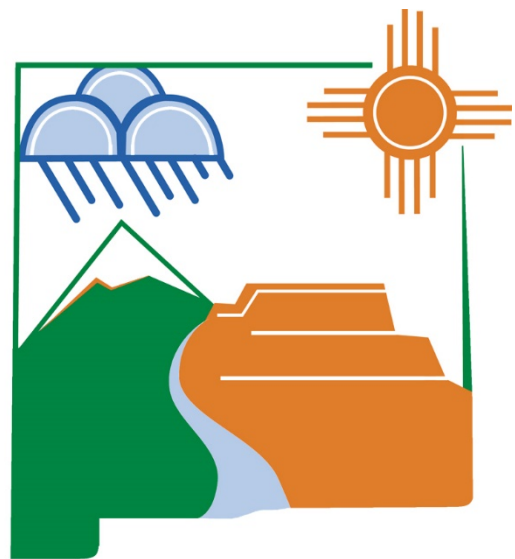


High Wind Fugitive Dust Mitigation Plan

Doña Ana and Luna Counties

NMED
New —————
Mexico —————
Environment
Department



Air Quality Bureau | 525 Camino de los Marquez, Ste. 1, Santa Fe, NM 87505

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Purpose

On September 16, 2016, the U.S. Environmental Protection Agency (EPA) finalized revisions to the 2007 Exceptional Events Rule, codified in 40 CFR Parts 50 and 51, that provide air quality agencies regulatory relief in situations when exceptional events cause an exceedance of a National Ambient Air Quality Standard (NAAQS). Exceptional events can be caused by human activity unlikely to recur or natural events. In New Mexico, natural events, such as windstorms and wildfires, cause exceedances of the particulate matter standards every year. Other exceptional events that may occur in New Mexico include tornadoes, firework displays, and chemical spills.

The revised rule includes requirements for states to prepare mitigation plans (40 CFR 51.930) for areas with recurring events (i.e., three similar events of the same type and pollutant in a three-year period). Luna County and the Anthony, NM PM₁₀ nonattainment area (i.e., Doña Ana County) were identified as areas subject to the mitigation plan requirements due to PM₁₀ exceedances from high winds. This plan has been developed to mitigate PM₁₀ and PM_{2.5} emissions during high wind events in both Luna and Doña Ana counties.

Background

The 3,804 square miles comprising Doña Ana County are topographically diverse and include mountain ranges, hills, valleys and deserts. The elevation range for the county is 3,730 feet at the valley floor in the south to 9,012 feet at the peak of the Organ Mountains. The Organ Mountains lie in a north-south direction along the eastern border of the county, separating the Mesilla Valley from White Sands Missile Range and White Sands National Monument. The western half of Doña Ana County is formed by an elevated desert plateau that extends west through Luna, Grant, and Hidalgo counties along the international border and into Arizona.

Where New Mexico, Texas and Mexico meet, Mount Cristo Rey lies south of Sunland Park between the Franklin Mountains on the east and the Sierra Juárez Mountains to the southwest. Previous air quality studies in the air shed indicate that this complex topography dictates wind flow patterns carrying air masses from El Paso and Ciudad Juárez into southern Doña Ana County.

Doña Ana County has a mild, semi-arid climate with light precipitation, abundant sunshine, low relative humidity, and a large daily and annual temperature range. Annual precipitation averages 9.35 inches, including 3.7 inches of snowfall in Las Cruces.

Luna County covers 2,965 square miles in southwestern New Mexico sharing 54 miles of international border with Mexico. Luna County is within the northern most part of the Chihuahuan Desert, with desert landscape as its most predominant feature. Several mountain

ranges are located within the county, including Cooke’s Range, the Florida Mountains, and the Tres Hermanas Mountains. Like Doña Ana County, Luna County has a semi-arid climate with light precipitation and low relative humidity. Annual precipitation averages 9.8 inches, including 1.6 inches of snowfall.

Windstorms are common during the late winter and spring months in both Luna and Doña Ana counties. Due to these high velocity winds, both counties experience the majority of PM₁₀ exceedances in the State. Synoptic scale weather activity, and to a lesser extent, mesoscale weather systems drive most of the frequent high wind events in the region. These periods of high wind may result in average hourly wind speeds exceeding 30 miles per hour for several hours and reach peak speeds of 60 miles per hour or more. Blowing dust and soil erosion originate from the numerous exposed and erodible desert areas. Winds predominantly blow from the southeast in summer, from the west in winter, and from the west-southwest in spring.

Air Monitoring Network

The New Mexico Environment Department, Air Quality Bureau (AQB) regulates air quality to protect public health and the environment in the State of New Mexico, excluding Bernalillo County and tribal lands. Air monitoring data are required by regulation and are used to determine compliance with the NAAQS. The AQB operates a State and Local Air Monitoring Stations Network to measure the concentration of criteria pollutants, with six PM₁₀ and three PM_{2.5} monitoring sites in Doña Ana and Luna counties that track windblown dust in southern New Mexico (Figure 1). These monitoring sites, except 6CM Anthony, have meteorological monitoring equipment that records wind speed, wind gust, 10 m temperature and 2 m temperature (Table 1).

Site	AQS Site ID	Latitude	Longitude	Parameters
6CM Anthony	35-013-0016	32.0033	-106.5992	PM ₁₀ and PM _{2.5}
6ZK Chaparral	35-013-0020	32.0409	-106.4095	PM ₁₀ and Meteorology
6ZM Desert View	35-013-0021	31.7961	-106.5839	PM ₁₀ , PM _{2.5} and Meteorology
6ZL Holman Road	35-013-0019	32.4246	-106.6739	PM ₁₀ and Meteorology
6Q Las Cruces	35-013-0025	32.3103	-106.7512	PM _{2.5} and Meteorology
6WM West Mesa	35-013-0024	32.2781	-106.8649	PM ₁₀ and Meteorology
7E Deming Airport	35-029-0003	32.2558	-107.7227	PM ₁₀ and Meteorology

Table 1. Particulate Matter monitoring network in Doña Ana and Luna Counties.

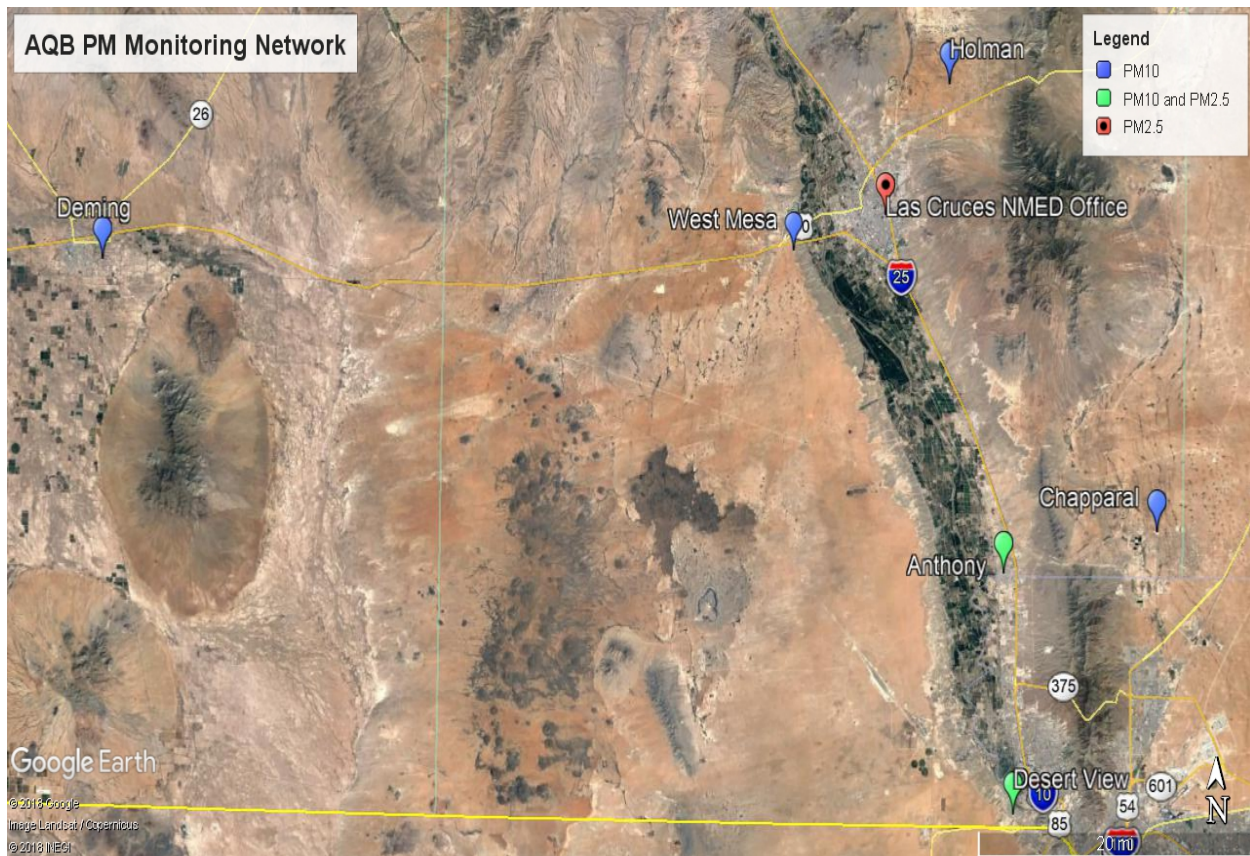


Figure 1: Luna and Doña Ana counties' PM Monitoring Network.

Public Education and Notification

The AQB will provide prompt public notification to and education programs for potentially affected communities whenever PM_{10} air concentrations exceed or are expected to exceed the NAAQS (40 CFR 51.930(b)(2)(i)). The AQB's monitoring website provides the public with near real-time air quality conditions at each monitoring site in the state (Figure 2) and can be accessed at www.env.nm.gov/air-quality/air-monitoring-network-2/. Other important uses of the air monitoring data include the production of a daily Air Quality Index, daily air quality forecast reports (e.g., AirNow/EnviroFlash), support of short and long-term health risk assessments, identification of localized health concerns, and tracking long-term trends in air quality.

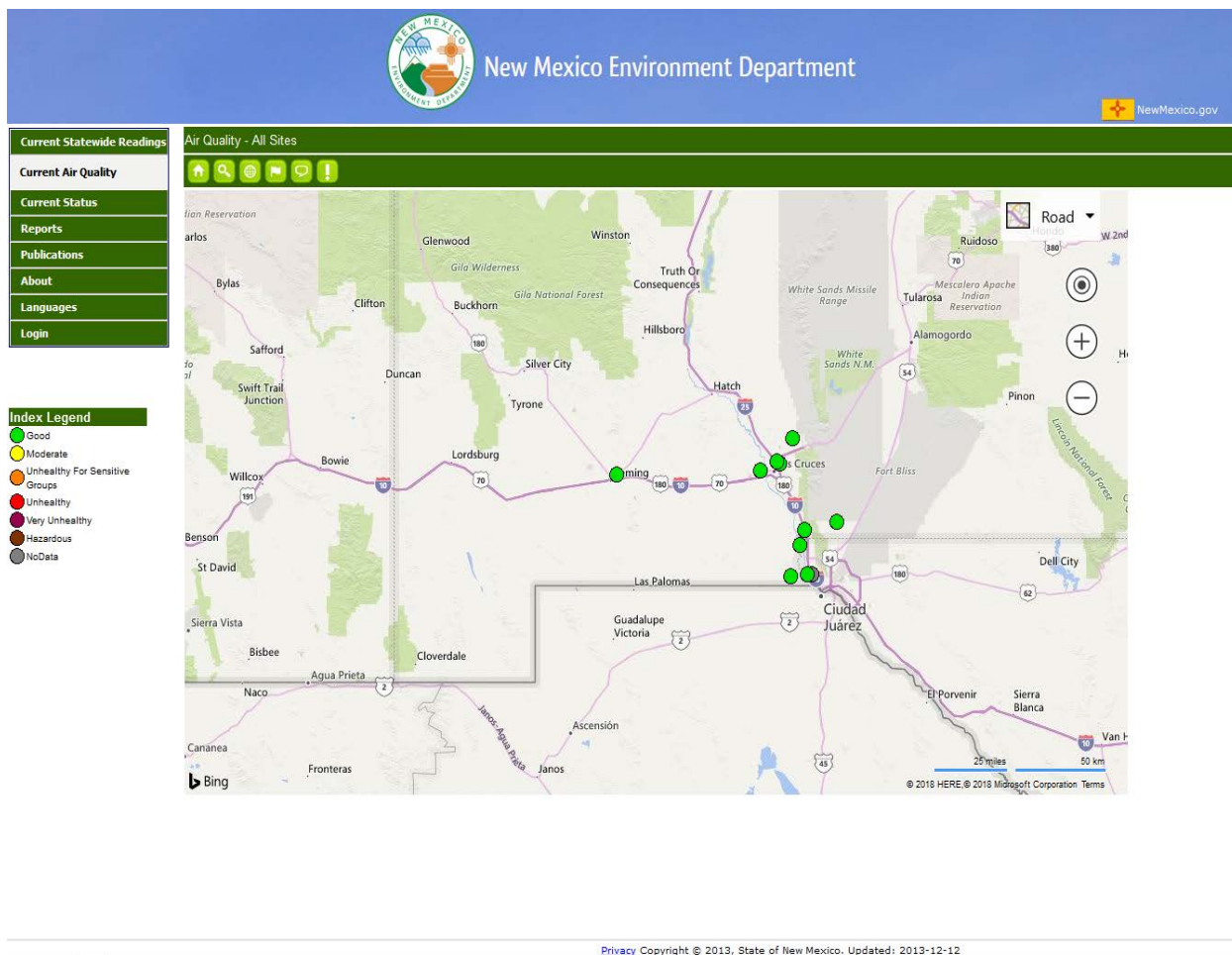


Figure 2. Screen shot of the AQB’s monitoring webpage, with green dots indicating monitoring site locations.

The AQB’s Windblown Dust webpage provides another useful source of information and can be accessed at <https://www.env.nm.gov/air-quality/dust-main-page/>. Here the public can find answers to frequently asked questions, information on the health effects of dust, information on sources of dust and information on dust control methods. Draft and final Exceptional Events Demonstrations are also posted on this page (Figure 3).

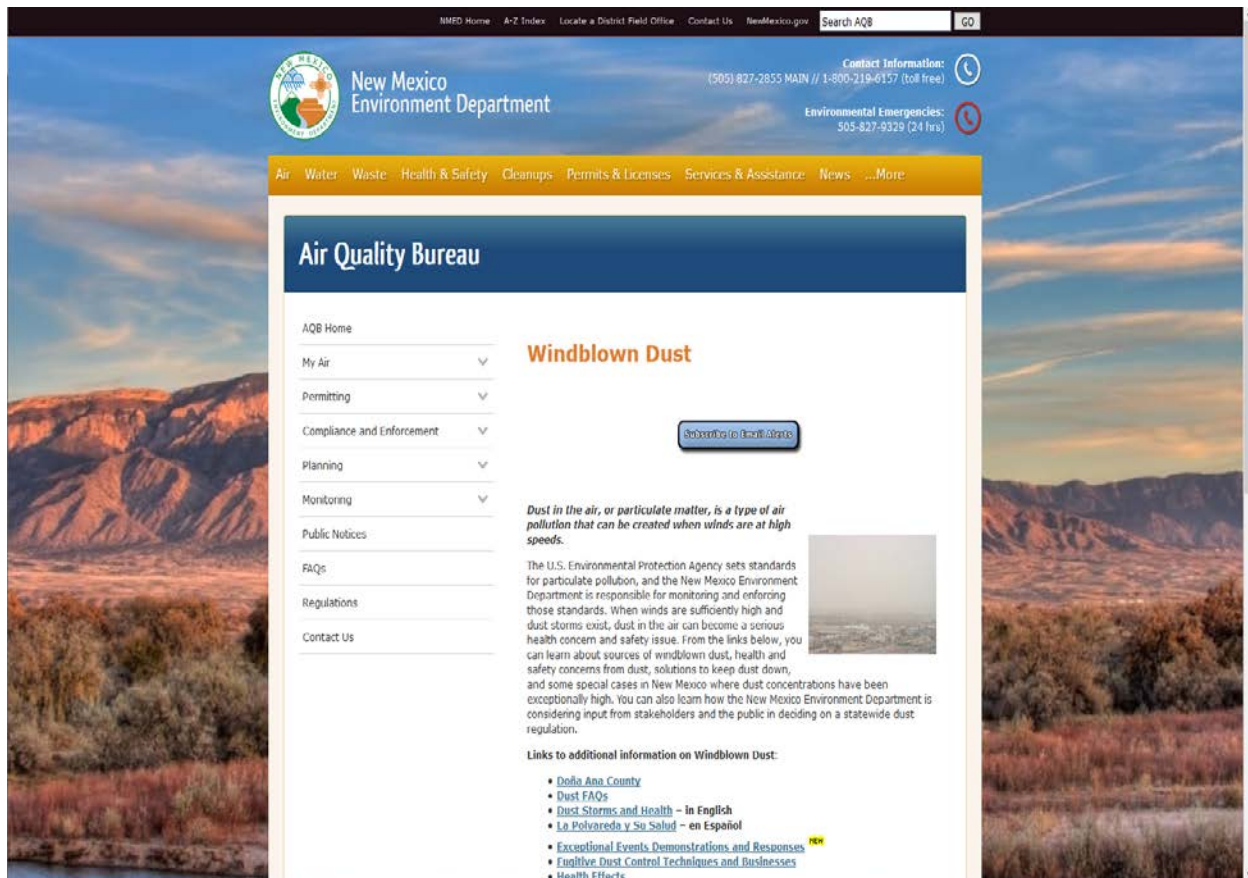


Figure 3. Screen shot of AQB’s Windblown Dust webpage.

The AQB is also developing an updated pamphlet on fugitive dust as a companion piece to this Dust Mitigation Plan that will be made available on the website and at multiple locations throughout both Doña Ana and Luna counties.

The AQB issues a press release at the start of each windy season to alert Doña Ana and Luna County residents of the risks associated with dust storms (Figure 4).



STATE OF NEW MEXICO

Environment Department

SUSANA MARTINEZ, GOVERNOR

Butch Tongate, Cabinet Secretary

J.C. Borrego, Deputy Secretary

NEWS RELEASE

For Immediate Release

February 9, 2018

The Environment Department's mission is to protect and restore the environment and to foster a healthy and prosperous New Mexico for present and future generations.

Contact: Allison Scott Majure, Communications Director
New Mexico Environment Department
505.231.8800 | Allison.majure@state.nm.us

NM Environment Dept. & Dept. of Transportation Alert Doña Ana and Luna County Residents of Risks Associated with Dust Storms

Santa Fe – The New Mexico Environment Department and Department of Transportation, along with the cities of Las Cruces and Deming, and the counties of Doña Ana and Luna, is advising the citizens in those locales of the potential risks associated with dust storms.

Figure 4. Joint press release issued by NMED and NMDOT at the beginning of the 2018 windy season.

Because the AQB does not have a meteorologist on staff, it relies on alerts from the nearest National Weather Service weather forecast office (El Paso, TX) and the NM Department of Transportation (Figure 5) and relays this information via a Dust Alert listserv.

To enhance air quality awareness and reduce exposure to air pollution in the community, the AQB will work with local governments, businesses and school districts to establish air quality flag programs in the two counties. Through this program, colored flags are flown each day to alert communities to the quality of air they breathe. The flags correspond to the colors used for the Air Quality Index, thereby communicating air quality information to the community. For example, a green flag indicates good air quality whereas a red flag indicates unhealthy air quality. Additional details about the programs may be found on the AirNow website at airnow.gov/index.cfm?action=aqibasics.aqi.

NATIONAL WEATHER SERVICE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

HOME FORECAST PAST WEATHER SAFETY INFORMATION EDUCATION NEWS SEARCH ABOUT

Local forecast by "City, ST" or ZIP code
Enter location: [Location Help](#)

News Headlines
• The January 2018 Weather Digest is Ready for Viewing.

NWS El Paso
[Weather.gov](#) > El Paso, TX

El Paso, TX
Weather Forecast Office

Current Hazards Current Conditions Radar Forecasts Rivers and Lakes Climate and Past Weather Local Programs

Customize Your Weather.gov

City, ST

Enter Your City, ST or ZIP Code

Remember Me

Privacy Policy

Tuesday

WARM & WINDY Weather Forecast Office El Paso, TX Issued February 5, 2018 4:24 PM


Tuesday

Well above normal temperatures
West Winds 20 to 30 MPH
Areas of Blowing Dust

68 Cliff 61 T or C 70 50
Silver City Alamogordo
71 Lordsburg 72 Las Cruces
72 Animas 75 El Paso 75
Sierra Blanca Dell City 72

[f](#) [t](#) [v](#) [NWSEIPaso](#) [weather.gov/epz](#)


An approaching upper level disturbance will bring warm windy weather under mostly sunny skies on Tuesday. Blowing dust will occur over a few locations.
[Hide Caption](#)

 **NWS El Paso**

@NWSEIPaso

437p Watch out for blowing dust along I-10 & Highway 70 in Hidalgo county. Sustained wind speeds up to 29 mph with gusts to 41 mph have been measured by [#NMDOT](#) weather stations on I-10 in the Animas valley this afternoon. [#nmwx](#)

3:39 PM - 10 Feb 2018

3 Retweets 5 Likes 

3 5

Figure 5. Examples of area forecast products and social media alerts issued by the NWS El Paso Office.

The AQB consults with the NM Department of Health to ensure the listserv alerts include appropriate information regarding health advisories and actions to minimize exposure for sensitive populations (e.g., remain indoors, avoid vigorous outdoor activity, and avoid exposure to respiratory irritants). In addition to the Department of Health, the AQB also regularly consults with the EPA Region 6 Border Office and New Mexico State University (whose staff includes the NM State Climatologist) on educating the public in the border region, including supporting ongoing efforts by these agencies. Education and outreach material will be provided to the public in English and Spanish to the greatest extent possible.

Measures to Minimize Contributing Controllable Sources

In developing the mitigation plan, the AQB must take steps to identify, study and implement mitigating measures (40 CFR 51.930(b)(2)(ii)). The AQB recently completed a Fugitive Dust Micro-Inventory of local sources surrounding the PM₁₀ monitoring sites in Doña Ana and Luna counties. Staff from the AQB used previous emission inventories for Doña Ana County, GIS mapping, satellite imagery and field data to identify sources within a 2-km radius of each site and potential control measures to include in a Fugitive Dust Control rule (see below). These measures are designed to abate or minimize contributing controllable sources of PM (40 CFR 51.930(b)(2)(ii)(A)).

Mandatory Measures

Local Dust Control Ordinances

The City of Las Cruces, Doña Ana County, and Luna County have existing dust ordinances for which the AQB has provided consultation. This Dust Mitigation Plan and associated Fugitive Dust Rule, discussed below, will enhance these ordinances, and provide coverage where there are gaps.

20.2.23 NMAC, Fugitive Dust Control

The AQB is concurrently developing a Fugitive Dust Control rule for adoption into the New Mexico Administrative Code. The rule will apply to certain sources of fugitive dust that are not required to obtain a construction permit from the AQB and will be applicable in any area of the state that experiences recurring high wind events where the PM₁₀ and/or the PM_{2.5} NAAQS is exceeded. Sources of fugitive dust to be included in the draft rule include disturbed surface areas equal to or greater than 1.0 acre from construction/demolition activities, earthmoving (including weed abatement activities), and off-road vehicles/all-terrain vehicle activities. Control measures will be required to stabilize surfaces to ensure emissions are not crossing the property line or exceeding opacity limits. Commercial and industrial bulk material handling and storage will also require use of control measures. A list of potential sources of emissions and associated control

measures are included in Table 2 below. The Environmental Improvement Board granted the AQB a hearing for adoption of the rule in September 2018.

Source Category	Control Measures
Construction/Demolition	Water unpaved surfaces
	Limit on-site vehicle speed to 15 mph
	Apply dust suppressant to unpaved areas
	Prohibit activities during high winds
Materials Handling	Implement wet suppression
Wind Erosion (open area and storage piles)	Plant trees or shrubs as a windbreak
	Erect artificial wind barriers
	Apply dust suppressant or gravel
	Water exposed area before high winds
	Revegetate area with native plants

Table 2. Candidate sources and associated control measures for fugitive dust control.

Voluntary Measures

Agricultural Conservation Measures

The AQB will rely on the conservation measures outlined by the United States Department of Agriculture Natural Resources Conservation Service (NRCS) to mitigate particulate matter emissions from agricultural land management, cropping operations, and livestock/poultry operations. When properly implemented, NRCS-approved conservation systems and activities may achieve levels of control comparable to those required by EPA for marginal PM₁₀ nonattainment areas. Implementation of conservation measures will be coordinated with producers, landowners, operators, state agencies, NRCS, and EPA to determine the most suitable and effective conservation measures for the counties. Control measures to be considered include:

- Maintaining soil surface cover;
- In-field pass reductions;
- Soil conditioning and timing of operations modifications;
- Wind barriers;
- Equipment modifications;
- Bulk material handling;
- Unpaved roadway management;
- Nutrition and feed management;
- Animal confinement;
- Manure management;
- Land application;
- Pasture and range management; and
- Mortality management.

Unpaved Travel Surfaces

The AQB will consult with the New Mexico Department of Transportation to develop guidance for dust control best management practices for maintenance of existing unpaved roadways.

Alternatives to paving will also be explored where material, chemical and administrative treatment methods may be applied for dust control.

Minimize Public Exposure to High Concentrations of PM

Mitigation plans must include methods to minimize public exposure to high concentrations of PM (40 CFR 51.930(b)(2)(ii)(B)). The AQB will accomplish this through public notification, outreach education, air quality alerts, Fugitive Dust Control compliance education and inspections, and enforcement actions.

Processes to Collect and Maintain Data Pertinent to the Event

The AQB has established an internal process to collect and maintain data pertinent to exceptional events flagging, which includes close coordination between the AQB’s Quality Assurance and Control Strategies sections (40 CFR 51.930(b)(2)(ii)(C)). This process is included in the Ambient Air Monitoring Quality Assurance Project Plan, which is reviewed annually. The AQB Quality Assurance Section is currently developing an Exceptional Events Documentation Standard Operating Procedure that will provide detailed procedures for documenting information on possible exceptional events beginning with the monitoring site operator through the quality assurance of monitored data.

For those data that are subsequently determined to have regulatory significance, the AQB Environmental Analyst in the Las Cruces field office will begin the data collection process to support an exceptional events demonstration. This data includes monitored PM concentrations, wind data, weather information, satellite data, and event reports.

Consultation with Other Air Quality Managers

Often the same weather systems are responsible for dust storms and road closures along the Interstate 10 corridor in Arizona, New Mexico and Texas, highlighting the need for interstate consultation. The AQB will engage with other air quality management agencies (40 CFR 51.930(b)(2)(ii)(D)), primarily the Texas Commission on Environmental Quality (TCEQ) and the Arizona Department of Environmental Quality (ADEQ), to share exceptional event data and coordinate demonstrations for events that may affect the entire region. Contact information for TCEQ and ADEQ may be found below.

Exceptional Events Contacts	
ADEQ Air Quality Division Monitoring and Assessments (602) 771-7676 bb4@azdeq.gov	TCEQ Air Quality Division Modeling and Data Analysis (512) 239-4900 monops@tceq.texas.gov

Information regarding exceptional events and dust mitigation will also be shared through the triannual meetings of the Joint Advisory Committee (JAC) for the improvement of air quality in the Paso del Norte Region (El Paso/Cd. Juárez/Doña Ana County). The JAC is a bi-national committee charged with facilitating pilot projects and identifying priority issues for consideration by the Air Policy Forum of EPA's Border 2020 program. The committee was established under the environmental treaty between the United States and Mexico, commonly referred to as the "La Paz" agreement. Its membership includes federal, state, and local government officials along with private citizens, university officials, and non-governmental organizations. The JAC has a total membership of twenty-two, with eleven members each from the United States and Mexico. More information about participating agencies and past activities of the JAC can be found at www.cccjac.org.

On the local level, biannual workshops will be held before the start of the spring windy season and after the monsoon season to foster communication amongst environmental, transportation, public safety, weather and academia officials. In-person meetings facilitate enhanced stakeholder cooperation and discussion of health and safety issues, enforcement of local rules, communication, research, mitigation projects, etc. A preliminary list of entities that will be invited to participate include the city of Las Cruces, city of Deming, Doña Ana County, Luna County, New Mexico Department of Public Safety, New Mexico Department of Transportation, State Climatologist/New Mexico State University, National Weather Service, EPA El Paso Border Office, Natural Resource Conservation Service, and the Bureau of Land Management. If resources allow, this could expand into a multi-day workshop where outreach and education efforts can be focused on and extended to the public and regulated community.

Periodic Review and Evaluation

The AQB will review and evaluate this Dust Mitigation Plan and its implementation and effectiveness every two years (40 CFR 51.930(b)(2)(iii)). If additional particulate matter rulemaking occurs within the two-year period, the Dust Mitigation Plan will be updated accordingly and submitted to EPA Region 6 after the consideration of public comment.

Public Comment Documentation

The draft Dust Mitigation Plan was posted on the AQB website on April 4, 2018, for an initial thirty-day public comment period. The department did not receive formal comments from stakeholders, but made minor changes to clarify the consultation mechanism the department plans on utilizing. Stakeholders were notified via listserv on August 1, 2018, that the final draft for public comment was posted on the AQB website and the department concluded the public comment period on September 14, 2018 (40 CFR 51.930(b)(2)(iii)(A)(1)). Appendix A contains copies of all public notices and listserv announcements associated with this plan. The AQB did

not receive public comment on the plan (40 CFR 51.930(b)(2)(iii)(A)(2)), therefore no response to comments is required (40 CFR 51.930(b)(2)(iii)(A)(3)).

Submission of Mitigation Plans

The AQB submitted the Dust Mitigation Plans for Doña Ana and Luna Counties on September 28, 2018, meeting the required deadline of September 30, 2018 (40 CFR 51.930(b)(3)(i)). EPA intends to review each plan to ensure required components are included and will notify the AQB upon completion of such review (40 CFR 51.930(b)(3)(ii)). EPA does not intend to formally approve mitigation plans or require them as part of the New Mexico State Implementation Plan.

Appendix A – Public Notices

0001385804-01

RECEIVED

JAN 4 2018

Air Quality Bureau



AFFIDAVIT OF PUBLICATION

STATE OF NEW MEXICO

County of Bernalillo SS

Bernadette Gonzales, the undersigned, on oath states that she is an authorized Representative of The Albuquerque Journal, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefore has been made of assessed as court cost; that the notice, copy of which hereto attached, was published in said paper in the regular daily edition, for 1 time(s) on the following date(s):

12/30/2017

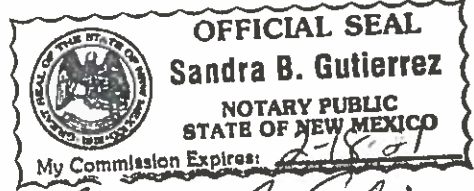
Bernadette Gonzales

Sworn and subscribed before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this 30 day of December of 2017

PRICE \$130.67

Statement to come at the end of month.

ACCOUNT NUMBER 1007594



Sandra B. Gutierrez

The New Mexico Environment Department will conduct public outreach meetings regarding the development of a dust mitigation plan, adoption of a fugitive dust rule, and repeal of the New Mexico Total Suspended Particulate Standard. These meetings will be held in Deming (1/9/2018), Las Cruces (1/10/2018), and Santa Fe (1/11/2018) where representatives of the Environment Department will provide background information and the required elements of a mitigation plan, rule adoption and rule repeal. Also, the department will solicit public input on the scope and objective of each action to guide the department in its efforts.

Public Outreach Meeting Schedule:

Tuesday, January 9, 2018, 5:30-7:00 p.m., NM Department of Transportation, 2912 E. Pine St., Deming, NM 88030. Phone: (575) 544-6530.

Wednesday, January 10, 2018, 5:30-7:00 p.m., NM Environment Department, 2301 Entrada del Sol, Las Cruces, NM 88004. Phone: (575) 544-6530.

0001385806-01

RECEIVED

JAN 4 2018

Air Quality Bureau



AFFIDAVIT OF PUBLICATION

STATE OF NEW MEXICO

County of Bernalillo SS

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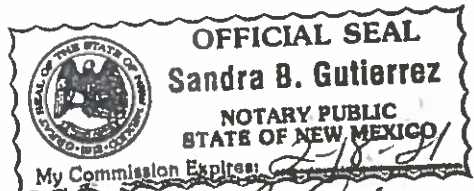
Bernadette Gonzales

Sworn and subscribed before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this 30 day of December of 2017

PRICE \$136.08

Statement to come at the end of month.

ACCOUNT NUMBER 1007594



Sandra B. Gutierrez

El Departamento del Medio Ambiente de Nuevo México llevará a cabo reuniones públicas de divulgación con respecto al desarrollo de un plan de mitigación de polvo, adopción de una norma de polvo fugitivo y derogación del Estándar del total de partículas suspendidas de Nuevo México. Las reuniones se llevarán a cabo en enero de 2018 en Deming (el 9), Las Cruces (el 10) y en Santa Fe (el 11) y allí representantes del Departamento del Medio Ambiente proveerán los antecedentes y elementos que se requieren de un plan de mitigación, adopción de normas y derogación de normas. Igualmente, el departamento solicitará la opinión pública sobre el alcance y objetivo de cada acción para orientarse en sus esfuerzos.

Horario de las reuniones públicas:

Martes, 9 de enero del 2018, 5:30-7:00 p.m., Departamento de Transporte de Nuevo México, 2912 E. Pine St., Deming, NM 88030. Tel.: (575) 544-6530.

HEADLIGHT

PROOF OF PUBLICATION

I, being duly sworn, Rynni Henderson deposes and says that she is the President of the Deming Headlight, a newspaper published weekly in the county of Luna, State of New Mexico; that the 1227513 is an exact duplicate of the notice that was published once a week/day in regular and entire issue of said newspaper and not in any supplement thereof for 1 consecutive week(s)/day(s), the first publication was in the issue dated December 29, 2017 the last publication was December 29, 2017. Despondent further states this newspaper is duly qualified to publish legal notice or advertisements within the meaning of Sec. Chapter 167, Laws of 1937.

Signed

President
Official Position

STATE OF NEW MEXICO

ss.

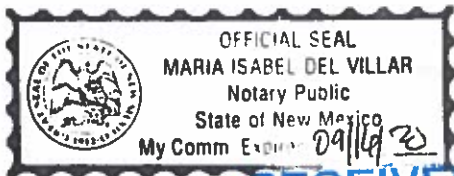
County of Dona Ana

Subscribed and sworn before me this

3rd day of January 2018

Notary Public in and for
Dona Ana County, New Mexico

September 16, 2020
My Term Expires



RECEIVED

JAN 10 2018

Air Quality Bureau

The New Mexico Environment Department will conduct public outreach meetings regarding the development of a dust mitigation plan, adoption of a fugitive dust rule, and repeal of the New Mexico Total Suspended Particulate Standard. These meetings will be held in Deming (1/9/2018), Las Cruces (1/10/2018), and Santa Fe (1/11/2018) where representatives of the Environment Department will provide background information and the required elements of a mitigation plan, rule adoption and rule repeal. Also, the department will solicit public input on the scope and objective of each action to guide the department in its efforts.

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Wednesday, January 10, 2018, 5:30-7:00 p.m., NM Environment Department, 2301 Entrada del Sol, Las Cruces, NM 88001. Phone: (575) 288-2050.

Thursday, January 11, 2018, 2:00-3:30 p.m., NM Environment Department, Air Quality Bureau, 525 Camino de los Marquez, Santa Fe, NM 87505. Phone: (505) 476-4300.

If you plan to attend the meeting in Santa Fe, please notify Kerwin Singleton at (505) 476-4350 or kerwin.singleton@state.nm.us.

For more information on blowing dust in New Mexico please visit our website at www.env.nm.gov/air-quality/dust-main-page/. For more information about mitigation plan requirements please visit www.epa.gov/air-quality-analysis/treatment-air-quality-data-influenced-exceptional-events.

NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Part 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's non-discrimination programs, policies or procedures, you may contact:

Kristine Pintado, Non-Discrimination Coordinator
New Mexico Environment Department
1190 St. Francis Dr., Suite N4050
P.O. Box 5469
Santa Fe, NM 87502
(505) 827-2855
nd.coordinator@state.nm.us

If you believe that you have been discriminated against with respect to a NMED program or activity, you may contact the Non-Discrimination Coordinator identified above or visit our website at <https://www.env.nm.gov/non-employee-discrimination-complaint-page/> to learn how and where to file a complaint of discrimination.

El Departamento del Medio Ambiente de Nuevo México llevará a cabo reuniones públicas de divulgación con respecto al desarrollo de un plan de mitigación de polvo, adopción de una norma de polvo fugitivo y derogación del Estándar del total de partículas suspendidas de Nuevo México. Las reuniones se llevarán a cabo en enero de 2018 en Deming (el 9), Las Cruces (el 10) y en Santa Fe (el 11) y allí representantes del Departamento del Medio Ambiente proveerán los antecedentes y elementos que se requieren de un plan de mitigación, adopción de normas y derogación de

HEADLIGHT

normas. Igualmente, el departamento solicitará la opinión pública sobre el alcance y objetivo de cada acción para orientarse en sus esfuerzos.

Horario de las reuniones públicas:

Martes, 9 de enero del 2018, 5:30-7:00 p.m., Departamento de Transporte de Nuevo México, 2912 E. Pine St., Deming, NM 88030. Tel.: (575) 544-6530.

Miércoles, 10 de enero del 2018, 5:30-7:00 p.m., Departamento del Medio Ambiente de Nuevo México, 2301 Entrada del Sol, Las Cruces, NM 88001. Tel.: (575) 288-2050.

Jueves, 11 de enero del 2018, 2:00-3:30 p.m., Departamento del Medio Ambiente de Nuevo México, 525 Camino de los Marquez, Santa Fe, NM 87505. Tel.: (505) 476-4300.

Para más información sobre el polvo suelto en Nuevo México, por favor visite nuestro sitio en la red: www.env.nm.gov/air-quality/dust-main-page/. Para más información sobre los requisitos del plan de mitigación, visite: www.epa.gov/air-quality-analysis/treatment-air-quality-data-influenced-exceptional-events.

El NMED no discrimina por raza, color, lugar de origen, discapacidad, edad o género en la administración de sus programas o actividades, como lo requieren las leyes y normas pertinentes. El NMED es responsable de coordinar los esfuerzos para cumplir con estos requisitos y también recibir consultas relacionadas a los requisitos de no discriminación implementados por la 40 C.F.R. Parte 7, incluso el Título VI de la Ley de Derechos Civiles de 1964, en su forma enmendada; la Sección 504 de la Ley de Rehabilitación de 1973 la Ley de Discriminación por Edad de 1975, Título IX de las Enmiendas de Educación de 1972, y la Sección 13 de las Enmiendas de 1972 a la Ley Federal de Control de Contaminación del Agua. Si Ud. tiene preguntas sobre este aviso o cualquiera de los programas, políticas o procedimientos de no discriminación del NMED, se puede comunicar con:

Kristine Pintado, Non-Discrimination Coordinator
New Mexico Environment Department
1190 St. Francis Dr., Suite N4050
P.O. Box 5469
Santa Fe, NM 87502
(505) 827-2855 nd.coordinator@state.nm.us

Si cree que ha sido discriminado-a con relación a un programa o actividad del NMED, se puede comunicar con la coordinadora antidiscriminación mencionada arriba o visitar nuestro sitio electrónico: <https://www.env.nm.gov/non-employee-discrimination-complaint-page/> para aprender más sobre cómo y dónde presentar una queja de discriminación.

Pub#1227513
Run Date: Dec. 29, 2017

LAS CRUCES SUN-NEWS

PROOF OF PUBLICATION

I, being duly sworn, Rynni Henderson deposes and says that she is the President of Las Cruces Sun-News, a newspaper published daily in the county of Dona Ana, State of New Mexico; that the 1227526 is an exact duplicate of the notice that was published once a week/day in regular and entire issue of said newspaper and not in any supplement thereof for 1 consecutive week(s)/day(s), the first publication was in the issue dated December 30, 2017, the last publication was December 30, 2017. Despondent further states this newspaper is duly qualified to publish legal notice or advertisements within the meaning of Sec. Chapter 167, Laws of 1937.

Signed

Rynni Henderson

President
Official Position

STATE OF NEW MEXICO

ss.

County of Dona Ana

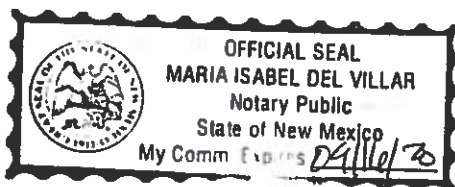
Subscribed and sworn before me this

3rd day of January 2018

Maria Isabel Del Villar

Notary Public in and for
Dona Ana County, New Mexico

September 16, 2020
My Term Expires



The New Mexico Environment Department will conduct public outreach meetings regarding the development of a dust mitigation plan, adoption of a fugitive dust rule, and repeal of the New Mexico Total Suspended Particulate Standard. These meetings will be held in Deming (1/9/2018), Las Cruces (1/10/2018), and Santa Fe (1/11/2018) where representatives of the Environment Department will provide background information and the required elements of a mitigation plan, rule adoption and rule repeal. Also, the department will solicit public input on the scope and objective of each action to guide the department in its efforts.

Public Outreach Meeting Schedule:

Tuesday, January 9, 2018, 5:30-7:00 p.m., NM Department of Transportation, 2912 E. Pine St., Deming, NM 88030. Phone: (575) 544-6530.

Wednesday, January 10, 2018, 5:30-7:00 p.m., NM Environment Department, 2301 Entrada del Sol, Las Cruces, NM 88001. Phone: (575) 288-2050.

Thursday, January 11, 2018, 2:00-3:30 p.m., NM Environment Department, Air Quality Bureau, 525 Camino de los Marquez, Santa Fe, NM 87505. Phone: (505) 476-4300.

If you plan to attend the meeting in Santa Fe, please notify Kerwin Singleton at (505) 476-4350 or kerwin.singleton@state.nm.us.

For more information on blowing dust in New Mexico please visit our website at www.env.nm.gov/air-quality/dust-main-page/. For more information about mitigation plan requirements please visit www.epa.gov/air-quality-analysis/treatment-air-quality-data-influenced-exceptional-events.

NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Part 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's non-discrimination programs, policies or procedures, you may contact:

Kristine Pintado, Non-Discrimination Coordinator
New Mexico Environment Department
1190 St. Francis Dr., Suite N4050
P.O. Box 5469
Santa Fe, NM 87502
(505) 827-2855
nd.coordinator@state.nm.us

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JAN 16 2018

Air Quality Bureau

LAS CRUCES SUN-NEWS

If you believe that you have been discriminated against with respect to a NMED program or activity, you may contact the Non-Discrimination Coordinator identified above or visit our website at <https://www.env.nm.gov/non-employee-discrimination-complaint-page/> to learn how and where to file a complaint of discrimination.

El Departamento del Medio Ambiente de Nuevo México llevará a cabo reuniones públicas de divulgación con respecto al desarrollo de un plan de mitigación de polvo, adopción de una norma de polvo fugitivo y derogación del Estándar del total de partículas suspendidas de Nuevo México. Las reuniones se llevarán a cabo en enero de 2018 en Deming (el 9), Las Cruces (el 10) y en Santa Fe (el 11) y allí representantes del Departamento del Medio Ambiente proveerán los antecedentes y elementos que se requieren de un plan de mitigación, adopción de normas y derogación de normas. Igualmente, el departamento solicitará la opinión pública sobre el alcance y objetivo de cada acción para orientarse en sus esfuerzos.

Horario de las reuniones públicas:

Martes, 9 de enero del 2018, 5:30-7:00 p.m., Departamento de Transporte de Nuevo México, 2912 E. Pine St., Deming, NM 88030. Tel.: (575) 544-6530.

Miércoles, 10 de enero del 2018, 5:30-7:00 p.m., Departamento del Medio Ambiente de Nuevo México, 2301 Entrada del Sol, Las Cruces, NM 88001. Tel.: (575) 288-2050.

Jueves, 11 de enero del 2018, 2:00-3:30 p.m., Departamento del Medio Ambiente de Nuevo México, 525 Camino de los Marquez, Santa Fe, NM 87505. Tel.: (505) 476-4300.

Para más información sobre el polvo suelto en Nuevo México, por favor visite nuestro sitio en la red: www.env.nm.gov/air-quality/dust-main-page/. Para más información sobre los requisitos del plan de mitigación, visite: www.epa.gov/air-quality-analysis/treatment-air-quality-data-influenced-exceptional-events.

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Kristine Pintado, Non-Discrimination Coordinator
New Mexico Environment Department
1190 St. Francis Dr., Suite N4050

P.O. Box 5469
Santa Fe, NM 87502
(505) 827-2855 nd.coordinator@state.nm.us

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<https://www.env.nm.gov/non-employee-discrimination-complaint-page/>
para aprender más sobre cómo y dónde presentar una queja de discriminación.

Pub#1227526
Run Date: Dec. 30, 2017

From: [New Mexico Environment Department](#)
To: [Baca, Michael, NMENV](#)
Subject: Dust Mitigation Plan and Fugitive Dust Control Rule
Date: Wednesday, April 4, 2018 5:00:52 PM



Air Quality Bureau

Regulatory and SIP Bulletin

Having trouble viewing this email? [View it as a Web page.](#)

The Air Quality Bureau has developed a draft dust mitigation plan and proposed fugitive dust control rule for Doña Ana and Luna counties in southern New Mexico. Mitigation plans are required by the U.S. Environmental Protection Agency (EPA) in areas where recurring natural events (in this case, high winds resulting in blowing dust) cause exceedances of the health based national standards for Particulate Matter.

Some of the required elements of a mitigation plan include:

- Steps to identify and study sources of dust;
- Mandatory or voluntary control measures to abate sources of dust that cause or contribute to exceedances of the standards to better protect public health;
- Public education and notification programs aimed at reducing individuals' exposure to unhealthy levels of particulate matter in the air before, during, and after high wind events; and
- Public review and periodic evaluation of the mitigation plan.

Draft documents of the dust mitigation plan and fugitive dust control rule may be downloaded [here](#). The Air Quality Bureau will accept comments on the draft documents through April 30, 2018. Although this is considered an informal comment period, the Bureau plans to respond to every submission received and incorporate input as appropriate. A formal comment period will be held in conjunction with the rule making process and will be announced at a later date.

For more information on blowing dust in New Mexico please click [here](#). For more information about mitigation plan requirements please visit EPA's Exceptional

Events [website](#).

For additional information concerning this bulletin and to submit comments on the draft documents, please contact Michael Baca at (575) 288-2050 or michael.baca1@state.nm.us

NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Part 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; Title IX of the Education Amendments of 1972; and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's non-discrimination programs, policies or procedures, you may contact:

Kristine Pintado, Non-Discrimination Coordinator

New Mexico Environment Department

1190 St. Francis Dr., Suite N4050

P.O. Box 5469

Santa Fe, NM 87502

(505) 827-2855

nd.coordinator@state.nm.us

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NMED [Air Quality Bureau](#)

525 Camino de los Marquez, Suite 1

Santa Fe, New Mexico, 87505-1816

(505) 476-4300

Stay Connected with New Mexico Environment Department

NEW MEXICO
Commission of Public Records

at the State Records Center and Archives


Your Access to Public Information

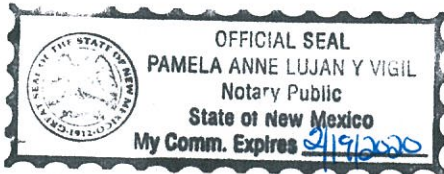
Affidavit of Publication in New Mexico Register

I, Matthew Ortiz, certify that the agency noted on Invoice # 3333 has published legal notice of rulemaking or rules in the NEW MEXICO REGISTER, VOLUME XXIX, that payment has been assessed for said legal notice of rulemaking or rules, which appears on the publication date and in the issue number noted on Invoice # 3333, and that Invoice # 3333 has been sent electronically to the person(s) listed on the *Billing Information Sheet* provided by the agency.

Affiant: 
Matthew Ortiz

Subscribed, sworn and acknowledged before me this 16th day of June, 2018.

Notary Public: 
My Commission Expires: 4/19/2020



1205 Camino Carlos Rey | Santa Fe, NM 87507 | nmcpr.state.nm.us

Robert J. Tórrrez
Historian/Chair

Hon. Hector Balderas
Attorney General

Hon. Wayne Johnson
State Auditor

Hon. Maggie Toulouse Oliver
Secretary of State

Veronica Gonzales
Department of Cultural Affairs

Ned Fuller
General Services Department

Lynne S. Rhys
State Law Librarian



**NEW MEXICO ENVIRONMENTAL IMPROVEMENT BOARD
NOTICE OF RULEMAKING HEARING**

The New Mexico Environmental Improvement Board ("Board") will hold a public hearing on September 28, 2018, at 9:30 a.m., at the New Mexico Farm and Ranch Heritage Museum, 4100 Tripping Springs Road, Las Cruces, New Mexico. The purpose of the hearing is to consider the matter of EIB 18-05(R), the proposed adoption of an Air Quality Control Regulation to be codified in the New Mexico Administrative Code (NMAC) at 20.23 NMAC, Fugitive Dust Control.

The proponent of this regulatory amendment is the New Mexico Environment Department ("NMED") Air Quality Bureau.

The U.S. Environmental Protection Agency published revisions to the Exceptional Events Rule on October 3, 2016, requiring mitigation plans in certain areas with recurring exceptional events of the same type and pollutant. The proposed regulation is a supporting element of the dust mitigation plan required by the federal Exceptional Events Rule. The proposed regulation will apply to sources of fugitive dust that are not required to obtain a construction permit from the NMED and will be applicable in any area of the state that experiences recurring high wind dust events where the PM10 and/or the PM2.5 NAAQS is exceeded. Currently this includes Luna County and the Anthony M10 nonattainment area in Doña Ana County.

The full text of NMED's proposed regulation is available on the Air Quality Bureau's web site at <https://www.env.nm.gov/air-quality/proposed-regs/> or by contacting Michael Baca at 75-915-1091 or michael.baca1@state.nm.us. The proposed regulation may also be examined during regular business hours at the Air Quality Bureau office, 525 Camino de los Marquez, Suite 1, Santa Fe, New Mexico, 87505.

The hearing will be conducted in accordance with Board Rulemaking Procedures (20.1.1 NMAC); the Environmental Improvement Act, Section 74-1-9 NMSA 1978; the Air Quality Control Act, Section 74-2-6 NMSA 1978; the State Rules Act, Section 14-4-5.3 NMSA 1978; and other applicable procedures.

All interested persons will be given reasonable opportunity at the hearing to submit relevant evidence, data, views, and arguments, orally or in writing; to introduce exhibits; and to examine witnesses. Persons wishing to present technical testimony must file with the Board a written Notice of Intent to do so. The Notice of Intent shall:

- 1) identify the person for whom the witness(es) will testify;
- 2) identify each technical witness the person intends to present and state the qualifications of that witness, including a description of their educational and work background;
- 3) include a copy of the direct testimony of each technical witness in narrative form;
- 4) include the text of any recommended modifications to the proposed regulatory change; and
- 5) list and attach all exhibits anticipated to be offered by that person at the hearing, including any proposed statement of reasons for adoption of rules.

Notices of Intent to present technical testimony at the hearing must be received in the Office of the Board not later than 5:00 p.m. on September 7, 2018, and should reference the docket number, EIB 18-05(R), and the date of the hearing. Notices of Intent to present technical testimony should be submitted to:

Pam Castañeda, Administrator for Boards & Commissions
Environmental Improvement Board
New Mexico Environment Department
P.O. Box 5469
Santa Fe, NM 87502
Phone: (505) 827-2425, Fax (505) 827-1628
Email: pam.castaneda@state.nm.us

Any member of the general public may testify at the hearing. No prior notification is required to present non-technical testimony at the hearing. Any such member may also offer non-technical exhibits in connection with their testimony, so long as the exhibit is not unduly repetitious of the testimony.

Any member of the general public who wishes to submit a written statement for the record, in lieu of providing oral testimony at the hearing, shall file the written statement prior to the hearing at the above listed address, or submit it at the hearing.

Persons having a disability and requiring assistance, an interpreter, or an auxiliary aid or other service to participate in this hearing process should contact Pam Castañeda, Administrator for Boards & Commissions, at least ten days prior to the meeting or as soon as possible at the above address or e-mail pam.castaneda@state.nm.us. TDY users please access her number via the New Mexico Relay Network at 1-800-659-8331.

The Board may make a decision on the proposed regulation option at the conclusion of the hearing, or may convene a meeting after the hearing to consider action on the proposal.

Office of Non-Discrimination
NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Part 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's non-discrimination programs, policies or procedures, you may contact:

Christine Pintado, Non-Discrimination Coordinator
New Mexico Environment Department
190 St. Francis Dr., Suite N4050
P.O. Box 5469
Santa Fe, NM 87502
Phone: (505) 827-2855
Email: christine.pintado@state.nm.us

If you believe that you have been discriminated against with respect to an NMED program or activity, you may contact the Non-Discrimination Coordinator identified above or visit our website at <https://www.env.nm.gov/non-employee-discrimination-complaint-page/> to learn how and where to file a complaint of discrimination.

Journal: June 17, 2018

AFFIDAVIT OF PUBLICATION

STATE OF NEW MEXICO

County of Bernalillo SS

Bernadette Gonzales, the undersigned, on oath states that she is an authorized Representative of The Albuquerque Journal, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefore has been made or assessed as court cost; that the notice, copy of which hereto attached, was published in said paper in the regular daily edition, for 1 time(s) on the following date(s):

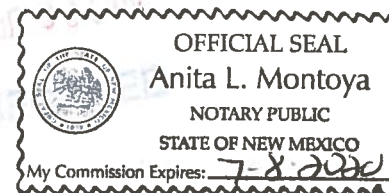
06/17/2018

Sworn and subscribed before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this 17 day of June of 2018

PRICE \$325.34

Statement to come at the end of month.

ACCOUNT NUMBER 1007594





**JUNTA DE MEJORA AMBIENTAL DE NUEVO MÉXICO
AVISO DE AUDIENCIA SOBRE REGLAMENTACIÓN**

La Junta de Mejora Ambiental de Nuevo México ("Junta") celebrará una audiencia pública el 28 de septiembre de 2018, a las 9:30 a.m., en New Mexico Farm and Ranch Heritage Museum, 4100 Dripping Springs Road, Las Cruces, New Mexico. El propósito de la audiencia es examinar el asunto de BEI 18-05 (R), la adopción propuesta de la codificación del Reglamento de Control de Calidad del Aire en el Código Administrativo de Nuevo México (NMAC) en 20.2.23 NMAC, Control de Polvo Fugitivo.

El autor de esta enmienda regulatoria es la Oficina de Calidad del Aire del Departamento de Medio Ambiente de Nuevo México ("NMED", por su sigla en inglés).

La Agencia de Protección Ambiental de EE. UU. publicó revisiones al Reglamento de Eventos Excepcionales el 3 de octubre de 2016, que requieren planes de mitigación en ciertas áreas con eventos excepcionales recurrentes del mismo contaminante y tipo. La regulación propuesta es un elemento de apoyo del plan de mitigación de polvo requerido por el reglamento federal de eventos excepcionales. La regulación propuesta se aplicará a las fuentes de polvo fugitivo que no requieren la obtención de un permiso de construcción de NMED y será aplicable en cualquier área del estado que experimente eventos recurrentes de polvo de vientos fuertes donde el PM10 y/o el PM2.5 NAAQS es rebasado. Actualmente esto incluye el condado de Luna y el área de no cumplimiento PM10 de Anthony, en el condado de Doña Ana.

El texto completo de la regulación propuesta por NMED está disponible en el sitio web de la Oficina de Calidad del Aire en <https://www.env.nm.gov/air-quality/proposed-regs/> o comunicándose con Michael Baca, por teléfono 575-915-1091 o por correo electrónico michael.baca1@state.nm.us. La regulación propuesta también puede ser examinada durante horas hábiles en la Oficina de Calidad del Aire, 525 Camino de los Marquez, Suite 1, Santa Fe, New Mexico, 87505.

La audiencia se llevará a cabo de acuerdo con los Procedimientos de Reglamentación de la Junta (20.1.1 NMAC); la Ley de Mejora Ambiental, Sección 74-1-9 NMSA 1978; la Ley de Control de Calidad del Aire, Sección 74-2-6 NMSA 1978; la Ley de Reglas del Estado, Sección 14-4-5.3 NMSA 1978; y otros procedimientos aplicables.

A todas las personas interesadas se les dará una oportunidad razonable en la audiencia para presentar evidencias, datos, puntos de vista y argumentos relevantes, oralmente o por escrito; presentar documentos y/u objetos de prueba; y examinar a los testigos. Las personas que deseen presentar un testimonio de carácter técnico deberán presentar por escrito a la Junta una Notificación de Intención de presentar dicho testimonio. La Notificación de Intención deberá:

- (1) Identificar a la persona por la cual testificará el/los testigo/s;
- (2) Identificar a cada testigo técnico que la persona tiene la intención de presentar y establecer las cualificaciones de cada testigo, incluida una descripción de su historial académico y laboral;
- (3) Incluir una copia del testimonio directo de cada testigo técnico en forma narrativa;
- (4) Incluir el texto de cualquier modificación recomendada al cambio regulatorio propuesto; y
- (5) Hacer una lista y adjuntar todos los documentos y/u objetos de pruebas que se anticipa que esa persona ofrecerá en la audiencia, incluyendo cualquier declaración propuesta de motivos para la adopción de las reglas.

Las Notificaciones de Intención para presentar testimonio técnico en la audiencia deberán recibirse en la oficina de la Junta no más tarde de las 5:00 p. m. del día 7 de septiembre de 2018, y deben incluir como referencia el número de expediente EIB 18-05 (R) y la fecha de la audiencia. Las Notificaciones de Intención para presentar un testimonio técnico deben enviarse a:

Pam Castañeda, Administrator for Boards & Commissions
Environmental Improvement Board
c/o New Mexico Environment Department
P. O. Box 5469
Santa Fe, NM 87502
Phone: (505) 827-2425, Fax (505) 827-1628
email: pam.castaneda@state.nm.us

Cualquier miembro del público puede testificar en la audiencia. No se requiere notificación previa para presentar un testimonio no técnico en la audiencia. Cualquiera de estos miembros también pueden ofrecer documentos y/u objetos de prueba que no sean de carácter técnico en relación con su testimonio, siempre y cuando los documentos y/u objetos de prueba no sean excesivamente repetitivos del testimonio.

Un miembro del público que desee presentar una declaración escrita para que conste en actas, en lugar de proporcionar una declaración oral en la audiencia, deberá presentar la declaración por escrito antes de la audiencia a la dirección mencionada anteriormente, o presentarla durante la audiencia.

Las personas que tienen una discapacidad y requieren asistencia, un intérprete, un dispositivo un auxiliar u otro servicio para participar en este proceso de audiencia debe comunicarse con Pam Castañeda, Administradora de Juntas y Comisiones, al menos diez días antes de la reunión o tan pronto como sea posible a la dirección anterior o por correo electrónico pam.castaneda@state.nm.us. Los usuarios de TDY pueden acceder a su número a través de la Red de Retransmisión de Nuevo México (New Mexico Relay Network) llamando al 1-800-659-8331.

La Junta puede tomar una decisión sobre la adopción del reglamento propuesto al final de la audiencia, o puede convocar una reunión después de la audiencia para considerar la acción a tomar sobre la propuesta.

Aviso de No Discriminación
El Departamento de Medio Ambiente de Nuevo México (NMED) no discrimina por motivos de raza, color, origen nacional, discapacidad, edad o sexo en la administración de sus programas o actividades, según lo exigido por las leyes y reglamentos correspondientes. NMED es responsable de la coordinación de los esfuerzos de cumplimiento y la recepción de consultas relativas a los requisitos de no discriminación implementados por 40 C.F.R., partes 5 y 7, incluido el Título VI de la Ley de Derechos Civiles de 1964, según enmendada; Sección 504 de la Ley de Rehabilitación de 1973; la Ley de Discriminación por Edad de 1975, Título IX de las Enmiendas de Educación de 1972 y la Sección 13 de las Enmiendas a la Ley Federal de Control de Contaminación del Agua de 1972. Si usted tiene preguntas sobre este aviso o sobre cualquier programa, política o procedimiento de no discriminación de NMED, usted puede comunicarse con la Coordinadora de No Discriminación:

Kristine Pintado, Non-Discrimination Coordinator
New Mexico Environment Department
1190 St. Francis Dr., Suite N4050
P.O. Box 5469
Santa Fe, NM 87502
(505) 827-2855
nd.coordinator@state.nm.us

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AFFIDAVIT OF PUBLICATION

STATE OF NEW MEXICO

County of Bernalillo SS

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06/17/2018

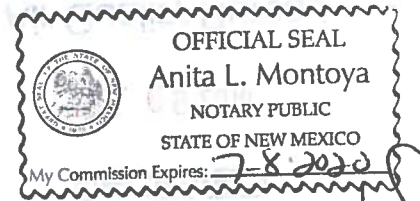


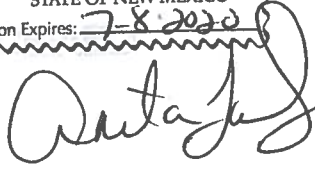
Sworn and subscribed before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this 17 day of June of 2018

PRICE \$386.18

Statement to come at the end of month.

ACCOUNT NUMBER 1007594





Deming Headlight

AFFIDAVIT OF PUBLICATION

Ad No.
0001250769

Carol Rideout
NM ENVIROMENT DEPT/AIR QUALITY BUREAU
525 CAMINO DE LOS MARQUEZ SUITE 1

SANTA FE NM 87507


I, a legal clerk of the **Deming Headlight**, a newspaper published weekly in the county of Luna, state of New Mexico and of general paid circulation in said county; that the same is a duly qualified newspaper under the laws of the State wherein legal notices and advertisements may be published; that the printed notice attached hereto was published in the regular and entire edition of said newspaper and not in supplement thereof on the date as follows, to wit:

06/15/18

Despondent further states this newspaper is duly qualified to publish legal notice or advertisements within the meaning of Sec. Chapter 167, Laws of 1937.


Legal Clerk

Subscribed and sworn before me this
15th of June 2018.


State of WI, County of Brown
NOTARY PUBLIC


My Commission Expires

Ad#:0001250769
P O : 29214
of Affidavits :0.00

TARA MONDLOCH
Notary Public
State of Wisconsin

NEW MEXICO ENVIRONMENTAL IMPROVEMENT BOARD NOTICE OF RULEMAKING HEARING

The New Mexico Environmental Improvement Board ("Board") will hold a public hearing on September 28, 2018, at 9:30 a.m., at the New Mexico Farm and Ranch Heritage Museum, 4100 Dripping Springs Road, Las Cruces, New Mexico. The purpose of the hearing is to consider the matter of EIB 18-05(R), the proposed adoption of an Air Quality Control Regulation to be codified in the New Mexico Administrative Code (NMAC) at 20.2.23 NMAC, Fugitive Dust Control.

The proponent of this regulatory amendment is the New Mexico Environment Department ("NMED") Air Quality Bureau.

The U.S. Environmental Protection Agency published revisions to the Exceptional Events Rule on October 3, 2016, requiring mitigation plans in certain areas with recurring exceptional events of the same type and pollutant. The proposed regulation is a supporting element of the dust mitigation plan required by the federal Exceptional Events Rule. The proposed regulation will apply to sources of fugitive dust that are not required to obtain a construction permit from the NMED and will be applicable in any area of the state that experiences recurring high wind dust events where the PM10 and/or the PM2.5 NAAQS is exceeded. Currently this includes Luna County and the Anthony PM10 nonattainment area in Doña Ana County.

The full text of NMED's proposed regulation is available on the Air Quality Bureau's web site at <https://www.env.nm.gov/air-quality/proposed-regs/> or by contacting Michael Baca at 575-915-1091 or michael.baca1@state.nm.us. The proposed regulation may also be examined during regular business hours at the Air Quality Bureau office, 525 Camino de los Marquez, Suite 1, Santa Fe, New Mexico, 87505.

The hearing will be conducted in accordance with Board Rulemaking Procedures (20.1.1 NMAC); the Environmental Improvement Act, Section 74-1-9 NMSA 1978; the Air Quality Control Act, Section 74-2-6 NMSA 1978; the State Rules Act, Section 14-4-5.3 NMSA 1978; and other applicable procedures.

All interested persons will be given reasonable opportunity at the hearing to submit relevant evidence, data, views, and arguments, orally or in writing; to introduce exhibits; and to examine witnesses. Persons wishing to present technical testimony must file with the Board a written Notice of Intent to do so. The Notice of Intent shall:

(1) identify the person for whom the

witness(es) will testify;
(2) identify each technical witness the person intends to present and state the qualifications of that witness, including a description of their educational and work background;
(3) include a copy of the direct testimony of each technical witness in narrative form;
(4) include the text of any recommended modifications to the proposed regulatory change; and
(5) list and attach all exhibits anticipated to be offered by that person at the hearing, including any proposed statement of reasons for adoption of rules.

Notices of Intent to present technical testimony at the hearing must be received in the Office of the Board not later than 5:00 pm on September 7, 2018, and should reference the docket number, EIB 18-05(R), and the date of the hearing. Notices of Intent to present technical testimony should be submitted to:

Pam Castañeda, Administrator for Boards & Commissions
Environmental Improvement Board
c/o New Mexico Environment Department
P. O. Box 5469
Santa Fe, NM 87502
Phone: (505) 827-2425, Fax (505) 827-1628
email: pam.castaneda@state.nm.us

Any member of the general public may testify at the hearing. No prior notification is required to present non-technical testimony at the hearing. Any such member may also offer non-technical exhibits in connection with their testimony, so long as the exhibit is not unduly repetitious of the testimony.

A member of the general public who wishes to submit a written statement for the record, in lieu of providing oral testimony at the hearing, shall file the written statement prior to the hearing to the above listed address, or submit it at the hearing.

Persons having a disability and requiring assistance, an interpreter, or an auxiliary aid or other service to participate in this hearing process should contact Pam Castañeda, Administrator for Boards & Commissions, at least ten days prior to the meeting or as soon as possible at the above address or e-mail pam.castaneda@state.nm.us. TDY users please access her number via the New Mexico Relay Network at 1-800-659-8331.

The Board may make a decision on the proposed regulation adoption at the conclusion of the hearing, or may convene a meeting after the hearing to consider action on the proposal.

Notice of Non-Discrimination
NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements im-

plemented by 40 C.F.R. Part 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's non-discrimination programs, policies or procedures, you may contact:

Kristine Pintado, Non-Discrimination Coordinator
New Mexico Environment Department
1190 St. Francis Dr., Suite N4050
P.O. Box 5469
Santa Fe, NM 87502
(505) 827-2855
nd.coordinator@state.nm.us

If you believe that you have been discriminated against with respect to an NMED program or activity, you may contact the Non-Discrimination Coordinator identified above or visit our website at to <https://www.env.nm.gov/non-employee-discrimination-complaint-page/> to learn how and where to file a complaint of discrimination.
Pub#1250769 Run Dates: June 15, 2018

Deming Headlight

AFFIDAVIT OF PUBLICATION

Ad No.
0001250771

Carol Rideout
NM ENVIROMENT DEPT/AIR QUALITY BUREAU
525 CAMINO DE LOS MARQUEZ SUITE 1

SANTA FE NM 87507


I, a legal clerk of the **Deming Headlight**, a newspaper published weekly in the county of Luna, state of New Mexico and of general paid circulation in said county; that the same is a duly qualified newspaper under the laws of the State wherein legal notices and advertisements may be published; that the printed notice attached hereto was published in the regular and entire edition of said newspaper and not in supplement thereof on the date as follows, to wit:

06/15/18

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Legal Clerk

Subscribed and sworn before me this
15th of June 2018.


State of WI, County of Brown
NOTARY PUBLIC


My Commission Expires

Ad#:0001250771
P O : 29214
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TARA MONDLOCH
Notary Public
State of Wisconsin

JUNTA DE MEJORA AMBIENTAL DE NUEVO MEXICO AVISO DE AUDIENCIA SOBRE REGLAMENTACIÓN

La Junta de Mejora Ambiental de Nuevo México ("Junta") celebrará una audiencia pública el 28 de septiembre de 2018, a las 9:30 a.m., en New Mexico Farm and Ranch Heritage Museum, 4100 Dripping Springs Road, Las Cruces, New Mexico. El propósito de la audiencia es examinar el asunto de BEI 18-05 (R), la adopción propuesta de la codificación del Reglamento de Control de Calidad del Aire en el Código Administrativo de Nuevo México (NMAC) en 20.2.23 NMAC, Control de Polvo Fugitivo.

El autor de esta enmienda regulatoria es la Oficina de Calidad del Aire del Departamento de Medio Ambiente de Nuevo México ("NMED", por su sigla en inglés).

La Agencia de Protección Ambiental de EE. UU. publicó revisiones al Reglamento de Eventos Excepcionales el 3 de octubre de 2016, que requieren planes de mitigación en ciertas áreas con eventos excepcionales recurrentes del mismo contaminante y tipo. La regulación propuesta es un elemento de apoyo del plan de mitigación de polvo requerido por el reglamento federal de eventos excepcionales. La regulación propuesta se aplicará a las fuentes de polvo fugitivo que no requieren la obtención de un permiso de construcción de NMED y será aplicable en cualquier área del estado que experimente eventos recurrentes de polvo de vientos fuertes donde el PM10 y/o el PM2.5 NAAQS es rebasado. Actualmente esto incluye el condado de Luna y el área de no cumplimiento PM10 de Anthony, en el condado de Doña Ana.

El texto completo de la regulación propuesta por NMED está disponible en el sitio web de la Oficina de Calidad del Aire en <https://www.env.nm.gov/air-quality/proposed-regs/> o comunicándose con Michael Baca, por teléfono 575-915-1091 o por correo electrónico michael.baca1@state.nm.us. La regulación propuesta también puede ser examinada durante horas hábiles en la Oficina de Calidad del Aire, 525 Camino de los Marquez, Suite 1, Santa Fe, New Mexico, 87505.

La audiencia se llevará a cabo de acuerdo con los Procedimientos de Reglamentación de la Junta (20.1.1 NMAC); la Ley de Mejora Ambiental, Sección 74-1-9 NMSA 1978; la Ley de Control de Calidad del Aire, Sección 74-2-6 NMSA 1978; la Ley de Reglas del Estado, Sección 14-4-5.3 NMSA 1978; y otros procedimientos aplicables.

A todas las personas interesadas se les dará una oportunidad razonable en la audiencia para presentar evidencias, datos, puntos de vista y argumentos relevantes, oralmente o por escrito; presentar documentos y/u objetos de prueba; y examinar a los testigos. Las personas que deseen presentar un testimonio de carácter técnico deberán presentar por escrito a la Junta una Notificación de Intención de presentar dicho testimonio. La Notificación de Intención deberá:

- (1) identificar a la persona por la cual testificará el/los testigo/s;
- (2) identificar a cada testigo técnico que la persona tiene la intención de presentar y establecer las cualificaciones de cada testigo, incluida una descripción de su historial académico y laboral;
- (3) incluir una copia del testimonio directo de cada testigo técnico en forma narrativa;
- (4) incluir el texto de cualquier modificación recomendada al cambio regulatorio propuesto;
- y
- (5) hacer una lista y adjuntar todos los documentos y/u objetos de pruebas que se anticipa que esa persona ofrecerá en la audiencia, incluyendo cualquier declaración propuesta de motivos para la adopción de las reglas.

Las Notificaciones de Intención para presentar testimonio técnico en la audiencia deberán recibirse en la oficina de la Junta no más tarde de las 5:00 p. m. del día 7 de septiembre de 2018, y deben incluir como referencia el número de expediente EIB 18-05 (R) y la fecha de la audiencia. Las Notificaciones de Intención para presentar un testimonio técnico deben enviarse a:

Pam Castañeda, Administrator for Boards & Commissions
Environmental Improvement Board
c/o New Mexico Environment Department
P. O. Box 5469
Santa Fe, NM 87502
Phone: (505) 827-2425, Fax (505) 827-1628
email: pam.castaneda@state.nm.us

Cualquier miembro del público puede testificar en la audiencia. No se requiere notificación previa para presentar un testimonio no técnico en la audiencia. Cualquiera de estos miembros también pueden ofrecer documentos y/u objetos de prueba que no sean de carácter técnico en relación con su testimonio, siempre y cuando los documentos y/u objetos de prueba no sean excesivamente repetitivos del testimonio.

Un miembro del público que desee presentar una declaración escrita para que conste en actas, en lugar de proporcionar una declaración oral en la audiencia, deberá presentar la declaración por escrito antes de la audiencia a la dirección mencionada anteriormente, o presentarla durante la audiencia.

Las personas que tienen una discapacidad y requieren asistencia, un intérprete, un

dispositivo un auxiliar u otro servicio para participar en este proceso de audiencia debe comunicarse con Pam Castañeda, Administradora de Juntas y Comisiones, al menos diez días antes de la reunión o tan pronto como sea posible a la dirección anterior o por correo electrónico pam.castaneda@state.nm.us. Los usuarios de TDY pueden acceder a su número a través de la Red de Retransmisión de Nuevo México (New Mexico Relay Network) llamando al 1-800-659-8331.

La Junta puede tomar una decisión sobre la adopción del reglamento propuesto al final de la audiencia, o puede convocar una reunión después de la audiencia para considerar la acción a tomar sobre la propuesta.

Aviso de No Discriminación

El Departamento de Medio Ambiente de Nuevo México (NMED) no discrimina por motivos de raza, color, origen nacional, discapacidad, edad o sexo en la administración de sus programas o actividades, según lo exigido por las leyes y reglamentos correspondientes. NMED es responsable de la coordinación de los esfuerzos de cumplimiento y la recepción de consultas relativas a los requisitos de no discriminación implementados por 40 C.F.R., partes 5 y 7, incluido el Título VI de la Ley de Derechos Civiles de 1964, según enmendada; Sección 504 de la Ley de Rehabilitación de 1973; la Ley de Discriminación por Edad de 1975, Título IX de las Enmiendas de Educación de 1972 y la Sección 13 de las Enmiendas a la Ley Federal de Control de Contaminación del Agua de 1972. Si usted tiene preguntas sobre este aviso o sobre cualquier programa, política o procedimiento de no discriminación de NMED, usted puede comunicarse con la Coordinadora de No Discriminación:

Kristine Pintado, Non-Discrimination Coordinator

New Mexico Environment Department

1190 St. Francis Dr., Suite N4050

P.O. Box 5469

Santa Fe, NM 87502

(505) 827-2855

nd.coordinator@state.nm.us

Si usted piensa que ha sido discriminado/a con respecto a un programa o actividad de NMED, puede comunicarse con la Coordinadora de No Discriminación antes indicada o visitar nuestro sitio web en <https://www.env.nm.gov/non-employee-discrimination-complaint-page/> para aprender cómo y dónde presentar una queja de discriminación.

Pub#1250771 Run Dates: June 15, 2018

LAS CRUCES SUN-NEWS

AFFIDAVIT OF PUBLICATION

Ad No.
0001250961

NEW MEXICO ENVIRONMENT DEPT
1190 ST. FRANCIS

SANTA FE NM 87502

I, a legal clerk of the **Las Cruces Sun-News**, a newspaper published daily at the county of Dona Ana, state of New Mexico and of general paid circulation in said county; that the same is a duly qualified newspaper under the laws of the State wherein legal notices and advertisements may be published; that the printed notice attached hereto was published in the regular and entire edition of said newspaper and not in supplement thereof on the date as follows, to wit:

06/15/18

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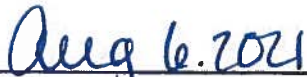


Legal Clerk
STATE OF WISCONSIN **SS.**
County of Brown

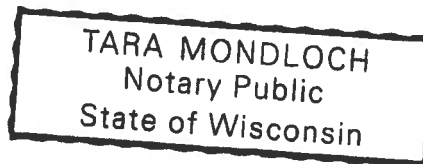
Subscribed and sworn before me this
20th of July 2018.



NOTARY PUBLIC in and for
Brown County, Wisconsin



My Commission Expires



**NEW MEXICO ENVIRONMENTAL IMPROVEMENT BOARD
NOTICE OF RULEMAKING HEARING**

The New Mexico Environmental Improvement Board ("Board") will hold a public hearing on September 28, 2018, at 9:30 a.m., at the New Mexico Farm and Ranch Heritage Museum, 4100 Dripping Springs Road, Las Cruces, New Mexico. The purpose of the hearing is to consider the matter of EIB 18-05(R), the proposed adoption of an Air Quality Control Regulation to be codified in the New Mexico Administrative Code (NMAC) at 20.2.23 NMAC, Fugitive Dust Control.

The proponent of this regulatory amendment is the New Mexico Environment Department ("NMED") Air Quality Bureau.

The U.S. Environmental Protection Agency published revisions to the Exceptional Events Rule on October 3, 2016, requiring mitigation plans in certain areas with recurring exceptional events of the same type and pollutant. The proposed regulation is a supporting element of the dust mitigation plan required by the federal Exceptional Events Rule. The proposed regulation will apply to sources of fugitive dust that are not required to obtain a construction permit from the NMED and will be applicable in any area of the state that experiences recurring high wind dust events where the PM10 and/or the PM2.5 NAAQS is exceeded. Currently this includes Luna County and the Anthony PM10 nonattainment area in Doña Ana County.

The full text of NMED's proposed regulation is available on the Air Quality Bureau's web site at <https://www.env.nm.gov/air-quality/proposed-regs/> or by contacting Michael Baca at 575-915-1091 or michael.bacal@state.nm.us. The proposed regulation may also be examined during regular business hours at the Air Quality Bureau office, 525 Camino de los Marquez, Suite 1, Santa Fe, New Mexico, 87505.

The hearing will be conducted in accordance with Board Rulemaking Procedures (20.1.1 NMAC); the Environmental Improvement Act, Section 74-1-9 NMSA 1978; the Air Quality Control Act, Section 74-2-6 NMSA 1978; the State Rules Act, Section 14-4-5.3 NMSA 1978; and other applicable procedures.

All interested persons will be given reasonable opportunity at the hearing to submit relevant evidence, data, views, and arguments, orally or in writing; to introduce exhibits; and to examine witnesses. Persons wishing to present technical testimony must file with the Board a written Notice of Intent to do so. The Notice of Intent shall:

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- (3) include a copy of the direct testimony of each technical witness in narrative form;
- (4) include the text of any recommended modifications to the proposed regulatory change; and
- (5) list and attach all exhibits anticipated to be offered by that person at the hearing, including any proposed statement of reasons for adoption of rules.

Notices of Intent to present technical testimony at the hearing must be received in the Office of the Board not later than 5:00 pm on September 7, 2018, and should reference the docket number, EIB 18-05(R), and the date of the hearing. Notices of Intent to present technical testimony should be submitted to:

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Environmental Improvement Board
c/o New Mexico Environment Department
P. O. Box 5469
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email: pam.castaneda@state.nm.us

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A member of the general public who wishes to submit a written statement for the record, in lieu of providing oral testimony at the hearing, shall file the written statement prior to the hearing to the above listed address, or submit it at the hearing.

Persons having a disability and requiring assistance, an interpreter, or an auxiliary aid or other service to participate in this hearing process should contact Pam Castañeda, Administrator for Boards & Commissions, at least ten days prior to the meeting or as soon as possible at the above address or e-mail pam.castaneda@state.nm.us. TDY users please access her number via the New Mexico Relay Network at 1-800-659-8331.

The Board may make a decision on the proposed regulation adoption at the conclusion of the hearing, or may convene a meeting after the hearing to consider action on the proposal.

Notice of Non-Discrimination

NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Part 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's non-discrimination programs, policies or procedures, you may contact:

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New Mexico Environment Department
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P.O. Box 5469
Santa Fe, NM 87502
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If you believe that you have been discriminated against with respect to an NMED program or activity, you may contact the Non-Discrimination Coordinator identified above or visit our website at <https://www.env.nm.gov/non-employee-discrimination-complaint-page/> to learn how and where to file a complaint of discrimination.

JUNTA DE MEJORA AMBIENTAL DE NUEVO MÉXICO AVISO DE AUDIENCIA SOBRE REGLAMENTACIÓN

La Junta de Mejora Ambiental de Nuevo México ("Junta") celebrará una audiencia pública el 28 de septiembre de 2018, a las 9:30 a.m., en New Mexico Farm and Ranch Heritage Museum, 4100 Dripping Springs Road, Las Cruces, New Mexico. El propósito de la audiencia es examinar el asunto de BEI 18-05 (R), la adopción propuesta de la codificación del Reglamento de Control de Calidad del Aire en el Código Administrativo de Nuevo México (NMAC) en 20.2.23 NMAC, Control de Polvo Fugitivo.

El autor de esta enmienda regulatoria es la Oficina de Calidad del Aire del Departamento de Medio Ambiente de Nuevo México ("NMED", por su sigla en inglés).

La Agencia de Protección Ambiental de EE. UU. publicó revisiones al Reglamento de Eventos Excepcionales el 3 de octubre de 2016, que requieren planes de mitigación en ciertas áreas con eventos excepcionales recurrentes del mismo contaminante y tipo. La regulación propuesta es un elemento de apoyo del plan de mitigación de polvo requerido por el reglamento federal de eventos excepcionales. La regulación propuesta se aplicará a las fuentes de polvo fugitivo que no requieren la obtención de un permiso de construcción de NMED y será aplicable en cualquier área del estado que experimente eventos recurrentes de polvo de vientos fuertes donde el PM10 y/o el PM2.5 NAAQS es rebasado. Actualmente esto incluye el condado de Luna y el área de no cumplimiento PM10 de Anthony, en el condado de Doña Ana.

El texto completo de la regulación propuesta por NMED está disponible en el sitio web de la Oficina de Calidad del Aire en <https://www.env.nm.gov/air-quality/proposed-regs/> o comunicándose con Michael Baca, por teléfono 575-915-1091 o por correo electrónico

michael.baca1@state.nm.us. La regulación propuesta también puede ser examinada durante horas hábiles en la Oficina de Calidad del Aire, 525 Camino de los Marquez, Suite 1, Santa Fe, New Mexico, 87505.

La audiencia se llevará a cabo de acuerdo con los Procedimientos de Reglamentación de la Junta (20.1.1 NMAC); la Ley de Mejora Ambiental, Sección 74-1-9 NMSA 1978; la Ley de Control de Calidad del Aire, Sección 74-2-6 NMSA 1978; la Ley de Reglas del Estado, Sección 14-4-5.3 NMSA 1978; y otros procedimientos aplicables.

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- (5) hacer una lista y adjuntar todos los documentos y/u objetos de pruebas que se anticipa que esa persona ofrecerá en la audiencia, incluyendo cualquier declaración propuesta de motivos para la adopción de las reglas.

Las Notificaciones de Intención para presentar testimonio técnico en la audiencia deberán recibirse en la oficina de la Junta no más tarde de las 5:00 p. m. del día 7 de septiembre de 2018, y deben incluir como referencia el número de expediente EIB 18-05 (R) y la fecha de la audiencia. Las Notificaciones de Intención para presentar un testimonio técnico deben enviarse a:

Pam Castañeda, Administrator for Boards & Commissions
Environmental Improvement Board
c/o New Mexico Environment Department
P. O. Box 5469
Santa Fe, NM 87502
Phone: (505) 827-2425, Fax (505) 827-1628
email: pam.castaneda@state.nm.us

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Un miembro del público que desee presentar una declaración escrita para que conste en actas, en lugar de proporcionar una declaración oral en la audiencia, deberá presentar la declaración por escrito antes de la audiencia a la dirección mencionada anteriormente, o presentarla durante la audiencia.

Las personas que tienen una discapacidad y requieren asistencia, un intérprete, un dispositivo un auxiliar u otro servicio para participar en este proceso de audiencia debe comunicarse con Pam Castañeda, Administradora de Juntas y Comisiones, al menos diez días antes de la reunión o tan pronto como sea posible a la dirección anterior o por correo electrónico pam.castaneda@state.nm.us. Los usuarios de TDY pueden acceder a su número a través de la Red de Retransmisión de Nuevo México (New Mexico Relay Network) llamando al 1-800-659-8331.

La Junta puede tomar una decisión sobre la adopción del reglamento propuesto al final de la audiencia, o puede convocar una reunión después de la audiencia para considerar la acción a tomar sobre la propuesta.

Aviso de No Discriminación
El Departamento de Medio Ambiente de Nuevo México (NMED) no

discrimina por motivos de raza, color, origen nacional, discapacidad, edad o sexo en la administración de sus programas o actividades, según lo exigido por las leyes y reglamentos correspondientes. NMED es responsable de la coordinación de los esfuerzos de cumplimiento y la recepción de consultas relativas a los requisitos de no discriminación implementados por 40 C.F.R., partes 5 y 7, incluido el Título VI de la Ley de Derechos Civiles de 1964, según enmendada; Sección 504 de la Ley de Rehabilitación de 1973; la Ley de Discriminación por Edad de 1975, Título IX de las Enmiendas de Educación de 1972 y la Sección 13 de las Enmiendas a la Ley Federal de Control de Contaminación del Agua de 1972. Si usted tiene preguntas sobre este aviso o sobre cualquier programa, política o procedimiento de no discriminación de NMED, usted puede comunicarse con la Coordinadora de No Discriminación:

Kristine Pintado, Non-Discrimination Coordinator

New Mexico Environment Department

1190 St. Francis Dr., Suite N4050

P.O. Box 5469

Santa Fe, NM 87502

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nd.coordinator@state.nm.us

Si usted piensa que ha sido discriminado/a con respecto a un programa o actividad de NMED, puede comunicarse con la Coordinadora de No Discriminación antes indicada o visitar nuestro sitio web en <https://www.env.nm.gov/non-employee-discrimination-complaint-page/> para aprender cómo y dónde presentar una queja de discriminación.

Pub# 1250961

Run Date: June 15, 2018

From: [New Mexico Environment Department](#)
To: [Baca, Michael, NMENV](#)
Subject: Notice of Rulemaking, Public Review and Comment Period
Date: Wednesday, August 1, 2018 5:10:58 PM



Air Quality Bureau

Regulatory and SIP Bulletin

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The Air Quality Bureau has developed a draft dust mitigation plan and proposed fugitive dust control rule for Doña Ana and Luna counties in southern New Mexico. Mitigation plans are required by the U.S. Environmental Protection Agency (EPA) in areas where recurring natural events (in this case, high winds resulting in blowing dust) cause exceedances of the health based national standards for Particulate Matter.

The Air Quality Bureau will accept comments on the draft mitigation plan through September 14, 2018. A public hearing for the adoption of the proposed fugitive dust control rule will be held on September 28, 2018 in Las Cruces. To review draft documents and for more information about the hearing and public participation, please visit our [proposed regulations website](#).

For more information on blowing dust in New Mexico please click [here](#). For more information about mitigation plan requirements please visit EPA's Exceptional Events [website](#).

For additional information concerning this bulletin and participation opportunities, please contact: Michael Baca, 2301 Entrada del Sol, Las Cruces, NM, 88001, (575) 915-1091, michael.baca1@state.nm.us.

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