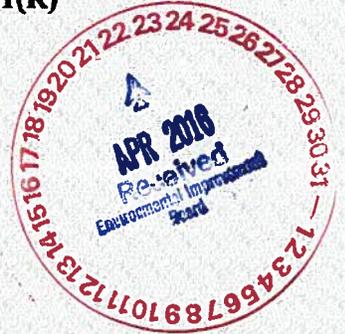
STATE OF NEW MEXICO
ENVIRONMENTAL IMPROVEMENT BOARD

IN THE MATTER OF PROPOSED
REPEAL AND REPLACEMENT OF
7.18.1 THROUGH 7.18.5 NMAC –
Public Swimming Pools, Spas, and Baths

No. EIB 16-01(R)

Environmental Health Bureau,
Environmental Protection Division of the
New Mexico Environment Department,

Petitioner.



**NEW MEXICO ENVIRONMENT DEPARTMENT'S
NOTICE OF COMPLIANCE WITH SMALL BUSINESS
REGULATORY RELIEF ACT**

The New Mexico Environment Department gives notice that it has filed in the record of this proceeding a letter dated March 31, 2016, to the Small Business Regulatory Advisory Commission, a copy of which is attached hereto, as required by NMSA 1978, Section 14-4A-4 of the Small Business Regulatory Relief Act.

Respectfully submitted,

NEW MEXICO ENVIRONMENT DEPARTMENT

By:

A handwritten signature in black ink, appearing to be "Andrew P. Knight", written over a horizontal line.

Andrew P. Knight
Assistant General Counsel
121 Tijeras Avenue NE, Suite 1000
Albuquerque, New Mexico 87102-3400
(505) 222-9540
andrew.knight@state.nm.us



SUSANA MARTINEZ
Governor
JOHN A. SANCHEZ
Lt. Governor

NEW MEXICO ENVIRONMENT DEPARTMENT

Harold Runnels Building
1190 Saint Francis Drive (87505)
PO Box 5469, Santa Fe, NM 87502-5469
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March 31, 2016



RYAN FLYNN
Cabinet Secretary
BLITCH TONGATE
Deputy Secretary

Via Email

Small Business Regulatory Advisory Commission
c/o Ms. Leslie Porter
New Mexico Economic Development Department
1100 St. Francis Drive
Santa Fe, New Mexico 87505

**Re: Proposed Amendments to Public Swimming Pools, Spas and Baths Regulations
7.18.1-7.18.5 NMAC**

Dear Chairman and members of the Small Business Regulatory Advisory Commission,

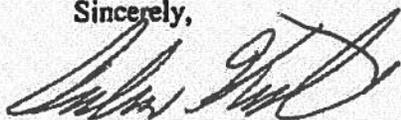
The New Mexico Environment Department ("Department") hereby provides notice to the Small Business Regulatory Advisory Commission, pursuant to NMSA 1978 Section 14-4A-1, *et seq.* that the Department's Environmental Health Bureau has petitioned the Environmental Improvement Board ("EIB") for regulatory amendments to Sections 7.18.1 through 7.18.5 NMAC - *Public Swimming Pools, Spas, and Baths*. The proposed amendments would adopt the federal Model Aquatic Health Code, 1st Edition, with a number of additions, modifications, and omissions, and would also set fees for construction permits and operating permits.

These changes are being proposed with the objective of reducing the incidence of both accidental injury and water-borne infectious diseases that have occurred in public aquatic venues throughout the state. Development of the Model Aquatic Health Code was a collaborative effort between a large number of state health agencies throughout the country (including NMED), and the Centers for Disease Control (CDC). By adopting national standards for the construction of new facilities, and operational requirements such as improved methods for monitoring levels of disinfectant chemicals in the water, the Department hopes to significantly reduce the number of fall injuries, near drownings, chemical burns, and cases of *cryptosporidium*, *e. coli*, and listeria infection that have been reported in recent years.

The Department has held public meetings in different areas of the state to present these proposed changes and gather additional stakeholder input. The EIB is scheduled to hold a hearing on May 13, 2016 in Room 307 of the Roundhouse to decide whether to adopt these amendments. If you would like to have us present at your next meeting to discuss this rule change and answer any questions, please contact me at (505) 222-9540 or via email at andrew.knight@state.nm.us.

Page 2 of 2

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew P. Knight". The signature is fluid and cursive, with a large initial "A" and "K".

Andrew P. Knight, Esq.
Assistant General Counsel

cc: Eugene Knight, NMED/EHB Pool Program Manager
Bill Chavez, NMED/EHB Bureau Chief
Michael Vonderheide, NMED/EPD Division Director