

NOTICE OF HEARING  
NEW MEXICO ENVIRONMENT DEPARTMENT

The New Mexico Environment Department (NMED) has scheduled a public hearing to consider the approval of the ground water Discharge Permit application, DP-1641, as submitted by Mr. John McCatharn, ParaSol Dairy, P.O. Box 19306, Albuquerque, NM 87119-0306. Discharge Permits are issued pursuant to New Mexico Water Quality Control Commission (WQCC) Regulations. The public hearing will be held on **Wednesday, November 7, 2007, 6:00 p.m. at the Truth or Consequences Convention Civic Center, 400 W. Fourth Street, Truth or Consequences, New Mexico.**

In Discharge Permit Application DP-1641, John McCatharn proposes to discharge up to 8,000 gallons per day of agricultural wastewater from the ParaSol Dairy. Wastewater from the milking parlor would gravity flow via a pipeline/concrete channel through a weeping wall separator and collect in a double synthetically lined lagoon with leak detection for storage. From the lagoon, wastewater would be land applied by flood irrigation to 52 acres of irrigated cropland under cultivation. Wastewater from the storage lagoon could also be discharged into the synthetically lined stormwater impoundment. Potential contaminants associated with this type of discharge include nitrogen compounds. The facility is located at ParaSol Farms, off Hwy 187, approximately 5 miles southwest of Caballo, in Sections 21 and 22, T16S, R05W, Sierra County. Ground water beneath the site is at a depth of approximately 32 - 57 feet and has a total dissolved solids concentration of approximately 240 milligrams per liter.

All interested persons will be given a reasonable opportunity at the public hearing to submit relevant evidence, data, views or arguments orally or in writing, and to examine persons who testify at the hearing. Any person who wishes to present technical evidence at the hearing shall, no later than ten (10) calendar days prior to the hearing (5:00 pm October 26, 2007), file a Statement of Intent to Present Technical Testimony with the Hearing Clerk, Sally Worthington, NMED, Harold Runnels Building, 2<sup>nd</sup> floor, Room N-2150, P.O. Box 26110, Santa Fe, NM, 87502. Persons filing a Statement of Intent shall also serve a copy on the Department and the applicant. The Statement of Intent shall include: the name of the person filing the statement; whether the person supports or opposes the proposed discharge permit application; the name of each witness; an estimate of the length of the direct testimony of each witness; a list of exhibits, if any, to be offered into evidence at the hearing; and a summary or outline of the anticipated direct testimony of each witness. Any person who does not file a Statement of Intent may present a general non-technical statement in support or opposition of the proposed discharge permit approval at any time before or at the hearing.

The hearing will be conducted pursuant to 20.6.2.3110 NMAC (WQCC Regulations, Public Hearing Participation) and 20.1.4 NMAC (Permit Procedures- Environment Department). A copy of these rules may be obtained by contacting the Ground Water Quality Bureau at (505) 827-2900. The NMED Secretary will approve, conditionally approve, or disapprove the proposed Discharge Permit based on the administrative record

for the Discharge Permit application, including the applicable information provided during the public hearing.

NMED will make an audio recording of the hearing proceedings. Although not required by applicable regulations, a written transcript of the hearing proceedings may be prepared. If a written transcript is prepared, any parties requesting transcript copies will bear the full cost of preparation of the copies.

Any interested person may examine the administrative record for the proposed Discharge Permit application from 8:00 a.m. to 5:00 p.m. at the NMED Ground Water Quality Bureau, Harold Runnels Building, P.O. Box 26110, 1190 St. Francis Drive, Santa Fe, NM 87502, (505) 827-2900. Any interested person may obtain an electronic copy of the administrative record for the proposed Discharge Permit application from 8:00 a.m. to 5:00 p.m. at the Truth or Consequences Library, 325 Library Lane, Truth or Consequences, NM, 87901, (505) 894-3027 or the NMED Ground Water Quality Bureau, Harold Runnels Building, P.O. Box 26110, 1190 St. Francis Drive, Santa Fe, NM 87502, (505) 872-2900.

If any person requires assistance, an interpreter or auxiliary aid to participate in this process, please contact Judy Bentley by October 26, 2007, at NMED, Personnel Service Bureau, Room N-4071, 1190 St. Francis Drive, P.O. Box 26110, Santa Fe, NM 87502. Ms. Bentley's telephone number is (505) 827-9872. TDY users please access Ms. Bentley's number through the New Mexico Relay Network at 1-800-659-8331.