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## **New Mexico Opposes Air Protection Rollback**

(Santa Fe, NM) —Governor Bill Richardson and Attorney General Patricia Madrid said today that New Mexico will join a legal challenge against new federal rules that could weaken air quality protection in New Mexico and other states.

“The health of New Mexico’s citizens and environment is critical,” said Governor Bill Richardson. “Our nation has built a successful air quality program while its economy and public health have improved. We need to continue making progress toward cleaner air.”

“The proposed rule reverses existing air protection policy at the Environmental Protection Agency,” said Attorney General Madrid. “The existing policy is consistent with the Clean Air Act and should be maintained.”

In late August, the U.S. Environmental Protection Agency (EPA) relaxed clean air rules to allow thousands of industrial plants—including some of the nation’s oldest, largest and most polluting facilities—to make upgrades without installing modern pollution controls as has been required. This change to the EPA’s New Source Review (NSR) Program will affect about 50 facilities in New Mexico, including coal-fired power plants, large oil and gas facilities and copper smelters. The change will also affect many similar facilities in surrounding states that have an impact on New Mexico’s air.

The State of New Mexico will join at least 10 other states in a legal challenge of the EPA rule. The states will file a petition for review with the Washington D.C. Court of Appeals immediately upon publication of the new rule. The states will also file a motion to stay the final rule, which otherwise would become effective 60 days after its publication.

“Impressive air pollution improvements have been made in the past 30 years, but this proposed rule change would significantly weaken industry's incentive to continue this push,” said New Mexico Environment Secretary Ron Curry. “To continue to protect the

health and environment of New Mexicans, we need to uphold these incremental improvements that reduce pollution."