

Health, Equity and Environmental Impacts (HEEI) Regulation *NMAC 20.11.72*

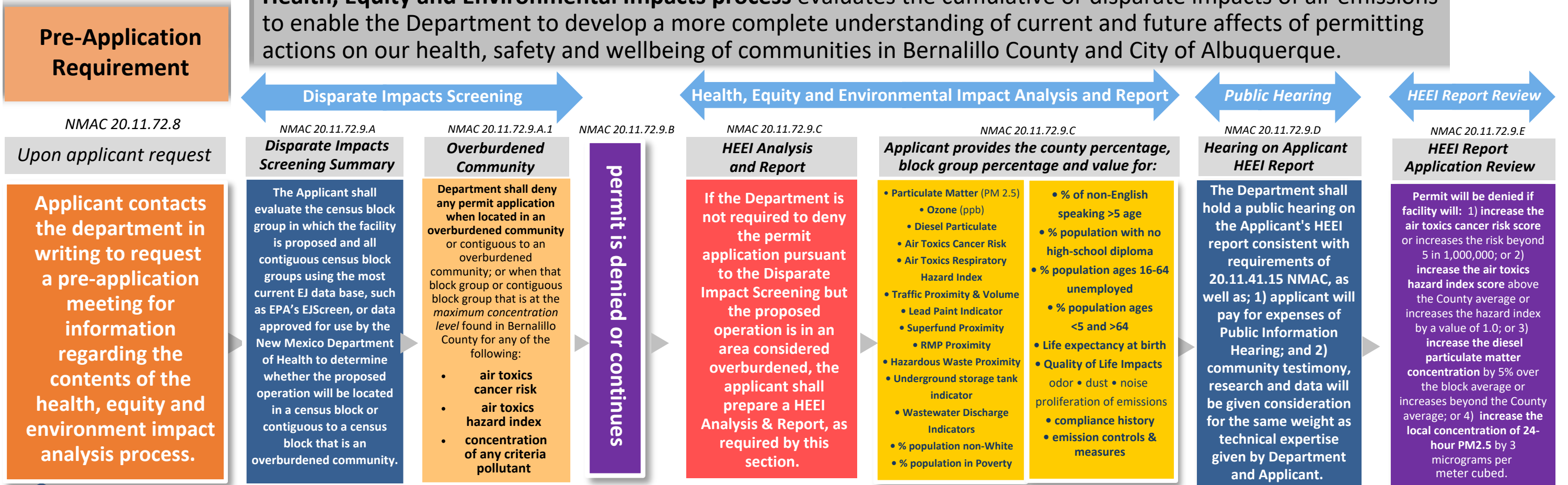
ISSUING AGENCY: Albuquerque-Bernalillo Air Quality Control Board *NMAC 20.11.72.1*

REGULATION SCOPE *NMAC 20.11.72.2*
This regulation applies to any applicant seeking a permit for an emissions source subject to Chapter 20.11.41 NMAC, 20.11.42 NMAC, 20.11.60 NMAC and 20.11.61 NMAC.

STATUTORY AUTHORITY *NMAC 20.11.72.3*

- New Mexico Control Act NMSA 1978, 74-2-3, 74-2-5(B);
- Joint Air Quality Control Board Ordinance, Bernalillo County Ordinance 94-5, Section 4 and 5;
- Joint Air Quality Control Board Ordinance, Revised Ordinances of Albuquerque, 1994, 9-5-1-4.

Health, Equity and Environmental Impacts process evaluates the cumulative or disparate impacts of air emissions to enable the Department to develop a more complete understanding of current and future affects of permitting actions on our health, safety and wellbeing of communities in Bernalillo County and City of Albuquerque.



Pre-Application Permit Contents *NMAC 20.11.41.13.A*

- Health, Equity and Environmental Impacts Analysis and Process
- Approved emission factors and control efficiencies
- Air dispersion modeling guidelines
- Department policies
- Air quality permit fees
- Public notice requirements
- Regulatory timelines

REGULATORY OBJECTIVE *NMAC 20.11.72.6*
Consistent with the Department's authority to prevent and abate air pollution, the Department will ensure that the health, environmental and equity impacts of combined air emissions sources are considered and addressed by the Departments permitting process such that no neighborhood or population group bears the disproportionate health impacts of air pollution or disproportionate concentration of emitting facilities and that all permitting complies with the goals of the National Integrated Urban Air Toxics Strategy and in the furtherance of environmental justice.

KEY TERMS *NMAC 20.11.72.7*

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|---|-------------------------|-------------------------|------------------------|
| age-dependent adjustment factors (ADAF) | cumulative impacts | exposure | mutagenic chemical |
| cancer risk | EJ database | hazardous air pollutant | overburdened community |
| criteria air pollutant | emissions or discharges | hazard index (HI) | pollution |
| community-based participatory research | environmental effects | hazard quotient (HQ) | public health |
| tribal consultation | exposure | health | determinants of health |
| | | impacted block group | sources |
| | | | stressor |

HEEI Public Participation & Notice for Opportunity to Comment *NMAC 20.11.72.10*

- English/Spanish for all posting & mailings
- Post on project property
- Mail to all residents within 100 feet of project
- Post in three other conspicuous places
- Post on all social media accounts
- Provide copy to all local neighborhood associations
- Post on website and other easily accessible locations
- Posed on all social media accounts
- Mail to Sandia Pueblo and Isleta Pueblo, with tribal consultation.

AIR DISPERSION MODELING *NMAC 20.11.72.9.F*
Any air dispersion modeling is to be unmitigated and in accordance with up-to-date U.S. EPA guidelines. Modeling must include: 1) grid spacing <25 meters at the fenceline, 2) three-year background concentration for comparison with criteria pollutants, 3) use of data for source specific emissions: a) if existing source, must use data from Continuous Monitoring Emissions System or stack testing, b) if source is new, must rely on data from vendor and stack test data from similar facilities. 4) AP-42 emission factors un-allowed unless proven lack of alternative, 6) diesel particulate matter from traffic, 7) NAAQS-based cumulative impacts assessment.

