



Timothy M. Keller
Mayor

Environmental Health Department
Air Quality Program
Regulatory Review



Danny Nevarez
Acting Director

To: Permit File, Enforcement File

From: Carina G. Munoz-Dyer, Environmental Health Scientist

Date: February 22, 2018

Subject: Permit application #3278 and Certificate of Registration **CDS #NM/001/02428**

Location: ABCWUA North Valley Stock Pile
5408 2nd Street NW
Albuquerque, NM 87107
13S UTM 33882659 E, 372721 N

Proposal: An application was received by the Department from the Albuquerque Bernalillo County Water Utility Authority (ABCWUA) for an existing construction and demolition (C&D) debris processing facility located at 5408 2nd Street NW, Albuquerque, NM 87107 on September 13, 2017. The application is to process a C&D debris from utility repairs and construction projects that are hauled to this site, where it is mechanically screened to separate soil from other waste materials such as asphalt, concrete, and metal. The soil is then stockpile for use as backfill material for other excavations, and the other waste components are sent to be recycled. The facility will be powered by one (1) 55 hp diesel-fired generator set. The application seeks to restrict the facility to 2,080 hours of operation per year.

Applicability: *Source Registration, 20.11.40 NMAC*
Any source which emits more than 2000 lbs of any air contaminant per year must obtain a Registration Certificate from the Department.

Authority-to-Construct, 20.11.41 NMAC

20.11.41.2.C(1) – Applicable as the applicant will be installing equipment which is subject to 20.11.63 NMAC, *New Source Performance Standards for Stationary Sources*.

Permit Fees, 20.11.2 NMAC

The review fees and annual fees below were adjusted for the Consumer Price Index on January 1, 2017.

20.11.2.18.C(2) – Proposed sources with a proposed allowable emission rate equal to or greater than one ton per year and less than five tons per year: \$823.00

The \$823.00 review fee was paid on 9/21/2017.

Annual emissions fee:

20.11.2.21.B – Annual emission fees for sources issued a permit pursuant to 20.11.41 NMAC: \$207.00 per year or \$49.00 per ton, whichever is greater. The annual emission fees are estimated to be \$207.00 per year.

Emission Unit #	CO TPY	NO _x TPY	SO ₂ TPY	VOC TPY	TSP TPY
Totals*	0.48	1.1	0.15	0.18	2.0
Total = 4 tpy	0.5	1.0	0**	0**	2

*The Tons per Hour for each pollutant are the controlled emission with additional safety factors provided in the application.

**Emissions negligible regarding fees are rounded to zero tpy

Federal Program Applicability:

SCREENS: SCR-N-1 AND SCR-N-2

40 CFR 60, Subpart 000 – Standards of Performance for Nonmetallic Mineral Processing Plants

60.670(a)(1): ..., the provisions of this subpart are applicable to the following affected facilities in fixed or portable nonmetallic mineral processing plants: each crusher, grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, enclosed truck or railcar loading station.

SCR-N-01 and SCR-N-02 were constructed after August 31, 1983 and are capable of processing 150 tons per hour of material and are subject to 40 CFR 60, Subpart 000.

§60.672 Standard for particulate matter (PM).

(b) Affected facilities must meet the fugitive emission limits and compliance requirements in Table 3 of this subpart within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under §60.11. The requirements in Table 3 of this subpart apply for fugitive emissions from affected facilities without capture systems and for fugitive emissions escaping capture systems.

(d) Truck dumping of nonmetallic minerals into any screening operation, feed hopper, or crusher is exempt from the requirements of this section.

Table 3 to Subpart 000 of Part 60—Fugitive Emission Limits

For Affected facilities (as defined in §§60.670 and 60.671) that commenced construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008

- The owner or operator must meet the following fugitive emissions limit for grinding mills, screening operations, bucket elevators, transfer points on belt conveyors, bagging operations, storage bins, enclosed truck or railcar loading stations or from any other affected facility (as defined in §§60.670 and 60.671) 10 percent opacity
- The owner or operator must demonstrate compliance with these limits by conducting an initial performance test according to §60.11 of this part and §60.675 of this subpart.

SCR-N-01 and SCR-N-02 are subject to the requirements of 40 CFR 60, Subpart 000, Table 3. The haul trucks dumping materials into the screens are not subject to this regulation.

Based on the applicability to 40 CFR 60, Subpart 000, SCR-N-01 and SCR-N-02 must comply with the following monitoring, testing, recordkeeping and/or reporting requirements.

Monitoring

No monitoring requirement to this equipment per 60.674

Testing:

§60.675 Test methods and procedures.

(b) *The owner or operator shall determine compliance with the PM standards in §60.672(a) as follows:*

(1) *Except as specified in paragraphs (e)(3) and (4) of this section, Method 5 of appendix A-3 of this part or Method 17 of appendix A-6 of this part shall be used to determine the particulate matter concentration. The sample volume shall be at least 1.70 dscm (60 dscf). For Method 5 (40 CFR part 60, appendix A-3), if the gas stream being sampled is at ambient temperature, the sampling probe and filter may be operated without heaters. If the gas stream is above ambient temperature, the sampling probe and filter may be operated at a temperature high enough, but no higher than 121 °C (250 °F), to prevent water condensation on the filter.*

(2) *Method 9 of appendix A-4 of this part and the procedures in §60.11 shall be used to determine opacity.*

(c)(1) *In determining compliance with the particulate matter standards in §60.672(b) or §60.672(e)(1), the owner or operator shall use Method 9 of appendix A-4 of this part and the procedures in §60.11, with the following additions:*

(i) *The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet).*

(ii) *The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (Method 9 of appendix A-4 of this part, Section 2.1) must be followed.*

(iii) *For affected facilities using wet dust suppression for particulate matter control, a visible mist is sometimes generated by the spray. The water mist must not be confused with particulate matter emissions and is not to be considered a visible emission. When a water mist of this nature is present, the observation of emissions is to be made at a point in the plume where the mist is no longer visible.*

(3) *When determining compliance with the fugitive emissions standard for any affected facility described under §60.672(b) or §60.672(e)(1) of this subpart, the duration of the Method 9 (40 CFR part 60, appendix A-4) observations must be 30 minutes (five 6-minute averages). Compliance with the applicable fugitive emission limits in Table 3 of this subpart must be based on the average of the five 6-minute averages.*

Reporting and Recordkeeping

§60.676 Reporting and recordkeeping.

(f) The owner or operator of any affected facility shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in §60.672 of this subpart, including reports of opacity observations made using Method 9 (40 CFR part 60, appendix A-4) to demonstrate compliance with §60.672(b), (e) and (f).

ENGINE, ENG-01

40 CFR 60, Subpart IIII – Standards of Performance for Stationary Compression Ignition Internal Engines

§60.4200(a): The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary compression ignition (CI) internal combustion engines (ICE) and other persons as specified in paragraphs (a)(1) through (4) of this section.

§60.4200(a)(4): The provisions of §60.4208 of this subpart are applicable to all owners and operators of stationary CI ICE that commence construction after July 11, 2005.

§60.4204(a): Owners and Operators of pre-2007 model year non-emergency stationary CI ICE with displacement of less than 10 liters per cylinder must comply with the emission standards of new CI engines in Table 1 to this subpart.

§60.4208(c): After December 31, 2014, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 19 KW (25 HP) and less than 56 KW (75 HP) that do not meet the applicable requirements for 2013 model year non-emergency engines.

Based on the information provided by Trinity, the Engine (ENG-01) was manufactured in July 27, 2005, installed sometime in 2005 with a process rate of 55 hp and displacement of 3.1, 4.1 and 6.1 liters. Therefore, per Table 1 to Subpart IIII of Part 60, the emissions standards for this engine are: 9.2 g/KW-hr or 6.9 g/HP-hr of NOx. Therefore, the engine has to comply with NSPS IIII.

Based on the applicability to 40 CFR 60, Subpart IIII, ENG-01 must comply with the following monitoring, testing, recordkeeping and/or reporting requirements.

Monitoring

§60.4209(a): the owner or operator of an emergency stationary CI internal combustion engine that does not meet the standards applicable to non-emergency engines, must install a non-resettable hour meter prior to startup of the engine.

Compliance:

§60.4211

(a) If you are an owner or operator and must comply with the emission standards specified in this subpart, you must do all of the following, except as permitted under paragraph (g) of this section:

- (1) Operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's emission-related written instructions;*
- (2) Change only those emission-related settings that are permitted by the manufacturer; and*
- (3) Meet the requirements of 40 CFR parts 89, 94 and/or 1068, as they apply to you.*

- (b) *If you are an owner or operator of a pre-2007 model year stationary CI internal combustion engine and must comply with the emission standards specified in §§60.4204(a) or 60.4205(a), or if you are an owner or operator of a CI fire pump engine that is manufactured prior to the model years in table 3 to this subpart and must comply with the emission standards specified in §60.4205(c), you must demonstrate compliance according to one of the methods specified in paragraphs (b)(1) through (5) of this section.*
- (1) *Purchasing an engine certified according to 40 CFR part 89 or 40 CFR part 94, as applicable, for the same model year and maximum engine power. The engine must be installed and configured according to the manufacturer's specifications.*
 - (2) *Keeping records of performance test results for each pollutant for a test conducted on a similar engine. The test must have been conducted using the same methods specified in this subpart and these methods must have been followed correctly.*
 - (3) *Keeping records of engine manufacturer data indicating compliance with the standards.*
 - (4) *Keeping records of control device vendor data indicating compliance with the standards.*
 - (5) *Conducting an initial performance test to demonstrate compliance with the emission standards according to the requirements specified in §60.4212, as applicable.*

Testing

§60.4212: What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of less than 30 liters per cylinder?

Owners and operators of stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests pursuant to this subpart must do so according to paragraphs (a) through (e) of this section.

- (a) *The performance test must be conducted according to the in-use testing procedures in 40 CFR part 1039, subpart F, for stationary CI ICE with a displacement of less than 10 liters per cylinder.*

Notification, Reporting and Recordkeeping

ENG-01 is not subject to any notification, reporting or recordkeeping requirements per 60.4214. However, source still has to meet the compliance requirements according to 60.4211(b)(1) through (5), which require recordkeeping.

40 CFR 63, Subpart ZZZZ – National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

63.6585: *You are subject to this subpart if you own or operate a stationary RICE at a major or area source of HAP emissions, except if the stationary RICE is being tested at a stationary RICE test cell/stand.*

- (a) *A stationary RICE is any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile. Stationary RICE differ from mobile RICE in that a stationary RICE is not a non-road engine as defined*

at 40 CFR 1068.30, and is not used to propel a motor vehicle or a vehicle used solely for competition.

- (b) A major source of HAP emissions is a plant site that emits or has the potential to emit any single HAP at a rate of 10 tons (9.07 megagrams) or more per year or any combination of HAP at a rate of 25 tons (22.68 megagrams) or more per year, except that for oil and gas production facilities, a major source of HAP emissions is determined for each surface site.
- (c) An area source of HAP emissions is a source that is not a major source.
- (d) If you are an owner or operator of an area source subject to this subpart, your status as an entity subject to a standard or other requirements under this subpart does not subject you to the obligation to obtain a permit under 40 CFR part 70 or 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart as applicable.

The maximum allowable emissions of HAPs for ENG-01 is 0.00182 tpy, therefore, ENG-01 is considered an existing stationary RICE located at an area source of HAP emissions.

§63.6603 What emission limitations, operating limitations, and other requirements must I meet if I own or operate an existing stationary RICE located at an area source of HAP emissions?

Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in §63.6620 and Table 4 to this subpart.

- (a) If you own or operate an existing stationary RICE located at an area source of HAP emissions, you must comply with the requirements in Table 2d to this subpart and the operating limitations in Table 2b to this subpart that apply to you.

Table 2D to Subpart ZZZZ of Part 63—Requirements for Existing Stationary RICE located at Area Sources of HAP Emissions.

1. Non-Emergency, non-black start CI stationary RICE ≤300 HP

You must:

- a. Change oil and filter every 1,000 hours of operation or annually, whichever comes first;
- b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary;
- c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

During period of startup you must: Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.

Table 2B: Operating Limitations for New and Reconstructed 2SLB and CI Stationary RICE >500 HP Located at a Major Source of HAP Emissions, New and Reconstructed 4SLB Stationary RICE ≥250 HP Located at a Major Source of HAP Emissions, Existing CI Stationary RICE >500 HP.

ENG-01 has a capacity of 55 HP; therefore, the limitation on Table 2B do not apply to this source.

Reporting

63.6605 What are my general requirements for complying with this subpart:

(a) *You must be in compliance with the emission limitations, operating limitations, and other requirements in this subpart that apply to you at all times.*

(b) *At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.*

§63.6645 What notifications must I submit and when?

(a) *You must submit all of the notifications in §§63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) that apply to you by the dates specified if you own or operate any of the following;*

(2) *An existing stationary RICE located at an area source of HAP emissions.*

§63.6650 What reports must I submit and when?

(a) *You must submit each report in Table 7 of this subpart that applies to you.*

Table 7 does not list any requirements for Stationary RICE with a 55 hp in an area source. Therefore, ENG-01 does not have any reporting requirements.

Recordkeeping

§63.6655 What records must I keep?

(a) *If you must comply with the emission and operating limitations, you must keep the records described in paragraphs (a)(1) through (a)(5), (b)(1) through (b)(3) and (c) of this section.*

(1) *A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirement in §63.10(b)(2)(xiv).*

(2) *Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment.*

(3) *Records of performance tests and performance evaluations as required in §63.10(b)(2)(viii).*

(4) *Records of all required maintenance performed on the air pollution control and monitoring equipment.*

(5) *Records of actions taken during periods of malfunction to minimize emissions in accordance with §63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.*

(b) *For each CEMS or CPMS, you must keep the records listed in paragraphs (b)(1) through (3) of this section.*

(1) *Records described in §63.10(b)(2)(vi) through (xi).*

(2) *Previous (i.e., superseded) versions of the performance evaluation plan as required in §63.8(d)(3).*

(3) *Requests for alternatives to the relative accuracy test for CEMS or CPMS as required in §63.8(f)(6)(i), if applicable.*

(c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must keep the records of your daily fuel usage monitors.

ENG-01 will have to comply with the recordkeeping requirements of 63.6655 (a)(1) through a(5). ENG-01 will not fire landfill gas or digester gas and the ABCWUA will not be installing a CEMS. Therefore, the recordkeeping requirements of 63.6655(b) and (c) do not apply to this engine.

20.11.5 NMAC – Visible Air Contaminants

20.11.5.2 Scope: *This Part is applicable to the following:*

B. Stationary Sources: *Visible emissions and operational limitations shall be applicable to the sources listed in this Part.*

20.11.5.13 Specific Stationary Sources

C. Diesel-Powered Engine: *No person shall cause or allow visible emissions from any stationary diesel-powered engine to exceed 20 percent opacity, 6 minute time-averaged. During the first 20 minutes of cold startup the visible emissions shall not exceed 40 percent opacity, 6 minute time-averaged. Additionally, no increase of load shall be applied so as to cause an emission having an opacity greater than 40 percent during any time interval.*

ENG-01 shall not cause or allow visible air emissions that exceed 20 percent opacity for any six (6) minute timed average. During the first twenty (20) minutes of cold start-up, the visible emissions shall not exceed 40 percent opacity for any (6) minute timed average. No increase of load shall be applied so as to cause an emission having an opacity greater than 40 percent during any time interval.

20.11.20 NMAC – Fugitive Dust Control

20.11.20.2 Scope

B. Exempt: *20.11.20 NMAC does not apply to sources within Bernalillo county that are:*

(4) stationary source operations subject to 20.11.41 NMAC, Authority to Construct, or 20.11.42 NMAC, Operating Permits, that produce fugitive dust as defined in 20.11.20 NMAC, but only if the source of fugitive dust is addressed and controlled through permit conditions required by a 20.11.41 NMAC or 20.11.42 NMAC permit; however, construction at a stationary source site, whether it involves new construction or a site modification, is subject to 20.11.20 NMAC.

The stationary sources operations at this facility are subject to 20.11.41 NMAC; therefore, the stationary sources at this facility are exempt to 20.11.2 NMAC.

20.11.63 NMAC – New Source Performance Standards for Stationary Sources

20.11.63.2 Scope: *20.11.63 NMAC is applicable to all stationary sources of air pollutants located within Bernalillo county, which are subject to the requirements of 40 CFR Part 60, as amended in the Federal Register through January 23, 2017.*

20.11.90 NMAC – Source Surveillance; Administration and Enforcement

20.11.90.13 Source Surveillance:

A. The owner or operator of any stationary source of an air contaminant shall, upon notification by the director, maintain records of the nature and amounts of emissions, to which an air quality control emission regulation applies, from the source and any other information as may be deemed necessary by the director to determine whether the source is in compliance with applicable regulations.

B. The information recorded as specified in Subsection A of 20.11.90.13 NMAC shall be summarized and reported to the director, on forms furnished by the director, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are November 1 through April 30 and May 1 through October 31 or such other periods as the director may deem necessary. Information reported to the director shall be signed by the person responsible for its accuracy.

C. Emission data obtained by the director shall be correlated with applicable emission limitations and other control measures and be made available to the public during normal business hours.

D. The owner or operator of a stationary source shall, to determine compliance with these regulations or to meet the source sampling requirements of a compliance schedule, conduct performance tests or allow the director to conduct performance tests as specified in Subsection F of 20.11.90.13 NMAC.

E. The director shall establish a periodic visual surveillance system to detect and investigate apparent violations of visible emission limitations and such complaints relating to apparent violations of the regulations as may occur.

F. Performance tests:

- (1) As required by the director, the owner or operator of a stationary source shall conduct performance tests and furnish the director with a written report of the results.
- (2) Performance tests shall be conducted and the results reported in accordance with the test method, as set forth in either 40 CFR Part 60.8, or an approved alternate test method. The director shall have 10 days prior notice before such testing is performed.
- (3) The owner or operator shall permit the director to conduct performance tests at any reasonable time and shall operate the stationary source for such testing purposes as the director shall specify.
- (4) Each performance test shall consist of three repetitions of the applicable test procedure. For the purpose of determining compliance with an applicable standard of performance, the average results of all repetitions shall apply.
- (5) The director shall determine that the performance test method has been properly performed before accepting the results submitted by the owner or operator of the source.

20.11.90.13.A – The owner or operator of any stationary source of an air contaminant shall, upon notification by the Director, maintain records of the nature and amounts of emissions, to which an air quality control emission regulation applies, from the source and any other information as may be deemed necessary by the Director to determine whether the source is in compliance with applicable regulations.

20.11.90.13.E – The Director shall establish a periodic visual surveillance system to detect and investigate apparent violations of visible emission limitations and such complaints relating to apparent violations of the regulations as may occur.

20.11.90.14 Administration And Enforcement:

A. Upon request of the director, the person responsible for the emission of air contaminants for which limits are established by the rules codified under Title 20, Environmental Protection, Chapter 11, Albuquerque - Bernalillo County Air Quality Control Board, of the New Mexico

Administrative Code, shall provide such facilities, utilities, and openings exclusive of instrument and sensing devices, as may be necessary for the proper determination of the nature, extent, quantity and degree of such air contaminants. Such facilities may be either temporary or permanent at the discretion of the person responsible for their provisions; and shall be suitable for determination consistent with emission limits established in these rules.

B. As an additional means of enforcing the rules codified under Title 20, Environmental Protection, Chapter 11, Albuquerque - Bernalillo County Air Quality Control Board, of the New Mexico Administrative Code, the director may accept a written assurance of discontinuance of any act or practice deemed in violation of these rules or any rule adopted pursuant thereto from any person engaging in, or who has engaged in, such act or practice, signed and acknowledged by the director and during which such discontinuance is to be accomplished.

Public Notice: Public notice for this permit application was published on October 3, 2017. The public comment period on the permit application ended on November 2, 2017. During the public comment period, interest on the application was received from Mr. David Wood, President for the Greater Gardner Neighborhood Association.

Compliance: The following permit conditions apply:

- a) All equipment shall be maintained as per manufacturer specifications to ensure the emissions remain at or below the permitted levels.
- b) This facility shall be constructed and operated in accordance with information provided on the permit application received **September 13, 2017** and in accordance with the legal authority specified above and the conditions of this permit.
- c) This facility is prohibited from processing any asbestos containing material.
- d) Prior to any asbestos demolition or renovation work, the Department must be notified and proper permits shall be obtained and Code of Federal Regulations (CFR), Title 40, Part 61 (40 CFR 61) Subpart M may apply.
- 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 equipment specified in Condition 1(a) is considered a portable stationary source as defined by 20.11.41.7.GG NMAC and may be relocated to another site provided the requirements are met in Condition 5(j) prior to the relocation.
- g) The following equipment located at the facility is restricted to operate as follows:
 - i. The screening plant shall not exceed 2,080 hours of operation per year based on a 12-month rolling period.
 - ii. The facility shall operate only between 8:00 AM and 4:00 PM, 8 hours per day, Monday to Friday, and 52 weeks per year. The facility shall not be operated on Saturday or Sunday.
 - iii. Truck hauling shall be restricted to occur only between 8:00 AM and 4:00 PM, 8 hours per day,

Monday to Friday, and 52 weeks per year. Truck hauling shall not be conducted on Saturday or Sunday.

- iv. The portable screening plant shall be restricted to a maximum hourly throughput of 150 tons per hour not to exceed a material throughput of 312,000 tons per year based on a 12-month rolling total. 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 NO₂, CO, SO₂, TSP, PM₁₀, and PM_{2.5}.
- v. Watering of raw material storage piles shall be done as necessary, but not less frequently than once daily unless precipitation has occurred in the last 24 hours. This condition is being imposed to maintain a 95% control efficiency of fugitive emissions during screening of materials. Additionally, pursuant to 20.11.20.12 NMAC, "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; 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."
- vi. The owner or operator of the facility shall maintain gravel and millings and shall apply water as necessary to all haul road sections. This condition is being imposed to maintain a 95% control efficiency of fugitive dust emissions from haul roads. Additionally, pursuant to 20.11.20.19.B NMAC, "Owners or operators shall use reasonably available control measures on all unpaved roadways and unpaved parking areas and shall comply with the general provisions established in 20.11.20.12 NMAC.
- vii. ENG-011 shall be restricted to a maximum of 2,080 hours of operation based on a 12-month rolling total.
- viii. The permittee shall meet the diesel fuel requirements as required by 40 CFR 60 Subpart III §60.4207(b).

- ix. The permittee shall operate and maintain ENG-01 according to the manufacturer's written instructions or procedures developed by the permittee that have been approved by the manufacturer. In addition, the permittee may only change those settings that are allowed by the manufacturer. The permittee must also meet the requirements of 40 CFR Parts 89, 94, and/or 1068 as they apply. This condition is Pursuant to 40 CFR 60 Subpart IIII §60.4211.
- h) 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.
- i) 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 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.

Record Keeping: The following permit conditions apply:

- a) Maintain records of the daily, monthly, and annual throughput (in tons) for the facility. Monthly throughput records shall be maintained to calculate yearly throughputs based on a 12-month rolling period.
- b) Maintain a daily record of the number of hours of operation for the facility. These records shall include the start and stop times for each day of plant operation. Hours of operation records shall be maintained in order to calculate daily, monthly, and annual hours of operation.
- c) Maintain a monthly log of the number of hours of operation for ENG-01 based on a 12-month rolling period.
- d) Maintain a daily record of water application to raw material storage piles. If application of water is not required, the record shall indicate why application was not necessary (i.e. recent rain, snowfall, etc.).
- e) Maintain records of the application of gravel, millings, and water to vehicle traffic areas and haul roads.
- f) Maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility pursuant to 40 CFR 60 Subpart A §60.7(a)(7)(b).
- g) Pursuant to 40 CFR 60 Subpart OOO §60.674(b), maintain a monthly record of water spray system inspections, including the date of each inspection and any corrective actions taken.

Monitoring: The following permit conditions apply:

- a) Monitor the daily, monthly, and annual throughput (in tons) for the facility.
- b) Monitor the daily hours of operation of the facility.
- c) Install a non-resettable hour meter prior to the startup of Unit #1 and monitor hours of operation based on a 12-month rolling period.
- d) Monitor the application of water to raw material storage piles.
- e) Monitor the application of dust suppression agents or surfactant to vehicle traffic areas and haul roads.

Reporting: The permittee shall notify the Department in writing of:

- a) Notification of the anticipated date for conducting the opacity observations required by 40 CFR 60 Subpart OOO §60.675(a)(2);
- b) Written reports of the results of all performance tests conducted to demonstrate compliance with the opacity observations made using EPA Method 9 to demonstrate compliance with 40 CFR 60 Subpart OOO §60.672(b) and performance tests conducted to demonstrate compliance with the opacity results shall be received by the Department within 30 days of completion of the compliance test;
- c) Any change in control or ownership, name, address, or contact information. The permittee may request an administrative permit revision in accordance with 20.11.41.28.A NMAC;
- d) 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);
- e) Replacement of emission units for which an allowable emissions limit has been established in the permit may be requested through a technical permit revision in accordance with 20.11.41.28.B NMAC;
- f) An annual (January 1 through December 31 of the previous year) emissions inventory for the source together with descriptions of any reconfiguration of process technology and air pollution equipment by March 15 every year. The emissions inventory shall include annual hours of operation and the annual material throughput in tons. The emissions inventory shall be based on the emission factors provided in the application received on September 13, 2017;
- g) Any relocation of the aggregate plant at least 45 days prior to the date the permittee proposes to commence operations at a new location within Bernalillo County. The relocation application must be submitted on a form provided by the Department and shall include an ambient air dispersion modeling analysis demonstrating compliance with National Ambient Air Quality Standards (NAAQS) and New Mexico Ambient Air Quality Standards (NMAAQs) at the new location, unless the requirement is waived in writing by the Department. Operation and relocation of the plant at a new location shall not commence until the Department has approved the request for relocation.
- 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.

Compliance Testing: The following compliance testing is required for the facility:

Unit Specific Compliance Testing

Unit Number	Initial Compliance Test	Frequency of Compliance Tests
SCRN-01 and SCRN-02	Yes, for opacity §60.672(b) Table 3	Not required*
ENG-01	Yes, initial performance test §60.4211(b)(5)	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.

Actions Taken:

- February 17, 2017 – Application was received by the Department
- March 15, 2017 – Application was deemed incomplete by the Department
- September 13, 2017 – Application was resubmitted and received by the Department
- September 26, 2017 – Application was deemed complete by the Department.
- October 2, 2017 – Public notice on the permit application was published in the Albuquerque Journal. The public comment period started.
- November 2, 2017 – Public comment period ended.
- November 15, 2017 – Modeling started reviewing the air dispersion model submitted by Trinity Consultants on behalf of the ABCWUA.
- December 19, 2017 – The review of the air dispersion model was completed and it passed.
- February 23, 2018 – Public notice in English and Spanish on the availability for the technical analysis published in the Albuquerque Journal marking the beginning of the technical analysis being available for review and public comment.

Process Equipment Table

Process Equipment Unit #	Unit Description	Manufacturer	Model Number	Serial Number	Date of Manufacture	Date of Installation	Rated Process Capacity	Unit Subject to NSPS or NESHAP
ENG-01	Diesel Engine	Deutz	F3L913	8736524	7/27/2005	~2005	55 hp	NSPS III NESHAP ZZZZ
SCRN-01	Screen 2	CEC	Box-it 710	05474-21	7/27/2005	~2005	150 tons/hr	NSPS OOO
SCRN-02	Screen 2	Condore	NA	NA	NA	~2005	150 tons/hr	NSPS OOO
HAUL	Haul Road	NA	NA	NA	NA	NA	1,755.4 mi/yr	NA
STCKPLE	Stockpile Work	NA	NA	NA	NA	NA	Varies, depending on drop point location	NA