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RON CURRY
SECRETARY

DERRITH WATCHMAN MOORE
DEPUTY SECRETARY

August 15, 2003

Mr. Ron Curry, Chairman
New Mexico Water Quality Control Commission
P.O. Box 26110
Santa Fe, NM 87502-6110

Dear Chairman Curry:

Pursuant to NMSA 1978, Section 74-6-6(B), Section 301 of the Guidelines for Water Quality Control Commission Regulation Hearings, and the Scheduling Order and Hearing Guidelines issued by the Hearing Officer in this matter, the New Mexico Environment Department ("Department") hereby petitions the Commission to amend the Commission's Standards for Interstate and Intrastate Surface Waters, codified at 20.6.4 NMAC. The Department also requests that the Commission hold a public hearing on this proposed regulatory change beginning on December 2, 2003. The Department requests that the Commission act on the request to schedule a hearing at its September 9, 2003 meeting.

The Department proposes this regulatory change as part of the triennial review of New Mexico's surface water quality standards required by Section 303(c) of the federal Clean Water Act, 33 U.S.C. § 1313(c), which requires each state to hold public hearings every three years for the purpose of reviewing and, as appropriate, modifying the state's surface water quality standards.

The Department's proposed amendments and Statement of Basis, dated August 15, 2003, are attached. The Department developed the proposal after soliciting public comment on an earlier draft of the Department's proposed amendments and conducting a series of public meetings on that earlier draft. The Hearing Officer appointed by the Commission in this matter has provided a Scheduling Order that includes an opportunity for the public to file additional petitions. The Department may revise its proposal as appropriate in response to petitions or comments received as a result of that process, and will file any proposed amendments with the Commission in accordance with the Hearing Officer's Scheduling Order.

Sincerely,

(original signed by)
Marcy Leavitt, Bureau Chief
Surface Water Quality Bureau

ML/jdm