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NOTICE OF PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO 20.6.4 NMAC – STANDARDS FOR INTERSTATE AND INTRASTATE SURFACE WATERS – THE TRIENNIAL REVIEW

The New Mexico Water Quality Control Commission (WQCC) will hold a public hearing to consider proposed amendments to various sections of 20.6.4 NMAC, Standards for Interstate and Intrastate Surface Waters, beginning at 9:00 a.m. on October 13, 2015 through October 16, 2015, in Room 307 of the New Mexico State Capitol Building, 490 Old Santa Fe Trail, Santa Fe, New Mexico. In the event that more time is needed after 5:00 p.m., the hearing will move across the street to the P.E.R.A. Building, Apodaca Hall, at 1120 Paseo de Peralta, Santa Fe, NM.

The proposed amendments, docketed as WQCC 14-05 (R), include amendments proposed by the New Mexico Environment Department's (Department) Surface Water Quality Bureau, as well as amendments proposed by Amigos Bravos, Peabody Energy Corporation, Freeport-McMoRan Chino Mines Company and San Juan Water Commission. Proposed amendments include revisions to various definitions, use attainability analysis requirements, uses and criteria for unclassified waters and some classified segments, provisions for site-specific criteria and other provisions. The petitions and proposed amendments may be viewed on the Department's website, at www.env.nm.gov/swqb/TriennialReview/2013/, or during regular business hours by contacting Pam Castaneda, Commission Administrator, 1190 S. St. Francis Drive, Room S-2102, Santa Fe, New Mexico 87502, (505) 827-2425.

The hearing will be conducted in accordance with the New Mexico Water Quality Act, NMSA 1978, § 74-6-6, the *Guidelines for Water Quality Control Commission Regulation Hearings* (*Guidelines*), the *Procedural Order*, issued August 7, 2015, and the *Scheduling Order*, issued July 10, 2014, modified on January 30, 2015, and modified again on June 9, 2015. A copy of the *Guidelines, Procedural Order* and *Scheduling Orders* are available on the Department's website or may be obtained from the Commission Administrator at the address and phone number above. Notice of Hearing of WQCC 14-05 (R) was originally published on October 31, 2014, and then again on April 6, 2015 as a result of the hearing being moved to June 9, 2015; however, the date of the hearing has now been changed to October 13, 2015, therefore this notice is being issued. All current parties submitted their respective Notices of Intent to Present Technical Testimony by December 12, 2014. All interested persons will be given a reasonable opportunity at the hearing to submit relevant evidence, data, views and arguments, orally or in writing, to introduce relevant exhibits and to examine witnesses testifying at the public hearing.

Persons desiring to present technical testimony at the hearing must file with the WQCC a written notice of intent. The notice of intent to present technical testimony shall:

- identify the person for whom technical testimony will be presented;
- identify each technical witness the person intends to present and state the qualifications of that witness, including a description of their education and work background;
- attach the full direct testimony of each technical witness, which shall include an express basis for all expert opinions offered;
- include the text of any recommended modifications to the proposed regulatory change; and
- identify and attach all exhibits anticipated to be offered by the person at the hearing.

The deadline for filing notices of intent is September 14, 2015 at 5:00 p.m. in the Commission Administrator's office. All documents filed in this matter, including notices of intent, must be filed with a single-sided original and fourteen copies. Any person may offer non-technical public comment at the hearing or submit a non-technical written statement in lieu of oral testimony at or before the hearing.

In order to present technical testimony rebutting the testimony of another party at the hearing, a person must file a notice of intent to present rebuttal testimony no later than 5:00 p.m. on October 5, 2015. The notice shall comply with the requirements set out above. In addition, if a party takes a position on proposed changes of other parties, the notice shall include the basis for that support or opposition.

If you are an individual with a disability and you require assistance or an auxiliary aid, e.g. translator or sign-language interpreter, to participate in any aspect of this process, please contact J.C. Borrego by September 28, 2015, at the New Mexico Environment Department, 1190 S. St. Francis Drive, P.O. Box 5469, Santa Fe, New Mexico 87502, (505) 827-2855. (TDD or TTY users please access the number via the New Mexico Relay Network, Albuquerque TDD users:

(505) 275-7333; outside of Albuquerque: 1-800-659-1779 (voice); TTY users: 1-800-659-8331).