

NMAC

Transmittal Form



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Volume: Issue: Publication date: Number of pages: (ALD Use Only) Sequence No.

Issuing agency name and address: Agency DFA code:

Contact person's name: Phone number: E-mail address:

Type of rule action: New Amendment Repeal Emergency Renumber (ALD Use) Recent filing date:

Title number: Title name:

Chapter number: Chapter name:

Part number: Part name:

Amendment description (If filing an amendment):
Amendment's NMAC citation (If filing an amendment):

Are there any materials incorporated by reference? Yes No Please list attachments or Internet sites if applicable.

If materials are attached, has copyright permission been received? Yes No Public domain

Specific statutory or other authority authorizing rulemaking:

Environmental Improvement Act, Sections 74-1-1 to 74-1-18 NMSA 1978, including specifically Paragraph (4) of Subsection A of Section 74-1-8 NMSA 1978; and Air Quality Control Act, Sections 74-2-1 to 74-2-17 NMSA 1978, including specifically Paragraph (1) of Subsection D of Section 74-2-5 NMSA 1978.

Notice date(s): Hearing date(s): Rule adoption date: Rule effective date:

Concise Explanatory Statement For Rulemaking Adoption:

Findings required for rulemaking adoption:

Findings MUST include:

- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;
- Reasons for any change between the published proposed rule and the final rule; and
- Reasons for not accepting substantive arguments made through public comment.

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In accordance with the authority vested in it by Section 74-2-5(B) and (D)(1), NMSA 1978, to adopt the regulations necessary to carry out the purposes and provisions of the Air Quality Control Act, the Environmental Improvement Board (Board) held a public hearing beginning on April 28, 2025, and concluding on April 30, 2025, to consider the adoption of a New Mexico Regional Haze State Implementation Plan (SIP) Revision and companion rule 20.2.68 NMAC, Regional Haze Requirements.

The New Mexico Environment Department (NMED) Air Quality Bureau developed the Regional Haze SIP Revision in accordance with U.S. Environmental Protection Agency (EPA) regulations at 40 CFR §§ 51.308 and 51.309, promulgated under 42 U.S.C. § 7491. The SIP Revision addresses visibility protection requirements for Class I Areas in New Mexico for the 2019-2028 planning period and is implemented through the rule 20.2.68 NMAC. In developing the SIP Revision and rule, NMED gathered information from facilities selected for additional analysis of control measures. The Department conducted extensive analysis of the submitted data and considered the applicability, availability, and feasibility of control measures. As required by 42 U.S.C. § 7491(d) and 40 CFR § 51.308(i)(2), NMED also consulted with Federal Land Managers while developing the Regional Haze SIP Revision and 20.2.68 NMAC. Rule 20.2.68 NMAC establishes enforceable requirements necessary to implement the SIP, including emission limitations, monitoring, recordkeeping, and reporting.

Substantive changes were made to the SIP Revision and rule between the public review drafts and the adopted final documents in response to comments from Federal Land Managers, the EPA, representatives from affected facilities, and various environmental groups, as described in the Department's technical testimony during the hearing. A complete record of comments and responses is included in the record as NMED Exhibit 62.

During its deliberations, the Board gave due weight to all evidence and circumstances and found that emissions from the facilities identified in the Regional Haze SIP Revision and 20.2.68 NMAC cause or contribute to anthropogenic haze formation in Class I Areas in and around New Mexico and that adoption of the Regional Haze SIP Revision and 20.2.68 NMAC will reduce emissions that impair visibility in Class I Areas. The Board adopted the Regional Haze SIP Revision and 20.2.68 NMAC by vote on December 8, 2025, and issued its Final Order and Statement of Reasons on January 26, 2026.

Issuing authority (If delegated, authority letter must be on file with ALD):

Name:

Environmental Improvement Board

Check if authority has been delegated

Title:

Chair

Signature: (BLACK ink only OR Digital Signature)

Phoebe K. Suina

Digitally signed by Phoebe K. Suina
Date: 2026.02.04 13:10:37 -07'00'

Date signed:

02/04/2026

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TITLE 20 ENVIRONMENTAL PROTECTION
CHAPTER 2 AIR QUALITY (STATEWIDE)
PART 68 REGIONAL HAZE REQUIREMENTS

20.2.68.1 ISSUING AGENCY: Environmental Improvement Board.
[20.2.68.1 NMAC – N, 04/01/2026]

20.2.68.2 SCOPE: All geographic areas within the jurisdiction of the Environmental Improvement Board.
[20.2.68.2 NMAC – N, 04/01/2026]

20.2.68.3 STATUTORY AUTHORITY: Environmental Improvement Act, Sections 74-1-1 to 74-1-18 NMSA 1978, including specifically Paragraph (4) of Subsection A of Section 74-1-8 NMSA 1978, and Air Quality Control Act, Sections 74-2-1 to 74-2-17 NMSA 1978, including specifically Paragraph (1) of Subsection D of Section 74-2-5 NMSA 1978.
[20.2.68.3 NMAC – N, 04/01/2026]

20.2.68.4 DURATION: Permanent.
[20.2.68.4 NMAC – N, 04/01/2026]

20.2.68.5 EFFECTIVE DATE: April 1, 2026, except where a later date is cited at the end of a section.
[20.2.68.5 NMAC – N, 04/01/2026]

20.2.68.6 OBJECTIVE: The objective of this Part is to establish enforceable emission limitations, compliance schedules, and other measures that are necessary to make reasonable progress during the second regional haze implementation period, and provisions to make these measures practicably enforceable, including averaging times, monitoring requirements, and recordkeeping and reporting requirements.
[20.2.68.6 NMAC – N, 04/01/2026]

20.2.68.7 DEFINITIONS: In addition to the terms defined in 20.2.2 NMAC – Definitions, as used in this Part, the following definitions apply:

- A. “Agency interest number” or “AI #” means the unique identification number assigned to every facility that is regulated by the department.
- B. “Calendar year” means a year beginning January 1 and ending December 31.
- C. “CFR” means the Code of Federal Regulations.
- D. “Continuous emission monitoring system” or “CEMS” means all of the equipment required to sample, condition (if applicable), analyze, and provide a record of emissions on a continuous basis.
- E. “Environmental protection agency” or “EPA” means the United States environmental protection agency.
- F. “g/bhp-hr” means grams per brake horsepower-hour.
- G. “lb/hr” means pounds per hour.
- H. “Operator” means the person or persons responsible for the overall operation of a stationary source.
- I. “Owner” means the person or persons who own a stationary source or part of a stationary source.
- J. “ppmvd” means parts per million by volume, dry.
- K. “Reasonable progress unit” or “RP unit” means an emissions unit selected for an analysis of emission control measures during the second regional haze implementation period for which the department has determined an emission limitation or other measures are necessary to make reasonable progress.
- L. “Rolling average” means the weighted average of all data, meeting this Part’s quality assurance and quality control requirements, collected during the applicable averaging period. For reasonable progress units equipped with CEMS, a 30-operating-day rolling average is calculated by adding the hourly mass emissions over the previous 30 operating days and dividing that sum by the total operating hours during the same period.
- M. “Rolling sum” means the sum of all data, meeting this Part’s quality assurance and quality control requirements, collected during the applicable summation period. For reasonable progress units not equipped with CEMS and subject to a multi-unit emission limitation, a 12-month rolling sum is calculated by multiplying each individual unit’s hourly mass emission rate by its total operating hours over the previous 12 months and summing the results for all units subject to the multi-unit limit.

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[20.2.68.7 NMAC – N, 04/01/2026]

20.2.68.8 SEVERABILITY: If any provision of this Part, or the application of this provision to any person or circumstance is held invalid, the remainder of this Part, or the application of this provision to any person or circumstance other than those as to which it is held invalid, shall not be affected thereby.

[20.2.68.8 NMAC – N, 04/01/2026]

20.2.68.9 CONSTRUCTION: This Part shall be liberally construed to carry out its purpose.

[20.2.68.9 NMAC – N, 04/01/2026]

20.2.68.10 SAVINGS CLAUSE: Repeal or supersession of prior versions of this Part shall not affect administrative or judicial action initiated under those prior versions.

[20.2.68.10 NMAC – N, 04/01/2026]

20.2.68.11 COMPLIANCE WITH OTHER REGULATIONS: Compliance with this Part does not relieve a person from the responsibility to comply with other applicable federal, state, or local laws, rules or regulations, including more stringent controls.

[20.2.68.11 NMAC – N, 04/01/2026]

20.2.68.12 DOCUMENTS: Documents incorporated and cited in this Part may be viewed at the New Mexico environment department, air quality bureau.

[20.2.68.12 NMAC – N, 04/01/2026]

[As of February 2026, the air quality bureau is located at 525 Camino de los Marquez, Suite 1, Santa Fe, New Mexico 87505]

20.2.68.13-20.2.68.100 [RESERVED]

20.2.68.101 APPLICABILITY: This Part applies to reasonable progress units as defined in 20.2.68.7 NMAC.

[20.2.68.101 NMAC – N, 04/01/2026]

20.2.68.102 EMISSION LIMITATIONS AND COMPLIANCE DEADLINES:

A. The reasonable progress units listed in Table 1 of Subsection A of 20.2.68.102 NMAC shall not emit or cause to be emitted oxides of nitrogen (NO_x) in excess of the emission limitations shown. The emission limitations must be met as expeditiously as practicable, but in no event later than their respective compliance deadlines.

Table 1 – EMISSIONS LIMITATIONS AND COMPLIANCE DEADLINES

Facility	AI #	RP Unit	Emission Limitation	Compliance Deadline
Bitter Lake Compressor Station	14	C-891	3 g/bhp-hr	0 years
		C-893	3 g/bhp-hr	0 years
Blanco Compressor Station A	1147	A11	0.5 g/bhp-hr	3 years
		A13	0.5 g/bhp-hr	3 years
Blanco C&D Compressor Station	3552	T-C01	13.04 lb/hr	3 years
		T-C02	13.32 lb/hr	3 years
		T-D01	24.22 lb/hr	3 years
Chaco Gas Plant	1148	14	0.5 g/bhp-hr	2 years
Cunningham Station Power Plant	604	1	12.07 lb/hr	3 years
		2	30.05 lb/hr	3 years
Eunice Gas Processing Plant	609	B-01	9 ppmvd @ 3% O ₂	2 years
		B-02	9 ppmvd @ 3% O ₂	2 years
		C-01	0.5 g/bhp-hr	3 years
		C-02	0.5 g/bhp-hr	3 years
		C-03	0.5 g/bhp-hr	3 years

		C-04	0.5 g/bhp-hr	3 years
		C-05	0.5 g/bhp-hr	3 years
		C-06	0.5 g/bhp-hr	3 years
		C-07	0.5 g/bhp-hr	3 years
Indian Basin Gas Plant	197	ES 06/07	25 ppmvd @ 15% O ₂	2 years
		ES 08/09	25 ppmvd @ 15% O ₂	2 years
		ES 10/11	25 ppmvd @ 15% O ₂	2 years
Kutz Canyon Processing Plant	1158	1	3.34 lb/hr	3 years
		2	3.54 lb/hr	3 years
		4	2.82 lb/hr	3 years
		5	2.38 lb/hr	3 years
		6	2.36 lb/hr	3 years
		19	3.12 lb/hr	3 years
		20	3.12 lb/hr	3 years
Linam Ranch Gas Plant	589	29	15 ppmvd @ 15% O ₂	0 years
		30	25 ppmvd @ 15% O ₂	0 years
		31	25 ppmvd @ 15% O ₂	0 years
		32B	25 ppmvd @ 15% O ₂	1 year
Monument Gas Plant	610	C-01	0.5 g/bhp-hr	3 years
		C-02	0.5 g/bhp-hr	3 years
		C-05	0.5 g/bhp-hr	3 years
		C-06	0.5 g/bhp-hr	3 years
		C-24	0.5 g/bhp-hr	3 years
Mountainair Compressor Station No. 7	1569	701	44.74 ton/yr	3 years
		702		
		703		
		721	9 ppmvd @ 15% O ₂	3 years
		722	9 ppmvd @ 15% O ₂	3 years
Pecos River Compressor Station	194	A-02	7.28 lb/hr	3 years
		A-03	8.1 lb/hr	3 years
Roswell Compressor Station No. 9	10	903	29 ton/yr	3 years
		904		
San Juan Basin Gas Plant	1177	1	3.96 lb/hr	3 years
		2	4.24 lb/hr	3 years
		3	3.88 lb/hr	3 years
		4	2.78 lb/hr	3 years
		5	2.74 lb/hr	3 years
		6	3.04 lb/hr	3 years
		7	2.88 lb/hr	3 years
South Carlsbad Compressor Station	218	1	15 ppmvd @ 15% O ₂	2 years
		2	15 ppmvd @ 15% O ₂	2 years
Washington Ranch Storage Facility	220	1	3 g/bhp-hr	0 years
		2	3 g/bhp-hr	0 years

B. The compliance deadlines in Table 1 of Subsection A of 20.2.68.102 NMAC are expressed in years after approval of New Mexico's state implementation plan revision for the second regional haze implementation period by the environmental protection agency.

C. The emission limitation in Table 1 of Subsection A of 20.2.68.102 NMAC for reasonable progress units 701, 702, and 703 at Mountainair Compressor Station No. 7 is a multi-unit limit applicable to all three units combined. Similarly, the emission limitation in Table 1 of Subsection A of 20.2.68.102 NMAC for reasonable progress units 903 and 904 at Roswell Compressor Station No. 9 is a multi-unit limit applicable to both units combined. In the event compliance with either of these multi-unit limits is achieved by replacing the subject units, and the replacement ratio is not 1:1, the limit will apply to all of the replacement units combined, regardless of their number.

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D. The owner or operator of a reasonable progress unit that complies with the emission limitations in Table 1 of Subsection A of 20.2.68.102 NMAC using an emission control technology that uses ammonia or urea as a reagent shall ensure that the exhaust ammonia slip is limited to 10 ppmvd or less, corrected to fifteen percent oxygen.

[20.2.68.102 NMAC – N, 04/01/2026]

20.2.68.103 OTHER MEASURES: The reasonable progress units listed in Table 2 of 20.2.68.103 NMAC have been retired and removed from their facilities' respective construction permits (or were located at a facility that has permanently ceased operations and closed its construction permit) and shall not be reauthorized as a regulated emission source in any future construction permit modification issued by the department without a new analysis of the emission control measures necessary to make reasonable progress and an EPA-approved regional haze state implementation plan revision.

Table 2 – RETIRED UNITS PROHIBITED FROM REAUTHORIZATION

Facility	AI #	RP Unit	Date Removed from Permit or Permit Closed
Denton Gas Plant	568	005	February 4, 2022
		007	February 4, 2022
Eunice Gas Plant	595	17A	November 5, 2021
		18B	November 5, 2021
		19A	November 5, 2021
		25A	November 5, 2021
		26A	November 5, 2021
		Amine-01	November 5, 2021
		31	November 5, 2021
		111	November 5, 2021
		113	November 5, 2021
Eunice Gas Processing Plant	609	C-08	August 20, 2024
		C-09	May 31, 2024
		C-10	May 31, 2024
		C-11	May 31, 2024
		C-12	May 31, 2024
		C-13	May 31, 2024
Jal #3 Gas Plant	569	4A	November 7, 2022
		5A	November 7, 2022
Kutz Canyon Processing Plant	1158	16	May 11, 2021
		17	May 11, 2021
		18	May 11, 2021
Prewitt Escalante Generating Station	911	S111	June 16, 2021
San Juan Generating Station	1421	S301/E301	December 27, 2022
		S304/E304	December 27, 2022
Saunders Gas Plant	612	C-01	May 31, 2024
		C-02	May 31, 2024
		C-03	May 31, 2024
		C-04	May 31, 2024
		C-05	May 31, 2024
		C-06	May 31, 2024
		C-07	May 31, 2024
		C-08	May 31, 2024
		C-09	May 31, 2024
		G-01	May 31, 2024
		G-02	May 31, 2024
		G-03	May 31, 2024
		A-01	May 31, 2024

	F-01	May 31, 2024
	F-03	May 31, 2024
	I-01	May 31, 2024

[20.2.68.103 NMAC – N, 04/01/2026]

20.2.68.104 MONITORING REQUIREMENTS: Compliance with the emission limitations in Table 1 of Subsection A of 20.2.68.102 NMAC shall be demonstrated as follows.

A. For reasonable progress units one and two at Cunningham Station Power Plant, compliance shall be determined on a 30-operating-day rolling average basis within seven days of the end of each 30-operating-day period, and shall be demonstrated using data from a NO_x continuous emission monitoring system complying with the performance requirements in 40 CFR 75.

B. For reasonable progress units 701, 702, and 703 at Mountainair Compressor Station No. 7 and reasonable progress units 903 and 904 at Roswell Compressor Station No. 9, compliance shall be determined on a 12-month rolling sum basis within seven days of the end of each month, and shall be demonstrated by monitoring operating hours and conducting annual emissions tests using a portable analyzer or EPA reference methods in accordance with the requirements of Subsection D of 20.2.68.104 NMAC. The results of the most recent annual emissions test shall be used to calculate the 12-month rolling sum used to determine compliance.

C. For all other reasonable progress units, compliance shall be demonstrated by conducting annual emissions tests using a portable analyzer or EPA reference methods in accordance with the requirements of Subsection D of 20.2.68.104 NMAC. The arithmetic mean of the results from three separate test runs shall be used to determine compliance pursuant to Paragraph (5) of Subsection D of 20.2.68.104 NMAC.

D. The following requirements apply to annual emissions testing used to demonstrate compliance with the emission limitations in Table 1 of Subsection A of 20.2.68.102 NMAC:

(1) For units with g/bhp-hr emission limits, load shall be calculated using the following equation:

$$\text{Load (hp)} = \frac{\text{Fuel consumption (scf/hr)} \times \text{Measured lower heating value of fuel (btu/scf)}}{\text{Manufacturer's rated brake-specific fuel consumption (btu/bhp-hr) at 100\% load or best efficiency}}$$

If the manufacturer's rated brake-specific fuel consumption is not available, an alternative load calculation methodology based on available data may be used.

(2) Emissions testing shall be conducted within ten percent of one hundred percent peak (or the highest achievable) load. The load and the parameters used to calculate it shall be recorded to document operating conditions at the time of testing and shall be included with the test report.

(3) Emissions testing utilizing a portable analyzer shall be conducted in accordance with the requirements of the current version of ASTM D6522. If a portable analyzer has met a previously approved department criterion, the analyzer may be operated in accordance with that criterion until it is replaced.

(4) The default time period for a test run shall be at least 20 minutes.

(5) An emissions test shall consist of three separate runs, with the arithmetic mean of the results from the three runs used to determine compliance with the applicable emission limitation.

(6) During emissions tests, pollutant and diluent concentration shall be monitored and recorded. Fuel flow rate shall be monitored and recorded if stack gas flow rate is determined utilizing EPA reference method 19. This information shall be included with the test report.

(7) Stack gas flow rate shall be calculated in accordance with EPA reference method 19 utilizing fuel flow rate (scf) determined by a dedicated fuel flow meter and fuel heating value (btu/scf). The owner or operator shall provide a contemporaneous fuel gas analysis (preferably on the day of the test, but no earlier than three months before the test date) and a recent fuel flow meter calibration certificate (within the most recent quarter) with the final test report. Alternatively, stack gas flow rate may be determined by using EPA reference methods one through four or through the use of manufacturer provided fuel consumption rates.

(8) Emissions testing shall be conducted at least once per calendar year. Emissions testing required by Subparts GG, IIII, JJJJ, or KKKK of 40 CFR 60, or Subparts ZZZZ or DDDDD of 40 CFR 63, may be used to satisfy the emissions testing requirements of this Part if it meets the requirements of 20.2.68.104 NMAC and is conducted at least once per calendar year.

[20.2.68.104 NMAC – N, 04/01/2026]

20.2.68.105 RECORDKEEPING REQUIREMENTS:

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A. For reasonable progress units one and two at Cunningham Station Power Plant, the owner or operator shall maintain records of all NO_x CEMS data. The owner or operator shall also maintain records of periods that the CEMS are inoperative and of all CEMS performance test measurements, performance evaluations, calibration checks, adjustments, and maintenance.

B. For all other reasonable progress units, the owner or operator shall maintain records of all annual emissions tests and operating data used to determine compliance with the emission limitations in Table 1 of Subsection A of 20.2.68.102 NMAC. The records shall include:

- (1) make, model, and serial number for the tested engine, turbine, or boiler;
- (2) the date and time stamp(s), including GPS of the location, of any monitoring event, including sampling or measurements;
- (3) date analyses were performed;
- (4) name of the person(s) and the qualified entity that performed the analyses;
- (5) analytical or test methods used;
- (6) results of analyses or tests;
- (7) calculated emissions of NO_x in lb/hr, g/bhp-hr, or ppmvd as appropriate; and
- (8) operating conditions at the time of sampling or measurement, including load and the parameters used to calculate it.

C. All records required to be maintained pursuant to Subsections A and B of 20.2.68.105 NMAC shall be kept for a period of at least five years.
[20.2.68.105 NMAC – N, 04/01/2026]

20.2.68.106 REPORTING REQUIREMENTS:

A. Test reports for annual emissions tests required by Subsections B and C of 20.2.68.104 NMAC shall be submitted to the department no later than 30 days after completion of the test.

B. If a 30-operating-day rolling average for reasonable progress units one and two at Cunningham Station Power Plant, a 12-month rolling sum for reasonable progress units 701, 702, and 703 at Mountainair Compressor Station No. 7 or reasonable progress units 903 and 904 at Roswell Compressor Station No. 9, or the results of an annual emissions test for any other reasonable progress unit reveals NO_x emissions in excess of the emission limitations in Table 1 of Subsection A of 20.2.68.102 NMAC, the owner or operator shall submit reports of excess emissions in accordance with Subsection A of 20.2.7.110 NMAC. Reports of excess emissions shall be submitted by the means and in the format specified by the department.

C. The owner or operator of a reasonable progress unit shall respond within three business days to a request for information by the department under this Part. The response shall provide the requested information for each reasonable progress unit subject to the request by the means and in the format specified by the department in its request. If the department requests information pertaining to reasonable progress units at multiple facilities with the same owner or operator, additional time will be given as appropriate.
[20.2.68.106 NMAC – N, 04/01/2026]

HISTORY OF 20.2.68 NMAC: [RESERVED]