



Michelle Lujan Grisham
Governor

James C. Kenney
Cabinet Secretary

January 15, 2026

Troy Hill
Water Division Director, Region 6
U.S. Environmental Protection Agency
1201 Elm St., Suite 500
Dallas, Texas 75270

Re: Submission of Amended Water Quality Standards at 20.6.4 NMAC for Review and Approval - Sandia Canyon Use Attainability Analysis

Dear Director Hill:

Pursuant to Section 303(c) of the federal Clean Water Act (CWA) and 40 CFR § 131.20, the New Mexico Environment Department (NMED) submits amendments to 20.6.4 New Mexico Administrative Code (NMAC), *Standards for Interstate and Intrastate Surface Waters*, to the U.S. Environmental Protection Agency (EPA) for review and approval on behalf of the New Mexico Water Quality Control Commission (WQCC). The WQCC adopted these amendments as the result of a public rulemaking hearing to divide the existing Sandia Canyon assessment unit into two classified segments under 20.6.4.126 and 20.6.4.141 NMAC. This assessment unit is wholly located within the boundaries of Los Alamos National Laboratory (LANL). The Petitioners for the rulemaking included the operator of LANL, Triad National Security, LLC and the Department of Energy's National Nuclear Security Administration. The WQCC adopted the proposed amendments based on a Use Attainability Analysis and the requirements found at 40 CFR § 131.10, 40 CFR § 131.11, 20.6.4.10 NMAC, and 20.6.4.15 NMAC. This resulted in a new upper Sandia Canyon classified segment at 20.6.4.141 NMAC with a coolwater aquatic life use designation and an additional 6T3 temperature criterion¹ of 25°C. The coldwater aquatic life designated use and criteria remain unchanged for the lower Sandia Canyon assessment unit under 20.6.4.126 NMAC.

The Petitioners engaged NMED and EPA early in the rulemaking process. NMED appreciates the ongoing consultation and assistance provided by your staff. The petitioners consulted on various elements during the development of the Use Attainability Analysis (UAA). NMED provided comments, that included a March 4, 2022, EPA comment letter to the petitioners. After incorporating feedback from the agencies into the UAA, the Petitioners proceeded with a public comment period from May 12 to June 13, 2024, before requesting and being granted a hearing before the WQCC.

The Petitioners and NMED provided the notice of public hearing and public participation opportunities in accordance with state and federal requirements and included:

- a public comment period on the draft UAA from December 20, 2021 – February 3, 2022;
- a public comment period on the proposed 20.6.4. NMAC amendments and final UAA from May 12, 2024 – June 13, 2024;
- public meetings; and
- consideration of public comment by the WQCC prior to approval of the adopted rule language.

¹ "6T3 temperature" means the temperature not to be exceeded for six or more consecutive hours in a 24-hour period on more than three consecutive days. 20.6.4.7(A)(3) NMAC.

The Petitioners considered and addressed all the comments received during the public comment periods. The public hearing was held on May 13, 2025, where the Petitioners and Department presented technical testimony in support of the proposed rule amendments. No public comment was received by the WQCC in this matter. The WQCC deliberated at the hearing, ultimately adopting the amendments as detailed in the transcript and supplemental transcription of proceedings and WQCC's Statement of Reasons and Final Order for Adoption of Amendments to 20.6.4 NMAC, dated October 7, 2025.

NMED filed the amended rules (WQCC Docketed Matter 24-65(R)) with the State Records Center and Archives on October 8, 2025, with an effective date, for state purposes, of November 8, 2025. The WQCC met all procedural requirements of New Mexico law for adopting water quality standards as noted in the Attorney General Certification included with this submittal.

NMED has enclosed the amended rule as published in the *New Mexico Register*. Links with complete supporting documentation, response to comments, and other information to aid in EPA's review may be found on NMED's website at <https://www.env.nm.gov/surface-water-quality/sandiacanyon-uaa/>.

Through NMED's Delegation Order signed on June 23, 2025, the NMED Cabinet Secretary authorized the Surface Water Quality Bureau Chief to prepare and submit surface water quality documents, which include water quality standards amendments, to EPA for approval. We look forward to hearing from your staff about EPA's action on this submission. If there are any questions or concerns, please feel free to contact Michael Baca at michael.baca1@env.nm.gov or (505) 470-1652.

Respectfully,

Shelly Lemon
Chief, Surface Water Quality Bureau
New Mexico Environment Department
shelly.lemon@env.nm.gov

Enc.: Amended 20.6.4.126 and 20.6.4.141 NMAC
New Mexico Attorney General Certification

Cc: Jasmin Diaz-Lopez, Water Quality Division, EPA Region 6 (diazlopez.jasmin@epa.gov)
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