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HOUSE BILL 371

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

John A. Heaton

FOR THE RADIOACTIVE AND HAZARDOUS MATERIALS COMMITTEE

AN ACT

RELATING TO THE ENVIRONMENT; AMENDING THE AIR QUALITY CONTROL
ACT TO PROVIDE FOR AMBIENT AIR QUALITY STANDARDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Air Quality Control Act
is enacted to read:

"[NEW MATERIAL] AMBIENT AIR QUALITY STANDARDS. --

A. The environmental improvement board and the
local board may adopt regulations to prescribe ambient air
quality standards for air contaminants. The ambient air
quality standards shall be sufficient to protect the public
health. If a national ambient air quality standard has been
adopted for an air contaminant pursuant to Section 109 of the
federal act, that standard shall be deemed sufficient to
protect the public health, unless the environmental improvement

underscored material = new
[bracketed material] = delete

1 board or the local board determines, after public hearing, that
2 the standard is not sufficient pursuant to criteria in
3 Subsection B of this section. The environmental improvement
4 board or the local board may adopt a state ambient air quality
5 standard for an air contaminant for which no national standard
6 exists only if the board determines, after public hearing, that
7 the standard is required to protect the public health pursuant
8 to Subsection B of this section.

9 B. In adopting ambient air quality standards, the
10 environmental improvement board and the local board shall
11 consider any air quality criteria documents issued pursuant to
12 the federal act and the latest scientific knowledge useful in
13 indicating the kind and extent of identifiable effects on
14 public health or welfare that may be expected from the
15 presence, in varying quantities, of an air contaminant.

16 C. Not later than one year after the effective date
17 of this section, and at five-year intervals thereafter, the
18 environmental improvement board and the local board shall
19 review each standard adopted pursuant to the Air Quality
20 Control Act and shall approve or revise the standards and adopt
21 new standards in accordance with the criteria specified in this
22 section. If the environmental improvement board or the local
23 board does not adopt or revise existing standards within the
24 deadline, the existing standards are repealed."