**Butt, Neal T.**

**From:** City of Albuquerque-Air Quality Division [nbutt@cabq.gov]
**Sent:** Monday, November 04, 2013 4:15 PM
**To:** Butt, Neal T.
**Subject:** Notice of Postponed Hearing - Petition to Amend 20.11.63 NMAC & 20.11.64 NMAC
**Follow Up Flag:** Follow up
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City of Albuquerque

Notice of Postponed Hearing Regarding:

Petition to amend 20.11.63 NMAC, *New Source Performance Standards For Stationary Sources*, and 20.11.64 NMAC, *Emission Standards For Hazardous Air Pollutants For Stationary Sources*, and request for updated delegation of authority from EPA

**ALBUQUERQUE - BERNALILLO COUNTY**
**AIR QUALITY CONTROL BOARD**
**NOTICE OF POSTPONED HEARING**

The hearing scheduled for December 11, 2013, regarding the Petition to amend 20.11.63 NMAC, *New Source Performance Standards For Stationary Sources*; and 20.11.64 NMAC, *Emission Standards For Hazardous Air Pollutants For Stationary Sources*, and request for updated delegation of authority from EPA, has been postponed until January 8, 2014.

On **January 8, 2014, at 5:30 PM**, the Albuquerque-Bernalillo County Air Quality Control Board (Air Board) is scheduled to hold a public hearing in the Vincent E. Griego Chambers located in the basement level of the Albuquerque-Bernalillo County Government Center, 400 Marquette Avenue NW, Albuquerque, NM. The hearing will address:

- Proposal to amend 20.11.63 NMAC, *New Source Performance Standards For Stationary Sources*, by incorporating by reference new and modified New Source Performance Standards published in 40 CFR 60, *New Source Performance Standards* (NSPS) through

September 13, 2013; and

- Proposal to amend 20.11.64 NMAC, *Emission Standards For Hazardous Air Pollutants For Stationary Sources*, by incorporating by reference new and modified standards published in 40 CFR 61, *National Emission Standards For Hazardous Air Pollutants* (NESHAP), and 40 CFR 63, *National Emission Standards For Hazardous Air Pollutants By Source Category* (NESHAP by Source Category) through September 13, 2013.

The Environmental Health Department's Air Quality Division routinely updates these regulations to incorporate federal requirements so that the Division can remain up to date on new and modified standards developed at the federal level. In addition, it is proposed that the EPA delegate to the Department the authority to locally administer and enforce the standards referenced above, throughout Albuquerque and Bernalillo County. Local delegation authorizes the Department to require local air pollution sources to comply with these standards.

Following the hearing, the Air Board will hold its regular monthly meeting during which the Air Board is expected to consider adopting the proposed revisions to 20.11.63 NMAC, *New Source Performance Standards for Stationary Sources*, and proposed revisions to 20.11.64 NMAC, *Emission Standards for Hazardous Air Pollutants for Stationary Sources*.

The Air Quality Control Board is the federally-delegated air quality authority for Albuquerque and Bernalillo County. Local delegation authorizes the Air Board to administer and enforce the Clean Air Act 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 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, and 20.11.82 NMAC, *Rulemaking Procedures -- Air Quality Control Board.*

Anyone intending to present technical testimony at this hearing

is required by 20.11.82.20 NMAC to submit a written Notice Of Intent to testify (NOI) before 5:00pm on December 23, 2013, to: Attn: Neal Butt, Air Quality Division, Albuquerque Environmental Health Department, P.O. Box 1293, Albuquerque, NM 87103, or, you may deliver your NOI to the Environmental Health Department, Suite 3023, 400 Marquette Avenue NW. The NOI shall: 1. identify the person for whom the witness or witnesses will testify; 2. identify each technical witness the person intends to present and state the qualifications of that witness, including a description of their educational and work background; 3. summarize or include a copy of the direct testimony of each technicalwitness and state the anticipated duration of the testimony of that witness; 4. include the text of any recommended modifications to the proposed regulatory change; and 5. list and describe, or attach, all exhibits anticipated to be offered by that person at the hearing, including any proposed statement of reasons for adoption of rules.

In addition, written comments to be incorporated into the public record for this hearing should be received at the above P.O. Box, or Environmental Health Department office, before 5:00 pm on January 2, 2014. 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 electronically at nbutt@cabq.gov or by phone (505) 768-2660, or by downloading the documents here.

**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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