

BEFORE THE ENVIRONMENTAL IMPROVEMENT BOARD
FOR THE STATE OF NEW MEXICO



IN THE MATTER OF PROPOSED
NEW REGULATION,
20.2.351 NMAC—*Greenhouse Gas Reduction Program*

NO. EIB 17-01 (R)

ORDER DENYING PETITION FOR HEARING

THIS MATTER came before the Environmental Improvement Board for the State of New Mexico on Youth Petitioners and WildEarth Guardians (“Petitioners”) June 27, 2017 Petition for Regulatory Change and request for hearing. The Environmental Improvement Board having read the submissions of Petitioners and the New Mexico Environment Department (“Department”) heard oral argument from Petitioners and the Department and otherwise being fully apprised of the circumstances, as explained more fully below, hereby denies the request for hearing at this time:

1. On June 27, 2017, Petitioners submitted a Petition to the New Mexico Environmental Improvement Board (“EIB”) to adopt proposed Rule 20.2.351 NMAC-*Greenhouse Gas Reduction Program*.
2. Petitioners also requested that EIB schedule a public hearing to consider evidence to support the adoption of the proposed rule.
3. Proposed Rule 20.2.351 NMAC-*Greenhouse Gas Reduction Program* is currently not enforceable as drafted. EIB encourages the Department and all interested stakeholders to confer and make changes to the proposed rule.
4. Until this is completed, this issue is not ripe for a hearing on the proposed rule.

ORDER

For the foregoing reasons, the request for hearing is denied.

By /s/ John Volkerding
JOHN VOLKERDING
Chair, Environmental Improvement Board

Dated: August 31, 2017

CERTIFICATE OF SERVICE

I hereby certify that a copy of the **Order Denying Petition for Hearing** was served to the following parties on August 31, 2017, Via email, and on September 1, 2017, Via mail:

Via hand delivery and email:

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