

LEGAL NOTICE

and

Preliminary Determination for an Air Quality Permit for Public Service Company of New Mexico (PNM)

Public Service Company of New Mexico (PNM), 2401 Aztec Rd NE MS Z100, Albuquerque, NM has submitted an air quality permit application to the Air Quality Bureau (AQB), New Mexico Environment Department (NMED) for an air quality permit to modify La Luz Energy Center. The application file has been assigned Permit No. 5041-M1 and TEMPO Agency Interest ID No. 32274. The exact location of the facility is at latitude 34 degrees, 36 minutes, 58.3 seconds and longitude -106 degrees, 48 minutes, 54 seconds, Datum: NAD83. To aid in locating this facility, the approximate location is 3.9 miles southwest of the intersection of State Route 314 and 309 in the city of Belen in Valencia County.

The proposed modification will consist of changing the permit to a PSD minor source from a PSD major source because the facility is no longer PSD due to the Supreme Court vacated the GHG Tailoring rule, modify the record-keeping requirements for NH₃, modify the NO_x emissions standards to correctly reflect the requirements of 40 CFR 60 Subpart KKKK, and to add turbine malfunction emissions for all applicable pollutants. No physical changes to the facility are being conducted.

Total air pollutant emissions to the atmosphere are estimated to be approximately Nitrogen Oxides (NO_x) at 53.7 tons per year (tpy); Carbon Monoxide (CO) at 66.7 tpy; Volatile Organic Compounds (VOC) at 9.6 tpy; Sulfur Dioxide (SO₂) at 3.5 tpy; Total Suspended Particulate Matter (TSP) at 35.0 tpy, Particulate Matter 10 microns or less (PM₁₀) at 35.0 tpy, and Particulate Matter 2.5 microns or less (PM_{2.5}) at 35.0 tpy, and green house gas (CO_{2e}) at 405,337.3 tpy. The facility is a major, $\geq 100,000$ tpy CO_{2e}, a source of green house gas emissions. These emission estimates could change slightly during the course of the Department's review of the application.

The NMED has conducted a preliminary review of the information submitted with the permit application. The preliminary review and applicant's analysis of ambient air quality impacts indicates that the facility's air emissions will meet the ambient air quality standards for NO_x, CO, SO₂, TSP, and Ozone. A full review will evaluate the estimated emission rates for the pollutants listed above and the air quality analysis to determine compliance with the associated ambient air standards and requirements.

The NMED has conducted a preliminary review of the information submitted with the permit application and found that only volatile organic compounds (VOCs) are being emitted due to this construction. VOCs are a pre-cursor to ozone. Pre-construction air dispersion modeling is not required for VOCs and ozone. To determine compliance with national ambient air quality standards, NMED monitors ambient ozone concentrations. A full review will evaluate the estimated emission rates and determine compliance with air quality regulations.

Based on the applicant's analysis, a preliminary determination is that this facility will comply with the requirements of Title 20, New Mexico Administrative Code (NMAC), Chapter 2, Parts 3, 61, 72, 73, 74, 75 and 77; 40 CFR 50; 40 CFR 60 Subparts KKKK, TTTT; and the New Mexico Air Quality Control Act. Therefore, the preliminary intent of NMED is to issue the air quality permit on or before December 5, 2016. This source is a minor source according to 20.2.74 NMAC, PSD.

To ensure compliance with state and federal air regulations, the permit is expected to include conditions that limit the emissions, and conditions that will require record keeping and reporting to the Department.

The permit application is available for review in electronic or hard copy at the Air Quality Bureau Office, 525 Camino de los Marquez Suite 1, Santa Fe, New Mexico. To arrange viewing of this application contact Teri Waldron, at 505-476-4355 or teri.waldron@state.nm.us. The permit application is also available at the NMED District I Office, located at 121 Tijeras, STE 1000, Albuquerque, NM 87102-3400 for public review.

All interested persons have thirty (30) days from the date this notice is published, to notify the Department in writing of their interest in the permit application. The written comments should refer to the company name, facility name and Permit No. (or send a copy of this notice along with your comments). The written comments shall state the nature of the issues raised and how it relates to the requirements of applicable state and federal air quality regulations and the Clean Air Act. The written comments should be mailed to Joseph Kimbrell, New Mexico Environment Dept., Air Quality Bureau, Permit Section, 525 Camino de los Marquez Suite 1, Santa Fe, NM 87505-1816.

The Department will notify all persons, who have provided written comments as to when and where the Department's analysis may be reviewed. Although all written comments will be made part of the public record, any person who does not express interest in writing before the end of this first thirty (30) day period will not receive such notification.

If the Department receives written public comment before the end of the Department's thirty (30) day public notice, the Department's analysis will be made available for review for thirty (30) days at the NMED district or field office nearest to the source before the permit will be issued. Written comments on the analysis or permit application may be submitted to the Department during this second thirty (30) day period or at any time before the permit is issued or denied.

Questions or comments not intended to be part of the public record can be directed to Joseph Kimbrell at 505-476-4347. General information about air quality and the permitting process can be found at the Air Quality Bureau's web site. The regulation dealing with public participation in the permit review process is 20.2.72.206 NMAC. This regulation can be found in the "Permits" section of this web site. Este es un aviso de la Agencia de Calidad de Aire del Departamento de Medio Ambiente de Nuevo México, acerca de las emisiones producidas por un establecimiento en esta área. Si usted desea información en español, por favor de comunicarse con la oficina de Calidad de Aire al teléfono 505-476-5557.