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ALBUQUERQUE-BERNALILLO COUNTY
AIR QUALITY CONTROL BOARD

IN THE MATTER OF THE PETITION TO ADOPT A STATE IMPLEMENTATION PLAN (SIP) FOR LEAD TO ADDRESS SECTIONS 110(a)(1) AND (2) OF THE FEDERAL CLEAN AIR ACT (CAA), 42 U.S.C. § 7410(a)(1) AND (2) HEREAFTER REFERRED TO AS THE "LEAD INFRASTRUCTURE SIP"

AQCB Petition No. 2011-6

Air Quality Division,
Environmental Health Department,
City of Albuquerque, Petitioner

Petition to adopt a State Implementation Plan (SIP) for Lead to address Sections 110(a)(1) and (2) of the federal Clean Air Act (CAA), 42 U.S.C. § 7410(a)(1) and (2) hereafter referred to as the "Lead Infrastructure SIP".

1. The City of Albuquerque, by and through the Air Quality Division (AQD) of the Environmental Health Department, asks the Albuquerque - Bernalillo County Air Quality Control Board (Air Board) to adopt a State Implementation Plan (SIP) to address Sections 110(a)(1) and (2) of the federal Clean Air Act (CAA), 42 U.S.C. § 7410(a)(1) and (2) hereafter referred to as the "Lead Infrastructure SIP". If adopted, this new SIP will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to the current SIP. This Petition includes a request for a hearing on these matters and permission to provide a court reporter and hearing officer for the hearing. As grounds, Petitioner states the following:

1. The New Mexico Air Quality Control Act (Air Act), NMSA 1978, Sections 74-2-4 and 74-2-5.B(1) [1967 as amended through 2007] authorizes and requires the Air

Board to adopt, amend, or replace air quality regulations and to adopt air quality plans (SIPs) under NMSA 1978, Section 74-2-5.B(2).

2. On October 15, 2008, the Administrator of the EPA revised the primary and secondary Lead (Pb) NAAQS from 1.5 micrograms per cubic meter (μg/m3) to 0.15 μg/m3 [Federal Register November 12, 2008, Vol. 73, No. 219, pp. 66964-67062], effective January 12, 2009. Pursuant to Sections 110(a)(1) and 110(a)(2) of the CAA, each State is required to submit a plan to provide for the implementation, maintenance, and enforcement of a newly promulgated or revised NAAQS within 3 years of promulgation of a new or revised standard. Section 110(a)(1) of the CAA addresses the timing requirement for the submissions of any "Infrastructure SIP" revisions, while Section 110(a)(2) of the CAA lists the required elements that comprise the "Infrastructure SIP". Therefore, this plan or "Infrastructure SIP" addressing the requirements of Sections 110(a)(2)(A)--(M) of the CAA is due October 15, 2011. This "Infrastructure SIP" is a compilation of elements that demonstrates how Albuquerque-Bernalillo County will implement, maintain and enforce the revised lead NAAQS, including: enforceable emission limitations and control measures, air quality monitoring and modeling, a permitting program, adequate funding and personnel, authority under state law to carry out the plan, emissions reporting, emergency powers, public participation, and fee collection.

3. It is anticipated that the hearing will take approximately 1 hour or less.

4. The Public Review Draft for the proposed "Lead Infrastructure SIP" is attached as AQD Exhibit #1a.

Respectfully submitted,

Bill Westmoreland, P.E.
Deputy Director
Environmental Health Department
City of Albuquerque
One Civic Plaza, NW, Suite 3023
Albuquerque, New Mexico 87103
(505) 768-2706

CERTIFICATION

I hereby certify that a copy of this **Petition to adopt a State Implementation Plan (SIP) to address Sections 110(a)(1) and (2) of the federal Clean Air Act (CAA), 42 U.S.C. § 7410(a)(1) and (2) hereafter referred to as the "Lead Infrastructure SIP"** was delivered to the following person on October 14, 2011.

Margaret Nieto
Secretary to the Air Quality Control Board
Environmental Health Department
One Civic Plaza, NW, Room 3023
Albuquerque, New Mexico 87103

and that a copy was provided to

Bill Grantham, Attorney to the Air Quality Control Board
at bill.grantham@state.nm.us.

Bill Westmoreland
Deputy Director
Environmental Health Department
City of Albuquerque