

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

**IN THE MATTER OF THE PETITION
TO AMEND THE STANDARDS FOR
INTERSTATE AND INTRASTATE
WATERS, 20.6.4 NMAC,**

WQCC No. 21-16 (R)

**Triad National Security, LLC and
United States Department of Energy,**

Petitioners.

**ORDER DESIGNATING HEARING OFFICER AND DEFERRING SCHEDULING OF
PUBLIC HEARING ON PROPOSED REGULATORY CHANGE**

THIS MATTER came before the Water Quality Control Commission (“Commission”) at its public meeting held on April 13, 2021, on the Petition for Rulemaking to Amend 20.6.4 NMAC (“Petition”) submitted to the Commission on March 15, 2021, by Petitioners Triad National Security, LLC and the U.S. Department of Energy (“Petitioners”) pursuant to NMSA 1978, Section 74-6-6(B) (1993) and 20.1.6.200 NMAC; the Commission having heard from Christopher Atencio, counsel for the New Mexico Environment Department, and from Louis R. Rose, counsel for Petitioner; the Commission having duly considered the Petition and thereafter having determined to hold a public hearing on Petitioners’ proposal for regulatory change in accordance with 20.1.6.200(C) NMAC;

IT IS THEREFORE ORDERED:

1. Pursuant to 20.1.6.100(B) NMAC, the Commission designates Gregory Chakalian to conduct the public hearing on the proposed rulemaking, and to exercise all powers and duties prescribed or delegated under 20.1.6 NMAC.

2. The date of the public hearing on the proposed rulemaking, as well as other scheduling matters, shall be timely addressed by Hearing Officer Chakalian.

3. Public notice of the proposed rulemaking shall be provided as set forth in 20.1.6.201 NMAC, and as may otherwise be specified by governing law.

4. The public hearing on the proposed rulemaking shall be conducted in accordance with the Commission's rulemaking procedures as set forth in 20.1.6 NMAC.

5. The Commission may choose to deliberate either immediately following the close of the public hearing on the proposed rulemaking or at a subsequent meeting of the Commission.

6. The Commission may issue such other orders specifying procedures for conduct of the public hearing on the proposed rulemaking, in addition to those provided by 20.1.6 NMAC, as may be necessary and appropriate to fully inform the Commission of the matters at issue in the public hearing or to control the conduct of the public hearing, as provided by 20.1.6.200(D) NMAC.

Dated this 23rd day of April, 2021.

Jennifer Pruett Digitally signed by Jennifer
Pruett
Date: 2021.04.23 14:07:14 -06'00'

Jennifer J. Pruett, Chair
Water Quality Control Commission

Certificate of Service

I hereby certify that on April 23, 2021 a copy of the foregoing **Order** was emailed to the persons listed below. A copy will be mailed first class upon request.

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