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HOUSE JOINT MEMORIAL 43

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY
DANIEL P. SILVA

A JOINT MEMORIAL

REQUESTING THAT THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY
RETAIN EXISTING OZONE AND PARTICULATE AIR EMISSION STANDARDS.

WHEREAS, the federal environmental protection agency has a
responsibility to periodically review the national ambient air
quality standards for ozone and particulate matter; and

WHEREAS, the environmental protection agency is considering
establishing a more stringent ozone standard and a new, more
stringent standard for particulate matter at or below two and
one-half microns; and

WHEREAS, New Mexico and its local jurisdictions, businesses
and citizens have supported health-based national ambient air
quality standards that are premised on sound science; and

WHEREAS, New Mexico has made progress in meeting current
national ambient air quality standards for both ozone and

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1 particulate matter under the Clean Air Act amendments of 1990,
2 although there are some areas that have not yet come into
3 attainment with the current standards due to air pollutants from
4 outside New Mexico; and

5 WHEREAS, the proposed new standards may significantly
6 expand the number of nonattainment areas for both ozone and
7 particulate matter, resulting in additional emission controls in
8 all areas, thus possibly imposing significant economic,
9 administrative and regulatory burdens on New Mexico and its
10 citizens, businesses and local governments; and

11 WHEREAS, the environmental protection agency's own clean
12 air science advisory committee was unable to find any "bright
13 line" that would distinguish any public health benefit among any
14 of the proposed new standards for ozone, including the current
15 standard; and

16 WHEREAS, there is very little existing particulate matter
17 monitoring data; and

18 WHEREAS, there are many unanswered questions and scientific
19 uncertainties regarding the health effects of particulate
20 matter, including:

- 21 A. divergent opinions among scientists who have
22 investigated the issue;
- 23 B. exposure misclassification;
- 24 C. measurement errors;
- 25 D. the lack of supporting toxicological data;

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1 E. the lack of a plausible toxicological mechanism;

2 F. the lack of correlation between recorded

3 particulate matter levels and public health effects;

4 G. the influence of other variables; and

5 H. the existence of possible alternative

6 explanations; and

7 WHEREAS, establishing a more stringent ozone standard or a

8 new, more stringent particulate matter standard would assuredly

9 impose significantly higher costs;

10 NOW, THEREFORE, BE IT RESOLVED, BY THE LEGISLATURE OF THE

11 STATE OF NEW MEXICO that the environmental protection agency

12 reaffirm the existing standards for ozone and particulate

13 matter; and

14 BE IT FURTHER RESOLVED that the environmental protection

15 agency be requested to gather the necessary particulate matter

16 monitoring data and conduct all necessary research needed to

17 address the issue of causality and other critical and important

18 unanswered scientific questions concerning particulates in the

19 air; and

20 BE IT FURTHER RESOLVED that the environmental protection

21 agency be requested to identify any unfunded mandates or other

22 administrative and economic burdens for the state or local

23 governments or agencies that would result from the proposed

24 changes to the national ambient air quality standards for ozone

25 and particulate matter; and

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1 BE IT FURTHER RESOLVED that copies of this memorial be
2 transmitted to the president of the United States, the president
3 of the United States senate, the speaker of the United States
4 house of representatives, the New Mexico congressional
5 delegation and the administrator of the environmental protection
6 agency.

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State of New Mexico House of Representatives

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 5, 1997

Mr. Speaker:

Your ENERGY AND NATURAL RESOURCES COMMITTEE, to
whom has been referred

HOUSE JOINT MEMORIAL 43

has had it under consideration and reports same with
recommendation that it DO PASS.

Respectfully submitted,

James Roger Madalena, Chairman

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 6 For 1 Against

Yes: 6

No: Salazar

Excused: Chavez, Garcia, M P., Getty, Picraux, Stewart

Absent: None

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 18, 1997

Mr. President:

Your RULES COMMITTEE, to whom has been referred

HOUSE JOINT MEMORIAL 43

has had it under consideration and reports same with
recommendation that it DO PASS, and thence referred to the
CONSERVATION COMMITTEE.

Respectfully submitted,

Gloria Howes, Chairman

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Aragon, Rodarte, Stockard

Absent: None

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