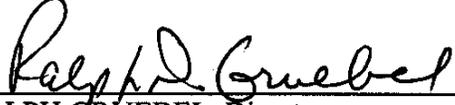


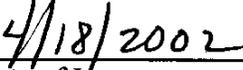
**CONSTRUCTION PERMIT NO: GCP-2**

**Registration No.**  
*(For NMED use only)*

**GENERAL PERMIT CATEGORY: Quarrying, Crushing, and Screening Facilities**

**ISSUED BY: New Mexico Environment Department**

  
\_\_\_\_\_  
RALPH GRUEBEL, Director  
Environmental Protection Division

  
\_\_\_\_\_  
Date of Issuance

Air Quality Permit No. GCP-2 for Quarrying, Crushing, and Screening Facilities ("Permit") is issued by the Air Quality Bureau of the New Mexico Environment Department (Department) under Title 20 Chapter 2 Part 72 of the New Mexico Administrative Code (20.2.72 NMAC) – *Construction Permits, Section 220 – General Permits*. The Department issues general permits in order to register groups of sources that have similar operations, processes, and emissions and that are subject to the same or substantially similar requirements. [Paragraph 1 of Subsection A of 20.2.72.220 NMAC] General permits provide an additional permitting option for specific types of sources that can meet the predetermined permit requirements. [Paragraph 1 of Subsection C of 20.2.72.220 NMAC]

This Permit authorizes an owner or operator to construct, modify, and operate a Facility in New Mexico under the conditions set forth herein as long as all conditions of this Permit are always met. If the construction, modification, or operation of any Facility does not meet the applicability requirements in Section I of this Permit, or cannot continuously comply with all conditions of this Permit, the owner or operator must apply for and obtain an individual Construction Permit, pursuant to 20.2.72 NMAC – *Construction Permits*, before beginning the actual construction, modification, or operation of the Facility.

If the owner or operator registers for and receives approval to construct under this Permit, he or she will be deemed to have satisfied the State of New Mexico's requirement for obtaining an air quality permit prior to constructing, modifying, or operating a source of air pollutants. However, other federal, state, or local agencies may have additional requirements such as zoning restrictions.

The Rev. 2 revisions do not require any action by facilities currently registered under this permit; therefore, a transition schedule is not required.

All terms written with initial capital letters are defined in Section VII, *Definitions and Acronyms*, of this Permit. Regulatory authority, if applicable, is cited in brackets. Please refer to the guidance document for this Permit for details, descriptions, and registration instructions. Questions regarding eligibility for this Permit can be directed to the Air Quality Bureau of the Environment Department at (505) 827-1494, or visit the New Mexico Environment Department's web page at [www.nmenv.state.nm.us](http://www.nmenv.state.nm.us).

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## **Section I. Applicability**

### **I.A. Who can register under this general construction permit?**

The owner or operator may apply for registration under this Permit if:

1. the Facility's primary purpose is to produce, process, crush, screen, and/or stockpile:
  - a. crushed and broken stone including but not limited to:
    - (1) limestone,
    - (2) basalt, or "traprock",
    - (3) sandstone,
    - (4) marble,
    - (5) travertine,
    - (6) pumice,
    - (7) granite,
    - (8) quartzite,
    - (9) rock salt,
    - (10) gypsum,
    - (11) scoria, or "volcanic cinders",
  - b. sand and gravel,
  - c. chipped wood products (e.g. bark chips),
  - d. recycled concrete or asphalt, or
  - e. used tires (crushing or shredding);
2. the Facility can comply with all of the requirements described in Section III of this permit;
3. the Facility includes any combination of the following Emissions Units and no others within the Property Boundary:
  - a. permanent or portable crushers, or screening operations with a combined Capacity Throughput (as defined in Section VII) less than or equal to 600 TPH,
  - b. internal combustion generators,
  - c. internal combustion engines,
  - d. screens,
  - e. conveyers and transfer points,
  - f. shakers,
  - g. bucket elevators,
  - h. feed bins,
  - i. truck loading stations, and
  - j. mobile equipment required for the Facility;
4. the Facility may include any combination of quarries, stockpiles, or haul roads in conjunction with the equipment listed in Section I.A.5 above; and
5. the Facility is not excluded under Section I.B. below.

## **I.B. Excluded Sources**

The following Facilities cannot register for this Permit:

1. A Facility not meeting the location restrictions in Paragraph III.D;
2. A Facility listed by any NSPS other than 40 CFR 60 subpart OOO or subpart Kb;
3. A Facility listed under any NESHAP or MACT;
4. A Facility that mines and/or processes radioactive materials;
5. A Facility that mines and/or processes materials that include any listed HAP (Hazardous Air Pollutant);
6. A Facility that mines and/or processes nonmetallic minerals used as fuels (such as coal);
7. A Facility that manufactures cement;
8. A Facility that mines and/or processes potash;
9. A Facility that operates in conjunction with more than one other Facility on the same property, except as allowed in Sections I.C and III.E for co-locations;
10. A Facility equipped with fuel fired dryers;
11. A Facility subject to 20.2.72 NMAC, Sections 400 through 499 – *Permitting for Toxic Air Pollutants*; and
12. A Facility that processes slag, asbestos tailings or asbestos-containing waste materials.

## **I.C. Co-locations**

The owner or operator of any Facility that can meet all location and emission restrictions, and operating conditions in this Permit may co-locate a facility registered under this general construction permit with another aggregate processing facility, hot mix asphalt plant or concrete batch plant in accordance with the requirements of Section III.E of this permit.

## **I.D. Permitting Alternatives**

The owner or operator of a Facility subject to 20.2.72 NMAC who does not choose to register or whose Facility fails to qualify under this Permit shall apply for a Construction Permit pursuant to 20.2.72 NMAC – *Construction Permits*.

## **I.E. Facilities with both Construction Permit (Part 72) and General Construction Permit**

1. A qualified Facility that has a valid Construction Permit under 20.2.72 NMAC may register for this Permit.
2. The applicant shall, for each location, specify to the Department on either the registration form or relocation notice whether the Facility will be constructed and operated under the Permit registration for that site or the Construction Permit for that site, and specify the appropriate permit or registration number.

## **Section II. Registration Process**

### **II.A. General**

1. The applicant shall complete the most current Facility registration form provided by the Department and submit it to the Air Quality Bureau of the Department and provide a copy to the nearest Department Field Office. [Subparagraph b of Paragraph 2 of Subsection A of 20.2.72.220 NMAC]
2. Construction, operation or relocation of a Facility shall not begin until the owner or operator has received written authorization from the Department. The Department shall notify the owner or operator of approval or denial by certified mail. [Subsection E of 20.2.72.200 NMAC and Subparagraph a of Paragraph 6 of Subsection C of 20.2.72.220 NMAC]
3. A Facility that is registered under this Permit and operating in compliance with the conditions of this Permit shall be deemed to be a minor source not subject to 20.2.70 NMAC – *Operating Permits*.

### **II.B. Public Notification**

The applicant shall provide public notice, as described in 20.2.72.220 NMAC.

### **II.C. Registration Forms**

Completed general construction permit registration forms shall include:

1. General Information
  - a. the Facility's site name and the contact person's name, address, phone number, and fax number;
  - b. the name of the person(s) that own(s) and operate(s) the Facility;
  - c. the date the application was notarized; and
  - d. the primary four (4) digit Standard Industrial Classification (SIC) code.
2. Proposed Facility Status
  - a. whether the Facility has previously been issued air quality permit(s);
  - b. whether the Facility is currently constructed and is operating in New Mexico;
  - c. whether the Facility currently has an air quality permit;
  - d. whether the application was submitted in response to a Notice of Violation (NOV);
  - e. whether the Facility is an excluded source as described in Section I.B. of this Permit; and
  - f. the type of material processed by the Facility.
3. Proposed Facility Location
  - a. the Section, Range, Township, County, and elevation;
  - b. the Universal Transverse Mercator (UTM) horizontal and vertical coordinates or the latitude and longitude coordinates;
  - c. the name and zip code of the nearest New Mexico town or tribal community;

- d. the direction and distance to the nearest town or tribal community;
  - e. direction and distance to the nearest occupied structure from the perimeter of the Area of Operations;
  - f. detailed written driving instructions from the nearest town or tribal community;
  - g. the status of the land (e.g., Private, State, Federal, Tribal); and
  - h. the name, location and distance of any Class I Areas within three (3) miles of the perimeter of the Area of Operations.
4. Proposed Operating Schedule
- a. maximum operating hours;
  - b. daily operating schedule (including hours of operation);
  - c. the month and year of the anticipated startup of operation at this site; and
  - d. the month and year of the anticipated completion date at this site.
5. Specific Facility Information
- a. the Facility's current, and proposed Capacity Throughput (as defined in Section VII);
  - b. the area restricted to public access;
  - c. the area of disturbed earth;
  - d. the area covered by stock piles and operations;
  - e. the haul road length and dust control measures; and
  - f. the equipment list with manufacturer and model number, equipment size, manufacturer's emission factors for regulated pollutants and manufacturer's maximum design input process rate or capacity, and the unit's function for each piece of equipment.
6. Other Required Information and Attachments
- a. a process flow sheet and/or block diagram indicating the individual equipment, emission points, and types of controls applied to those points;
  - b. a plot plan drawn to scale showing emission points, Area of Operations, structures, tanks, and fences of the Restricted Area, and the Property Boundary owned, leased or under direct control of the owner or operator;
  - c. an appropriate map, such as a 7.5 minute United States Geological Survey (USGS) Topographic Quadrangle map, showing the proposed location of the Facility;
  - d. documentation that the applicant has given the public notice described in Section II;
  - e. a description of the methods by which public access is limited in the Restricted Area;
  - f. a preliminary operational plan defining the measures to be taken to mitigate source emissions during malfunctions;
  - g. a check or money order for the fees required by 20.2.75 NMAC; and
  - h. a certification by the Facility's owner or operator, before a notary public, that all of the information included in the registration form is true and complete to the best of his or her knowledge. [Paragraph 2 of Subsection A of 20.2.72.220 NMAC]

## **II.D. Fees**

Permit and annual fees shall be determined pursuant to 20.2.75 NMAC – *Construction Permit Fees*.

## **II.E. Modeling**

Applicants shall not submit air dispersion modeling. The Department has completed general air dispersion modeling for affected Facilities and has used the results to develop the requirements in this Permit.

## **II.F. Registration Review**

Within thirty (30) days of receiving an application to register under this Permit, the Department shall review the application and shall grant or deny the registration. The Department shall notify the owner or operator of its decision by certified mail. The owner or operator of a Facility approved for registration will receive a copy of its registration form and this Permit. The Department shall not grant the registration until at least fifteen (15) calendar days after the applicant's public notice has commenced as specified in Section II.B. [20.2.72.220 NMAC]

## **II.G. Reasons the Department may deny a registration.**

The Department may deny registration under this Permit if:

1. the registration form is not complete;
2. the Facility is not one of the sources qualified to register for this general permit; or
3. the Facility cannot meet the terms and conditions of the Permit as determined by the review of the registration form.[20.2.72.220 NMAC]

## **Section III. Facility Operating Requirements**

### **III.A. NSPS and NMAC Compliance**

The owner or operator registered under this Permit shall comply with any applicable New Source Performance Standard (NSPS) and portion of Title 20 of the New Mexico Administrative Code, Chapter 2, Air Quality.

### **III.B. Applicable Regulations**

1. The Department considers a Facility registered under and operating in compliance with this Permit to be in compliance with the following state regulations as those regulations existed on the date of issuance of this Permit:
  - 20.2.3 NMAC – Ambient Air Quality Standards
  - 20.2.61 NMAC – Smoke and Visible Air Emissions
  - 20.2.72 NMAC – Construction Permits
  - 20.2.73 NMAC – Notice of Intent and Emission Inventory Requirements
  - 20.2.75 NMAC – Construction Permit Fees
  - 20.2.77 NMAC – New Source Performance Standards
2. A Facility registered under this Permit is subject to the following state regulation:
  - 20.2.7 NMAC – Excess Emissions During Malfunctions, Startup, Shutdown, or Scheduled Maintenance
3. The Department considers a Facility registered under and operating in compliance with this Permit to be in compliance with the following NSPS as those NSPS existed on the date of the issuance of this Permit:
  - Code of Federal Regulations, Title 40, Part 60:
    - Subpart A – General Provisions
    - Subpart OOO – Standards of Performance for Nonmetallic Mineral Processing Plants
    - Subpart Kb – Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984
4. The owner or operator shall be responsible for compliance with updated versions of any applicable state and federal regulations.

### **III.C. General Terms and Conditions**

The owner or operator shall operate the Facility using only the equipment described in the registration form. The owner or operator shall maintain and operate this equipment in a manner that meets the conditions of this Permit.

### **III.D. Location and Relocation Restrictions**

1. No owner or operator of a Facility registered under this Permit shall construct, locate, relocate, or operate the Facility at any location for which the distance from the perimeter of the Area of Operations of the Facility would be:
  - a. less than one-quarter (1/4) mile of an existing public recreation area, private residence, office building, school or other occupied structure; or
  - b. within three (3) miles of a boundary of a Class I Area.
2. Except as provided in Section III.E, no owner or operator of a Facility registered under this Permit shall construct, locate, relocate, or operate a Facility at any location for which the distance from the perimeter of the Area of Operations of the Facility, to any other particulate emitting industrial source outside the Property Boundary of this Facility would be less than:
  - a. one-half (1/2) mile for Facilities with a Capacity Throughput (as defined in Section VII) up to 200 TPH, and
  - b. three-quarter (3/4) mile for Facilities with a Capacity Throughput (as defined in Section VII) between 200 TPH and 600 TPH.
3. No owner or operator of a Facility registered under this Permit shall construct, locate, relocate, or operate a Facility at any location for which the Facility would be operated:
  - a. For more than one (1) year at the same site within an Air Quality Control Region where the Prevention of Significant Deterioration minor source baseline date has been established for PM<sub>10</sub>.
  - b. In any area which has been designated non-attainment for a National Ambient Air Quality Standard for particulate matter.
  - c. In any area where modeling or monitoring has demonstrated an ongoing exceedance of a New Mexico or National Ambient Air Quality Standard.

### **III.E. Co-locations**

1. A plant registered under this Permit may co-locate with a hot mix asphalt plant within the Property Boundary if such other source is:
  - a. registered under GCP-3 (Hot Mix Asphalt Plants), or
  - b. permitted under 20.2.72 NMAC and either:
    - (1) subject to NSPS as defined in 40 CFR 60 Subpart I (those facilities commencing construction or modification after June 11, 1973); or

- (2) subject to federally enforceable requirements in a Part 72 construction permit at least as stringent as 40 CFR 60 Subpart I.
2. A plant registered under this Permit may co-locate with another aggregate crushing Facility, only if the total Capacity Throughput for both Facilities does not exceed 600 TPH, that is:
    - a. registered under this Permit, or
    - b. is permitted under 20.2.72 and either:
      - (1) subject to NSPS as defined in 40 CFR 60 Subpart OOO (those facilities commencing construction or modification after August 31, 1983); or
      - (2) subject to federally enforceable requirements in a Part 72 construction permit at least as stringent as 40 CFR 60 Subpart OOO.
  3. A plant registered under this Permit may co-locate with a concrete batch plant either permitted under 20.2.72 NMAC or registered under 20.2.73 NMAC.
  4. The owner or operator of a plant registered under this Permit shall comply with all location and relocation restrictions listed in this Permit, except that distance requirements in Section III.D.2 shall not apply to the distance between co-located plants. Two crushing plants co-located shall comply with requirements in Paragraph III.E.2 above.
  5. The owner or operator of a plant registered under this Permit shall comply with the following distance requirements if co-locating with a concrete batch plant or hot mix asphalt plant:

<b>Crusher with:</b>	<b>Asphalt Plant or Concrete Batch Plant</b>	<b>Setback</b>
≤200 TPH	≤ 100 TPH	200 meters (219 yards)
≤200 TPH	>100 – 200 TPH	250 meters (273 yards)
>200 – 600 TPH	>200 – 600 TPH	300 meters (328 yards)

For this table, setback means the distance from any piece of processing equipment associated with the asphalt plant, aggregate crushing facility, or concrete batch plant to the nearest boundary of the Restricted Area.

**III.F. Setback of Area of Operation Within the Restricted Area**

1. The Area of Operation shall be entirely contained within the Restricted Area.
2. For a Facility registered as having a Capacity Throughput less than 200 TPH, the closest distance between the perimeter of the Area of Operations and the perimeter of the Restricted Area shall be at least 200 meters (218 yards).

3. For a Facility registered as having a Capacity Throughput of 200 TPH or greater, the closest distance between the perimeter of the Area of Operations and the perimeter of the Restricted Area shall be at least 300 meters (327 yards).

### **III.G. Hours of Operation**

The plant shall operate in compliance with the hours of operation stated in the registration form, provided that no plant shall operate other than daylight hours, which are defined as including those hours one-half hour following sunrise and one-half hour before sunset. No plant shall operate for more than 4,380 hours per year.

### **III.H. Emissions Restrictions and Conditions**

1. Fugitive particulate emissions from EACH affected transfer point, belt conveyor, or screen shall not exhibit greater than **10% opacity**. Compliance with this condition shall be determined by opacity test observations conducted in accordance with the procedures in 40 CFR Part 60.11 and Reference Method 9 in 40 CFR Part 60 Appendix A.
2. Fugitive particulate emissions from EACH crusher shall not exhibit greater than **15% opacity**. Compliance with this condition shall be determined by opacity test observations conducted in accordance with the procedures in 40 CFR Part 60.11 and Reference Method 9 in 40 CFR Part 60 Appendix A.
3. Particulate emissions from any stack shall not contain a concentration of particulate matter in excess of **0.05 g/dscm** (grams/dry standard cubic meter) (1.765 gr/dscf) and shall not exhibit greater than (seven) **7% opacity** (unless the emissions are controlled by a wet scrubbing control device). Compliance with this condition shall be determined by particulate concentration and opacity test observations conducted in accordance with the procedures in 40 CFR Part 60.11 and Reference Methods 1-5 & 9 in 40 CFR Part 60 Appendix A.
4. The owner or operator shall operate the Facility, including but not limited to Emissions Units, sites of overburden removal, haul roads, and active pit areas, such that there shall be no visible emissions crossing the perimeter of the Restricted Area. Compliance with this condition shall be determined by fugitive emission test observations conducted in accordance with 40 CFR Part 60 Part 60.11 and Reference Method 22 in 40 CFR Part 60 Appendix A.
5. The owner or operator shall control fugitive emissions to the atmosphere from haul roads between the perimeter of the Area of Operation and Property Boundary by the methods listed in the table below. Other methods of haul road dust control may be used provided that they result in no visible emissions as determined by Reference Method 22 in 40 CFR Part 60 Appendix A.

## Fugitive Emissions Control Requirements for Haul Roads

Number of Haul Truck Trips per day (round trip)	Haul Road Length in Miles					
	<1/4 miles	>1/4 – 1/2 miles	>1/2 – 1 miles	>1 – 2 miles	>2 – 4 miles	> 4 miles
1-90	W	W	W	W + BC	S	[Not allowed under this permit]
>90-140	W	W	W + BC	S	P + SW	
>140-190	W	W + BC	S	P + SW	[Not allowed under this permit]	
>190-240	W	W + BC	S	P + SW		
>240-290	W	W + BC	P + SW	P + SW	[Not allowed under this permit]	
>290-340	W + BC	S	P + SW	[Not allowed under this permit]		
>340	W + BC	S	P + SW	[Not allowed under this permit]		

Where:

W = Water

W+BC = Water plus base course application

S = Surfactant application according to manufacturer’s instructions

P+SW = Pave and sweep

### III.I. Other Emissions Limitations

The annual emissions from the entire Facility including sources of fugitive emissions shall not exceed the limits in the following table:

Pollutant	Emission Limitation
Nitrogen Oxides (NO <sub>x</sub> )	95 tons per year
Carbon Monoxide (CO)	95 tons per year
Volatile Organic Compounds (VOCs)	95 tons per year
Total Suspended Particulate (TSP)	95 tons per year
Sums of all Hazardous Air Pollutants (HAPs)	8 tons per year

For co-located plants, if the plant and the co-located source 1) belong to the same “major group” (i.e., which have the same first two digit code) as described in the Standard Industrial Classification Manual, 1972, as amended by the 1977 Supplement; 2) are under the control of the same person (or persons under common control); and 3) are located on one or more contiguous or adjacent properties, then the total emissions from the co-located plant and source shall not exceed the emissions limitations in this table. [40 CFR 52.21(b)(6)] These limits ensure that the Facility will not be a major source under 20.2.70 NMAC.

### **III.J. Requirements for Internal Combustion Engines**

This Section applies to stationary internal combustion engines (including generators and engines that directly drive crushers or screens), but does not apply to mobile sources (such as loaders, haul trucks and other vehicles).

1. Any emissions from internal combustion engines shall not exhibit greater than **20% opacity**. Compliance with this condition shall be determined by opacity test observations conducted in accordance with 20.2.61 NMAC and Reference Method 9 in 40 CFR Part 60 Appendix A.
2. The owner or operator shall use only the following fuels: natural gas, liquefied petroleum gas (LPG)/propane, gasoline, or #2 diesel fuel with a sulfur content equal to or less than **0.05%** by weight.
3. The owner or operator shall operate and maintain the equipment in accordance with manufacturer's specifications.

## **Section IV. Notification and Recordkeeping Requirements**

### **IV.A. Notification**

The owner or operator shall notify the Air Quality Bureau in writing:

1. within five (5) years of cessation of operation;
2. prior to making changes to the Facility that affect any information on the registration form except for changes in ownership, but not including relocations [Subsection D of 20.2.72.220 NMAC];
3. within fifteen (15) days after a change in ownership of the Facility ; and
4. within fifteen (15) days after the actual date of initial startup of the Facility.

### **IV.B. Relocation Notification**

The owner or operator shall notify the Department in writing fifteen (15) days prior to any relocation of the plant in accordance with the Department's Relocation Form. Relocated plants shall continue to meet all requirements of this Permit. Relocation shall not occur until the owner or operator has received written authorization from the Department.

### **IV.C. Recordkeeping**

1. Compliance with recordkeeping requirements for this Permit shall be based on Department inspections of records and logs. The owner or operator shall make all records required in this Section available to Department personnel upon request. The owner or operator shall retain each record for at least two (2) years after its collection. [40 CFR § 60.676 and Paragraph 2 of Subsection A of 20.2.72.220 NMAC ]
2. The owner or operator shall collect and retain the following records:
  - a. actual hours of operation (e.g. beginning and end of daily operation) for each day of operation;
  - b. any monitoring required under Section IV.D;
  - c. daily production rates;
  - d. number of haul truck trips per day;
  - e. the quantity and frequency of water or surfactant application to haul roads ;
  - f. the frequency of haul road sweeping (if paved);
  - g. records of equivalent control measures (if used); and
  - h. copies of the manufacturer's maintenance requirements and records of performing such maintenance.
3. For NSPS Facilities using wet scrubbing devices, the owner or operator shall keep records of measurements of the change in pressure of gas stream across the scrubber and the scrubbing liquid flow rate as required in 40 CFR § 60.676.

#### **IV.D. Monitoring**

The owner or operator of any Facility permitted under this Permit shall perform six (6) minute opacity readings for each crusher and screen at least once per month in accordance with the requirements in Section III.H and retain records in accordance with Section IV.C. of this Permit.

#### **IV.E. Initial Compliance Testing**

1. The owner or operator shall perform initial compliance opacity tests for particulate matter in accordance with 40 CFR Part 60.11 and Reference Method 9 in 40 CFR Part 60 Appendix A, unless otherwise approved by the Department.
2. Compliance tests shall determine the opacity at each crusher, screen, hopper, and conveyor transfer point.
3. The owner or operator shall conduct these tests within sixty (60) days of initial startup of the Facility.
4. The Department may reimpose the requirements for initial compliance testing if an inspection indicates non-compliance with the conditions in Section III or if the previous test showed non-compliance or was technically unsatisfactory.
5. The owner or operator shall notify the Department in writing at least thirty (30) days prior to the test date and allow a representative of the Department to be present at the test.
6. The owner or operator shall observe the following pre-testing and testing procedures:
  - a. The owner or operator shall provide for the Department's approval a written test protocol at least one (1) week prior to the anticipated pre-test meeting date.
    - (1) The protocol shall describe the test methods to be used (including sampling locations), and shall describe data reduction procedures.
    - (2) The owner or operator shall identify in the protocol any proposed variation from the established sampling and analytical procedures or from the conditions in this Permit.
  - b. The test protocol and compliance test report shall conform to the standard format specified by the Department. The most current version of the format may be obtained from the Enforcement Section of the Air Quality Bureau.
  - c. The owner or operator shall conduct the test at ninety (90) percent or greater of the full normal load as stated in the registration of this Permit, and at any additional load(s) requested by the Department. The test report shall include the load and parameters used for calculations.
7. The owner or operator shall submit one copy of test results to the Department no later than thirty (30) days after the completion of the testing

#### **IV.F. Permit Posting**

The owner or operator shall retain onsite and make available to the Department upon request this Permit, including the completed registration form and approval letter.

## **Section V. Changes that Prevent Meeting the General Permit Requirements**

The owner or operator shall not change or add equipment that prevents the Facility from complying with the conditions of this Permit.

## **Section VI. Rights of the Environment Department and the Registered Facility**

### **VI.A. Property Access and Record Review**

The Department may access the Facility and the nearest operations office of the Facility at any reasonable time to inspect the equipment at the Facility and any records to ensure that the Facility has operated and continues to operate in compliance with the conditions of this Permit. [Air Quality Control Act, NMSA 1978. Section 74-2-5.1A]

### **VI.B. Cancellation of Registration**

1. No Construction. The Department may cancel the registration of a Facility under this general permit if the owner or operator has not notified the Department within (2) years of the approved registration that the construction or modification has begun. The Department may also cancel the registration if construction work is suspended for one (1) year.
2. End of Operation. The Department shall cancel the registration if the owner or operator of the Facility ceases operation for five (5) years or more. [Subsection A of 20.2.72.211 NMAC]

### **VI.C. Revocation of Registration**

The Department may revoke the registration of a Facility under this Permit if the owner or operator has misrepresented a fact on the registration form.

### **VI.D. Appeals of Department Permitting Actions**

Any party affected by the Department's approval, denial or revocation of registration under this Permit may appeal to the Environmental Improvement Board within thirty (30) days of the Department's decision pursuant to Subsections E through G of 20.2.72.207 NMAC and Paragraph 5 of Subsection C of 20.2.72.220 NMAC.

### **VI.E. Revision of the Permit**

The Department may revise this Permit pursuant to Subsection B of 20.2.72.220 NMAC.

## **Section VII. Definitions and Acronyms**

### **VII.A. Acronyms**

CO	Carbon monoxide
CFR	Code of Federal Regulations
EIB	Environmental Improvement Board
EPA	United States Environmental Protection Agency
HAP	Hazardous Air Pollutant
NAAQS	National Ambient Air Quality Standards [40 CFR Part 50]
NAIC	North American Industrial Classification
NESHAP	National Emission Standards for Hazardous Air Pollutants [40 CFR Part 61 and 63]
NMAAQs	New Mexico Ambient Air Quality Standards [20.2.3 NMAC]
NMAC	New Mexico Administrative Code
NMED	New Mexico Environment Department
NO <sub>x</sub>	Oxides of nitrogen
NSPS	New Source Performance Standards [40 CFR Part 60]
PM <sub>10</sub>	Particulate Matter with an aerodynamic diameter of 10 microns or less
PSD	Prevention of Significant Deterioration [20.2.74 NMAC]
TPH	Tons per hour

### **VII.B. Definitions**

**“Area of Operations”** means the area within the Restricted Area which contains all Emissions Units and activities which may produce air contaminants, including Emissions Units and activities listed in Section I.A.6, all disturbed lands and all haul roads except the haul road between the Restricted Area and the Property Boundary. Disturbed lands include all mining areas, stockpiles, and overburden removal areas used for operation of the Facility.

**“Capacity Throughput”** means the total initial amount of material, measured in tons per hours, entering into the primary crushing/screening equipment of the Facility.

**“Department”** is the State of New Mexico Environment Department.

**“Emissions Units”** means any building, structure, equipment, facility, installation (including temporary installations), operation or portable stationary source which emits or may emit any air contaminant.

**“Fugitive Emissions”** means those emissions which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

**“Local newspaper of general circulation”** is a newspaper in general circulation in the county or counties where the Facility is or will be located.

**“Non-attainment area”** is an area that has been designated by the U.S. EPA as not meeting one or more of the NAAQS.

**“Opacity”** is the degree to which emissions reduce the transmission of light and obscure the view of an object in the background.

**“Owner or Operator”** is any person who owns or operates a process or process equipment at the source for which coverage under this Permit has been granted.

**“PM<sub>10</sub>”** means any particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers.

**“Property Boundary”** means the outside edge of the leased property, which includes all equipment, registered under this Permit. The property may consist of one or more contiguous and adjacent properties if they are owned, leased, or under direct control of the owner or operator.

**“Quarrying, Crushing, Screening Facility”** or **“Facility”** which meet the applicability requirements for this Permit are defined in Section I.A.

**“Restricted Area”** is the area within the Property Boundary to which public access is restricted.

**“Six-minute period”** means any one period of the 10 equal parts of a one-hour period.