



**MONTGOMERY
& ANDREWS**
LAW FIRM

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Practice Areas

- Administrative Regulatory
- Air Quality
- Environmental Law
- Government Relations
- Mining
- Natural Resources
- Waste Management
- Water Quality

Overview

Mr. Rose advises clients on compliance with federal and state environmental and occupational health and safety laws and regulations. He represents clients before federal and state agencies and courts on environmental permitting, rulemaking and enforcement matters, and occupational/health and safety enforcement matters. Mr. Rose represented the New Mexico Environment Department and its predecessor agencies for sixteen years.

Background

University of New Mexico School of Law

Juris Doctor, 1976

University of New Mexico

Bachelor of Science, *cum laude*, in General Studies, 1973

Experience

Representative Cases/Transactions

In The Matter Of The Application of C and E Concrete For An Air Quality Construction Permit for the 600 tph Portable Rock Crushing Plant Permit #0879M2, No. AQCA 06-39 (P) (NMED 2007)—Permitting action under the Air Quality Control Act of a rock crushing plant located near Ramah, New Mexico. Mr. Rose represented C&E in a formal administrative hearing before the Environment Department and appeal of the permit before the Environmental Improvement Board.

Discharge Permit DP-933, (NMED 2008)—Discharge permit for Chevron Mining, Inc.'s Questa Mine tailing facility. Mr. Rose assisted CMI in negotiating the permit and resolving objections from citizens groups.

Mixed Waste Landfill Permit, (NMED 2005)—Proposed modification of a hazardous waste permit for corrective action at Sandia National Laboratory. Mr. Rose represented Sandia in a

public hearing before the Environment Department and an appeal to the New Mexico Court of Appeals.

Discharge Permit DP-1481, (NMED 2007)—Ground water discharge permit for Louisiana Energy Services, LP's National Enrichment Facility. Mr. Rose represented LES in an administrative hearing before the Environment Department, an administrative appeal before the Water Quality Control Commission and an appeal to the New Mexico Court of Appeals.

In the Matter of the Petition to Adopt New Regulations Within 20.2 NMAC, Statewide Air Quality Regulations, to Require Greenhouse Gas Emissions Reductions, No. EIB 8-19(R) (EIB 2010), – Rulemaking proceeding to adopt New Mexico only greenhouse gas regulations. Mr. Rose represented the New Mexico Oil and Gas Association in this rulemaking.

In the Matter of New Regulation 20.2.350 NMAC, Greenhouse Cap and Trade Provisions, No. EIB 10-04 (R) (EIB 2010), – Rulemaking proceeding to adopt greenhouse cap and trade regulations. Mr. Rose represented the New Mexico Oil and Gas Association in this proceeding.

Representative Clients

Chevron Mining, Inc.: Chevron Mining (formerly Molycorp) owns and operates a molybdenum mine near Questa, New Mexico.

DCP Midstream, LP: DCP Midstream (formerly Duke Energy Field Services) owns and operates natural gas gathering and gas processing facilities in Southeast, New Mexico.

Intel Corporation: Intel owns and operates a semiconductor manufacturing facility in Rio Rancho, New Mexico.

New Mexico Oil and Gas Association: NMOGA is a trade association representing over 300 companies involved in oil and gas producing, refining, processing, transportation, marketing and servicing in New Mexico.

Los Alamos National Security, LLC: LANS operates the Los Alamos National Laboratory, located in Los Alamos, New Mexico, for the U.S. Department of Energy.

Sandia Corporation: Sandia operates the Sandia National Laboratory, located in Albuquerque, New Mexico, for the U.S. Department of Energy.

Tri-State Generation and Transmission Association: Tri-State owns and operates a coal-fired electric generating facility near Gallup, New Mexico.

Western Refining Company: Western Refining owns and operates a petroleum refinery near Gallup, New Mexico.

Professional Memberships and Activities

American Bar Association
New Mexico Bar Association
First Judicial Bar Association

Speaking Engagements

Presentation on energy production and environmental liabilities to the State Bar New Mexico, July 2009

Professional Development

New Mexico Water Law Seminar 1992-2017, conducted by CLE International. Mr. Rose chaired the second day of the seminar, which is dedicated to water quality issues.

Resource Development and Climate Change 2008, conducted by the Rocky Mountain Mineral Law Foundation. The 2-day seminar focused on climate change issues and their impact on natural resource development and energy production in the United States.

Honors

Valued Member Award in 2003 from the New Mexico Oil and Gas Association

Exemplary Service Award in 2004 from the New Mexico Association of Commerce and Industry

Best Lawyers, Environmental

Super Lawyers, Environmental, Administrative Law

H.J. "Doc" Weiler/Marvin Watts Award for Professionalism in 2016 from the New Mexico Mining Association

Outstanding Service Award in 2017 from the New Mexico Association of Commerce and Industry