



**New Mexico Commission of Public Records
Administrative Law Division**

1205 Camino Carlos Rey
Santa Fe, NM 87507
505-476-7907

Affidavit of Publication in the *New Mexico Register*

I, Art Bransford, certify that the agency noted below has published legal notices or rules in the New Mexico Register, and that payment has been assessed by invoice for said legal notice or publication, which appeared on the date and in the volume and issue number noted below.

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Enviro Dept - Water Qual

Contact: Cecilia Vigil

1190 St Francis Dr - Rm #N2250

Santa Fe, NM 87502-

Description:

Notice

Notice of Public Hearing

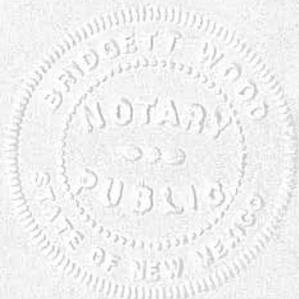
State of New Mexico, County of Santa Fe

Signed and affirmed before me on Tuesday, October 30, 2012

by Art Bransford

Notary Public: Bridgett Wood
Bridgett Wood [My commission expires: _____]

Affiant: Art Bransford
Publisher, *New Mexico Register* **Date:** 10/30/2012



(seal)

~Copies of the published material documented in this affidavit are enclosed~

rulemaking are encouraged to provide specific comment on the proposed rule and any topic that may be relevant to this rulemaking. Any interested person wishing to comment on the Commission's Proposed Rule Amendment may do so by submitting written comments no later than **October 30, 2012**. All response comments shall be filed no later than **November 15, 2012**. Comments suggesting changes to the Commission's Proposed Rulemaking shall state and discuss the particular reasons for the suggested changes and shall include all specific language necessary or appropriate to effectuate the changes being suggested. Specific proposed language changes to the draft rule shall be provided in legislative format. All pleadings, including comments and suggested changes to the proposed rules, shall bear the caption and docket number set forth at the top of this notice.

D. The Commission will review all timely submitted written comments and a public hearing to receive oral comment and to clarify or supplement the written comments will begin at **1:00 P.M. on Friday, November 30, 2012** at the offices of the Commission, at the following location:

**4th Floor Hearing
Room
1120 Paseo de Peralta
Santa Fe, NM 87501
Tel. 505-827-4366**

E. Unless the Commission or presiding officer rules otherwise, the record in this rulemaking shall close thirty (30) days after the conclusion of the public hearing in accordance with 1.2.3.7(B) NMAC or **December 31, 2012**. Commission Rule 1.2.3.7(B) NMAC distinguishes communications occurring before the record has been closed from communications occurring after the record has been closed and defines only the latter as "ex parte communications." The setting of this record closure date will permit Commissioners and Commission Counsel to conduct follow-up discussions with parties who have submitted initial or response comments to the Commission's Proposed Rule or responses to any bench requests. However, this action should not be interpreted as extending the time during which parties may file comments or response comments, or as allowing the filing of other types of documents in this case.

F. Interested persons should contact the Commission to confirm the date, time, and place of any public hearing, because hearings are occasionally rescheduled. Any person with a disability requiring special assistance in order to participate in the hearing should contact Ms. Cecilia Rios at (505) 827-4501 at least

48 hours prior to the commencement of the hearing.

G. At least thirty days prior to the hearing date, this *Notice of Proposed Rulemaking*, including Exhibit A, shall be mailed to all persons who have made a written request for advance notice and shall be published without Exhibit A in at least two newspapers of general circulation in New Mexico and in the NEW MEXICO REGISTER in accordance with 14.4.7.1(B) (1). Affidavits attesting to the publication of this *Notice of Proposed Rulemaking* as described above shall be filed in this Docket.

H. Copies of this *Notice of Proposed Rulemaking*, including Attachment A, shall be e-mailed to all persons listed on the attached Certificate of Service if their email addresses are known, and otherwise shall be served via regular mail.

I. This *Notice of Proposed Rulemaking* shall be posted on the Commission's official Web site.

J. Copies of any forthcoming final order in this rulemaking proceeding shall be mailed, along with copies of any resulting final rule, to all persons and entities appearing on the Certificate of Service as it exists at the time of issuance of the final order in this Docket, to all commenters in this case, and to all individuals requesting such copies.

K. This *Notice of Proposed Rulemaking* constitutes due and lawful notice to all potentially interested persons and is effective immediately.

ISSUED under the Seal of the Commission at Santa Fe, New Mexico, this 2nd day of October, 2012.

NEW MEXICO PUBLIC REGULATION COMMISSION

**PATRICK H. LYONS, CHAIRMAN
THERESA BECENTI-AGUILAR, VICE CHAIR**

**JASON A. MARKS, COMMISSIONER
DOUGLAS J. HOWE, COMMISSIONER
BEN L. HALL, COMMISSIONER**

NEW MEXICO RACING COMMISSION

NEW MEXICO RACING COMMISSION NOTICE OF RULEMAKING AND PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the New Mexico Racing Commission will hold a Regular Meeting and Rule Hearing on November 15, 2012. The hearing will be held during the Commission's regular business meeting, beginning at 8:30 a.m. with executive session. Public session will begin at 10:30 a.m. The meeting will be held in the

Boardroom at 4900 Alameda Blvd. NE, Albuquerque, NM.

The purpose of the Rule Hearing is to consider adoption of the proposed amendments and additions to the following Rules Governing Horse Racing in New Mexico No. 15.2.1 NMAC; 15.2.2 NMAC; 15.2.3 NMAC; 15.2.4 NMAC; 15.2.5 NMAC; 15.2.6 NMAC; 15.2.7 NMAC and 16.47.1 NMAC. The comments submitted and discussion heard during the Rule Hearing will be considered and discussed by the Commission during the open meeting following the Rule Hearing. The Commission will vote on the proposed rules during the meeting.

Copies of the proposed rules may be obtained from Vince Mares, Agency Director, New Mexico Racing Commission, 4900 Alameda Blvd NE, Albuquerque, New Mexico 87113, (505) 222-0700. Interested persons may submit their views on the proposed rules to the commission at the above address and/or may appear at the scheduled meeting and make a brief verbal presentation of their view.

Anyone who requires special accommodations is requested to notify the commission of such needs at least five days prior to the meeting.

Vince Mares
Agency Director

Dated: October 11, 2012

NEW MEXICO WATER QUALITY CONTROL COMMISSION

NEW MEXICO WATER QUALITY CONTROL COMMISSION NOTICE OF PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO 20.6.6 NMAC (DAIRY RULE) AND REQUEST FOR HEARING

The New Mexico Water Quality Control Commission will hold a public hearing beginning at 9:00 a.m. on December 11, 2012 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 New Mexico Environment Department (NMED), 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 N-2150 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 November 19, 2012, and should reference the name of the regulation, the date of the hearing, and docket number WQCC 12-09 (R).

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 November 19, 2012. 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.

NUEVO MÉXICO CONTROL DE LA CALIDAD DEL AGUA COMUNICACIÓN DE LA COMISIÓN DE AUDIENCIA PÚBLICA PARA EXAMINAR LAS ENMIENDAS PROPUESTAS A 20.6.6 NMAC (PRODUCTOS LÁCTEOS REGLA) Y SOLICITUD DE AUDIENCIA

El Nuevo México Control de la calidad del agua Comisión realizará una audiencia pública comenzando a las 9:00 a.m. el 11 de diciembre, 2012 en el Capitolio del Estado de Nuevo México Edificio, habitación 307, 409 antiguo Camino de Santa Fe, Santa Fe, Nuevo México, para examinar las enmiendas propuestas a la Comisión de los lácteos Regla, 20.6.6 NMAC, propuesta en WQCC docket número 12-09 (R) por el Departamento del Medio Ambiente de Nuevo México (NMED), la industria de los Productos Lácteos grupo para un medio ambiente limpio (DIGCE).

La regla propuesta los cambios que (1) permitir que dispositivos antirretorno alternativa de los especificados en la Regla Lácteos; (2) eliminar el requisito de llevar a cabo la calibración de medidores de flujo; y (3) modificar el nutriente necesidades del Plan de Gestión para concentrarse en protección de aguas subterráneas.

Los cambios propuestos pueden ser examinados durante el horario normal de oficina en el Administrador de la Comisión de oficina ubicada en el Edificio Harold Arroyos, 1190 St. Francis Drive, Habitación N-2150 Santa Fe, Nuevo México, 87502. Además, las copias de las propuestas de enmiendas, se publicarán en la página web de NMED <http://www.nmenv.state.nm.us>.

La audiencia se realizará de conformidad con las directrices para el Control de la calidad del agua Comisión Reglamento audiencias, la calidad del agua Ley, sección 74-6-6 MNSA 1978, y otros procedimientos aplicables y a las providencias de trámite. Comentarios por escrito con respecto al proyecto de revisiones pueden ser destinatarios de Pam Castañeda, administrador de la Comisión, en la dirección de arriba; referencia docket número WQCC 12-09 (R).

Todas las personas interesadas se dará oportunidad razonable en la audiencia para presentar las pruebas pertinentes, datos, opiniones y argumentos, verbalmente o por escrito, a presentar exposiciones, y a los testigos. Cualquier persona que desea presentar un no-técnico declaración por

escrito en relación con el registro en lugar de testimonio oral debe presentar dicha declaración antes del cierre de audiencia.

Las personas que deseen presentar testimonio técnica deberá 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 de Reglamento y las audiencias han sido modificados por una orden de procedimiento consignados en el presente asunto, que puede obtenerse en el Administrador. Los avisos de intenciones para la audiencia debe ser recibida por en la Oficina del Administrador de la Comisión de 5:00 pm el 19 de noviembre de 2012, y debe hacer referencia al nombre del reglamento, la fecha de la audiencia, y docket WQCC número 12-09 (R).

Si usted es una persona con una discapacidad y necesita ayuda o una ayuda auxiliar, p. ej. intérprete de lengua de signos, a participar en cualquier aspecto de este proceso, póngase en contacto con la Oficina de Servicios de Personal Noviembre 19, 2012. La mesa puede ser alcanzado en el Departamento del Medio Ambiente de Nuevo México, 1190 St. Francis Drive, P. O. Box 5469, Santa Fe, NM Mexico 87502-5469, (505) 827-9872. TDD o TDY los usuarios pueden acceder a este número a través de la red de relevos de Nuevo México, en Albuquerque TDD usuarios: (505) 275-7333; fuera de Albuquerque: 1-800-659-1779.)

La Comisión podrá tomar una decisión sobre el proyecto los cambios regulatorios en la conclusión de la audiencia, o podrá convocar una reunión después de la audiencia para considerar medidas sobre la propuesta.

NEW MEXICO WORKERS' COMPENSATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Notice is hereby given that on Thursday, November 8, 2012, commencing at 1:30 p.m., the New Mexico Workers' Compensation Administration will conduct a public hearing on the changes to the medical fee schedule and WCA Rules, including updates to Part 3, Payment of Claims and Conduct of Parties, Part 4, Claims Resolution, and Part 7, Payments for Health Care Services.

The hearing will be conducted at the Workers' Compensation Administration, 2410 Centre Avenue S.E., Albuquerque, NM. Copies of the changes to the proposed fee schedule and rule amendments will be available by October 18, 2012. You may obtain a copy of the proposed rules at the