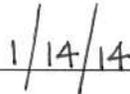


**CONSTRUCTION PERMIT NO: GCP-6**

**GENERAL PERMIT CATEGORY: Storage Vessels**

**ISSUED BY: New Mexico Environment Department**

  
\_\_\_\_\_  
**MICHAEL VONDERHEIDE**  
**Director**  
**Environmental Protection Division**

  
\_\_\_\_\_  
**Date**

Air Quality Permit GCP-6 for Storage Vessel Facilities (“Permit”) is issued by the Air Quality Bureau (AQB) 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. [20.2.72.220.A(1) NMAC] General permits provide an additional permitting option for specific types of sources that can meet the predetermined permit requirements. [20.2.72.220.C(1) NMAC]

This Permit authorizes an owner or operator to construct, modify, and operate a Storage Vessel Facility (Facility) in New Mexico (excluding Bernalillo County, Tribal lands, and city of Sunland Park) under the conditions set forth herein as long as all conditions of the Permit are continually met.

An owner or operator that registers for and receives approval to construct under this Permit will 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.

All terms written with initial capital letters are defined in Section D102 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 New Mexico Environment Department at (505) 476-4300, or visit the New Mexico Environment Department’s website at <http://www.nmenv.state.nm.us/AQB>.

## TABLE OF CONTENTS

Part A	FACILITY SPECIFIC REQUIREMENTS .....	3
A100	Description.....	3
A101	Applicability .....	4
A102	Allowable Equipment and Allowable VOC Emission Limits for Storage Vessels ....	4
A103	Allowable Annual Facility VOC Emission Limit.....	6
A104	Malfunction Emissions .....	6
A105	Storage Vessels .....	7
A106	Truck Loading – Hydrocarbon Loadout .....	10
A107	Vapor Recovery Unit (VRU) or Ultra-Low Pressure Separator (ULPS) and Compressor .....	11
A108	Flare .....	12
A109	Thermal Oxidizer.....	13
A110	Carbon Adsorption.....	14
A111	Condenser .....	15
A112	Fuel Sulfur Requirements .....	15
A113	20.2.61 NMAC Opacity.....	16
Part B	GENERAL CONDITIONS .....	16
B100	Introduction.....	16
B101	Legal .....	16
B102	Authority.....	17
B103	Fees .....	18
B104	Appeal Procedures .....	18
B105	Submittal of Reports and Certifications.....	19
B106	NSPS and/or MACT Startup, Shutdown, and Malfunction Operations .....	19
B107	Startup, Shutdown, and Maintenance Operations.....	19
B108	General Monitoring Requirements .....	20
B109	General Recordkeeping Requirements .....	21
B110	General Reporting Requirements.....	22
B111	Compliance .....	23
B112	Permit Cancellation and Revocation.....	24
B113	Notification to Subsequent Owners .....	24
B114	Asbestos Demolition.....	25
Part C	REGISTRATION PROCESSES .....	25
C100	Application Forms .....	25
C101	Revision Processes.....	26
Part D	MISCELLANEOUS .....	27
D100	Supporting On-Line Documents.....	27
D101	Definitions.....	28
D102	Acronyms.....	31

**PART A      FACILITY SPECIFIC REQUIREMENTS****A100   Description**

- A. The function of the Facility is to accumulate liquids in Storage Vessels, as defined in Section D101, located in the oil and natural gas production segment, natural gas processing segment, or natural gas transmission and storage segment [SIC 1311, 1321, and 4922].
- B. This Facility is authorized for continuous operation. No monitoring, recordkeeping, and reporting are required to demonstrate compliance with continuous hours of operation.
- C. The term of this permit is permanent unless withdrawn or cancelled by the Department.
- D. The allowable VOC emissions from each Storage Vessel, including fugitive, startup, shutdown, and maintenance emissions, shall not exceed the total requested allowable emissions in the current Application Form (registration form).
- E. The potential emission rate (PER) of the permitted Facility, including fugitive sources of emissions and excluding exempt sources or activities, shall not exceed the total potential emission rates in Table 100.A and Table 100.B. The potential emission rate of the permitted Facility shall exclude emissions from exempt sources and/or activities under 20.2.72.202 NMAC. Any Facility with a PER greater than the amounts in Table 100.A or Table 100.B does not qualify for GCP-6.

**Table 100.A: Potential Emission Rate (PER) of the Facility**

<b>Pollutant*</b>	<b>Emissions (pounds per hour)</b>	<b>Emissions (tons per year)</b>
Nitrogen Oxides (NO <sub>x</sub> )	less than 10	less than 25
Carbon Monoxide (CO)	less than 10	less than 25
Volatile Organic Compounds (VOCs) from Storage Vessels or Truck Loading	**	No PER Limit
Sulfur Dioxide (SO <sub>2</sub> )	less than 10	less than 25
Total Suspended Particulates (TSP)	less than 2.5	less than 25
Particulate Matter less than 10 microns (PM <sub>10</sub> )	less than 2.5	less than 25
Particulate Matter less than 2.5 microns (PM <sub>2.5</sub> )	less than 2.5	less than 25
Hydrogen Sulfide (H <sub>2</sub> S)	less than 0.5	less than 5
Lead	less than 10	less than 5

\* PER of pollutants includes emissions from Fugitives and SSM events

\*\* lb/hr limits are not appropriate for this pollutant

**Table 100.B: Total Potential HAPs Emissions**

<b>Pollutant</b>	<b>Emissions (tons per year)</b>
Any one (1) Hazardous Air Pollutant (HAP)*	less than 10
Total HAPs	less than 25

\* HAP emissions are already included in the VOC emission total in Table 102.A.

**A101 Applicability**

- A. All sources for which the Department has approved an Application Form under GCP-6 are subject to GCP-6 terms and conditions. No source may operate under GCP-6 unless the Department has approved its Application Form. No source may operate under GCP-6 unless such operation meets all the requirements of GCP-6.
- B. The owner or operator may apply for registration of a Facility under this Permit if:
  - (1) The Facility can comply with all of the requirements of this Permit; and
  - (2) The Facility includes any combination of the emissions units listed in Table 102.A and Table 102.B.
- C. The Department shall deny an Application Form if:
  - (1) The Application Form is not complete;
  - (2) The source as proposed is not qualified to register for GCP-6;
  - (3) The source, as proposed, cannot continuously meet the terms and conditions of GCP-6 as determined by the review of the registration application(s);
  - (4) The Facility is in a nonattainment area [defined by 20.2.79 NMAC] or the city of Sunland Park;
  - (5) The public notice performed for the Facility is inadequate to meet the requirements in Condition C100.B – *Public Notification*; or
  - (6) Any criteria listed in 20.2.72.208 NMAC are applicable.

**A102 Allowable Equipment and Allowable VOC Emission Limits for Storage Vessels**

- A. Table 102.A and Table 102.B list the units authorized for this Facility.

**Table 102.A: Allowable Equipment List and Allowable Annual Total VOC Emission Limits**

<b>Source Description<sup>1</sup></b>	<b>Allowable Annual Total VOC Emission Limits</b>
---------------------------------------	---

<b>Source Description<sup>1</sup></b>	<b>Allowable Annual Total VOC Emission Limits</b>
Storage Vessel <sup>2</sup>	Less than 6 tpy per Storage Vessel. The actual requested allowable emission limit for each Storage Vessel is established in the current Application Form <sup>3</sup> .
Facility	<p>Less than 79 tpy for the combined total VOC allowable emission rate from all Storage Vessels and truck loading<sup>3</sup>.</p> <p>If the applicant selects 10 tpy of Malfunction emissions in the Application Form, the 79 tpy limit includes 10 tpy of Malfunction.</p> <p>The actual requested allowable emission limit is established in the current Application Form.</p>
Malfunction (if selected by the permittee)	10 tpy

<sup>1</sup> All units must be evaluated for applicability to NSPS and NESHAP requirements.

<sup>2</sup> Unless specifically requested by the permittee in the Application Form, allowable VOC emission limits are only established for Storage Vessels with a PER of 6 or more VOC tpy.

<sup>3</sup> Allowable VOC total includes emissions from Fugitives and SSM.

**Table 102.B: Allowable Methods of Reducing VOC Emissions**

<b>Source Description</b>
Vapor Recovery Unit (VRU) (as defined in Section D101, including but not limited to, flash tower and compressor)
Ultra-Low Pressure Separator (ULPS) and Compressor
Flare (as defined in Section D101)
Thermal Oxidizer (as defined in Section D101)
Carbon Adsorption System
Condenser
Other equivalent Allowable Methods of Reducing VOC Emissions listed on the Air Quality Bureau website as approved by the Department

**Table 102.C: Minimum Height and Velocity Requirements for Selected Methods of Reduction**

<b>Source Description<sup>1</sup></b>	<b>Minimum Height</b>	<b>Minimum Velocity</b>
Flare	40 feet	NA

Source Description <sup>1</sup>	Minimum Height	Minimum Velocity
Thermal Oxidizer	30 feet	10 ft/sec

**A103 Allowable Annual Facility VOC Emission Limit**

A. Allowable Annual Facility VOC Emission Limit

<p><b>Requirement:</b> Compliance with the allowable annual Facility VOC emission limit in Table 102.A shall be demonstrated on a monthly rolling 12-month total basis. See Section D101 for a definition of “monthly rolling”.</p>
<p><b>Monitoring:</b> Monthly, the permittee shall calculate the monthly rolling 12-month Facility total VOC emission in tons per year to demonstrate compliance with the allowable Facility VOC emission limit in Table 102.A. Calculations shall include:</p> <ol style="list-style-type: none"> <li>1) results of Storage Vessel calculations in accordance with Condition A105.C,</li> <li>2) results of truck loading emission calculations or LACT unit emission calculations (if selected) in accordance with Conditions A106.A and A106.B,</li> <li>3) results of malfunction emission calculations (if selected) in accordance with Condition A104.A., and</li> <li>4) the total emissions from the methods of reduction as represented in the current Application Form.</li> </ol>
<p><b>Recordkeeping:</b> Monthly, the permittee shall record the monthly rolling 12-month Facility total VOC emissions in tpy.</p> <p>The permittee shall record in accordance with Condition B109.</p>
<p><b>Reporting:</b> The permittee shall report in accordance with Section B110.</p>

**A104 Malfunction Emissions**

A. Allowable VOC Malfunction Emissions

<p><b>Requirement:</b> By selecting the Malfunction Emissions Option in the Application Form, the permittee has requested a federally enforceable VOC malfunction emission limit. For these Facilities, the permittee shall annually perform a representative hydrocarbon analysis of material being produced at the Facility. The permittee shall complete the following monitoring and recordkeeping to demonstrate compliance with the 10 tpy VOC malfunction emission limit in Table 102.A.</p>
<p><b>Monitoring:</b> The permittee shall monitor all malfunction events that result in VOC emissions including the identification of the equipment or activity that is the source of emissions.</p>
<p><b>Recordkeeping:</b> Compliance with the malfunction emission limit in Table 102.A shall be demonstrated each month by calculating and recording the monthly rolling 12-month total VOC malfunction emissions. During the first 12 months, the 12-month total shall be the cumulative total of emissions and thereafter, shall be the monthly rolling 12-month total of VOC malfunction emissions.</p>

Records shall also be kept of the representative hydrocarbon analysis, the percent VOC of the gas based on the most recent gas analysis, the volume of total gas vented in MMscf used to calculate the VOC emissions, and whether the emissions resulting from the event will be used toward the permitted malfunction emission limit or whether the event is reported under 20.2.7 NMAC.

The permittee shall maintain records in accordance with Condition B109.

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

### **A105 Storage Vessels**

#### A. Reducing VOC Emissions (Regulated Storage Vessels as Identified in the Application Form)

**Requirement:** For each Storage Vessel with a PER of 6 or more tpy VOC, the permittee shall install at least one of the allowable methods of reducing VOC emissions from Table 102.B. Additionally, the permittee shall ensure that the selected method meets the minimum height and velocity requirements of Table 102.C, as appropriate.

The permittee may also choose to establish annual total allowable VOC emission limits for other Storage Vessels with a PER of less than 6 tpy VOC by identifying the Storage Vessels in the Application Form.

The emission reduction method selected may reduce VOC emissions from multiple Storage Vessels. The permittee shall comply with the specific conditions for each method, as required by this permit.

**Monitoring:** The permittee shall monitor the date of installation for each Storage Vessel and its method(s) of reducing VOC emissions.

**Recordkeeping:** The permittee shall record the date of installation for each Storage Vessel and its method(s) of reducing VOC emissions.

If a method of reducing VOC emissions is replaced by another method, the permittee shall record:

- 1) the new method of reducing VOC emissions,
- 2) the date of replacement, and
- 3) the manufacturer, serial number, and make/model of the new method of reducing VOC emissions.

Records shall be maintained in accordance with Section B109.

**Reporting:** None.

#### B. Redundancy for VOC Emissions Reduction Method

**Requirement:** By selecting the Redundancy Option in the Application Form, the permittee

<p>has requested a federally enforceable redundant method of reducing VOC emissions during maintenance or malfunction events for units listed in the Application Form. For these Facilities, each Storage Vessel requesting to have a method of reducing VOC emissions shall have a backup method of reducing VOC emissions as listed in the Application from the options listed in Table 102.B. The backup method shall be capable of operating immediately, without manual intervention, to reduce emissions from the Storage Vessel during maintenance or malfunction events.</p> <p>For each backup method, the permittee shall also comply with the specific conditions for that method, as required by this permit.</p>
<p><b>Monitoring:</b> The permittee shall monitor the date, start time, and end time of the use of any alternative method.</p>
<p><b>Recordkeeping:</b> The permittee shall record the date, start time, and end time of the use of any alternative method.</p>
<p>The permittee shall maintain records in accordance with Section B109.</p>
<p><b>Reporting:</b> The permittee shall report in accordance with Section B110.</p>

C. Compliance Demonstration for Each Storage Vessel With an Emissions Reduction Method

<p><b>Requirement:</b> To demonstrate compliance with the allowable emission limit for each Storage Vessel with an emissions reduction method in the current Application Form, the permittee shall calculate the monthly rolling 12-month total hydrocarbon throughput to the unit, the monthly rolling 12-month average separator pressure, and calculate the monthly rolling 12-month total VOC emissions for each unit.</p> <p>For Storage Vessels manifolded together, the permittee may divide the total emissions from the Storage Vessels by the number of Storage Vessels manifolded together.</p> <p>The emissions calculated under this condition shall be added to the emissions calculated in Condition A105.D to demonstrate compliance for each Storage Vessel requested allowable emission limit.</p>
<p><b>Monitoring:</b> The permittee shall monitor the monthly total throughput and the upstream separator pressure once per month.</p>
<p><b>Recordkeeping:</b> The permittee shall record:</p> <ol style="list-style-type: none"> <li>1) the monthly total throughput of liquids, and</li> <li>2) the monthly separator pressure.</li> </ol> <p>Each month, the permittee shall use these values to calculate and record:</p> <ol style="list-style-type: none"> <li>3) during the first 12 months of monitoring, the cumulative total liquid throughput and after the first 12 months of monitoring, the monthly rolling 12-month total liquid throughput,</li> </ol>

- 4) during the first 12 months of monitoring, the average separator pressure for each month, and after the first 12 months of monitoring, the monthly rolling 12-month average separator pressure, and
- 5) the monthly rolling 12-month total VOC emissions for each unit.

Storage Vessel breathing, working, and flashing emissions shall be calculated using Department approved programs and VOC reduction efficiencies. This calculation shall include emissions from startup, shutdown, and maintenance events from each unit, as calculated in Condition A105.D. This calculation shall also include the VOC content based on the results of the annual hydrocarbon analysis as required by Condition A105.D. Emission rates computed using the same parameters, but with different Department approved algorithms that exceed these values will not be deemed non-compliance with this permit.

Records shall be maintained in accordance with Section B109.

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

#### D. Startup, Shutdown, and Maintenance Emissions

**Requirement:** The permittee shall annually perform a representative hydrocarbon analysis of material being produced at the Facility. The permittee shall complete the following recordkeeping to demonstrate compliance with the routine and predictable startup, shutdown, and maintenance emission limit in the current Application Form. Since startup and shutdown emissions are not expected to be above steady state emissions, compliance is demonstrated by monitoring and recording maintenance events.

**Monitoring:** The permittee shall monitor all maintenance events that result in VOC emissions including the identification of the equipment or activity that is the source of emissions.

**Recordkeeping:** The permittee shall record a description of the equipment or activity that is the source of emissions.

The permittee shall calculate the maintenance emissions each month. Records shall be kept of the cumulative total of VOC maintenance emissions for each unit during the first 12 months and, thereafter of the monthly rolling 12-month total of VOC maintenance emissions for each unit.

Records shall also be kept of the representative hydrocarbon analysis, the percent VOC of the gas based on the most recent gas analysis, and of the volume of total gas vented in MMscf used to calculate the VOC emissions.

The permittee shall record the demonstrated compliance in accordance with Condition B109.

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

**A106 Truck Loading – Hydrocarbon Loadout****A. Operation**

**Requirement:** By selecting the Truck Loading Option in the Application Form, the permittee has requested a federally enforceable condition for reducing emissions during truck loading. For these Facilities, all emissions from truck loading operations shall be routed to at least one of the allowable methods of reducing VOC emissions from Table 102.B. The reduced emissions from truck loading shall be counted toward the allowable annual Facility VOC emission limit.

If the Truck Loading Option is not selected in the Application Form, all unreduced truck loading emissions shall be counted toward the allowable annual Facility VOC emission limit.

**Monitoring:** Monthly, the permittee shall perform a maintenance check on the loading rack piping to the VOC emission reduction method to ensure there are no defects that could result in emissions venting to atmosphere. Defects include, but are not limited to, visible cracks, holes, or gaps; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices.

**Recordkeeping:** The permittee shall record the following information for each maintenance check: the name of the company official, date, and results of the maintenance check indicating the results of the check. In the event that a leak or defect is detected, the permittee shall repair the leak or defect as soon as practicable and in a manner that minimizes VOC emissions to the atmosphere.

Records shall also be maintained in accordance with Section B109.

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

**B. Lease Automatic Custody Transfer (LACT) Unit to Pipeline**

**Requirement:** By selecting the LACT Unit Option in the Application Form, there shall be no emissions vented to the atmosphere under normal operation of the LACT unit. If the pipeline is unavailable and hydrocarbon liquids are temporarily loaded on trucks, emissions from truck loading operations are not required to be routed to a method of reducing VOC emissions, but these LACT unit truck loading emissions shall be monitored and recorded. Routine and predictable truck loading emissions that occur when the LACT unit is not operating shall be counted toward the allowable annual Facility VOC emission limit.

**Monitoring:** The permittee shall monitor the date, start time, and end time of truck loading when the pipeline is unavailable for the LACT unit to pipe hydrocarbon liquids off-site.

**Recordkeeping:** The permittee shall record the date, start time, and end time of truck loading when the pipeline is unavailable for the LACT unit to pipe liquid hydrocarbons off-site. These truck loading emissions shall be calculated and included in the VOC malfunction emission limit in Table 102.A.

Records shall also be maintained in accordance with Section B109.

<b>Reporting:</b> The permittee shall report in accordance with Section B110.
---

**A107 Vapor Recovery Unit (VRU) or Ultra-Low Pressure Separator (ULPS) and Compressor**

A. Operation

<b>Requirement:</b> If a VRU or Ultra-Low Pressure Separator (ULPS) and Compressor is installed as a method of reducing or capturing VOCs prior to or after the Storage Vessel, emissions shall be routed at all times to the VRU or Ultra-Low Pressure Separator (ULPS) and Compressor. The VOC emissions shall be captured and routed via a closed loop system back to the process stream such that no emissions are vented to the atmosphere.
--

<b>Monitoring:</b> The permittee shall conduct the following monitoring on a monthly basis:
---

- |   |
|---|
| <ol style="list-style-type: none"> <li>1) inspect for proper routing to the VRU or Ultra-Low Pressure Separator (ULPS) and Compressor,</li> <li>2) inspect each Storage Vessel, VRU or Ultra-Low Pressure Separator (ULPS) and Compressor, and associated piping for defects that could result in emissions. Defects include, but are not limited to, visible cracks, holes, or gaps; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices, and</li> <li>3) monitor for proper operation per manufacturer's specifications.</li> </ol> |
|---|

<b>Recordkeeping:</b> The permittee shall record the name of the person conducting the inspection and the results of all monthly equipment inspections, contemporaneously noting any maintenance or repairs needed to bring the Storage Vessel and/or VRU or Ultra-Low Pressure Separator (ULPS) and Compressor into compliance with permit conditions.
---

<b>Reporting:</b> The permittee shall report in accordance with Section B110.
---

B. Maintenance and Repair

<b>Requirement:</b> The VRU or Ultra-Low Pressure Separator (ULPS) and Compressor shall be installed, operated, and maintained according to manufacturer's specifications. Any emissions resulting from the VRU or Ultra-Low Pressure Separator (ULPS) and Compressor downtime shall be submitted in accordance with 20.2.7 NMAC, or counted toward the SSM or the malfunction emission limit, as applicable. In the event that a leak or defect is detected, the permittee shall repair the leak or defect as soon as practicable, not to exceed thirty days, and in a manner that minimizes VOC emissions to the atmosphere.
--

<b>Monitoring:</b> The permittee shall monitor the date, start time, and end time of any downtime and/or maintenance of the VRU or Ultra-Low Pressure Separator (ULPS) and Compressor.
--

<b>Recordkeeping:</b> The permittee shall keep manufacturer's documentation for the VRU or Ultra-Low Pressure Separator (ULPS) and Compressor on site or at the permittee's local business office. The permittee shall record the date, start time, and end time of any downtime and/or maintenance of the VRU or Ultra-Low Pressure Separator (ULPS) and Compressor, and whether the associated emissions are counted toward the SSM or the malfunction emission limit.
--

<b>Reporting:</b> The permittee shall report in accordance with Section B110.
---

### A108 Flare

#### A. Operation

<b>Requirement:</b>
---------------------

- |   |
|---|
| <ol style="list-style-type: none"> <li>1) If a flare is installed as a method of reducing VOC emissions, the emissions from the Storage Vessel shall be routed at all times to the flare.</li> <li>2) The permittee shall determine the minimum volume and BTU content of the gas necessary to ensure combustion of the gases. If necessary to ensure adequate combustion, the permittee shall add sufficient gas to make the gases combustible.</li> <li>3) The flare shall be operated such that no visible emissions are observed, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.</li> <li>4) The flare shall be equipped with a system to ensure that it is operated with a flame present at all times.</li> </ol> |
|---|

<b>Monitoring:</b> The permittee shall continuously monitor the presence of the flare pilot flame using a thermocouple equipped with a continuous recorder and alarm to detect the presence of a flame, or any other equivalent device approved by the Department.
--

Annually, the permittee shall perform a Method 22 to certify compliance with the visible emission requirements. The observation period shall be two hours.

The permittee shall monitor for proper operation per manufacturer's specifications.

<b>Recordkeeping:</b> The permittee shall record all instances of alarm activation, including the date and cause of alarm activation, actions taken to bring the flare into normal operating conditions, and maintenance activities.
--

The results of Method 22 shall be recorded.

The permittee shall maintain a copy of the manufacturer's specification sheet onsite.

<b>Reporting:</b> The permittee shall report in accordance with Section B110.
---

#### B. Maintenance and Repair

<b>Requirement:</b> The flare shall be installed, operated, and maintained according to manufacturer's specifications. Any emissions resulting from flare downtime shall be submitted in accordance with 20.2.7 NMAC, or counted toward the SSM or the malfunction emission limit, as applicable. In the event that a defect is detected, the permittee shall repair the defect as soon as practicable, not to exceed thirty days, and in a manner that minimizes VOC emissions to the atmosphere.
--

<b>Monitoring:</b> The permittee shall monitor scheduled maintenance activities of the flare and the date, start time, and end time of any downtime of the flare.
---

<b>Recordkeeping:</b> The permittee shall keep manufacturer's documentation for the flare on site or at the permittee's local business office. The permittee shall record maintenance activities performed on the flare and the date, start time, and end time of any downtime of the flare, and whether the associated emissions are counted toward the SSM or the malfunction emission limit.
---

<b>Reporting:</b> The permittee shall report in accordance with Section B110.
---

### A109 Thermal Oxidizer

#### A. Operation

<b>Requirement:</b>
---------------------

- |   |
|---|
| <ol style="list-style-type: none"> <li>1) If a thermal oxidizer is installed as a method of reducing VOCs, emissions from the Storage Vessel shall be routed at all times to the thermal oxidizer.</li> <li>2) The thermal oxidizer shall be operated such that no visible emissions are observed, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.</li> <li>3) The permittee shall determine the minimum temperature and residence time necessary for proper operation of the thermal oxidizer based on the manufacturer's specification sheet for that unit. The permittee shall operate the thermal oxidizer above the established minimum temperature and ensure the residence time is sufficient for proper operation of the unit.</li> </ol> |
|---|

<b>Monitoring:</b> The permittee shall conduct the following monitoring on a monthly basis:
---

- |  |
|--|
| <ol style="list-style-type: none"> <li>1) inspect each Storage Vessel vent for proper routing to the thermal oxidizer and inspect the Storage Vessel and thermal oxidizer for defects. Defects include, but are not limited to, visible cracks, holes, or gaps; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices.</li> <li>2) Annually, the permittee shall perform a Method 22 to certify compliance with the visible emission requirements. The observation period shall be two hours.</li> <li>3) The permittee shall monitor for proper operation per manufacturer's specifications and continuously record the operating temperature of the thermal oxidizer.</li> </ol> |
|--|

<b>Recordkeeping:</b>
-----------------------

- |  |
|--|
| <ol style="list-style-type: none"> <li>1) The permittee shall record the name of the person conducting the inspection and the results of all monthly equipment inspections, contemporaneously noting any maintenance or repairs needed to bring the Storage Vessel and/or thermal oxidizer into compliance with permit conditions.</li> <li>2) The results of Method 22 shall be recorded.</li> <li>3) The results of the operating temperature monitoring shall be recorded.</li> </ol> |
|--|

<b>Reporting:</b> The permittee shall report in accordance with Section B110.
---

#### B. Maintenance and Repair

<b>Requirement:</b> The thermal oxidizer shall be installed, operated, and maintained according to manufacturer's specifications. Any emissions resulting from thermal oxidizer downtime shall be submitted in accordance with 20.2.7 NMAC, or counted toward the SSM or the malfunction emission limit, as applicable. In the event that a leak or defect is detected, the permittee shall repair the leak or defect as soon as practicable, not to exceed thirty days, and in a manner that minimizes VOC emissions to the atmosphere.
--

<b>Monitoring:</b> The permittee shall monitor the date, start time, and end time of any downtime and/or maintenance of the thermal oxidizer.
---

<b>Recordkeeping:</b> The permittee shall keep manufacturer's documentation for the thermal
---

oxidizer on site or at the permittee's local business office. The permittee shall record the date, start time, and end time of any downtime and/or maintenance of the thermal oxidizer, and whether the associated emissions are counted toward the SSM or the malfunction emission limit.

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

### **A110 Carbon Adsorption**

#### **A. Operation**

**Requirement:** If a carbon adsorption system is installed as a method of reducing or capturing VOCs, emissions from the Storage Vessel shall be routed at all times to the carbon adsorption system.

**Monitoring:** The permittee shall conduct the following monitoring on a monthly basis:

- 1) inspect for proper routing to the carbon adsorption system,
- 2) inspect each Storage Vessel and carbon adsorption system for defects that could result in emissions. Defects include, but are not limited to, visible cracks, holes, or gaps; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices, and
- 3) monitor the pressure between the carbon vessels and proper operation per manufacturer's specifications.

**Recordkeeping:** The permittee shall record the name of the person conducting the inspection or monitoring and the results of all monthly equipment inspections and pressure readings between carbon vessels, contemporaneously noting any maintenance or repairs needed to bring the Storage Vessel and/or carbon adsorption system into compliance with permit conditions.

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

#### **B. Maintenance and Repair**

**Requirement:** The carbon adsorption system shall be installed, operated, and maintained according to manufacturer's specifications. Any emissions resulting from the carbon adsorption system downtime shall be submitted in accordance with 20.2.7 NMAC, or counted toward the SSM or the malfunction emission limit, as applicable. In the event that a leak or defect is detected, the permittee shall repair the leak or defect as soon as practicable, not to exceed thirty days, and in a manner that minimizes VOC emissions to the atmosphere.

**Monitoring:** The permittee shall monitor the date, start time, and end time of any downtime and/or maintenance of the carbon adsorption system.

**Recordkeeping:** The permittee shall keep manufacturer's documentation for the carbon adsorption system on site or at the permittee's local business office. The permittee shall record the date, start time, and end time of any downtime and/or maintenance of the carbon adsorption system, and whether the associated emissions are counted toward the SSM or the malfunction emission limit.

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

**A111 Condenser****A. Operation**

**Requirement:** If a condenser is installed as a method of reducing or capturing VOCs prior to or after the Storage Vessel, emissions shall be routed at all times to the condenser. The VOC emissions shall be captured and routed via a closed loop system back to the process stream such that no emissions are vented to the atmosphere.

**Monitoring:** The permittee shall conduct the following monitoring on a monthly basis:

- 1) inspect for proper routing to the condenser and back to the process stream,
- 2) inspect each Storage Vessel, condenser, and associated piping for defects that could result in emissions. Defects include, but are not limited to, visible cracks, holes, or gaps; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices, and
- 3) monitor for proper operation per manufacturer's specifications.

**Recordkeeping:** The permittee shall record the name of the person conducting the inspection and the results of all monthly equipment inspections, contemporaneously noting any maintenance or repairs needed to bring the Storage Vessel and/or condenser into compliance with permit conditions.

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

**B. Maintenance and Repair**

**Requirement:** The condenser shall be installed, operated, and maintained according to manufacturer's specifications. Any emissions resulting from the condenser downtime shall be submitted in accordance with 20.2.7 NMAC, or counted toward the SSM or the malfunction emission limit, as applicable. In the event that a leak or defect is detected, the permittee shall repair the leak or defect as soon as practicable, not to exceed thirty days, and in a manner that minimizes VOC emissions to the atmosphere.

**Monitoring:** The permittee shall monitor the date, start time, and end time of any downtime and/or maintenance of the condenser.

**Recordkeeping:** The permittee shall keep manufacturer's documentation for the condenser on site or at the permittee's local business office. The permittee shall record the date, start time, and end time of any downtime and/or maintenance of the condenser, and whether the associated emissions are counted toward the SSM or the malfunction emission limit.

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

**A112 Fuel Sulfur Requirements****A. Fuel Sulfur Requirements**

**Requirement:** All combustion emission units shall combust only natural gas as defined in this permit.

**Monitoring:** None

**Recordkeeping:** The permittee shall demonstrate compliance with the natural gas limit on total

sulfur content by maintaining records of a current, valid fuel gas analysis, purchase contract, tariff sheet, or transportation contract, specifying the allowable limit or less.
---

<b>Reporting:</b> The permittee shall report in accordance with Section B110.
---

### A113 20.2.61 NMAC Opacity

#### A. 20.2.61 NMAC Opacity Limit

<b>Requirement:</b> Visible emissions from all stationary combustion emission stacks shall not equal or exceed an opacity of 20 percent.
--

<b>Monitoring:</b> Use of natural gas fuel constitutes compliance with 20.2.61 NMAC unless opacity equals or exceeds 20% averaged over a 10-minute period. When any visible emissions are observed during steady state operation, opacity shall be measured over a 10-minute period, in accordance with the procedures at 40 CFR 60, Appendix A, Method 9 as required by 20.2.61.114 NMAC.
--

<b>Recordkeeping:</b> The permittee shall record dates of any opacity measures and the corresponding opacity readings.
--

<b>Reporting:</b> The permittee shall report in accordance with Section B110.
---

## PART B GENERAL CONDITIONS

### B100 Introduction

- A. The Department has reviewed the permit application for the proposed construction/modification/revision and has determined that the provisions of the Act and ambient air quality standards will be met. Conditions have been imposed in this permit to assure continued compliance. 20.2.72.210.D NMAC, states that any term or condition imposed by the Department on a permit is enforceable to the same extent as a regulation of the Environmental Improvement Board.

### B101 Legal

- A. The contents of a permit application specifically identified by the Department shall become the terms and conditions of the permit or permit revision. Unless modified by conditions of this permit, the permittee shall construct or modify and operate the Facility in accordance with all representations of the current application and supplemental submittals that the Department relied upon to determine compliance with applicable regulations and ambient air quality standards. If the Department relied on air quality modeling to issue this permit, any change in the parameters used for this modeling 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. Unless otherwise specified in Part A or Part C of this permit, any future physical changes, changes in the method of operation, or changes in the restricted area may constitute a modification as defined by 20.2.72 NMAC, Construction Permits. Unless the source or activity is exempt under 20.2.72.202 NMAC, no modification shall begin prior to issuance of a permit. (20.2.72 NMAC Sections 200.A.2 and E, and 210.B.4)
- C. Unless otherwise specified in Part A or Part C of this permit, changes in plans, specifications, and other representations stated in the application documents shall not be made if they cause a change in the method of control of emissions or in the character of emissions, will increase the discharge of emissions or affect modeling results. Unless otherwise specified in Part A or Part C of this permit, any such proposed changes shall be submitted as a revision or modification. (20.2.72 NMAC Sections 200.A.2 and E, and 210.B.4)
- D. Applications which require notification under Condition C101.A or Condition C101.B for permit revisions and modifications shall be submitted to:  
  
Program Manager, Permits Section  
New Mexico Environment Department  
Air Quality Bureau  
525 Camino de los Marquez, Suite 1  
Santa Fe, New Mexico 87505-1816
- E. At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate the source including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. (20.2.7.109, 20.2.72.210.A, 20.2.72.210.B, 20.2.72.210.C, 20.2.72.210.E NMAC) The establishment of allowable malfunction emission limits does not supersede this requirement.

## **B102 Authority**

- A. This permit is issued pursuant to the Air Quality Control Act (Act) and regulations adopted pursuant to the Act including Title 20, Chapter 2, Part 72 of the New Mexico Administrative Code (NMAC), (20.2.72 NMAC), Construction Permits and is enforceable pursuant to the Act and the air quality control regulations applicable to this source.

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

**B103 Fees**

- A. Each Application Form shall include a certified check or money order for permit fees required pursuant to 20.2.75 NMAC – *Construction Permit Fees*.
- B. The Department will assess an annual fee for this Facility. The regulation 20.2.75 NMAC set the fee amount at \$1,500 through 2004 and requires it to be adjusted annually for the Consumer Price Index on January 1. The current fee amount is available by contacting the Department or can be found on the Department’s website. The AQB will invoice the permittee for the annual fee amount at the beginning of each calendar year. This fee does not apply to sources which are assessed an annual fee in accordance with 20.2.71 NMAC. For sources that satisfy the definition of “small business” in 20.2.75.7.F NMAC, this annual fee will be divided by two. (20.2.75.11 NMAC)
- C. All fees shall be remitted in the form of a corporate check, certified check, or money order made payable to the “NM Environment Department, AQB” mailed to the address shown on the invoice and shall be accompanied by the remittance slip attached to the invoice.

**B104 Appeal Procedures**

- 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 hearing before the Environmental Improvement Board. The petition shall be made in writing to the Environmental Improvement 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 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: (20.2.72.207.F NMAC)

Secretary, New Mexico Environmental Improvement Board  
1190 St. Francis Drive, Runnels Bldg. Rm. N2153  
Santa Fe, New Mexico 87502

**B105 Submittal of Reports and Certifications**

- A. Stack Test Protocols and Stack Test Reports shall be submitted electronically to [Stacktest.AQB@state.nm.us](mailto:Stacktest.AQB@state.nm.us).
- B. Excess Emission Reports shall be submitted electronically to [eereports.aqb@state.nm.us](mailto:eereports.aqb@state.nm.us). (20.2.7.110 NMAC)
- C. Regularly scheduled reports shall be submitted to:  
Manager, Compliance and Enforcement Section  
New Mexico Environment Department  
Air Quality Bureau  
525 Camino de los Marquez, Suite 1  
Santa Fe, New Mexico 87505-1816

**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), unless specifically exempted in the applicable subpart.
- B. If a facility is subject to a NSPS standard in 40 CFR 60, then in accordance with 40 CFR 60.8(c), emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction shall not 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.

**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. (SSM work practice plan) (20.2.7.14.A NMAC)

**B108 General Monitoring Requirements**

- A. These requirements do not supersede or relax requirements of federal regulations.
- B. The following monitoring 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 accomplished, the permittee is not required to restart the unit for the sole purpose of performing 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 accomplishing the tests. Upon recommencing operation, the permittee shall submit any pertinent pre-test notification requirements set forth in the current version of the Department's Standard Operating Procedures For Use Of Portable Analyzers in Performance Test, and shall accomplish 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 the monitoring period exemption 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 any five-year period.

- 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.

#### **B109 General Recordkeeping Requirements**

- A. The permittee shall maintain records to assure and verify compliance with the terms and conditions of this permit and any other applicable requirements that become effective after permit issuance. The minimum information to be included in these records is:
  - (1) equipment identification (include make, model and serial number for all tested equipment and emission controls);
  - (2) date(s) and time(s) of sampling or measurements;
  - (3) date(s) analyses were performed;
  - (4) the qualified entity that performed the analyses;
  - (5) analytical or test methods used;
  - (6) results of analyses or tests; and
  - (7) operating conditions existing at the time of sampling or measurement.

- B. Except as provided in the Specific Conditions, electronic records shall be maintained on-site or if unmanned, at the permittee's local business office for a minimum of two (2) years from the time of recording and shall be made available to Department personnel upon request.
- C. Malfunction emissions and routine and predictable emissions during startup, shutdown, and scheduled maintenance (SSM):
  - (1) The permittee shall keep records of all events subject to the plan to minimize emissions during routine or predictable SSM. (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, and a description 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, including the date, the start time, the end time, and a description of the event. **Malfunction means** any sudden, infrequent, and not reasonably preventable failure of air pollution control and monitoring equipment, process equipment, or a process to operate in a normal or usual manner which causes, or has the potential to cause, the emission limitations in an applicable standard to be exceeded. Failures that are caused in part by poor maintenance or careless operation are not malfunctions. (40 CFR 63.2, 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 limit.

**B110 General Reporting Requirements**

(20.2.72 NMAC Sections 210 and 212)

- A. Records and reports shall be maintained on-site or at the permittee's local business office unless specifically required to be submitted to the Department or EPA by another condition of this permit or by a state or federal regulation.
- B. The permittee shall notify the Department's Compliance Reporting Section using the current Submittal Form posted to NMED's Air Quality web site under Compliance

and Enforcement/Submittal Forms in writing of, or provide the Department with (20.2.72.212.A and B):

- (1) the anticipated date of initial startup of each new or modified source not less than thirty (30) days prior to the date. Notification may occur prior to issuance of the permit, but actual startup shall not occur earlier than the permit issuance date;
  - (2) after receiving authority to construct, the equipment serial number as provided by the manufacturer or permanently affixed if shop-built and the actual date of initial startup of each new or modified source within fifteen (15) days after the startup date; and
  - (3) the date when each new or modified emission source reaches the maximum production rate at which it will operate within fifteen (15) days after that date.
- C. Unless otherwise specified in Parts A or C of this permit, the permittee shall notify the Department's Permitting Program Manager, in writing of, or provide the Department with (20.2.72.212.C and D):
- (1) any change of operators or any equipment substitutions within fifteen (15) days of such change;
  - (2) any necessary update or correction no more than sixty (60) days after the operator knows or should have known of the condition necessitating the update or correction of the permit.
- D. 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.
- E. The permittee shall submit reports of excess emissions in accordance with 20.2.7.110.A NMAC.

### **B111 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 Application Form, the Department's approval letter(s), and 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. (20.2.72.210.B.4 NMAC)

### **B112 Permit Cancellation and Revocation**

- A. The Department may revoke this permit if the applicant or permittee has knowingly and willfully misrepresented a material fact in the application for the permit. Revocation will be made in writing, and an administrative appeal may be taken to the Secretary of the Department within thirty (30) days. Appeals will be handled in accordance with the Department's Rules Governing Appeals From Compliance Orders.
- B. The Department shall automatically cancel any permit for any source which ceases operation for five (5) years or more, or permanently. Reactivation of any source after the five (5) year period shall require a new permit. (20.2.72 NMAC)
- C. The Department may cancel a permit if the construction or modification is not commenced within two (2) years from the date of issuance or if, during the construction or modification, work is suspended for a total of one (1) year. (20.2.72 NMAC)

### **B113 Notification to Subsequent Owners**

- A. The permit and conditions apply in the event of any change in control or ownership of the Facility. No permit modification is required in such case. However, in the event of any such change in control or ownership, the permittee shall notify the succeeding owner of the permit and conditions and shall notify the Department's Program Manager, Permits Section of the change in ownership within fifteen (15) days of that change. (20.2.72.212.C NMAC)
- B. Any new owner or operator shall notify the Department's Program Manager, Permits Section, within thirty (30) days of assuming ownership, of the new owner's or operator's name and address. (20.2.73.200.E.3 NMAC)

**B114 Asbestos Demolition**

- A. Before any asbestos demolition or renovation work, the permittee shall determine whether 40 CFR 61 Subpart M, National Emissions Standards for Asbestos applies. If required, the permittee shall notify the Department's Program Manager, Compliance and Enforcement Section using forms furnished by the Department.

**PART C REGISTRATION PROCESSES****C100 Application Forms****A. General Requirements**

- (1) The owner or operator of a Facility to be registered under GCP-6 shall complete the following steps. All submittals shall be made on current forms provided by the Department. The owner or operator shall:
- (a) Complete public notice requirements for the proposed Facility and location at least 15 days prior to the commencement of construction or installation of a source. The above 15 day requirement to complete the public notice requirements before commencement of construction does not apply to existing, constructed sources that are voluntarily requesting an emission limit on Storage Vessels. However, the public notice requirements must still be completed, and proof of public notice must be submitted as part of the Application Form. See Condition C100.B for details;
  - (b) Submit a complete GCP-6 Application Form, including proof of Public Notice and a payment of 10 fee points as required by 20.2.75 NMAC, to the Department;
- (2) The owner or operator shall, at a minimum, complete the following sections of the GCP-6 Application Form:
- (a) Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15.
- (3) Within thirty (30) calendar days of receiving an Application Form under GCP-6, the Department shall review the application and shall approve or deny the registration. The approval of an Application Form shall not become effective until Department approval or fifteen (15) days after Public Notice has been published and posted, whichever is later. Approval or denial, once effective, of an Application Form is a determination by the Department of whether or not the source qualifies to register for coverage under GCP-6. The Department shall notify the owner or operator of its decision by certified mail.

**B. Public Notification**

- (1) The applicant's public notice requirements shall be completed at least 15 days prior to the commencement of construction or installation of a source. The above 15 day requirement to complete the public notice requirements before commencement of construction does not apply to existing, constructed sources that are voluntarily requesting an emission limit on Storage Vessels. However, the public notice requirements must still be completed, and proof of public notice must be submitted as part of the Application Form.
- (2) In accordance with 20.2.72.220.A(2)(b)ii NMAC, the applicant's public notice requirements include:
  - (a) a notice published once in the legal notices section of a newspaper in general circulation in the county or counties in which the property on which the Facility is proposed to be constructed or operated is located. The applicant's legal notice may include up to 10 separate facilities if required location information for each facility is included in the notice; and
  - (b) a notice posted at the proposed or existing Facility entrance in a publicly accessible and conspicuous place on the property on which the Facility is, or is proposed to be, located, until the general permit registration is granted or denied.
- (3) In accordance with 20.2.72.220.C(2) NMAC, the Department shall not grant the registration until at least fifteen (15) days after the date the applicant's public notice was initiated.

**C101 Revision Processes****A. Administrative Changes that Require Notification**

- (1) Owners or operators shall, at a minimum, submit Sections 1 and 15 of the Application Form to the Department for the following change(s). The notification shall include all information required by the Department to review the request and shall be submitted within fifteen (15) calendar days of the change(s):
  - (a) Change of owner/operator or
  - (b) Change of contact information for any person identified in the Application Form.
- (2) No public notification is required.
- (3) No filing fees or permit fees under 20.2.75 NMAC apply.

**B. Modifications that Increase PER and Require Notification**

- (1) Prior to modification, as defined in Section D101, of a source, the owner or operator shall, at a minimum, submit Sections 1, 2, 5, 6, 7, 8, 9, 10, 11, 13, 14, and 15 of the Application Form to the Department.
  - (2) The owner or operator shall maintain the current Application Form on-site or at the permittee's local business office.
  - (3) No public notification is required.
  - (4) No filing fees or permit fees under 20.2.75 NMAC apply.
- C. Changes that Do Not Increase the PER and Do Not Require Notification
- (1) Owners or operators shall complete the following steps for any change(s) other than those in Condition C101.A and Condition C101.B that alter information on the Application Form while meeting the terms and conditions of GCP-6:
    - (a) Record any modification of equipment, including but not limited to like-kind replacements, by completing a new Application Form;
    - (b) Record any modification of operation, including but not limited to changes in throughput, by completing a new Application Form; and
    - (c) Maintain the current Application Form on-site or at the permittee's local business office.
  - (2) The revised Application Form information, such as lb/hr emission limits of new or altered emissions units, becomes part of the registration and enforceable.
  - (3) No public notification is required.
  - (4) No filing fees or permit fees under 20.2.75 NMAC apply.
- D. Changes that Prevent Meeting General Permit Limits
- (1) Changes or equipment additions that prevent the Facility from meeting the requirements of GCP-6 shall not occur before the owner or operator applies for and is issued an individual construction permit under 20.2.72.200 NMAC. [20.2.72.220.D(2) NMAC]

## **PART D MISCELLANEOUS**

### **D100 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) Universal Stack Test Notification, Protocol and Report Form and Instructions
- (3) SOP for Use of Portable Analyzers in Performance Tests

### **D101 Definitions**

- A. **“Condensate”** means hydrocarbon liquid separated from natural gas that condenses due to changes in the temperature, pressure, or both, and remains liquid at standard conditions.
- B. **“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 Farmer’s Almanac or from <http://www.almanac.com/rise/>).
- 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 NMAC permitting actions.
- D. **“Flare”** means a direct combustion device in which air and all combustible gases react at the burner with the objective of complete and instantaneous oxidation of the combustible gases.
- E. **“Fugitive Emission”** means those emissions which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.
- F. **“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. Note; insignificant activities are only valid for 20.2.70 NMAC permitting actions.
- G. **“Intermediate Hydrocarbon Liquid”** means any naturally occurring, unrefined petroleum liquid.
- H. **“Malfunction”** is defined as any sudden, infrequent, and not reasonably preventable failure of air pollution control and monitoring equipment, process equipment, or a process to operate in a normal or usual manner which causes, or has the potential to cause, the emission limitations in an applicable standard to be exceeded. Failures that are caused in part by poor maintenance or careless operation are not malfunctions. (40 CFR 63.2, 20.2.7.7.E NMAC)
- I. **“Modification”** means any physical change in, or change in the method of operation of, a stationary source which results in an increase in the potential emission rate of

any regulated air contaminant emitted by the source or which results in the emission of any regulated air contaminant not previously emitted, but does not include:

- (1) a change in ownership of the source;
- (2) routine maintenance, repair or replacement;
- (3) installation of air pollution control equipment, and all related process equipment and materials necessary for its operation, undertaken for the purpose of complying with regulations adopted by the board or pursuant to the Federal Act; or
- (4) unless previously limited by enforceable permit conditions:
  - (a) an increase in the production rate, if such increase does not exceed the operating design capacity of the source;
  - (b) an increase in the hours of operation; or
  - (c) use of an alternative fuel or raw material if, prior to January 6, 1975, the source was capable of accommodating such fuel or raw material, or if use of an alternate fuel or raw material is caused by any natural gas curtailment or emergency allocation or any other lack of supply of natural gas.

- J. **“Monthly Rolling”** is a concept of incorporating a month’s worth of emissions data into a 12-month period. A monthly rolling 12-month total is a period of 12 consecutive months determined on a monthly rolling basis with a new 12-month period beginning on the first day of each calendar month. As each new month’s data is incorporated into the 12-month total the last month’s data (or the 13th month’s data in a list of months) is removed from the total.
- K. **“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 60.631)
- L. **“Natural Gas Liquids”** means the hydrocarbons, such as ethane, propane, butane, and pentane that are extracted from field gas. (40 CFR 60.631)
- M. **“National Ambient air Quality Standards”** means, unless otherwise modified, the primary (health-related) and secondary (welfare-based) federal ambient air quality standards promulgated by the US EPA pursuant to Section 109 of the Federal Act.
- N. **“Night”** is the time period between sunset and sunrise, 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 Farmer's Almanac or from <http://www.almanac.com/rise/>).

- O. **“Night Operation or Operation at Night”** is operating a source of emissions at night.
- P. **“NO<sub>2</sub>”** 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 NO<sub>x</sub> or NO<sub>2</sub>. (20.2.2 NMAC)
- Q. **“NO<sub>x</sub>”** see NO<sub>2</sub>
- R. **“Potential Emission Rate”** or “PER” 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.
- S. **“Produced Water”** means water that is extracted from the earth from an oil or natural gas production well, or that is separated from crude oil, condensate, or natural gas after extraction.
- T. **“Property Boundary”** means the outside edge of the property, which includes all the equipment, registered under this Permit. The property may consist of one or more continuous and adjacent properties if they are owned, leased, or under direct control of the owner or operator.
- U. **“Restricted Area”** 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.
- V. **"Shutdown"**, for requirements under 20.2.72 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.

- W. **“Small Business”**, for requirements under 20.2.75 NMAC, means a company that employs no more than ten (10) employees at any time during the calendar year. Employees include part-time, temporary, or limited service workers. For new sources, the responsible company official shall certify that the source does not expect to employ any more than ten (10) employees in the first year of operations. In addition, "small business" does not include (1) any source which may emit more than fifty (50) tons per year of any regulated air contaminant for which there is a national or New Mexico ambient air quality standard, or seventy-five (75) tons per year of all regulated air contaminants for which there are national or New Mexico ambient air quality standards; and (2) any major source for hazardous air pollutants under 20.2.70 NMAC.
- X. **“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 NMAC, means the cessation of operation of any air pollution control equipment or process equipment.
- (2) **“Startup”**, for requirements under 20.2.7 NMAC, means the setting into operation of any air pollution control equipment or process equipment.
- Y. **“Startup”**, for requirements under 20.2.72 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.
- Z. **“Storage Vessel”** means a tank or other vessel that contains an accumulation of crude oil, condensate, intermediate hydrocarbon liquids, or produced water, and that is constructed primarily of nonferrous materials (such as wood, concrete, steel, fiberglass, or plastic) which provide structural support.
- AA. **“Thermal Oxidizer”** means a combustion device that eliminates VOC, CO, and volatile HAP emissions by combusting them to carbon dioxide (CO<sub>2</sub>) and water. The device maintains a minimum temperature in the combustion chamber to eliminate pollutants.
- BB. **“Vapor Recovery Unit (VRU)”** means a unit capable of collecting hydrocarbon vapors and gases and routing such hydrocarbon vapors and gases back into the process or to a sales pipeline.

## D102 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 and 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 monoxides
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
HAP.....	hazardous air pollutant
hp .....	horsepower
H <sub>2</sub> S.....	hydrogen sulfide
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 Statutes Annotated
NO <sub>x</sub> .....	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 <sub>10</sub>	particulate matter 10 microns and less in diameter
PM <sub>2.5</sub>	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 <sub>2</sub>	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
VRU	vapor recovery unit