

This is an amendment to 20.11.63 NMAC Sections 2 and 11, effective 1/14/2025.

20.11.63.2 SCOPE: 20.11.63 NMAC is applicable to all stationary sources of air pollutants located within Bernalillo county, which are subject to the requirements of 40 CFR Part 60, as amended in the *Federal Register* through [~~January 23, 2017~~] November 15, 2024.

A. Exempt: 20.11.63 NMAC does not apply to sources within Bernalillo county that are located on Indian lands over which the Albuquerque-Bernalillo county air quality control board lacks jurisdiction.

B. Exclusions:

(1) 40 CFR 60, Subpart AAA, *Standards of Performance for New Residential Wood Heaters*.

(2) 40 CFR 60, Subpart QQQQ, *Standards of Performance for New Residential Hydronic Heaters and Forced Air Furnaces*.

C. Variances: The variance provisions of 20.11.7 NMAC, *Variance Procedure*, Revised Ordinances of Albuquerque 1994 Section 9-5-1-8, Bernalillo County Ordinances Section 30-37, and Section 74-2-8 NMSA 1978 shall not apply to 20.11.63 NMAC or the incorporated federal standards.

[1/1/2000; 20.11.63.2 NMAC - Rn, 20 NMAC 11.63.2, 10/1/2002; A, 1/1/2005; A, 1/1/2006; A, 1/15/2007; A, 2/16/2009; A, 12/12/2011; A, 2/10/2014; A, 5/13/2017; A, 1/14/2025]

20.11.63.11 INCORPORATION OF FEDERAL STANDARDS: Except as otherwise provided in 20.11.63 NMAC, the New Source Performance Standards promulgated by the United States environmental protection agency, and codified at 40 CFR Part 60, including Subpart A, *General Provisions* thereto, as amended in the *Federal Register* through [~~January 23, 2017~~] November 15, 2024, are hereby incorporated into 20.11.63 NMAC.

[1/1/2000; 20.11.63.11 NMAC - Rn, 20 NMAC 11.63.11, 10/1/2002; A, 1/1/2005; A, 1/15/2007; A, 2/16/2009; A, 12/12/2011; A, 2/10/2014; A, 5/13/2017; A, 1/14/2025]