

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

**IN THE MATTER OF THE PETITION TO AMEND
THE STANDARDS FOR INTERSTATE
AND INTRASTATE SURFACE WATERS,
20.6.4 NMAC**

WQCC No. 24-31(R)

**Triad National Security, LLC,
Newport News Nuclear BWXT-Los Alamos, LLC, and
U.S. Department of Energy, Office of
Environmental Management Los Alamos Field Office**

Petitioners.

**NOTICE OF INTENT TO PRESENT TECHNICAL TESTIMONY: TRIAD NATIONAL
SECURITY, LLC, NEWPORT NEWS NUCLEAR BWXT-LOS ALAMOS, LLC, AND
THE UNITED STATES DEPARTMENT OF ENERGY, OFFICE OF
ENVIRONMENTAL MANAGEMENT LOS ALAMOS FIELD OFFICE**

Triad National Security, LLC (Triad), Newport News Nuclear BWXT-Los Alamos, LLC (N3B), and the United States Department of Energy (DOE) Office of Environmental Management Los Alamos Field Office (DOE EM-LA) (collectively Petitioners), pursuant to 20.1.6.202 NMAC and the Second Pre-Hearing Order issued September 11, 2024, hereby file their notice of intent to present technical testimony.

1. Name of the Person for Whom Witnesses Will Testify

The witnesses identified will testify on behalf of Petitioners, Triad, N3B, and DOE EM-LA.

2. Technical Witnesses for Petitioners; Qualifications of Technical Witnesses, including Educational and Work Background Descriptions

The names of Petitioners' technical witnesses are Dr. Amanda White and Barry Fulton.

The qualifications, including educational and work background of each technical witness is described in detail in their respective pre-filed direct testimony. A copy of Dr. White's and Mr. Fulton's resumes are provided as **Petitioners' Exhibits 5 and 6**.

Pursuant to the Hearing Officer's Second Pre-Hearing Order, Petitioners' technical witnesses may also submit rebuttal technical testimony and exhibits on or before January 3, 2025. Depending on the issues raised in the direct technical testimony filed in this matter, additional rebuttal witnesses may be disclosed. Such rebuttal testimony would address the direct technical testimony filed by the New Mexico Environment Department and other parties concerning Petitioners' proposed regulatory change, as well as the changes proposed by others (if any).

3. Direct Testimony Copies

A copy of the direct testimony of each technical witness identified above is attached and designated **Petitioners' Exhibits 3 and 4**.

4. Petitioners' Recommended Modifications to the Proposed Regulatory Change

Petitioners provided their proposed regulatory changes with their Petition For Rulemaking, filed May 23, 2024, as supplemented July 26, 2024. A copy is also provided as **Petitioners' Exhibit 2**. Petitioners are not recommending modifications to their proposal at this time.

5. Exhibits

The full index of Petitioners' exhibits includes:

Reference	Exhibit Title	Bates Range
Petitioners' Exhibit 1	Copper Site-Specific Water Quality Criteria for the Pajarito Plateau: Demonstration Report	Petitioners_0001 to 0357

Reference	Exhibit Title	Bates Range
Petitioners' Exhibit 2	Proposed Changes	Petitioners_0358 to 0415
Petitioners' Exhibit 3	Testimony of Dr. Amanda White	Petitioners_0416 to 0431
Petitioners' Exhibit 4	Testimony of Barry Fulton	Petitioners_0432 to 0450
Petitioners' Exhibit 5	Resume of Dr. Amanda White	Petitioners_0451 to 0454
Petitioners' Exhibit 6	Resume of Barry Fulton	Petitioners_0455 to 0463
Petitioners' Exhibit 7	Newspaper Announcement for Public Meeting and Public Comment Period	Petitioners_0464
Petitioners' Exhibit 8	Responses to comments received during the 45-day public comment period	Petitioners_0465 to 0471
Petitioners' Exhibit 9	Site Specific Water Quality Criteria Work Plan	Petitioners_0472 to 0496
Petitioners' Exhibit 10	EPA 2007 Copper Criteria	Petitioners_0497 to 0700
Petitioners' Exhibit 11	EPA's CWA Section 304(a) guidance published in 1996	Petitioners_0701 to 0814
Petitioners' Exhibit 12	WQCC No. 20-51(R), Direct Technical Testimony of Kris Barrios	Petitioners_0815 to 0832
Petitioners' Exhibit 13	EPA Approval of Georgia WQS Buffalo Cr SSC	Petitioners_0833 to 0856
Petitioners' Exhibit 14	Windward (2018) DQO/DQA Report	Petitioners_0857 to 0943

The above-listed exhibits are included with this Notice of Intent.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on December 20, 2024 I caused a true and correct copy of the foregoing **Notice of Intent to Present Technical Testimony: Triad National Security, LLC (Triad), Newport News Nuclear BWXT-Los Alamos, LLC (N3B), and the United States Department of Energy (DOE), Office of Environmental Management Los Alamos Field Office (DOE EM-LA)** was served via electronic mail to the following:

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