

STATE OF NEW MEXICO
WATER QUALITY CONTROL COMMISSION



NEW MEXICO ENVIRONMENT DEPARTMENT,
GROUND WATER QUALITY BUREAU,

Complainant

WQCC 17-08(A)

v.

ABEL VILLALPANDO D.B.A. ROCKHILL DAIRY,
ROCKHILL DAIRY, L.L.C.

Respondent.

**NEW MEXICO ENVIRONMENT
DEPARTMENT'S AMENDED WITNESS AND EXHIBIT LIST**

The New Mexico Environment Department Ground Water Quality Bureau ("Bureau") hereby submits its Amended Witness and Exhibit List pursuant to 20.1.3.19.E NMAC. The Bureau submits this list in anticipation of the hearing scheduled to be held in this matter before the New Mexico Water Quality Control Commission on May 8, 2018.

Bureau Witnesses:

Nancy McDuffie
Agricultural Section Manager
Ground Water Quality Bureau
New Mexico Environment Department
121 Tijeras Avenue NE, Suite 1000
Albuquerque, New Mexico 87102-3400

As the manager overseeing the ground water quality discharge permitting of dairy facilities, Ms. McDuffie will testify to the permitting requirements for dairy facilities, specifically for Rockhill Dairy, the compliance and enforcement history of Rockhill Dairy, the Bureau's Administrative Compliance Order issued on September 22, 2017, and the nature of dairy wastewater and contamination issues associated with dairy wastewater.

Michelle Hunter
Bureau Chief
Ground Water Quality Bureau
New Mexico Environment Department
1190 St. Francis Drive, Suite N2250
Santa Fe, New Mexico 87505

As Bureau Chief of the Ground Water Quality Bureau, Ms. Hunter will provide more general testimony regarding permitting, compliance, and enforcement. Ms. Hunter may also provide testimony on general policy matters.

Bureau Exhibits:

The Bureau intends to present the following exhibits at the hearing scheduled in this matter for January 9, 2018:

1. Resume of Nancy McDuffie;
2. Administrative Compliance Order GWQB 17-03(CO) issued September 22, 2017, with the civil penalty calculation narrative;
3. Corporate Filing Information for Rockhill Dairy, LLC;
4. Ground Water Discharge Permit 952, dated September 26, 2005;
5. Application Required Reminder Letter, dated December 30, 2011;
6. Invoice for Application Received from Rockhill Dairy, March 28, 2012;
7. Administrative Incompleteness Notice, dated April 4, 2012;
8. Second Administrative Incompleteness Notice, dated July 6, 2012;
9. Notice of Violation, dated October 17, 2012;
10. Dairy Rule Announcement, dated July 30, 2015;
11. Discharge Permit Renewal Reminder, dated June 7, 2016;
12. Notice of Violation, dated July 29, 2016;
13. Service of process information for Administrative Compliance Order GWQB 17-03(CO);
14. Ground Water Quality Bureau Civil Penalty Policy;
15. Administrative Compliance Order GWQB 17-03 (CO) penalty calculation narratives;

16. Resume of Michelle Hunter; and

17. Ground Water Monitoring Reports submitted by Rockhill Dairy.

The Bureau reserves the right to call any other person to present original and/or rebuttal testimony in response to another Witness or Exhibit List or public comment filed in this matter or to any testimony or exhibit offered at the public hearing.

Respectfully submitted,

GROUND WATER QUALITY BUREAU
NEW MEXICO ENVIRONMENT DEPARTMENT

/s/ Christopher N. Atencio
Christopher N. Atencio
Assistant General Counsel
Office of General Counsel
New Mexico Environment Department
121 Tijeras Avenue NE, Suite 1000
Albuquerque, New Mexico 87102-3400
Telephone: (505) 222-9554
christopher.atencio@state.nm.us

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing New Mexico Environment Department's Amended Witness and Exhibit List was delivered as described below to all parties on April 23, 2018.

Via First-Class U.S. Mail and electronic mail:

Abel Villalpando,
304 East Ojibwa Road
Dexter, NM 88230
starrynightdairy1@yahoo.com
Respondent for Rockhill Dairy

Stephen Vigil
New Mexico Attorney General's Office
P.O. Drawer 1508
Santa Fe, NM 87504
svigil@nmag.gov
Counsel for Water Quality Control Commission

Via Hand-Delivery:

Pam Castañeda,
Commission Administrator
P.O. Box 5469
Santa Fe, NM 87502

/s/ Christopher N. Atencio
Christopher N. Atencio