

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

IN THE MATTER OF:

**PETITION TO AMEND 20.6.4.126 NMAC AND
20.6.4.141 NMAC TO ESTABLISH A SEGMENT-
SPECIFIC TEMPERATURE CRITERION
FOR A PORTION OF THE UPPER SANDIA
CANYON ASSESSMENT UNIT**

No. WQCC 24-65 (R)

**Triad National Security, LLC
And U.S. Department of Energy's National
Nuclear Security Administration,**

Petitioners.

**NEW MEXICO ENVIRONMENT DEPARTMENT'S
NOTICE OF INTENT TO PRESENT DIRECT TECHNICAL TESTIMONY**

Pursuant to 20.1.6.202 NMAC and the *Scheduling and Prehearing Order* issued by the Hearing Officer on December 20, 2024, the New Mexico Environment Department ("Department" or "NMED") submits this Notice of Intent to Present Direct Technical Testimony for the hearing in this matter currently scheduled to begin on May 13, 2025.

1. Entity for whom the witnesses will testify

The witnesses will testify for the Surface Water Quality Bureau of the Water Protection Division of the Department.

2. Identity of witnesses

The Department will call the following witnesses to present technical testimony at the hearing:

Michael Baca is the Water Quality Standards Coordinator for the Surface Water Quality Bureau. His resume is attached as **NMED Exhibit 2**. Mr. Baca's direct written testimony is attached as **NMED Exhibit 1**.

Lynette Guevara is the Program Manager for the Monitoring, Assessment, and Standards Section of the Surface Water Quality Bureau. Her resume is attached as **NMED Exhibit 3**. NMED does not intend for Ms. Guevara to present direct testimony, but may present her as a rebuttal witness, and will make her available to assist in answering questions that may go beyond the expertise of the direct witness, Mr. Baca.

Shelly Lemon is the Surface Water Quality Bureau Chief. Her resume is attached as **NMED Exhibit 4**. NMED does not intend for Ms. Lemon to present direct testimony, but may present her as a rebuttal witness, and will make her available to assist in answering questions that may go beyond the expertise of the direct witness, Mr. Baca.

The Department reserves the right to call any additional witnesses to provide direct or rebuttal testimony in response to any other notice of intent filed, to public comment provided, or otherwise, in this matter.

3. Location(s) at which witnesses will be present

The witnesses will be present in person in Santa Fe.

4. Estimated duration of direct oral testimony of witnesses

Pursuant to the *Scheduling and Prehearing Order*, the estimated duration of Mr. Baca's direct oral testimony is 30 minutes.

5. List of exhibits to be offered by the Department at the hearing

A list of exhibits that the Department intends to offer into evidence in this matter is attached to this Notice of Intent. The Department reserves the right to introduce and move for the admission of any other exhibit in support of rebuttal testimony at the hearing in this matter.

Respectfully submitted,

NEW MEXICO ENVIRONMENT DEPARTMENT

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing *New Mexico Environment Department's Notice of Intent to Present Direct Technical Testimony* was filed with the Water Quality Control Commission Administrator and served via electronic mail on the following parties in this matter on April 14, 2025.

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LIST OF EXHIBITS

Exhibit #	Title	Total # of pages
NMED Exhibit 1	Direct Testimony of Michael Baca	14
NMED Exhibit 2	Resume of Michael Baca	2
NMED Exhibit 3	Resume of Lynette Guevara	3
NMED Exhibit 4	Resume of Shelly Lemon	4
NMED Exhibit 5	2005 Triennial Review – WQCC Statement of Reasons for Amendment of Standards	9
NMED Exhibit 6	2008 Triennial Review – WQCC Order and Statement of Reasons for Amendment of Standards	7
NMED Exhibit 7	2018-2020 State of New Mexico Clean Water Act Section 303(d)/Section 305(b) Integrated Report, Appendix A 303(d)/305(b) List	18
NMED Exhibit 8	New Mexico Environment Department Letter re: Work Plan Approval	2
NMED Exhibit 9	New Mexico Environment Department and U.S. EPA’s Comments for Sandia Canyon UAA	7
NMED Exhibit 10	Affidavits of Publication	12
NMED Exhibit 11	Petitioners’ Public Notice on Electronic Public Reading Room	3
NMED Exhibit 12	WQCC 24-65 NMED Provide to the Public Documentation	19
NMED Exhibit 13	WQCC 24-65 NMED Public Notice Documentation	5