October 7, 2025

Via email (kim.sewell@edd.nm.gov)

Kim Sewell
Small Business Regulatory Advisory Council
New Mexico Economic Development Department
1100 S. St. Francis Drive
Santa Fe, NM 87505-4147

Re: Proposed Amendments to 20.6.4 NMAC - Update

Dear Kim,

The New Mexico Environment Department (NMED) previously sent a letter to the Small Business Regulatory Advisory Council (SBRAC) on August 13, 2025 to provide notice of a third-party proposing to amend 20.6.4 NMAC. NMED now provides this update and notice to the SBRAC that the rulemaking hearing for this matter has been rescheduled for December 9, 2025. No changes have been made to the proposed rule language or otherwise. Thus, the proposed amendments to the rules still are not expected to have an adverse or significant effect on small businesses in New Mexico.

NMED has continued to work to ensure all requirements regarding public participation, public notice, and public hearing have been and will be met throughout the rulemaking process.

Please let me know if the SBRAC has any concerns or questions regarding the rulemaking proceedings or proposed rule amendments, or would like to have further discussions with NMED and the third party petitioner concerning its proposal.

Sincerely,

Brecken Scott Digitally signed by Brecken Scott
Date: 2025.10.07 13:35:43 -06'00'

Brecken L. Scott
Assistant General Counsel