

NEW MEXICO ADMINISTRATIVE CODE
TITLE 20 ENVIRONMENTAL PROTECTION
CHAPTER 11 ALBUQUERQUE / BERNALILLO COUNTY AIR QUALITY CONTROL BOARD

Part 8 (20.11.8 NMAC) Ambient Air Quality Standards

As adopted by the Albuquerque-Bernalillo County Air Quality Control Board effective September 14, 2009, and submitted to EPA November 6, 2009.

Approved by EPA September 19, 2012 (77 FR 58032) effective October 19, 2012 (NMd42)

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TITLE 20 ENVIRONMENTAL PROTECTION
CHAPTER 11 ALBUQUERQUE - BERNALILLO COUNTY AIR QUALITY CONTROL BOARD
PART 8 AMBIENT AIR QUALITY STANDARDS

20.11.8.1 ISSUING AGENCY: Albuquerque - Bernalillo County Air Quality Control Board. P.O. Box 1293, Albuquerque, NM 87103. Telephone: (505) 768-2601.
[20.11.8.1 NMAC - N, 7/1/04; A, 9/14/09]

20.11.8.2 SCOPE:
A. 20.11.8 NMAC is applicable within Bernalillo county.
B. Exempt: 20.11.8 NMAC does not apply to sources within Bernalillo county, which are located on Indian lands over which the Albuquerque - Bernalillo county air quality control board lacks jurisdiction.
[20.11.8.2 NMAC - N, 7/1/04; A, 9/14/09]

20.11.8.3 STATUTORY AUTHORITY: 20.11.8 NMAC is adopted pursuant to the authority provided in the New Mexico Air Quality Control Act, NMSA 1978 Sections 74-2-4, 74-2-5C; the Joint Air Quality Control Board Ordinance, Bernalillo County Ordinance 94-5 Sections 3 & 4; the Joint Air Quality Control Board Ordinance, Revised Ordinances of Albuquerque 1994 Sections 9-5-1-3 & 9-5-1-4.
[20.11.8.3 NMAC - N, 7/1/04]

20.11.8.4 DURATION: Permanent.
[20.11.8.4 NMAC - N, 7/1/04]

20.11.8.5 EFFECTIVE DATE: July 1, 2004, unless a later date is cited at the end of a section. The effective date of a specific section is located at the end of each section within the historical brackets. As required by the New Mexico Air Quality Control Act, Chapter 74, Article 2, Section 6 NMSA 1978, no regulation or emission control requirement or amendment thereto, or repeal thereof, shall become effective until 30 days after its filing under the State Rules Act, Chapter 14, Article 4 NMSA 1978.
[20.11.8.5 NMAC - N, 7/1/04; A, 9/14/09]

20.11.8.6 OBJECTIVE: To adopt local ambient air quality standards that are identical to the federal National Primary and Secondary Ambient Air Quality Standards codified at 40 CFR Part 50, and to adopt applicable state *Ambient Air Quality Standards* codified at 20.2.3 NMAC.
[20.11.8.6 NMAC - N, 7/1/04; A, 9/14/09]

20.11.8.7 DEFINITIONS: The definitions in 20.11.1 NMAC apply to 20.11.8 NMAC.
[20.11.8.7 NMAC - N, 7/1/04]

20.11.8.8 SAVINGS CLAUSE: Any amendment to *Ambient Air Quality Standards*, 20.11.8 NMAC, which is filed with the state records center, shall not affect actions pending for violation of a city or county ordinance, the air quality regulations for Albuquerque and Bernalillo county or a permit issued by the department. Prosecution for a violation under a prior statute, ordinance, regulation or permit shall be governed and prosecuted under the statute, ordinance or regulation in effect at the time the violation was committed.
[20.11.8.8 NMAC - N, 7/1/04; A, 9/14/09]

20.11.8.9 SEVERABILITY: If any section, paragraph, sentence, clause or word of 20.11.8 NMAC or any federal standards incorporated herein is for any reason held to be unconstitutional or otherwise invalid by any court, the decision shall not affect the validity of remaining provisions of 20.11.8 NMAC.
[20.11.8.9 NMAC - N, 7/1/04]

20.11.8.10 DOCUMENTS: Documents incorporated and cited in 20.11.8 NMAC may be viewed at the Albuquerque environmental health department, 400 Marquette NW, Albuquerque, NM.
[20.11.8.10 NMAC - N, 7/1/04]

20.11.8.11 INCORPORATION OF FEDERAL AMBIENT AIR QUALITY STANDARDS: Except as otherwise provided, the National Primary and Secondary Ambient Air Quality Standards of the United States

environmental protection agency including the General Provisions thereto, codified at 40 CFR Part 50 (including appendices), as amended through January 12, 2009, are hereby incorporated into 20.11.8 NMAC. Section 20.11.8.13 NMAC is a summary of the federal and state standards incorporated in 20.11.8 NMAC. [20.11.8.11 NMAC - N, 7/1/04; A, 9/14/09]

20.11.8.12 INCORPORATION OF STATE AMBIENT AIR QUALITY STANDARDS: Except as otherwise provided, the state *Ambient Air Quality Standards* of the environmental improvement board codified at 20.2.3 NMAC are hereby incorporated into 20.11.8 NMAC. Section 20.11.8.13 NMAC is a summary of the federal and state standards incorporated in 20.11.8 NMAC. [20.11.8.12 NMAC - N, 7/1/04; A, 9/14/09]

20.11.8.13 SUMMARY OF FEDERAL AND STATE AMBIENT AIR QUALITY STANDARDS:

Pollutant	Standards			
	Reference	Federal Primary	Federal Secondary	New Mexico State
Carbon Monoxide (CO)				
8-hour average	40 CFR 50.8	9 ppm	none	8.7 ppm
1-hour average	40 CFR 50.8	35 ppm	none	13.1 ppm
Nitrogen Dioxide (NO₂)				
24-hour average	20.2.3.111 NMAC	none	none	0.10 ppm
Annual arithmetic mean	40 CFR 50.11	0.053 ppm	0.053 ppm	0.05 ppm
Ozone (O₃)				
8-hour average	40 CFR 50.10	0.08 ppm	0.08 ppm	none
(The 1997 standard - and the implementation rules for that standard - will remain in place for implementation purposes as EPA undertakes rulemaking to address the transition from the 1997 ozone standard to the 2008 ozone standard).				
8-hour average	40 CFR 50.15	0.075 ppm	0.075 ppm	none
(Effective May 27, 2008)				
Sulfur Dioxide (SO₂)				
24-hour average	40 CFR 50.4	0.14 ppm	none	0.10 ppm
3-hour average	40 CFR 50.5	none	0.5 ppm	none
Annual (arithmetic mean)	40 CFR 50.4	0.030 ppm	none	0.02 ppm
Particulate Matter (PM_{2.5})				
24-hour average	40 CFR 50.13	35 µg/m ³	35 µg/m ³	none
(Effective December 18, 2006)				
Annual (arithmetic mean)	40 CFR 50.7 & 40 CFR 50.13	15.0 µg/m ³	15.0 µg/m ³	none
Particulate Matter (PM₁₀)				
24-hour average	40 CFR 50.6	150 µg/m ³	150 µg/m ³	none
Lead (Pb)				
Rolling 3-month average	40 CFR 50.16	0.15µg/m ³	0.15µg/m ³	none
(Effective 1 year after date of area attainment designation)				
Hydrogen Sulfide				
1-hr average	20.2.3.110 NMAC	none	none	0.010 ppm

Total Reduced Sulfur				
1/2-hour average	20.2.3.110 NMAC	none	none	0.003 ppm
Particulate Matter (TSP)				
24-hour average	20.2.3.109 NMAC	none	none	150 µg/m ³
7-day average	20.2.3.109 NMAC	none	none	110 µg/m ³
30-day average	20.2.3.109 NMAC	none	none	90 µg/m ³
Annual geometric mean	20.2.3.109 NMAC	none	none	60 µg/m ³

[20.11.8.13 NMAC - N, 7/1/04; A, 9/14/09]

20.11.8.14 INTERPRETATION: Except as expressly provided to the contrary in these regulations, whenever two or more parts of these regulations limit, control or regulate the emissions of a particular air contaminant, the more restrictive or stringent shall govern.

[20.11.8.14 NMAC - N, 7/1/04]

HISTORY OF 20.11.8 NMAC:

None