## ALBUQUERQUE - BERNALILLO COUNTY AIR QUALITY CONTROL BOARD

2	<b>RESOLUTION #2010-10</b>
3 4 5 6 7 8 9	ADOPTING AN AMENDED 20.11.61 NMAC, PREVENTION OF SIGNIFICANT DETERIORATION; 20.11.42 NMAC, OPERATING PERMITS; AND 20.11.1 NMAC, GENERAL PROVISIONS; AND SUBMITTING AN AMENDED 20.11.42 NMAC TO EPA AS A REVISION TO THE TITLE V OPERATING PERMIT PROGRAM, AND SUBMITTING AN AMENDED 20.11.61 NMAC AND 20.11.1 NMAC TO EPA AS REVISIONS TO THE NEW MEXICO STATE IMPLEMENTATION PLAN FOR AIR QUALITY (SIP).
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 December 8, 2010, 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 December 8, 2010, the Air Board met and determined that 20.11.61 NMAC,
25	Prevention Of Significant Deterioration; 20.11.42 NMAC, Operating Permits; and 20.11.1 NMAC,
26	General Provisions should be amended, and that the amended 20.11.42 NMAC should be submitted to
27	EPA as a revision to the Title V Operating Permit Program; and that the amendments to 20.11.61

- 1 NMAC and 20.11.1 NMAC should be submitted to EPA as a revision to the New Mexico State
- 2 Implementation Plan for Air Quality (SIP); and
- Whereas, at the December 8, 2010 public hearing, testimony was presented to establish a
- 4 present need, or a reasonably anticipated future need, which exists to warrant taking the following
- 5 actions to help prevent or abate air pollution.

## NOW, THEREFORE BE IT RESOLVED BY THE BOARD THAT:

- 1. Regarding 20.11.61 NMAC, Prevention Of Significant Deterioration; 20.11.42 NMAC,
- 8 Operating Permits; and 20.11.1 NMAC, General Provisions as proposed in AQD Exhibits 1a, 1b, and
- 9 1c, respectively which were admitted at the December 8, 2010 hearing as amended by the "Staff's
- Proposed Floor Amendments" shown as AQD Exhibit #7 and "EPA's Proposed Floor Amendments"
- shown as AQD Exhibit #9, are hereby adopted;
- 2. The Board hereby directs staff to take all actions necessary to submit the amended
- regulations to EPA as a revision to the SIP and the Title V Program.
- 3. The effective date of the amended 20.11.61 NMAC, *Prevention of Significant*
- 15 Deterioration; 20.11.42 NMAC, Operating Permits; and 20.11.1 NMAC, General Provisions shall be
- 16 January 10, 2011.

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- 4. Staff is hereby directed to submit the amended 20.11.61 NMAC, *Prevention Of Significant*
- 18 Deterioration; 20.11.42 NMAC, Operating Permits; and 20.11.1 NMAC, General Provisions to the
- 19 State Records Center in the format currently required by the State Records Center, without changing
- 20 the substance of the amendments as adopted by the Air Board on December 8, 2010.

[WITH THE FOLLOWING CHANGES:]
PASSED AND ADOPTED THIS 8 <sup>th</sup> DAY OF DECEMBER, 2010
BY A VOTE OFFOR, AND AGAINST.
Absent:
Jens Deichmann Chair
Albuquerque-Bernalillo County
Air Quality Control Board
Attest:
Margaret Nieto, Secretary to the Air Quality Control Board