



PETITION TO AMEND
20.11.46 NMAC
SULFUR DIOXIDE EMISSIONS
INVENTORY REQUIREMENTS;
WESTERN BACKSTOP SULFUR
DIOXIDE TRADING PROGRAM

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PETITION TO AMEND

20.11.46 NMAC

- ❖ **Western Backstop (“WEB”) SO₂ Trading Program**
- ❖ **Regional Haze Rule, 40 CFR § 51.309**
- ❖ **Regional Haze SIP**
- ❖ **Regional SO₂ milestones, emissions tracking requirements and backstop regional cap-and-trade program**

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- 20.11.46 NMAC incorporates Regional Haze Rule requirements
 - Emissions inventory requirements for tracking compliance with the SO₂ milestones
 - Requirements that apply to major sources of SO₂ emissions as a “backstop” regulatory program if specified milestones exceeded
 - Trigger for the procedures and compliance requirements for sources in the trading program

Reasons for Proposed Amendments to 20.11.46 NMAC

- ❖ **Compliance with 40 CFR § 51.309**
- ❖ **National goal for visibility protection**
- ❖ **2008 amendments have not been approved by EPA**
- ❖ **Backstop trading rules must be consistent across all “309 states”**

Proposed Amendments to 20.11.46 NMAC

Remove definitions

 “Allowance Tracking System”

 “Allowance Tracking System Account”

 “Emissions Tracking Database”

Add definitions

 “WEB Emissions and Allowance Tracking System” / “WEB EATS”

 “WEB EATS Account”;

 Clarifying that “retirement” of a source must be “permanent”

Proposed Amendments to 20.11.46 NMAC

Align with Utah's trading rule

-  *Allowance Allocations*

-  *Establishment of Accounts*

-  *Monitoring, Record Keeping and Reporting*

-  *Use Of Allowances From A Previous Year*

-  *Special Penalty Provisions For Year 2018 Milestone*

Align with Wyoming's trading rule

-  *SO₂ Monitoring of Fuel Gas Combustion Devices*

-  *Predictive Flow Monitoring Systems For Kilns With Positive Pressure Fabric Filter*

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🔗 Amend 20.11.46 NMAC, *Sulfur Dioxide Emissions Inventory Requirements; Western Backstop Sulfur Dioxide Trading Program*, and incorporate amendments into the SIP

🔗 Request for a hearing

🔗 Court reporter

🔗 Hearing officer

🔗 Hearing will take approximately 1 hour or less

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Authority

New Mexico Air Quality Control Act

-  authorizes and requires the Air Board to adopt, amend, or replace air quality regulations and to adopt air quality plans (SIPs)



Questions?