

NEW MEXICO ENVIRONMENTAL IMPROVEMENT BOARD
NOTICE OF RULEMAKING HEARING

The New Mexico Environmental Improvement Board ("Board") will hold a public hearing on July 11, 2014 at 9:00 a.m. at the New Mexico State Capitol Building, Room 307, in Santa Fe, New Mexico. The purpose of the hearing is to consider the matter of EIB 14-03 (R), proposed repeal and replacement to the New Mexico State Implementation Plan ("SIP") regarding Air Quality Control Regulation Part 99 (*Conformity to the State Implementation Plan of Transportation Plans, Programs, and Projects*) New Mexico Administrative Code ("20.2.99 NMAC").

The proponent of this regulatory repeal and replacement is the New Mexico Environment Department ("NMED").

The purpose of the public hearing is to consider and take possible action on a petition from the NMED to repeal and replace 20.2.99 NMAC. The proposed repeal and replacement of 20.2.99 NMAC is in response to amendments issued by the Environmental Protection Agency January 24, 2008 and March 14, 2012 to 40 CFR Part 93, Subpart A - *Conformity to State or Federal Implementation Plans of Transportation Plans, Programs, and Projects Developed, Funded or Approved under Title 23 U.S.C. or the Federal Transit Laws*. 40 CFR 93 Subpart A was amended to allow states to streamline their regulations and eliminate the provisions unrelated to implementation by the State. Upon adoption by the Board, the repeal and replacement of 20.2.99 NMAC would be submitted to EPA for incorporation into New Mexico's SIP.

The NMED will host an informational open house on the proposed repeal and replacement of 20.2.99 NMAC at the NMED Air Quality Bureau Office, 525 Camino de los Marquez, Suite 1, Santa Fe, New Mexico from 12:00 p.m. - 2:30 p.m. on May 16, 2014. For questions regarding the open house, please contact Cindy Hollenberg at 505-476-4356 or cindy.hollenberg@state.nm.us.

Full text of NMED's proposed revised regulations are available on NMED's web site at www.nmenv.state.nm.us or by contacting Cindy Hollenberg at (505) 476-4356 or cindy.hollenberg@state.nm.us. The proposed revised regulation may also be examined during office hours at the Air Quality Bureau office, 525 Camino de los Marquez, Suite 1, Santa Fe, New Mexico.

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

All interested persons will be given 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:

- (1) identify the person for whom the witness(es) will testify;
- (2) identify each technical witness that the person intends to present and state the qualifications of the witness, including a description of their education and work background;
- (3) include a copy of the direct testimony of each technical witness in narrative
- (4) list and attach each exhibit anticipated to be offered by that person at the hearing; and
- (5) attach the text of any recommended modifications to the proposed new and revised regulations.

Notices of intent for the hearing must be received in the Office of the Board not later than 5:00 pm on June 20, 2014, and should reference the docket number, EIB 14-03 (R), and the date of the hearing. Notices of intent to present technical testimony should be submitted to:

Pam Castaneda, Board Administrator
Environmental Improvement Board
P. O. Box 5469
Santa Fe, NM 87502

Phone: (505) 827-2425, Fax (505) 827-0310

Any member of the general public may testify at the hearing. No prior notification is required to present non-technical testimony at the hearing. Any such member may also offer exhibits in connection with his testimony, so long as the exhibit is not unduly repetitious of the testimony.

A member of the general public who wishes to submit a written statement for the record, in lieu of providing oral testimony at the hearing, shall file the written statement prior to the hearing, or submit it at the hearing.

Persons having a disability and needing help in being a part of this hearing process should contact Juan Carlos Borrego of the NMED Human Resources Bureau by July 1, 2014 at P.O. Box 26110, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502, telephone 505-827-0424 or email juancarlos.borrego@state.nm.us . TDY users please access his number via the New Mexico Relay Network at 1-800-659-8331.

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