#### 20.2.72 NMAC AIR QUALITY RELOCATION APPLICATION

For

#### PG ENTERPRISES, LLC



#### RIO RANCHO FACILITY Mora, NM

**NSR Permit #8661 Relocation Application** 

Prepared by Montrose Environmental Solutions, Inc. Albuquerque, NM July 2024

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New Mexico Environment Department Air Quality Bureau Permit Program Manager 525 Camino de los Marquez, Suite 1 Santa Fe, New Mexico, 87505

Phone (505) 476-4300 Fax (505) 476-4375 www.env.nm.gov/air-quality/



For Department use only:

#### **NSR Permit Relocation Application**

Facilities with regular NSR Permits relocating under the 20.2.72.202.D NMAC exemption

Do not use this form for relocating GCP Permits.

Do not use this form for relocating into Bernalillo County or Tribal Communities.

Acknowledgements (Mark all that apply):

☐ I acknowledge that a pre-application meeting is available to me upon request.

#### A check for the full fee is included:

Registration Fees	Relocations	Small Business* Relocations
Beginning 1/1/2023	\$492	\$246
Beginning 1/1/2024	\$510	\$255

There is an annual fee in addition to the registration fee: www.env.nm.gov/air-quality/permit-fees-2/.

Provide your Check Number: **2367** and Amount: **\$510**. Public notice was posted prior to submitting this form to NMED.

This facility meets the applicable requirements in 20.2.75 NMAC to register as a Small Business.

This facility frieds the applicable requirements in 2012/75 With to to register as a small business.						
I Company Information						
1	a) Company name: PG Enterprises, I	LLC			b) Date appl. notarized: 07/29/2024	
2	a) Facility name: Rio Rancho Facility	,			b) 4-digit SIC code: 1429, 1442	
3	a) Company mailing address: 301 M	lurra	y SE, Albuquerque, NM 8	37105	b) 6-digit NAICS code: 212319, 212321	
4	a) Provide your NSR Permit #: 8661				b) AI # (if known): 39077	
5	a) Company contact person: Payam Ghoreishi			b) Title: President		
6	a) Phone No: (505) 873-9593 b) Fax No: (505) 873-9590		c) e-mail: payam@pgenterprisesllc.com			
7	Type of material processed by the Facility: aggregate, recycle			This facility is: ☐ Stationary   ☑ Portable		
8	Will this facility operate in conjunction with other air regulated parties on the same property? ☑ No ☐ Yes If yes, what is the name and permit number (if known) of the other facility?					
9	a) If you have hired a consultant, provide name and contact info: Paul Wade, Montrose Environmental Solutions, Inc.  b) Title: Senior Associate Engineer			neer		
10	a) Phone No: (505) 830-9680 x6	b) Fa	ax No: (505) 830-9678	c) e-mail: pwade@montrose-env.com		
II	II Applicability					
1	Will this facility relocate with only limited dismantling and reassembly?			□ No ⊠ Yes		

<sup>\*</sup> For facilities qualifying as a "small business" under 20.2.75.7.F NMAC the reduced fee may be used if NMED has a Small Business Certification Form from your company on file: <a href="www.env.nm.gov/forms/">www.env.nm.gov/forms/</a>.

2	Will this facility operate <u>only</u> under a Re		□ No ⊠ Yes			
3	Will this facility collocate <u>only</u> with sour collocated at the new site?	the facilities	□ No ⊠ Yes			
	If so, provide the authorization: Permit If co-locating, locate the area of operati		ho roquirod r	nan(s)		
4	Have <u>all</u> fields on this form been comple		ne required i	παρ(δ).	☐ No ⊠ Yes	
5	Have <u>all</u> attachments to this form been				□ No ⊠ Yes	
III	Public Notice Information					
1	a) Location of Public Notice Posting at Fa	cility: Site Entrance	b) I	Date of Posting: 0	7/27/2024	
5	Name of Person Posting Notice: Naomi	Montoya				
	Facility Location Information (provide			ssions unit)		
	e use Montana's Graphical Locater to cor //www.rcn.montana.edu/resources/conv		d at:			
1	Latitude (decimal degrees): 35.98624 Longitude (decimal degrees): -105.36687 c) County: Mora				d) Elevation (ft): 7400	
2	a) UTM Zone:   12 or   13 b) UTM	E (to nearest 10 meters): 466,930	c) UTMN (to r	earest 10 meters): 3,9	82,480	
	d) Specify which datum is used:	NAD 83				
3	Name and zip code of nearest New Me	xico town and/or tribal community: I	Mora, NM 87	732		
4	Detailed Driving Instructions including direction and distance from nearest NM town and/or tribal community (attach a road map if necessary). If there is no street address, provide public road mileage marker: From Mora, NM travel west on Highway 518 for 2.8 miles to the entrance to the site on the southside of the highway.					
5	The facility is 2.6 miles northwest of Mora, NM					
6	Direction and distance to the nearest occupied structure from the perimeter of the Area of Operations: 0.14 miles northwest and 0.16 miles east-southeast					
7	Land Status of Facility (check one): ☑ Private ☐ Indian/Pueblo ☐ Government ☐ BLM ☐ Forest Service ☐ Military					
8	Name and county of the nearest Class I Area and its direction from the facility: Pecos Wilderness Area, Santa Fe, West					
9	9 Shortest distance, in km, from the facility to the boundary of the nearest Class I Area (to the nearest 1 km): 8 km					
V	Existing Permit Requirements					
1	a) Operating hours per day: 11 Hours	– Mar-Oct, 8 Hours – Nov-Feb	b) Days per	week: 7		
2	a) Daylight hours only? 🛛 Yes or	□ No	b) Hours pe	r year: 3655		
3	<ul> <li>a) Existing permit required set back distance (distance between the perimeter of the area of operations and the restricted public access (fence line):</li> <li>67 meters from any plant engine</li> </ul>					
4	b) This set back distance is found in permit condition #: A114.B(1)  a) Restricted Area: Provide a written description of the method(s) to be used to restrict public access to the restricted area. Method(s) used to delineate the Restricted Area: Fencing surrounds facility property with no trespass sign at entrance.					
	"Restricted Area" is an area to which public entry is effectively precluded. Effective barriers include continuous fencing, continuous walls, or other continuous barriers approved by the Department, such as rugged physical terrain with steep grade that would require special equipment to traverse. If a large property is completely enclosed by fencing, a restricted area within the property may be identified with signage only. Public roads cannot be part of a Restricted Area.					

Printed: 8/8/2024

#### **Required Attachments**

The following Attachments are required. Please label each document and verify you have provided the requested information by checking the checkboxes below. A complete application shall include:

Attachment # 1 Facility Layout Map: Provide a satellite photo or commercial scale map) showing the proposed layout of the Facility and the surrounding area including at least 0.25-mile (but not greater than 0.5 mile) distance from the Restricted Area in all directions. The map shall also include (show) the following:

- - $\boxtimes$ Include the label "Facility Layout Map" and the name of the facility
  - $\boxtimes$ A graphical scale
  - $\boxtimes$ An indicator showing which direction is north
  - The UTM coordinates (or Longitudinal coordinate system on both axis)
  - $\boxtimes$ Any relevant topographic features of the area
  - Any co-located particulate sources
  - $\boxtimes$ **Facility Property Boundary**
  - $\boxtimes$ The perimeter of the Restricted Area (fence line). If more than one type of barrier is used, identify the types and locations of each barrier that will be used to restrict access from the public.
  - $\boxtimes$ The perimeter of the Area of Operations (see attachment).
  - $\boxtimes$ Location of state parks, recreation areas, school yards, residences, businesses, schools, or other occupied structures within ¼ mile of the boundary of the area of operations.
  - $\boxtimes$ If it will fit on this map, identify the Property Boundary owned, leased, or under direct control of the applicant and/or owner or operator. If it will not fit on this map, show Property Boundary on the Facility Location Map.

Attachment # 3 Facility Location Map: Provide a satellite photo at least 7 miles on each side or commercial scale map such as a 7.5-minute United States Geological Survey (USGS) topographic quadrangle, with the facility shown at or near the center showing the proposed location of the Facility. The map shall also include the following:

- $\boxtimes$ Include the label "Facility Location Map" and the name of the facility.
- $\boxtimes$ A minimum radius around the plant of 5 km (3.1 miles), showing any Class I area(s)
- $\boxtimes$ A graphical scale
- $\boxtimes$ An indicator showing which direction is north
- $\boxtimes$ The UTM coordinates (or Longitudinal coordinate system on both axis)
- $\boxtimes$ Any relevant topographic features of the area
- $\boxtimes$ Unless indicated on the Facility Layout Map, show and label the nearest occupied structure, indicating and labeling the shortest distance from it to the perimeter of the Area of Operations, unless the distance is greater than 3.1 miles. If greater than 3.1 miles, so indicate on the map.

#### Attachment # 4 **Public Notice:** Documentation that **public notice** has been initiated

1) \times Include the General Posting of Notice-Certification including location of posted notice along with the posted sample; date of posting, and name of person posting the notice. Additionally, provide a verbal description the posting location. The posting at the facility must be readable by the public from the nearest public road without trespassing on private **property**. Do not post it behind a locked gate or on the haul road inside private property.

#### Attachment #5 **Certification:**

🛮 Certification by the Facility's owner or operator, or authorized representative before a notary public that all of the information included in the registration form is true and complete to the best of his or her knowledge (see attached copy in Part X of this registration form).

#### VII Operating Requirements for Portable Sources Relocating under Regular NSR Permits

A portable source may be relocated as provided under 20.2.72.202.D NMAC, "Portable Source Relocation". 20.2.72.202.D.3.c NMAC requires "The Department shall not approve the relocation if it would result in exceedances of any NAAQS or NMAAQS at the new location;"

The only way the Department can ensure this 202.D.3.c requirement is met is through modeling. This requirement may be met in the following ways (Check which way this facility will demonstrate compliance):

- 1) Permitted Relocation Set-Back: If both initial site modeling and relocation set back modeling was performed in the past and a condition was put into the permit establishing a minimum setback upon relocation, then, if the proposed location meets this setback, the facility meets the NAAQS and the NMAAQS at the proposed location.
- 2) **Modeling at the proposed location**: Compliance with the NAAQS and NMAAQS can be demonstrated at the proposed location in one of the following ways:
  - a. 

    Submittal of site-specific air dispersion modeling for the proposed site
  - b.  $\square$  A written approved **modeling waiver** for the proposed site

#### **Relocation Protocols**

If you intend to demonstrate compliance using 2.c above, check "Yes" below.

By checking the "Yes" box below, I am certifying that the new site will meet all four of the following Relocation Protocols requirements and that any subsequent repositioning at this site of any emission sources of this facility will continue to meet these protocols.

- 1. The facility will continue to comply with all terms and conditions of its existing Regular NSR Permit, unless the Department's approval of this relocation explicitly changes the setback distances based on a modeling analysis that you submitted and the Department approved prior to this application.
- 2. The facility will maintain at least a 3-mile setback between the area of operations and the boundary of any federal Class I area, unless the existing permit specifies a different setback.
- 3. The facility will maintain at least a 1-mile setback between the area of operations and the area of operations of any crusher, asphalt, or screening plant, unless the existing permit for at least one of the sources explicitly specifies a different setback or explicitly allows for collocation upon relocation.
- 4. The facility will maintain at least a 0.25-mile (1,320 feet, 440 yards, 402 meters) setback between the area of operations and any occupied structures, unless the existing permit explicitly specifies a different setback applicable upon relocation.

$\square$ YES,	I acknowledge	that this fac	ility will meet	the above	protocols
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Printed: 8/8/2024

#### **VIII Instructions**

- 1. This Relocation Application Form has been developed in accordance with the requirements of 20.2.72 NMAC and 20.2.75 NMAC. This form is for use only by sources that will operate under Regular NSR Permits at their new location and may <u>not</u> be used by sources that will operate under General Construction Permits (GCP), or Notices of Intent. The form is intended to gather the information required by 20.2.72 NMAC, and to aid the Department in implementing the requirements of that regulation and policy.
- 2. The questions in Part II of this form (Applicability) have been included to aid sources in determining whether they are eligible to use this form. If the answer to any of the questions in Part II is "No", this form may not be used for relocations. For such sources, a permit revision issued pursuant to 20.2.72 NMAC or approval of registration under a General Construction Permit must be received from the Department before construction or operation at the new site is allowed.
  - a) The Area of Operations is the area within the Restricted Area containing all emissions units and activities that may produce air contaminants. This includes all disturbed lands and all haul roads except the haul road between the Restricted Area and Property Boundary. Disturbed lands include all mining areas, stockpiles, and overburden removal areas used for operation of the facility.
  - b) The Restricted Area is the area within the property boundary to which public access is restricted.
- 3. Pursuant to 20.2.72 NMAC and 20.2.75 NMAC the Department will not consider this Relocation application received until it is accompanied by full payment of the Relocation Fee associated with one (1) Fee Unit (20.2.75.7.C NMAC). The current Fee Unit value changes annually and is available on the Department's website at: <a href="http://www.env.nm.gov/aqb/forms/fee-cpi-adjustment-method.pdf">http://www.env.nm.gov/aqb/forms/fee-cpi-adjustment-method.pdf</a>.
- 4. The Department will deny any relocation application submitted on this form that does not include the certifications required by Part IX and Part X of this form, the attachments specified in Part VI of this form, or that does not include a full response for each item of information requested in Parts I through V of the form.
- 5. Pursuant to 20.2.72.202.D.3.c NMAC, the Department staff may only approve relocation requests that demonstrate that operation at the new location will follow federal and state ambient air quality standards.
  - a) If the permit specifies set back distances to ensure compliance with standards upon relocation to any part of the state, and those setbacks will be complied with at the new location, one may presume that this requirement is met.
  - b) If the permit does not include set back distances that are clearly intended to ensure compliance with standards anywhere in the state, or those setbacks will not be complied with at the new location, then the Department's modeling section must provide a written statement that standards will be met at the new location. If such statement cannot be made within the 15 days to process a relocation request, staff will deny the request. The basis for the modeling section's statement will normally be a modeling analysis that the applicant submits to the modeling section and that the modeling section approves prior to the date that the applicant submits the relocation request. Contact the modeling section to discuss the details of the modeling analysis before preparing it. Submit a copy of the facility's permit with the modeling analysis. Allow 4 weeks for the modeling section to process the modeling analysis before submitting a relocation request. An applicant's request for shorter set back distances at the new site will be the only deviation from the existing permit authorized by approval of a relocation request.
- 6. Notifications of equipment substitutions should be submitted separately on the designated Bureau form to the Permitting Section of the Bureau for consideration under 20.2.72.219 NMAC or relevant conditions of the source's existing permit.
- 7. Pursuant to 20.2.72.202.D(3) NMAC installation of the source at the new location shall not begin until approved in writing by the Department, and shall not begin until at least fifteen (15) days have elapsed following notification to the Department of the proposed relocation.

Printed: 8/8/2024

#### Attachment 1 Facility Layout Map

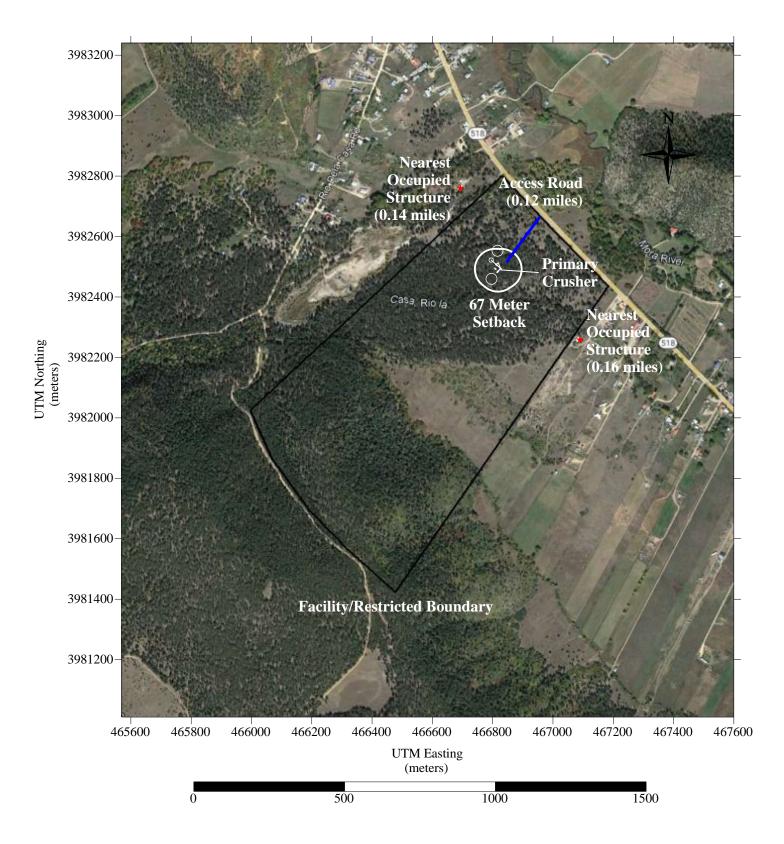


Figure 1-1: Aerial view of facility/restricted boundary, primary crusher location, access road, 67 meter setback distance from engines, and nearest occupied structure.

# **Attachment 3 Facility Location Map**

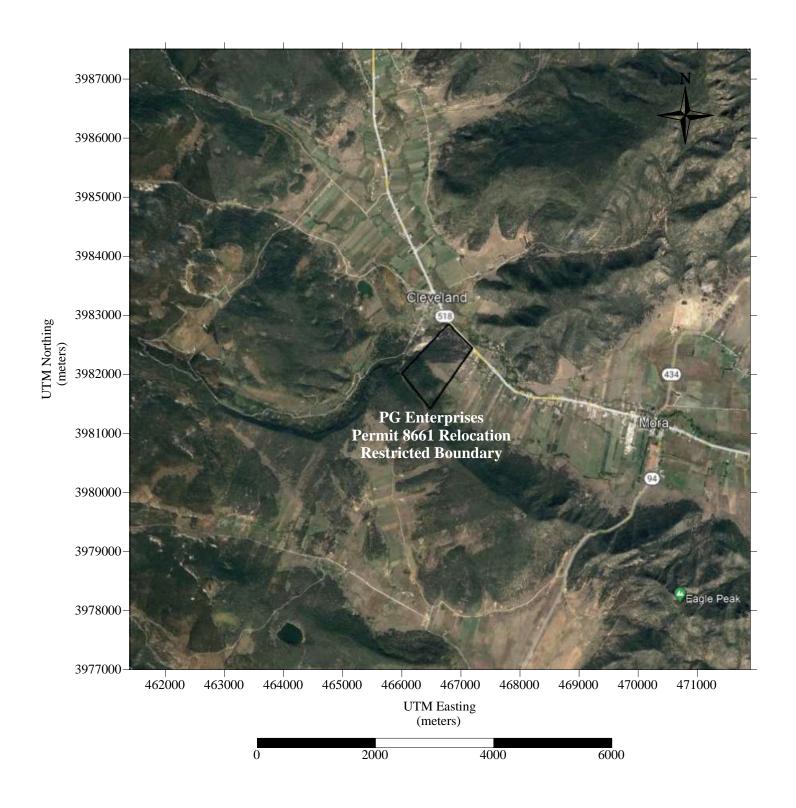


Figure 3-1: Aerial Map showing Location of Relocation Site in relation to the Surrounding Area

# Attachment 4 Public Notice Documentation

### NOTICE

PG Enterprises, LLC (PGE), announces its intent to apply to the New Mexico Environment Department for relocation of air quality construction permit #8661 for an aggregate processing facility. The date the notarized permit application will be submitted to the Air Quality Bureau is estimated to be July 31, 2024.

The exact location for PGE aggregate processing facility is located at latitude 35.98624 decimal degree and longitude - 105.36687 decimal degree. The approximate location of the PGE aggregate processing facility is 2.6 miles northwest of Mora in Mora County.

The proposed relocation consists of a 150 ton per hour (TPH) aggregate crushing and screening plant, which includes a raw material storage pile, a feeder, primary crusher with under conveyor, secondary crusher with under conveyor, screen with two (2) under conveyors, five (5) transfer conveyors, and a stacker conveyor. The plant will be powered by a 230 horsepower (hp) generator/engine, 309 horsepower (hp) generator/engine, and 100 horsepower (hp) generator/engine.

The estimated maximum quantities of any regulated air contaminants will be as follows in pound per hour (pph) and tons per year (tpy). These reported emissions could change slightly during the course of the Department's review:

Pollutant:	Pounds per hour	Tons per year
PM <sub>10</sub> (Total Facility – Regulated and Fugitive Sources)	2.97 pph	2.84 tpy
PM <sub>2.5</sub> (Total Facility – Regulated and Fugitive Sources)	0.63 pph	0.77 tpy
Sulfur Dioxide (SO <sub>2</sub> )	0.0070 pph	0.013 tpy
Nitrogen Oxides (NO <sub>x</sub> )	4.63 pph	8.46 tpy
Carbon Monoxide (CO)	3.92 pph	7.17 tpy
Volatile Organic Compounds (VOC)	0.46 pph	0.85 tpy
Total sum of all Hazardous Air Pollutants (HAPs)	0.028 pph	0.0040 tpy
Toxic Air Pollutant (TAP)	0.00017 pph	0.00031 tpy
Green House Gas Emissions as Total CO <sub>2</sub> e	n/a	<1,400 tpy

The maximum operating schedule of the plant is 11 hours per day, 7 days a week, and a maximum of 52 weeks per year for annual operating hours of 3655 hours per year. The standard operating schedule of the plant is 8 hours per day, 6 days a week, and a maximum of 26 weeks per year.

The owner and/or operator of the Facility are:

PG Enterprises, LLC 301 Murray Rd SE Albuquerque, NM 87105

If you have any comments about the construction or operation of this facility, and you want your comments to be made as part of the permit review process, you must submit your comments in writing to this address: Permit Programs Manager; New Mexico Environment Department; Air Quality Bureau; 525 Camino de los Marquez, Suite 1; Santa Fe, New Mexico; 87505-1816. Other comments and questions may be submitted verbally. (505) 476-4300; 1 800 224-7009.

With your comments, please refer to the company name and facility name, or send a copy of this notice along with your comments. This information is necessary since the Department may have not yet received the permit application. Please include a legible return mailing address. Once the Department has completed its preliminary review of the application and its air quality impacts, the Department's notice will be published in the legal section of a newspaper circulated near the facility location.

#### Attención

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.

# For Posting of Notice of Relocation for NSR Permits Posting Certification

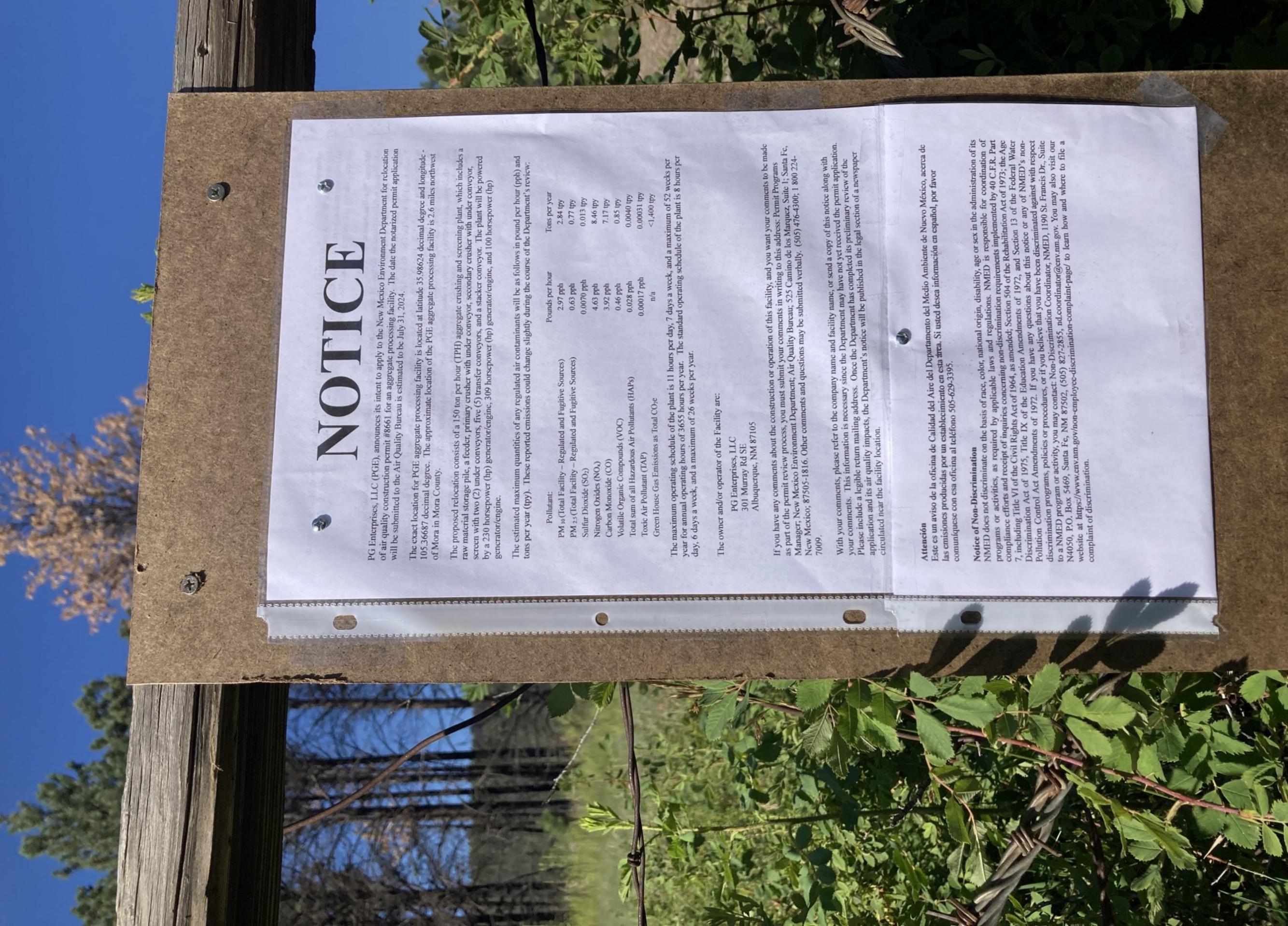
I, No. om, Mon toya, the undersigned, certify that on 7 27 2009 (nate), I posted a true and correct copy of the attached Public Notice in a publicly accessible and conspicuous place, visible from the nearest public road, at the entrance of the property on which the facility is, or is proposed to be, located.

day of Signed this 27th

Signature

75/75/Tel

Title {APPLICANT OR RELATIONSHIP TO APPLICANT}





## **Attachment 5 Certification**

Company Name: PG Enterprises, LLC

I, <u>Payam Ghoreishi</u>, hereby certify that the information and data submitted in this application are true and as accurate as possible, to the best of my knowledge and professional expertise and experience.

Tayam Cohoreish 7/29/24

Date

Payam Ghoreishi President

Printed Name Title

My authorization as a notary of the State of Mew Moscos expires on the

and day of February, 20 27.

Obrestine J. Gellowkee

Date 29, 2024

Christine L. Gillespie

STATE OF NEW MEXICO
NOTARY PUBLIC
CHRISTINE L. GILLESPIE
COMMISSION # 1089389
COMMISSION EXPIRES 02/02/2027



#### Air Permit Application Compliance History Disclosure Form

Pursuant to Subsection 74-2-7(S) of the New Mexico Air Quality Control Act ("AQCA"), NMSA §§ 74-2-1 to -17, the New Mexico Environment Department ("Department") may deny any permit application or revoke any permit issued pursuant to the AQCA if, within ten years immediately preceding the date of submission of the permit application, the applicant met any one of the criteria outlined below. In order for the Department to deem an air permit application administratively complete, or issue an air permit for those permits without an administrative completeness determination process, the applicant must complete this Compliance History Disclosure Form as specified in Subsection 74-2-7(P). An existing permit holder (permit issued prior to June 18, 2021) shall provide this Compliance History Disclosure Form to the Department upon request.

Permittee/Applicant Company Name		<b>Expected Application Submittal Date</b>			
PG Enterprises, LLC July 26, 2024					
Permi	ttee/Company Contact	Phone	Email		
Payam	n Ghoreishi	(505) 873-9593	payam@pgenterprisesllc.com		
Withir	the 10 years preceding the expected date	of submittal of the applicat	ion, has the permittee or applicant:		
1	Knowingly misrepresented a material fact	t in an application for a permi	t?	☐ Yes ☒ No	
2	Refused to disclose information required	by the provisions of the New	Mexico Air Quality Control Act?	☐ Yes ☒ No	
3	Been convicted of a felony related to envi	ironmental crime in any court	t of any state or the United States?	☐ Yes ☒ No	
4	Been convicted of a crime defined by state or federal statute as involving or being in restraint of trade, price fixing, bribery, or fraud in any court of any state or the United States?				
5a	Constructed or operated any facility for which a permit was sought, including the current facility, without the required air quality permit(s) under 20.2.70 NMAC, 20.2.72 NMAC, 20.2.74 NMAC, 20.2.79 NMAC, or 20.2.84 NMAC?			☐ Yes ⊠ No	
5b	If "No" to question 5a, go to question 6.  If "Yes" to question 5a, state whether each facility that was constructed or operated without the required air quality permit met at least one of the following exceptions:  a. The unpermitted facility was discovered after acquisition during a timely environmental audit that was authorized by the Department; or  b. The operator of the facility estimated that the facility's emissions would not require an air permit, and the operator applied for an air permit within 30 calendar days of discovering that an air permit was required for the facility.			☐ Yes ☐ No	
6	Had any permit revoked or permanently sor the United States?	suspended for cause under th	e environmental laws of any state	☐ Yes ⊠ No	
7	For each "yes" answer, please provide an	explanation and documentat	ion.		