

TITLE 20 ENVIRONMENTAL PROTECTION
CHAPTER 2 AIR QUALITY (STATEWIDE)
PART 42 COAL MINING AND PREPARATION PLANTS -- PARTICULATE MATTER

20.2.42.1 ISSUING AGENCY: Environmental Improvement Board.
[11/30/95; 20.2.42.1 NMAC - Rn, 20 NMAC 2.42.100 10/31/02]

20.2.42.2 SCOPE: All geographic areas within the jurisdiction of the Environmental Improvement Board.
[11/30/95; 20.2.42.2 NMAC - Rn, 20 NMAC 2.42.101 10/31/02]

20.2.42.3 STATUTORY AUTHORITY: Environmental Improvement Act, NMSA 1978, section 74-1-8(A)(4) and (7), and Air Quality Control Act, NMSA 1978, sections 74-2-1 et seq., including specifically, section 74-2-5(A), (B) and (C).
[11/30/95; 20.2.42.3 NMAC - Rn, 20 NMAC 2.42.102 10/31/02]

20.2.42.4 DURATION: Permanent.
[11/30/95; 20.2.42.4 NMAC - Rn, 20 NMAC 2.42.103 10/31/02]

20.2.42.5 EFFECTIVE DATE: November 30, 1995.
[11/30/95; 20.2.42.5 NMAC - Rn, 20 NMAC 2.42.104 10/31/02]
[The latest effective date of any section in this Part is 10/31/02.]

20.2.42.6 OBJECTIVE: The objective of this Part is to establish requirements and standards for coal mines and preparation plants to minimize particulate matter emissions
[11/30/95; 20.2.42.6 NMAC - Rn, 20 NMAC 2.42.105 10/31/02]

20.2.42.7 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; 20.2.42.7 NMAC - Rn, 20 NMAC 2.42.107 10/31/02]

20.2.42.8 AMENDMENT AND SUPERSESSION OF PRIOR REGULATIONS: This Part amends and supersedes Air Quality Control Regulation ("AQCR") 672 -- Coal Mining and Preparation Plants - Particulate Matter last filed November 16, 1973.

A. All references to AQCR 672 in any other rule shall be construed as a reference to this Part.

B. The amendment and supersession of AQCR 672 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 672.

[11/30/95; 20.2.42.8 NMAC - 20 NMAC 2.42.106 10/31/02]

20.2.42.9 to 20.2.42.107 [RESERVED]

20.2.42.108 EQUIPMENT: All persons operating coal preparation plants shall equip all crushers, conveyors, screens, cleaners, hoppers, and chutes, which are designed for the continuous transportation or preparation of coal at the coal preparation plant, with hoods, shields or sprays where reasonably necessary to prevent particulate matter from becoming airborne.
[11/30/95; 20.2.42.108 NMAC - Rn, 20 NMAC 2.42.108 10/31/02]

20.2.42.109 HAUL ROADS: All persons operating a coal mine shall cause main coal haulage roads to be sprayed or to be otherwise treated were reasonably necessary to prevent particulate matter from becoming airborne.
[11/30/95; 20.2.42.109 NMAC - Rn, 20 NMAC 2.42.109 10/31/02]

HISTORY OF 20.2.42 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:

AQCR 672, Coal Mining And Preparation Plants -- Particulate Matter, 11/16/73.

History of Repealed Material: [RESERVED]

Other History:

AQCR 672, Coal Mining And Preparation Plants -- Particulate Matter, filed 11/16/73 was **renumbered** into first version of the New Mexico Administrative Code as 20 NMAC 2.42, Coal Mining And Preparation Plants -- Particulate Matter, filed 10/30/95.

20 NMAC 2.42, Coal Mining And Preparation Plants -- Particulate Matter, filed 10/30/95 was **renumbered, reformatted and replaced** by 20.2.42 NMAC, Coal Mining And Preparation Plants -- Particulate Matter, effective 10/31/02.