

**HEARING
TO AMEND
20.11.1 NMAC, *GENERAL
PROVISIONS*, AND 20.11.8 NMAC,
*AMBIENT AIR QUALITY STANDARDS***

AQCB Petition No. 2009-3

**Neal Butt, Environmental Health Scientist
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Air Quality Division
Control Strategies Section
Margaret Nieto, Control Strategies Supervisor**

Exhibits

- ◆ AQD Exhibit 1 ‘Petition to Amend’ filed on May 22, 2009;
- ◆ AQD Exhibit 1a Public Review Draft {attached to AQD Exhibit 1} showing proposed amendments to 20.11.1 NMAC, *General Provisions*;
- ◆ AQD Exhibit 1b Public Review Draft {attached to AQD Exhibit 1} showing proposed amendments to 20.11.8 NMAC, *Ambient Air Quality Standards*;
- ◆ AQD Exhibit 2 August 3, 2005 Federal Register Notice which revoked the 1-hour ambient air quality standard for ozone;
- ◆ AQD Exhibit 3 October 17, 2006 Federal Register Notice which stipulates changes made to the federal ambient air quality standards for PM 2.5 [Electronic];
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- ◆ AQD Exhibit 4 March 27, 2008 Federal Register Notice which stipulates changes made to the federal ambient air quality standard for Ozone, 8-hour average;
- ◆ AQD Exhibit 5 November 12, 2008 Federal Register Notice which stipulates changes made to the federal ambient air quality standard for lead [Electronic];
- ◆ AQD Exhibit 6 a/b/c Public notices of hearing, including the legal advertisement of this hearing in the Albuquerque Journal {6a} and the New Mexico Register {6b}, as well as the ‘Notice of Availability of the Public Review Draft’ which was sent to the Air Quality Announce List Serve as well as a list of those individuals’ e-mail addresses {6c}
- ◆ AQD Exhibit 7 Comments received from EPA
- ◆ AQD Exhibit 8 Direct Testimony and PowerPoint slides
- ◆ AQD Exhibit 9 Draft Agenda, Air Quality Control Board, for August 12, 2009

Proposed Amendments

#1. The currently effective version of 20.11.1 NMAC, *General Provisions*, contains an error. Section 20.11.1.14 NMAC, *Interpretation*, belongs at 20.11.8.14 NMAC, and was left in 20.11.1 NMAC by mistake when these two rules were amended in 2004. The proposed amendment deletes this section.

Proposed Amendments

#2. The proposed amendments will align definition language codified at 20.11.1.7 NMAC with definition language in: 40 CFR Part 51.100(s); The New Mexico Air Quality Control Act; and proposed 20.11.49 NMAC, *Excess Emissions*.

Proposed Amendments

#3.. The proposed amendments will align local ambient air quality standards codified at 20.11.8.13 NMAC, with federal standards; and

Proposed Amendments

#4.. The proposed amendments will correct style and formatting.

Request

- Therefore, The Environmental Health Department of the City of Albuquerque, by and through the Air Quality Division, asks the Albuquerque-Bernalillo County Air Quality Control Board to adopt these amendments to 20.11.1 NMAC, *General Provisions*, and 20.11.8 NMAC, *Ambient Air Quality Standards*, and submit these amendments to EPA as a revision to the State Implementation Plan (SIP).



QUESTIONS?