

NEW MEXICO ENVIRONMENTAL IMPROVEMENT BOARD

NOTICE OF PUBLIC HEARING TO CONSIDER PROPOSED REVISION OF AIR QUALITY  
REGULATION

**20.2.70 NMAC - *Operating Permits***

The New Mexico Environmental Improvement Board will hold a public hearing on November 8, 2002 at 9:00 a.m. at City County Government Center, One Civic Plaza, 9<sup>th</sup> Floor Committee Room Albuquerque, New Mexico. The purpose of the hearing is to consider proposed revisions to Sections 300 and 302 of 20.2.70 NMAC – *Operating Permits*.

The proponent of this regulatory change is the New Mexico Environment Department.

The Department's proposal revises requirements for dispersion modeling in operating permit applications, and clarifies and revises requirements for certification of compliance with New Mexico and National Ambient Air Quality Standards. Under the Department's proposal, New Mexico and National Ambient Air Quality Standards continue to be applicable requirements under 20.2.70 NMAC – *Operating Permits*.

The proposed regulation may be reviewed during regular business hours at the office of the Environmental Improvement Board, Harold Runnels Building, 1190 St. Francis Drive, Room N-2150 Santa Fe, NM. Copies of the proposed revisions may be obtained by contacting Rita Trujillo at (505) 955-8024 or Lany Weaver at (505) 955-8090 or by visiting the Department's web site at [www.nmenv.state.nm.us](http://www.nmenv.state.nm.us). Follow the links to the Air Quality Bureau's page. Written comments regarding the proposed revisions may be addressed to Ms. Trujillo or Ms. Weaver at Air Quality Bureau, P.O. Box 26110, Santa Fe, NM, 87502. The deadline to submit comments or questions regarding the Department's proposed revisions is November 1, 2002.

The hearing will be conducted in accordance with 20.1.1 NMAC (Rulemaking Procedures) Environmental Improvement Board, the Environmental Improvement Act, Section 74-1-9 NMSA 1978, the Air Quality Control Act Section 74-2-6 NMSA 1978 and other applicable procedures.

All interested persons will be given a reasonable opportunity at the hearing to submit relevant evidence, data, views, and arguments, orally or in writing, to introduce exhibits, and to examine witnesses. Persons wishing to present technical testimony must file with the Board a written notice of intent to do so. The notice of intent shall:

- identify the person for whom the witness(es) will testify;
- identify each technical witness the person intends to present and state the qualifications of that witness, including a description of their educational and work background;
- summarize or include a copy of the direct testimony of each technical witness and state the anticipated duration;
- include the text of any recommended modifications to the proposed regulatory change; and
- list and describe, or attach, all exhibits anticipated to be offered by that person at the hearing.

Notices of intent for the hearing must be received in the Office of the Environmental Improvement Board not later than 5:00 pm on October 28, 2002, and should reference the name of the regulation and the date of the hearing. Notices of intent to present technical testimony should be submitted to:

Geraldine Madrid-Chavez, Office of the Environmental Improvement Board, Harold Runnels Building, 1190 St. Francis Drive, Room N-2150, Santa Fe, NM. 87505

Any person who wishes to submit a non-technical written statement in lieu of oral testimony may do so at or before the hearing.

If you are an individual with a disability and you require assistance or an auxiliary aid, e.g. sign language interpreter, to participate in any aspect of this process, please contact Cliff Hawley by October 25, 2002. Mr. Hawley's

telephone number is (505) 827-2844. He is Chief of the Program Support Bureau, New Mexico Environment Department, P.O. Box 26110, 1190 St. Francis Drive, Santa Fe, NM, 87502. (TDD or TDY users please access his number via the New Mexico Relay Network. Albuquerque TDD users: (505) 275-7333. Outside of Albuquerque: 1-800-659-1779.)

Copies of the agenda and the proposed regulations will be provided in alternative forms, e.g. audiotape, if requested by October 18, 2002.

The Board may make a decision on the proposed regulatory change at the conclusion of the hearing, or the Board may convene a meeting after the hearing to consider action on the proposal.

ss/Dr. Hilary A. Noskin, Chair