



# **Petition to Adopt a State Implementation Plan (SIP) for Sulfur Dioxide (SO<sub>2</sub>)**

**AQCB Petition No. 2015-1**

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# What is this about (in plain English)?

- Technical detail – why it's necessary
- The new sulfur dioxide (SO<sub>2</sub>) NAAQS: what is it?
- What do state/local agencies have to do?
  - Infrastructure SIP, or “iSIP”
- What are we asking the Air Board to do?
  - Adopt & submit iSIP

# Governing Statutory & Regulatory Provisions

- National Ambient Air Quality Standards (NAAQS), in Clean Air Act
- NAAQS reviewed every five years
- Submit “Infrastructure SIP” (iSIP) within 3 years of promulgation of new NAAQS
- iSIP demonstrates ability & authority to implement, maintain, and enforce new NAAQS

# Governing Statutory & Regulatory Provisions

- Legally required elements of iSIP:
  - Enforceable emission limits/control measures
  - Air quality monitoring & modeling
  - Permitting program
  - Emissions reporting
  - Adequate funding & personnel
  - State law authority to implement NAAQS
  - Emergency powers; fee collection
  - Other elements as well

# Regulatory Background

- EPA issued new SO<sub>2</sub> NAAQS, June 2010
- New standard: more stringent
  - One hour (versus 24 hours & one year)
  - 75 parts per billion (versus per million)
  - Precise formulation & calculation method

# Meeting the new standard

- Ambient air monitoring of SO<sub>2</sub> underway in Bernalillo County since 2010 (NCore program)
- 2014 SO<sub>2</sub> levels: less than 10% of the NAAQS
- EPA “attainment” designation?

# Regulatory Background

- SO<sub>2</sub> iSIP was due June 2013
- EPA has requested we make this a priority
- Air Board approval necessary

# Substance of Draft iSIP

- Public Review Draft demonstrates how Abq-BernCo meets 2010 SO<sub>2</sub> NAAQS
- iSIP proposes no new regulations or requirements
- No adverse impact of iSIP on citizens or businesses

# Request

- Hearing before Albuquerque-Bernalillo County Air Quality Control Board:
  - Adopt SO<sub>2</sub> iSIP
  - Submit adopted iSIP to EPA as proposed revision to New Mexico State Implementation Plan
- Provide a court reporter & hearing officer

# Authority

- New Mexico Air Quality Control Act, NMSA 1978, Sections 74-2-4 and 74-2-5.B(1)
- Authorizes and requires the Board to:
  - adopt, amend, or replace air quality regulations
  - adopt air quality plans (SIPs)
- See also:
  - City of Abq Ordinances, Section 9-5-1-4(B)
  - Bernalillo County Ordinances, Section 30-33(b)

**QUESTIONS?**