

ALBUQUERQUE-BERNALILLO COUNTY
AIR QUALITY CONTROL BOARD

IN THE MATTER OF
PETITION TO REPEAL EXISTING RULE
20.11.104 NMAC, *EMISSION STANDARDS
FOR NEW MOTOR VEHICLES*, AND
ADOPT PROPOSED REPLACEMENT
RULE 20.11.104 NMAC, *NEW MOTOR
VEHICLE EMISSION STANDARDS*

AQCB PETITION NO. 2022-1

CITY OF ALBUQUERQUE
ENVIRONMENTAL HEALTH
DEPARTMENT,

PETITIONER.

[PROPOSED] NOTICE OF HEARING DETERMINATION

Pursuant to the Air Quality Control Act, NMSA 1978, Section 72-2-6(B), the Joint Air Quality Control Board Ordinance, Revised Ordinances of Albuquerque 1994, Section 9-5-1-6(B), Bernalillo County Code, Article II, Section 30-35(b), and 20.11.82.18(C)-(D) NMAC, the Albuquerque-Bernalillo County Air Quality Control Board (“Air Board”), having granted the request of the City of Albuquerque Environmental Health Department, by a vote of a majority of Air Board members present, to set the petition in the above-captioned matter for hearing at 9 a.m. on May 4, 2022, and continuing through May 6, 2022, to facilitate preparation for and conduct of the hearing, hereby ORDERS as follows:

1. The public hearing in this matter shall be conducted jointly with the New Mexico Environmental Improvement Board.
2. The public hearing in this matter shall commence at 9 a.m. on May 4, 2022, and continue through May 6, 2022, or as long as required to hear all testimony, evidence, and public

comment.

3. Until such time as a hearing officer is appointed, the Air Board Chair, or her designee, may coordinate with the Environmental Improvement Board Chair, or her designee, for purposes of resolving logistical matters pertaining to the hearing in this matter.

Date: _____

Kitty Richards, Chair
Albuquerque-Bernalillo County Air Quality
Control Board

CERTIFICATION

I hereby certify that on January 25, 2022, which is at least 15 days before any hearing or meeting at which the Albuquerque-Bernalillo County Air Quality Control Board (“Air Board”) will consider the document, an original and 15 copies of this [*Proposed*] Notice of Hearing Determination was filed with the Air Board Hearing Clerk via hand delivery at:

Albuquerque-Bernalillo County Air Quality Control Board
Attn: Stephanie Apodaca, Air Board Hearing Clerk
Environmental Health Department
One Civic Plaza
Room 3023
Albuquerque, New Mexico 87102

Digital copies were sent as a courtesy to Stephanie Apodaca at seapodaca@cabq.gov.

As of January 25, 2022, the Air Board does not have legal counsel; thus, a copy was not delivered in accordance with 20.11.82.16(B)(2) NMAC.

The City of Albuquerque Environmental Health Department is the only party in this matter; thus, no other copies were served in accordance with 20.11.82.16(B)(3) NMAC.

By: /s/ Kelsea E. Sona 
Kelsea E. Sona, Assistant City Attorney