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7/11/2013

From: Pam Castaneda
 Phone: 505-827-2425
 Fax:
 Company Name: New Mexico Environment Department

To: Arc Bransford, Administrative Law Division
 Phone: 505-476-7941
 Fax: 505-476-7910
 Company Name: Records and Archives

Comments:

For Publication in the July 31, New Mexico Register
 Reference: Ground Water Bureau WQCC 12-09 (R)
 E-mailed.
 Thank you.

For billing contact Cathy Vasquez at (505) 827-0164

Or

Pam Castaneda, Administrator to the Boards and Commissions
 New Mexico Environment Department
 Environmental Improvement Board
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**NEW MEXICO WATER QUALITY CONTROL COMMISSION
NOTICE OF RE-SCHEDULED PUBLIC HEARING TO CONSIDER
PROPOSED AMENDMENTS TO 20.6.6 NMAC (DAIRY RULE)
WQCC 12-09 (R)**

The New Mexico Water Quality Control Commission will hold the public hearing originally scheduled for December 2012 on September 10, 2013 beginning at 9 a.m. at the New Mexico State Capitol Building, Room 307, 409 Old Santa Fe Trail, Santa Fe, New Mexico to consider proposed amendments to the Commission's Dairy Rule, 20.6.6 NMAC, proposed in WQCC Docket Number 12-09 (R) by the Dairy Industry Group for a Clean Environment (DIGCE).

The proposed rule changes would (1) allow alternative backflow prevention devices from those specified in the Dairy Rule; (2) eliminate the requirement to conduct field calibration of flow meters; and (3) modify the Nutrient Management Plan requirements to focus on ground water protection.

The proposed changes may be reviewed during regular business hours at the Commission Administrator's office located in the Harold Runnels Building, 1190 St. Francis Drive, Room S-2102 Santa Fe, New Mexico, 87502. In addition, copies of the proposed amendments are posted on the NMED website at <http://www.nmenv.state.nm.us>.

The hearing will be conducted in accordance with the Guidelines for Water Quality Control Commission Regulation Hearings, the Water Quality Act, Section 74-6-6 NMSA 1978, and other applicable procedures and procedural orders. Written comments regarding the proposed revisions may be addressed to Pam Castañeda, Commission Administrator, at the above address; reference docket number WQCC 12-09 (R).

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 who wishes to submit a non-technical written statement for the record in lieu of oral testimony must file such statement prior to the close of hearing.

Persons wishing to present technical testimony must file with the Commission a written notice of intent to do so. The requirements for a notice of intent can be found in the Commission's Guidelines for Regulation Hearings and have been modified by a procedural order entered in this matter, which may be obtained from the Administrator. Notices of intent for the hearing must be received by in the Office of the Commission Administrator by 5:00 pm on August 16, 2013, and should reference the name of the regulation, the date of the hearing, and docket number WQCC 12-09 (R). Notices of intent already filed in connection with the original hearing setting need not be re-filed.

If you are an individual with a disability and you require assistance or an auxiliary aid, e.g. sign language interpreter, to participate in any aspect of this process, please contact the Personnel Services Bureau by August 16, 2013. The Bureau can be reached at the New Mexico Environment Department, 1190 St. Francis Drive, P.O. Box 5469, Santa Fe, NM 87502-5469, and (505) 827-9872. TDD or TDY users may access this number via the New Mexico Relay Network (Albuquerque TDD users: (505) 275-7333; outside of Albuquerque: 1-800-659-1779.)

The Commission may make a decision on the proposed regulatory changes at the conclusion of the hearing, or may convene a meeting after the hearing to consider action on the proposal.

COMMISSION NOTICE DE CONTROL DE CALIDAD DE AGUA NUEVO MÉXICO
REPROGRAMADO AUDIENCIA PÚBLICA PARA CONSIDERAR ENMIENDAS A 20.6.6
NMAC (REGLA DE LÁCTEOS) WQCC 12-09 (R)

La Comisión de Control de Calidad del Agua de Nuevo México celebrará la audiencia pública prevista inicialmente para diciembre de 2012 en el 10 de Septiembre 2013 a las 9 am en el New Mexico State Capitol Building, Room 307, 409 Antiguo Camino de Santa Fe, Santa Fe, New Mexico a considerar propuestas de enmienda a la regla Lácteos de la Comisión, 20.6.6 NMAC, propuestas en WQCC Expediente Número 12-09 (R) por el Grupo de la Industria Lechera para un Ambiente Limpio (DIGCE).

Los cambios en las reglas propuestas serían (1) permitir que los dispositivos de prevención de reflujo alternativas de los especificados en la Regla Dairy, (2) eliminar el requisito de llevar a cabo la calibración en campo de medidores de flujo, y (3) modificar los requisitos del Plan de Manejo de Nutrientes para centrarse en las aguas subterráneas protección.

Los cambios propuestos pueden ser revisados durante el horario regular en la oficina del administrador de la Comisión, ubicadas en el edificio Harold Runnels, 1190 St. Francis Drive, Room N-2150 Santa Fe, New Mexico, 87502. Además, las copias de las enmiendas propuestas se publican en el sitio web de NMED en <http://www.nmenv.state.nm.us>.

La audiencia se llevará a cabo de conformidad con las Directrices para la Comisión de Control de Calidad del Agua Audiencias Reglamento, la Ley de Calidad del Agua, Sección 74-6-6 NMSA 1978, y otros procedimientos aplicables y las órdenes de procedimiento. Los comentarios por escrito sobre el proyecto de revisiones, puede dirigirse a Pam Castañeda, Administrador Comisión, a la dirección anterior, la referencia número de expediente WQCC 12-09 (R).

Todas las personas interesadas se les dará oportunidad razonable en la audiencia para presentar pruebas pertinentes, los datos, opiniones y argumentos, de forma oral o por escrito, a presentar pruebas, y para interrogar a los testigos. Cualquier persona que desee presentar una declaración de carácter no técnico escrito para el registro en lugar de testimonio oral debe presentar dicha declaración antes del cierre de la audición.

Las personas que deseen presentar testimonio técnico deben presentar a la Comisión una notificación por escrito de su intención de hacerlo. Los requisitos para un aviso de intención se puede encontrar en las Directrices de la Comisión para las audiencias de regulación y se han modificado por una orden de procedimiento consignados en el presente asunto, que se puede obtener del administrador. Las notificaciones de intención para la audiencia debe recibir en la Oficina del Administrador de la Comisión de las 5:00 pm el 16 de Agosto de 2013, y deben hacer referencia al nombre de dicho Reglamento, la fecha de la audiencia, y el número de expediente WQCC 12-09 (R). Las notificaciones de intención ya presentadas en relación con el ajuste de la audiencia inicial no necesita ser re-presentada.

Si usted es una persona con una discapacidad y necesita ayuda o una ayuda auxiliar, por ejemplo, un intérprete de lenguaje, para participar en cualquier aspecto de este proceso, por favor póngase en contacto con la Oficina de Servicios de Personal el 16 de Agosto de 2013. La oficina puede ser contactada en el Departamento de Medio Ambiente de Nuevo México, 1190 St. Francis Drive, PO Caja 5469, Santa Fe, NM 87502 hasta 5469, y (505) 827-9872. Los usuarios de TDD