

STATE OF NEW MEXICO
BEFORE THE WATER QUALITY CONTROL COMMISSION



)
)
In the Matter of:)
)

PROPOSED AMENDMENTS TO)
STANDARDS FOR INTERSTATE)
AND INTRASTATE WATERS,)
20.6.4 NMAC)
)
)
_____)

No. WQCC 14-05 (R)

NOTICE OF ERRATA

The New Mexico Environment Department Surface Water Quality Bureau (“SWQB”) files this Notice of Errata for its Notice of Intent (“NOI”) to Present Technical Testimony filed with the Water Quality Control Commission on December 12, 2014. To accurately correspond with the SWQB’s direct testimony in SWQB Exhibit 46, the SWQB corrects the Titles of Exhibits 49 through 53 in the Exhibit List as shown below, and on the attached Exhibit List. No new documentation has been introduced with the filing of this Notice.

EXHIBIT NUMBER

TITLE OF EXHIBIT

- | | |
|-----|--|
| 49. | Signed Field Evaluation Cover Sheets for the HP-based UAA, Four Southern New Mexico Waters |
| 50. | Animas River UAA Final Draft, July 7, 2014 |
| 51. | Public Notice of Meeting and Comment Period for HP-based UAA: Four Southern New Mexico Waters, August 14, 2013 |
| 52. | Written Comments Received on HP-based UAA: Four Southern New Mexico Waters, September 13, 2013 |

53.

US EPA Technical Approval of HP-based UAA: Four Southern
New Mexico Waters, December 19, 2013

Respectfully submitted, this the 22nd day of September 2015.

NEW MEXICO ENVIRONMENT DEPARTMENT



John Verheul

Kathryn S. Becker

Assistant General Counsels

P.O. Box 5469

1190 S. St. Francis Dr., Suite N-4050

Santa Fe, New Mexico 87502-5469

Tel (505) 383-2063

Fax (505) 827-1628

john.verheul@state.nm.us

kathryn.becker@state.nm.us

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Notice of Errata* was served on the following on this the 22nd day of September 2015, via the stated delivery methods below:

Hand delivery:

Ms. Pam Castaneda, Administrator
Water Quality Control Commission
Room S-2102, Harold Runnels Building
1190 St. Francis Dr.
Santa Fe, New Mexico 87505

Electronic Mail:

For Freeport-McMoRan Chino Mines Company:

Dalva L. Moellenberg
Germaine R. Chappelle
Gallagher & Kennedy, P.A.
1239 Paseo de Peralta
Santa Fe, NM 87501
Phone: 505-982-9523
Email: dln@gknet.com
Email: germaine.chappelle@gknet.com

For Peabody Energy:

Stuart R. Butzier
Modrall, Sperling, Roehl, Harris & Sisk, P.A.
P.O. Box 9318
Santa Fe, NM 87504-9318
Phone: 505-848-1832
Email: sbutzier@modrall.com

For Amigos Bravos:

Erik Schlenker-Goodrich
Kyle Tisdel
Western Environmental Law Center
208 Paseo Del Pueblo Sur, #602
Taos, NM 87571
Phone: 575-613-4197
Email: eriksg@westernlaw.org
Email: tisdel@westernlaw.org

For San Juan Water Commission:

Jolene L. McCaleb
Taylor & McCaleb, P.A.

P.O. Box 2540
Corrales, New Mexico 87048-2540
Phone: 505-888-6600
Email: jmccaleb@taylormccaleb.com

For Chevron Mining, Inc.:

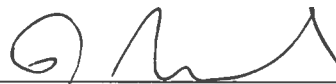
Louis W. Rose
Montgomery & Andrews, P.A.
P.O. Box 2307
Santa Fe, New Mexico 87504-2307
Phone: 505-982-3873
Email: lrose@montand.com

For Los Alamos National Security LLC and the United States Department of Energy:

Lara Katz
Montgomery & Andrews, P.A.
Post Office Box 2307
Santa Fe, New Mexico 87504-2307
Phone: 505-982-3873
Email: lkatz@montand.com

Timothy A. Dolan
Office of Laboratory Counsel
Los Alamos National Laboratory
P.O. Box 1663, MS A187
Los Alamos, NM 87545
Phone: 505-667-7512
Email: tdolan@lanl.gov

Lisa Cummings
Staff Attorney
Office of Counsel
Los Alamos Site Office
U.S. Department of Energy
528 35th Street
Los Alamos, NM 87544-2201
Phone: 505-667-4667
Email: Lisa.Cummings@nnsa.doe.gov



John Verheul, Asst. General Counsel
Office of General Counsel
New Mexico Environment Department

**STATE OF NEW MEXICO
BEFORE THE WATER QUALITY CONTROL COMMISSION**

)	
)	
In the Matter of:)	
)	
PROPOSED AMENDMENTS TO)	No. WQCC 14-05 (R)
<i>STANDARDS FOR INTERSTATE</i>)	
<i>AND INTRASTATE WATERS,</i>)	
20.6.4 NMAC)	
)	
)	

SURFACE WATER QUALITY BUREAU EXHIBIT LIST

<u>EXHIBIT NUMBER</u>	<u>TITLE OF EXHIBIT</u>
1.	James Hogan Testimony
2.	2013 Triennial Review Petition and Bases for Changes, June 25, 2014, and Amended Petition, October 20, 2014
3.	James Hogan Resume
4.	Public Notices for Triennial Review Scoping Period
5.	EPA Letter of Preliminary Triennial Review Recommendations, December 4, 2013
6.	SWQB Response to EPA Preliminary Recommendations February 19, 2014
7.	Public Notice for Triennial Review Public Discussion Draft and Public Comment Period, April 1, 2014
8.	Triennial Review Scoping Period Public Comments and SWQB Responses

9. Triennial Discussion Draft Public Comments and SWQB Responses
10. Letter of Notice to Small Business Regulatory Advisory Commission, July 2, 2014
11. Affidavits for Legal Notices of Public Hearing for Triennial Review
12. Triennial Review Websites – SWQB and WQCC
13. Kristine Pintado Testimony
14. Kristine Pintado Resume
15. SWQB Memo on MPN
16. 40 CFR §131.13
17. USEPA Nutrients Factsheet
18. SWQB Assessment Protocol for Nutrients
19. EPA Letter of Comments to SWQB 2013 Triennial Review Public Discussion Draft
20. 40 CFR §131.10 (g)(1)-(6)
21. Temporary Standard Tables 1 and 2 (with explanatory notes)
22. EPA WQS Regulations Advance Notice of Public Rulemaking (“ANPRM”): Water Quality Standards July 7, 1998, 63 FR 36760-61
23. EPA Proposed Water Quality Standards Regulatory Clarifications Proposed Rule September 4, 2013, 78 FR Page 54544-45

24. 40 CFR §131.21
25. 40 CFR §131.20
26. 40 CFR §122.44(d)(I)(ii)
27. EPA Record of Decision (“ROD”) January 23, 2001
28. EPA Final Rule Pesticide General Permit November 7, 2011, 76 FR 68750-56
29. New Mexico Department of Game and Fish (“NMDG&F”) Memo March 22, 2014
30. Comparison of the EPA Pesticide General Permit (“PGP”) vs. 20.6.4.16 NMAC
31. Chino Mines HP UAA “Application of the HP to STSIU Drainages”
32. Chino Mines Submittal Letter April 2011
33. SWQB Email to Chino Mines June 13, 2011
34. Correspondence SWQB and Chino Mines
35. EPA Letter of Technical Review to SWQB: Chino Mines HP UAA
36. Chino Mines Responses to Comments (“RTC”) November 2014
37. USEPA Factsheet for Recreational Criteria 2012
38. USEPA Bacteria Criteria 1986

39. Jodey Kougioulis Testimony – Hydrology Protocol (“HP”) and HP UAAs for Non-Perennial Waters
40. Jodey Kougioulis Resume
41. Mulatto Canyon Field Sheet
42. HP UAAs Non-Perennial Waters
43. HP UAAs Non-Perennial Waters Response to Comments
44. HP UAAs Non-Perennial Waters USEPA Transmittal Letter
45. HP UAAs Non-Perennial Waters USEPA Approval Letter
46. Deborah Sarabia Testimony – HP-based UAAs for Four Southern New Mexico Waters and the Animas River UAA
47. Deborah Sarabia Resume
48. HP-based UAA for Four Southern New Mexico Waters
49. Signed Field Evaluation Cover Sheets for the HP-based UAA, Four Southern New Mexico Waters
50. Animas River UAA Final Draft, July 7, 2014
51. Public Notice of Meeting and Comment Period for HP-based UAA: Four Southern New Mexico Waters, August 14, 2013
52. Written Comments Received on HP-based UAA: Four Southern New Mexico Waters, September 13, 2013
53. US EPA Technical Approval of HP-based UAA: Four Southern New Mexico Waters, December 19, 2013
54. Notice of Public Meeting and Request for Public Comment, November 20, 2013
55. Written Comments Received and SWQB Responses

56. EPA Technical Approval of the Animas River UAA
57. Bryan Dail Testimony
58. Bryan Dail Resume
59. USGS Map of the Gila River Near Gila Hot Springs
60. Road Map of the Gila River Near Gila Hot Springs
61. Specific Conductance of Select Hot Springs in the Gila Area
62. Specific Conductance of Major Gila River Tributaries
63. Specific Conductance of Select Gila River Tributaries
64. Gila Segment Memo, March 6, 2014
65. Mimbres River UAA