

NEW MEXICO ENVIRONMENTAL IMPROVEMENT BOARD
NOTICE OF PUBLIC MEETING AND RULEMAKING HEARING

The New Mexico Environmental Improvement Board ("Board") will hold a public hearing on December 1, 2008 at 10:00 a.m. at the State Capitol Building, Room 317, 490 Old Santa Fe Trail, Santa Fe, NM 87501. The purpose of the hearing is to consider the matter of **EIB 08-06 (R)**, an amendment to Air Quality Control Regulation 20.2.71 NMAC - Operating Permit Emissions Fees.

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

NMED is proposing an amendment to 20.2.71 NMAC - Operating Permit Emissions Fees. The amendment will increase the emissions fees incrementally over a three year time period. This increase will enable the NMED to comply with federal requirements to collect emissions fees sufficient to cover the costs of the Title V permitting program.

The proposed amended regulation may be reviewed during regular business hours at the NMED Air Quality Bureau office, 1301 Siler Road, Building B, Santa Fe, New Mexico 87507. A full text of NMED's amended regulation is available on NMED's web site at www.nmenv.state.nm.us/aqb, or by contacting Rita Bates at (505) 476-4304 or via e-mail to rita.bates@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) 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 **October 31, 2008**, and should reference the docket number, **EIB 08-06 (R)**, and the date of the hearing. Notices of intent to present technical testimony should be submitted to:

Joyce Medina, Board Administrator
Office of the Environmental Improvement Board
Harold Runnels Building
1190 St. Francis Dr., Room N-2150 / 2153
Santa Fe, NM 87502
Phone: (505) 827-2425, Fax (505) 827-2836

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 the 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 Judy Bentley by November 14, 2008 at the NMED, Personnel Services Bureau, P.O. Box 26110, 1190 St. Francis Drive, Santa Fe,

New Mexico, 87502, telephone 505-827-9872. TDY users please access her number via the New Mexico Relay Network at 1-800-659-8331.

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