

**STATE OF NEW MEXICO
WATER QUALITY CONTROL COMMISSION**

**IN THE MATTER OF PROPOSED
AMENDMENTS TO 20.6.2 NMAC AND
20.6.5 NMAC –**

Surface Water Quality State Permitting Program,

NO. WQCC 25-74 (R)

NEW MEXICO ENVIRONMENT DEPARTMENT,

PETITIONER.

**NEW MEXICO ENVIRONMENT DEPARTMENT'S
FIRST AMENDED PETITION FOR REGULATORY CHANGE TO ADOPT
AMENDMENTS TO 20.6.2 NMAC AND NEW RULE 20.6.5 NMAC**

Pursuant to Sections 74-6-4(R), 74-6-5, and 74-6-6 of the New Mexico Water Quality Act, NMSA 1978, §§ 74-6-1 through -17, Section 74-6C-4 of the New Mexico Pollution Discharge Elimination System Act, NMSA 1978, §§ 74-6C-1 to -11, 20.1.6.200 NMAC, and the January 15, 2026 Pre-Hearing Order in this matter, the Water Protection Division of the New Mexico Environment Department (Department) files this *First Amended Petition* to the Water Quality Control Commission (Commission) to consider and adopt proposed regulations that establish a surface water quality state permitting program. The proposed regulations amend the existing regulations at 20.6.2 NMAC and set out new regulations at 20.6.5 NMAC.

Paragraph 4 of the January 15, 2026 Pre-Hearing Order states that “unless, no later than 5 p.m. on March 13, 2026, Petitioner has filed an amended Petition or confirmed that they will not be amending their original Petition, Petitioner’s deadline for the direct NOI is April 1, 2026.” Pursuant to Paragraph 4 of the January 15, 2026 Pre-Hearing Order, attached to this First Amended Petition is the original statement of reasons filed with the original Petition on November 24, 2025 (**Attachment 1**), a revised copy of 20.6.2 NMAC with the proposed regulatory change in redline (**Attachment 2**), and a revised copy of 20.6.5 NMAC (**Attachment 3**).

Pursuant to Paragraph 1 of the Pre-Hearing Order, the public hearing in this matter is scheduled to begin on Monday, June 8, 2026 and continue for approximately nine business days through Thursday, June 18, 2026, as necessary. The Department requests that the deadline for filing of its notice of intent (NOI) for the direct technical testimonies of the Department be amended to align with all other parties' deadline of on or before April 15, 2026, 5:00 p.m.

Respectfully submitted,

NEW MEXICO ENVIRONMENT DEPARTMENT

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *First Amended Petition for Regulatory Change to Adopt Amendments to 20.6.2 NMAC and New Rule 20.6.5 NMAC* was emailed to the following on March 13, 2026:

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