

**STATE OF NEW MEXICO
BEFORE THE WATER QUALITY CONTROL COMMISSION**



**IN THE MATTER OF PROPOSED
AMENDMENTS TO GROUND
AND SURFACE WATER PROTECTION
REGULATIONS, 20.6.2 NMAC**

No. WQCC 17-03 (R)

**LOS ALAMOS NATIONAL SECURITY, LLC'S
EXPEDITED MOTION FOR PREHEARING CONFERENCE**

Los Alamos National Security, LLC, ("LANS") pursuant to 20.1.6.207.D NMAC, moves the Hearing Officer to schedule a prehearing conference prior to the September 11, 2017, deadline for submitting written direct technical testimony in order to address and resolve potential time constraints in the current scheduling order. Pursuant to 20.1.6.207 NMAC, LANS obtained concurrence from counsel for the United States Air Force, the New Mexico Environment Department, the City of Roswell and Laun-Dry, the Dairy Producers of New Mexico and the Dairy Industry Group for a Clean Environment, and the New Mexico Energy, Minerals and Natural Resources Department. Counsel for Amigos Bravos and the Gila River Information Project indicated they take no position on the motion. LANS received no response from William C. Olson, the New Mexico Mining Association, and the Municipal League, Environmental Subsection.

In support of this motion, LANS states the following.

The Procedural Order and Scheduling Order (collectively "Order") was put in place to allow time for interested parties to develop their respective positions and prepare testimony on the amendments proposed by the New Mexico Environment Department ("NMED") and on the amendments proposed by other parties, filed before July 27, 2017, in preparation for the Water Quality Control Commission hearing scheduled for November 14, 2017. LANS notes that Amigos Bravos's and GRIP's proposed additions to the definition of Toxic Pollutant and proposed

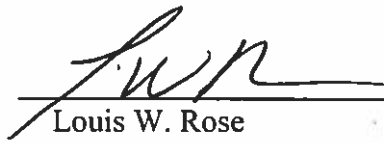
additional amendments to the human health standards, other standards for domestic water supply, and irrigation use standards were not initially envisioned by the parties when the hearing schedule was established.

Specifically, Amigos Bravos and GRIP propose to add 32 new contaminants to the list of toxic pollutants in 20.6.2.7.T.2 NMAC (formerly 20.6.2.7.WW NMAC) and 43 new contaminants with numeric limits to 20.6.2.3103 NMAC. Also, Amigos Bravos and GRIP proposed changes to 18 existing numeric standards for contaminants currently listed in Section 3103. Based on the number and extent of the proposed changes, and the likelihood that substantial technical testimony will be provided to support or oppose them, it may be necessary to reconsider the assumptions made in developing the current schedule and, if appropriate and with input from all parties, amend the Order such that the pre-hearing, hearing and post-hearing processes are as efficient as possible.

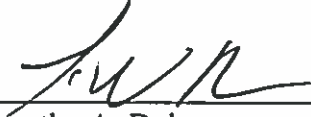
For these reasons, LANS respectfully requests that the Hearing Officer schedule a prehearing conference prior to the September 11, 2017, deadline to submit written direct technical testimony, in order to resolve any potential time constraints in the current schedule.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on August 28, 2017, a true and correct copy of the foregoing *Los Alamos National Security, LLL's Expedited Motion for Prehearing Conference* was served via electronic mail or hand-delivered to the following:

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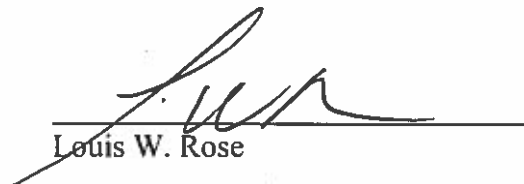
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