APPENDIX 1

Best Available Control Method Letters
From the City of Las Cruces, Doña Ana County, and
Primary Stakeholders

City of Las Cruces

May 25, 2001
L-01-435

Gail Cooke, Environmental Scientist
NMED/ Air Quality Bureau
PO Box 26110
1190 St. Francis Dr.
Santa Fe, NM 87502-6110

Dear Gail:

This letter is in response to your letter dated May 22, 2001 requesting confirmation of the City of Las Cruces's effort to implement and enforce its Ordinance 1789. The City of Las Cruces, as part of the Natural Events Action Plan, has been aware of and has been actively enforcing its Ordinance 1789, Erosion and Dust Control, since its effective date of April 14, 2000.

Specific training sessions were provided to the Utilities, Engineering, Parks and Recreation, and Codes Enforcement Departments. The Planning Department has provided the necessary training and guidance to the respective City Department and citizens as it relates to this Ordinance. Additionally, the City Parks and Recreation, Traffic Operations, and Support Services (Construction) Departments have submitted and received approval of Dust Control Plans for their various dust generation activities. These dust control plans were reviewed and approved by the City's Planning Department. The City's Engineering Department is requiring review, approval and implementation of Dust Control Measures (BACM's) on all of its construction projects, whether they are completed by City staff or by outside contractors.

The Codes Enforcement Department has received numerous letters and phone calls concerning violations to the Erosion and Dust Control Ordinance. They have been continuously addressing and enforcing corrective actions with each of the individual violations. Additionally, the City Planning Department has implemented procedures and actions necessary to ensure, that privately constructed projects and business activities that are subject to the ordinance, are taking the necessary steps to implement the control measures.

Should you have any questions or need any documentation, please feel free to contact me. The Planning Department would gladly coordinate the gathering and specifics as it relates to our efforts in the enforcement and implementation of this vital ordinance.

Sincerely,

David Carpenter

David Carpenter, AICP
Senior Planner

cc: Brian Denmark, Planning Director
Jim Ericson, City Manager

Doña Ana County

COMMUNITY DEVELOPMENT DEPARTMENT
Dona Ana County Annex Building ■ 430 South Main Street, Room 120
Las Cruces, New Mexico 88001-1205 ■ (505) 647-7237 ■ FAX (505) 647-7255
www.co.dona-ana.nm.us toll free: 1-877-827-7200 ext.7237

June 7, 2001

Gail Cooke, Environmental Scientist
NMED/Air Quality Bureau
P.O. Box 26110
Santa Fe, NM 87502-6110

Dear Ms. Cooke:

This letter is in response to your inquiry regarding the implementation of Ordinance No. 194-2000, Doña Ana County's Erosion Control Regulations. As a part of the County's Natural Events Action Plan, Doña Ana County has been actively enforcing and implementing this Ordinance on a daily basis and ensuring that the best available control measures (BACM) are in place at the construction site.

The Ordinance was adopted by the Board of County Commissioners on December 19, 2000 and went into effect on January 19, 2001. During this time the Planning Division of the Community Development Department held a training session with all affected departments and discussed the elements of the Ordinance.

Currently, an erosion control plan is submitted with a building permit application, and is reviewed and approved by our department. When the building inspector goes to the construction site, one of items on their checklist is to ensure that the specified erosion control measure(s) is in place before a "due pass" is issued.

The Code Enforcement personnel respond to complaints concerning blowing fugitive dust. This department is attempting to correct violations and limit the number of complaints related to the Erosion Control Ordinance. Since the Ordinance has been adopted, I believe the amount of airborne PM10 has been reduced. Through proper implementation and education of this newly adopted Ordinance, we expect to see a significant decrease in PM10 within the next few years.

If you have any questions or need additional information, please don't hesitate to call.

Sincerely,

Janine Divyak
Senior Planner

VICE PRESIDENT FOR FACILITIES

MSC 3545
New Mexico State University
P.O. Box 30001
Las Cruces, NM 88003-8001
(505) 646-2101
Fax: (505) 646-1460

June 5, 2001

Ms. Gail Cooke
Environmental Scientist
New Mexico Environment Dept.
Air Quality Bureau
PO Box 26110
Santa Fe, NM 87502-6110

RE: New Mexico State University National Events Action Plan

Dear Ms. Cooke,

Pursuant to your letter dated May 22, 2001, wherein you requested that New Mexico State University provide your office with relevant documentation that the Best Available Control Measures (BACM) have been implemented per our stakeholders agreement. Please accept the following responses:

1. NMSU's Office of Facilities and Services (OFS) has implemented a policy of dust control measures. These measures include periodic watering of high traffic areas without pavement and cessation of any earthwork operations when winds exceed 15 mph.

2. OFS has budgeted approximately $80,000 for FY 2001/2002 to close and revegetate Standley Drive from Locust Street to Triviz Drive. This is priority #1 in our NEAP Agreement. This project will be accomplished by July, 2001.

3. OFS has budgeted approximately $140,000 to pave Geothermal Road from the end of the existing pavement to the Driving Range. This is priority #2 in our NEAP Agreement. This project is scheduled for completion by December, 2001.

4. OFS has undertaken an $80,000 project to install windbreaks and ground cover to protect Lot 30 from dust storms. Lot 30 is located east of the Pan Am Center and is subject to periodic heavy traffic. This was priority #4 on our NEAP Agreement.

Each of these projects will provide an immediate and noticeable decrease in fugitive dust emissions. These projects were selected and scheduled so that in the spring, our neighbors to the east can witness the results of our efforts.

Please review this submittal at your earliest convenience. If you have any questions, or, if you require additional information, please call me at (505) 646-2101.

Sincerely,

Ben Woods
Vice President for Facilities

DEPARTMENT OF ARMY
U.S. ARMY WHITE SANDS MISSILE RANGE
100 HEADQUARTERS AVENUE
WHITE SANDS MISSILE RANGE, NEW MEXICO 88002-5000

June 6, 2001

REPLY TO
ATTENTION OF

Environment and Safety Directorate

Ms. Gail Cooke
Environmental Scientist
New Mexico Air Quality Bureau
New Mexico Environment Department
Harold Runnels Building
P.O. Drawer 26110
Santa Fe, NM 87502-6110

Dear Ms. Cooke:

White Sands Missile Range actively controls dust generating activities. These activities are implemented as stated in the agreement with your office except where they are in conflict with our primary mission of testing.

Please contact Mr. Robert J. Andreoli, Environmental Compliance Division, if you have any questions. He can be reached at (505) 678-7926/2224.

Sincerely,

Thomas A. Ladd

Thomas A. Ladd
Director, Environment and
Safety Directorate

NEW MEXICO STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT
AN EQUAL OPPORTUNITY EMPLOYER

GARY E. JOHNSON
GOVERNOR

COMMISSION

Holm Bursum, III
Chairman, Socorro

Edward T. Begay
Vice-Chairman, Gallup

Peter T. Mocho, Sr.
Secretary, Albuquerque

Sherry Galloway
Member, Farmington

Ray Litherland
Member, Las Vegas

Sidney G. Strebeck
Member, Portales

DEPARTMENT

Secretary
Pete K. Rahn

General Office
PO Box 1149
Santa Fe, NM
87504-1149
505-827-5100

District One Office
PO Box 231
Deming, NM
88031-0231
505-546-2603

District Two Office
PO Box 1457
Roswell, NM
88202-1457
505-624-3300

District Three Office
PO Box 91750
Albuquerque, NM
87199-1750
505-841-2700

District Four Office
PO Box 30
Las Vegas, NM
87701-0030
505-454-3600

District Five Office
PO Box 4127
Coronado Station
Santa Fe, NM
87502-4127
505-827-9500

District Six Office
PO Box 2159
Milan, NM
87021
505-285-3200

June 12, 2001

Gail Cooke
Environment Scientist
NMED/Air Quality Bureau
P.O. Box 26110
Santa Fe, New Mexico 87502-6110

SUBJECT: Best Available Control Measures for PM 10

Dear Ms. Cooke:

This letter is in regards to your May 22, 2001 request for documentation that best available control measures (BACM) were required and in place for anthropogenic dust sources. Mr. Paul Little, Assistant District Engineer for District 1 in Las Cruces, New Mexico, was consulted to verify that BACM are in place. Mr. Little confirmed that BACM have been implemented in all required instances as per the stakeholder agreement between New Mexico State Highway and Transportation Department (NMSHTD) and New Mexico Environment Department. This agreement was signed by NMSHTD on December 21, 2000.

Please consider this letter as documentation that BACM have been implemented as required. Thank you for your attention to this matter and please contact Jeff Fredine at (505) 827-5232 if you have any questions or require additional information.

Sincerely,

Steve Reed
Acting Environmental Program Manager

/jlf