

**STATE OF NEW MEXICO
ENVIRONMENTAL IMPROVEMENT BOARD
Harold Runnels Building, Suite S-2102
1190 St. Francis Drive
Santa Fe, New Mexico 87505
Phone: (505) 827-2428**

**NEW MEXICO ENVIRONMENTAL IMPROVEMENT BOARD
NOTICE OF PUBLIC HEARING
EIB 24-51 AND EIB 24-52
IN THE MATTER OF THE PETITION FOR HEARING REQUESTS FOR NSR PERMIT RELOCATION NO. RE05
8661**

The New Mexico Environmental Improvement Board (“Board”) will hold a public hearing beginning at 9:00 a.m. MDT on January 17, 2025. The hearing is in a hybrid manner, where individuals may participate virtually via the web application WebEx or in person at the New Mexico State Capitol, 490 Old Santa Fe Trail, Santa Fe, NM in Room 321.

For members of the public who would like to participate virtually can access the NMED Calendar at www.env.nm.gov/events-calendar/. Go to the start date of the hearing and click on the entry about this hearing for instructions on how to participate. The purpose of the hearing is to consider the following appeal petitions filed by Acequia de los Alto y Martinez and Rowan Stanland and Ffion C Cleugh Sinclair.

Petitioners challenge the approval of relocation for Air Quality Permit No. RE05 8661. The New Mexico Environment Department (“Department”) approved the Air Quality Permit No. RE05 8661. Petitioners contend the Department’s decision to approve the relocation of Air Quality Permit No. RE05 8661 and contend that approval does not meet Department regulations.

The Petitions and related documents may be viewed on the Department’s docketed matters web page www.env.nm.gov/opf/docketed-matters/. Look under the Environmental Improvement Board (EIB) dropdown, for EIB 24-51 and 24-52: Acequia de los Alto y Martinez and Rowan Stanland and Ffion C Cleugh Sinclair.

The Hearing will be conducted in accordance with the Board’s Adjudicatory Procedures (20.1.2 NMAC); the New Mexico Air Quality Control Act, NMSA 1978, Sections 74-2-1 through -22; the State Rules Act, NMSA 1978, Section 14-4-5.3; and other applicable procedures.

Verbal non-technical testimony or general comment will be accepted at the hearing while the record is open. Individuals intending to provide non-technical testimony or general public comment shall notify the WebEx host through the chat feature and will be sworn in. The public comment period is scheduled between 12:00 PM and 1:00 PM.

All interested persons will be given a reasonable opportunity at the hearing to submit relevant evidence, data, views, and arguments, orally and in writing; to introduce exhibits; and to examine witnesses. Any person wishing to submit a non-technical written statement for the record in lieu of oral testimony must file such statement prior to the close of the hearing.

TECHNICAL TESTIMONY

Any person who wishes to present technical evidence at the hearing shall file a statement of intent by

January 2, 2025. The statement of intent to present technical evidence shall include: (i) the name of the person filing the statement; (ii) an indication of whether the person filing the statement supports or opposes the petition at issue; (iii) the name of each witness; (iv) an estimate of the length of the direct testimony of each witness; (v) a list of exhibits, if any, to be offered into evidence at the hearing; and (vi) a summary or outline of the anticipated direct testimony of each witness.

ENTRY OF APPEARANCE

Any person who wishes to be treated as an interested participant and to cross-examine witnesses at the hearing shall file and serve upon all parties an entry of appearance on or before January 2, 2025. A timely statement of intent shall be considered an entry of appearance. The entry of appearance must identify the person wishing to be treated as an interested participant and any individual who may appear on behalf of that person.

Use the Public Comment Portal to submit all non-technical testimony and comments, including: relevant evidence, data, views, arguments, written statements in lieu of oral testimony at the hearing, or public comment. Access the Public Comment Portal via a link on the Department's docketed matters web page www.env.nm.gov/opf/docketed-matters/. Look under the Environmental Improvement Board (EIB) dropdown, EIB 24-51 and 24-52: for Acequia de los Alto y Martinez and Rowan Stanland and Ffion C Cleugh Sinclair. (The direct link to the Public Comment Portal is <http://nmed.commentinput.com/comment/search>). Alternatively, non-technical testimony or comments may be emailed to Pamela.Jones@env.nm.gov. Oral public comments will be accepted during the hearing.

If any person requires assistance, any interpreter other than Spanish, or an auxiliary aid to participate in this process, please contact the Board Administrator no later than January 2, 2025 at 1190 St. Francis Drive, P.O. Box 5469, Santa Fe, NM 87502, telephone (505) 660-4305, or email Pamela.Jones@env.nm.gov (TDD or TTY users please access the number via the New Mexico Relay Network, 1-800-659-1779 (voice); TTY users: 1-800-659-8331).

Notice of Nondiscrimination

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