UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

PENGAD 800-631-6989 AQD EXHIBIT 36

SEP 2 2010

Ms. Mary Lou Leonard
Director, Environmental Health Department
City of Albuquerque
Post Office Box 1293
Albuquerque, NM 87103

Dear Ms. Leonard:

Thank you for your letter dated July 16, 2010, responding to EPA's request that states submit information to the appropriate EPA Regional Administrator regarding their authority to issue Prevention of Significant Deterioration (PSD) or Title V permits for Greenhouse Gas (GHG) emissions sources consistent with EPA's final rulemaking titled "Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule." We appreciate your timely and detailed response to our request.

Taking into consideration the responses from all states, Administrator Lisa P. Jackson signed two proposed rulemakings on August 12, 2010. The first proposal outlines a proposed State Implementation Plan (SIP) call for those state agencies that do not appear to have authority or who have asserted to EPA that they do not have the authority under State law or their PSD permitting rules to permit GHG emissions. The second proposal outlines a proposed Federal Implementation Plan (FIP) which would be applied to any permitting authority that cannot or does not appear to be able to apply its PSD permitting program to sources of GHGs. Details of our August 12 action and copies of the signed Federal Register notices may be found at http://www.epa.gov/nsr. EPA is proposing to find that the City of Albuquerque Environmental Health Department (AEHD) does have the necessary authority under the Albuquerque PSD permitting rules to cover GHG emissions. In addition, please be aware that within 30 days from the date of these two proposed rulemakings being published in the Federal Register, we are requesting that the AEHD review the status of the Albuquerque PSD program and submit a letter to EPA if the Albuquerque PSD program cannot regulate GHG emissions.

If you have any further questions about the GHG Tailoring Rule or its implementation, please contact me at (214) 665-2100, or your staff may contact Mr. Jeff Robinson of my staff at (214) 665-6435.

Sincerely yours,

Al Armendariz
Regional Administrator