Air Quality Bureau
TITLE V OPERATING PERMIT
Issued under 20.2.70 NMAC

Certified Mail No:
Return Receipt Requested

Operating Permit No:	P243LR3
Facility Name:	Sandoval County Landfill
Facility Owner/Operator:	Sandoval County, New Mexico
Mailing Address:	2708 Iris Road NE Rio Rancho, NM 87144
TEMPO/IDEA ID No:	3752-PRT20220001
AIRS No:	350430055
Permitting Action:	Title V Renewal
Source Classification:	Title V
Facility Location:	352,220 m E by 3,907,750 m N; Zone 13; Datum WGS84
County:	Sandoval
Air Quality Bureau Contact:	Andrew Jones
Main AQB Phone No.	(505) 476-4300
TV Permit Expiration Date:	February 6, 2030
TV Renewal Application Due:	February 6, 2029

DocuSigned by:
Cindy Hollenberg
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2/6/2025

Cindy Hollenberg
Bureau Chief
Air Quality Bureau

Date

Template version: 12/12/2023

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PART A FACILITY SPECIFIC REQUIREMENTS

A100 Introduction

A. Not Applicable.

A101 Permit Duration (expiration)

A. The term of this permit is five (5) years. It will expire five years from the date of issuance. Application for renewal of this permit is due twelve (12) months prior to the date of expiration. (20.2.70.300.B.2 and 302.B NMAC)

B. If a timely and complete application for a permit renewal is submitted, consistent with 20.2.70.300 NMAC, but the Department has failed to issue or disapprove the renewal permit before the end of the term of the previous permit, then the permit shall not expire and all the terms and conditions of the permit shall remain in effect until the renewal permit has been issued or disapproved. (20.2.70.400.D NMAC)

A102 Facility: Description

A. The function of the facility is to dispose of municipal solid waste (MSW) and wastewater treatment plant sludge; process petroleum contaminated soils (PCS); shred logs, stumps, green waste, and woody construction and demolition debris for composting; crush scrap concrete and asphalt debris to produce road basecourse; and shred or crush MSW and other wastes to facilitate compaction within the landfill disposal cells.

B. This facility is located within the city limits of Rio Rancho, in Sandoval County, New Mexico. The facility is located off of Idalia Road, approximately 2.5 miles west of NM 528. (20.2.70.302.A(7) NMAC)

C. This is a Title V (TV) permit renewal under 20.2.70.300.B.(2) NMAC. In addition, the Title V application serves to incorporate NSR permit no. 4111M2 issued January 15, 2021 to include a Portable Rock Crusher (Rental), utilized for size reduction of concrete and/or asphalt, and NSR permit no. 4111M3, issued July 6, 2023, consisting of a relocation of the same previously permitted rock crusher within the facility boundary. The description of this modification is for informational purposes only and is not enforceable.

D. Tables 102.A and Table 102.B show the potential to emit (PTE) from this facility for information only. This is not an enforceable condition and excludes insignificant or trivial activities.

Table 102.A: Total Potential to Emit (PTE) from Entire Facility

Pollutant	Emissions (tons per year)
Nitrogen Oxides (NOx)	8.9
Carbon Monoxide (CO)	2.4
Volatile Organic Compounds (VOC)[1]	25.0
Sulfur Dioxide (SO_2)	0.6
Particulate Matter (PM)[2]	92.3
Particulate Matter 10 microns or less (PM_{10})	25.6
Particulate Matter 2.5 microns or less ($PM_{2.5}$)	3.5
Non-methane Organic Compounds (NMOC in Mg/yr in 2030)	25.23
Greenhouse Gas (GHG) as CO_2e	103,534

1. VOC total includes emissions from fugitives.
2. PM is a regulated new source review pollutant per 20.2.74 NMAC Prevention of Significant Deterioration and 20.2.70 NMAC, Title V. No ambient air quality standards apply to PM.

Table 102.B: Total Potential to Emit (PTE) for *Hazardous Air Pollutants (HAPs) that exceed 1.0 ton per year

Pollutant	Emissions (tons per year)
Toluene and Xylene	0.5
Total HAPs**	24.5

* HAP emissions are already included in the VOC emission total.
** The total HAP emissions may not agree with the sum of individual HAPs because only individual HAPs greater than 1.0 tons per year are listed here.

A103 Facility: Applicable Regulations

A. The permittee shall comply with all applicable sections of the requirements listed in Table 103.A.

Table 103.A: Applicable Requirements

Applicable Requirements	Federally Enforceable	Unit No.
NSR Permit No: 4111M2 and 4111M3 (Per 20.2.72 NMAC)	X	Entire Facility
20.2.1 NMAC General Provisions	X	Entire Facility

Table 103.A: Applicable Requirements

Applicable Requirements	Federally Enforceable	Unit No.
20.2.7 NMAC Excess Emissions	X (Sections 6(b); 110(b)(15); 111; 112; 113; 115; & 116 are State Enforceable Only)	Entire Facility
20.2.60 NMAC Open Burning	X	Entire Facility
20.2.61 NMAC Smoke and Visible Emissions	X	Units 2B, 2C, 5D, and 6
20.2.64 NMAC Municipal Solid Waste Landfills	X	Entire Facility
20.2.70 NMAC Operating Permits	X	Entire Facility
20.2.71 NMAC Operating Permit Emission Fees	X	Entire Facility
20.2.72 NMAC Construction Permit	X	Entire Facility
20.2.73 NMAC Notice of Intent and Emissions Inventory Requirements	X	Entire Facility
20.2.77 NMAC New Source Performance Standards	X	Units subject to 40 CFR 60
20.2.82 NMAC Maximum Achievable Control Technology Standards for Source Categories of HAPs	X	Units subject to 40 CFR 63
40 CFR 60, Subpart A, General Provisions	X	Entire Facility
40 CFR 60, Subparts Cf and XXX	X	Entire Facility
40 CFR 60, Subpart IIII	X	Units 5D and 6
40 CFR 63, Subpart A, General Provisions	X	Units subject to 40 CFR 63
40 CFR 63, Subpart CCCCCC, Gasoline Dispensing	X	Unit T-1
40 CFR 63, Subpart ZZZZ	X	Units 2B and 2C
40 CFR 82, Protection of Stratospheric Ozone	X	Entire Facility

A104 Facility: Regulated Sources

A. Table 104.A lists the emission units authorized for this facility. Emission units identified as insignificant or trivial activities (as defined in 20.2.70.7 NMAC) and/or equipment not regulated pursuant to the Act are not included.

Table 104.A: Regulated Sources List

Unit No.	Source Description	Make	Model	Serial No.	Construction/ Reconstruction Date	Manufacture Date	Manufacturer Rated Capacity /Permitted Capacity
1	Fugitives - Disposal Route, Access and Auxiliary Roads	N/A	N/A	N/A	1972	N/A	2745 h/y
2A	General Landfill Operations	N/A	N/A	N/A	1972	N/A	2745 h/y

Table 104.A: Regulated Sources List

Unit No.	Source Description	Make	Model	Serial No.	Construction/ Reconstruction Date	Manufacture Date	Manufacturer Rated Capacity /Permitted Capacity
2B	Diesel Powered Compost Screen	Fecon	96	05231	01-JAN-06	01-JAN-06	48 hp / 48 hp
2C	Diesel Powered Wood Chipper	Morbark	3600 Wood Chipper	182-1124	18-JAN-05	01-JUN-04	455 hp / 455 hp
3	Landfill Gas Emissions[2]	N/A	N/A	N/A	1972	N/A	8760 h/y
4	Petroleum Hydrocarbon Landfarm (PCS)[3]	N/A	N/A	N/A	1972	N/A	850 yd^3 / 850 yd^3
5A	Rock Crusher/ Waste Shredder Operations	N/A	N/A	N/A	N/A	N/A	80 tons/h / 80 tons/h
5B	Front End Loader in Crusher Area	N/A	N/A	N/A	N/A	N/A	80 tons/h / 80 tons/h
5C	Stockpiling for Crusher	N/A	N/A	N/A	N/A	N/A	80 tons/h / 80 tons/h
5D	Diesel CI Engine	Doppstadt	DW3060SA	W09307324-823-D38048	01-JAN-09	01-DEC-08	430 hp / 430 hp
6	Portable Rock Crusher (Rental)	Lokotrack	LT1213S	TBD	2019	2019	415 hp / 415 hp

1. All TBD (to be determined) units and like-kind engine replacements must be evaluated for applicability to NSPS and MACT requirements.
2. The facility operates up to 2745 h/y (as shown in Unit 2A), but landfill gas emissions occur continuously.
3. The PCS landfarm has not accepted any waste at this time, so the volume is not known. The 850 yd^3 figure is an initial design assessment based on the Table 106.A. allowable limits for HAPs.

A105 Facility: Control Equipment

A. Table 105.A lists all the pollution control equipment required for this facility. Each emission point is identified by the same number that was assigned to it in the permit application.

Table 105.A: Control Equipment List:

Control Equipment Unit No.	Control Description	Pollutant being controlled	Control for Unit No.[1]
Not required	Watering	Fugitive dust (particulate matter) emissions	1 and 2A
Not required	Basecourse applications and watering	Fugitive dust (particulate matter) emissions to achieve 80% control	1 and 2A

Table 105.A: Control Equipment List:

Control Equipment Unit No.	Control Description	Pollutant being controlled	Control for Unit No.[1]
Not required	Chip seal, sweeping, and watering	Fugitive dust (particulate matter) emissions to achieve 85% control	1 and 2A
Not required	Pavement and sweeping	Fugitive dust (particulate matter) emissions to achieve 95% control	1 and 2A

1 Control for unit number refers to a unit number from the Regulated Equipment List

A106 Facility: Allowable Emissions

A. The following Section lists the emission units, and their allowable emission limits. (40 CFR 60, Subparts A, Cf, IIII, and XXX; 40 CFR 63, Subparts A, CCCCCC, and ZZZZ; Paragraphs 1, 7, and 8 of 20.2.70.302.A NMAC; and NSR Permit 4111M3).

Unit No.	[1]NO_x pph	NO_x tpy	CO pph	CO tpy	VOC pph	VOC tpy	SO_2 pph	SO_2 tpy	PM pph	PM tpy	PM_{10} pph	PM_{10} tpy	$PM_{2.5}$ pph	$PM_{2.5}$ tpy
1	-	-	-	-	-	-	-	-	61.4	67.3	16.6	18.2	1.7	1.8
2A	-	-	-	-	-	-	-	-	46.2	22.0	12.8	6.2	1.9	1.1
2C and 2B[4]	6.9	4.5	1.5	1.0	<	<	<	<	<	<	<	<	<	<
3	-	-	-	-	<	1.4	-	-	-	-	-	-	-	-
4	-	-	-	-	5.2	22.9	-	-	-	-	-	-	-	-
5A. 5B, 5C	-	-	-	-	-	-	-	-	4.3	2.9	1.7	1.2	<	<
5D	5.7	4.3	1.2	0.9	<	<	<	<	<	<	<	<	<	<
6	0.3	0.06	2.4	0.5	0.1	0.03	-	-	1.0	0.2	0.4	0.1	0.08	0.02

1 Nitrogen dioxide emissions include all oxides of nitrogen expressed as NO_2.

2 Title V annual fee assessments are based on the sum of allowable tons per year emission limits in Sections A106 and A107.

3 Unit 2C emissions include 0.6 pph NO_2 from Unit 2B (Unit 2B is limited to 48 hours/year per Condition A706.A).

"-" indicates the application represented emissions are not expected for this pollutant.

"<" indicates that the application represented the uncontrolled mass emission rates are less than 1.0 pph or 1.0 tpy for this emissions unit and this air pollutant. Although modeled at the calculated value, the Department has determined compliance demonstrations of these very small calculated values are either technically or practically infeasible. For limits expressed as "<", actual emissions in excess of 1.0 pph and 1.0 tpy are excess emissions to be reported per General Condition B110.E.

"*" indicates hourly emission limits are not appropriate for this operating situation.

4 To report excess emissions for sources with no pound per hour and/or ton per year emission limits, see condition B110.E.

A107 Facility: Allowable Startup, Shutdown, & Maintenance (SSM)

A. Separate allowable startup, shutdown, and maintenance (SSM) emission limits are not required for this facility since the SSM emissions are predicted to be less than the limits established in Table 106.A. The permittee shall maintain records in accordance with Condition B109.E.

A108 Facility: Hours of Operation

A. Operating Hours

Requirement: This facility, including all permitted equipment and related activities such as truck traffic involving movement of landfill materials, shall occur between the operational hours of 7:00 am and 4:00 pm, Monday through Saturday, for a maximum of 2745 hours/calendar year. Site maintenance and construction activities, including application of daily cover, may extend beyond the hours that the landfill is open to receive waste. In addition, the Landfill may operate outside scheduled operating hours to accommodate site preparation, inclement weather conditions, special projects, internal operations/projects, waste transfer operations, internal operations, monitoring, and other special conditions.
Monitoring: Daily, the permittee shall record the hours of operation of the facility.
Recordkeeping: Each month, the permittee shall calculate the monthly rolling 12-month total hours. The permittee shall record the start and end times on each day of operation.
Reporting: The permittee shall report in accordance with Section B110.

A109 Facility: Reporting Schedules (20.2.70.302.E NMAC)

A. A Semi-Annual Report of monitoring activities is due within 45 days following the end of every 6-month reporting period. The six-month reporting periods start on January 1st and July 1st of each year.

B. The Annual Compliance Certification Report is due within 30 days of the end of every 12-month reporting period. The 12-month reporting period starts on January 1st of each year.

A110 Facility: Fuel and Fuel Sulfur Requirements – Not Required

A111 Facility: 20.2.61 NMAC Opacity

A. 20.2.61 NMAC Opacity Requirements (Units 2B, 2C, 5D, and 6)

Requirement: Visible emissions from all emission stacks of all compression ignition engines (Units 2B, 2C, 5D, and 6) shall not exceed an opacity of 20 percent in accordance with the requirements at 20.2.61.110.A NMAC.

Monitoring: As compression ignition engines used for processing landfill materials, and as engines that operate on a limited basis, the permittee shall, at least once during any calendar year that the unit is operated and no less frequently than once every 5 years regardless of unit operation, measure opacity during steady state operation on each unit for a minimum of 10 minutes in accordance with the procedures of 40 CFR 60, Appendix A, Method 9. The permittee shall also measure opacity on a unit's emissions stack anytime when visible emissions are observed during steady state operation.

(a) Visible emissions observations shall be conducted over a 10-minute period during operation after completion of startup mode in accordance with the procedures at 40 CFR 60, Appendix A, Reference Method 22 (EPA Method 22). If no visible emissions are observed, no further action is required.

(b) If any visible emissions are observed during completion of the EPA Method 22 observation, subsequent opacity observations shall be conducted over a 10-minute period, in accordance with the procedures at EPA Method 9 as required by 20.2.61.114 NMAC.

For the purposes of this condition, *Startup mode* is defined as the startup period that is described in the facility's startup plan.

Recordkeeping:

(1) If any visible emissions observations were conducted, the permittee shall keep records in accordance with the requirements of Section B109 and as follows:

(a) For any visible emissions observations conducted in accordance with EPA Method 22, record the information on the form referenced in EPA Method 22, Section 11.2.

(b) For any opacity observations conducted in accordance with the requirements of EPA Method 9, record the information on the form referenced in EPA Method 9, Sections 2.2 and 2.4.

Reporting: The permittee shall report in accordance with Section B110.

EQUIPMENT SPECIFIC REQUIREMENTS

OIL AND GAS INDUSTRY

A200 Oil and Gas Industry – Not Required

A300 Construction Industry – Aggregate – Not Required

A400 Construction Industry – Asphalt – Not Required

A500 Construction Industry – Concrete – Not Required

POWER GENERATION INDUSTRY

A600 Power Generation Industry – Not Required

SOLID WASTE DISPOSAL (LANDFILLS) INDUSTRY

A700 Solid Waste Disposal (Landfills) Industry – Not Required

A. This section has common equipment related to most Landfill Operations.

A701 General Landfill Operations and NMOC Emissions

A. Setback Distance and Restriction on Moving Emission Sources: The permittee was required to reduce some haul road and other activities near the northern property boundary to meet the $PM_{2.5}$ PSD increment to issue NSR permit number 4111M1. Equipment siting and hours limitation were also involved in NSR permit actions 4111M2 and 4111M3. Therefore, any change in the parameters used for this modeling, including moving regulated sources of air emissions, such as haul roads, shall be submitted to the Department for review. Upon the Department's request, the permittee shall submit additional modeling for review by the Department. Results of that review may require a permit modification (20.2.72.210.A NMAC).

B. 40 CFR 60, Subparts XXX and Cf (Entire Facility)

Requirement: The landfill shall comply with all applicable requirements of Subpart A of 40 CFR 60 and all specific requirements in Subpart XXX of 40 CFR 60.760 through 40 CFR 60.769. The landfill shall also comply with any/all applicable specific requirements in Subpart Cf of 40 CFR 60.31f through 40 CFR 60.41f.
Monitoring: The permittee shall comply with the applicable monitoring requirements of 40

CFR 60.766 and 40 CFR 60.37f.
Recordkeeping: The permittee shall comply with the applicable recordkeeping requirements of 40 CFR 60.768 and 40 CFR 60.39f.
Reporting: The permittee shall comply with the reporting requirements of 40 CFR 60.767 and 40 CFR 60.38f.

C. Particulate Matter Control – Landfill (Entire Facility)

Requirement: Compliance with the allowable particulate matter emissions limits in Table 106.A shall be demonstrated by watering active areas of the landfill to control particulate matter emissions. The permittee shall control fugitive dust by spreading water onto the active areas of the landfill at least once a day during the landfill access hours, or as necessary to control fugitive dust emissions. This condition is pursuant to 20.2.70.302.A(1) NMAC. The frequency of water application may be reduced when precipitation, residual moisture, or freezing temperatures occur to the extent that these conditions suppress fugitive dust as effectively as the application of water.
Monitoring: The permittee shall watch for the presence of visible dust and monitor the frequency, quantity, and location(s) of the water application, or equivalent control measures.
Recordkeeping: The permittee shall keep readily accessible, on-site records of the daily watering activities in accordance with Section B109 of this permit. The permittee shall make a daily record of each time the control activity is applied or if none is required due to precipitation, residual moisture, or freezing temperatures that eliminate the need for water application. The record shall include the date, time, name of the person making the entry, and the quantity and description of the control material that was applied and where.
Reporting: The permittee shall submit reports of the daily watering logs in accordance with Section B110 of this permit.

D. NMOC Emissions – Waste Acceptance Rates and Design Capacity (Unit 3)

Requirement: The permittee shall verify parameters used in the NMOC calculations. This condition is pursuant to 20.2.70.302.A(1) NMAC, 20.2.64 NMAC, and 40 CFR 60.762 (Subpart XXX, standards for air emissions).
Monitoring: The permittee shall monitor the waste acceptance rates and design capacity at the landfill.
Recordkeeping: The permittee shall keep readily accessible, on-site records of the maximum design capacity, current amount of solid waste in-place, and the year-by-year waste acceptance rate in accordance with Section B109 of this permit.
Reporting: The permittee shall meet any applicable reporting as required in 40 CFR 60, Subpart XXX (Condition A701.B).

E. NMOC Emission Rate (Unit 3)

Requirement The permittee shall recalculate the NMOC emission rate annually using the procedures specified in 40 CFR 60 Subpart 60.764 (Subpart XXX, test methods and procedures) until such time as the calculated NMOC emission rate is equal to or greater than 34 megagrams (Mg) per year or the landfill is closed. If the annual NMOC emission rate upon recalculation is equal to or greater than 34 Mg per year, the landfill owner/operator shall install a collection and

control system in compliance with 40 CFR 60.762(b)(2) and notify the Air Quality Bureau Permitting Section. This condition is pursuant to 20.2.70.302.A(1) NMAC, 20.2.64 NMAC, and 40 CFR 60.762(b).
Monitoring: The permittee shall monitor and recalculate the NMOC emission rate annually.
Recordkeeping: The permittee shall keep readily accessible, on-site records of the annual reports of NMOC calculated emissions in accordance with Section B109 of this permit.
Reporting: The permittee shall meet any applicable reporting as required in 40 CFR 60, Subpart XXX (Condition A701.B).

F. Crushing/Shredding Operations – Hours of Operation (Units 5A, 5B, and 5C)

Requirement: The crusher/shredder and associated activities, Units 5A, 5B, and 5C, are restricted to operate no more than **1520** hours per year. These hours shall reflect those as required for the diesel engine component of this unit per Condition A706.A. Any/all monitoring, recordkeeping, and reporting that overlaps (happens concurrently) with the requirements of Condition A706.A, shall be kept as one record.
Monitoring: The permittee shall monitor the on/off status of the crusher/shredder.
Recordkeeping: The permittee shall make a record of the on/off status of the crusher/shredder. At a minimum, the operator shall monitor and record the date, the time, and the on/off status of the crusher/shredder using the resettable hour meter installed on the crusher/shredder. Each calendar month, the permittee shall calculate the monthly total for the hours in which the crusher/shredder operates. The permittee shall calculate the monthly rolling 12-month total hours for the crusher/shredder.
Reporting: The permittee shall maintain a summary of the hours of operation for the crusher/shredder for each calendar day. At a minimum, the summary shall include the date, the production start and end time, and the total number of hours of operation. The permittee shall maintain the ability to provide information to the Department, in electronic or paper format, within 24 hours of the request, or longer if so authorized by the Department.

G. Crusher/Shredder (Unit 5A): The permittee shall keep documentation on site that shows the manufacturer's maximum rated throughput rate for the crusher/shredder in Unit 5A, under all configurations, does not exceed 80 tons per hour.

H. Storage Piles (Unit 5C): Stockpiles shall be maintained to minimize fugitive particulate matter emissions to the atmosphere. Water applications (Condition A701.C), use of tarps or other physical devices and techniques, stockpile physical profile, stockpile placement (location) within the landfill boundaries, or other standard industry practices shall all be considered in minimizing fugitive dust. When requested by the Department, the permittee shall indicate what practices are being implemented.

I. Equipment: The permittee shall maintain a list of all equipment associated with this permit at all times. All changes to the list shall be reported to the Department by notifying the Department in accordance with the equipment substitution notification process (according to the General Conditions at B110.C). Substitution of non-combustion equipment is authorized provided the replacement equipment is functionally equivalent and has the same or lower process capacity as the piece of

equipment it is replacing in the most recent permit. The Department shall be notified using the Equipment Substitution Form provided by the Department within fifteen (15) days of equipment substitutions (General Conditions at B110.C).

A702 Haul Road Operations

A. Unpaved Roads (Units 1 and 2A)

Requirement: Unpaved traffic areas and haul roads within the facility boundaries, including the landfill operations area shall be watered **or** treated by application of basecourse to control particulate emissions. The permittee shall control fugitive dust by spreading water onto unpaved truck traffic areas and haul roads at least once a day during the landfill access hours (54 hours per week), or as necessary to control fugitive dust emissions. The frequency of water application may be reduced when precipitation, residual moisture, or freezing temperatures occur to the extent that these conditions suppress fugitive dust as effectively as the application of water.
Monitoring: The permittee shall watch for the presence of visible dust and monitor the frequency, quantity, and location(s) of the water application or equivalent control measure.
Recordkeeping: The permittee shall keep readily accessible, on-site records of the daily watering activities in accordance with Section B109 of this permit. The permittee shall make a daily record of each time the control activity is applied or if none is required due to precipitation, residual moisture, or freezing temperatures that eliminate the need for water application. The record shall include the date, time, name of the person making the entry, and the quantity and description of the control measure and where it is applied.
Reporting: The permittee shall submit reports of the daily watering logs in accordance with Section B110 of this permit.

B. Recycled Basecourse Roads (Units 1 and 2A)

Requirement: Traffic areas and haul roads within the facility boundaries, including landfill operations areas, where recycled basecourse has been applied, shall be watered to control particulate emissions. The permittee shall control fugitive dust by spreading water onto traffic areas and haul roads, where recycled basecourse has been applied, at least once a day during the landfill access hours (54 hours per week), or as necessary to control fugitive dust emissions. The frequency of water application may be reduced when precipitation, residual moisture, or freezing temperatures occur to the extent that these conditions suppress fugitive dust as effectively as the application of water.
Monitoring: The permittee shall watch for the presence of visible dust and monitor the frequency, quantity, and location(s) of the water application.
Recordkeeping: The permittee shall keep readily accessible, on-site records of the daily watering activities, including any road maintenance or repairs, in accordance with Section B109 of this permit. The permittee shall make a daily record of each time the control activity is applied or if none is required due to precipitation, residual moisture, or freezing temperatures that eliminate the need for water application. The record shall include the date, time, name of the person making the entry, and the quantity and description of the control measure and where it is applied.
Reporting: The permittee shall submit reports of the daily watering logs in accordance with

Section B110 of this permit.

C. Chip Sealed Roads (Units 1 and 2A)

Requirement: Traffic areas and roads within the facility boundaries, including landfill operations areas, where chip seal (a mixture of asphalt cement and rock that form a hardened surface) has been applied, shall be swept and watered to control particulate emissions. If sweeping is not sufficient alone to control dust, watering shall be implemented to control dust as appropriate. The permittee shall control fugitive dust by cleaning chip seal roads as necessary during the landfill access hours (54 hours per week), to control fugitive dust emissions. The frequency of water application or sweeping may be reduced when precipitation, residual moisture, or freezing temperatures occur to the extent that these conditions suppress fugitive dust as effectively as the application of water or sweeping.

Monitoring: The permittee shall watch for the presence of visible dust and monitor the frequency and location(s) of the sweeping.

Recordkeeping: The permittee shall keep readily accessible, on-site records of the cleaning activities, including any road maintenance or repairs, in accordance with Section B109 of this permit. The permittee shall make a daily record of each time the control activity is performed or if none is required due to precipitation, residual moisture, or freezing temperatures that eliminate the need for water application or sweeping. The record shall include the date, time, name of the person making the entry, and a description of the control measure and where it is applied.

Reporting: The permittee shall submit reports of the sweeping and watering activities in accordance with Section B110.

D. Paved Roads (Units 1 and 2A)

Requirement: Paved traffic areas and haul roads within the facility boundaries, including landfill operations areas, shall be swept to control particulate emissions. The permittee shall control fugitive dust by cleaning paved roads as necessary during the landfill access hours (54 hours per week), to control fugitive dust emissions. The frequency of sweeping may be reduced when precipitation, residual moisture, or freezing temperatures occur to the extent that these conditions suppress fugitive dust as effectively as sweeping.

Monitoring: The permittee shall watch for the presence of visible dust and monitor the frequency and location(s) of the sweeping.

Recordkeeping: The permittee shall keep readily accessible, on-site records of the cleaning activities, including any road maintenance or repairs, in accordance with Section B109 of this permit. The permittee shall make a daily record of each time the control activity is performed or if none is required due to precipitation, residual moisture, or freezing temperatures that eliminate the need for sweeping. The record shall include the date, time, name of the person making the entry, and a description of the control measure and where it is applied.

Reporting: The permittee shall submit reports of the sweeping activity in accordance with Section B110 of this permit.

E. Traffic Limits – Refuse Delivery and Miscellaneous Vehicles (Units 1 and 2A)

Requirement: The cumulative daily distance traveled by refuse delivery vehicles and miscellaneous vehicular traffic using landfill disposal and operation routes shall not exceed the

following cumulative vehicle miles traveled (VMT), used to determine particulate matter emissions:

1) 277.9 VMT per day (84,478 VMT per year) on unpaved roads; and
2) 163.1 VMT per day (49,578 VMT per year) on paved roads.

Note: As of this NSR permit 4111M3 there were only unpaved and paved roads on the landfill.

Monitoring: The permittee shall monitor the total number of VMT on the unpaved roads, on the chip seal roads, and on the paved roads of the disposal route and operation routes per day.

Recordkeeping: The permittee shall keep daily records of the total number of VMT on the unpaved roads, on the chip seal roads, and on the paved roads of the disposal route and operation routes per day in accordance with Section B109 of this permit.

Reporting: Maintain records on-site.

F. Traffic Limit - Front End Loader (Unit 5B)

Requirement: The cumulative daily distance traveled by the front-end loader, Unit 5B, in the crusher/shredder area, shall not exceed 1.89 vehicle miles traveled (VMT) per day (576 VMT per year), used to determine particulate matter emissions.

Monitoring: The permittee shall monitor the total number of VMT for the front-end loader per day.

Recordkeeping: The permittee shall keep daily records of the total number of VMT for the front end loader in accordance with Section B109 of this permit.

Reporting: Maintain records on-site.

A703 Landfill Gas Collection System – Not Required

A704 Enclosed Landfill Gas Flare (NMOC Emissions Control) – Not Required

A705 Petroleum Contaminated Soils Landfarm

A. Hazardous Air Pollutants (HAP) - The Petroleum Contaminated Soils (PCS) Landfarm (Unit 4) HAP emissions shall be less than 25 tons per year (tpy) of aggregate HAPs and 10 tpy of any individual HAP. PCS received by the landfill shall have a laboratory analysis for total petroleum hydrocarbon (TPH - Diesel, Motor Oil, and Gasoline Range Organics), and Benzene, Toluene, Ethyl benzene, and Xylene (BTEX).

B. Operations – Petroleum Contaminated Soils (PCS) Landfarm (Unit 4)

Requirement: The permittee shall not exceed the emission limits in Table 106.A and the limits in Condition A705.A.

Monitoring: The permittee shall monitor the total amount of PCS received and the associated concentration of TPH and BTEX based on the analytical analysis for each PCS profile. Profile is defined as an identification sheet for one specific remediation project that meets the landfill's acceptance criterion. PCS received may involve multiple truck loads or shipments.

The permittee shall calculate semi-annually the HAP emissions from PCS consistent with the methodologies presented in Section 6 of the permit application. Calculations for individual BTEX emissions shall be based on the highest concentration of the individual HAP as determined from the analytical test results associated with the PCS profile. For PCS remediation projects with volumes less than 100 cubic yards, the results of the single laboratory sample will be considered the high concentration.

Recordkeeping: The permittee shall record the total amount (cubic yards or tons) of PCS received for each profile and the associated concentration (ppm or Mg/kg) of TPH and BTEX.

For each PCS profile, the permittee shall maintain scale records documenting the amount of PCS deposited at the Landfarm and laboratory analytical results documenting the HAP concentrations. The permittee shall also maintain records of HAP emissions calculations.

Records shall be maintained on-site and made available within 24 hours upon request. Scale records and Waste Profile Sheets with Laboratory Analysis are also subject to Department review and copying upon written notice and/or on-site inspection.

Reporting: As required by this facility's Title V permit, the permittee shall report semi-annually a summary of the HAP emissions calculations.

A706 Engines

A. Hours of Operation: Diesel Engines (Units 2C, 2B, and 5D)

Requirement: Compliance with the allowable emissions limits in Table 106.A shall be demonstrated as follows: The diesel engines which power the woodchipper (Unit 2C), the compost screen (Unit 2B), and the crusher/shredder (Unit 5D), are restricted to operate no more than:

1) 1440 hours per year for Unit 2C (Diesel Powered Woodchipper),
2) 48 hours per year for Unit 2B (Diesel Powered Compost Screen), and
3) 1520 hours per year for Unit 5D (Crusher/Shredder),

based on a monthly rolling 12-month total (for each engine), as specified in the permit application.

Monitoring: The permittee shall monitor the on/off status of each of Unit 2C, Unit 2B, and Unit 5D diesel engines by recording the startup time and subsequent shut-down time of each engine.

Recordkeeping: The permittee shall make a record of the on/off times for each diesel engine.

Unit 5D (crusher/shredder engine): The operator shall utilize the hour meter installed on Unit 5D to facilitate the recording of date, time, and on/off status of Unit 5D.

Each calendar month, the permittee shall calculate the monthly total for the hours in which each diesel engine operates. The permittee shall calculate the monthly rolling 12-month total hours for each diesel engine.

Reporting: The permittee shall maintain a summary of the hours of operation for each diesel engine for each calendar day. At a minimum, the summary shall include the date, the start and

end time, and the total number of hours of operation. The permittee shall maintain the ability to provide information to the Department in electronic or paper format, within 24 hours of the request, or longer if so authorized by the Department.

B. 40 CFR 60, Subpart IIII (Units 5D and 6)

Requirement: The units are subject to 40 CFR 60, Subparts A and IIII and shall comply with the notification requirements in Subpart A and the specific requirements of Subpart IIII, including the standards in §60.4204.
Monitoring: The permittee shall comply with all applicable monitoring requirements in 40 CFR 60, Subpart A and Subpart IIII, including but not limited to 60.4211.
Recordkeeping: The permittee shall comply with all applicable recordkeeping requirements in 40 CFR 60, Subpart A and Subpart IIII, including but not limited to 60.4214.
Reporting: The permittee shall comply with all applicable reporting requirements in 40 CFR 60, Subpart A and Subpart IIII, including but not limited to 60.4214.

C. 40 CFR 63, Subpart ZZZZ (Units 2B, 2C, 5D, and 6 (conditional))

Requirement: The units are subject to 40 CFR 63, Subpart ZZZZ and the permittee shall comply with all applicable requirements of Subpart A and Subpart ZZZZ, including applicable emission limitations and operating limitations cited under §63.6603, including Table 2d. Units 5D and 6 shall meet ZZZZ by meeting NSPS IIII (see Condition A706.B)
Monitoring: The permittee shall comply with all applicable monitoring requirements of 40 CFR 63, Subpart A and Subpart ZZZZ.
Recordkeeping: The permittee shall comply with all applicable recordkeeping requirements of 40 CFR 63, Subpart A and Subpart ZZZZ, including but not limited to 63.6655 and 63.10.
Reporting: The permittee shall comply with all applicable reporting requirements of 40 CFR 63, Subpart A and ZZZZ, including but not limited to 63.6645, 63.6650, 63.9, and 63.10.

D. Hours of Operation: Portable Diesel Engine (Unit 6)

Requirements: Compliance with the allowable emissions limits in Table 106.A shall be demonstrated as follows: 1) The Unit 6 engine shall be limited to operating for no more than a total of 432 hours per calendar year. The emissions in Table 106.A are based on Unit 6 operating 9 hours per day at 6 days per week for a period not to exceed 8 weeks in a calendar year. The total of 432 hours/calendar year shall not be exceeded; and 2) Units 2C and 5D shall not be operated simultaneously with Unit 6.
Monitoring: The permittee shall monitor the on/off status of Unit 6 by recording the startup time and subsequent shut-down time of the engine.
Recordkeeping: The permittee shall make a record of the on/off times for the diesel engine, using a Department-approved recording system or recordkeeping form, similar to that used for other facility engines (Condition A706.A). The records shall not indicate any simultaneous operation of Unit 6 with Unit 2C or with Unit 5D. The permittee shall keep a cumulative record of the total hours in which the engine operates

until the 432 hour limit per calendar year has been reached.
Reporting: The permittee shall maintain a summary of the hours of operation for the engine for each calendar day. At a minimum, the summary shall include the date, the start and end time, and the total number of hours of operation. The permittee shall maintain the ability to provide information to the Department in electronic or paper format, within 24 hours of the request, or longer if so authorized by the Department.

A707 Tanks

A. NESHAP (MACT) – 40 CFR 63 Subpart CCCCCC (Unit T-1)

Requirement: Unit T-1 is subject to the requirements in 40 CFR 63, Subparts A and CCCCCC, §63.11111(c) of as a Gasoline Dispensing Facility (GDF) with throughput of greater than 10,000 gal/month, but less than 100,000 gal/month. 1) The permittee shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the requirements listed in §63.11111(c). 2) No notifications are required for Unit T-1, however, the permittee shall have records available within 24 hours of a request by the Administrator to document fuel throughput.
Monitoring: As required by Subparts A and CCCCCC.
Recordkeeping: The permittee shall maintain monthly fuel throughput records in accordance with §63.11117(d) of 40 CFR 63, Subpart CCCCCC, and in accordance with Section B109.
Reporting: The permittee shall report as required by 40 CFR 63, Subparts A and CCCCCC, and in accordance with Section B110.

PART B GENERAL CONDITIONS (Attached)

PART C MISCELLANEOUS: Supporting On-Line Documents; Definitions; Acronyms (Attached)

Air Quality Bureau
TITLE V OPERATING PERMIT
Issued under 20.2.70 NMAC

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PART B GENERAL CONDITIONS

B100 Introduction

A. Not Applicable

B101 Legal

A. Permit Terms and Conditions (20.2.70 sections 7, 201.B, 300, 301.B, 302, 405 NMAC)

(1) The permittee shall abide by all terms and conditions of this permit, except as allowed under Section 502(b)(10) of the Federal Act, and 20.2.70.302.H.1 NMAC. Any permit noncompliance is grounds for enforcement action, and significant or repetitious noncompliance may result in termination of this permit. Additionally, noncompliance with federally enforceable conditions of this permit constitutes a violation of the Federal Act. (20.2.70.302.A.2.a NMAC)

(2) Emissions trading within a facility (20.2.70.302.H.2 NMAC)

(a) The Department shall, if an applicant requests it, issue permits that contain terms and conditions allowing for the trading of emissions increases and decreases in the permitted facility solely for the purpose of complying with a federally enforceable emissions cap that is established in the permit in addition to any applicable requirements. Such terms and conditions shall include all terms and conditions required under 20.2.70.302 NMAC to determine compliance. If applicable requirements apply to the requested emissions trading, permit conditions shall be issued only to the extent that the applicable requirements provide for trading such increases and decreases without a case-by-case approval.

(b) The applicant shall include in the application proposed replicable procedures and permit terms that ensure the emissions trades are quantifiable and enforceable. The Department shall not include in the emissions trading provisions any emissions units for which emissions are not quantifiable or for which there are no replicable procedures to enforce the emissions trades. The permit shall require compliance with all applicable requirements.

(3) It shall not be a defense for the permittee in an enforcement action to claim that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. (20.2.70.302.A.2.b NMAC)

(4) If the Department determines that cause exists to modify, reopen and revise, revoke and reissue, or terminate this permit, this shall be done in accordance with 20.2.70.405 NMAC. (20.2.70.302.A.2.c NMAC)

(5) The permittee shall furnish any information the Department requests in writing to determine if cause exists for reopening and revising, revoking and reissuing, or

terminating the permit, or to determine compliance with the permit. This information shall be furnished within the time period specified by the Department. Additionally, the permittee shall furnish, upon request by the Department, copies of records required by the permit to be maintained by the permittee. (20.2.70.302.A.2.f NMAC)

(6) A request by the permittee that this permit be modified, revoked and reissued, or terminated, or a notification by the permittee of planned changes or anticipated noncompliance, shall not stay any conditions of this permit. (20.2.70.302.A.2.d NMAC)

(7) This permit does not convey property rights of any sort, or any exclusive privilege. (20.2.70.302.A.2.e NMAC)

(8) In the case where an applicant or permittee has submitted information to the Department under a claim of confidentiality, the Department may also require the applicant or permittee to submit a copy of such information directly to the Administrator of the EPA. (20.2.70.301.B NMAC)

(9) The issuance of this permit, or the filing or approval of a compliance plan, does not relieve the permittee from civil or criminal liability for failure to comply with the state or Federal Acts, or any applicable state or federal regulation or law. (20.2.70.302.A.6 NMAC and the New Mexico Air Quality Control Act NMSA 1978, Chapter 74, Article 2)

(10) If any part of this permit is challenged or held invalid, the remainder of the permit terms and conditions are not affected and the permittee shall continue to abide by them. (20.2.70.302.A.1.d NMAC)

(11) A responsible official (as defined in 20.2.70.7.AE NMAC) shall certify the accuracy, truth and completeness of every report and compliance certification submitted to the Department as required by this permit. These certifications shall be part of each document. (20.2.70.300.E NMAC)

(12) Revocation or termination of this permit by the Department terminates the permittee's right to operate this facility. (20.2.70.201.B NMAC)

(13) The permittee shall continue to comply with all applicable requirements. For applicable requirements that will become effective during the term of the permit, the permittee shall meet such requirements on a timely basis. (Sections 300.D.10.c and 302.G.3 of 20.2.70 NMAC)

B. Permit Shield (20.2.70.302.J NMAC)

(1) Compliance with the conditions of this permit shall be deemed to be compliance with any applicable requirements existing as of the date of permit issuance and identified in Table 103.A. The requirements in Table 103.A are applicable to this facility with specific requirements identified for individual emission units.

(2) The Department has determined that the requirements in Table 103.B as identified in the permit application are not applicable to this source, or they do not impose any conditions in this permit.

(3) This permit shield does not extend to administrative amendments (Subsection A of 20.2.70.404 NMAC), to minor permit modifications (Subsection B of 20.2.70.404 NMAC), to changes made under Section 502(b)(10), changes under Paragraph 1 of subsection H of 20.2.70.302 of the Federal Act, or to permit terms for which notice has been given to reopen or revoke all or part under 20.2.70.405 and 20.2.70.302J(6).

(4) This permit shall, for purposes of the permit shield, identify any requirement specifically identified in the permit application or significant permit modification that the department has determined is not applicable to the source, and state the basis for any such determination. (20.2.70.302.A.1.f NMAC)

C. 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 pollutant control practices for minimizing emissions. (20.2.7.109 NMAC). The establishment of allowable malfunction emission limits does not supersede this requirement.

B102 Authority

A. This permit is issued pursuant to the federal Clean Air Act ("Federal Act"), the New Mexico Air Quality Control Act ("State Act") and regulations adopted pursuant to the State and Federal Acts, including Title 20, New Mexico Administrative Code, Chapter 2, Part 70 (20.2.70 NMAC) - Operating Permits.

B. This permit authorizes the operation of this facility. This permit is valid only for the named permittee, owner, and operator. A permit modification is required to change any of those entities.

C. The Department specifies with this permit, terms and conditions upon the operation of this facility to assure compliance with all applicable requirements, as defined in 20.2.70 NMAC at the time this permit is issued. (20.2.70.302.A.1 NMAC)

D. Pursuant to the New Mexico Air Quality Control Act NMSA 1978, Chapter 74, Article 2, all terms and conditions in this permit, including any provisions designed to limit this facility's potential to emit, are enforceable by the Department. All terms and conditions are enforceable by the Administrator of the United States Environmental Protection Agency ("EPA") and citizens under the Federal Act, unless the term or condition is specifically designated in this permit as not being enforceable under the Federal Act. (20.2.70.302.A.5 NMAC)

E. The Department is the Administrator for 40 CFR Parts 60, 61, and 63 pursuant to the Modification and Exceptions of Section 10 of 20.2.77 NMAC (NSPS), 20.2.78 NMAC (NESHAP), and 20.2.82 NMAC (MACT).

B103 Annual Fee

A. The permittee shall pay Title V fees to the Department consistent with the fee schedule in 20.2.71 NMAC - Operating Permit Emission Fees. The fees will be assessed and invoiced separately from this permit. (20.2.70.302.A.1.e NMAC)

B104 Appeal Procedures
(20.2.70.403.A NMAC)

A. Any person who participated in a permitting action before the Department and who is adversely affected by such permitting action, may file a petition for a hearing before the Environmental Improvement Board ("board"). The petition shall be made in writing to the board within thirty (30) days from the date notice is given of the Department's action and shall specify the portions of the permitting action to which the petitioner objects, certify that a copy of the petition has been mailed or hand-delivered, and attach a copy of the permitting action for which review is sought. Unless a timely request for a hearing is made, the decision of the Department shall be final. The petition shall be copied simultaneously to the Department upon receipt of the appeal notice. If the petitioner is not the applicant or permittee, the petitioner shall mail or hand-deliver a copy of the petition to the applicant or permittee. The Department shall certify the administrative record to the board. Petitions for a hearing shall be sent to:

For Mailing:
Administrator, New Mexico Environmental Improvement Board
P.O. Box 5469
Santa Fe, NM 87502-5469

For Hand Delivery:
Administrator, New Mexico Environmental Improvement Board
1190 St. Francis Drive, Harold Runnels Bldg.
Santa Fe, New Mexico 87505

B105 Submittal of Reports and Certifications

A. Stack Test Protocols and Stack Test Reports shall be submitted electronically to the Air Quality Bureau Compliance Reporting (AQBCR) system or as directed by the Department.

B. Excess Emission Reports shall be submitted as directed by the Department. (20.2.7.110 NMAC)

C. Compliance Certification Reports, Semi-Annual monitoring reports, compliance schedule progress reports, and any other compliance status information required by this permit shall

be certified by the responsible official and submitted to the mailing address below, or as directed by the Department:

Manager, Compliance and Enforcement Section
New Mexico Environment Department
Air Quality Bureau
525 Camino de los Marquez Suite 1
Santa Fe, NM 87505-1816

D. Compliance Certification Reports shall also be submitted to the Administrator through EPA's Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through the EPA's Central Data Exchange (CDX) Webpage located at www.epa.gov/CDX. (20.2.70.302.E.3 NMAC)

B106 NSPS and/or MACT Startup, Shutdown, and Malfunction Operations

A. If a facility is subject to a NSPS standard in 40 CFR 60, each owner or operator that installs and operates a continuous monitoring device required by a NSPS regulation shall comply with the excess emissions reporting requirements in accordance with 40 CFR 60.7(c).

B. If a facility is subject to a NSPS standard in 40 CFR 60, then in accordance with 40 CFR 60.8(c), operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard.

C. If a facility is subject to a MACT standard in 40 CFR 63, then the facility is subject to the requirement for a Startup, Shutdown and Malfunction Plan (SSM) under 40 CFR 63.6(e)(3), unless specifically exempted in the applicable subpart. (20.2.70.302.A.1 and A.4 NMAC)

B107 Startup, Shutdown, and Maintenance Operations

A. The establishment of permitted startup, shutdown, and maintenance (SSM) emission limits does not supersede the requirements of 20.2.7.14.A NMAC. Except for operations or equipment subject to Condition B106, the permittee shall establish and implement a plan to minimize emissions during routine or predictable start up, shut down, and scheduled maintenance (SSM work practice plan) and shall operate in accordance with the procedures set forth in the plan. (20.2.7.14.A NMAC)

B108 General Monitoring Requirements
(20.2.70. 302.A and C NMAC)

A. These requirements do not supersede or relax requirements of federal regulations.

B. The following monitoring and/or testing requirements shall be used to determine compliance with applicable requirements and emission limits. Any sampling, whether by portable analyzer or EPA reference method, that measures an emission rate over the applicable averaging period greater than an emission limit in this permit constitutes noncompliance with this permit. The Department may require, at its discretion, additional tests pursuant to EPA Reference Methods at any time, including when sampling by portable analyzer measures an emission rate greater than an emission limit in this permit; but such requirement shall not be construed as a determination that the sampling by portable analyzer does not establish noncompliance with this permit and shall not stay enforcement of such noncompliance based on the sampling by portable analyzer.

C. If the emission unit is shutdown at the time when periodic monitoring is due to be completed, the permittee is not required to restart the unit for the sole purpose of conducting the monitoring. Using electronic or written mail, the permittee shall notify the Department's Compliance and Enforcement Section of a delay in emission tests prior to the deadline for completing the tests. Upon recommencing operation, the permittee shall submit pre-test notification(s) to the Department's Compliance and Enforcement Section and shall complete the monitoring.

D. The requirement for monitoring during any monitoring period is based on the percentage of time that the unit has operated. However, to invoke monitoring period exemptions at B108.D(2), hours of operation shall be monitored and recorded.

(1) If the emission unit has operated for more than 25% of a monitoring period, then the permittee shall conduct monitoring during that period.

(2) If the emission unit has operated for 25% or less of a monitoring period then the monitoring is not required. After two successive periods without monitoring, the permittee shall conduct monitoring during the next period regardless of the time operated during that period, except that for any monitoring period in which a unit has operated for less than 10% of the monitoring period, the period will not be considered as one of the two successive periods.

(3) If invoking the monitoring period exemption in B108.D(2), the actual operating time of a unit shall not exceed the monitoring period required by this permit before the required monitoring is performed. For example, if the monitoring period is annual, the operating hours of the unit shall not exceed 8760 hours before monitoring is conducted. Regardless of the time that a unit actually operates, a minimum of one of each type of monitoring activity shall be conducted during the five year term of this permit.

E. For all periodic monitoring events, except when a federal or state regulation is more stringent, three test runs shall be conducted at 90% or greater of the unit's capacity as stated in this permit, or in the permit application if not in the permit, and at additional loads when requested by the Department. If the 90% capacity cannot be achieved, the monitoring will be conducted at the maximum achievable load under prevailing operating conditions except when a federal or state regulation requires more restrictive test conditions. The load and the

parameters used to calculate it shall be recorded to document operating conditions and shall be included with the monitoring report.

F. When requested by the Department, the permittee shall provide schedules of testing and monitoring activities. Compliance tests from previous NSR and Title V permits may be re-imposed if it is deemed necessary by the Department to determine whether the source is in compliance with applicable regulations or permit conditions.

G. If monitoring is new or is in addition to monitoring imposed by an existing applicable requirement, it shall become effective 120 days after the date of permit issuance. For emission units that have not commenced operation, the associated new or additional monitoring shall not apply until 120 days after the units commence operation. All pre-existing monitoring requirements incorporated in this permit shall continue to apply from the date of permit issuance. All monitoring periods, unless stated otherwise in the specific permit condition or federal requirement, shall commence at the beginning of the 12 month reporting period as defined at condition A109.B.

H. Unless otherwise indicated by Specific Conditions or regulatory requirements, all instrumentation used for monitoring in accordance with applicable requirements including emission limits, to measure parameters including but not limited to flow, temperature, pressure and chemical composition, or used to continuously monitor emission rates and/or other process operating parameters, shall be subject to the following requirements:

(1) The owner or operator shall install, calibrate, operate and maintain monitoring instrumentation (monitor) according to the manufacturer's procedures and specifications and the following requirements.

(a) The monitor shall be located in a position that provides a representative measurement of the parameter that is being monitored.

(b) At a minimum, the monitor shall complete one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.

(c) At a minimum, the monitor shall be spanned to measure the normal range +/- 5% of the parameter that is being monitored.

(d) At least semi-annually, perform a visual inspection of all components of the monitor for physical and operational integrity and all electrical connections for oxidation and galvanic corrosion.

(e) Recalibrate the monitor in accordance with the manufacturer's procedures and specifications at the frequency specified by the manufacturer, or every two years, whichever is less.

(2) Except for malfunctions, associated repairs, and required quality assurance or control activities (including calibration checks and required zero and span adjustments), the permittee shall operate and maintain all monitoring equipment at all times that the emissions unit or the associated process is operating.

(3) The monitor shall measure data for a minimum of 90 percent of the time that the emissions unit or the associated process is in operation, based on a calendar monthly average.

(4) The owner or operator shall maintain records in accordance with Section B109 to demonstrate compliance with the requirements in B108H (1)-(3) above, as applicable.

I. The permittee is not required to report a deviation for any monitoring or testing in a Specific Condition if the deviation was authorized in this General Condition B108.

B109 General Recordkeeping Requirements
(20.2.70.302.D NMAC)

A. The permittee shall maintain records to assure and verify compliance with the terms and conditions of this permit and any applicable requirements that become effective during the term of this permit. The minimum information to be included in these records is as follows (20.2.70.302.D.1 NMAC):

(1) Records required for testing and sampling:

(a) equipment identification (include make, model and serial number for all tested equipment and emission controls)

(b) date(s) and time(s) of sampling or measurements

(c) date(s) analyses were performed

(d) the qualified entity that performed the analyses

(e) analytical or test methods used

(f) results of analyses or tests

(g) operating conditions existing at the time of sampling or measurement

(2) Records required for equipment inspections and/or maintenance required by this permit:

(a) equipment identification number (including make, model and serial number)

(b) date(s) and time(s) of inspection, maintenance, and/or repair

(c) date(s) any subsequent analyses were performed (if applicable)

(d) name of the person or qualified entity conducting the inspection, maintenance, and/or repair

(e) copy of the equipment manufacturer's or the owner or operator's maintenance or repair recommendations (if required to demonstrate compliance with a permit condition)

(f) description of maintenance or repair activities conducted

(g) all results of any required parameter readings

(h) a description of the physical condition of the equipment as found during any required inspection

(i) results of required equipment inspections including a description of any condition which required adjustment to bring the equipment back into compliance and a description of the required adjustments

B. The permittee shall keep records of all monitoring data, equipment calibration, maintenance, and inspections, Data Acquisition and Handling System (DAHS) if used, reports, and other supporting information required by this permit for at least five (5) years from the time the data was gathered or the reports written. Each record shall clearly identify the emissions unit and/or monitoring equipment, and the date the data was gathered. (20.2.70.302.D.2 NMAC)

C. If the permittee has applied and received approval for an alternative operating scenario, then the permittee shall maintain a log at the facility, which documents, contemporaneously with any change from one operating scenario to another, the scenario under which the facility is operating. (20.2.70.302.A.3 NMAC)

D. The permittee shall keep a record describing off permit changes made at this source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under this permit, and the emissions resulting from those changes. (20.2.70.302.I.2 NMAC)

E. Unless otherwise indicated by Specific Conditions, the permittee shall keep the following records for malfunction emissions and routine and predictable emissions during startup, shutdown, and scheduled maintenance (SSM):

(1) The owner or operator of a source subject to a permit, shall establish and implement a plan to minimize emissions during routine or predictable startup, shutdown, and scheduled maintenance through work practice standards and good air pollution control practices. This requirement shall not apply to any affected facility defined in and subject to an emissions standard and an equivalent plan under 40 CFR Part 60 (NSPS), 40 CFR Part 63 (MACT), or an equivalent plan under 20.2.72 NMAC - Construction Permits, 20.2.70 NMAC - Operating Permits, 20.2.74 NMAC - Permits - Prevention of Significant Deterioration (PSD), or 20.2.79 NMAC - Permits - Nonattainment Areas. (20.2.7.14.A NMAC) The permittee shall keep records of all sources subject to the plan to minimize emissions during routine or predictable SSM and shall record if the source is subject to an alternative plan and therefore, not subject to the plan requirements under 20.2.7.14.A NMAC.

(2) If the facility has allowable SSM emission limits in this permit, the permittee shall record all SSM events, including the date, the start time, the end time, a description of the event, and a description of the cause of the event. This record also shall include a copy of the manufacturer's, or equivalent, documentation showing that any maintenance qualified as scheduled. Scheduled maintenance is an activity that occurs at an established frequency pursuant to a written protocol published by the manufacturer or other reliable source. The authorization of allowable SSM emissions does not supersede any applicable federal or state standard. The most stringent requirement applies.

(3) If the facility has allowable malfunction emission limits in this permit, the permittee shall record all malfunction events to be applied against these limits. The permittee shall also include the date, the start time, the end time, and a description of the event. **Malfunction means** any sudden and unavoidable failure of air pollution control equipment or process equipment beyond the control of the owner or operator, including malfunction during startup or shutdown. A failure that is caused entirely or in part by poor maintenance, careless operation, or any other preventable equipment breakdown shall not be considered a malfunction. (20.2.7.7.E NMAC) The authorization of allowable malfunction emissions does not supersede any applicable federal or state standard. The most stringent requirement applies. This authorization only allows the permittee to avoid submitting reports under 20.2.7 NMAC for total annual emissions that are below the authorized malfunction emission limit.

(4) The owner or operator of a source shall meet the operational plan defining the measures to be taken to mitigate source emissions during malfunction, startup or shutdown. (20.2.72.203.A(5) NMAC)

B110 General Reporting Requirements
(20.2.70.302.E NMAC)

A. Reports of required monitoring activities for this facility shall be submitted to the Department on the schedule in section A109. Monitoring and recordkeeping requirements that are not required by a NSPS or MACT shall be maintained on-site or (for unmanned sites) at the nearest company office, and summarized in the semi-annual reports, unless alternative reporting requirements are specified in the equipment specific requirements section of this permit.

B. Reports shall clearly identify the subject equipment showing the emission unit ID number according to this operating permit. In addition, all instances of deviations from permit requirements, including those that occur during emergencies, shall be clearly identified in the reports required by section A109. (20.2.70.302.E.1 NMAC)

C. The permittee shall submit reports of all deviations from permit requirements, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken. These reports shall be submitted as follows:

(1) Deviations resulting in excess emissions as defined in 20.2.7.7 NMAC (including those classified as emergencies as defined in section B114.A) shall be reported in accordance with the timelines specified by 20.2.7.110 NMAC and in the semi-annual reports required in section A109. (20.2.70.302.E.2 NMAC)

(2) All other deviations shall be reported in the semi-annual reports required in section A109. (20.2.70.302.E.2 NMAC).

D. The permittee shall submit reports of excess emissions in accordance with 20.2.7.110.A NMAC.

E. Allowable Emission Limits for Excess Emissions Reporting for Flares and Other Regulated Sources with No Pound per Hour (pph) and/or Ton per Year (tpy) Emission Limits.

(1) When a flare has no allowable pph and/or tpy emission limits in Sections A106 and/or A107, the authorized allowable emissions include only the combustion of pilot and/or purge gas. Compliance is demonstrated by limiting the gas stream to the flare to only pilot and/or purge gas.

(2) For excess emissions reporting as required by 20.2.7 NMAC, the allowable emission limits are 1.0 pph and 1.0 tpy for each regulated air pollutant (except for H2S) emitted by that source as follows:

(a) For flares, when there are no allowable emission limits in Sections A106 and/or A107.

(b) For regulated sources with emission limits in Sections A106 or A107 represented by the less than sign ("<").

(c) For regulated sources that normally would not emit any regulated air pollutants, including but not limited to vents, pressure relief devices, connectors, etc.

(3) For excess emissions reporting as required by 20.2.7 NMAC for H2S, the allowable limits are 0.1 pph and 0.44 tpy for each applicable scenario addressed in paragraph (2) above.

F. Results of emission tests and monitoring for each pollutant (except opacity) shall be reported in pounds per hour (unless otherwise specified) and tons per year. Opacity shall be reported in percent. The number of significant figures corresponding to the full accuracy inherent in the testing instrument or Method test used to obtain the data shall be used to calculate and report test results in accordance with 20.2.1.116.B and C NMAC. Upon request by the Department, CEMS and other tabular data shall be submitted in editable, MS Excel format.

G. At such time as new units are installed as authorized by the applicable NSR Permit, the permittee shall fulfill the notification requirements in the NSR permit.

H. Periodic Emissions Test Reporting: The permittee shall report semi-annually a summary of the test results.

I. The permittee shall submit an emissions inventory report for this facility in accordance with the schedule in subparagraph (5), provided one or more of the following criteria is met in subparagraphs (1) to (4): (20.2.73 NMAC)

(1) The facility emits, or has the potential to emit, 5 tons per year or more of lead or lead compounds, or 100 tons per year or more of PM10, PM2.5, sulfur oxides, nitrogen oxides, carbon monoxide, or volatile organic compounds.

(2) The facility is defined as a major source of hazardous air pollutants under 20.2.70 NMAC (Operating Permits).

(3) The facility is located in an ozone nonattainment area and which emits, or has the potential to emit, 25 tons per year or more of nitrogen oxides or volatile organic compounds.

(4) Upon request by the department.

(5) The permittee shall submit the emissions inventory report by April 1 of each year, unless a different deadline is specified by the current operating permit.

J. Emissions trading within a facility (20.2.70.302.H.2 NMAC)

(1) For each such change, the permittee shall provide written notification to the department and the administrator at least seven (7) days in advance of the proposed changes. Such notification shall state when the change will occur and shall describe the changes in emissions that will result and how these increases and decreases in emissions will comply with the terms and conditions of the permit.

(2) The permittee and department shall attach each such notice to their copy of the relevant permit.

B111 General Testing Requirements

Unless otherwise indicated by Specific Conditions or regulatory requirements, the permittee shall conduct testing in accordance with the requirements in Sections B111A, B, C, D and E, as applicable.

A. Initial Compliance Tests

The permittee shall conduct initial compliance tests in accordance with the following requirements:

(1) Initial compliance test requirements from previous permits (if any) are still in effect, unless the tests have been satisfactorily completed. Compliance tests may be re-imposed if it is deemed necessary by the Department to determine whether the source is in compliance with applicable regulations or permit conditions. (20.2.72 NMAC Sections 210.C and 213)

(2) Initial compliance tests shall be conducted within sixty (60) days after the unit(s) achieve the maximum normal production rate. If the maximum normal production rate does not occur within one hundred twenty (120) days of source startup, then the tests must be conducted no later than one hundred eighty (180) days after initial startup of the source.

(3) The default time period for each test run shall be at least 60 minutes and each performance test shall consist of three separate runs using the applicable test method. For the purpose of determining compliance with an applicable emission limit, the arithmetic mean of results of the three runs shall apply. In the event that

a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances, beyond the owner or operator's control, compliance may, upon the Department approval, be determined using the arithmetic mean of the results of the two other runs.

(4) Testing of emissions shall be conducted with the emissions unit operating at 90 to 100 percent of the maximum operating rate allowed by the permit. If it is not possible to test at that rate, the source may test at a lower operating rate.

(5) Testing performed at less than 90 percent of permitted capacity will limit emission unit operation to 110 percent of the tested capacity until a new test is conducted.

(6) If conditions change such that unit operation above 110 percent of tested capacity is possible, the source must submit a protocol to the Department within 30 days of such change to conduct a new emissions test.

B. EPA Reference Method Tests

The test methods in Section B111.B(1) shall be used for all initial compliance tests and all Relative Accuracy Test Audits (RATAs), and shall be used if a permittee chooses to use EPA test methods for periodic monitoring. Test methods that are not listed in Section B111.B(1) may be used in accordance with the requirements at Section B111.B(2).

(1) All compliance tests required by this permit shall be conducted in accordance with the requirements of CFR Title 40, Part 60, Subpart A, General Provisions, and the following EPA Reference Methods as specified by CFR Title 40, Part 60, Appendix A:

(a) Methods 1 through 4 for stack gas flowrate

(b) Method 5 for particulate matter (PM)

(c) Method 6C for SO_2

(d) Method 7E for NO_X (test results shall be expressed as nitrogen dioxide (NO_2) using a molecular weight of 46 lb/lb-mol in all calculations (each ppm of NO/NO_2 is equivalent to 1.194 x 10-7 lb/SCF)

(e) Method 9 for visual determination of opacity

(f) Method 10 for CO

(g) Method 19 for particulate, sulfur dioxide and nitrogen oxides emission rates. In addition, Method 19 may be used in lieu of Methods 1-4 for stack gas flowrate. The permittee shall provide a contemporaneous fuel gas analysis (preferably on the day of the test, but no earlier than three months prior to the test date) and a recent fuel flow meter calibration certificate (within the most recent quarter) with the final test report.

(h) Method 7E or 20 for Turbines per §60.335 or §60.4400

(i) Method 22 for visual determination of fugitive emissions from material sources and smoke emissions from flares

(j) Method 25A for VOC reduction efficiency

(k) Method 29 for Metals

(l) Method 30B for Mercury from Coal-Fired Combustion Sources Using Carbon Sorbent Traps

(m) Method 201A for filterable PM_{10} and $PM_{2.5}$

(n) Method 202 for condensable PM

(o) Method 320 for organic Hazardous Air Pollutants (HAPs)

(2) Permittees may propose test method(s) that are not listed in Section B111.B(1). These methods may be used if prior approval is received from the Department.

C. Periodic Monitoring and Portable Analyzer Requirements for the Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters

Periodic emissions tests (periodic monitoring) shall be conducted in accordance with the following requirements:

(1) Periodic emissions tests may be conducted in accordance with EPA Reference Methods or by utilizing a portable analyzer. Periodic monitoring utilizing a portable analyzer shall be conducted in accordance with the requirements of the current version of ASTM D 6522. However, if a facility has met a previously approved Department criterion for portable analyzers, the analyzer may be operated in accordance with that criterion until it is replaced.

(2) The default time period for each test run shall be **at least** 20 minutes.

Each performance test shall consist of three separate runs. The arithmetic mean of results of the three runs shall be used to determine compliance with the applicable emission limit.

(3) Testing of emissions shall be conducted in accordance with the requirements at Section B108.E.

(4) During emissions tests, pollutant and diluent concentration shall be monitored and recorded. Fuel flow rate shall be monitored and recorded if stack gas flow rate is determined utilizing Reference Method 19. This information shall be included with the test report furnished to the Department.

(5) Stack gas flow rate shall be calculated in accordance with Reference Method 19 utilizing fuel flow rate (scf) determined by a dedicated fuel flow meter and fuel heating value (Btu/scf). The permittee shall provide a contemporaneous fuel gas analysis (preferably on the day of the test, but no earlier than three months prior to the test date) and a recent fuel flow meter calibration certificate (within the most

recent quarter) with the final test report. Alternatively, stack gas flow rate may be determined by using EPA Reference Methods 1-4.

(6) The permittee shall submit a notification and protocol for periodic emissions tests upon the request of the Department.

D. Initial Compliance Test and RATA Procedures

Permittees required to conduct initial compliance tests and/or RATAs shall comply with the following requirements:

(1) The permittee shall submit a notification and test protocol to the Department's Program Manager, Compliance and Enforcement Section, at least thirty (30) days before the test date and allow a representative of the Department to be present at the test. Proposals to use test method(s) that are not listed in Section B111.B(1) (if applicable) shall be included in this notification.

(2) Contents of test notifications, protocols and test reports shall conform to the format specified by the Department's Universal Test Notification, Protocol and Report Form and Instructions. Current forms and instructions are posted to NMED's Air Quality web site under Compliance and Enforcement Testing.

(3) The permittee shall provide (a) sampling ports adequate for the test methods applicable to the facility, (b) safe sampling platforms, (c) safe access to sampling platforms and (d) utilities for sampling and testing equipment.

(4) Where necessary to prevent cyclonic flow in the stack, flow straighteners shall be installed

E. General Compliance Test Procedures

The following requirements shall apply to all initial compliance and periodic emissions tests and all RATAs:

(1) Equipment shall be tested in the "as found" condition. Equipment may not be adjusted or tuned prior to any test for the purpose of lowering emissions, and then returned to previous settings or operating conditions after the test is complete.

(2) The stack shall be of sufficient height and diameter and the sample ports shall be located so that a representative test of the emissions can be performed in accordance with the requirements of EPA Reference Method 1 or the current version of ASTM D 6522, as applicable.

(3) Test reports shall be submitted to the Department no later than 30 days after completion of the test.

B112 Compliance

A. The Department shall be given the right to enter the facility at all reasonable times to verify the terms and conditions of this permit. Required records shall be organized by date and

subject matter and shall at all times be readily available for inspection. The permittee, upon verbal or written request from an authorized representative of the Department who appears at the facility, shall immediately produce for inspection or copying any records required to be maintained at the facility. Upon written request at other times, the permittee shall deliver to the Department paper or electronic copies of any and all required records maintained on site or at an off-site location. Requested records shall be copied and delivered at the permittee's expense within three business days from receipt of request unless the Department allows additional time. Required records may include records required by permit and other information necessary to demonstrate compliance with terms and conditions of this permit. (NMSA 1978, Section 74-2-13)

B. A copy of the most recent permit(s) issued by the Department shall be kept at the permitted facility or (for unmanned sites) at the nearest company office and shall be made available to Department personnel for inspection upon request. (20.2.70.302.G.3 NMAC)

C. Emissions limits associated with the energy input of a Unit, i.e. lb/MMBtu, shall apply at all times unless stated otherwise in a Specific Condition of this permit. The averaging time for each emissions limit, including those based on energy input of a Unit (i.e. lb/MMBtu) is one (1) hour unless stated otherwise in a Specific Condition of this permit or in the applicable requirement that establishes the limit. (20.2.70.302.A.1 and G.3 NMAC)

D. The permittee shall submit compliance certification reports certifying the compliance status of this facility with respect to all permit terms and conditions, including applicable requirements. These reports shall be made on the pre-populated Compliance Certification Report Form that is provided to the permittee by the Department, and shall be submitted to the Department and to EPA at least every 12 months. Please contact the Compliance Reporting Unit at submittals.aqb@state.nm.us for the most current form. Submit reports to the Air Quality Bureau Compliance Reporting (AQBCR) application located at: https://www.env.nm.gov/air-quality/compliance-and-enforcement/ or as directed by the Department. Additional guidance may be found at (20.2.70.302.E.3 NMAC).

E. The permittee shall allow representatives of the Department, upon presentation of credentials and other documents as may be required by law, to do the following (20.2.70.302.G.1 NMAC):

(1) enter the permittee's premises where a source or emission unit is located, or where records that are required by this permit to be maintained are kept;

(2) have access to and copy, at reasonable times, any records that are required by this permit to be maintained;

(3) inspect any facilities, equipment (including monitoring and air pollution control equipment), work practices or operations regulated or required under this permit; and

(4) sample or monitor any substances or parameters for the purpose of assuring compliance with this permit or applicable requirements or as otherwise authorized by the Federal Act.

B113 Permit Reopening and Revocation

A. This permit will be reopened and revised when any one of the following conditions occurs, and may be revoked and reissued when A(3) or A(4) occurs. (20.2.70.405.A.1 NMAC)

(1) Additional applicable requirements under the Federal Act become applicable to a major source three (3) or more years before the expiration date of this permit. If the effective date of the requirement is later than the expiration date of this permit, then the permit is not required to be reopened unless the original permit or any of its terms and conditions has been extended due to the Department's failure to take timely action on a request by the permittee to renew this permit.

(2) Additional requirements, including excess emissions requirements, become applicable to this source under Title IV of the Federal Act (the acid rain program). Upon approval by the Administrator, excess emissions offset plans will be incorporated into this permit.

(3) The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the terms and conditions of the permit.

(4) The Department or the Administrator determines that the permit must be revised or revoked and reissued to assure compliance with an applicable requirement.

B. Proceedings to reopen or revoke this permit shall affect only those parts of this permit for which cause to reopen or revoke exists. Emissions units for which permit conditions have been revoked shall not be operated until new permit conditions have been issued for them. (20.2.70.405.A.2 NMAC)

B114 Emergencies
(20.2.70.304 NMAC)

A. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the permittee, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventive maintenance, or careless or improper operation.

B. An emergency constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations contained in this permit if the permittee has

demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An emergency occurred and that the permittee can identify the cause(s) of the emergency;

(2) This facility was at the time being properly operated;

(3) During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit; and

(4) The permittee submitted notice of the emergency to the Department within 2 working days of the time when emission limitations were exceeded due to the emergency. This notice fulfills the requirement of 20.2.70.302.E.2 NMAC. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

C. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.

D. This provision is in addition to any emergency or upset provision contained in any applicable requirement.

B115 Stratospheric Ozone
(20.2.70.302.A.1 NMAC)

A. If this facility is subject to 40 CFR 82, Subpart F, the permittee shall comply with the following standards for recycling and emissions reductions:

(1) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices, except for motor vehicle air conditioners (MVAC) and MVAC-like appliances. (40 CFR 82.156)

(2) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment. (40 CFR 82.158)

(3) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program. (40 CFR 82.161)

B116 Acid Rain Sources
(20.2.70.302.A.9 NMAC)

A. If this facility is subject to the federal acid rain program under 40 CFR 72, this section applies.

B. Where an applicable requirement of the Federal Act is more stringent than an applicable requirement of regulations promulgated under Title IV of the Federal Act, both provisions are incorporated into this permit and are federally enforceable.

C. Emissions exceeding any allowances held by the permittee under Title IV of the Federal Act or the regulations promulgated thereunder are prohibited.

D. No modification of this permit is required for increases in emissions that are authorized by allowances acquired pursuant to the acid rain program, provided that such increases do not require a permit modification under any other applicable requirement.

E. The permittee may not use allowances as a defense to noncompliance with any other applicable requirement.

F. No limit is placed on the number of allowances held by the acid rain source. Any such allowance shall be accounted for according to the procedures established in regulations promulgated under Title IV of the Federal Act.

G. The acid rain permit is an enclosure of this operating permit.

B117 Risk Management Plan
(20.2.70.302.A.1 NMAC)

A. If this facility is subject to the federal risk management program under 40 CFR 68, this section applies.

B. The owner or operator shall certify annually that they have developed and implemented a RMP and are in compliance with 40 CFR 68.

C. If the owner or operator of the facility has not developed and submitted a risk management plan according to 40 CFR 68.150, the owner or operator shall provide a compliance schedule for the development and implementation of the plan. The plan shall describe, in detail, procedures for assessing the accidental release hazard, preventing accidental releases, and developing an emergency response plan to an accidental release. The plan shall be submitted in a method and format to a central point as specified by EPA prior to the date specified in 40 CFR 68.150.b.

PART C MISCELLANEOUS

C100 Supporting On-Line Documents

A. Copies of the following documents can be downloaded from NMED's web site under Compliance and Enforcement or requested from the Bureau.

(1) Excess Emission Form (for reporting deviations and emergencies)

(2) Compliance Certification Report Form

(3) Universal Stack Test Notification, Protocol and Report Form and Instructions

C101 Definitions

A. **"Daylight"** is defined as the time period between sunrise and sunset, as defined by the Astronomical Applications Department of the U.S. Naval Observatory. (Data for one day or a table of sunrise/sunset for an entire year can be obtained at http://aa.usno.navy.mil/. Alternatively, these times can be obtained from a Farmers Almanac or from http://www.almanac.com/rise/).

B. **"Decommission"** and **"Decommissioning"** applies to units left on site (not removed) and is defined as the complete disconnecting of equipment, emission sources or activities from the process by disconnecting all connections necessary for operation (i.e. piping, electrical, controls, ductwork, etc.).

C. **"Exempt Sources"** and **"Exempt Activities"** is defined as those sources or activities that are exempted in accordance with 20.2.72.202 NMAC. Note; exemptions are only valid for most 20.2.72 permitting action.

D. **"Fugitive emission"** means those emissions which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening. (20.2.70.7M NMAC)

E. **"Insignificant Activities"** means those activities which have been listed by the department and approved by the administrator as insignificant on the basis of size, emissions or production rate. (20.2.70.7Q NMAC)

F. **"Malfunction"** for the requirements under 20.2.7 NMAC**,** means any sudden and unavoidable failure of air pollution control equipment or process equipment beyond the control of the owner or operator, including malfunction during startup or shutdown. A failure that is caused entirely or in part by poor maintenance, careless operation, or any other preventable equipment breakdown shall not be considered a malfunction.

G. **"Natural Gas"** is defined as a naturally occurring fluid mixture of hydrocarbons that contains 20.0 grains or less of total sulfur per 100 standard cubic feet (SCF) and is either

composed of at least 70% methane by volume or has a gross calorific value of between 950 and 1100 Btu per standard cubic foot. (40 CFR 60.331)

H. **"Natural Gas Liquids"** means the hydrocarbons, such as ethane, propane, butane, and pentane, that are extracted from field gas. (40 CFR 60.631)

I. **"National Ambient Air Quality Standards"** means the primary (health-based) and secondary (welfare-related) federal ambient air quality standards promulgated by the US EPA pursuant to Section 109 of the Federal Act. (20.2.72.7Q NMAC)

J. **"NO_2"** or **"Nitrogen dioxide"** means the chemical compound containing one atom of nitrogen and two atoms of oxygen, for the purposes of ambient determinations. The term **"nitrogen dioxide,"** for the purposes of stack emissions monitoring, shall include nitrogen dioxide (the chemical compound containing one atom of nitrogen and two atoms of oxygen), nitric oxide (the chemical compound containing one atom of nitrogen and one atom of oxygen), and other oxides of nitrogen which may test as nitrogen dioxide and is sometimes referred to as NOx or NO_2. (20.2.2.7U NMAC)

K. **"NOx"** see NO_2

L. "**Paved Road**" is a road with a permanent solid surface that can be swept essentially free of dust or other material to reduce air re-entrainment of particulate matter. To the extent these surfaces remain solid and contiguous they qualify as paved roads: concrete, asphalt, chip seal, recycled asphalt and other surfaces approved by the Department in writing.

M. **"Potential Emission Rate"** means the emission rate of a source at its maximum capacity to emit a regulated air contaminant under its physical and operational design, provided any physical or operational limitation on the capacity of the source to emit a regulated air contaminant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored or processed, shall be treated as part of its physical and operational design only if the limitation or the effect it would have on emissions is enforceable by the department pursuant to the Air Quality Control Act or the Federal Act. (20.2.72.7Y NMAC)

N. "**Restricted Area-Non Military**" is an area to which public entry is effectively precluded. Effective barriers include continuous fencing, continuous walls, or other continuous barriers approved by the Department, such as rugged physical terrain with a steep grade that would require special equipment to traverse. If a large property is completely enclosed by fencing, a restricted area within the property may be identified with signage only. Public roads cannot be part of a Restricted Area.

O. **"Shutdown"** for requirements under 20.2.72.7BB NMAC, means the cessation of operation of any air pollution control equipment, process equipment or process for any purpose, except routine phasing out of batch process units.

P. **"SSM"** for requirements under 20.2.7 NMAC, means routine or predictable startup, shutdown, or scheduled maintenance.

(1) **"Shutdown"** for requirements under 20.2.7.7H NMAC, means the cessation of operation of any air pollution control equipment or process equipment.

(2) **"Startup"** for requirements under 20.2.7.7I NMAC, means the setting into operation of any air pollution control equipment or process equipment.

Q. **"Startup"** for requirements under 20.2.72.7DD NMAC, means the setting into operation of any air pollution control equipment, process equipment or process for any purpose, except routine phasing in of batch process units.

C102 Acronyms

2SLB ..... 2-stroke lean burn
4SLB ..... 4-stroke lean burn
4SRB ..... 4-stroke rich burn
acfm ..... actual cubic feet per minute
AFR ..... air fuel ratio
AP-42 ..... EPA Air Pollutant Emission Factors
AQB ..... Air Quality Bureau
AQCR ..... Air Quality Control Region
ASTM ..... American Society for Testing & Materials
Btu ..... British thermal unit
CAA ..... Clean Air Act of 1970 and 1990 Amendments
CEM ..... continuous emissions monitoring
cfh ..... cubic feet per hour
cfm ..... cubic feet per minute
CFR ..... Code of Federal Regulation
CI ..... compression ignition
CO ..... carbon monoxide
COMS ..... continuous opacity monitoring system
EIB ..... Environmental Improvement Board
EPA ..... United States Environmental Protection Agency
gr/100 cf ..... grains per one hundred cubic feet
gr/dscf ..... grains per dry standard cubic foot
GRI ..... Gas Research Institute
H_2S ..... hydrogen sulfide
HAP ..... hazardous air pollutant
hp ..... horsepower
IC ..... Internal Combustion
KW/hr ..... kilowatts per hour
lb/hr ..... pounds per hour
lb/MMBtu ..... pounds per million British thermal unit
MACT ..... Maximum Achievable Control Technology

MMcf/hr ..... million cubic feet per hour
MMscf ..... million standard cubic feet
N/A ..... not applicable
NAAQS ..... National Ambient Air Quality Standards
NESHAP ..... National Emission Standards for Hazardous Air Pollutants
NG ..... natural gas
NGL ..... natural gas liquids
NMAAQS ..... New Mexico Ambient Air Quality Standards
NMAC ..... New Mexico Administrative Code
NMED ..... New Mexico Environment Department
NMSA ..... New Mexico Statues Annotated
NOx ..... nitrogen oxides
NSCR ..... non-selective Catalytic Reduction
NSPS ..... New Source Performance Standard
NSR ..... New Source Review
PEM ..... parametric emissions monitoring
PM ..... particulate matter (equivalent to TSP, total suspended particulate)
PM_{10} ..... particulate matter 10 microns and less in diameter
$PM_{2.5}$ ..... particulate matter 2.5 microns and less in diameter
pph ..... pounds per hour
ppmv ..... parts per million by volume
PSD ..... Prevention of Significant Deterioration
RATA ..... relative accuracy test assessment
RICE ..... reciprocating internal combustion engine
rpm ..... revolutions per minute
scfm ..... standard cubic feet per minute
SI ..... spark ignition
SO_2 ..... sulfur dioxide
SSM ..... Startup Shutdown Maintenance (see SSM definition)
TAP ..... Toxic Air Pollutant
TBD ..... to be determined
THC ..... total hydrocarbons
TSP ..... Total Suspended Particulates
tpy ..... tons per year
ULSD ..... ultra-low sulfur diesel
USEPA ..... United States Environmental Protection Agency
UTM ..... Universal Transverse Mercator Coordinate System
UTMH ..... Universal Transverse Mercator Horizontal
UTMV ..... Universal Transverse Mercator Vertical
VHAP ..... volatile hazardous air pollutant
VOC ..... volatile organic compounds