

**NOTICE OF PUBLIC HEARING
FOR AMENDMENTS TO 20.6.4 NMAC
ESTABLISHING A NUTRIENT TEMPORARY STANDARD
FOR THE CITY OF RATON, NM WASTEWATER TREATMENT PLANT**

The Water Quality Control Commission (“WQCC”) will hold a public hearing beginning at **9:00 am on March 10, 2020** and continuing thereafter as necessary at the **Runnels Auditorium located in the Harold Runnels Building, 1190 South St. Francis Drive, Santa Fe, NM 87505**. The hearing location may change prior to the hearing date, and those interested in attending should visit the New Mexico Environment Department’s (“NMED”) website prior to the hearing: <https://www.env.nm.gov/water-quality-control-commission/wqcc/>. The purpose of the hearing is to consider proposed amendments to 20.6.4 NMAC. The proposed amendments would allow the Bureau to implement a mechanism for making progress toward attaining a designated use and water quality criterion that are not currently attainable. NMED’s Surface Water Quality Bureau (“Bureau”) is the proponent of the proposed amendments.

The Bureau proposes the WQCC adopt the proposed amendments to 20.6.4 NMAC, pursuant to its authority under NMSA 1978, Sections 47-6-1 through -17 (1967 as amended through 2019) and 20.6.4 NMAC. Please note that formatting and minor technical changes to 20.6.4 NMAC, other than those proposed by NMED, may be proposed at the hearing. Additionally, other changes may be made as necessary in response to public comments and evidence presented at the hearing. The commission may make a decision on the proposed regulatory change at the conclusion of the hearing.

The proposed amended rule 20.6.4 NMAC may be reviewed during regular business hours at the NMED Hearing Office located in the Harold Runnels Building, 1190 South St. Francis Drive, Santa Fe, NM, 87505. The full text of the proposed amended 20.6.4 NMAC is also available online at <https://www.env.nm.gov/surface-water-quality/ts-raton/>.

Pursuant to 20.1.6.202 NMAC, those wishing to present technical testimony must file a written notice of intent to present technical testimony with the Hearing Office on or before 5:00 p.m. on **February 19, 2020, twenty (20) days before the hearing**. Notices of intent to present technical testimony should reference the name of the regulation, the date of the hearing, and the docket number, **WQCC 19-46**.

The form and content of the notice shall:

- * Identify the person for whom the witness(es) will testify;
- * Identify each technical witness the person intends to present and state the qualification of that witness, including a description of their education and work background;
- * Include a copy of the 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:

Cody Barnes, Hearing Office Administrator
New Mexico Environment Department
Harold Runnels Building
P.O. Box 5469
Santa Fe, NM 87502
telephone: (505) 827-2428
email: cody.barnes@state.nm.us

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 wishing to submit a non-technical written statement for the record in lieu of oral testimony must file such statement prior to the close of the hearing. Written comments regarding the proposed new rule may be addressed to Mr. Cody Barnes, Hearing Office Administrator, at the above address, and should reference docket number **WQCC 19-46**. Pursuant to 20.1.6.203

NMAC, any member of the public may file an entry of appearance as a party at the hearing. The entry of appearance shall be filed with Cody Barnes, at the above address, no later than February 17, 2020, twenty (20) days before the date of the hearing.

The hearing will be conducted in accordance with the WQCC's rulemaking procedures, NMSA 1978, Sections 47-6-1 through -17 (1967 as amended through 2019), 20.6.4 NMAC, the State Rules Act, NMSA 1978, Sections 14-4-1 through -11 (1967 as amended through 2017), and other applicable procedures.

If any person requires assistance, an interpreter or auxiliary aid to participate in this process, please contact Cody Barnes, at the above address, by March 3, 2020. (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: Kristine Yurdin, Non-Discrimination Coordinator, New Mexico Environment Department, 1190 St. Francis Dr., Suite N4050, P.O. Box 5469, Santa Fe, NM 87502, (505) 827-2855; email: nd.coordinator@state.nm.us. If you believe that you have been discriminated against with respect to a NMED program or activity, you may contact the Non-Discrimination Coordinator.