Statement of Basis - Narrative
NSR Permit

Type of Permit Action: Regular-New

Facility: **Bennett Sand Mine**
Company: Intrepid Potash New Mexico LLC
Permit No(s).: 9883-M1
Tempo/IDEA ID No.: 40957 - PRN20230002
Permit Writer: Rhonda Romero

Fee Tracking (not required for Title V)

Tracking	**NSR tracking entries completed:** [X] Yes [] No
	NSR tracking page attached to front cover of permit folder: [X] Yes [] No
	Paid Invoice Attached: [X] Yes [] No
	Balance Due Invoice Attached: [] Yes [X] No
	Invoice Comments: Paid in full

Permit Review	**Date to Enforcement:** N/A	**Date of Enforcement Reply:** N/A
	Date to Applicant: 8/24/2023	**Date of Applicant Reply:** 9/14/2023
	Date to EPA: N/A	**Date of EPA Reply:** N/A
	Date to Supervisor: TBD	

1.0 Plant Process Description:

The facility will be an industrial sand production facility and the material process will consist of sand mining, handling, washing, screening, storage, and distribution operations.

The mine base will be approximately 30 feet below existing grade. Sand will be surface mined by a hydraulic track hoe excavator and loaded to dump trucks. The material will be transported to a raw material pile in the vicinity of the modular wash systems. Sand from the raw material pile will be loaded into the modular washing system feed hoper using front end loaders. The material exits the feed hopper on the main conveyor and is transported to a wash box where the material is saturated and transfers to the rinser screen box. The sand and silt mixture slurry passes through the bottom deck and the slurry is pumped to hydrocyclones which separate the sand and silt. The washed sand is sent to a stockpile to air dry and the waste silt slurry is removed.

The finished product will be loaded into sand boxes on transport trucks using front end loaders at a moisture content of approximately 5%. The target size is 140 mesh for the product which is equivalent to ~ 105 microns. The finished product will therefore be larger than total suspended particulates (TSP) which is measured by the EPA reference method as ~ 100 microns.
Silt fraction is determined by measuring the proportion of material that passes through a 200-mesh screen.

2.0 Description of this Modification:

This modification consists of converting the permit type from a GCP-2 to a Regular NSR Permit.

3.0 Source Determination:

1. The emission sources evaluated include the entire facility.

2. Single Source Analysis:

A. SIC Code: Do the facilities belong to the same industrial grouping (i.e., same two-digit SIC code grouping, or support activity)? Yes

B. Common Ownership or Control: Are the facilities under common ownership or control? Yes

C. Contiguous or Adjacent: Are the facilities located on one or more contiguous or adjacent properties? Yes

3. Is the source, as described in the application, the entire source for 20.2.70, 20.2.72, 20.2.73, or 20.2.74 NMAC applicability purposes? Yes

4.0 PSD Applicability:

A. The source, as determined in 3.0 above is a minor source before and after this modification.

5.0 History (In descending chronological order, showing NSR and TV): *The asterisk denotes the current active NSR and Title V permits that have not been superseded.

Permit Number	Issue Date	Action Type	Description of Action (Changes)
9883-M1	TBD	Regular-New	Conversion to Regular NSR permit to allow operation at any time during the day to meet product demands.
*9883	3-17-23	GCP-2	Initial GCP-2 Permit

6.0 Public Response/Concerns: As of August 24, 2023, this permit writer received two public comments or concerns. One set of comments was submitted during the public comment period.

7.0 Startup and Shutdown:

A. If applicable, did the applicant indicate that a startup, shutdown, and emergency operational plan was developed in accordance with 20.2.70.300.D(5)(g) NMAC? N/A

B. If applicable, did the applicant indicate that a malfunction, startup, or shutdown operational plan was developed in accordance with 20.2.72.203.A.5 NMAC? Yes

C. Did the applicant indicate that a startup, shutdown, and scheduled maintenance plan was developed and implemented in accordance with 20.2.7.14.A and B NMAC? N/A

D. Does the facility have emissions due to routine or predictable startup, shutdown, and maintenance? No. If so, have all emissions from startup, shutdown, and scheduled maintenance operations been permitted? N/A

8.0 Compliance and Enforcement Status: As of 8/18/2023 Teresa McDill, Enforcement Manager indicated that there is no ongoing enforcement action.

9.0 Modeling: The air dispersion modeling was conducted by Eric Peters. He concluded that: This modeling analysis demonstrates that operation of the facility described in this report neither

causes nor contributes to any exceedances of applicable air quality standards. The standards relevant at this facility are NAAQS for PM10 and PM2.5; and Class I and Class II PSD increments for PM10 and PM2.5.

10.0 State Regulatory Analysis(NMAC/AQCR):

Citation 20 NMAC	Title	Applies (Y/N)	Unit(s) or Facility	Justification:
2.1	General Provisions	Yes, Always	Entire Facility	The facility is subject to Title 20 Environmental Protection Chapter 2 Air Quality of the New Mexico Administrative Code so is subject to Part 1 General Provisions, Update to Section 116 of regulation for Significant figures & rounding. Applicable with no permitting requirements.
2.3	Ambient Air Quality Standards	No for both NSR and TV		**NSR:** 20.2.3 NMAC is a SIP approved regulation that establishes State standards. The NMAAQS themselves are not an "applicable requirement" with which a source must directly comply. The promulgation of a NMAAQS does not, in and of itself automatically result in actionable measures to a source. Instead, the specific measures contained in each individual issued permit, other state promulgated rules, and NM's EPA approved SIP are the relevant applicable requirements (such as NSPS and MACT). **Title V:** 20.2.3.9 NMAC, LIMITATION OF APPLICABILITY TO 20.2.70 NMAC. The requirements of NMAAQS are not applicable requirements under 20.2.70 NMAC, as defined by 20.2.3.9 NMAC, 20.2.3.9 NMAC does not limit the applicability of this part to sources required to obtain a permit under the minor NSR regulation, 20.2.72 NMAC, nor does it limit which terms and conditions of NSR permits issued pursuant to 20.2.72 NMAC are applicable requirements in a Title V permit.
2.7	Excess Emissions	Yes, Always	Entire Facility	Applies to all facilities' sources. Federally enforceable except for Sections 6(b); 110(b)(15); 111; 112; 113; 115; and 116 that are State Enforceable Only.
2.72	Construction Permits	Yes	Entire Facility	Specify Section 200.A.1 - 200 A.6, or 219.B.X PER **>** 10 pph or 25 tpy for a criteria pollutant.
2.73	NOI & Emissions Inventory Requirements	Yes, Always	Entire Facility	Applicable to all facilities that require a permit. PER **>** 10 tpy for a regulated air contaminant.
2.75	Construction Permit Fees	Yes	Entire Facility	This facility is subject to 20.2.72 NMAC OR TV: No, in accordance with 20.2.75.11.E an annual NSR enforcement and compliance fee shall not apply to sources subject to 20.2.71 NMAC.

11.0 Federal Regulatory Analysis:

Federal Regulation	Title	Applies (Y/N)	Unit(s) or Facility	Comments
Air Programs Subchapter C (40 CFR 50)	National Primary and Secondary Ambient Air Quality Standards	Yes	Entire Facility	Independent of permit applicability; applies to all sources of emissions for which there is a Federal Ambient Air Quality Standard.

12.0 Exempt and/or Insignificant Equipment that do not require monitoring:

NSR Exempt Equipment

Intrepid Potash New Mexico, LLC | Bennett Sand Mine | Application Date: | Revision #

Table 2-B: Insignificant Activities[1] (20.2.70 NMAC) **OR Exempted Equipment** (20.2.72 NMAC)

All 20.2.70 NMAC (Title V) applications must list all Insignificant Activities in this table. All 20.2.72 NMAC applications must list Exempted Equipment in this table. If equipment listed on this table is exempt under 20.2.72.202.B.5, include emissions calculations and emissions totals for 202.B.5 "similar functions" units, operations, and activities in Section 6, Calculations. Equipment and activities exempted under 20.2.72.202 NMAC may not necessarily be Insignificant under 20.2.70 NMAC (and vice versa). Unit & stack numbering must be consistent throughout the application package. Per Exemptions Policy 02-012.00 (see http://www.env.nm.gov/aqb/permit/aqb_pol.html), 20.2.72.202.B NMAC Exemptions do not apply, but 20.2.72.202.A NMAC exemptions do apply to NOI facilities under 20.2.73 NMAC. List 20.2.72.301.D.4 NMAC Auxiliary Equipment for Streamline applications in Table 2-A. The List of Insignificant Activities (for TV) can be found online at https://www.env.nm.gov/wp-content/uploads/sites/2/2017/10/InsignificantListTitleV.pdf. TV sources may elect to enter both TV Insignificant Activities and Part 72 Exemptions on this form.

Unit Number	Source Description	Manufacturer	Model No. / Serial No.	Max Capacity / Capacity Units	List Specific 20.2.72.202 NMAC Exemption (e.g. 20.2.72.202.B.5) / Insignificant Activity citation (e.g. IA List Item #1.a)	Date of Manufacture /Reconstruction[3] / Date of Installation /Construction[2]	For Each Piece of Equipment, Check Onc
TK-1	Diesel Tank	TBD		45 m^3	Diesel Storage	TBD	☐ Existing (unchanged) ☐ To be Removed ☒ New/Additional ☐ Replacement Unit ☐ To Be Modified ☐ To be Replaced
							☐ Existing (unchanged) ☐ To be Removed ☐ New/Additional ☐ Replacement Unit ☐ To Be Modified ☐ To be Replaced

13.0 Permit specialist's notes to other NSR or Title V permitting staff concerning changes and updates to permit conditions.

A. Public comments were submitted, and a public hearing was suggested. A hearing determination request will need to be made by the Secretary Kenney or his designee.