

# CITY OF ALBUQUERQUE



January 15, 2014

Mr. Ron Curry, Regional Administrator  
U.S. Environmental Protection Agency, Region VI (6-RA)  
1445 Ross Avenue, Suite 1200  
Dallas, TX 75202-2733

Re: Request for updated delegation of Federal NSPS and NESHAP standards via amendments to 20.11.63 NMAC, *New Source Performance Standards for Stationary Sources* and 20.11.64 NMAC, *Emission Standards for Hazardous Air Pollutants for Stationary Sources*

Dear Mr. Curry,

PO Box 1293

Albuquerque

NM 87103

[www.cabq.gov](http://www.cabq.gov)

I respectfully request that EPA update the City of Albuquerque Air Quality Program's (AQP) delegation of applicable requirements of 40 CFR Parts 60, 61, and 63, pursuant to Sections 111 and 112 of the federal Clean Air Act, as amended. The Albuquerque-Bernalillo County Air Quality Control Board (Air Board) adopted amendments to 20.11.63 NMAC, *New Source Performance Standards for Stationary Sources* and 20.11.64 NMAC, *Emission Standards for Hazardous Air Pollutants for Stationary Sources*, to incorporate delegated federal emissions standards promulgated through September 13, 2013, after a public hearing held on January 8, 2014. The amended regulations were subsequently filed with the New Mexico State Records Center on January 10, 2014, and become effective February 10, 2014.

The requested delegation will encompass applicable requirements through September 13, 2013. 40 CFR 63.91(a), *Applicable Approval Criteria*, requires that "a State must satisfy the criteria in Paragraph (d) of this section (i.e. 40 CFR 63.91(d), *Criteria for approval*) for up-front approval to obtain delegation of the Federal Section 112 rules, emission standards, or requirements. Once a State has demonstrated it meets the criteria in Paragraph (d) of this section (i.e. *Criteria for approval*), it only needs to reference that demonstration and reaffirm that it still meets the criteria in future submittals." The AQP reaffirms that it has previously satisfied the *Criteria for approval* relating to delegation of the Section 112 rules and that it will continue to carry out those requirements. In addition, 40 CFR 63.91(d)(3) states that "interim or final Title V program approval will satisfy the criteria set forth in 40 CFR 63.91(d), up-front approval criteria." This letter also serves to

reaffirm that the AQP as the agent for the Air Board, currently has an approved Title V program and will continue to meet the criteria for program approval under Title V.

Attached to this letter is a comprehensive list of all of the 40 CFR Part 60, 61, and 63 standards for which delegation is being requested.

If you require additional information about this request for updated delegation authority, please contact Ms. Margaret Nieto, Control Strategies Supervisor of the Air Quality Program at (505) 768-2637.

Sincerely,



Mary Lou Leonard  
Director  
Albuquerque Environmental Health Department

cc:

Dona Upson, MD, Chair,

Albuquerque - Bernalillo County Air Quality Control Board

Danny Nevarez, Deputy Director, Environmental Health

Margaret Nieto, Control Strategies Supervisor, AQP

Guy Donaldson, Chief, Air Planning Section (6PD-L), EPA Region VI

Jeff Robinson, Chief Air Permits Section (6PD-R), EPA Region VI

John Walser, Air Planning Section (6PD-L), EPA Region VI

Ken Boyce, Air Planning Section (6PD-L), EPA Region VI

Enclosures