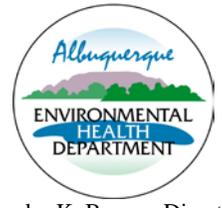




Tim Keller, Mayor

**AIR QUALITY CONSTRUCTION PERMIT #3340-RMD**  
**FACILITY CDS #NM/001/02442**  
**Facility ID: FA0007616; Record ID: PR0009169**



Sandra K. Begay, Director

Issued to: New Mexico Terminal Services, LLC  
9615 Broadway Blvd. SE  
Albuquerque, New Mexico 87105

Certified Mail No. XXXX  
Return Receipt Requested

Responsible Official: Karl Pergola, Managing Member

Pursuant to the New Mexico Air Quality Control Act, Chapter 74, Article 2 New Mexico Statutes Annotated 1978 (As Amended); the Joint Air Quality Control Board Ordinance, 9-5-1 to 9-5-99 ROA 1994; the Bernalillo County Joint Air Quality Control Board Ordinance, Bernalillo County Ordinance 94-5; the Albuquerque/Bernalillo County Air Quality Control Board (A/BCAQCB) Regulation Title 20, New Mexico Administrative Code (20 NMAC), Chapter 11, Part 40 (20.11.40 NMAC), Air Contaminant Source Registration; and A/BCAQCB Regulation Title 20, NMAC, Chapter 11, Part 41 (20.11.41 NMAC), Construction Permits; **New Mexico Terminal Services, LLC** (Company or Permittee) is hereby issued this **CONSTRUCTION PERMIT** and authorized to operate the following equipment at:

Facility/Location	Facility Process Description	SIC	NAICS
New Mexico Terminal Services 9615 Broadway Blvd. SE Albuquerque, NM 87105 UTMN: 3869300 UTME: 347500	400 ton/hr Hot Mix Asphalt Plant	2951	324121

This **CONSTRUCTION** permit number 3340-RMD has been issued based on the review of the application received by the Albuquerque Environmental Health Department (Department), Air Quality Program on February 23, 2018 and additional information received on May 6, 2019, and on the National Ambient Air Quality Standards, New Mexico Ambient Air Quality Standards, and Air Quality Control Regulations for Albuquerque/Bernalillo County, as amended. As these standards and regulations are updated or amended, the applicable changes will be incorporated into permit number 3340-RMD and will apply to the Facility.

Issued on the \_\_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
Isreal Tavarez, Environmental Health Manager  
Air Quality Program  
Environmental Health Department  
City of Albuquerque

**I. CONDITIONS:** Conditions have been imposed in this permit to assure continued compliance. 20.11.41.19.D NMAC, states that any term or condition imposed by the Department on a permit or permit modification is enforceable to the same extent as a regulation of the Board. Pursuant to 20.11.41 NMAC, the Facility is subject to the following conditions:

**1. Construction and Operation:** Compliance will be based on Department inspections of the Facility, reviews of production records, submission of appropriate permit applications for modification, and timely notification to the Department regarding equipment substitutions and relocations.

a) This permit authorizes the operation of the following equipment:

**Process Equipment Table**

Process Units Number	Process Units Description	Manufacturer	Model Number	Serial Number	Manufacture Date	Installation Date	Rated Process Rate	Unit Subject To NSPS
1	Railcar Hopper	TBD*	TBD*	TBD*	TBD*	TBD*	133.3 tph	No
2	Rail Hopper Conveyor	TBD*	TBD*	TBD*	TBD*	TBD*	133.3 tph	No
3	Rail Telescoping Conveyor	TBD*	TBD*	TBD*	TBD*	TBD*	133.3 tph	No
4	Aggregate Storage Piles	N/A	N/A	N/A	N/A	TBD*	133.3 tph	No
5	Aggregate Truck Loading	N/A	N/A	N/A	N/A	TBD*	100 tph	No
6	HMA RAP Storage Pile	N/A	N/A	N/A	N/A	TBD*	140 tph	No
7	HMA Cold Aggregate Feed Bins (6)	TBD*	TBD*	TBD*	TBD*	TBD*	230 tph	No
8	HMA Cold Aggregate Feed Bin Conveyor	TBD*	TBD*	TBD*	TBD*	TBD*	230 tph	No
9	HMA Scalping Screen	TBD*	TBD*	TBD*	TBD*	TBD*	230 tph	No
10	HMA Scalping Screen Conveyor	TBD*	TBD*	TBD*	TBD*	TBD*	230 tph	No
11	HMA Pug Mill	TBD*	TBD*	TBD*	TBD*	TBD*	236 tph	No
12	HMA Scale Conveyor	TBD*	TBD*	TBD*	TBD*	TBD*	236 tph	No
13	HMA Slinger Conveyor	TBD*	TBD*	TBD*	TBD*	TBD*	236 tph	No
14	HMA RAP Bin	TBD*	TBD*	TBD*	TBD*	TBD*	140 tph	No
15	HMA RAP Crusher	TBD*	TBD*	TBD*	TBD*	TBD*	140 tph	No
16	HMA RAP Crusher Conveyor	TBD*	TBD*	TBD*	TBD*	TBD*	140 tph	No
17	HMA RAP Screen	TBD*	TBD*	TBD*	TBD*	TBD*	140 tph	No
18	HMA RAP Screen Conveyor	TBD*	TBD*	TBD*	TBD*	TBD*	140 tph	No
19	HMA RAP Screen Conveyor	TBD*	TBD*	TBD*	TBD*	TBD*	140 tph	No

Process Units Number	Process Units Description	Manufacturer	Model Number	Serial Number	Manufacture Date	Installation Date	Rated Process Rate	Unit Subject To NSPS
20	HMA RAP Screen Conveyor	TBD*	TBD*	TBD*	TBD*	TBD*	140 tph	No
21	HMA Mineral Filler Silo	TBD*	TBD*	TBD*	TBD*	TBD*	25 tph max	Yes
22	HMA Drum Dryer/Mixer	TBD*	TBD*	TBD*	TBD*	TBD*	400 tph	Yes
23	HMA Incline Conveyor	TBD*	TBD*	TBD*	TBD*	TBD*	400 tph	No
24	HMA Silos (3)	TBD*	TBD*	TBD*	TBD*	TBD*	400 tph	No
25	HMA Heater	TBD*	TBD*	TBD*	TBD*	TBD*	2.5 MMBtu/hr	No
26	HMA Cement Storage Tanks (2)	TBD*	TBD*	TBD*	TBD*	TBD*	5206 gal/hr	No
27	Haul Roads	N/A	N/A	N/A	N/A	N/A	N/A	No
28	HMA Yard	N/A	N/A	N/A	N/A	TBD*	400 tph	No

\* TBD – to be determined, see Condition 5.c)

#### Air Pollution Control Equipment\*

Type of Control Equipment	Process Unit Number Controlled	Manufacturer	Model Number	Serial Number	Rated Process Rate	Control Efficiency
HMA Mineral Filler Silo Baghouse	21	TBD	TBD	TBD	Unknown	99%**
HMA Drum Dryer/Mixer Baghouse	22	TBD	TBD	TBD	32,000 ACFM	99.88%

\* Each Baghouse stack must meet NSPS (40 CFR §60.92) limits for opacity and particulates

\*\* Engineering judgment based on lower end of Baghouse controls

- b) All equipment shall be maintained as per manufacturer specifications to ensure the emissions remain at or below the permitted levels.
- c) This Facility shall be constructed and operated in accordance with information provided on the permit application received February 23, 2018 and additional information received on May 6, 2019, and in accordance with the legal authority specified above and the conditions of this permit.
- d) The Facility is subject to federal New Source Performance Standards (NSPS), Code of Federal Regulations (CFR), Title 40, Part 60, Subpart I - Standards of Performance for Hot Mix Asphalt Facilities, and Subpart A - General Provisions. The affected Facility has commenced construction or modification after June 11, 1973:
  - i. At all times, stack emissions from Process Unit #21 HMA Mineral Filler Silo shall be routed to the Baghouse to comply with 40 CFR 60, Subpart I. Particulate emissions to the atmosphere from Process Unit #21 HMA Mineral Filler Silo Baghouse shall not exceed 0.04 grains/dry standard cubic foot of particulate matter from the stack outlet and shall not exhibit 20% opacity or greater. To comply with 40 CFR 60, Subpart I, particulate emissions to the atmosphere from the Baghouse and the Process Unit #21 HMA Mineral Filler Silo Baghouse loadout shall each not exhibit 20% opacity or greater.
  - ii. At all times, stack emissions from Process Unit #22 HMA Drum Dryer/Mixer shall be routed to the Baghouse to comply with 40 CFR 60, Subpart I. Particulate emissions to the atmosphere from Process Unit #22 HMA Drum Dryer/Mixer Baghouse shall not exceed 0.04 grains/dry standard cubic foot of particulate matter from the stack outlet and shall not exhibit 20% opacity or greater. To comply with 40 CFR 60, Subpart I, particulate emissions to the atmosphere from the Baghouse and the Process Unit #22 HMA Drum Dryer/Mixer Baghouse loadout shall each not exhibit 20% opacity or greater.

- e) Replacement of emission units for which an allowable emissions limit has been established in the permit may be requested by the permittee through a technical permit revision in accordance with 20.11.41.28.B NMAC
- f) The operation of the following equipment located at the Facility is restricted as follows:
  - i. Fencing/barriers shall be installed and maintained restricting access to the property prior to the beginning of operation;
  - ii. Recycled asphalt pavement (RAP) production shall not exceed a 140 tons per hour (tph) production rate;
  - iii. Hot mix asphalt (HMA) production shall not exceed a 400 tph production rate;
  - iv. The HMA plant (except Process Units #1, #2, #3, #5 and #25 and paved/unpaved aggregate haul roads) shall be subject to seasonal limitations on operation:
    - 1) during the months of December through February, 4am to 9pm, 7 days per week;
    - 2) during the months of March through November, continuously.
  - v. The following process units and activities may operate continuously:
    - 1) railcar and truck operations (Process Units #1, #2, #3 and #5);
    - 2) the heater (Process Unit #25); and
    - 3) rail hopper truck traffic on paved aggregate haul road (PAGG) and unpaved aggregate haul roads (UPA) as shown in Appendix A.
  - vi. The production limits for the HMA plant are the following:
    - 1) the total annual production is limited to 800,000 tons;
    - 2) during the months of December through February, the total daily production is limited to 3200 tons;
    - 3) during the months of March through May, the total daily production is limited to 4000 tons;
    - 4) during the months of June through November, the total daily production is limited to 4800 tons.
  - vii. Railcar unloading operations are limited to 3200 tons per day.
  - viii. Transport of aggregate to off-site locations is limited to 96 roundtrips per day on roads PAGG and UPA. Please see Appendix A for identification of the haul road sections.
  - ix. The Facility is subject to seasonal operating restrictions based on air dispersion modeling of the Facility at this location to demonstrate compliance with the National Ambient Air Quality Standards and New Mexico Ambient Air Quality Standards for NO<sub>2</sub>, CO, SO<sub>2</sub>, PM<sub>2.5</sub>, PM<sub>10</sub>, and TSP;
  - x. Process Unit #22 is authorized to burn either on-specification used oil meeting the specifications listed in 40 CFR § 279.11 or natural gas/propane as the fuel. The permittee shall collect and retain the following records:
    - 1) Fuel delivery manifest that states the fuel type as gasoline, natural gas, LPG (propane), or the manifest states the sulfur content by weight percent of used oil and number of gallons purchased.
    - 2) In addition, for Used Oil, analysis or certification from the transporter, demonstrating that each shipment of Used Oil meets the fuel specification of 40.CFR § 279.11, or an annual certification from each supplier, indicating that all shipments of used oil meet the fuel specifications of 40 CFR § 279.11.
- g) Process Unit #25 is authorized to burn natural gas/propane or low sulfur diesel;
- h) All HMA sources must remain at least 150 ft. from the property fence, except for the rail car, rail car transfer points, and the entrance road.
- i) The entrance road shall be paved. Please see Appendix A for identification of the sections of the road (HMAP and PAGG) that must be paved;

- j) Material storage piles shall be watered to control fugitive dust emissions from leaving the property;
- k) Process Units #8, #11 and #14 shall each be operated with an atomized water spray bar. This condition has been placed in the permit based on air dispersion modeling of the Facility at this location to demonstrate compliance with the National Ambient Air Quality Standards and New Mexico Ambient Air Quality Standards for PM<sub>2.5</sub>, PM<sub>10</sub>, and TSP; and,
- l) In the event of a malfunction causing the differential pressure for the Process Unit #22 HMA Drum Dyer/Mixer Baghouse to go outside of operating range as determined through compliance testing or manufacturer specifications, the Facility shall be shut down and repairs shall be made to the affected equipment. Operation of the Facility shall not re-commence until the capture and control equipment for Unit #22 HMA Drum Dyer/Mixer is fully functional.
- m) Vehicle traffic areas and haul roads shall be maintained and controlled pursuant to 20.11.20.12.A. NMAC, General Provisions, Fugitive Dust Control. That is, “each person shall use reasonably available control measures or any other effective control measure during active operations or on inactive disturbed surface areas, as necessary to prevent the release of fugitive dust, whether or not the person is required by 20.11.20 NMAC to obtain a fugitive dust control permit. It shall be a violation of 20.11.20 NMAC to allow fugitive dust, track out, or transported material from any active operation, open storage pile, stockpile, paved or unpaved roadway disturbed surface area, or inactive disturbed surface area to cross or be carried beyond the property line, right-of-way, easement or any other area under control of the person generating or allowing the fugitive dust if the fugitive dust may: 1) with reasonable probability injure human health or animal or plant life; or 2) unreasonably interfere with the public welfare, visibility or the reasonable use of property; or 3) be visible for a total of 15 minutes or more during any consecutive one hour observation period using the visible fugitive dust detection method in 20.11.20.26 NMAC or an equivalent method approved in writing by the Department.” The permittee shall use any of the control measures to prevent visible emissions of fugitive dust from being generated as specified by 20.11.20.23 NMAC.
- n) Before initiating operation, the permittee shall notify the Department of an email address for the Facility to receive Department-initiated shut down notices in the case of high wind events, and shall shut down as soon as practical upon receiving such notices.
- o) Changes in plans, specifications, and other representations proposed in the application documents shall not be made if they will increase the potential to emit or cause a change in the method of control of emissions or in the character of emissions. Any such proposed changes shall be submitted as a modification to this permit. No modification shall begin prior to issuance of a permit.
- p) The emission of a regulated air pollutant in excess of the quantity, rate, opacity, or concentration specified in an air quality regulation or permit condition that results in an excess emission is a violation of the air quality regulation or permit condition and may be subject to an enforcement action. The owner or operator (permittee) of a source having an excess emission shall, to the extent practicable, operate the source, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions. This condition is pursuant to 20.11.49.14 NMAC.

2. **Unit Emission Limits:** Condition 2, Unit Emission Limits, has been placed in the permit in accordance with 20.11.41.19.B NMAC, and 40 CFR 60 Subpart I to allow the Department to determine compliance with the terms and conditions of the permit. These were the emission rates stated in the permit application and are the basis of the Department's review. Compliance will be based on Department inspections of the Facility and upon compliance with the emission limits and opacity readings conducted in accordance with the test methods specified in Condition 6 - **Compliance Tests**.

a) The HMA plant shall not exceed the emission limits stated in the table below. Tons per year emissions shall be based on a 12-month rolling total.

**Criteria Pollutants**

Unit No.	NO <sub>x</sub> lb/hr	NO <sub>x</sub> tpy	CO lb/hr	CO tpy	VOC lb/hr	VOC tpy	SO <sub>2</sub> lb/hr	SO <sub>2</sub> tpy	TSP lb/hr	TSP tpy	PM <sub>10</sub> lb/hr	PM <sub>10</sub> tpy	PM <sub>2.5</sub> lb/hr	PM <sub>2.5</sub> tpy	Percent Opacity <sup>4</sup>	Record-Keeping <sup>1</sup>	Monitoring <sup>1</sup>	Reporting <sup>1</sup>	Compliance Testing <sup>2</sup>
1	--	--	--	--	--	--	--	--	0.06	0.24	0.03	0.11	0.004	0.02	20%	N/A	N/A	N/A	N/A
2	--	--	--	--	--	--	--	--	0.02	0.08	0.006	0.03	0.002	0.008	20%	Yes	Yes	Yes	No
3	--	--	--	--	--	--	--	--	0.02	0.08	0.006	0.03	0.002	0.008	20%	Yes	Yes	Yes	No
4	--	--	--	--	--	--	--	--	0.63	2.76	0.30	1.30	0.05	0.20	20%	Yes	Yes	Yes	No
5	--	--	--	--	--	--	--	--	0.47	1.67	0.22	0.79	0.03	0.12	20%	Yes	Yes	Yes	No
6	--	--	--	--	--	--	--	--	0.20	0.20	0.09	0.09	0.01	0.01	20%	Yes	Yes	Yes	No
7	--	--	--	--	--	--	--	--	1.09	1.09	0.51	0.51	0.08	0.08	20%	Yes	Yes	Yes	No
8	--	--	--	--	--	--	--	--	0.03	0.03	0.01	0.01	0.003	0.003	20%	Yes	Yes	Yes	No
9	--	--	--	--	--	--	--	--	0.51	0.51	0.17	0.17	0.01	0.01	20%	Yes	Yes	Yes	No
10	--	--	--	--	--	--	--	--	0.03	0.03	0.01	0.01	0.003	0.003	20%	Yes	Yes	Yes	No
11	--	--	--	--	--	--	--	--	0.03	0.03	0.01	0.01	0.007	0.008	20%	Yes	Yes	Yes	No
12	--	--	--	--	--	--	--	--	0.03	0.03	0.01	0.01	0.003	0.003	20%	Yes	Yes	Yes	No
13	--	--	--	--	--	--	--	--	0.03	0.03	0.01	0.01	0.003	0.003	20%	Yes	Yes	Yes	No
14	--	--	--	--	--	--	--	--	0.20	0.20	0.09	0.09	0.01	0.01	20%	Yes	Yes	Yes	No
15	--	--	--	--	--	--	--	--	0.17	0.17	0.08	0.08	0.003	0.004	20%	Yes	Yes	Yes	No
16	--	--	--	--	--	--	--	--	0.02	0.02	0.006	0.006	0.002	0.002	20%	Yes	Yes	Yes	No
17	--	--	--	--	--	--	--	--	0.31	0.31	0.10	0.10	0.007	0.007	20%	Yes	Yes	Yes	No
18	--	--	--	--	--	--	--	--	0.02	0.02	0.006	0.006	0.002	0.002	20%	Yes	Yes	Yes	No
19	--	--	--	--	--	--	--	--	0.02	0.02	0.006	0.006	0.002	0.002	20%	Yes	Yes	Yes	No

Unit No.	NO <sub>x</sub> lb/hr	NO <sub>x</sub> tpy	CO lb/hr	CO tpy	VOC lb/hr	VOC tpy	SO <sub>2</sub> lb/hr	SO <sub>2</sub> tpy	TSP lb/hr	TSP tpy	PM <sub>10</sub> lb/hr	PM <sub>10</sub> tpy	PM <sub>2.5</sub> lb/hr	PM <sub>2.5</sub> tpy	Percent Opacity <sup>4</sup>	Record-Keeping <sup>1</sup>	Monit-oring <sup>1</sup>	Report-Ing <sup>1</sup>	Comp-liance Testing <sup>2</sup>
20	--	--	--	--	--	--	--	--	0.02	0.02	0.006	0.006	0.002	0.002	20%	Yes	Yes	Yes	No
21	--	--	--	--	--	--	--	--	0.18	0.04	0.12	0.03	0.009	0.002	20%	Yes	Yes	Yes	No
22	22	22	52	52	13	13	23	23	13	13	9.2	9.2	9.2	9.2	20%	Yes	Yes	Yes	Yes
23	--	--	0.47	0.47	4.9	4.9	--	--	0.23	0.23	0.23	0.23	0.23	0.23	20%	Yes	Yes	Yes	No
24	--	--	0.54	0.54	1.7	1.7	--	--	0.21	0.21	0.21	0.21	0.21	0.21	20%	Yes	Yes	Yes	No
25 <sup>3</sup>	0.39	1.71	0.20	0.90	0.03	0.12	0.14	0.61	0.04	0.17	0.04	0.17	0.04	0.17	20%	Yes	Yes	Yes	No
26	--	--	--	--	0.03	0.13	--	--	--	--	--	--	--	--	20%	Yes	Yes	Yes	No
27	--	--	--	--	--	--	--	--	8.57	9.97	1.99	2.28	0.30	0.37	N/A	Yes	Yes	Yes	No
28	--	--	0.14	0.14	0.44	0.44	--	--	--	--	--	--	--	--	20%	Yes	Yes	Yes	No
<b>Total</b>	<b>22.4</b>	<b>23.7</b>	<b>53.4</b>	<b>54.1</b>	<b>20.1</b>	<b>20.3</b>	<b>23.1</b>	<b>23.6</b>	<b>26.1</b>	<b>31.2</b>	<b>13.5</b>	<b>15.5</b>	<b>10.2</b>	<b>10.7</b>					

<sup>1</sup> Refer to Conditions 3, 4 and 5 for unit specific record keeping/monitoring, and reporting requirements

<sup>2</sup> Refer to Condition 6 for unit specific compliance testing requirements

<sup>3</sup> Emission Units #22 and 25 can burn only one fuel at a time, maximum emissions rate from burning either natural gas or diesel used in table

<sup>4</sup> Compliance with the opacity emission limit shall be determined in accordance with 20.11.5.12 and 15 NMAC.

#### HAPs In Excess of 1 Ton Per Year

Pollutant	Emissions in Tons per Year (TPY)
Formaldehyde	1.24
Toluene	1.16
<b>Total HAP*</b>	<b>4.20</b>

\*The total HAP emissions may not agree with the sum of individual HAPs because only individual HAPs greater than 1 tpy are listed in this table

- b) In accordance with 40 CFR Part 60, Subpart I § 60.92(a)(1), Emission Units #21 and #22 shall not discharge gases into the atmosphere, which contain particulate matter in excess of 90 mg/dscm (0.04 gr/dscf).
- c) In accordance with 40 CFR Part 60, Subpart I § 60.92 (a)(2), Emission Units #21 and #22 shall not exceed 20 percent opacity for any six (6) minute timed average.
- d) Pound per hour (lb/hr) Nitrogen Oxides (NO<sub>x</sub>) and/or Carbon Monoxide (CO) emission rates for Emission Units #22 and #25 shall be based on a 3-hour average.
- e) Except for the haul roads (Emission Unit #27), the remaining units shall not cause or allow fugitive emissions that exceed 20 percent opacity six (6) minute time-average. This condition is pursuant to 20.11.5.12 NMAC.

3. **Record keeping:** Condition 3 has been placed in the permit in accordance with 20.11.41.19.B(4) NMAC and 20.11.41.19.C(8) and (9) NMAC to allow the Department to determine compliance with the terms and conditions of the permit. Compliance will be based on Department inspection of records and logs.
- a) Maintain records of the daily and monthly production throughput (in tons) for the HMA Plant. Throughput records shall be maintained in order to calculate daily, monthly, seasonal, and annual throughputs.
  - b) From December 1<sup>st</sup> through the last day of February, maintain daily records of the number of hours of operation for the HMA Plant. These records shall also include the start and stop times for each day of plant operation. Hours of operation records shall be maintained in order to calculate daily and seasonal hours of operation.
  - c) Maintain records of the daily and monthly railcar and truck loading and unloading throughput in tons. Throughput records shall be maintained in order to calculate daily, monthly, seasonal, and annual throughputs.
  - d) Maintain the following recordkeeping requirements to comply with 40 CFR 60, NSPS Subpart I:
    - i. For the Emission Unit #21:
      - 1) Records shall be kept of the date, and start and stop times of each silo loading and of EPA Method 9 opacity observations required monthly. The Baghouse differential pressure shall be recorded at a minimum of every 3 minutes for the duration of silo loading.
      - 2) The Baghouse manufacturer's specified normal differential pressure range shall be recorded along with the differential pressure readings and the simultaneous percent opacity readings that correlate with compliance of the 40 CFR 60, NSPS Subpart I opacity limit. The Permittee shall have this record available at all times of operation.
      - 3) Records shall be kept of any deviation in Baghouse differential pressure, the cause of the deviation, the time silo loading ceased for repairs, the time silo loading commenced after repairs, and the corrective actions taken.
    - ii. For the Emission Unit #22 HMA Drum Dryer/Mixer Baghouse:
      - 1) Records shall be kept of the EPA Method 9 opacity observations required monthly and the Baghouse differential pressure readings recorded at a minimum of every 1 minute during the opacity observations.
      - 2) The Baghouse manufacturer's specified normal differential pressure range shall be recorded along with the differential pressure readings and the simultaneous percent opacity readings that correlate with compliance of the 40 CFR 60, NSPS I opacity limit. The Permittee shall have this record available at all times of operation. The Baghouse differential pressure shall be recorded at a minimum of once per hour of operation.
      - 3) Records shall be kept of any deviation in differential pressure, the cause of the deviation, the time operations ceased for repairs, the time operations commenced after repairs, and the corrective actions taken.
      - 4) During night operations, the Drum Mixer/Dryer Baghouse differential pressure shall be continuously recorded using the data logger.
  - e) Record the total number of round trips per day on roads PAGG and UPA. Haul truck traffic records shall be maintained in order to calculate hourly and annual traffic for Emission Unit #27.
  - f) Maintain the following records of the used fuel oil delivered to the site to be used in Emission Unit #22:
    - i. Fuel delivery manifest that states the type of fuel, and
    - ii. Analysis or certification from the transporter, demonstrating that each shipment of Used Oil meet the fuel specification of 40 CFR § 279.11, or
    - iii. An annual certification from each supplier, indicating that all shipments of Used Oil will meet the fuel specification of 40 CFR § 279.11.

- g) Maintain records of the application of water and/or chemical surfactant to haul roads and daily application of water to raw material storage piles. If application of water is not required, the daily record shall indicate why application was not necessary (i.e. recent rain, snowfall, etc.).
- h) Maintain records of the daily observation of fugitive dust and the potential for fugitive dust to carry beyond the property line and a description of measures taken to mitigate such issues.
- i) Maintain records of the date and time when the Facility is shut down during high wind events.

4. **Monitoring:** Condition 4 has been placed in the permit in accordance with 20.11.41.19.B(4) NMAC and 20.11.41.19.C(3),(4),(5),(6) and (7) NMAC to allow the Department to determine compliance with the terms and conditions of the permit. Compliance will be based on Department inspection of equipment and logs. The permittee shall install the appropriate equipment deemed necessary by the Department for performance testing and continuous emissions monitoring.

- a) Monitor the daily, monthly, seasonal, and annual production throughput (in tons) for the HMA Plant.
- b) Monitor the daily and seasonal hours of operation for the HMA Plant.
- c) Monitor the daily, monthly, seasonal, and annual railcar and truck loading and unloading throughput in tons.
- d) Monitor Emission Units #21 and #22 as following:

i. Emission Unit #21 Mineral Filler Silo:

While the Facility is operating, the following monitoring shall be conducted to confirm proper operation of Mineral Filler Silo Baghouse.

- 1) Method 9 Opacity tests shall be conducted according to the requirements of 40 CFR 60, Subpart I and Appendix A.
- 2) At least once each calendar month, the Permittee shall conduct an EPA Method 9 Opacity test on the Mineral Filler Silo Baghouse for the duration of the silo batch loading to verify that the Baghouse is not damaged, that the silo stack is secured to and emissions are routed to the Baghouse, and that compliance with 40 CFR 60, NSPS I opacity limits is demonstrated.
- 3) Concurrently during any visible emissions monitoring of the Mineral Filler Silo Baghouse, the Baghouse differential pressure shall be monitored for the duration of the silo loading.
- 4) The Mineral Filler Silo Baghouse differential pressure shall be monitored for the duration of the silo loading. Filling shall cease immediately if the pressure drop is not within the manufacturer's specified normal operating range or the range correlating with opacity tests demonstrating compliance with the NSPS I opacity limits. Loading shall not commence until the cause of the deviation is determined and rectified.

ii. Emission Unit #22 HMA Drum Dryer/Mixer:

While the Facility is operating, the following monitoring shall be conducted to confirm proper operation of the HMA Drum Dryer/Mixer Baghouse.

- 1) EPA Method 9 Opacity tests shall be conducted according to the requirements of 40 CFR 60, Subpart I and Appendix A.
- 2) At least once each calendar month and upon installation at each relocation, the Permittee shall conduct a EPA Method 9 Opacity test on the HMA Drum Dryer/Mixer Baghouse for a minimum of six (6) minutes to verify that the Baghouse is not damaged, that the stack(s) is secured to and emissions are routed to the Baghouse, and that compliance with 40 CFR 60, NSPS I opacity limits is demonstrated.
- 3) Concurrently during any visible emissions monitoring of the HMA Drum Dryer/Mixer Baghouse, differential pressure shall be continuously monitored and recorded.

- 4) During operation, the HMA Drum Dryer/Mixer Baghouse differential pressure shall be monitored. Operations shall cease immediately if the pressure drop is not within the manufacturer's specified normal operating range or the range correlating with opacity tests demonstrating compliance with the NSPS I opacity limits. Operations shall not commence until the cause of the deviation is determined and rectified.
  - e) Monitor the daily round trips on roads PAGG and UPA.
  - f) Monitor application of water and/or chemical surfactant to haul roads and daily application of water to raw material storage piles.
  - g) Monitor fugitive dust emissions and the potential for fugitive dust to carry beyond the property line and measures taken to mitigate such issues.
  - h) Monitor the date and time when the Facility shuts down during high wind events.
5. **Reporting:** Condition 5 has been placed in the permit in accordance with 20.11.41.21 NMAC and 20.11.90 NMAC to allow the Department to determine compliance with the terms and conditions of the permit. Compliance will be based on timely submittal of the reports, notifications, and required information and shall be made in accordance with CFR Title 40, Part 60, Subpart A - General Provisions and 20.11.41.21 NMAC.

The permittee shall notify the Department in writing of:

- a) The anticipated startup of the source not less than 30 days prior to that date (20.11.41.21.A(1) NMAC);
- b) The actual date of initial startup of the source within 15 days after the initial startup date (20.11.41.21.A(3) NMAC);
- c) All information labeled "TBD" cited under Condition I.1.a) within 30 days of installation of any process equipment;
- d) Any change in control or ownership, within 15 days of the change in control or ownership. In the event of any such change in control or ownership, the permittee shall notify the succeeding owner of the existence of the permit and shall provide a true and correct copy of the permit to the new owner. The permit conditions apply to the new owner in the event of any change in control or ownership of the facility. At minimum, an administrative permit revision is required to request any change in control or ownership of the facility. The permittee may request an administrative permit revision in accordance with 20.11.41.28.A NMAC;
- e) Any permit update or correction as required by 20.11.41 NMAC no more than 60 days after the permittee knows or should have known about the condition that requires updating or correction of the permit (20.11.41.21.A(6) NMAC);
- f) The anticipated date of the switch of fuel in the hot mix drum (Emission Unit #22 not less than 30 days prior to that date;
- g) An annual (January 1 through December 31 of the previous year) emissions inventory to include the annual hours of operation for the Facility together with descriptions of any reconfiguration of process technology and air pollution equipment by March 15 every year. The emissions inventory shall be calculated based on each individual pollutant's permitted pound per hour rate and reported for the actual hours of operation. Emission rates that are determined through compliance testing shall be used for all emission inventory reporting requirements (20.11.41.21.B NMAC); and,

- h) The permittee of a source having an excess emission shall provide the department with the following reports on forms provided by the department:
  - i. **INITIAL REPORT:** The permittee shall file an initial report, no later than the end of the next regular business day after the time of discovery of an excess emission pursuant to 20.11.49.15.A(1) NMAC;
  - ii. **FINAL REPORT:** The permittee shall file a final report, no later than 10 days after the end of the excess emission. If the period of an excess emission extends beyond 10 days, the permittee shall submit the final report to the department within 72 hours of the date and time the excess emission ceased. This condition is pursuant to 20.11.49.15.A(2) NMAC and 20.11.49.15.C NMAC; and,
  - iii. **ALTERNATIVE REPORTING:** If the Facility is subject to the reporting requirements of 40 CFR Parts 60, 61, and 63 and the federal requirements duplicate the requirements of 20.11.49.15 NMAC, then the federal reporting requirements shall suffice. This condition is pursuant to 20.11.49.15.D NMAC.

6. **Compliance Tests:** Condition 6 has been placed in the permit in accordance with CFR Title 40, Part 60, Subpart A General Provisions, 20.11.41.22 NMAC and 20.11.90.13 NMAC. Compliance will be based on the satisfactory completion of the compliance tests, the timely submittal of the emission unit test results to the Department, and on meeting the emission limits specified in Condition 2.

- a) For the Emission Unit #22 Baghouse, initial compliance tests shall be conducted in order to demonstrate compliance with the standard for particulate matter of any gas pursuant to 40 CFR 60, Subpart I § 60.92(a)(1), and the standard for opacity pursuant to 40 CFR 60, Subpart I § 60.92(a)(2). Initial compliance tests of the hot mix drum Baghouse shall be conducted utilizing used oil or natural gas/propane, depending on which fuel is available in the field, within the timeframes specified in Condition I.6.d).
- b) For the Emission Unit #22 Baghouse, initial compliance tests shall also be conducted in order to demonstrate compliance of the lb/hr emission limits for NO<sub>x</sub> and CO stated in Condition 2. Initial compliance tests of the hot mix drum Baghouse shall be conducted utilizing used oil or natural gas/propane, depending on which fuel is available in the field, within the timeframes specified in Condition I.6.d).
- c) Annual compliance tests have been imposed on the Emission Unit #22 Baghouse to demonstrate compliance with the standard for particulate matter of any gas pursuant to 40 CFR 60, Subpart I § 60.92(a)(1), and the standard for opacity pursuant to 40 CFR 60, Subpart I § 60.92(a)(2). Annual compliance tests of the hot mix drum Baghouse shall be conducted utilizing used oil or natural gas/propane as the fuel. Compliance tests shall be conducted in accordance with EPA methods contained in Appendix A of 40 CFR, Part 60, unless otherwise approved by the Department.
- d) The initial compliance tests shall be conducted within 60 days after achieving the maximum production rate at which the newly constructed or modified stationary source will be operated, but no later than 180 days of initial startup of the newly constructed or modified source. (20.11.41.22 NMAC and CFR Title 40, Subpart A “General Provisions”)
- e) Compliance tests for the remainder of the facility have not been imposed at this time.
- f) Compliance tests may be reimposed if inspections of the source indicate non-compliance with permit conditions or the previous test showed non-compliance with permit conditions or was technically unsatisfactory.
- g) The owner or operator (permittee) shall notify the Department at least 30 days prior to any test imposed on the permittee and allow a representative of the Department to be present at the test. (40 CFR 60.8(d), Subpart A)
- h) The permittee shall provide a written test protocol for the Department’s approval at least 15 days prior to the anticipated test date. The protocol shall describe the test methods to be used (including sampling locations), and

shall describe data reduction procedures. Any variation from the established sampling and analytical procedures or from Facility standard operating conditions shall be presented for Department approval and shall not occur unless Department approval has first been provided in writing.

- i) The tests shall be conducted at ninety (90%) percent or greater of the Facility’s permitted capacity to demonstrate compliance with the permitted emission limits. Compliance testing at other than 90% production levels shall be performed at the Department's request and/or approval. (40 CFR § 60.8(c), Subpart A)
- j) One copy of the compliance test results for any imposed test shall be submitted to the Department Enforcement Section within 30 days after the completion of testing. The test results shall conform to the standard format specified by the Department.
- k) The frequency of compliance tests for Emission Unit #22 may be reduced by the Department if the source has shown continual compliance with the emission limits stated in this permit and inspections of the source have demonstrated compliance with all conditions of this permit. The permittee may submit to the Department a written petition for a request to waive any compliance test imposed by the Department. The petition must be approved by the Department prior to waiving a compliance test. A waiver request must be received at least **60 days** before the due date of a test.

**Unit Specific Compliance Testing**

<b>Emission Unit</b>	<b>Initial Compliance Test</b>	<b>Frequency of Compliance Test</b>
HMA Drum Dryer /Mixer Baghouse (Natural gas or propane as fuel in drum)	NOx, CO, Particulate Matter and Opacity	Annually for Particulate Matter and Opacity
HMA Drum Dryer /Mixer Baghouse (Used oil as fuel in drum)	NOx, CO, Particulate Matter and Opacity	Annually for Particulate Matter and Opacity
Remainder of the facility	Not Required*	Not Required*

\* Compliance tests have not been imposed for this unit at this time, but may be imposed if inspections of the source indicate non-compliance with permit conditions.

- 7. **Modifications:** Condition 7 has been placed in the permit in accordance with 20.11.41.7.U NMAC, to enable the Department to review proposed changes to the Facility which may constitute a permit modification prior to such changes. Compliance will be based on Department inspections, the submittal of a new permit application for any modification and the issuance of a modified permit before any modification takes place.
  - a) Any future physical changes or changes in the method of operation which results in an increase in the pre-controlled emission rate or emission of a contaminant not previously emitted may constitute a modification as defined by 20.11.41.7.U NMAC. No modification shall begin prior to issuance of a permit. Modifications or revisions to this permit shall be processed in accordance with 20.11.41 NMAC.
- 8. **Administrative and Technical Revisions:** Condition 8 has been placed in the permit in accordance with 20.11.41.28.A and B NMAC, respectively, to enable the Department to make administrative or technical revision to a permit. Compliance will be based on the Department inspections, the submittal of the request for an administrative or technical revision and the issuance of the administrative or technical revision before the changes take place.
- 9. **Compliance Assurance/Enforcement:** All air pollution emitting facilities within Bernalillo County are subject to all applicable Albuquerque/Bernalillo County Air Quality Control Regulations, whether listed in this permit or not.

- a) The issuance of a permit or registration does not relieve the Facility from responsibility of complying with the provisions of the Air Quality Control Act, and the laws and regulations in force pursuant to the Act. (20.11.41.18 NMAC).
- b) Any conditions imposed upon the Facility in a Construction Permit or any other permit issued by the Department shall be enforceable to the same extent as a regulation of the Board. (20.11.41.19.D NMAC).
- c) The Department is authorized to issue a compliance order requiring compliance and assessing a civil penalty not to exceed Fifteen Thousand and no/100 Dollars (\$15,000) per day of noncompliance for each violation or to commence a civil action in district court for appropriate relief, including a temporary and permanent injunction. (74-2-12 NMSA).
- d) Scheduled and Unscheduled Inspection (74-2-13 NMSA) -- The Department will conduct scheduled and unscheduled inspections to insure compliance with the Air Quality Control Act, the laws and regulations in force pursuant to the Act, and this permit. Upon presentation of credentials the Department:
  - i. Shall have a right of entry to, upon, or through any premises on which an emission source is located or on which any records required to be maintained by regulations of the Board or by any permit condition are located;
  - ii. May at any reasonable time have access to and copy any records required to be established and maintained by Regulations of the Board, or any permit condition;
  - iii. May inspect any monitoring equipment and method required by Regulations of the Board or by any permit condition; and,
  - iv. Sample any emissions that are required to be sampled pursuant to Regulation of the Board, or any permit condition.
- e) Any credible evidence may be used to establish whether the Facility has violated or is in violation of any regulation of the Board, or any other provision of law. Credible evidence and testing shall include, but is not limited to (20.11.41.27A and B NMAC):
  - i. A monitoring method approved for the source pursuant to 20.11.42 NMAC "Operating Permits" and incorporated into an operating permit;
  - ii. Compliance methods specified in the Regulations, conditions in a permit issued to the Facility, or other provision of law;
  - iii. Federally enforceable monitoring or testing methods, including methods in CFR Title 40 Parts 51, 60, 61, and 75; and,
  - iv. Other testing, monitoring or information-gathering methods that produce information comparable to that produced by any CFR method and approved by the Department and EPA.

**10. Posting of the Permit:** Compliance will be based on Department inspections of the Facility, which show that a copy of the permit has been posted in a visible location. A copy of this permit shall be posted in a visible location at the plant site at all times. The permit shall be made available to Department personnel for inspection upon request.

**11. Annual Fees**-- Condition 11 has been placed in the permit in accordance with 20.11.2 NMAC to allow the Department to determine compliance with the terms and conditions of the permit. Compliance will be based on the timely receipt of the annual emissions fee due each year to the Department pursuant to 20.11.2 NMAC. Every owner or operator (permittee) of a source that is required to obtain a source registration, a Construction permit, an operating permit, or a preconstruction permit shall pay an annual emissions fee pursuant to 20.11.2 NMAC, 20.11.40 NMAC, 20.1.41 NMAC, 20.11.42 NMAC, 20.11.60 NMAC, 20.11.61 NMAC, or 20.11.62 NMAC.

**Facility Wide Fee Pollutants  
(Tons Per Year)**

Fee Pollutant	Facility Wide Fee Pollutant Totals in Tons per Year (TPY)
Carbon Monoxide (CO)	54
Oxides of Nitrogen (NO <sub>x</sub> )	24
Total Suspended Particulate Matter (TSP)*	31
Oxides of Sulfur (SO <sub>x</sub> )	24
Volatile Organic Compounds (VOC)	20
Hazardous Air Pollutants (HAP)	4
<b>Facility Wide Fee Pollutants Totals (TPY)</b>	<b>157</b>

\*Note: This total includes controlled tons per year for storage piles and haul roads

## II. ADDITIONAL REQUIREMENTS

1. **Permit Cancellation**-- The Department may cancel any permit if the construction or modification has not commenced within two (2) years from the date of issuance or if, during the construction or modification, work is suspended for a total of one (1) year pursuant to 20.11.41.20.B NMAC.

2. **Department Contact Information**

Application for permit modifications, relocation notices and items listed under **ADDITIONAL REQUIREMENTS** shall be submitted to:

Albuquerque Environmental Health Department  
Air Quality Program  
Permitting Section  
P.O. Box 1293  
Albuquerque, New Mexico 87103

Test protocols and compliance test reports shall be submitted to:

Albuquerque Environmental Health Department  
Air Quality Program  
Attention: Enforcement Supervisor  
P.O. Box 1293  
Albuquerque, New Mexico 87103

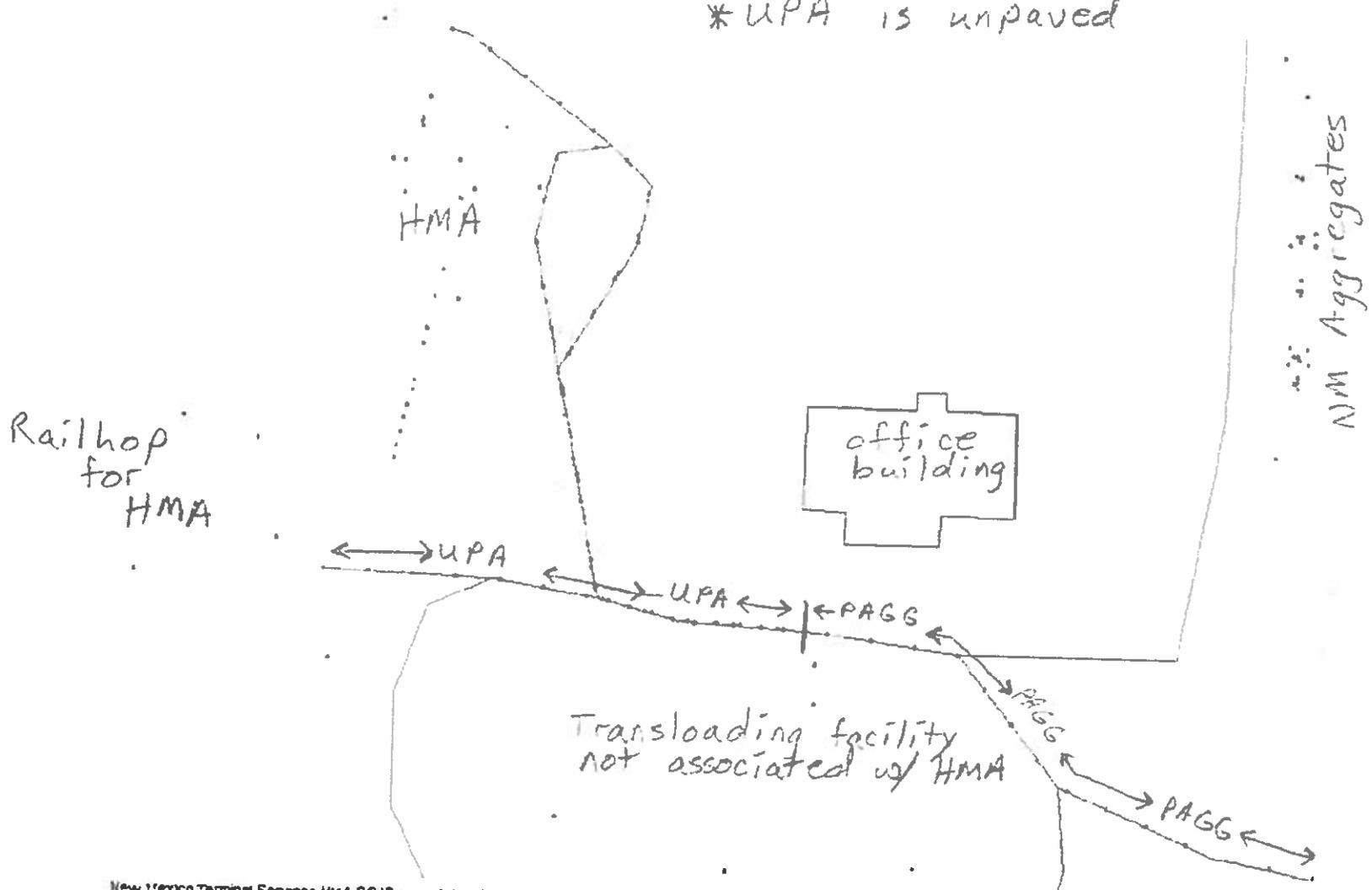
All reports shall be submitted to:

Albuquerque Environmental Health Department  
Air Quality Program  
Attention: Compliance Officer  
P.O. Box 1293  
Albuquerque, New Mexico 87103

# Truck traffic/Roads for the HMA railhop

\* PAGA is paved

\* UPA is unpaved



# Truck traffic/roads that serve HMA

- \* HMAP is Paved
- \* RAP and ASP do not need to be paved

