



Tim Keller, Mayor

AIR QUALITY CONSTRUCTION PERMIT #0359-M3
FACILITY CDS # NM/001/00092
Facility ID: FA0003737; Record ID: PR0009403



Danny Nevarez, Acting Director

Issued to: Coreslab Structures (Albuquerque) Inc.
2800 2nd St. SW
Albuquerque, New Mexico 87102

Certified Mail # XXXX
Return Receipt Requested

Responsible Official: Mr. Greg Krause, General Manager

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; **Coreslab Structures** (Company or Permittee) is hereby issued this **CONSTRUCTION PERMIT** and authorized to operate the following equipment at:

Facility/Location	Facility Process Description	SIC	NAICS
Coreslab Structures (Albuquerque) Inc. 2800 2 nd Street SW Albuquerque, NM UTM 349102E, 3880319N	Concrete Batch Plant	3272	327390

This **CONSTRUCTION** permit number 0359-M3 has been issued based on the review of the application received by the Albuquerque Environmental Health Department (Department), Air Quality Program (Program) on June 6, 2018 and additional information received August 8, September 10 and November 27, 2018, 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 0359-M3 and will apply to the facility. This permit supersedes all portions of Authority-to-Construct Permit #0359-M2-RV1 issued on November 15, 2005.

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 modification authorizes the following:

- i. Addition of a 300 gallon above-ground gasoline tank; and,
- ii. Addition of two (2) 12 ft³/hr sandblasters.

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

Process Equipment Unit	Unit Description	Manufacturer	Model Number	Serial Number	Date of Mfg. Equipment	Rated Process Capacity	Unit Subject To NSPS
1	Haul Road	N/A	N/A	N/A	N/A	N/A	N/A
2	Sand/Gravel Hopper	Advanced Concrete Technologies, Inc.	Shop Built	Shop Built	July 1999	15 ton capacity	No
3	Incline Truss Conveyor Belt	Advanced Concrete Technologies, Inc.	24" x 140'	Unknown	July 1999	325 tph	No
4	Shuttle Conveyor	Advanced Concrete Technologies, Inc.	24" x 25'	Unknown	July 1999	325 tph	No
5	Storage Bins (6)	Advanced Concrete Technologies, Inc.	N/A	Unknown	July 1999	325 ton capacity	No
6	Weigh Belt Conveyor	Advanced Concrete Technologies, Inc.	N/A	Unknown	July 1999	1,000 tph	No
7	Incline Truss Conveyor Belt	Advanced Concrete Technologies, Inc.	42" x 163'	Unknown	July 1999	1,000 tph	No
8	2-Way Diverter Head	Advanced Concrete Technologies, Inc.	2-Way	Unknown	July 1999	1,000 tph	No
9	Mixer # 1 With Dust Collector	Advanced Concrete Technologies, Inc.	3750-PCS	N/A	July 1999	3.3 yd ³	No
10	Mixer # 2 With Dust Collector	Advanced Concrete Technologies, Inc.	3750-PCS	N/A	July 1999	3.3 yd ³	No
11	Cement Silo With Baghouse	Advanced Concrete Technologies, Inc.	N/A	N/A	July 1999	100 ton capacity	No
12	Cement Silo With Baghouse	Advanced Concrete Technologies, Inc.	N/A	N/A	July 1999	100 ton capacity	No
13	Flyash Silo With Baghouse	Advanced Concrete Technologies, Inc.	N/A	N/A	July 1999	100 ton capacity	No

Process Equipment Unit	Unit Description	Manufacturer	Model Number	Serial Number	Date of Mfg. Equipment	Rated Process Capacity	Unit Subject To NSPS
14	Cement Screw Conveyors (6)	Advanced Concrete Technologies, Inc.	ZF 219-73	N/A	July 1999	60 tph each	No
15	Cement Hopper	Advanced Concrete Technologies, Inc.	N/A	N/A	July 1999	27 tph	No
16	Boiler # 1	Vapor Energy	500	98-052	1998	500,000 Btu/hr	No
17	Boiler # 2	Vapor Energy	500	598E-84	1984	500,000 Btu/hr	No
18	Boiler # 3	ABCO	500	7978-100	1998	500,000 Btu/hr	No
19	Boiler # 4	Kemco System	70/4B	20575	1998	7,000,000 Btu/hr	No
20	Boiler # 5	Johnson Gas	SP 3500	7057EV	1998	3,500,000 Btu/hr	No
21	Boiler # 6	Vapor Energy	500	N8-417-E-85	1985	500,000 Btu/hr	No
22	Above-ground Gasoline Tank	N/A	N/A	N/A	2018	300 gallons	No
23	Sandblaster	Clemco Industries Corp.	Clemco Classic Blaster	453989	2008	12 ft ³ /hr	No
24	Sandblaster	Clemco Industries Corp.	Clemco Classic Blaster	M65E-1287	2017	12 ft ³ /hr	No

c) This permit authorizes the construction and operation of the following process control equipment:

Process Control Equipment Table

Process Equipment #	Type of Control Equipment	Manufacturer	Model Number	Serial Number	Rated Process Rate	Control Efficiency
9	Dust Collector	Advanced Concrete Technologies, Inc.	N/A	N/A	N/A	98%
10	Dust Collector	Advanced Concrete Technologies, Inc.	N/A	N/A	N/A	98%
11	Pulsejet Baghouse (14 Cartridges)	Advanced Concrete Technologies, Inc.	FL3J24	N/A	1,500 ACFM	99%
12	Pulsejet Baghouse (14 Cartridges)	Advanced Concrete Technologies, Inc.	FL3J24	N/A	1,500 ACFM	99%
13	Pulsejet Baghouse (14 Cartridges)	Advanced Concrete Technologies, Inc.	FL3J24	N/A	1,500 ACFM	99%
23	Wetblast	Clemco Industries Corp.	N/A	N/A	N/A	50-93%
24	Wetblast	Clemco Industries Corp.	N/A	N/A	N/A	50-93%

d) All equipment shall be maintained as per manufacturer specifications to ensure the emissions remain at or below the permitted levels.

- e) This facility shall be constructed and operated in accordance with information provided on the permit application received June 6, 2018 and additional information received August 8, September 10 and November 27, 2018, and in accordance with the legal authority specified above and the conditions of this permit.
- f) Prior to any asbestos demolition or renovation work, the Department must be notified and proper permits shall be obtained and CFR Title 40, Part 61 Subpart M may apply.
- g) This facility is subject to Federal National Emission Standards for Hazardous Air Pollutants (NESHAP), Code of Federal Regulations (CFR). Specifically, the facility is subject to Title 40, Part 63 Subpart CCCCCC- National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities (GDF). Pursuant to CFR Title 40 Part 63 Subpart CCCCCC §63.11111(a), the source is an affected source because the GDF is located at an area source.
- h) 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.
- i) Pursuant to 20.11.20.12.A NMAC, the permittee shall not 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 (permittee) 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 using the visible fugitive dust detection method in 20.1120.26 NMAC or an equivalent method approved in writing by the department. To mitigate fugitive dust, all inactive disturbed surface areas must be stabilized and maintained in stable condition by the person (permittee) responsible for maintenance of the disturbed surface. Failure to comply with this subsection shall be a violation of 20.11.20 NMAC.
- j) The following equipment located at the facility is restricted to operate as follows:
 - i. The concrete batch plant (process equipment units #2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15) shall be restricted to operate 8 hours per day (7:00 am and 7:00 pm only), 6 days per week, and 12 months per year, not to exceed 2,496 annual hours of operation. 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 particulate matter;
 - ii. Daily facility concrete production shall not exceed 250 cubic yards between 7:00 am and 7:00 pm. 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 particulate matter;
 - iii. The sand and gravel process (process equipment units #2, 3, 4, 5, 6, 7, and 8) shall be restricted to a process rate of 46 tons per hour;
 - iv. The cement and flyash silo offloading (process equipment units #11, 12, and 13) shall be restricted to a process rate of 6 tons per hour;
 - v. Process equipment units #16, 17, 18, and 21 each shall not exceed 2,190,000 cubic feet per year of annual natural gas usage per 12-month rolling period;
 - vi. Process equipment unit #19 shall not exceed 30,660,000 cubic feet per year of annual natural gas usage per 12-month rolling period;
 - vii. Process equipment unit #20 each shall not exceed 15,330,000 cubic feet per year of annual natural gas usage per 12-month rolling period;

- viii. Process equipment units #23 and 24 may not operate at the same time;
 - ix. Gasoline throughput shall not exceed 4,800 gallons/year;
 - x. The fogging system at the sand/gravel hopper (process equipment unit #2) shall be installed, operated, and maintained at all times during material offloading to the hopper in order to control particulate matter emissions. 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 particulate matter; and,
 - xi. The permittee shall ensure the applicable requirements of CFR 40 Part 63 Subpart CCCCCC §63.11116 are met as well as the Subpart A – General Provisions of 40 CFR Part 63. §63.11116(a) requires that measures to be taken include, but are not limited to, the following:
 - 1) Minimize gasoline spills;
 - 2) Clean up spills as expeditiously as practicable;
 - 3) Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use; [§63.11116(d) Portable gasoline containers that meet the requirements of 40 CFR Part 59, Subpart F, are considered acceptable for compliance with this requirement]; and,
 - 4) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.
 - 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, 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.

Emission Unit Number	Emission Unit Description
1	Haul Road
2	Sand/Gravel Hopper
3	Incline Truss Conveyor
4	Shuttle Conveyor
5	Storage Bins Offloading
6	Weigh Belt Conveyor
7	Incline Truss Conveyor
9	Mixer Loading (w/ Baghouse)
10	Mixer Loading (w/ Baghouse)
11	Cement # 1 Silo (w/ Baghouse)
12	Cement # 2 Silo (w/ Baghouse)
13	Flyash Silo (w/ Baghouse)
15	Cement Hopper Offloading
16	Boiler #1
17	Boiler #2
18	Boiler #3
19	Boiler #4
20	Boiler #5
21	Boiler #6
22	Aggregate Handling
23	Gasoline Tank

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

Unit Emission Limits

Emission Unit #	NO _x lb/hr	NO _x tpy	CO lb/hr	CO tpy	SO ₂ lb/hr	SO ₂ tpy	VOC lb/hr	VOC tpy	TSP lb/hr	TSP tpy	PM ₁₀ lb/hr	PM ₁₀ tpy	Percent Opacity	Record Keeping Requirements ¹	Monitoring Requirements ¹	Reporting Requirements ¹	Compliance Testing ²
1	--	--	--	--	--	--	--	--	0.46	0.58	0.09	0.12	N/A	N/A	N/A	N/A	N/A
2	--	--	--	--	--	--	--	--	0.26	0.32	0.12	0.15	20%	Yes	Yes	Yes	No
3	--	--	--	--	--	--	--	--	0.07	0.08	0.03	0.04	20%	Yes	Yes	Yes	No
4	--	--	--	--	--	--	--	--	0.07	0.08	0.03	0.04	20%	Yes	Yes	Yes	No
5	--	--	--	--	--	--	--	--	0.26	0.32	0.12	0.15	20%	Yes	Yes	Yes	No
6	--	--	--	--	--	--	--	--	0.13	0.17	0.06	0.08	20%	Yes	Yes	Yes	No
7	--	--	--	--	--	--	--	--	0.13	0.17	0.06	0.08	20%	Yes	Yes	Yes	No
9	--	--	--	--	--	--	--	--	0.02	0.03	0.01	0.01	20%	Yes	Yes	Yes	No
10	--	--	--	--	--	--	--	--	0.02	0.03	0.01	0.01	20%	Yes	Yes	Yes	No
11	--	--	--	--	--	--	--	--	0.01	0.02	0.01	0.01	20%	Yes	Yes	Yes	No
12	--	--	--	--	--	--	--	--	0.01	0.02	0.01	0.01	20%	Yes	Yes	Yes	No
13	--	--	--	--	--	--	--	--	0.01	0.02	0.01	0.01	20%	Yes	Yes	Yes	No
15	--	--	--	--	--	--	--	--	0.06	0.07	0.03	0.04	20%	Yes	Yes	Yes	No
16	0.05	0.11	0.04	0.09	0.0003	0.0007	0.003	0.007	0.004	0.008	--	--	20%	Yes	Yes	Yes	No
17	0.05	0.11	0.04	0.09	0.0003	0.0007	0.003	0.007	0.004	0.008	--	--	20%	Yes	Yes	Yes	No
18	0.05	0.11	0.04	0.09	0.0003	0.0007	0.003	0.007	0.004	0.008	--	--	20%	Yes	Yes	Yes	No
19	0.70	1.53	0.59	1.29	0.002	0.005	0.02	0.08	0.05	0.12	--	--	20%	Yes	Yes	Yes	No
20	0.35	0.77	0.29	0.64	0.002	0.005	0.02	0.04	0.03	0.06	--	--	20%	Yes	Yes	Yes	No
21	0.05	0.11	0.04	0.09	0.0003	0.0007	0.003	0.007	0.004	0.008	--	--	20%	Yes	Yes	Yes	No
22	--	--	--	--	--	--	--	--	0.09	0.11	0.04	0.05	N/A	N/A	N/A	N/A	N/A
23	--	--	--	--	--	--	--	0.03	--	--	--	--	20%	Yes	Yes	Yes	No
Totals	1.3	2.7	1.0	2.3	0.01	0.01	0.05	0.18	1.7	2.2	0.6	0.8					

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

b) Emission units #2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21 and 23 shall not cause or allow visible air emissions that exceed 20 percent opacity for any six (6) minute timed average pursuant to 20.11.5.12 NMAC.

c) Emission units #1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22 and 23 shall not exceed the emission limits stated in the table above. Tons per year emission limits shall be based on a 12-month rolling period.

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) Record and maintain a daily log for hours of operations of the concrete batch plant. The log shall include the facility daily start time and the facility daily end time.

- b) Record and maintain a daily log of the facility daily concrete production in cubic yards.
- c) Record and maintain an hourly log for sand and gravel, cement, and flyash throughput for the entire facility.
- d) Record and maintain a monthly log for the natural gas usage for process equipment units #16, 17, 18, 19, 20 and 21.
- e) Record and maintain a monthly log of the total monthly gasoline throughput.

This information shall be retained at the plant site for the most recent two-year period and shall be made available to Department personnel upon request.

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 hours of operations of the concrete batch plant. The log shall include the facility daily start time and the facility daily end time.
 - b) Monitor the facility daily concrete production in cubic yards.
 - c) Monitor the hourly sand and gravel, cement, and flyash throughput for entire facility.
 - d) Monitor the monthly natural gas usage for process equipment units #16, 17, 18, 19, 20 and 21.
 - e) Monitor the monthly log of the total monthly gasoline throughput.
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 20.11.41.20 NMAC.

The permittee shall notify the Department in writing of:

- a) Any change in control or ownership within fifteen (15) days of the change in control or ownership; the permit and conditions apply in the event of any change in control or ownership of the facility. No permit modification is required in such case; however, in the event of any such change in control or ownership, the permittee shall notify the succeeding owner of the permit and the conditions;
- b) The annual (January 1 through December 31) hours of operation and the annual cubic yards of concrete produced for the concrete batch plant by March 15 every year;
- c) The annual (January 1 through December 31) throughput of sand, gravel, cement, and flyash for the concrete batch plant by March 15 every year;
- d) The annual (January 1 through December 31) natural gas usage for process equipment units #16, 17, 18, 19, 20 and 21 by March 15 every year;
- e) The annual (January 1 through December 31) throughput of gasoline by March 15 every year; and,
- f) 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) Compliance tests have not been imposed at this time; however, compliance tests and a testing schedule may be re-imposed (or imposed) if inspections of the source indicate non-compliance with permit conditions or if the previous test showed non-compliance or was technically unsatisfactory. All compliance tests 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.
- d) For all compliance tests, 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 (20.11.41.21 NMAC and CFR Title 40, Subpart A, "General Provisions").
- e) 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 with the test protocol for the Department's approval.
- f) For all compliance tests, the test protocol and compliance test report shall conform to the standard format specified by the Department.
- g) All compliance testing shall be conducted at ninety (90%) percent of the unit's permitted capacity or greater 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.
- h) One copy of the compliance test results shall be submitted to the Department Enforcement Section within thirty (30) days after the completion of testing.

Unit Specific Compliance Testing

Unit Number	Initial Compliance Test	Frequency of Compliance Test
1, 22	N/A	N/A
2 through 21 and 23	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.H 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 (20.11.41.26A 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)	2
Oxides of Nitrogen (NO _x)	3
Total Suspended Particulate Matter (TSP)	2
Oxides of Sulfur (SO _x)	0
Volatile Organic Compounds (VOC)	0
Facility Wide Fee Pollutants Totals (TPY)	7

II. ADDITIONAL REQUIREMENTS

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 Department
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 Department
Attention: Enforcement Supervisor
P.O. Box 1293
Albuquerque, New Mexico 87103

All reports shall be submitted to:

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