

NEW MEXICO ENVIRONMENTAL IMPROVEMENT BOARD
NOTICE OF STATE IMPLEMENTATION PLAN REVISION

The New Mexico Environmental Improvement Board (“Board”) will hold, if requested, a public hearing on December 16, 2013 at 10:00 a.m. in Room 322 at the State Capital in Santa Fe, New Mexico. The purpose of the hearing would be to consider the matter of No. EIB 13-08(R), proposed changes to the New Mexico State Implementation Plan (“SIP”) revision for the 2013 Regional Haze Progress Report. A hearing will only be held if requested by a member of the public.

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

The purpose of the public hearing would be to consider and take possible action on a petition from NMED regarding the proposed SIP revision to adopt a 2013 Regional Haze Progress Report. 40 CFR § 51.309 requires states to develop regional haze progress report SIPs in 2013 and 2018 to evaluate the state’s progress towards the reasonable progress goal for each Class I area located within the state and in each Class I area located outside the state which may be affected by emissions from within the state. On December 31, 2003 and June 29, 2011, the State of New Mexico submitted regional haze SIPs to the U.S. Environmental Protection Agency (EPA) to meet the requirements of 40 CFR § 51.309 (“Section 309 SIP”) and 51.309(g) (“Section 309(g) SIP”). The 2003 Section 309 SIP, and subsequent revisions to the Section 309 SIP, address the first phase of regional haze requirements, with an emphasis on stationary source sulfur dioxide (SO₂) emission reductions and a focus on improving visibility on the Colorado Plateau. The 2011 Section 309(g) SIP addressed the visibility requirements and improvements in New Mexico’s remaining eight Class I areas.

The proposed 2013 Regional Haze Progress Report is available for a 60-day public comment period during which a hearing request may be made. All comments and hearing requests must be received by November 29, 2013. All public comments received during the comment period will be evaluated and responded to as appropriate by NMED prior to the hearing or, if no hearing is requested, prior to submission of the proposed progress report to EPA. If a request for a public hearing is received during the 60-day public comment period, a hearing will be held on December 16, 2013 at the above listed location, in accordance with 20.1.1 NMAC – Rulemaking Procedures – Environmental Improvement Board. If a request for hearing is not received during the 60-day comment period, the December 16, 2013 hearing before the Board shall be cancelled. The proposed progress report does not adopt or amend any regulations; therefore, it is not subject to the mandatory public hearing requirement of NMSA 1978 § 74-2-6. For more information, contact Gail Cooke at 505-476-4319 or via email at gail.cooke@state.nm.us. Upon completion of the 60-day public comment period and, if requested, the hearing process, all documents included in the New Mexico 2013 Regional Haze Progress Report will be submitted to EPA to be included in the New Mexico State Implementation Plan.

The NMED will host an informational open house on the proposed 2013 Regional Haze Progress Report at the NMED Air Quality Bureau Office, 525 Camino de los Marquez, Suite 1, Santa Fe, New Mexico 87505, from 12:00 p.m. - 3:00 p.m. on November 6, 2013. To attend the informational open house, please contact Gail Cooke at 505-476-4319 or gail.cooke@state.nm.us.

The proposed progress report may be reviewed during regular business hours at the NMED Air Quality Bureau office, 525 Camino del los Marquez, Suite 1, Santa Fe, New Mexico. The full text of NMED’s proposed revised plans are available on NMED’s web site at www.nmenv.state.nm.us, or by contacting Gail Cooke at (505) 476-4319 or gail.cooke@state.nm.us.

The hearing, if requested, 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 Section, NMSA 1978, 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 form;
- (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 SIP revision.

Notices of intent to present technical testimony at the hearing, if requested, must be received in the Office of the Board not later than 5:00 p.m. on November 26, 2013 and should reference the docket number, EIB 13-08(R), and the date of the hearing. Notices of intent to present technical testimony should be submitted to:

Pam Castañeda, 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 J.C. Borrego of the NMED Human Resources Bureau by November 29, 2013 at P.O. Box 5469, 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.

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