

1 **ALBUQUERQUE-BERNALILLO COUNTY AIR QUALITY CONTROL BOARD**

2 **RESOLUTION #2014-1**

3 **ADOPTING AMENDMENTS TO ALBUQUERQUE-BERNALILLO COUNTY AIR QUALITY**
4 **CONTROL BOARD REGULATIONS 20.11.63 NMAC, *NEW SOURCE PERFORMANCE***
5 ***STANDARDS FOR STATIONARY SOURCES*, 20.11.64 NMAC, *EMISSION STANDARDS FOR***
6 ***HAZARDOUS AIR POLLUTANTS FOR STATIONARY SOURCES*, AND REQUEST FOR**
7 **UPDATED DELEGATION OF AUTHORITY FROM EPA**

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9 **Whereas**, the New Mexico Air Quality Control Act (“Air Act”), NMSA 74-2-5, requires the
10 Albuquerque-Bernalillo County Air Quality Control Board (“Air Board”), to “adopt, promulgate,
11 publish, amend and repeal regulations consistent with the Air Quality Control Act to attain and
12 maintain national ambient air quality standards and prevent or abate air pollution, including regulations
13 prescribing air standards” within Bernalillo County, and to meet requirements of the United States
14 Clean Air Act, the City of Albuquerque and Bernalillo County Joint Air Quality Control Board
15 Ordinances, and the Albuquerque-Bernalillo County Air Quality Control Board (“Air Board”)
16 Regulations; and

17 **Whereas**, on January 8, 2014, the Air Board held a public hearing in the City Council
18 Committee Room, Room 9081, on the 9th floor of the Albuquerque-Bernalillo County Government
19 Center, One Civic Plaza NW, Albuquerque, NM 87102, and the hearing was held consistent with the
20 notice requirements of the New Mexico Air Quality Control Act and 20.11.82 NMAC, *Rulemaking*
21 *Procedures - AQCB*; and

22 **Whereas**, on January 8, 2014, the Air Board met and determined that updating the local Air
23 Quality Control Board regulations to incorporate the latest federal emission standards for criteria air
24 pollutants and hazardous air pollutants provides an efficient and effective way to implement these
25 standards and ensure that the health and welfare of individuals in the community are protected; and

26 **Whereas**, at the January 8, 2014 public hearing, testimony was presented to establish a present

1 need, or a reasonably anticipated future need, which exists to warrant taking the following actions to
2 help prevent or abate air pollution; and

3 **Whereas**, it is necessary at the local level to keep the delegation by the United States
4 Environmental Protection Agency (“EPA”) for implementing federal emission standards up-to-date.

5 **NOW, THEREFORE BE IT RESOLVED BY THE BOARD THAT:**

6 1. Regarding 20.11.63 NMAC, *New Source Performance Standards for Stationary Sources*, the
7 Board hereby adopts the amendments to 20.11.63 NMAC as proposed in AQD Exhibit 1a, which was
8 admitted at the January 8, 2014 hearing.

9 2. Regarding 20.11.64 NMAC, *Emission Standards for Hazardous Air Pollutants for*
10 *Stationary Sources*, the Board hereby adopts the amendments to 20.11.64 NMAC as proposed in AQD
11 Exhibit 1b, which was admitted at the January 8, 2014 hearing.

12 3. The Board hereby directs staff to take all actions necessary to renew EPA’s delegation of the
13 adopted standards to the local Albuquerque-Bernalillo County Air Program.

14 4. The effective date of the amendments to 20.11.63 NMAC and 20.11.64 NMAC shall be
15 February 10, 2014.

16 5. Staff is directed to submit the amendments to 20.11.63 NMAC and 20.11.64 NMAC to the
17 State Records Center in the format currently required by the State Records Center, without changing
18 the substance of the amendments as adopted by the Air Board on January 8, 2014.

19 **[WITH THE FOLLOWING CHANGES:]**

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1 PASSED AND ADOPTED THIS 8th DAY OF JANUARY, 2014
2 BY A VOTE OF ___FOR, AND ___ AGAINST.

3 Absent: ___

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7 _____
8 Dona Upson, MD, Chair
9 Albuquerque-Bernalillo County Air Quality Control Board

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10

11 Attest:

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Margaret Nieto, Secretary to the Air Quality Control Board