

NEW MEXICO ENVIRONMENTAL IMPROVEMENT BOARD
NOTICE OF STATE IMPLEMENTATION PLAN REVISION HEARING

The New Mexico Environmental Improvement Board ("Board") will hold a public hearing on September 9, 2016 at 9:00 a.m. at the New Mexico State Capitol Building, 490 Old Santa Fe Trail, Room 307, in Santa Fe, New Mexico. The purpose of the hearing is to consider the matter of EIB 16-03 (R), proposed revisions to the New Mexico State Implementation Plan ("SIP") regarding Air Quality Control Regulation Title 20, Chapter 2, Part 7 (*Excess Emissions*) New Mexico Administrative Code ("20.2.7 NMAC").

The proponent of this SIP 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 the NMED to revise the New Mexico SIP. The proposed SIP revisions are in response to a rule issued by the Environmental Protection Agency (EPA) on June 12, 2015. The U.S. Environmental Protection Agency (EPA) issued a finding that certain SIP provisions in Sections 111, 112 and 113 of 20.2.7 NMAC - Excess Emissions are substantially inadequate to meet Clean Air Act requirements. To address the EPA finding, the Department is proposing to remove Sections 111, 112, 113 and other sections as needed from the SIP, leaving these sections as a state-only enforceable rule.

The full text of NMED's proposed revised SIP is available on NMED's web site at <https://www.env.nm.gov> or by contacting Robert Spillers at (505) 476-4324 or robert.spillers@state.nm.us. The proposed revised SIP may also be examined during office hours at the Air Quality Bureau office, 525 Camino de los Marquez, Suite 1, Santa Fe, New Mexico. To comment on this proposal, contact Robert Spillers at the Air Quality Bureau.

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 revised SIP.

Notices of intent for the hearing must be received in the Office of the Board not later than 5:00 pm on August 19, 2016, and should reference the docket number, EIB 16-03 (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 Castañeda, Board Administrator, by August 26, 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 her 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.