

**TITLE 20 ENVIRONMENTAL PROTECTION**  
**CHAPTER 11 ALBUQUERQUE / BERNALILLO COUNTY AIR QUALITY CONTROL BOARD**  
**PART 6 EMERGENCY ACTION PLAN**

**20.11.6.1 ISSUING AGENCY:** Albuquerque/ Bernalillo County Air Quality Control Board. P.O. Box 1293, Albuquerque, NM 87103. Telephone: (505) 768-2600.  
[3/24/82. . .12/1/95; 20.11.6.1 NMAC – Rn, 20 NMAC 11.06.I.1, 10/1/02]

**20.11.6.2 SCOPE:** This Part is applicable to the Director of the air pollution control agency of Bernalillo County, New Mexico.  
[12/1/95; 20.11.6.2 NMAC – Rn, 20 NMAC 11.06.I.2, 10/1/02]

**20.11.6.3 STATUTORY AUTHORITY:** This Part is adopted pursuant to the authority provided in the New Mexico Air Quality Control Act, NMSA 1978 Sections 74-2-4, 74-2-5.C; the Joint Air Quality Control Board Ordinance, Bernalillo County Ordinance 94-5 Section 4; and the Joint Air Quality Control Board Ordinance, Revised Ordinances of Albuquerque 1994 Section 9-5-1-4.  
[3/24/82. . .12/1/95; 20.11.6.3 NMAC – Rn, 20 NMAC 11.06.I.3, 10/1/02]

**20.11.6.4 DURATION:** Permanent.  
[12/1/95; 20.11.6.4 NMAC – Rn, 20 NMAC 11.06.I.4, 10/1/02]

**20.11.6.5 EFFECTIVE DATE:** December 1, 1995, unless a later date is cited at the end of a section.  
[12/1/95; 20.11.6.5 NMAC – Rn, 20 NMAC 11.06.I.5 & A. 10/1/02]

**20.11.6.6 OBJECTIVE:** To have an air emissions plan to prevent ambient pollution concentrations from substantially endangering the public health.  
[12/1/95; 20.11.6.6 NMAC – Rn, 20 NMAC 11.06.I.6, 10/1/02]

**20.11.6.7 DEFINITIONS:** [Reserved]  
[12/1/95; 20.11.6.7 NMAC - Rn, 20 NMAC 11.06.I.7, 10/1/02]

**20.11.6.8 VARIANCES:** [Reserved]  
[12/1/95; 20.11.6.8 NMAC - Rn, 20 NMAC 11.06.I.8, 10/1/02]

**20.11.6.9 SAVINGS CLAUSE:** Any amendment to 20.11.6 NMAC, which is filed, with the State Records Center shall not affect actions pending for violation of a City or County ordinance, Air Quality Control Board Regulation 27, or 20.11.6 NMAC. Prosecution for a violation under prior regulation wording shall be governed and prosecuted under the statute, ordinance, Part, or regulation section in effect at the time the violation was committed.  
[12/1/95; 20.11.6.9 NMAC – Rn, 20 NMAC 11.06.I.9, 10/1/02]

**20.11.6.10 SEVERABILITY:** In any section, paragraph, sentence, clause, or word of this Part or any federal standards incorporated herein is for any reason held to be unconstitutional or otherwise invalid by any court, the decision shall not affect the validity of remaining provisions of this Part.  
[12/1/95; 20.11.6.10 NMAC – Rn, 20 NMAC 11.06.I.10, 10/1/02]

**20.11.6.11 DOCUMENTS:** Documents incorporated and cited in this Part may be viewed at the Albuquerque Environmental Health Department, 400 Marquette NW, Albuquerque, NM.  
[12/1/95; 20.11.6.11 NMAC – Rn, 20 NMAC 11.06.I.11 & A, 10/1/02]

**20.11.6.12 APPLICABLE REQUIREMENTS:** Under the general cognizance of the Board, the Director shall formulate and administer an emergency action plan approved by the Board and designed to provide for taking any emission control actions necessary to prevent ambient pollutant concentrations at any location in the county from reaching levels which would constitute imminent and substantial endangerment to the health of persons, which levels are described by the Director.

[3/24/82 . . . 12/1/95; 20.11.6.12 NMAC – Rn, 20 NMAC 11.06.I.12 & Repealed, 10/1/02; Rn, 20 NMAC 11.06.II.1, 10/1/02]

**HISTORY OF 20.11.6 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.

Resolution No. 1, Air Pollution Control Regulations Of The Albuquerque Bernalillo County Air Quality Control Board, 8/6/71;

Regulation No. 1, Air Pollution Control Regulations, 6/6/73;

Regulation No. 1, Air Pollution Control Regulations, 7/9/73;

Regulation No. 1, Air Pollution Control Regulations, 3/21/77;

Regulation No. 27, Emergency Action Plan. 3/24/82.

**History of Repealed Material:** [Reserved]

**Other History:** Regulation No. 27, Emergency Action Plan, 3/24/82, was **renumbered** and **reformatted** into first version of the New Mexico Administrative Code as 20 NMAC 11.06, Emergency Action Plan, filed 3/24/82.

20 NMAC 11.06, Emergency Action Plan, filed 3/24/82 was **renumbered, reformatted, amended and replaced** by 20.11.6 NMAC, Emergency Action Plan, effective 10/1/02.