

Petition to
Repeal currently effective 20.11.41 NMAC,
Authority To Construct
and
Adopt a Proposed Replacement 20.11.41,
NMAC, *Construction Permits*, Into the New
Mexico State Implementation Plan for Air
Quality (SIP)

Second Amended Petition
AQCB Petition No. 2013-5

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Albuquerque Environmental Health Department
Air Quality Division
Permitting & Emissions Inventory
Mary Lou Leonard, Director

Background of Current 20.11.41 NMAC, *Authority to Construct*

- Establishes the foundation for air quality permitting of stationary sources
- Has not been substantively changed since 1994.

Grounds for the Petition

- Current regulation is outdated & is not consistent with federal Clean Air Act and the New Mexico Air Quality Control Act requirements
- Proposed replacement regulation has been developed after extensive input
 - community members
 - regulated community
 - Environmental Protection Agency
- Hearing is anticipated to take approximately four hours or less.

Proposed Replacement 20.11.41 NMAC, *Construction Permits*

- Consistent with requirements in federal Clean Air Act and the New Mexico Air Quality Control Act
- Increases public outreach
- Establishes public notice requirements for the applicant
- Increases Environmental Health Department public notice requirements

Request

- Legally noticed
- No negative comments received
- Proposed replacement 20.11.41 NMAC, *Construction Permits*
- Repeal 20.11.41 NMAC, *Authority to Construct*

Questions?

