

STATE OF NEW MEXICO
BEFORE THE WATER QUALITY CONTROL COMMISSION



_____)
_____)
In the Matter of: _____)
_____)
PROPOSED AMENDMENT _____)
TO 20.6.2 NMAC (Copper Rule) _____)
_____)

No. WQCC 12-01(R)

**ORDER APPROVING REVISED SCHEDULE
FOR DEVELOPMENT OF COPPER REGULATION**

This matter came before the Commission on September 11, 2012. Having considered the Motion, IT IS HEREBY ORDERED that the Revised Schedule for Development of Copper Regulations is approved.

ISSUED this ____ day of September, 2012.



Butch Tongate
Chairperson
Water Quality Control Commission

STATE OF NEW MEXICO
BEFORE THE WATER QUALITY CONTROL COMMISSION



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In the Matter of: _____)
PROPOSED AMENDMENT _____)
TO 20.6.2 NMAC (Copper Rule) _____)
_____)
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No. WQCC 12-01 (R)

MOTION TO APPROVE
REVISED SCHEDULE FOR DEVELOPMENT OF COPPER REGULATIONS

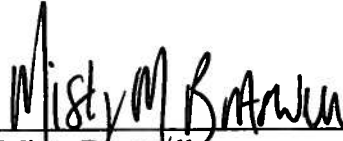
The New Mexico Environment Department (“Department”) submits this Motion to Approve the Revised Schedule for Development of Copper Regulations. In support of this Motion, the Department states as follows:

On January 12, 2012, in accordance with the Water Quality Act, NMSA 1978, § 74-6-4(K), the Commission approved the Schedule for Development of Copper Regulations. That schedule provides for a series of meetings of the Copper Rule Advisory Committee and a Stakeholder/Technical Group. Based on input from the Advisory Committee and stakeholders, the Department proposes the attached revisions to the Schedule for Development of Copper Regulations. The Revised Schedule extends the rule development schedule by 30 days to allow for additional stakeholder negotiations and public input. The Department has provided the draft Revised Schedule to the Advisory Committee and other stakeholders and has received concurrence with the Revised Schedule. Therefore, the Department respectfully requests that the Commission approve the Revised Schedule for Development of Copper Regulations.

A proposed form of order is attached.

Respectfully submitted,

NEW MEXICO ENVIRONMENT DEPARTMENT



Misty Braswell
Assistant General Counsel
Office of General Counsel
New Mexico Environment Department
1190 St. Francis Drive
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Telephone (505) 827-2982

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Motion for Approval of Revised Schedule was served on the following parties via electronic mail on August 17, 2012:

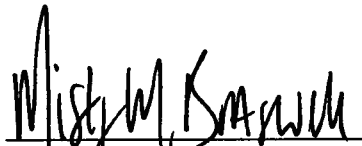
Bruce Frederick, Staff Attorney
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Anthony J. Trujillo
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1233 Paseo de Peralta
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And hand-delivered on the same date to:

Felicia Orth, Acting WQCC Administrator
Harold Runnels Building
1190 St. Francis Drive, Suite N2150
Santa Fe, New Mexico, 87502



Misty M. Braswell

***REVISED SCHEDULE FOR DEVELOPMENT OF COPPER
REGULATIONS***

Approved by the New Mexico Water Quality Control Commission

9/11/2012

Copper Regulation Project Schedule

Event	Deliverable	Scheduled Start Date	Scheduled Finish Date	Comments
Planning Presentation and approval of copper regulation development schedule	Copper regulation development schedule presented to WQCC and approved.	January 10, 2012	January 10, 2012	Get on WQCC agenda; provide schedule original and copies to WQCC administrator by January 3, 2012.
Regulation Development				
Prepare regulation discussion draft	Initial discussion draft of copper facility regulations prepared.	January 2012	August 12, 2012	
Conduct outreach with copper industry, other stakeholders	Copper industry leaders and other stakeholders identified by NMED. Advisory Committee created. Stakeholder/Technical Group created. Modify initial discussion draft of regulations.	November 2011 December 2011 December 2011 February 2012	December 31, 2011. January 6, 2012 January 13, 2012 September 12, 2012	Initial meeting on January 25, 2012 and monthly thereafter. Initial meeting February 2012 and monthly thereafter. Modification to initial discussion draft based upon Advisory Committee and Stakeholder/Technical Group input. Require submittal of written comments by October 12, 2012.
	Discussion draft of regulations made available for public comment (posting on NMED website), and distributed to industry, other stakeholders and Small Business Regulatory Advisory Commission. Notice given of availability of discussion draft and schedule of public meetings. Public meetings held. Stakeholder negotiations held.	September 13, 2012 September 13, 2012 September 24, 2012 September 24, 2012	September 13, 2012 September 13, 2012 September 28, 2012 October 12, 2012	

Event	Deliverable	Scheduled Start Date	Scheduled Finish Date	Comments
Modify discussion draft of regulations	Revised final draft of proposed copper regulations developed.	October 12, 2012	October 26, 2012	Revisions to discussion draft based on public input and stakeholder negotiations.
Regulation Adoption				
Public hearing	<p>Petition for Rulemaking and request for hearing submitted to WQCC.</p> <p>Hearing scheduled by WQCC.</p> <p>Notice given of availability of proposed rule.</p> <p>Proposed regulation submitted for publication in NM Register and provided to Small Business Regulatory Advisory Commission.</p> <p>Proposed regulation and notice of hearing published.</p> <p>Hearing held before WQCC.</p> <p>Regulations adopted by WQCC.</p>	<p>October 30, 2012</p> <p>November 13, 2012</p> <p>November 16, 2012</p> <p>November 16, 2012</p> <p>November 30, 2012</p> <p>January 8, 2012</p> <p>January 9, 2012</p>	<p>October 30, 2012</p> <p>November 13, 2012</p> <p>November 16, 2012</p> <p>November 16, 2012</p> <p>November 30, 2012</p> <p>January 8, 2012</p> <p>January 9, 2012</p>	<p>WQCC schedule a hearing at the November 13, 2012 meeting for a January 8, 2013 hearing.</p> <p>Submittal of notice to NM Register no later than November 16, 2012.</p> <p>NM Register publication and publication in a newspaper of statewide circulation on November 30, 2012.</p>
Project close-out	<p>Final regulation submitted for publication.</p> <p>Final regulation published.</p>	<p>January __, 2013</p> <p>January __, 2013</p>	<p>January __, 2013</p> <p>January __, 2013</p>	<p>Submittal of final regulation to NM Register no later than January __, 2013 for publication on January __, 2013.</p> <p>Publish in NM Register.</p>