

Legal Notice
For
Air Quality Operating Permit
for Title V Air Curtain Incinerator General Operating Permit (ACI-GOP)

The Air Quality Bureau (AQB) of the New Mexico Environment Department (NMED) is proposing to renew its General Operating Permit (GOP) for air curtain incinerators (ACI) under the Title V program. The Department issues general operating permits for the purpose of registering groups of sources that have similar operations, processes, and emissions, and that are subject to the same or substantially similar requirements, and not subject to case-by-case standards or requirements (20.2.70.303.A(1) NMAC). General permits provide an additional permitting option for specific types of sources that can meet the predetermined permit requirements (20.2.70.303.B(1) NMAC).

Air curtain incinerators are utilized for wildfire mitigation, forest fuel management, post-fire cleaning, natural disaster cleanup, and for diseased-tree disposal as they can be operated safely and year-round for disposal of clean wood products, and with lower opacity and air emissions than open burning. This ACI-GOP permit covers stationary and portable air curtain incinerators that are subject to Federal New Source Performance Standards (NSPS) Subpart CCCC or Subpart EEEE, and burn less than 35 tons per day of wood waste, clean lumber, or yard waste. At present there are four permitted ACI in New Mexico, mostly located in small mountain towns for the purpose of burning wood waste.

The AQB has determined that this GOP will comply with the requirements of Title 20, New Mexico Administrative Code (NMAC), Chapter 2, Parts 7, 61, 70, 71, 73, 77, and 82; 40 CFR 50; 40 CFR 60 Subparts A, CCCC, EEEE, IIII, and JJJJ; 40 CFR 63 Subparts A and ZZZZ; and the New Mexico Air Quality Control Act. Public notice for this renewal is per 20.2.70.401.C(4) NMAC. The only proposed changes to this permit are some terminology clarifications so that conditions are aligned respective to each other and with federal rule requirements (CCCC and EEEE). Therefore, the preliminary intent of NMED is to issue the air quality operating permit on or before June 13, 2023.

Interested persons may obtain the draft operating permit, submit written comments, or request a public hearing for this permit renewal by contacting McKenna Hedgepeth at the New Mexico Environment Department, Air Quality Bureau, 525 Camino de los Marquez Suite 1, Santa Fe, NM 87505-1816, or by email at mckenna.hedgepeth@env.nm.org.

Written requests for public hearing must state the nature of the issues proposed to be raised in the hearing. Comments must be based on the requirements of the applicable state and federal air quality regulations and the Clean Air Act. Comments or hearing requests must be received within 30 days after the public notice is published.

The public notice is currently available for review on the AQB Public Notices of Permitting Actions website www.env.nm.gov/public-notice. The Department contact in Santa Fe is McKenna Hedgepeth at 505-690-0756. Este es un aviso de la oficina de Calidad del Aire del Departamento del Medio Ambiente de Nuevo México, acerca de las emisiones producidas por un establecimiento en esta área. Si usted desea información en español, por favor comuníquese con esa oficina al teléfono (505) 629-3395.

Notice of Non-Discrimination

NMED does not discriminate based on race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. NMED is responsible for coordination of

compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Part 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's non-discrimination programs, policies or procedures, or if you believe that you have been discriminated against with respect to a NMED program or activity, you may contact: Kathryn Becker, Non-Discrimination Coordinator, NMED, 1190 St. Francis Dr., Suite N4050, P.O. Box 5469, Santa Fe, NM 87502, (505) 827-2855, nd.coordinator@env.nm.gov. You may also visit our website at <https://www.env.nm.gov/non-employee-discrimination-complaint-page/> to learn how and where to file a complaint of discrimination.