

STATE OF NEW MEXICO
WATER QUALITY CONTROL COMMISSION



IN THE MATTER OF PROPOSED
AMENDMENTS TO 20.6.2 NMAC

WQCC 17-03(R)

NEW MEXICO ENVIRONMENT DEPARTMENT,
Petitioner

**ORDER ON JOINT MOTION TO WITHDRAW THE HEARING OFFICER'S REPORT
OR, ALTERNATIVELY TO WAIVE THE DEADLINE UNDER 20.6.2.305(C) NMAC**

This matter comes before the New Mexico Water Quality Control Commission (“the Commission”) upon the joint motion of the parties to withdraw the hearing officer’s report filed on April 6, 2018, or in the alternative, to waive the 60-day deadline for the commission to reach a decision on the proposed regulatory change under 20.6.2.305(C) NMAC. During its meeting on May 8, 2018, the Commission heard argument from the parties on the joint motion. The Commission, being fully advised, voted unanimously to postpone deliberations on the proposed regulatory change until July or August of 2018. The Commission’s decision was predicated on the parties’ representation, on page 3 of their motion that they will not raise any challenge to the Commission’s final decision on the proposed regulatory change on the basis that the Commission’s decision was reached more than 60 days from the filing of the first hearing officer’s report. The Commission also voted to retain the hearing officer report. However, the hearing officer will have the discretion to amend or replace the report following the submission of the parties’ joint proposed report referenced in their motion. The Commission directed the hearing officer to issue a scheduling order addressing the deadlines for the parties’ joint proposed report and the hearing officer’s amended or replacement report.

Deliberations on the proposed regulatory change are hereby POSTPONED until July or August of 2018.

The hearing officer shall issue a scheduling order as set forth in this motion.

IT IS SO ORDERED.


Larry Dominguez, Chair
New Mexico Water Quality Control Commission

5/11/18
Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the **Order on Joint Motion to Withdraw the Hearing Officer's Report or, Alternatively to Waive the Deadline Under 20.6.2.305(C) NMAC** was sent via the stated methods below to the following parties on May 11, 2018:

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