

**Request for Hearing:**  
**In the Matter of the Petition to Adopt A State  
Implementation Plan (SIP) For Nitrogen Dioxide  
(NO<sub>2</sub>) To Address Sections 110(a)(1) And (2) of the  
Federal Clean Air Act (CAA), 42 U.S.C. §  
7410(a)(1) And (2) Hereafter Referred To As the  
“NO<sub>2</sub> Infrastructure SIP”**

**AQCB Petition No. 2013-3**

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Margaret Nieto, Control Strategies Supervisor**

# Proposed NO<sub>2</sub> Infrastructure SIP

- Effective April 12, 2010, new 1-hour standard at a level of 100 ppb, based on the 3-year average of the 98th percentile of the yearly distribution of 1-hour daily maximum concentrations
- New monitoring required near major roads in larger urban areas [first tier]
- Characterize NO<sub>2</sub> concentrations representative of wider spatial scales in larger urban areas (area-wide monitors) [second tier]
- NO<sub>2</sub> exposures of susceptible and vulnerable populations [third tier]

# Proposed NO<sub>2</sub> Infrastructure SIP

- Submit 110(a) “Infrastructure SIP” within 3 years of promulgation (1/9/10)
- Demonstrate ability and authority to implement, maintain, and enforce NAAQS
- SIP elements:
  - Enforceable emission limitations and control measures, air quality monitoring and modeling, a permitting program, adequate funding and personnel, authority under state law to carry out the plan, emissions reporting, emergency powers, public participation, and fee collection

# Proposed NO<sub>2</sub> Infrastructure SIP

## Request for hearing

- Infrastructure SIP for NO<sub>2</sub>

Court Reporter & Hearing Officer

# Proposed NO<sub>2</sub> Infrastructure SIP

## Authority

- New Mexico Air Quality Control Act, NMSA 1978, Sections 74-2-4 and 74-2-5.B(1) [1967 as amended through 2007] authorizes and requires the Air Board to adopt, amend, or replace air quality regulations and to adopt air quality plans (SIPs) under NMSA 1978, Section 74-2-5.B(2)

Questions?

