

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
 1445 ROSS AVENUE, SUITE 1200
 DALLAS, TX 75202-2733

AUG - 8 1995

Mr. Steve Walker
 Manager
 Air Pollution Control Division
 City of Albuquerque
 P.O. Box 1293
 Albuquerque, NM 87103

RE: Incorporation of 40 Code of Federal Regulations (CFR)
 Parts 61, 63, and 68 Regulations

Dear Mr. Walker:

Thank you for your letter dated July 10, 1995, submitting the amendment proposals for the Albuquerque/Bernalillo County Regulations Number 31 - Emission Standards for Hazardous Air Pollutants. This proposal includes a new numbering system format that is being instituted by the State of New Mexico. The proposed language submitted from the City of Albuquerque/Bernalillo County is for incorporation by reference of Federal section 112(d) Maximum Achievable Control Technologies (MACT) and other federal air toxic regulations promulgated prior to July 31, 1995.

Your request for delegation meets the requirements for the City of Albuquerque/Bernalillo County's commitment to adopt MACT's and air toxic regulations within a timely manner, as required by Title V of the Clean Air Act. The following requirements are applicable:

1. General Provisions
 40 CFR 63 Subpart A
2. Requirements for Control Technology Determinations for Major Sources in Accordance with Clean Air Act Sections (Section 112(j) only), 40 CFR 63 Subpart B
3. Regulations Governing Compliance Extensions for Early Reductions of Hazardous Air Pollutants (Section 112(i)(5)), 40 CFR 63 Subpart D
4. Approval of State Programs and Delegation of Federal Authorities (Section 112(l)), 40 CFR Part 63, Subpart E
5. National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Industry (Section 112(d) MACT standard), 40 CFR Part 63, Subpart F



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6. **National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater (Section 112(d) MACT standard), 40 CFR Part 63, Subpart G**
7. **National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks (Section 112(d) MACT Standard), 40 CFR Part 63, Subpart H**
8. **National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated regulation for Equipment Leaks (Section 112(d) MACT Standard), 40 CFR Part 63, Subpart I**
9. **National Emission Standards for Coke Oven Batteries (Section 112(d) MACT Standard), 40 CFR Part 63, Subpart L**
10. **National Perchloroethylene Air Emission Standards for Drycleaning Facilities (Section 112(d) MACT Standard), 40 CFR Part 63, Subpart M**
11. **National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (Section 112(d) MACT Standard), 40 CFR Part 63, Subpart N**
12. **National Emission Standards for Hazardous Air Pollutants for Ethylene Oxide Commercial Sterilization and Fumigation Operations (Section 112(d) MACT Standard), 40 CFR Part 63, Subpart O**
13. **National Emission Standards for Industrial Process Cooling Towers (Section 112(d) MACT Standard), 40 CFR Part 63, Subpart Q**
14. **National Emission Standards for Gasoline Distribution (Stage I) Facilities (Section 112(d) MACT Standard), 40 CFR Part 63, Subpart R**
15. **National Emission Standards for Hazardous Air Pollutants: Halogenated Solvent Cleaning (Section 112(d) MACT Standard), 40 CFR Part 63, Subpart T**
16. **National Emission Standard for Hazardous Air Pollutants: Epoxy Resins Production and Non-nylon Polyamides Production (Section 112(d) MACT Standard), 40 CFR Part 63, Subpart W**
17. **National Emission Standards for Hazardous Air Pollutants: Secondary Lead Smelters (Section 112(d) MACT Standard), 40 CFR Part 63, Subpart X**

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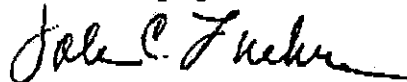
18. National Emission Standards for Hazardous Air Pollutants: Magnetic Tape Manufacturing Operations (Section 112(d) MACT Standard), 40 CFR Part 63, Subpart EE
19. List of Regulated Substances and Thresholds for Accidental Release Prevention and Risk Management Programs for Chemical Accident Release Prevention (Section 112(r)), 40 CFR Part 68, Subparts A and C

We have approved in 60 Federal Register (FR) 2527, January 10, 1995 the mechanism the City of Albuquerque/Bernalillo County will utilize to receive delegation for Title III requirements for major and area sources.

We appreciate the opportunity to review and comment on this regulation. After receipt of the final regulation and supporting documentation, we will prepare an FR notice of this delegation of authority for major and area sources for the section 112 hazardous air pollutant regulations listed above. We will follow the delegation procedures discussed in 40 CFR Part 63, subpart E (§ 63.91). We will continue to coordinate with the City of Albuquerque staff throughout the adoption process of incorporating Title III requirements.

If I can be of further assistance in this matter, please do not hesitate to contact me at (214) 665-7250 or Adele D. Cardenas of my staff at (214) 665-7210.

Sincerely yours,



Jole C. Luehrs
Chief
Air Permits Section (6PD-R)

cc: Ms. Sarah B. Kotchian
Director
Environmental Health Department