Timothy M. Keller, Mayor

AIR QUALITY CONSTRUCTION PERMIT #3291-M1
FACILITY CDS #NM/001/04218
Facility ID: FA0007531; Record ID: PR0009050

Danny Nevarez, Acting Director

Issued to: Albuquerque Asphalt, Inc.
PO Box 66450
Albuquerque, New Mexico 87193

Certified Mail No. XXXX
Return Receipt Requested

Responsible Official: Dan Fisher, Vice President

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; **Albuquerque Asphalt, Inc.** (Company or Permittee) is hereby issued this **CONSTRUCTION PERMIT** and authorized to operate the following equipment at:

Facility/Location	Facility Process Description	SIC	NAICS
Broadway HMA Plant 5028 Broadway Blvd. SE Albuquerque, NM 87105 UTMN: 3874900 UTME: 349665	400 ton/hr Hot Mix Asphalt Plant	2951	324121

This **CONSTRUCTION** permit number 3291-M1 has been issued based on the review of the applications received by the Albuquerque Environmental Health Department (Department), Air Quality Program on December 4, 2017 and additional information received December 8, 2017, 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 3291-M1 and will apply to the Facility. This permit supersedes all portions of Construction Permit #3291-1AR issued on November 21, 2017.

Issued on the ____ day of _____, 2018

_____
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 modification authorizes the following:

i. Permanent relocation of the Facility's yard to 5028 Broadway Blvd. SE;

ii. Removal of the hot mix asphalt plant (HMA) main and standby generators as the HMA plant will run on line power;

iii. The recycled asphalt plant (RAP) will now process both RAP and concrete;

iv. The option of operating one of four crusher plants;

v. The update of the Process Equipment Table;

vi. Reduction of the hourly production rate of the RAP/concrete plant; and,

vii. Addition of federal conditions that apply to the RAP/concrete plant.

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

Process Equipment Table

Process Units #	Process Units Description	Manufacturer	Model Number	Serial Number	Manufacture Date	Installation Date	Rated Process Rate	Unit Subject To NSPS
1	HMA Cold Aggregate/RAP Storage Piles	N/A	N/A	N/A	N/A	N/A	370 tph	No
2	HMA Cold Aggregate Feed Bins (5)	Astec	1014-5	17-098-319740-1-1	2017	2017	230 tph	No
3	HMA Cold Aggregate Feed Bin Conveyor	Astec	PSS-412-60	17-098-319740-2-1	2017	2017	230 tph	No
4	HMA Scalping Screen	Telsmith	4x12 SDVK	S0199	2017	2017	230 tph	No
5	HMA Scalping Screen Conveyor	Astec	PSS-412-60	17-098-319740-2-1	2017	2017	230 tph	No
6	HMA Pug Mill	Astec	PLM-T400-60	17-098-319740-3-1	2017	2017	236 tph	No
7	HMA Scale Conveyor	Astec	PSS-462-60	17-098-319740-2-1	2017	2017	236 tph	No
8	HMA Slinger Conveyor	Astec	PLM-T400-60	17-098-319740-3-1	2017	2017	236 tph	No
9	HMA RAP Bins (2)	Astec	RB-1014-2	17-098-319740-18-1	2017	2017	140 tph	No
10	HMA RAP Bin	Astec	RB-1014-2	17-098-319740-	2017	2017	140 tph	No

Process Units #	Process Units Description	Manufacturer	Model Number	Serial Number	Manufacture Date	Installation Date	Rated Process Rate	Unit Subject To NSPS
	Conveyor			18-1				
11	HMA RAP Screen	Telsmith	4x8 SDVK	S0200	2017	2017	140 tph	No
12	HMA RAP Transfer Conveyor	Astec	SS-48-50	17-098-319740-19-1	2017	2017	140 tph	No
13	HMA RAP Transfer Conveyor	Astec	RIC-3025	17-098-319740-36-1	2017	2017	140 tph	No
14	HMA Mineral Filler Silo	Astec	DA650C	11-037	2017	2017	6 tph	Yes
15	HMA Drum Dryer/Mixer	Astec	PDM-9638	17-098-319740-5-1	2017	2017	400 tph	Yes
16	HMA Incline Conveyor	Astec	SEB-10036	17-098-319740-24-1	2017	2017	400 tph	No
17	HMA Silos (6)	Astec	KGW-200	C17-081 C17-082	2017	2017	400 tph	No
20	HMA Heater	CEI	CHT-350P	C17-083	2017	2017	2.5 MMBtu/hr	No
21	HMA Cement Storage Tanks (2)	CEI	CTA-30DP	C17-085	2017	2017	5206 gal/hr	No
22	Haul Roads	N/A	N/A	N/A	N/A	N/A	N/A	No
23	HMA Yard	N/A	N/A	N/A	N/A	N/A	400 tph	No
24	Raw RAP/Concrete Storage Pile	N/A	N/A	N/A	N/A	N/A	300 tph	No
25	RAP/Concrete Crusher Plant Feeder	Terex Lippmann KPI Kleemann	Terex 4242SR Lippmann TBD* KPI FT4250CC Kleemann MR 110Z/110	Terex 420140CCSR Lippmann TBD* KPI TBD* Kleemann TBD*	Terex 2005 Lippmann TBD* KPI 2017 Kleemann TBD*	Terex 2017 Lippmann TBD* KPI TBD* Kleemann TBD*	300 tph	No
26	RAP/Concrete Crusher Plant Primary Crusher						300 tph	Yes
27	RAP/Concrete Crusher Plant Crusher Conveyor						300 tph	Yes
28	RAP/Concrete Crusher Plant Screen Conveyor						300 tph	Yes
29	RAP/Concrete Crusher Plant Transfer Chute						300 tph each	Yes
30	RAP/Concrete Crusher Plant Screen						480 tph	Yes
31	RAP/Concrete Crusher Plant Secondary Crusher						180 tph	Yes
32 and 33	RAP/Concrete Crusher Plant Transfer Conveyor						180 tph each	Yes
34, 35 and 36	RAP/Concrete Crusher Plant Transfer Conveyor						300 tph each	Yes
37	RAP/Concrete Crusher Plant Stacker Conveyor						300 tph	Yes

Process Units #	Process Units Description	Manufacturer	Model Number	Serial Number	Manufacture Date	Installation Date	Rated Process Rate	Unit Subject To NSPS
38	RAP/Concrete Crusher Plant Main Generator	Caterpillar**	TBD*	TBD*	Between 2004 and 2017	TBD*	≤ 817 hp	Yes***

* TBD – to be determined
** Except for Kleermann plant whereby the manufacturer is Scania
*** Except for Terex plant

Air Pollution Control Equipment*

Type of Control Equipment	Process Unit Number Controlled	Manufacturer	Model Number	Serial Number	Rated Process Rate	Control Efficiency
Baghouse	14	Astec	N/A	N/A	Unknown	99%**
Baghouse	15	Astec	PEBH-70-24	17-098-319740	69,685 ACFM	99.88%

* Each baghouse stack must meet NSPS (40 CFR §60.92) limits for opacity and particulates
** Engineering judgement 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 December 4, 2017 and additional information received December 8, 2017, and in accordance with the legal authority specified above and the conditions of this permit.

d) The HMA plant 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 plant has commenced construction or modification after June 11, 1973.

e) The RAP/concrete plant is subject to federal NSPS, CFR, Title 40, Part 60, Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants because the plant was constructed, reconstructed, or modified after August 31, 1983, and capable of processing greater than 150 tons per hour of material.

f) National Emissions Standard for Hazardous Air Pollutants (NESHAP) found in 40 CFR 63 Subpart ZZZZ – National Emission Standards for Hazardous Air Pollutants for Source Category: Stationary Reciprocating Internal Combustion Engines (RICE) apply and this facility shall comply with the specific requirements found in this subpart as well as the general requirements of 40 CFR 63 Subpart A- General Provisions for the Terex plant.

g) 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.

h) The equipment specified in Condition I.1.b) 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 I.5.h) prior to the relocation.

i) The following equipment located at the Facility is restricted to operate the following:

   i. Fencing/barriers shall be installed and maintained restricting access to the property;

   ii. The hot mix asphalt (HMA) plant (Process Unit #15) shall not exceed 400 tons per hour (tph) production rate;

iii. The RAP/concrete plant (Process Unit #26) shall not exceed 200 tons tph production rate;

iv. The HMA plant (except Process Units #18 and 20) shall operate seasonally, the total annual production is limited to 900,000 tons:

1. during the months of January through March, the total daily production is limited to 2800 tons;
2. during the months of April through May, the total daily production is limited to 3600 tons;
3. during the months of June through August, the total daily production is limited to 4000 tons;
4. during the months of September through October, the total daily production is limited to 3600 tons; and,
5. during the months of November through December, the total daily production is limited to 2400 tons.

v. The heater (Process Unit #20) may operate continuously;

vi. The RAP/concrete plant shall operate seasonally:

1. during the months of December through February, 8am to 5pm, 7 days per week;
2. during the months of March through May, 7am to 5pm, 7 days per week;
3. during the months of June through August, 7am to 7pm, 7 days per week; and,
4. during the months of September through November, 7am to 5pm, 7 days per week.

vii. As the above conditions show, the Facility is restricted to seasonal operating scenarios. These conditions have 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 NO_2, CO, SO_2, $PM_{2.5}$, PM_{10}, and TSP;

viii. In accordance with 40 CFR 63, Subpart ZZZZ §63.6590(c), an affected source that is a new or reconstructed stationary RICE located at an area source "must meet the requirements of this part by meeting the requirements of 40 CFR Part 60 Subpart IIII, for compression ignition engines." The permittee shall comply with the specific requirements of Subpart IIII applicable to new stationary compression ignition internal combustion engines for Process Unit #38 (except as noted in Condition I.1.i)ix. below);

ix. For Process Unit #38 for the Terex plant, in accordance with CFR 40 Subpart ZZZZ § 63.6603(a), the facility must comply with the requirements in Table 2d of the Subpart that apply;

x. Process Unit #15 is authorized to burn fuel/waste oil or natural gas/propane as the fuel;

xi. Process Unit #20 is authorized to burn natural gas or low sulfur diesel;

xii. The southern access road is paved from Broadway into the facility. Please see Appendix A for which sections of the haul roads (PAG, PAS, PVO, PVI, COM) shall be paved;

xiii. Material storage piles shall be watered to control fugitive dust emissions from leaving the property;

xiv. Process Units #3, 6 and 10 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 $PM_{2.5}$, PM_{10}, and TSP; and,

xv. In the event of a malfunction causing the differential pressure for the Process Unit #15 baghouse to go near zero, the Facility shall be shut down and repairs shall be made to the affected equipment. Startup of the Facility shall not commence until the capture and control equipment is fully functional.

j) 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, the owner/operator shall "...use reasonable available control measures or any other effective control measure to prevent a violation of the national ambient air quality standards and meet the objective established in 20.11.20.6 NMAC, whether or not the person has been issued a fugitive dust control permit. No person shall allow fugitive dust, track out, or transported material from any active operation, open storage pile, paved or unpaved roadway or disturbed surface area, or inactive disturbed surface area to 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 will: 1) adversely affect the health, public welfare or safety of the residents of Bernalillo county; or 2) impair visibility or the reasonable use of property; or 3) be visible longer than a total of 15 minutes in any one hour observation period...To mitigate fugitive dust, all inactive disturbed surface areas must be stabilized and maintained in stable condition by the owner, operator, or person responsible for maintenance of the disturbed surface..." Additionally, as cited in the permit application, some sections of the haul roads shall be paved and maintained as specified by 20.11.20.23.A and B NMAC:

i. Cleaning up spillage and track out as necessary to prevent pulverized particulates from being entrained into the atmosphere; or

ii. Using paved or gravel entry/exit aprons with devices, such as steel grates, capable of knocking mud and bulk material off vehicle tires; or

iii. Using on-site wheel washes; or

iv. Performing regularly scheduled vacuum street cleaning or wet sweeping with a sweeper certified by the manufacturer to be efficient at removing particulate matter having an aerodynamic diameter of less than 10 microns (i.e. PM10); or

v. Using dust suppressants applied in amounts and rates recommended by the manufacturer and maintained as recommended by the manufacturer; or

vi. Using wet suppression; or

vii. Using traffic controls, including decreased speed limits with appropriate enforcement; other traffic calming methods, vehicle access restrictions and controls; road closures or barricades; and off-road vehicle access controls and closures.

k) 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.

l) 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.

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 and Subpart IIII, 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_x lb/hr	NO_x tpy	CO lb/hr	CO tpy	VOC lb/hr	VOC tpy	SO_2 lb/hr	SO_2 tpy	TSP lb/hr	TSP tpy	PM_{10} lb/hr	PM_{10} tpy	$PM_{2.5}$ lb/hr	$PM_{2.5}$ tpy	HAPs tpy	Percent Opacity	Record-Keeping[2]	Monit-oring[1]	Report-Ing[1]	Comp-liance Testing[2]
1	--	--	--	--	--	--	--	--	1.7	2.0	0.83	0.93	0.13	0.14	--	20%	N/A	N/A	N/A	N/A
2	--	--	--	--	--	--	--	--	1.1	1.2	0.51	0.58	0.08	0.09	--	20%	Yes	Yes	Yes	No
3	--	--	--	--	--	--	--	--	0.03	0.04	0.01	0.01	0.003	0.003	--	20%	Yes	Yes	Yes	No
4	--	--	--	--	--	--	--	--	0.51	0.57	0.17	0.19	0.01	0.01	--	20%	Yes	Yes	Yes	No
5	--	--	--	--	--	--	--	--	0.03	0.04	0.01	0.01	0.003	0.003	--	20%	Yes	Yes	Yes	No
6	--	--	--	--	--	--	--	--	0.03	0.04	0.01	0.01	0.003	0.004	--	20%	Yes	Yes	Yes	No
7	--	--	--	--	--	--	--	--	0.03	0.04	0.01	0.01	0.003	0.004	--	20%	Yes	Yes	Yes	No
8	--	--	--	--	--	--	--	--	0.03	0.04	0.01	0.01	0.003	0.004	--	20%	Yes	Yes	Yes	No
9	--	--	--	--	--	--	--	--	0.20	0.22	0.09	0.11	0.01	0.02	--	20%	Yes	Yes	Yes	No
10	--	--	--	--	--	--	--	--	0.02	0.02	0.006	0.007	0.002	0.002	--	20%	Yes	Yes	Yes	No
11	--	--	--	--	--	--	--	--	0.33	0.37	0.11	0.13	0.009	0.01	--	20%	Yes	Yes	Yes	No
12	--	--	--	--	--	--	--	--	0.02	0.02	0.006	0.007	0.002	0.002	--	20%	Yes	Yes	Yes	No
13	--	--	--	--	--	--	--	--	0.02	0.02	0.006	0.007	0.002	0.002	--	20%	Yes	Yes	Yes	No
14	--	--	--	--	--	--	--	--	0.18	0.05	0.12	0.03	0.009	0.002	--	20%	Yes	Yes	Yes	No
15	22	25	52	59	13	14	23	26	13	15	9.2	10	9.2	10	4.72	20%	Yes	Yes	Yes	Yes
16	--	--	0.47	0.53	4.9	5.5	--	--	0.23	0.26	0.23	0.26	0.23	0.26	--	20%	Yes	Yes	Yes	No
17	--	--	0.54	0.61	1.7	1.9	--	--	0.21	0.23	0.21	0.23	0.21	0.23	--	20%	Yes	Yes	Yes	No
20[3]	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
					0.04	0.16										20%	Yes	Yes		No

Unit No.	NO_x lb/hr	NO_x tpy	CO lb/hr	CO tpy	VOC lb/hr	VOC tpy	SO_2 lb/hr	SO_2 tpy	TSP lb/hr	TSP tpy	PM_{10} lb/hr	PM_{10} tpy	$PM_{2.5}$ lb/hr	$PM_{2.5}$ tpy	HAPs tpy	Percent Opacity	Record-Keeping[2]	Monit-oring[1]	Report-Ing[1]	Comp-liance Testing[2]
21	--	--	--	--			--	--	--	--	--	--	--	--	--				Yes	
22	--	--	--	--	--	--	--	--	5.5	6.6	1.3	1.5	0.20	0.25	--	N/A	N/A	N/A	N/A	N/A
23	--	--	0.14	0.16	0.44	0.50	--	--	--	--	--	--	--	--	--	20%	Yes	Yes	Yes	No
24	--	--	--	--	--	--	--	--	0.94	1.8	0.45	0.84	0.07	0.13	--	20%	N/A	N/A	N/A	N/A
25	--	--	--	--	--	--	--	--	0.94	1.8	0.45	0.84	0.07	0.13	--	20%	Yes	Yes	Yes	No
26	--	--	--	--	--	--	--	--	0.24	0.45	0.11	0.20	0.02	0.04	--	12%	Yes	Yes	Yes	No
27	--	--	--	--	--	--	--	--	0.03	0.05	0.01	0.02	0.003	0.005	--	7%	Yes	Yes	Yes	No
28	--	--	--	--	--	--	--	--	0.03	0.05	0.01	0.02	0.003	0.005	--	7%	Yes	Yes	Yes	No
29	--	--	--	--	--	--	--	--	0.02	0.03	0.006	0.01	0.002	0.003	--	7%	Yes	Yes	Yes	No
30	--	--	--	--	--	--	--	--	0.70	1.3	0.24	0.44	0.02	0.03	--	7%	Yes	Yes	Yes	No
31	--	--	--	--	--	--	--	--	0.14	0.27	0.07	0.12	0.01	0.02	--	12%	Yes	Yes	Yes	No
32	--	--	--	--	--	--	--	--	0.02	0.03	0.006	0.01	0.002	0.003	--	7%	Yes	Yes	Yes	No
33	--	--	--	--	--	--	--	--	0.02	0.03	0.006	0.01	0.002	0.003	--	7%	Yes	Yes	Yes	No
34	--	--	--	--	--	--	--	--	0.03	0.05	0.01	0.02	0.003	0.005	--	7%	Yes	Yes	Yes	No
35	--	--	--	--	--	--	--	--	0.03	0.05	0.01	0.02	0.003	0.005	--	7%	Yes	Yes	Yes	No
36	--	--	--	--	--	--	--	--	0.03	0.05	0.01	0.02	0.003	0.005	--	7%	Yes	Yes	Yes	No
37	--	--	--	--	--	--	--	--	0.57	1.1	0.27	0.50	0.04	0.08	--	7%	Yes	Yes	Yes	No
38	13.7	26.0	2.2	4.1	0.27	0.51	0.28	0.52	0.85	1.6	0.85	1.6	0.85	1.6	--	20%	Yes	Yes	Yes	No
Total	**36.1**	**52.7**	**55.6**	**65.3**	**20.4**	**22.7**	**23.4**	**27.1**	**27.8**	**35.6**	**15.4**	**18.9**	**11.3**	**13.3**	**4.72**					

[1] *Refer to Conditions 3, 4 and 5 for unit specific record keeping/monitoring, and reporting requirements*

[2] *Refer to Condition 6 for unit specific compliance testing requirements*

[3] *Emission Unit #20 can burn only one fuel at a time, maximum emissions rate from burning either natural gas or diesel used in table*

b) In accordance with 40CFR 60, Subpart I §60.92(a)(1), Emission Units #14 and 15 shall not discharge gases into the atmosphere, which contain particulate matter in excess of 90 mg/dscm (0.04 gr/dscf).

c) Pound per hour (lb/hr) Nitrogen Oxides (NO_x) and/or Carbon Monoxide (CO) emission rates for Emission Units #15, 20 and 38 shall be based on a 3-hour average.

d) In accordance with 40 CFR 60 Subpart IIII §60.4204(b), owners and operators of 2007 model year and later non-emergency stationary CI ICE with a displacement of less than 30 liters per cylinder must comply with the emission standards for new CI engines in §60.4201, for their 2007 model year and later stationary CI ICE, as applicable.

e) In accordance with 40CFR 60, Subpart I §60.92 (a)(2), Emission Units #14 and 15 shall not exceed 20 percent opacity for any six (6) minute timed average.

f) Emission units #26 and 31 shall not cause or allow fugitive emissions that exceed 12 percent opacity as specified in 40 CFR Part 60, Subpart OOO, §60.672 (b).

g) Emission units # 27 through 30 and 32 through 37 and all affected transfer points shall not cause or allow fugitive emissions that exceed 7 percent opacity as specified in 40 CFR Part 60, Subpart OOO, §60.672 (b).

h) Emission unit #38 shall not cause or allow visible air emissions to exceed 20 percent opacity, six (6) minute time-average. During the first twenty (20) minutes of cold start-up, the visible emissions shall not exceed 40 percent opacity, six (6) minute time-averaged. No increase of load shall be applied so as to cause an emission having opacity greater than 40 percent during any time interval. This condition is pursuant to 20.11.5.13.C NMAC.

i) Except for the haul roads (Emission Unit #22), 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 and also for the RAP/concrete plant. Throughput records shall be maintained in order to calculate daily, monthly, seasonal, and annual throughputs.

   b) Maintain data log of pressure differentials for the Emission Unit #15 baghouse to show that airflow is being maintained.

   c) Maintain daily records of the number of hours of operation for the RAP/concrete 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, monthly, seasonal, and annual hours of operation.

   d) 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.).

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) onitor the daily, monthly, seasonal, and annual production throughput (in tons) for the HMA plant and also for the RAP/concrete plant.

b) Monitor pressure differentials for the Emission Unit #15 baghouse to show that airflow is being maintained.

c) Monitor the daily, monthly, seasonal, and annual hours of operation for the RAP/concrete plant.

d) Monitor application of water and/or chemical surfactant to haul roads and daily application of water to raw material storage piles.

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 thirty (30) days prior to that date (20.11.41.21.A(1) NMAC);

b) The actual date of initial startup of the source within fifteen (15) days after the initial startup date (20.11.41.21.A(3) NMAC);

c) All information labeled "TBD" cited under Condition 1.b) within thirty (30) days of installation;

d) 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;

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) 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;

g) The anticipated date of the switch of fuel in the hot mix drum (Emission Unit #15) not less than thirty (30) days prior to that date;

h) Any relocation of the facility no fewer than 45 days before the date the permittee proposes to commence operations at a new location within Bernalillo County. Operation and relocation of the facility at a new location shall not commence until the Department has approved the request for relocation. The relocation notice must be made on a form provided by the Department and shall include:

i. An ambient air dispersion modeling analysis demonstrating compliance with National Ambient Air Quality Standards and New Mexico Ambient Air Quality Standards at the new location, unless the requirement is waived in writing by the Department; and,

ii. Proof that a weather-proof sign provided by the Department has been posted at the more visible of either the proposed or existing facility entrance or other location on the property boundary.

i) 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,

j) 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 #15 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 fuel/waste oil or natural gas/propane, depending on which fuel is available in the field, within the timeframes specified in Condition I.6.f).

b) For the Emission Unit #15 baghouse, initial compliance tests shall also be conducted in order to demonstrate compliance of the lb/hr emission limits for NO_X and CO stated in Condition 2. Initial compliance tests of the hot mix drum baghouse shall be conducted utilizing fuel/waste oil or natural gas/propane, depending on which fuel is available in the field, within the timeframes specified in Condition I.6.f).

c) Annual compliance tests have been imposed on Emission Unit #15 baghouse to demonstrate compliance with the standard for particulate matter of any gas pursuant to 40CFR 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 fuel/waste oil or natural gas/propane as the fuel. Compliance tests shall be conducted in accordance with EPA methods contained in Appendix A of 40CFR, Part 60, unless otherwise approved by the Department.

d) Unless previously completed, in accordance with 40CFR 60, Subpart OOO §60.672(b), 20.11.41.22 NMAC and 20.11.90.13 F. NMAC, Performance Testing Following Startup and Performance Tests respectively, an initial performance test shall be conducted on Emission Units #26 through 37, along with affected transfer points, to demonstrate compliance with the opacity standards established in Condition I.2.a). The compliance tests shall be conducted in accordance with EPA Method 9 found in Appendix A of 40 CFR 60, and the procedures found in Subpart A of 40 CFR 60.11. These tests shall be conducted within 60 days after achieving the maximum production rate at which affected facility will be operated, but not later than 180 days after initial startup of such facility and at such other times as may be required by the Department.

e) For Emission Unit #38, initial compliance tests shall be conducted in order to demonstrate compliance of the NOx, CO and opacity emissions stated in Condition I.2.a). Compliance tests and a testing schedule may be re-imposed (or imposed) if inspections of the source indicate non-compliance with permit conditions or the previous test showed non-compliance or was technically unsatisfactory. The compliance test shall be conducted in accordance with EPA methods contained in Appendix A of the CFR, Title 40, Part 60, unless otherwise approved by the Department.

f) The initial compliance tests shall be conducted within one hundred eighty (180) days of initial startup of the facility and/or the substitution of equipment or within sixty (60) days of achieving maximum permitted production, whichever comes first. The owner or operator shall notify the Department at least fifteen (15) days prior to the test date and allow a representative of the Department to be present at the test. (20.11.41.22 NMAC and CFR Title 40, Subpart A "General Provisions").

g) Compliance tests for the remainder of the Facility have not been imposed at this time.

h) 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.

i) The owner or operator shall notify the Department at least thirty (30) days prior to any test imposed on the permittee and allow a representative of the Department to be present at the test. (CFR 60.8 (d), Subpart A).

j) The permittee shall provide for the Department 's approval a written test protocol at least fifteen (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 operating conditions shall be presented for Department approval.

k) 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)

l) One copy of the compliance test results for any imposed test shall be submitted to the Department Enforcement Section within thirty (30) days after the completion of testing. The test results shall conform to the standard format specified by the Department.

m) The frequency of compliance tests for Emission Unit #15 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.

Unit Specific Compliance Testing

Emission Unit Number	Initial Compliance Test	Frequency of Compliance Test
15 (Fuel/waste oil as the fuel)	NOx, CO, Particulate Matter and Opacity	Annually for Particulate Matter and Opacity
15 (Natural gas/propane as the fuel)	NOx, CO, Particulate Matter and Opacity	Annually for Particulate Matter and Opacity
26 through 37 and all affected conveyor and stacker transfer points	Opacity	Not Required*
38	Required for CO, NOx and opacity	Not Required*
Remainder of the facility	Not Required*	Not Required*

* Compliance tests have not been imposed for this unit at this time, but may be reimposed 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 and the submittal of a new permit application for any modification.

   a) Any future physical changes or changes in the method of operation which results in an increase in the pre-controlled emission rate 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. **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 as the result of 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, 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, and the laws and regulations in force pursuant to the Act, and this Permit, and, upon presentation of credentials:

      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.

9. **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.

10. **Annual Fees**-- Condition 10 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 receipt of the annual emissions fee due each year to the Department pursuant to 20.11.2 NMAC. Every owner or operator 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)	65
Oxides of Nitrogen (NO_x)	53
Total Suspended Particulate Matter (TSP)*	36
Oxides of Sulfur (SO_x)	27
Volatile Organic Compounds (VOC)	23
Hazardous Air Pollutants (HAP)	5
Facility Wide Fee Pollutants Totals (TPY)	**209**

*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 is 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.

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

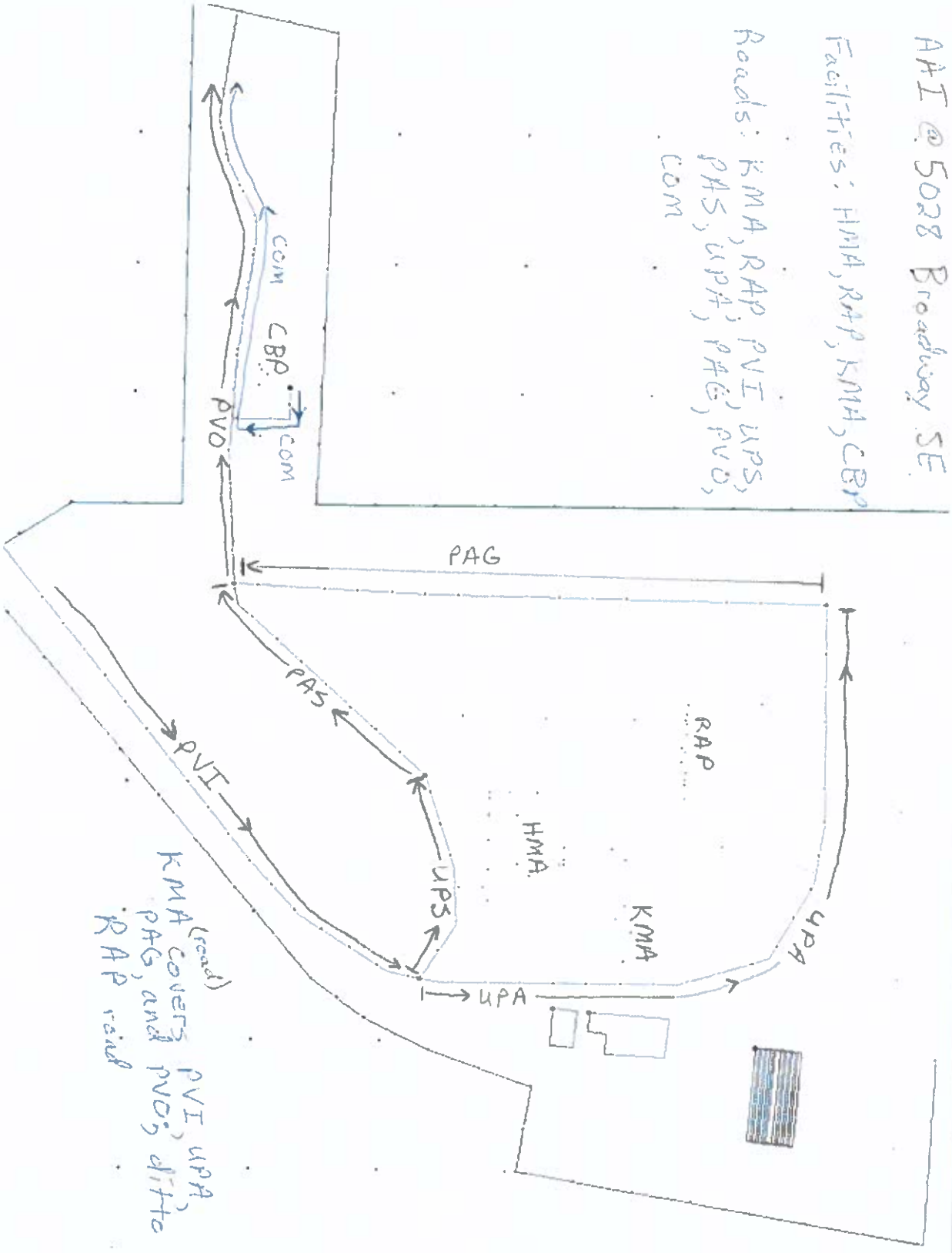
Test protocols and compliance test reports shall be submitted to:

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

Appendix A


AAI @ 5028 Broadway SE
Facilities: HMA, RAP, KMA, CBP
Roads: KMA, RAP, PVI, UPS, PAS, UPA, PAG, PVO, COM
COM
CBP
COM
PVO
PAG
PAS
PVI
UPS
HMA
RAP
KMA
UPA
UPA
KMA (road) covers PVI, UPA, PAG, and PVO; all the RAP road