

NEW MEXICO ENVIRONMENTAL IMPROVEMENT BOARD
NOTICE OF PUBLIC MEETING AND STATE IMPLEMENTATION PLAN
REVISION

The New Mexico Environmental Improvement Board ("Board") will hold a public hearing on January 7, 2013 at 9:00 a.m. in Room 307 at the State Capital in Santa Fe, New Mexico. The purpose of the hearing is to consider the matter of EIB 12-04 (R), proposed revisions to the New Mexico State Implementation Plan (SIP) under Section 110(a)(2) of the Federal Clean Air Act (CAA) for the revised National Ambient Air Quality Standard (NAAQS) for nitrogen dioxide.

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

The purpose of the public hearing is to consider and take possible action on a petition from NMED regarding implementation of the federally promulgated revisions to the NAAQS for nitrogen dioxide that were adopted by the U.S. Environmental Protection Agency (EPA) in January of 2010. Section 110(a)(2) of the CAA requires states to submit to the EPA Administrator an "Infrastructure SIP" that addresses the requirements of sections 110(a)(2)(A)--(M) of the CAA within 3 years after the promulgation of a NAAQS. This SIP is a compilation of elements that demonstrates how the State of New Mexico will implement, maintain and enforce the revised nitrogen dioxide NAAQS. The NMED will host an informational open house on the proposed nitrogen dioxide Infrastructure SIP at the NMED Air Quality Bureau Office, 1301 Siler Rd, Building B, Santa Fe, New Mexico 87507, from 1:00p.m.-4:00p.m. on December 6, 2012.

The proposed nitrogen dioxide Infrastructure SIP revision may be reviewed during regular business hours at the NMED Air Quality Bureau office, 1301 Siler Road, Building B, Santa Fe, New Mexico. Full text of NMED's proposed SIP revision is available on NMED's web site at www.nmenv.state.nm.us, or by contacting Michael Baca at (575) 524-6300 or michael.baca1@state.nm.us.

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 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 and state the anticipated duration of the testimony of that witness;
- (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 December 18, 2012, and should reference the docket number, EIB 12-04 (R), and the date of the hearing. Notices of intent to present technical testimony should be submitted to:

Pam Castañeda, Administrator for Boards and Commissions
Office of the Environmental Improvement Board
Harold Runnels Building
1190 St. Francis Dr., Room N-2150
Santa Fe, NM 87502
Phone: (505) 827-0339, 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 the Personnel Services Bureau ("PSB") by December 21, 2012. The PSB can be reached at the NMED, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502, telephone (505) 827-9872. TDY users please access the PSB number via the New Mexico Relay Network at 1-800-659-8331.

The Board may make a decision on the proposed Infrastructure SIP at the conclusion of the hearing, or the Board may convene a meeting at a later date to consider action on the proposal.