

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

2 **RESOLUTION #2011-3**

3 **ADOPTING AN AMENDED 20.11.46 NMAC, SULFUR DIOXIDE EMISSIONS INVENTORY**
4 **REQUIREMENTS; WESTERN BACKSTOP SULFUR DIOXIDE TRADING PROGRAM; AND**
5 **INCORPORATING SAID AMENDMENTS INTO TO THE NEW MEXICO STATE**
6 **IMPLEMENTATION PLAN (SIP) FOR AIR QUALITY.**

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

19 **Whereas**, on April 13, 2011, the Air Board held a public hearing in the Vincent E. Griego
20 Chambers, on the basement level of the Albuquerque/Bernalillo County Government Center, One
21 Civic Plaza NW, in Albuquerque, New Mexico, and the hearing was held consistent with the notice
22 requirements of the New Mexico Air Quality Control Act, and 20.11.82 NMAC, *Rulemaking*
23 *Procedures - AQCB*; and

24 **Whereas**, on April 13, the Air Board met and determined that 20.11.46 NMAC, *Sulfur Dioxide*
25 *Emissions Inventory Requirements; Western Backstop Sulfur Dioxide Trading Program* should be
26 amended, and that the amended 20.11.46 NMAC should be submitted to EPA as a revision to the New
27 Mexico State Implementation Plan (SIP) for Air Quality; and

28 **Whereas**, at the April 13, 2011 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.

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

4 1. The Board hereby adopts the amendments to 20.11.46 NMAC, *Sulfur Dioxide Emissions*
5 *Inventory Requirements; Western Backstop Sulfur Dioxide Trading Program* as proposed in AQD
6 Exhibit 1a, as amended by Staff Proposed Floor Amendments shown as AQD Exhibit 5, which were
7 admitted at the April 13, 2011 hearing;

8 2. The Board hereby directs staff to take all actions necessary to submit the amended
9 regulation to EPA as a revision to the SIP;

10 3. The effective date of the amended 20.11.46 NMAC, *Sulfur Dioxide Emissions Inventory*
11 *Requirements; Western Backstop Sulfur Dioxide Trading Program* shall be May 16, 2011; and

12 4. Staff is hereby directed to submit the amended 20.11.46 NMAC, *Sulfur Dioxide Emissions*
13 *Inventory Requirements; Western Backstop Sulfur Dioxide Trading Program* to the State Records
14 Center in the format currently required by the State Records Center, without changing the substance of
15 the amendments as adopted by the Air Board on April 13, 2011.

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[WITH THE FOLLOWING CHANGES:]

PASSED AND ADOPTED THIS 13th DAY OF APRIL, 2011

BY A VOTE OF ___FOR, AND ___ AGAINST.

Absent: ___

Chair
Albuquerque-Bernalillo County
Air Quality Control Board

Attest:

Margaret Nieto, Secretary to the Air Quality Control Board