

**Musick, Brad, NMENV**

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**From:** Whaley, Don [Don.Whaley@hollycorp.com]  
**Sent:** Thursday, June 07, 2007 2:32 PM  
**To:** Weaver, Lany, NMENV; Musick, Brad, NMENV; Trujillo, Rita, NMENV  
**Cc:** Ely, Sandra, NMENV; Uhl, Mary, NMENV  
**Subject:** RE: GHG reporting materials posted - NAVAJO COMMENTS on 20.2.87  
**Attachments:** 2007-06-07 Navajo Markup of 20\_2\_87\_DRAFT.doc

Attached is a markup of NMED's subject draft greenhouse gas (GHG) emissions reporting rule reflecting Navajo's comments. A key concern to Navajo is when these reported emissions will be used to establish a baseline year. Although the attached comments provide for a baseline year no earlier than the second GHG reporting year (i.e., 2009), a 2010 baseline year would be preferred. This would simplify Navajo's situation in that, as NMED is aware, an NSR permit is pending for an expansion of refinery capacity. The expanded capacity may not be fully realized until the end of 2009. Thus, the 2010 year will better establish a baseline for measurement of progress in GHG emissions reductions.

I also have concerns that the sudden and drastic change in NMED's approach (i.e., rigorous certified emission reports vs. step-wise inventory improvement) may catch some companies unaware and thus precluded from the opportunity to comment before the draft is developed into the version proposed for adoption. Companies that tracked or participated in the early GHG meetings may have determined this issue was not a major concern based on the direction NMED seemed to be heading (as demonstrated by the first draft of GHG rules). These companies may not be aware of the significant changes announced May 24, and could be subject to substantive requirements – particularly the 3 industry groups subject to 20.2.87. NMED may want to step up its outreach to companies in these 3 industry categories to solicit their input.

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-----Original Message-----

**From:** Weaver, Lany, NMENV [mailto:lany.weaver@state.nm.us]  
**Sent:** Wednesday, May 30, 2007 4:05 PM  
**To:** Norton, Jim, NMENV  
**Cc:** Ely, Sandra, NMENV; Jones, Mark, NMENV  
**Subject:** GHG reporting materials posted

Greenhouse Gas Reporting stakeholders:

This email is being sent to let you know that the following materials will be posted by the end of today on our website at [http://www.nmenv.state.nm.us/aqb/prop\\_regs.html](http://www.nmenv.state.nm.us/aqb/prop_regs.html):

- Revised Part 2.87
- Draft revisions to Part 2.73
- Regulatory Timeline
- Summary of NMED plans to implement draft revisions to Part 2.73

Please note that, in order to meet the regulatory timeline, we are asking that you submit comments on the regulations by June 13, 2007. Although NMED will welcome comments up to and including the hearing date, we may not have time to consider comments that are received after June 13 while we finalize the proposed regulatory language that will be submitted to Environmental Improvement Board (EIB) on June 18.

Thank you in advance for your comments.

If at any time you wish to be taken off our mailing list for this process, please let Brad know by email ([brad.musick@state.nm.us](mailto:brad.musick@state.nm.us)) or by phone (505-955-8019).

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