

Albuquerque Journal

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NOTICE OF PUBLIC HEARING TO AMEND 20.1.6 NMAC, RULEMAKING PROCEDURES FOR THE WATER QUALITY CONTROL COMMISSION The New Mexico Water Quality Control Commission ("Commission" or "WQCC") will hold a public hearing beginning at 9:00 a.m. on Tuesday, January 9, 2018, and continuing thereafter as necessary at Mabry Hall in the Jerry Apodaca Building, 300 Don Gaspar, Santa Fe, New Mexico. The hearing location may change prior to the hearing date, and those interested in attending should visit the WQCC website: <http://www.env.nm.gov/wqcc> prior to the hearing. The purpose of the hearing is to consider amendments to the Rulemaking Procedures for the Commission, 20.1.6 NMAC ("Rules") proposed by the New Mexico Environment Department ("NMED"). The amendments would bring the Rules into compliance with recent changes to the State Rules Act (Sections 14-4-1 thru 14-4-11 NMSA 1978). Primarily, these amendments would add requirements to the methods and content for public notice throughout the rulemaking process, clarify retention of the rulemaking record, and add post-adoption filing and notice requirements for WQCC rules. NMED proposes the Commission adopt the amendments pursuant to its authority under Sections 14-4-5.8, 74-6-4(E), and 74-6-6 NMSA 1978. Please note that formatting and minor technical changes in the Rules other than those proposed by NMED may be proposed at the hearing. Additionally, the Commission may make other changes as necessary in response to public comments and evidence presented at the hearing. The proposed amendments may be reviewed during regular business hours at the NMED Hearing Office located in the Harold Runnels Building, 1190 South St. Francis Drive, Room S-2102 Santa Fe, NM, 87505. The full text of the proposed amendments is also available online at <http://www.env.nm.gov/general/wqcc-17-06-r>. The hearing will be conducted in accordance with the WQCC Rulemaking Procedures (20.1.6 NMAC); the Water Quality Act, Section 74-6-6 NMSA 1978; the State Rules Act, Section 14-4-5.3 NMSA 1978 and other applicable procedures. All interested persons will be given reasonable opportunity at the hearing to submit relevant evidence, data, views, and arguments, orally or in writing; to introduce exhibits; and to examine witnesses. Any person wishing to submit a non-technical written statement for the record in lieu of oral testimony must file such statement prior to the close of the hearing. Pursuant to the WQCC Rulemaking Procedures, those wishing to present technical testimony must file a written notice of intent to do so with the Commission on or before 5:00 p.m. on December 20, 2017. The notice of intent shall: - identify the person or entity for whom the witness(es) will testify; - identify each technical witness that the person intends to present and state the qualifications of the witness, including a description of his or her education and work background; - include a copy of the direct testimony of each technical witness in narrative form, and state the estimated duration of the direct oral testimony of that witness; - include the text of any recommended modifications to the proposed regulatory change; and - list and attach all exhibits anticipated to be offered by that person at the hearing. Notices of intent for the hearing must be received in the Hearing Office no later than 5:00 p.m. on December 20, 2017, and should reference the name of the regulation, the date of the hearing, and docket

number WQCC 17-06(R). Notices of intent to present technical testimony should be submitted to: Pam Castaneda, Administrator of Boards and Commissions Office of the Water Quality Control Commission Harold Runnels Building P.O. Box 5469 Santa Fe, NM 87502 Those wishing to do so 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. Written comments regarding the proposed revisions may be addressed to Ms. Pam Castaneda, Administrator of Boards and Commissions, at the above address, and should reference docket number WQCC 17-06(R). If any person requires assistance, an interpreter or auxiliary aid to participate in this process, please contact Pam Castaneda, WQCC Administrator by December 1, 2017, at P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502, telephone (505) 827-2425 or email pam.castaneda@state.nm.us. (TDD or TTY users please access the number via the New Mexico Relay Network, 1-800-659-1779 (voice); TTY users: 1-800-659-8331). The Commission may make a decision on the proposed regulatory change at the conclusion of the hearing or may convene a meeting after the hearing to consider action on the proposal. Notice of Non-Discrimination NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Part 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's non-discrimination programs, policies or procedures, you may contact: Kristine Pintado, Non-Discrimination Coordinator New Mexico Environment Department, 1190 St. Francis Dr., Suite N4050, P.O. Box 5469, Santa Fe, NM 87502, (505) 827-2855, nd.coordinator@state.nm.us. If you believe that you have been discriminated against with respect to a NMED program or activity, you may contact the Non-Discrimination Coordinator identified above or visit our website at <https://www.env.nm.gov/NMED/EJ/index.html> to learn how and where to file a complaint of discrimination. Journal: November 9, 2017