TRIENNIAL REVIEW OF NEW MEXICO'S SURFACE WATER QUALITY REGULATIONS

Facts for Public Comment

HELP US PROTECT THE RIVERS, STREAMS AND LAKES THAT YOU CARE ABOUT

The federal Clean Water Act and the New Mexico Water Quality Act require the State to review its surface water quality regulations at least every three years in a public hearing process called the Triennial Review. The hearing offers the public an opportunity to advocate for stronger water quality protections and oppose proposed amendments that will weaken existing surface water regulations.

THE PROCESS BEGINS JULY 13, 2021

The Water Quality Control Commission will begin the Triennial Review public hearing on Tuesday, July 13, 2021. The virtual hearing, viewable online via WebEx, will gather evidence in support of and in opposition to proposed amendments to existing surface water regulations. The public can submit written comments now through the end of the multi-day hearing, which is expected to last 4 -10 days. Oral comments up to 5 minutes will be allowed twice each day of the hearing via WebEx.

TALKING POINTS FOR PUBLIC COMMENT

1.) **Oppose a Limited Definition of Climate Change**: The New Mexico Environment Department (NMED) is proposing a new definition of "climate change" that doesn't identity climate change as predominantly human caused.
Talking Points: Urge the Commission to adopt a definition of climate change that identifies human activities as the major cause of climate change and to specify combatting climate change as a purpose of the regulations.

2.) **Support Standards for Contaminants of Emerging Concern**: NMED is proposing a new definition of "Contaminants of Emerging Concern" (CEC), while Los Alamos National Laboratory (LANL) and the New Mexico Mining Association (NMMA) are opposing adding a CEC definition and CEC monitoring requirements to the standards.
Talking Points: Support adoption of a CEC definition that clearly gives NMED the authority to required monitoring CECs. Support adding PFAS to the CEC definition as an example of CECs. PFAS are perfluoroalkyl and polyfluoroalkyl substances that are a group of man-made chemicals that research has shown to affect reproductive health, increase the risk of some cancers, affect childhood development, increase cholesterol levels, weaken the immune system, and interfere with the body's hormones.

PUBLIC COMMENT TALKING POINTS, CONTINUED:

3.) **Say "No!" to Toxic Fish**: LANL is proposing to substantially limit the number of waters, including waters on LANL's property, that currently receive protections under the Human Health - Organism Only (HH-OO) criteria for toxic pollutants. These criteria protect human health by ensuring that pollutants dangerous to human health do not build up in fish and other aquatic life that humans ingest.
Talking Point: Oppose LANL's proposal to weaken HH-00 criteria because the fish we catch in our rivers, streams, reservoirs, and lakes must be kept safe to eat.

4.) **Support the Existing Definition of Toxic Pollutants**: LANL and the NMMA propose to limit the definition of "toxic pollutant" to only toxic pollutants listed in an outdated EPA list.
Talking Point: New Mexico should not cede is authority to identify and regulate toxic pollutants based on an outdated federal list of toxic pollutants.

5.) **Oppose Limited Monitoring for LANL**: LANL proposes to limit monitoring to an outdated EPA list of monitoring methods for purposes of permit compliance and enforcement.
Talking Points: This proposal would prevent effective monitoring of PCBs and PFAS. Express your objection that the U.S. Department of Energy and LANL are spending taxpayer dollars to fight state efforts to protect waters from persistent and harmful pollutants.

HOW TO SHARE YOUR COMMENTS:

Public comment times will be every day between 5:00 - 6 pm beginning July 13 and will 8:00 - 9:00 am beginning July 14 until the hearing concludes. The Commission will begin to take comments at 5:00 pm on the first day of the hearing and at 8:00 am on subsequent hearing days. The public comment period will conclude after the last person present speaks during each one-hour time slot. Therefore, **members of the public who wish to speak should plan to be available at 8:00 am or 5:00 pm on the day they intend to offer comment.**

Members of the public will have up to 5 minutes to speak. People can (but are not required to) sign up ahead of time to speak on certain days and times by emailing the Commission Administrator Pam Jones at pamela.jones@state.nm.us

To ensure you have the most current information, please visit the WQCC website prior to the hearing for any updates:
https://www.env.nm.gov/water-quality-control-commission/wqcc/

Refer to the next page for details about how to watch the hearing online via WebEx, listen by phone, and submit written comments.

HOW TO SHARE YOUR COMMENTS, CONTINUED:

1) To join via WebEx, copy and paste this link into your browser:
https://nmed-oit.webex.com/nmed-oit/j.php?
MTID=m173d2e7c3828b4dbdcb4d1fe06be6#
Enter meeting number: 177 706 1008
Password: phQAE7KmR47
Host key: 171483

2) To join by phone, dial 1-415-655-0001
Access code: 177 706 1008

3) To submit written comments via snail mail or email, send to:
Pamela Jones,
Office of Public Facilitation
New Mexico Environment Department
P.O. Box 5469
Santa Fe, NM 87502
email: pamela.jones@state.nm.us

*Please reference docket number WQCC 20-51(R) in the subject line of your email.

THANK YOU IN ADVANCE FOR BEING A CLEAN WATER ADVOCATE!