

**AIR QUALITY NOTICE OF INTENT  
AND PERMIT APPLICATION CHECKLIST**

This checklist is designed to help applicants to include the required elements under NMAC 2.73 - Notice of Intent and Emission Inventory Requirements, 20.2.72 NMAC - Construction Permits and NMAC 2.74 - Prevention of Significant Deterioration (PSD). Each application submitted shall contain the required items listed below, depending on the regulation under which the application is being submitted, before the Air Quality Bureau will rule the application complete under 20.2.72 NMAC or make a determination that no permit is required under NMAC 2.73. If each applicable item cannot be checked prior to submitting the application, the application will be ruled incomplete. Applications that are ruled incomplete because of missing information will delay any determination or the issuance of the permit. The Department reserves the right to request additional relevant information prior to ruling the application complete in accordance with 20.2.72 NMAC, Section 203.A.11.

**Directions for using this checklist:** Simply find the symbol to the left of each requirement that applies to your type of application. The symbols that apply to which type of application are given below. Indicate your review of your applicable requirements by checking the appropriate boxes.

- # applies to applications for a Notice of Intent
- + applies to applications for a construction permit
- \* applies to applications for a PSD permit

**A copy of this checklist with appropriate boxes checked, shall accompany the application.**

- \*  arrange a pre-application meeting to be held in Santa Fe, which includes the federal land managers, to discuss BACT, modeling, and items of particular interest.
- \*  submit the BACT analysis for review prior to submittal of the application (no application will be ruled complete until the final determination regarding BACT is made and this determination can ultimately affect information provided in the application).
- \*  submit a modeling protocol prior to submitting the permit application.
- \*  submit the monitoring exemption analysis prior to submittal of the application.
- \*  a cover letter with an synopsis of facility (or modification) and citing the regulation under which the application is being submitted.
- \*+#  the required information made on a form provided by the Department. Additional text, tables, calculations or clarifying information may also be attached to the form.
- \*+#  the \$500.00 filing fee as per 20.2.75 NMAC – Construction Permit Fees. This filing fee is required for all NOI applications and 20.2.72 NMAC permit applications.
- \*+  the original and two copies (three copies for PSD applications) of this entire application package, including copies of the *dispersion modeling summary report* in each application, unless otherwise indicated by the Bureau. Only one complete copy of the dispersion modeling study, including computer disks with all input/output files, should be submitted.
- \*+#  the company name which identifies the particular site.
- \*+#  the date of application.

- \*+#    □    the four digit Standard Industrialized Code (SIC).
- \*+#    □    the applicant's name, address, and the names and addresses of all other owners or operators of the emission sources.
- \*+#    □    the name, address, and phone number of a person to contact regarding questions about the facility.
- \*+#    □    the current facility status if it already exists.
- \*+#    □    the anticipated maximum production capacity of the entire facility after construction and/or modification or of the applicable emission or process unit. Identify any process bottlenecks that limit production.
- \*+#    □    location information including Section, Range, and Township and UTM or Lat/Long coordinates.
- \*+#    □    the maximum operating schedule for the source after completion of construction or modification in terms of hours per day, days per week, and weeks per year.
- \*+#    □    a list of all regulated equipment.
- \*+     □    a list of all exempted equipment.
- \*+#    □    a list and description of all air pollution control equipment or control method, estimated efficiencies, and estimation method.
- \*+#    □    the types and *potential uncontrolled* amounts of any regulated air contaminants the new source or modification will emit. Complete appropriate sections of the application; attachments can be used to supplement the application, but not replace it.

if the "potential emission rate" for any one criteria pollutant from a new facility is greater than 10 pounds per hour or 25 tons per year a permit is required - complete Section A and B. If as a result of a modification an existing facility's potential emission rate for any one pollutant is greater than 10 pounds per hour or 25 tons per year a permit is required - complete Section A and B. If the emission rate for a toxic pollutant exceeds the thresholds in 20.2.72 NMAC, Sec. 400 a permit is required - complete Section A and B.

"Potential emission rate" under 20.2.72 NMAC means the uncontrolled emission rate at maximum capacity, prior to or in the absence of pollution control equipment, for one hour or one full year (8760 hours per year).

- \*+#    □    the types and controlled amounts of any regulated air contaminants the new source or modification will emit.

if the "potential to emit" for any one criteria pollutant from a new facility exceeds 100 tons per year (major source) for one of the 28 sources listed in Table 1 of NMAC 2.74, or 250 tons per year (major source) for all other sources, a PSD permit is required - complete Section A, B, and C. If the source is an existing PSD major source and a modification occurs which results in an actual increase above the threshold in Table 2 of NMAC 2.74 a PSD permit is required - complete Section A, B, and C.

"potential to emit" under NMAC 2.74 means the controlled emission rate at maximum capacity, after pollution control equipment, for one full year (8760 hours).

- \*+# □ the stack and exhaust gas parameters for all existing and proposed emission stacks.
  - \*+# □ fuel data for each existing and/or proposed piece of fuel burning equipment.
  - \*+# □ material storage and handling information including composition, characteristics, storage conditions, and tank parameters.
  - \*+ □ a description of emission measurement equipment including CEM and parametric measures.
  - \*+# □ a notarized statement signed under oath or affirmation by the operator, the owner, or an authorized representative, certifying to the best of his or her knowledge the truth of all information submitted.
  - \*+ □ an attachment containing a process flow sheet, including a material balance, of all components of the facility that would be involved in routine operations and emissions.
  - \*+ □ an attachment containing a plot plan showing emission points, structures, tanks, and fences of property.
  - \*+# □ an attachment containing all calculations used to estimate *potential controlled and uncontrolled* emissions.
  - \*+# □ an attachment containing the basis or source for each uncontrolled and controlled emission rate (include the manufacturer's specification sheets when used as the source). This is to include the basis for the estimated control efficiencies and sufficient engineering data for verification of the control equipment operation, including if necessary, design drawings, test reports, and factors that affect the normal operation (e.g. limits to normal operation).
  - \*+# □ an attachment containing a map, such as a 7.5 minute USGS topographic quadrangle, showing the exact location of the source.
- Applications shall include an attachment containing the following public notice announcement documentation in accordance with 20.2.72 NMAC – Construction Permits, Section 203.B;*
- \*+ □ adjacent landowners have been notified of the proposed application,
  - \*+ □ municipalities and counties have been notified,
  - \*+ □ one classified or legal advertisement has been published in a local newspaper,
  - \*+ □ one other advertisement has been published in a local newspaper,
  - \*+ □ notice of the application has been posted in at least four publicly accessible and store, conspicuous places, including the proposed or existing facility entrance. (e.g: post office, library, grocery etc.),
  - \*+ □ submission of a public service announcement has been made to at least one radio or television station that serves the municipality or county in which the source proposes to locate. *The four posting locations should be included in this announcement.*

*The public notice shall include the following:*

- \*+ ☐ the applicant's name, address and the names and addresses of all other owners or operators of the emission sources,
- \*+ ☐ the anticipated date of application submittal and the location of the source
- \*+ ☐ a description of the plant or equipment process for which a permit is sought,
- \*+ ☐ an estimate of the maximum controlled emission rate for the entire facility in pounds per hour and tons per year for each pollutant, or in the case of a modification to an existing facility, the maximum controlled emission rates for both the modification and the entire facility after the modification,
- \*+ ☐ the maximum and standard operating schedules expected at the facility after completion of construction (hrs/day, days/wk, wks/yr),
- \*+ ☐ the current address of the Department to which comments and inquiries may be directed:  
  
New Mexico Environment Department  
Air Quality Bureau – Permits Section  
1301 Siler Road, Building B., Santa Fe, New Mexico 87507-3113  
(505) 476-4300
- \*+# ☐ an attachment containing a written description of the facility and/or modification including all operations affecting air emissions.
- \*+ ☐ an attachment containing a PSD applicability determination for the facility.
- \* ☐ an attachment containing an analysis on the impact on visibility.
- \* ☐ an attachment containing an analysis on the impact on soils.
- \* ☐ an attachment containing an analysis on the impact on vegetation, including state and federal threatened and endangered species.
- \* ☐ an attachment containing documentation that the federal land manager of a Class I area within 100 km of the site has been notified and provided a copy of the application, including the BACT analysis and modeling results.
- \*+ ☐ an attachment containing a regulatory compliance discussion demonstrating compliance with each applicable regulation (state & federal) and ambient air quality standard, PSD increments (if baseline triggered), and provisions of air toxics, if applicable.
- \*+ ☐ an attachment containing a preliminary operational plan defining the measures to be taken to mitigate source emissions during malfunction, startup, or shutdown.
- \*+ ☐ an attachment containing the required air quality modeling analysis.
- \*+ ☐ an attachment containing a completed Dispersion Modeling Checklist.