AQD EXHIBIT 3

Butt, Neal T.

From: Butt, Neal T.
Sent: Tuesday, December 21, 2010 6:45 PM
To: 'Medina.Dayana@epamail.epa.gov'
Cc: Donaldson.Guy@epamail.epa.gov; Kordzi.Joe@epamail.epa.gov; 'Shar.Alan@epamail.epa.gov'; Nieto, Margaret ; Wright, Janice C.
Subject: RE: EPA Comments on the Stakeholder Review Draft for the "Section 309" Regional Haze SIP for Albuquerque-Bernalillo County
Importance: High
Follow Up Flag: Follow up
Flag Status: Purple
Attachments: Appendix 2007-H Visibility Analysis Package.zip; Addendum to Appendix 2007-H.zip

Tracking:

Recipient	Read
'Medina.Dayana@epamail.epa.gov'	
Donaldson.Guy@epamail.epa.gov	
Kordzi.Joe@epamail.epa.gov	
'Shar.Alan@epamail.epa.gov'	
Nieto, Margaret	Read: 12/22/2010 9:32 AM
Wright, Janice C.	Read: 12/22/2010 8:10 AM

Dayana,

regarding your first comment: Our proposed amendments to 20.11.46 NMAC mirror Utah's rule R307-250, "Environmental Quality, Air Quality. Western Backstop Sulfur Dioxide Trading Program. This differs in respect to the language proposed by the document entitled "Document B3, Revised 2018 Milestone Penalty Provision, Model Rule Text, Draft dated 08-10-07, M. Special Penalty Provisions for the 2018 Milestone"; and the same language found in Wyoming's "10/5/10 Draft" "Emission Trading Program Regulation, Chapter 14". New Mexico is proposing to leave their parallel 2003 language as it is, and so it would not be consistent with either Utah or Wyoming. Therefore, we need a decision from you as to whether you want the language found in our proposed rule at 20.11.46.20.C.(2)-(4) to match Utah's (i.e. stricken out) or Wyoming's (8/10/07 template language).

regarding your second comment: We feel that the analysis submitted at the August 13, 2008 hearing as "Appendix 2007-H" and "addendum to Appendix 2007-H", listed under "AQD Exhibit 7" [see attached] and the summary found in the proposed RH SIP [Section L (b)] is adequate to satisfy our requirements under 40 CFR 51.309(g). Please review this analysis, and let us know if it is indeed adequate. If you find that it is not adequate, then we will need to have the inadequacies specified, and if they require additional time/resources, then we will need to delay our hearing until we can complete a more robust analysis.

we have scheduled the release of the Public Review Draft for December 28, 2010, so we would like to have your response by 4:00pm Mountain on Thursday, December 23, 2010, in order to stay on schedule for a March 9, 2011 hearing.

Thank you

Neal

"Full fathom five thy father lies;
Of his bones are coral made;
Those are pearls that were his eyes:
Nothing of him that doth fade,
But doth suffer a sea-change
Into something rich and strange.
Sea-nymphs hourly ring his knell:
Ding-dong.
Hark! now I hear them—Ding-dong, bell."

William Shakespeare - The Tempest - Ariel's Song

From: Medina.Dayana@epamail.epa.gov [mailto:Medina.Dayana@epamail.epa.gov]
Sent: Monday, December 20, 2010 3:15 PM
To: Butt, Neal T.
Cc: Donaldson.Guy@epamail.epa.gov; Kordzi.Joe@epamail.epa.gov
Subject: EPA Comments on the Stakeholder Review Draft for the "Section 309" Regional Haze SIP for Albuquerque-Bernalillo County

Dear Mr. Butt:

Thank you for giving the U.S. Environmental Protection Agency (EPA) the opportunity to comment on the stakeholder review draft showing proposed amendments to the "Section 309" Regional Haze State Implementation Plan (SIP) for Albuquerque-Bernalillo County. The following are our comments regarding the revisions to the Section 309 Regional Haze SIP that have been proposed by the Albuquerque-Bernalillo County Air Quality Control Board (AQCB):

- In Section C, Part A5 of the SIP Elements in the Section 309 Regional Haze SIP, the AQCB summarizes the Special Penalty Provisions for the 2018 Milestone, and explains that these are found in Section 20.11.46.20 of the New Mexico Administrative Code (NMAC). However, based on discussions in August 2007 between staff from EPA Regions 8 and 9 and SIP Writers from the Section 309 States (and Albuquerque), to the best of EPA's knowledge, the language found in the proposed revisions in Section 20.11.46.20 of the NMAC is inconsistent with the Model Rule language revisions discussed and agreed to by EPA and the Section 309 States. Specifically, the proposed elimination of Subsection C(2)-(4) of Section 20.11.46.20 is not consistent with the discussions on Model Rule language revisions discussed and agreed to by EPA and Section 309 States. Please coordinate with the Section 309 States to ensure the AQCB uses the correct Model Rule language.

- Per 40 CFR 51.309(g), each Section 309 State is required to address additional Class I areas not on the Colorado Plateau. The requirements in 40 CFR 51.309(g) include submitting a demonstration of expected visibility conditions for the most impaired and least impaired days at the additional mandatory

Class I Federal area(s) based on emissions projections from the long-term strategies in the implementation plan and provisions establishing reasonable progress goals and implementing any additional measures necessary to demonstrate reasonable progress for additional mandatory Federal Class I areas. As neither the Western Regional Air Partnership (WRAP) nor the AQCB have completed and submitted air modeling of Bernalillo County's effects on visibility at Class I Federal areas within New Mexico, EPA believes that the analysis described in Section L(b) of the SIP Elements in the Section 309 Regional Haze SIP for Albuquerque-Bernalillo County may be incomplete with regard to the requirements of 40 CFR 51.309(g)(1) and (2). We invite further discussions on how the AQCB should best address these requirements.

Region 6 may submit additional comments regarding the proposed revisions to the Section 309 Regional Haze SIP for Albuquerque-Bernalillo County at a later time. Region 6 continues to offer Albuquerque-Bernalillo County our support during the rule revision process. Please let us know how we may be of further assistance by contacting me at (214) 665-7241 or Guy Donaldson, Air Planning Section Chief, at (214) 665-7242.

Sincerely,

Dayana Medina

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