NEW MEXICO WATER QUALITY CONTROL COMMISSION
NOTICE OF PUBLIC RULEMAKING HEARING

The Water Quality Control Commission ("WQCC") will hold a public hearing for this matter to begin **on May 13, 2025**, following the WQCC's regularly scheduled meeting, which starts at 9:00 am, and continuing thereafter as necessary. The hearing shall be conducted in-person at the New Mexico State Capitol, 490 Old Santa Fe Trail, Santa Fe, New Mexico, 87501, and virtually via a video conferencing platform. The hearing will last as long as required to hear all testimony, evidence, and public comment. Detailed information concerning the time, location, and the virtual meeting link can be found on the New Mexico Environment Department's ("NMED") event calendar at https://www.env.nm.gov/events-calendar/. Please visit the WQCC website prior to the hearing for any updates at https://www.env.nm.gov/opf/water-quality-control-commission/. The WQCC may make a decision on the proposed regulatory change at the conclusion of the hearing.

The purpose of the public hearing is to consider Triad National Security, LLC's and the United States Department of Energy's National Nuclear Security Administration, Los Alamos Field Office's Petition for Rulemaking to Amend 20.6.4.126 NMAC and establish a new segment within the Sandia Canyon Assessment Unit to be defined in 20.6.4.141 NMAC. The proposed new segment would be assigned a coolwater Aquatic Life Use and segment-specific temperature criteria based on the findings of a Use Attainability Analysis conducted by Petitioners, which assessed attainability of the Aquatic Life Use designated in 20.6.4.126(A) NMAC. Petitioners sought this hearing pursuant to NMSA 1978, § 74-6-6 (1993), 20.1.6.200 NMAC, and 20.6.4.15 NMAC. The proposed regulations and supporting information may be reviewed online at https://www.env.nm.gov/opf/water-quality-control-commission/. Technical information that served as a basis for the proposed rule may be obtained from the Petitioners upon request. Persons who wish to review a physical copy of the proposed amendments should contact the WQCC Administrator at the address provided below.

All interested people 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.

Pursuant to 20.1.6.202 NMAC and the Pre-Hearing Order issued by the hearing officer on December 20, 2024, those wishing to present direct technical testimony must file a written notice of intent to present technical testimony with the WQCC Administrator **on or before April 14, 2025**.

Notices of intent to present technical testimony shall conform to 20.1.6.104 NMAC and reference the docket number, **WQCC 24-65(R)**.

The form and content of the notice of intent to present technical testimony shall:

- Identify the person for whom the witness(es) will testify;
- Identify each technical witness the person intends to present and state the qualifications of that witness, including a description of their education and work background;
- Include a copy of the full written direct testimony of each technical witness in narrative form;
- Include the text of any recommended modifications to the proposed regulatory change; and
- List and attach all exhibits anticipated to be offered by that person at the hearing, including any proposed statement of reasons for adoption of rules.

Notices of intent to present technical testimony shall be filed with:

Pamela Jones, WQCC Administrator
New Mexico Environment Department
Harold Runnels Building
P.O. Box 5469
Santa Fe, NM 87502
Telephone: (505) 660-4305
Email: pamela.jones@env.nm.gov

Those wishing to do so may offer non-technical public comment at the hearing in person or virtually. The Hearing Officer will hold a public comment session each day of the hearing, with a **public comment session reserved at 1pm**

on May 13, 2025. Non-technical written statements may be submitted in lieu of oral testimony at or before the hearing. Written comments regarding the proposed rule should reference docket number **WQCC 24-65(R)** and may be addressed to Pamela Jones, WQCC Administrator, at the above address, or submitted in the public comment portal at: https://nmed.commentinput.com/comment/search or via email to: pamela.jones@env.nm.gov.

Pursuant to 20.1.6.203 NMAC, any person may file an entry of appearance as a party. The entry of appearance shall be filed with the WQCC Administrator, at the above address, no later than **April 14, 2025**.

The hearing will be conducted in accordance with the WQCC Rulemaking Procedures (20.1.6 NMAC); Use Attainability Analysis regulatory requirements (20.6.4.15 NMAC), the Water Quality Act, (Sections 74-6-1 to -17 NMSA 1978 (1967 as amended through 2019); the State Rules Act, (Section 14-4-5.3 NMSA 1978), other applicable procedures and any additional Procedural Order or Scheduling Order issued by the WQCC or Hearing Officer. These documents are available online at https://www.env.nm.gov/opf/docketed-matters/ or by contacting the WQCC Administrator at pamela.jones@env.nm.gov.

If any person requires assistance, language interpretation, or auxiliary aid to participate in this process, please contact Pamela Jones, WQCC Administrator, at the above address, at least 14 days prior to the hearing date. (TDD or TTY users please access the number via the New Mexico Relay Network, 1-800-659-1779 (voice); TTY users: 1-800-659-8331).

STATEMENT OF NON-DISCRIMINATION

NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Parts 5 and 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's non-discrimination programs, policies or procedures, you may contact: Kate Cardenas, Non-Discrimination Coordinator, NMED, 1190 St. Francis Dr., Suite N4050, P.O. Box 5469, Santa Fe, NM 87502 or (505) 827-2855 or nd.coordinator@env.nm.gov. If you believe that you have been discriminated against with respect to a NMED program or activity, you may contact NMED's Non-Discrimination Coordinator identified above.