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**Butt, Neal T.**

**From:** City of Albuquerque-Air Quality Division [nbutt@cabq.gov]
**Sent:** Friday, April 08, 2011 1:25 PM
**To:** Butt, Neal T.
**Subject:** 20.11.21 NMAC, Open Burning-Legal Notice for Continued Hearing

# 20.11.21 NMAC, *Open Burning* Legal Notice for Continued Hearing

**ALBUQUERQUE-BERNALILLO COUNTY AIR QUALITY CONTROL BOARD**
**NOTICE OF CONTINUED HEARING AND REGULAR MEETING**

On June 8, 2011, at 5:30 pm, the Albuquerque-Bernalillo County Air Quality Control Board (Air Board) will continue a public hearing first opened on March 9, 2011, in the Vincent E. Griego Chambers located in the basement level of the Albuquerque-Bernalillo County Government Center, One Civic Plaza NW, Albuquerque, NM.

The hearing will address: Proposal to amend 20.11.21 NMAC, *Open Burning*, and incorporate an amended 20.11.21 NMAC into the New Mexico State Implementation Plan for Air Quality (SIP).

The Air Board requested that some modifications be made to the Air Quality Division's proposed "Public Review Draft, 12/22/10". These revisions have been incorporated into the "First Amended Public Review Draft, 3/25/2011", which is available at http://www.cabq.gov/airquality/aqcb/documents/20_11_21nmac-first-amended-publicreviewdraft-3-25-11.pdf

Proposed changes include: 1. New definitions for "Department" and "Director" to clarify the usage of this term within the rule; 2. Clarifying language regarding requests for a waiver to the 'no-burn' restriction; 3. Expanding "Conditionally Allowed Open Burning" by removing disqualification for cooking food "not intended for resale"; 4. Making stylistic and formatting changes to improve clarity and readability.

Following the hearing, the Air Board will hold its regular monthly meeting during which the Air Board is expected to consider adopting the proposed amendments to 20.11.21 NMAC, and incorporating the amended regulation into the SIP.

The Air Board is the federally delegated air quality authority for Albuquerque and Bernalillo County. Local delegation authorizes the Air Board to administer and enforce the CAA and the New Mexico Air Quality Control Act, and to require local air pollution sources to comply with air quality standards and regulations.

Hearings and meetings of the Air Board are open to the public and all

interested persons are encouraged to participate. All persons who wish to testify regarding the subject of the hearing may do so at the hearing and will be given a reasonable opportunity to submit relevant evidence, data, views and arguments, orally or in writing, to introduce exhibits and to examine witnesses in accordance with the Joint Air Quality Control Board Ordinances, Section 9-5-1-6 ROA 1994 and Bernalillo County Ordinance 94-5, Section 6.

Anyone intending to present technical testimony is required by 20.11.82 NMAC, *Rulemaking Procedures - AQCB*, to submit a written Notice Of Intent (NOI) before 5:00 pm on May 24, 2011 to: Attn: Open Burning Hearing Record, Mr. Neal Butt, Albuquerque Environmental Health Department, P.O. Box 1293, Albuquerque, NM 87103, or in person in Room 3023, 400 Marquette Avenue NW. The NOI shall identify the person's name, address and affiliation.

In addition, written comments to be incorporated into the public record should be received at the above P.O. Box, or Environmental Health Department office, before 5:00pm on June 1, 2011. The comments shall include the name and address of the individual or organization submitting the statement. Written comments may also be submitted electronically to nbutt@cabq.gov and shall include the required name and address information.

Interested persons may obtain a copy of the proposed regulation at the Environmental Health Department Office, or by contacting Mr. Neal Butt, Albuquerque Environmental Health Department, P.O. Box 1293, Albuquerque, NM 87103, or by phone 768-2660, or by e-mail at nbutt@cabq.gov , or by downloading a copy from the City of Albuquerque Air Quality Division website.

**NOTICE FOR PERSON WITH DISABILITIES**: If you have a disability and/or require special assistance please call (505) 768-2600 [Voice] and special assistance will be made available to you to review any public meeting documents, including agendas and minutes. TTY users call the New Mexico Relay at 1-800-659-8331 and special assistance will be made available to you to review any public meeting documents, including agendas and minutes.

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