

New Mexico Administrative Code

Title 20 Environmental Protection

Chapter 2 Air Quality (Statewide)

Part 2 (20.2.2 NMAC) Definitions.

Updated with amendments filed with the New Mexico State Records Center July 31, 2009, effective August 31, 2009.

Approved by EPA January 26, 2015 (80 FR 3883) effective March 27, 2015 (NMd55), Regulations.gov document EPA-R06-OAR-2011-0033-0002 [NM044.02]

EPA CFR Comment: The following definitions are state specific and are not approved into the SIP: "Carbon dioxide", "Greenhouse gas", "Hydrofluorocarbons", "Methane", "Nitrous oxide", "Perfluorocarbons", and "Sulfur hexafluoride".

NOTE: Dates in brackets at the end of each section are State effective dates of amendments to the section.

Struck out text not in SIP.

*** NM State Part 2 *** NMd55 *** EPA-R06-OAR-2011-0033 *** NM044 *** v6b ***

TITLE 20 ENVIRONMENTAL PROTECTION
CHAPTER 2 AIR QUALITY (STATEWIDE)
PART 2 DEFINITIONS

20.2.2.1 ISSUING AGENCY: New Mexico Environmental Improvement Board.
[10/27/95; 20.2.2.1 NMAC - Rn, 20 NMAC 2.100, 10/31/02]

20.2.2.2 SCOPE: The provisions of this part shall apply to all New Mexico regulations regarding air quality, and codified as 20.2.3 NMAC through 20.2.99 NMAC.
[10/27/95; 20.2.2.2 NMAC - Rn, 20 NMAC 2.101, 10/31/02]

20.2.2.3 STATUTORY AUTHORITY: The environmental improvement board "shall promulgate regulations and standards in ... air quality management" (NMSA 1978, section 74-1-8.A) and "the Environmental Improvement Board... shall adopt... regulations to attain and maintain national ambient air quality standards and prevent or abate air pollution..." (NMSA 1978, section 74-2-5.B).
[10/27/95; 20.2.2.3 NMAC - Rn, 20 NMAC 2.102, 10/31/02]

20.2.2.4 DURATION: Permanent.
[10/27/95; 20.2.2.4 NMAC - Rn, 20 NMAC 2.103, 10/31/02]

20.2.2.5 EFFECTIVE DATE: October 27, 1995.
[10/27/95; 20.2.2.5 NMAC - Rn, 20 NMAC 2.104, 10/31/02]

20.2.2.6 OBJECTIVE: To provide specific definitions for terms used and not defined in air quality regulations 20.2.3 NMAC through 20.2.99 NMAC.
[10/27/95; 20.2.2.6 NMAC - Rn, 20 NMAC 2.105, 10/31/02]

20.2.2.7 DEFINITIONS: The following definitions apply to all Parts of Title 20, Chapter 2 NMAC.

A. "Administrator" means the administrator of the United States environmental protection agency (US EPA) or his or her designee.

B. "Aerodynamic diameter" means the diameter of a sphere of unit density which behaves aerodynamically the same as the particle of the test substance. It is used to predict where particles of different size and density may be deposited in the respiratory tract.

C. "Air contaminant" means any airborne substance, including but not limited to, any particulate matter, fly ash, dust, fumes, gas, mist, smoke, vapor, micro-organisms, radioactive material, any combination thereof or any decay or reaction product thereof.

D. "Air pollution" means the emission, except as such emission occurs in nature, into the outdoor atmosphere of one or more air contaminants in such quantities and duration as may with reasonable probability injure human health, animal or plant life, or as may unreasonable interfere with the public welfare, visibility or the reasonable use of property.

E. "Asbestos" includes chrysolite, crocidolite, amosite, anthophyllite, tremolite, and actinolite.

F. "Board" means the New Mexico environmental improvement board or its successor agency or authority.

~~**G. "Carbon dioxide"** means the chemical compound containing one atom of carbon and two atoms of oxygen.~~

H. "Carbon monoxide" means the chemical compound containing one atom of carbon and one atom of oxygen.

I. "Department" means the New Mexico environment department or its successor agency or authority, as represented by the department secretary or his or her designee.

J. "Federal act" means the Federal Clean Air Act, as amended, 42 U.S.C. sections 7401 et seq.

K. "Flue" means, any duct for air, gases, or the like, such as a stack or chimney.

L. "Fugitive dust" or "fugitive particulate matter" means particulate emissions which escape to the atmosphere due to leakage; materials handling, transfer or storage; travel over unpaved roads or parking areas; or other industrial activities, and which are not ducted through exhaust systems.

~~**M. "Greenhouse gas"** means any of the following: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons or sulfur hexafluoride.~~

- N.** "Heavy metal" means any metal having an atomic number greater than 21.
- ~~**O.** "Hydrofluorocarbons" means gaseous chemical compounds containing only hydrogen, carbon, and fluorine atoms.~~
- P.** "Hydrogen sulfide" means the chemical compound containing two atoms of hydrogen and one atom of sulfur.
- Q.** "Kraft pulp" means the fibrous cellulose material produced in a kraft mill.
- R.** "Lead" means elemental lead; alloys in which one of the elements is lead; or compounds containing lead, which are measured as elemental lead.
- ~~**S.** "Methane" means the chemical compound containing one atom of carbon and four atoms of hydrogen.~~
- T.** "mg/m³" means milligrams per cubic meter.
- U.** "Nitrogen dioxide" means the chemical compound containing one atom of nitrogen and two atoms of oxygen, for the purposes of ambient determinations. The term "nitrogen dioxide," for the purposes of stack emissions monitoring, shall include nitrogen dioxide (the chemical compound containing one atom of nitrogen and two atoms of oxygen), nitric oxide (the chemical compound containing one atom of nitrogen and one atom of oxygen), and other oxides of nitrogen which may test as nitrogen dioxide.
- ~~**V.** "Nitrous oxide" means the chemical compound containing two atoms of nitrogen and one atom of oxygen.~~
- W.** "Non-methane hydrocarbons" means any combination of hydrocarbons (chemical compounds consisting of hydrogen and carbon) excluding only the molecule methane.
- X.** "Ozone" means the chemical compound having the molecular composition of three oxygen atoms.
- Y.** "Particulate matter" means any airborne, finely divided solid or liquid material with an aerodynamic diameter smaller than 100 micrometers.
- Z.** "Particulate matter emissions" means all finely divided solid or liquid material, other than uncombined water, emitted to the ambient air as measured by: applicable reference methods; an equivalent or alternative method specified by the administrator; or a test method specified in the New Mexico state implementation plan.
- ~~**AA.** "Perfluorocarbons" means gaseous chemical compounds containing only carbon and fluorine atoms.~~
- AB.** "Person" means any individual; partnership; corporation; association; municipality; the state or political subdivision of the state; and any agency, department, or instrumentality of the United States and any of their officers, agents, or employees.
- AC.** "Photochemical oxidants" means those oxidizing chemical compounds which are the products of photo initiated reactions involving organic compounds and nitrogen oxides, consisting primarily of ozone and peroxyacetyl nitrate (PAN).
- AD.** "PM₁₀" means particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers.
- AE.** "PM₁₀ emissions" means finely divided solid or liquid material with an aerodynamic diameter less than or equal to a nominal 10 micrometers, emitted to the ambient air, as measured by: an applicable reference method; an equivalent or alternative method specified by the EPA administrator; or a test method specified in the New Mexico state implementation plan.
- AF.** "PM_{2.5}" means particulate matter with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers.
- AG.** "PM_{2.5} emissions" means finely divided solid or liquid material with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers, emitted to the ambient air, as measured by: an applicable reference method; an equivalent or alternative method specified by the EPA administrator; or a test method specified in the New Mexico state implementation plan.
- AH.** "ppm" means parts per million by volume.
- AI.** "Ringelmann scale" means the grading of opacity, appearance, density or shade of a smoke emission, in determining the light-obscuring power of smoke.
- AJ.** "Schedule of compliance" means a schedule or timetable, acceptable to the board, which clearly sets out in detail, the steps to be taken in achieving the objectives of a regulation or standard.
- AK.** "Secretary" means the secretary of the New Mexico environment department or his or her designee.

AL. "Smoke" means small gas-borne particles resulting from incomplete combustion, consisting predominantly, by not exclusively, of carbon, soot and combustible material.

AM. "Sulfur dioxide" means the chemical compound containing one atom of sulfur and two atoms of oxygen, for the purposes of ambient determinations. The term sulfur dioxide, for the purposes of stack emissions monitoring, shall include sulfur dioxide (chemical compound containing one atom of sulfur and two atoms of oxygen), and other oxides of sulfur which may test as sulfur dioxide.

~~**AN. "Sulfur hexafluoride"** means the chemical compound containing one atom of sulfur and six atoms of fluorine.~~

AO. "Total reduced sulfur" means any combination of sulfur compounds, except sulfur dioxide and free sulfur, which test as total reduced sulfur, including, but not limited to, hydrogen sulfide, methyl mercaptan, and ethyl mercaptan.

AP. "Total suspended particulates (TSP)" means particulate matter as measured by the method described in 40 CFR Part 50, Appendix B.

AQ. "ug/m3" means micrograms per cubic meter.

AR. "US EPA" means the United States environmental protection agency.

AS. "Volatile organic compound (VOC)" means any organic compound which participates in atmospheric photochemical reactions; that is, any organic compound other than those which the administrator designates as having negligible photochemical reactivity.

[10/27/95; 20.2.2.7 NMAC - Rn, 20 NMAC 2.2.200 10/31/02; A, 01/01/08; A, 08/31/09]

20.2.2.8 AMENDMENT AND SUPERSESION OF PRIOR REGULATIONS: This part supersedes AQCR 100, originally filed on January 23, 1970, and subsequently amended and refiled on May 26, 1971, September 1, 1971, September 14, 1973, June 14, 1974, July 15, 1974, February 7, 1983, May 26, 1983, August 1, 1988, and May 29, 1990.

[10/27/95; 20.2.2.8 NMAC - Rn, 20 NMAC 2.2.106, 10/31/02]

20.2.2.9 DOCUMENTS: Documents cited in this part may be viewed at the New Mexico Environment Department, Air Quality Bureau, Runnels Building, 1190 Saint Francis Drive, Santa Fe, NM 87503 [2048 Galisteo St., Santa Fe, NM 87505].

[10/27/95; 20.2.2.9 NMAC - Rn, 20 NMAC 2.2.107, 10/31/02]

HISTORY OF 20.2.2 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the commission of public records-state records center and archives:

HSSD 70-1, Ambient Air Quality Standards and Air Quality Control Regulations, 01/27/70.

AQCR 100, Air Quality Control Regulation 100 - Definitions, 02/07/83.

AQCR 100, Air Quality Control Regulation 100 - Definitions, 05/26/83.

EIB/AQCR 100, Air Quality Control Regulation 100 - Definitions, 08/01/88.

EIB/AQCR 100, Air Quality Control Regulation 100 - Definitions, 05/29/90.

History of Repealed Material: [RESERVED]

Other History:

EIB/AQCR 100, Air Quality Control Regulation 100 - Definitions, filed 05/29/90 was **renumbered** into first version of the New Mexico Administrative Code as 20 NMAC 2.2, Definitions, effective 10/27/95.

20 NMAC 2.2, Definitions (filed 09/27/95) was **renumbered, reformatted and replaced** by 20.2.2 NMAC, Definitions, effective 10/31/02.