

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) at 2401 Aztec Rd NE MS Z100, Albuquerque, NM, 87107 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 Luna Energy Center. The application file has been assigned Permit No. PSD2450M3 and TEMPO Agency Interest No. 878. The exact location of the facility is at latitude and longitude decimal degrees: 32.298833, -107.783333 Datum: NAD83. To aid in locating this facility, the approximate location is 3 miles north of Deming in Luna County, NM.

The proposed modification will consist of increasing the total dissolved solids (TDS) in the cooling tower (CT-1) from 3000 to 4500 mg/l. While this is an increase in particulate (PM) emission rates, the calculated emissions will be less than the present PM permit limits and the PSD significant emission rates. No other physical changes, changes in the method of operation, or in combustion emissions (CO, NO₂, or SO₂) are requested for this permit minor modification.

Total air pollutant emissions to the atmosphere are estimated to be approximately Nitrogen Oxides (NO_x) at 250.2 tons per year (tpy) (no change); Carbon Monoxide (CO) at 730 tpy (no change); Volatile Organic Compounds (VOC) at 90.4 tpy (no change); Sulfur Dioxide (SO₂) at 37.5 tpy (no change); Particulate Matter 10 microns or less (PM₁₀) at 229 tpy (-1.0); and Particulate Matter 2.5 microns or less (PM_{2.5}) at 223 tpy (no change); and greenhouse gas (CO₂e) > 75,000 tpy 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 air quality standards for NO_x, CO, SO_x, PM₁₀, and PM_{2.5}. VOCs are a pre-cursor to ozone and the NMED does not require an individual ozone ambient impact analysis for each application. To determine compliance with national ambient air quality standards for ozone, NMED uses air monitors to monitor ozone concentrations. A full review will evaluate the estimated emission rates for the pollutants listed in this public notice and determine compliance with ambient air quality requirements and standards.

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 1, 3, 7, 61, 70, 71, 72, 73, 74, 75, 77, 82 and 84; 40 CFR 50; 40 CFR 60 Subparts A, Da, Dc, and GG; 40 CFR 63 Subparts A and ZZZZ, 40 CFR 72, 40 CFR 73, 40 CFR 75; and the New Mexico Air Quality Control Act. Therefore, the preliminary intent of NMED is to issue the air quality permit on or before January 3, 2023. This source is a PSD major source according to 20.2.74 NMAC. This is a PSD minor modification and it was previously determined that 2.2% of the PM₁₀ increment was consumed.

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

The permit application is available for review on the AQB Public Notices of Permitting Actions website www.env.nm.gov/public-notice.

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 [McKenna Hedgepeth](mailto:mckenna.hedgepeth@env.nm.gov), New Mexico Environment Dept., Air Quality Bureau, Permit Section, 525 Camino de los Marquez Suite 1, Santa Fe, NM 87505-1816, or submitted by email to mckenna.hedgepeth@env.nm.gov. Comments may also be submitted electronically via the NMED public comment portal online at: <https://nmed.commentinput.com/comment/search>

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 [McKenna Hedgepeth](mailto:mckenna.hedgepeth@env.nm.gov) at mckenna.hedgepeth@env.nm.gov. 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 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 on the basis of 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: 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.