20.2.20.1 **ISSUING AGENCY:** Environmental Improvement Board.

20.2.20.2 **SCOPE:** All geographic areas within the jurisdiction of the Environmental Improvement Board.

20.2.20.3 **STATUTORY AUTHORITY:** Environmental Improvement Act, NMSA 1978, section 74-1-8(A)(4) and (7), and Air Quality Control Act, NMSA 1978, sections 74-2-1 et seq., including specifically, section 74-2-5(A), (B) and (C).

20.2.20.4 **DURATION:** Permanent.

20.2.20.5 **EFFECTIVE DATE:** November 30, 1995.

20.2.20.6 **OBJECTIVE:** The objective of this Part is to establish particulate matter emission standards for lime manufacturing plants.

20.2.20.7 **DEFINITIONS:** In addition to the terms defined in 20.2.2 NMAC (Definitions), as used in this Part:

A. "Commenced" means that an owner or operator has undertaken a continuous program of construction or that an owner or operator has entered into a binding contractual obligation to undertake and complete within a reasonable time a continuous program of construction.

B. "Existing lime manufacturing plant" means any plant that produces lime by calcination that was constructed and operational, or at which construction was commenced, prior to May 3, 1977, and includes all crushers, conveyors, screens and other size classification units, hoppers, chutes and kilns.

C. "Lime" means the product of the calcination process and includes, but is not limited to, calcitic lime, dolomitic lime, and dead burned dolomite.

D. "Lime hydrator" means a unit used to produce hydrated lime.

E. "Modification" means a physical change or change in the manner of operation which increases the amount of any air contaminant emitted by the lime manufacturing plant or which results in the emission of any air contaminant not previously emitted.

F. "New lime manufacturing plant" means any plant that produces lime by calcination at which construction or modification was commenced on or after May 3, 1977, and includes all crushers, conveyors, screens and other size classification units, hoppers, chutes and kilns. New lime manufacturing plant also includes any plant which produces hydrated lime, the construction or modification of which was commenced on or after May 3, 1977.

G. "Opacity" means the degree to which emissions reduce the transmission of light and obscure the view of an object in the background.

H. "Part" means an air quality control regulation under Title 20, Chapter 2 of the New Mexico Administrative Code, unless otherwise noted; as adopted or amended by the Board.

I. "Rotary lime kiln" means a unit with an inclined rotating drum which is used to produce lime from limestone by calcination.

20.2.20.8 **AMENDMENT AND SUPERSESSION OF PRIOR REGULATIONS:** This Part amends and supersedes Air Quality Control Regulation ("AQCR") 509—Lime Manufacturing Plants—Particulate Matter last filed November 21, 1978.

A. All references to AQCR-509 in any other rule shall be construed as a reference to this Part.
B. The amendment and supersession of AQCR 509 shall not affect any administrative or judicial enforcement action pending on the effective date of such amendment nor the validity of any permit issued pursuant to AQCR 509.

[11/30/95; 20.2.20.8 NMAC – Rn, 20 NMAC 2.20.106 10/31/02]

20.2.20.9 DOCUMENTS: Documents cited in this Part may be viewed at the New Mexico Environment Department, Air Quality Bureau, Runnels Building, 1190 Saint Francis Drive, Santa Fe, NM  87505 [2048 Galisteo St., Santa Fe, NM 87505].

[11/30/95; 20.2.20.9 NMAC – Rn, 20 NMAC 2.20.108 10/31/02]

20.2.20.10 to 20.2.20.108 [RESERVED]

20.2.20.109 EMISSIONS LIMITATIONS – NEW PLANT: The owner or operator of a new lime manufacturing plant shall not permit, cause, suffer or allow emissions of particulate matter to the atmosphere to:

A. Exceed 0.30 pounds per ton of limestone feed, or exhibit ten percent opacity or greater, from any lime kiln; or
B. Exceed 0.15 pounds per ton of lime feed to any lime hydrator.

[11/30/95; 20.2.20.109 NMAC – Rn, 20 NMAC 2.20.109 10/31/02]

20.2.20.110 EMISSIONS LIMITATIONS – EXISTING PLANT: The owner or operator of an existing lime manufacturing plant shall not permit, cause, suffer or allow emissions of particulate matter to the atmosphere to exceed 10 pounds per hour from any rotary lime kiln.

[11/30/95; 20.2.20.110 NMAC – Rn, 20 NMAC 2.20.110 10/31/02]

20.2.20.111 EMISSION CONTROLS: Any person owning or operating a lime manufacturing plant shall equip and maintain all crushers, screens or other size-classification units, hoppers and chutes with:

A. Systems of enclosures, dust suppressant sprays and other measures as necessary to prevent the release of particulate matter emissions to the atmosphere; or
B. Equip such process units with hoods, fans, and fabric filters, wet scrubbers or other collection and control systems approved by the Department as at least as effective to reduce particulate matter emissions to the atmosphere.

[11/30/95; 20.2.20.111 NMAC – Rn, 20 NMAC 2.20.111 10/31/02]

20.2.20.112 STACK REQUIREMENTS: The owner or operator of lime manufacturing plants shall not permit, cause, suffer or allow operation of the lime manufacturing plant except through stacks equipped with sampling ports and platforms in such number, location and size to allow accurate sampling to be performed.

[11/30/95; 20.2.20.112 NMAC – Rn, 20 NMAC 2.20.112 10/31/02]

20.2.20.113 STACK TESTING: Compliance with 20.2.20.109 NMAC and 20.2.20.110 NMAC shall be determined consistent with the method for manual stack testing set forth by the US EPA at 40 CFR, Part 60, Appendix A, Methods 1 through 5, or any other method receiving prior approval from the Department. Upon request of the Department, the owner or operator of lime manufacturing plants shall perform stack testing according to the method stated above and report the results of such tests in the format and time period specified by the Department. The owner or operator shall inform the Department of the dates and times of such testing so that the Department may have opportunity to have an observer present during testing.

[11/30/95; 20.2.20.113 NMAC – Rn, 20 NMAC 2.20.113 10/31/02]

20.2.20.114 CONTINUOUS EMISSION MONITORS – NEW PLANTS: The owner or operator of a new lime manufacturing plant shall not permit, cause, suffer or allow operation of the new lime manufacturing plant unless the plant is equipped with continuous monitoring systems as specified in 40 CFR, Part 60, Subpart HH, Section 60.343.

[11/30/95; 20.2.20.114 NMAC – Rn, 20 NMAC 2.20.114 10/31/02]

HISTORY OF 20.2.20 NMAC:
Pre-NMAC History: The material in this part was derived from that previously filed with the Commission of Public Records-State Records Center and Archives.

ACQR 509, Air Quality Control Regulation 509—Lime Manufacturing Plants—Particulate Matter, 11/21/78.

History of Repealed Material: [RESERVED]

Other History:
ACQR 509, Air Quality Control Regulation 509—Lime Manufacturing Plants—Particulate Matter, 11/21/78, was renumbered into first version of the New Mexico Administrative Code as 20 NMAC 2.20, Lime Manufacturing Plants—Particulate Matter, filed 10/30/95.

20 NMAC 2.20, Lime Manufacturing Plants—Particulate Matter, filed 10/30/95, was renumbered, reformatted and replaced by 20.2.20 NMAC, Lime Manufacturing Plants—Particulate Matter, effective 10/31/02.]