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NOTICE OF RULEMAKING HEARING

The New Mexico Environmental Improvement Board ("Board") will hold a public hearing on August 12, 2016, at 9:00 am, in room 307 of the New Mexico State Capitol Building, 490 Old Santa Fe Trail, Santa Fe, New Mexico. The purpose of the hearing is to consider the matter of EIB 16-02 (R), a proposed repeal of 20.2.37 NMAC – Petroleum Processing Facilities.

The proponent of this regulatory amendment 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 20.2.37 NMAC. The purpose of the proposed repeal of 20.2.37 NMAC is to remove outdated, mostly redundant requirements. The rule was identified in the November 2012 *Improving Environmental Permitting Report* for potential revision or repeal. The Air Quality Bureau has conducted a thorough analysis of the rule as well as other similar federal rules that apply to this industry, and has concluded that the rule can be repealed without a relaxation of emissions controls or an adverse effect on air quality.

The NMED will host an informational open house on the proposed repeal of 20.2.37 NMAC at the Roswell Public Library, 301 North Pennsylvania Ave., Roswell, NM 88201 from 1:00 pm to 3:00 pm on Tuesday, June 14. For questions regarding the open house, please contact Mark Jones at 505-566-9746 or mark.jones@state.nm.us.

Full text of NMED's proposed repealed regulation is available on NMED's web site at www.env.nm.gov/aqb or by contacting Mark Jones at 505-566-9746 or mark.jones@state.nm.us. The proposed repealed regulation may also be examined during office hours at the NMED Air Quality Bureau office, 525 Camino de los Marquez, Suite 1, Santa Fe, New Mexico.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 form;
(4) include the text of any recommended modifications to the proposed regulatory change; and
(5) list and attach all exhibits anticipated to be offered by that person at the hearing, including any proposed statement of reasons for adoption of rules.

Notices of intent for the hearing must be received in the Office of the Board not later than 5:00 pm on July 22, 2016, and should reference the docket number, EIB 16-02 (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) 827-2818

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 Pam Castaneda, Board Administrator by July 22, 2016 at P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502, telephone (505) 827-2425 or email pam.castaneda@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 regulation at the conclusion of the hearing, or the Board may convene a meeting after the hearing to consider action on the proposal.