

**PROFESSIONAL ON-SITE WASTEWATER RE-USE ASSOCIATION OF NEW
MEXICO, INC.
P.O. Box 8542
Santa Fe, NM 87504
(505)988-7676**

August 21, 2006

Joyce Medina, Administrator
New Mexico Environmental Improvement Board
Harold Runnels Building, Rm N2150
1190 St. Francis Drive
Santa Fe, New Mexico 87505

Re: Petition for Public Hearing to Consider a Proposed Amendment to the Liquid Waste Disposal and Treatment Regulations in Title 20, Chapter 7, Part 3 of the New Mexico Administrative Code.

Dear Ms. Medina:

The Professional On- Site Wastewater Re-Use Association of New Mexico (“POWRA”) respectfully requests a hearing before the Environmental Improvement Board (“EIB”) on proposed amendments to the Liquid Waste Disposal and Treatment Regulations, 20.7.3 NMAC. The purpose of the proposed amendments is to make relatively minor adjustments to the current regulations, to clarify various provisions and to assure that the Liquid Waste Program can adequately perform its function. We respectfully request that the Board consider this Petition at its regularly scheduled meeting on September 7, 2006, and set the proposed amended rule for hearing in January of 2007, or as soon thereafter as is practical. POWRA expects that the hearing will take approximately 2 days. Scheduling a hearing in January of 2007 or later will allow for 60 days notice to the public pursuant to NMSA 1978, §74-1-9D (1985).

The proposed amendments include:

Section 20.7.3.7:

Subsection A –

Definition of “absorption area” amended to insert the words “below the invert of the pipe” after the words “infiltrative surface”.

Definition of “alternative disposal” amended to replace “surface irrigation systems” with “surface application systems”.

Subsection E – Insert definition “elevated system” – a disposal system approved by the department installed at or above grade to overcome lack of required clearance.

Section 20.7.3.201:

Subsection C Add the sentence “No person shall discharge effluent from a liquid waste treatment and disposal unit until the liquid waste system has received a final inspection and been approved by the department.”

Subsection O – Add (3) “New types of plumbing fixtures that do not use water such as waterless urinals shall utilize design flows established by the department on a individual case-by-case basis”.

Subsection Q (1) Insert the word “not” after the word “may”

Subsection R 3 ©– Delete phrase “either a demand-initiated regeneration control device (DIR device) shall be installed or” from proposed Section Q 3 c

Section 20.7.3.401:

Subsection K 1 - Insert “all materials used are approved and documented, that appropriately licensed individuals performed the installation”

Insert “Inspections of unpermitted systems are to be conducted by department inspectors only on department-approved forms”.

Section 20.7.3.701:

Subsection D – Add “Alternatively the inspection port may be located subsurface if it is enclosed in a department approved valve box installed at finished ground level”.

Section 20.7.3.703

Subsection J 2 – Delete

Subsection J 4 – Delete the phrase “excluding the six inches of trench sidewall required in Paragraph (2) of this subsection”.

Section 20.7.3.801:

Retain “surface application”.

Section 20.7.3.807:

Change Section Title to **Mound and Elevated Systems**

Add Subsection G - Elevated systems are systems installed at or above grade and approved by the department to overcome clearance issues.

Section 20.7.3.808

Subsection I (2) Insert “Except for mound systems” before the word “soil” and insert the phrase “using the distance between emitters equally divided to calculate absorption area” after the word “rates”.

Section 20.7.3.810

Subsection D Replace the word “five” with the word “four”

Section 20.7.3.904:

Subsection A - Change of date for completion of implementation of the certification program from July 1, 2007 to July 1, 2009

Subsection E 1 – Insert “and advertising or marketing products or services for which department approval has not been obtained” after the word “certification”.

The Professional On-Site Wastewater Re-Use Association of New Mexico has worked diligently with various stakeholder groups in preparation of these proposed amendments, and will continue to do so.

Thank you for your consideration of this request.

Sincerely,

Link Summers
President
Professional On-Site Wastewater Re-Use
Association of New Mexico, Inc.

Enclosure

cc: Ana Marie Ortiz, Director, Environmental Health Division
Chuck Noble
Susan Kery
RANM
New Mexico Home Builders