

TITLE 20 ENVIRONMENTAL PROTECTION
CHAPTER 2 AIR QUALITY (STATEWIDE)
PART 3 AMBIENT AIR QUALITY STANDARDS

20.2.3.1 ISSUING AGENCY: Environmental Improvement Board.
[11/30/95; 20.2.3.1 NMAC - Rn, 20 NMAC 2.3.100 10/31/02]

20.2.3.2 SCOPE: All geographic areas within the jurisdiction of the environmental improvement board.
[11/30/95; 20.2.3.2 NMAC - Rn, 20 NMAC 2.3.101 10/31/02]

20.2.3.3 STATUTORY AUTHORITY: Environmental Improvement Act, Paragraph (4) of Subsection A of Section 74-1-8 NMSA 1978 and Air Quality Control Act, Section 74-2-1 et seq. NMSA 1978, including specifically, Subsections A and B of Section 74-2-5 NMSA 1978.
[11/30/95; 20.2.3.2 NMAC - Rn, 20 NMAC 2.3.102 10/31/02]

20.2.3.4 DURATION: Permanent.
[11/30/95; 20.2.3.4 NMAC - Rn, 20 NMAC 2.3.103 10/31/02]

20.2.3.5 EFFECTIVE DATE: November 30, 1995.
[11/30/95; 20.2.3.5 NMAC - Rn, 20 NMAC 2.3.104 10/31/02]
[The latest effective date of any section in this Part is 11/30/18.]

20.2.3.6 OBJECTIVE: The objective of this part is to establish ambient air quality standards for the areas of New Mexico under the jurisdiction of the environmental improvement board.
[11/30/95; 20.2.3.6 NMAC - Rn, 20 NMAC 2.3.105 10/31/02]

20.2.3.7 DEFINITIONS: In addition to the terms defined in 20.2.2 NMAC (Definitions), as used in this part: "Part" means an air quality control regulation under Title 20, Chapter 2 of the New Mexico Administrative Code, unless otherwise noted; as adopted or amended by the board.
[11/30/95; 20.2.3.7 NMAC - Rn, 20 NMAC 2.3.107 10/31/02]

20.2.3.8 AMENDMENT AND SUPERSESSION OF PRIOR REGULATIONS: This part amends and supersedes air quality control regulations ("AQCR") 200 - preamble and 201 - ambient air quality standards last filed January 27, 1970 and June 15, 1981, respectively.

A. All references to AQCR 200 or 201 in any other rule shall be construed as a reference to this part.
B. The amendment and supersession of AQCR 200 and 201 shall not affect any administrative or judicial enforcement action pending on the effective date of such amendment nor the validity of any permit issued pursuant to AQCR 200 or 201.
[11/30/95; 20.2.3.8 NMAC - Rn, 20 NMAC 2.3.106 10/31/02]

20.2.3.9 LIMITATION OF APPLICABILITY TO 20.2.70 NMAC. The requirements of this part are not applicable requirements under 20.2.70 NMAC, as defined by that part. This section does not limit the applicability of this part to sources required to obtain a permit under 20.2.72 NMAC, nor does it limit which terms and conditions of permits issued pursuant to 20.2.72 NMAC are applicable requirements for permits issued pursuant to 20.2.70 NMAC.
[20.2.3.9 NMAC - N, 9/6/06]

20.2.3.10 to 20.2.3.107 [RESERVED]

20.2.3.108 PREAMBLE: Ambient air quality standards are not intended to provide a sharp dividing line between air of satisfactory quality and air of unsatisfactory quality. They are, however, numbers which represent objectives that will preserve our air resources. It is understood that at certain times, due to unusual meteorological conditions, these standards may be exceeded for short periods of time without the addition of specific pollutants into the atmosphere. The adoption of these statewide ambient air quality standards does not prohibit the promulgation of standards for specific areas, functions, and conditions within the state such as air sheds, municipalities, and certain

counties, as authorized under the act. As scientific data accumulates on the effects of a contaminant, these standards may be revised or additional standards added.

[11/30/95; 20.2.3.108 NMAC - Rn, 20 NMAC 2.3.108 10/31/02]

20.2.3.109 [RESERVED]

[11/30/95; 20.2.3.109 NMAC - Rn, 20 NMAC 2.3.109 10/31/02; Repealed, 11/30/18]

20.2.3.110 SULFUR COMPOUNDS: The maximum allowable concentrations of the following sulfur-containing air contaminants in the ambient air are as follows:

- A. Sulfur dioxide:**
- (1) For the state except on the area within 3.5 miles of the Chino mines company smelter furnace stack at Hurley:
- (a) 24-hour average: 0.10 ppm;
 - (b) Annual arithmetic average: 0.02 ppm;
- (2) For the area within three and one-half miles of the Chino mines company smelter furnace stack at Hurley:
- (a) 24-hour average, not be exceeded more than once per year: 0.14 ppm;
 - (b) three-hour average, not to be exceeded more than once per year: 0.50 ppm;
 - (c) Annual arithmetic average: 0.03 ppm.
- B. Hydrogen sulfide:**
- (1) For the state, except the Pecos-Permian basin intrastate air quality control region (one-hour average, not to be exceeded more than once per year): 0.010 ppm;
- (2) For the Pecos-Permian basin intrastate air quality control region (one-half hour average): 0.100 ppm;
- (3) For within corporate limits of municipalities within the Pecos-Permian basin intrastate air quality control region (one-half hour average): 0.030 ppm;
- (4) For within five miles of the corporate limits of municipalities having a population of greater than 20,000 and within the Pecos-Permian basin intrastate air quality control region (one-half hour average): 0.030 ppm.
- C. Total reduced sulfur:**
- (1) For the state, except the Pecos-Permian basin intrastate air quality control region except for hydrogen sulfide (one-half hour average): 0.003 ppm;
- (2) For the Pecos-Permian basin intrastate air quality control region, except for hydrogen sulfide (one-half hour average): 0.010 ppm;
- (3) For within corporate limits of municipalities within the Pecos-Permian basin intrastate air quality control region, except for hydrogen sulfide (one-half hour average): 0.003 ppm;
- (4) For within five miles of the corporate limits of municipalities having a population of greater than 20,000 and within the Pecos-Permian basin intrastate air quality control region, except for hydrogen sulfide (one-half hour average): 0.003 ppm.

[11/30/95; 20.2.3.110 NMAC - Rn, 20 NMAC 2.3.110 10/31/02]

20.2.3.111 OTHER AIR CONTAMINANTS: The maximum allowable concentrations of the following air contaminants in the ambient air are as follows:

- A. Carbon monoxide:**
- (1) eight-hour average: 8.7 ppm;
 - (2) one-hour average: 13.1 ppm;
- B. Nitrogen dioxide:**
- (1) 24-hour average: 0.10 ppm;
 - (2) Annual arithmetic average: 0.05 ppm.

[11/30/95; 20.2.3.111 NMAC - Rn, 20 NMAC 2.3.111 10/31/02]

HISTORY OF 20.2.3 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the commission of public records-state records center and archives:

HSSD 70-1, Ambient Air Quality Standards And Air Quality Control Regulations, 01/27/70.

EIB/AQCR 201, Ambient Air Quality Standards, 12/07/79.
AQCR 201, Ambient Air Quality Standards, 06/15/81.

History of Repealed Material:

Other History:

AQCR 201, Ambient Air Quality Standards, filed 06/15/81 was **renumbered** into first version of the New Mexico Administrative Code as 20 NMAC 2.3, Air Quality (Statewide) - Ambient Air Quality Standards, filed 10/30/95. 20 NMAC 2.3, Air Quality (Statewide) - Ambient Air Quality Standards, filed 10/30/95 was **renumbered, reformatted and replaced** by 20.2.3 NMAC, Ambient Air Quality Standards, effective 10/31/02.