

STATE OF NEW MEXICO  
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)

**ORDER ON AMIGOS BRAVOS' AND GILA RESOURCES INFORMATION  
PROJECT'S MEMORANDUM ON LOGICAL OUTGROWTH AND THE NEW  
MEXICO ENVIRONMENT DEPARTMENT'S AND THE NEW MEXICO MINING  
ASSOCIATION'S NEW JOINTLY PROPOSED AMENDMENT TO SECTION  
20.6.2.4103.A,B NMAC.**

This matter came before the Hearing Officer on Amigos Bravos' and Gila Resources Information Project's ("AB/GRIP") informational memorandum filed on logical outgrowth and NMED's and NMMA proposed amendment to section 20.6.2.4103 NMAC. This memorandum was filed as part of exceptions to the hearing officer report on June 15, 2018. NMED responded with a motion requesting leave to file a response and requesting that the memorandum be treated as a motion. NMED's response and request for leave was filed on June 22, 2018.

The NMED request is well taken. The AB/GRIP June 15, 2018 memorandum has been treated as a motion. NMED filed a response on June 22, 2018. AB/GRIP's reply (if any) is due by July 6, 2018.

For the reasons set out in the Responses, the Motion is Denied.

  
Erin O. Anderson, Hearing Officer

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the **Order on Amigos Bravos' and Gila Resources Information Project's Memorandum on Logical Outgrowth and the New Mexico Environment Department's and the New Mexico Mining Association's New Jointly Proposed Amendment to Section 20.6.2.4103.A, B NMAC.** was sent via the stated methods below to the following parties on June 26, 2018:

*Via hand delivery and email:*

John Verheul  
Lara Katz  
Office of General Counsel  
New Mexico Environment Department  
Post Office Box 5469  
Santa Fe, New Mexico 87502  
John.Verheul@state.nm.us  
Lara.Katz@state.nm.us  
*Counsel for the New Mexico Environment Department*

*Via email:*

Pete Domenici, Esq.  
Lorraine Hollingsworth, Esq.  
Reed Easterwood  
Domenici Law Firm, P.C.  
320 Gold Ave. SW Suite 1000  
Albuquerque, New Mexico 87102  
pdomenici@domenicilaw.com  
lhollingsworth@domenicilaw.com  
reasterwood@domenicilaw.com  
*Counsel for the City of Roswell and  
Laun-Dry*

Louis W. Rose  
Kari Olson  
Montgomery & Andrews, P.A.  
Post Office Box 2307  
Santa Fe, New Mexico 87504-2307  
lrose@montand.com  
Kolson@montand.com  
*Counsel for Los Alamos National Security, LLC*

Timothy A. Dolan  
Office of Laboratory Counsel  
Los Alamos National Laboratory  
Post Office Box 1663, MS A187  
Los Alamos, New Mexico 87545  
tdolan@lanl.gov  
*Counsel for Los Alamos National Security, LLC*

Dalva L. Mollenberg  
Gallagher & Kennedy, P.A.  
1239 Paseo de Peralta  
Santa Fe, New Mexico 87501  
DLM@gknet.com  
*Counsel for Dairy Producers of New Mexico and  
the Dairy Industry Group for a Clean Environment*

Michael Bowen  
Executive Director  
1470 Saint Francis Drive  
Santa Fe, New Mexico 87505  
nmma@comcast.net  
*On behalf of New Mexico Mining Association*

Jaimie Park  
Douglas Meiklejohn  
Eric Jantz  
Johnathan Block  
New Mexico Environmental Law Center  
1405 Luisa Street, Suite 5  
Santa Fe, New Mexico 87505  
jpark@nmelc.org  
*Counsel for Amigos Bravos & Gila Resources Information Project*

William C. Olson  
14 Cosmic Way  
Lamy, New Mexico 87540  
billjeanie.olson@gmail.com  
*Self-Represented*

Michael L. Casillo  
AFLOA/JACE  
1500 W. Perimeter Rd, Suite 1500  
Joint Base Andrews, Maryland 20762  
michael.l.casillo2civ@mail.mil  
*Counsel for United States Air Force*

William Brancard  
Cheryl Bada  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505  
Bill.Brancard@state.nm.us  
Cheryl.Bada@state.nm.us  
*Counsel for Energy, Minerals and Natural  
Resources Department*

Russel Church, President  
NMML EQA Subsection  
New Mexico Municipal League  
P.O. Box 846  
Santa Fe, New Mexico 87504  
rchurch@redviver.org  
*For New Mexico, Municipal League,  
Environmental Subsection*

Jay F. Stein  
Stein & Brockmann, P.A.  
P.O. Box 2067  
Santa Fe, New Mexico 87504-2067  
jfstein@newmexicowaterlaw.com  
*Counsel for New Mexico Municipal League*

Stuart R. Butzier  
Christina C. Sheehan  
American Magnesium, LLC  
Rio Grande Resources Corporation  
New Mexico Copper Corporation  
P.O. Box 2168  
Albuquerque, New Mexico 87103-2168  
Stuart.butzier@modrall.com  
Christina.sheehan@modrall.com  
*For Rio Grande Resources Corporation,  
American Magnesium, LLC and New Mexico  
Copper Corporation*

Stephen Vigil  
Office of the Attorney General  
Post Office Drawer 1508  
Santa Fe, New Mexico 87504-1508  
svigil@nmag.gov  
*Counsel for the Water Quality Control Commission*

  
Pam Castañeda, Commission Administrator