

**FORTY-EIGHTH LEGISLATURE
FIRST SESSION, 2007**

February 8, 2007

Mr. Speaker:

Your **HEALTH AND GOVERNMENT AFFAIRS COMMITTEE**, to whom has been referred

HOUSE BILL 386

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 3, strike lines 14 through 20 and insert in lieu thereof the following paragraph:

"(4) prescribe standards of performance for nitrogen oxide emissions from new stationary reciprocating internal combustion engines of less than five hundred horsepower used in oil and gas extraction that shall be at least as stringent as any federal standard of performance applicable to that source type;"

2. On page 5, after line 5, insert the following new section:

"Section 2. A new section of the Air Quality Control Act is enacted to read:

"[NEW MATERIAL] STANDARDS OF PERFORMANCE--STATIONARY RECIPROCATING INTERNAL COMBUSTION ENGINES USED IN CERTAIN OIL AND GAS OPERATIONS.--

A. Standards of performance for new stationary reciprocating internal combustion engines adopted by the environmental improvement board or local board pursuant to Subsection C of Section 74-2-5 NMSA 1978 shall reflect the best commercially available system of emission reduction that is technically practical and economically reasonable for reducing or eliminating air contaminants from the sources involved and previous experience with equipment and methods available to control the air contaminants involved. Standards shall also take into account any non-air quality health and environmental impact and energy requirements.

B. Nothing in this section shall be construed to require or authorize the environmental improvement board or local board to require any source to install and operate any particular emissions control system to comply with any standard of performance.

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C. The department or local agency shall review any standard of performance adopted under this section within five years after such adoption, and every five years thereafter, and propose any necessary changes to such standard to the environmental improvement board or local board.

D. The environmental improvement board or local board shall exempt from construction permit requirements any equipment for which a standard of performance has been established under this section.".,

and thence referred to the **ENERGY AND NATURAL RESOURCES COMMITTEE.**

Respectfully submitted,

Mimi Stewart, Chair

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

The roll call vote was 6 For 1 Against
Yes: 6
No: Fox-Young
Excused: Wallace
Absent: None