



MICHELLE LUJAN GRISHAM  
GOVERNOR

JAMES C. KENNEY  
CABINET SECRETARY

June 29, 2022

Ryan Roper  
President  
Roper Construction Inc.  
PO Box 969  
Alto, NM 88312

Re: Denial of Air Quality Permit Application No. 9295 (Agency Interest No. 40076 - PRN20210001) - Roper - Alto Concrete Batch Plant

Dear Mr. Roper:

This letter is in response to your air quality permit application dated June 14, 2021, to construct a concrete batch plant in Alto, NM. The Department received the application on June 22, 2021.

Pursuant to 20.1.4.500(D)(1) NMAC, the Department issued a Final Order on June 22, 2022, that orders the denial of this permit. Based upon the Final Order of Case No. AQB 21-57(P), and the reasons provided therein, the permit is denied.

Appeal Procedures:

20.2.72.207(D) NMAC provides that any person who participated in a permitting action before the Department and who is adversely affected by such permitting action, may file a petition for hearing before the Environmental Improvement Board. The petition shall be made in writing to the Environmental Improvement Board within thirty (30) days from the date notice is given of the Department's action and shall specify the portions of the permitting action to which the petitioner objects, certify that a copy of the petition has been mailed or hand-delivered and attach a copy of the permitting action for which review is sought. Unless a timely request for hearing is made, the decision of the Department shall be final. The petition shall be copied simultaneously to the Department upon receipt of the appeal notice. If the petitioner is not the applicant or permittee, the petitioner shall mail or hand-deliver a copy of the petition to the applicant or permittee. The Department shall certify the administrative record to the board. Petitions for a hearing shall be sent to:

Secretary, New Mexico Environmental Improvement Board  
1190 St. Francis Drive, Runnels Bldg. Rm N2153  
P.O. Box 5469  
Santa Fe, New Mexico 87502

If you have any questions, please call me in Santa Fe at 505-476-4300.

Sincerely,

Liz Bisbey-Kuehn  
Air Quality Bureau Chief

cc via email: Paul Wade, Montrose Air Quality Services, LLC

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