

Legal Notice  
and  
Preliminary Determination for an Air Quality Permit for  
**Mesa Verde Enterprises**

Mesa Verde Enterprises, Inc. at PO Box 907, Alamogordo, 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 construct/modify MV 400 TPH Gencor HMA Plant. The application file has been assigned Permit No. 5880M1 and TEMPO Agency Interest No. 34287. The exact location of the facility is/will be at latitude and longitude decimal degrees: 32.93435, -106.03041 Datum: NAD83. To aid in locating this facility, the approximate location is 5.2 miles northwest of Alamogordo in Otero County, NM.

The proposed construction will consist of a 400 ton per hour (TPH) hot mix asphalt (HMA) plant that presently operates under General Construction Permit GCP-3-5880, a 300 TPH recycled asphalt products (RAP) crushing and screening plant, and 300 TPH RAP screening plant. The proposed construction includes aggregate/RAP storage piles, a 5-bin cold aggregate feeder, a scalping screen, a pug mill, a mineral filler silo with screw conveyor and baghouse, a drum dryer/mixer with baghouse, an incline conveyor, four (4) asphalt silos, an asphalt heater, transfer conveyors, an Evotherm storage tank, two (2) asphalt cement storage tanks, two (2) feeders, a vertical impact crusher, two (2) screens, a 1372 horsepower (hp) generator, a 114 hp standby generator, a 450 hp engine, and a 175 hp engine. The HMA plant will limit processing rates to a maximum 400 tph, 4,000 tons per day, and 900,000 tons per year. This permit will allow the asphalt plant to operate during nighttime hours.

Total air pollutant emissions to the atmosphere are estimated to be approximately: Nitrogen Oxides (NO<sub>x</sub>) at 79.7 tons per year (tpy); Carbon Monoxide (CO) at 87.7 tpy; Volatile Organic Compounds (VOC) at 27.7 tpy; Sulfur Dioxide (SO<sub>2</sub>) at 32.5 tpy; Particulate Matter 10 microns or less (PM<sub>10</sub>) at 22.5 tpy; and Particulate Matter 2.5 microns or less (PM<sub>2.5</sub>) at 15.0 tpy; Hydrogen Sulfide (H<sub>2</sub>S) at 0.03 tpy; Lead (Pb) at 0.007 tpy; Total Hazardous Air Pollutants (Total HAPs) at 4.7 tpy; Formaldehyde (a HAP) at 1.4 tpy; Toluene (a HAP) at 1.3 tpy; Asphalt Fumes at 5.64 tpy; Calcium Oxide at 0.032 tpy; and greenhouse gas (CO<sub>2e</sub>) < 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<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, H<sub>2</sub>S, and Pb. VOCs are a precursor 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, 11, 61, 72, 73, 75, 77, 80, and 82; 40 CFR 50; 40 CFR 60 Subparts A, I, IIII, and OOO; 40 CFR 63 Subparts A and ZZZZ; and the New Mexico Air Quality Control Act. Therefore, the preliminary intent of NMED is to issue the air quality permit on or before May 23, 2024. This source is a PSD minor source according to 20.2.74 NMAC.

To ensure compliance with state and federal air regulations, the permit is expected to include conditions that limit the emissions, hours of operation, and production rate, 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-notices](http://www.env.nm.gov/public-notices).

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 Mashburn, 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 [joseph.mashburn@env.nm.gov](mailto:joseph.mashburn@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 Joseph Mashburn at 505-629-7843. 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.

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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](mailto: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.