ORDER SCHEDULING COMPLIANCE ORDER HEARING AND APPOINTING HEARING OFFICER

THIS MATTER came before the Water Quality Control Commission (“Commission”) during the its regularly scheduled meeting on May 12, 2020, on the Request for Public Hearing and Answer to Administrative Compliance Order (“Request for Hearing”) filed on April 17, 2020 by Matador Production Company and San Mateo Midstream, LLC (“Respondents”), in response to the Administrative Compliance Order issued to them on March 20, 2020 by the New Mexico Environment Department Water Protection Division (“Department”). Adam Rankin and Kaitlyn Luck, counsel for Respondents, and Andrew Knight, counsel for the Department, were heard by the Commission. Counsel for Respondents and the Department subsequently filed a Stipulated Order waiving the requirement under 20.1.3.19(B)(1) NMAC that the compliance order hearing be scheduled to begin no later than ninety (90) days after the date the request for compliance order hearing is received by the Commission. The Commission considered the Request for Hearing and the tendered Stipulated Order, and was otherwise sufficiently advised in the premises.

IT IS THEREFORE ORDERED:

1. The Request for Hearing is granted and the filed Stipulated Order is accepted.
The compliance order hearing shall begin in Santa Fe, New Mexico during the Commission’s regularly scheduled meeting on Tuesday, September 8, 2020, and may continue thereafter if the Commission deem necessary.

2. Public notice of the compliance order hearing shall be given as provided in in 20.1.3.19(B) and 20.1.3.17(C) NMAC.

3. The compliance order hearing shall be conducted in accordance with the Commission’s adjudicatory procedures in 20.1.3 NMAC.

4. The Commission may choose to deliberate immediately following the close of the compliance order hearing, or at a subsequent meeting of the Commission.

5. Pursuant to 20.1.3.10 NMAC, the Commission appointed Richard Virtue as Hearing Officer to perform the functions described in 20.1.3.10(B)(2) NMAC, and to exercise all powers and duties prescribed or delegated by the Commission under the Water Quality Act or 20.1.3 NMAC.

Dated this 9th day of June, 2020.

Jennifer Pruett, Chair
Water Quality Control Commission
CERTIFICATE OF SERVICE

I hereby certify that on June 1, 2020, copies of the foregoing Order Scheduling Compliance Order Hearing and Appointing Hearing Officer were emailed to the persons listed below. A copy will be mailed first class upon request.

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