

Frequently Asked Questions About Reporting Insignificant Activities to the 2005 Emissions Inventory

Do I need to report actual emissions and operation rates for insignificant activities for the 2005 EI?

You are required to report actual emissions and operation rates for emergency equipment including all flares and emergency generators that operate greater than 500 hours per year. You are not required to report other insignificant activities as defined in the Operating and Construction Permit Programs.

What are insignificant activities under the Operating Permit Program?

These activities were defined by the Department and approved by the EPA Administrator on September 29, 1995. As stated on the list, any activity for which applicable requirements apply, is not insignificant, regardless of whether the activity meets the criteria listed. The list is attached for your reference.

What are insignificant activities under the Construction Permits Program?

Construction Permit Program exemptions include those listed in 20.2.72.202 NMAC. The exemptions do not apply to toxic air pollutants. The Section is attached for your reference.

How will I notify the AQB that an emissions unit included in my 2005 EI workbook is insignificant as defined above?

Please send an email to Heather Lancour at heather.lancour@state.nm.us, which clearly identifies the emissions unit, justifies why the unit is exempt, and states which list the exemption is found. The email and subsequent documentation will be kept as part of your 2005 EI submittal.

New Mexico Environment Department (NMED) Air Quality Bureau (AQB)
Operating Permit Program
List of Insignificant Activities

September 29, 1995

Insignificant activities are those activities, which are listed herein by the Environment Department and approved by the Administrator of the US Environmental Protection Agency as insignificant on the basis of size, emissions or production rate. Any activity for which applicable requirements apply, is not insignificant, regardless of whether the activity meets the criteria listed below.

Operating permit applications submitted under 20.2.70 NMAC for sources, which include any of the following emissions units, operations or activities must provide the information required for emissions units under Subsection D.6 of 20.2.70.300 NMAC:

1.a. Any emissions unit, operation or activity that has the potential to emit no more than one (1) ton per year of any regulated air pollutant, excluding 112(b) hazardous air pollutants (see item 1.b), but including 112(r) flammable and toxic regulated pollutants that are not listed in Sections 500 – 502 of 20.2.72 NMAC. Regulated 112(r) pollutants that are listed in Sections 500 – 502 of 20.2.72 NMAC are insignificant if they are emitted in quantities less than the threshold (pound per hour) of that regulation.

1.b. Any emissions unit, operation or activity that has the potential to emit no more than the lesser of either one (1) ton per year or the de minimis level of any 112(b) hazardous air pollutants listed in the U.S. EPA document "Documentation of De Minimis Rates for Proposed 40 CFR part 63 subpart B", EPA-453/R-93-035 or de minimis levels established under subsequent rulemaking for 112(g).

2. Surface coating of equipment, including spray painting and roll coating, for sources with facility-wide total clean-up solvent and coating actual emissions of less than two (2) tons per year.

3. Fuel burning equipment which uses gaseous fuel, has a design rate less than or equal to five (5) million BTU per hour, and is used solely for heating buildings for personal comfort or for producing hot water for personal use.

4. Fuel burning equipment which uses distillate oil, has a design rate less than or equal to one (1) million BTU per hour, and is used solely for heating buildings for personal comfort or for producing hot water for personal use.

5. Any emissions unit, operation, or activity that handles or stores a liquid with a vapor pressure less than 10 mm Hg or in quantities less than 500 gallons.

6. Portable engines and portable turbines that have a design capacity (based on sea level specifications) or a physically derated capacity less than or equal to:

- 200 HP engine if fueled by diesel or natural gas;
- 500 HP engine if fueled by gasoline;
- 650 HP engine if fueled by JP-4 or JP-8;
- 1,500 HP turbine if fueled by natural gas.

A certification of physical engine deration must accompany the portable source and be kept by the Operator or Owner. Physical deration is a result of equipment design, such as combining an engine with a compressor that has an rpm limit. Physical deration is not a result of environmental conditions such as altitude or temperature.

OR

Portable engines, portable turbines, or fixed and portable emergency generators for which the Operator or Owner can adequately demonstrate through actual test data (using EPA approved methods) or manufacturer emissions data that at maximum sea level horsepower the units produce no more than 25 tons per year nitrogen oxides (NO_x). In such a case, the documentary information is to be kept with the portable engine, portable turbine, or fixed and portable emergency generator.

To be classified as emergency, a generator's sole function is to provide electrical power when power from the local utilities is interrupted.

OR

Portable Aerospace Ground Equipment (such as power generators, compressors, heaters, air conditioners, lighting units) in direct support of aircraft operations on or in the immediate vicinity of an airfield.

To be classified as portable, the engine must comply with the definition of portable source in 20.2.70 NMAC.

7. Emergency generators which on a temporary basis replaces equipment used in normal operation, and which either has an allowable emission rate or potential to emit for each fee pollutant that is equal to or less than the equipment replaced, or which does not operate for a period exceeding 500 hours per calendar year.

8. Emissions from fuel storage and dispensing equipment operated solely for company-owned, company-leased or company-rented vehicles, which have a capacity of less than 25,000 gallons.

20.2.72.202 EXEMPTIONS: The following exemptions are made to the following requirements of 20.2.72.200 NMAC - 20.2.72.299 NMAC. The exemptions in this section do not apply to emissions of toxic air pollutants listed under 20.2.72.502 NMAC, do not alter the calculation of the potential emissions of toxic air pollutants for applicability under 20.2.72.402 NMAC, and do not exempt the Department or the owner or operator of any source from any requirement under 20.2.72.403 NMAC, 20.2.72.404 NMAC, or 20.2.72.405 NMAC.

A. The following sources and activities shall not be reported in the permit application. Emissions from such activities shall not be included in the calculation of facility-wide potential emission rate under Paragraphs 1 or 2 of Subsection A of 20.2.72.200 NMAC. Such activities may be commenced or changed without a permit or permit revision under 20.2.72.200 NMAC - 20.2.72.299 NMAC:

(1) Activities which occur strictly for maintenance of grounds or buildings, including: lawn care, pest control, grinding, cutting, welding, painting, woodworking, sweeping, general repairs, janitorial activities, and building roofing operations;

(2) Activities for maintenance of equipment or pollution control equipment, either inside or outside of a building, including cutting, welding, and grinding, but excluding painting;

(3) Exhaust emissions from forklifts, courier vehicles, front end loaders, graders, carts, maintenance trucks, and fugitive emissions from fleet vehicle refueling operations, provided such emissions are not subject to any requirements under this Chapter (Air Quality), NSPS or NESHAP;

(4) Use of fire fighting equipment and fire fighting training;

(5) Government military activities such as field exercises, explosions, weapons testing and demolition to the extent that such activities:

(a) Do not result in visible emissions entering publicly accessible areas; and

(b) Are not subject to a NSPS or NESHAP;

(6) Office activities, such as photocopying;

(7) Test drilling for characterization of underground storage tank and waste disposal sites;

(8) Non-anthropogenic wind blown dust;

(9) Residential activities such as use of fireplaces, woodstoves, and barbecue cookers;

(10) Gases used to calibrate plant instrumentation, including continuous emission monitoring (CEM) systems;

(11) Food service, such as cafeteria activities;

(12) Automotive repair shop activities, except painting and use of solvents;

(13) Use of portable aerospace ground equipment (such as power generators, compressors, heaters, air conditioners, lighting units) in direct support of aircraft operations and on or in the immediate vicinity of an airfield;

(14) Activities which occur strictly for preventive maintenance of highway bridges, displays and water towers, including: grinding, cutting, welding, painting, and general repairs;

(15) The act of repositioning or relocating equipment, pipes, ductwork, or conveyors within the plant site, but only when such change in physical configuration does not:

(a) Reposition or relocate any source of air emissions or the emission points from any such source; or

(b) Increase the amount of air emissions or the ambient impacts of such emissions.

B. The presence of the following new or modified sources and activities at the facility shall be reported as provided for in the permit application forms supplied by the Department. Emissions from such sources and activities shall not be included in the calculation of facility-wide potential emission rate under Paragraphs 1 or 2 of Subsection A of 20.2.72.200 NMAC. Construction of such sources or commencement of such activities after issuance of the permit shall be subject to the administrative permit revision procedures in 20.2.219 NMAC.

(1) Fuel burning equipment which is used solely for heating buildings for personal comfort or for producing hot water for personal use and which:

(a) Uses gaseous fuel and has a design rate less than or equal to five (5) million BTU per hour; or

(b) Uses distillate oil (not including waste oil) and has a design rate less than or equal to one (1) million BTU per hour;

(2) VOC emissions resulting from the handling or storing of any VOC if:

(a) Such VOC has a vapor pressure of less than two tenths (0.2) PSI at temperatures at which the compound is stored and handled; and

(b) The owner or operator maintains sufficient record keeping to verify that the requirements of Sub-paragraph (a) of this paragraph are met;

(3) Standby generators which are:

(a) Operated only during the unavoidable loss of commercial utility power;

(b) Operated less than 500 hours per year; and

(c) Either are:

i. The only source of air emissions at the site; or

ii. Accompanied by sufficient record keeping to verify that the standby generator is operated less than 500 hours per year;

(4) The act of repositioning or relocating sources of air emissions or emissions points within the plant site, but only when such change in physical configuration does not increase air emissions or the ambient impacts of such emissions;

(5) Any emissions unit, operation, or activity that has a potential emission rate of no more than one-half (1/2) ton per year of any pollutant for which a National or New Mexico Ambient Air Quality Standard has been set or one-half (1/2) ton per year of any VOC. Multiple emissions units, operations, and activities that perform identical or similar functions shall be combined in determining the applicability of this exemption;

(6) Surface coating of equipment, including spray painting, roll coating, and painting with aerosol spray cans, if:

(a) The potential emission rate of VOCs do not exceed ten (10) pounds per hour;

(b) The facility-wide total VOC content of all coating and clean-up solvent use is less than two (2) tons per year; and

(c) The owner or operator maintains sufficient record keeping to verify that the requirements in Sub-paragraphs (a) and (b) of this paragraph are met;

- (7) Particulate emissions resulting from abrasive blasting operations, if:
 - (a) Blasting operations are entirely enclosed in a building; and
 - (b) No visible particulate emissions are released from the building.

C. For sources and units subject to 40 CFR Part 60 (NSPS), 40 CFR Part 61 (NESHAP) or other Parts of this Chapter (Air Quality), except 40 CFR Part 60 Subparts I (asphalt plants) and OOO (rock crushers), 40 CFR Part 61 Subpart C (Beryllium), and 40 CFR Part 61 Subpart D (Beryllium Rocket Motor Firing):

(1) Such sources and units shall be exempt from the applicability requirements in Paragraph 3 of Subsection A of 20.2.72.200 NMAC if such sources or units:

(a) Are included in a Notice of Intent filed under 20.2.73 NMAC (Notice of Intent and Emissions Inventory); or

(b) Have met the notification requirements to which they are subject under NSPS or NESHAP; and

(2) Applicability determinations under Paragraphs 1 and 2 of Subsection A of 20.2.72.200 NMAC shall take into account all federally enforceable emission limits established for such sources or units under NSPS, NESHAP and other Parts of this Chapter.

D. Portable Source Relocation. For a portable source which has been issued a permit under this Part:

(1) Such source may relocate without undergoing a permit revision if:

(a) The source is installed in a manner conforming with the initial permit;

(b) The source continues to meet all applicable emission limitations and permit conditions; and

(c) The source meets the applicable requirements in Paragraphs 2 and 3 of Subsection D of 20.2.72.202 NMAC below;

(2) For each portable compressor engine which has been issued a streamlined permit in accordance with Paragraph 1 of Subsection D of 20.2.72.301 NMAC, the owner or operator shall complete the appropriate forms provided by the Department and maintain such records on file for at least two (2) years;

(3) For all other portable sources, including but not limited to rock crushers and asphalt plants:

(a) The owner or operator shall notify the Department, on the form provided by the Department, at least fifteen (15) days prior to beginning installation at the new location;

(b) Operation at a new location of such source shall not commence until the Department has approved the relocation in writing;

(c) The Department shall not approve the relocation if it would result in exceedances of any National or New Mexico Ambient Air Quality Standard at the new location; and

(d) The Department shall approve, deny, or approve with conditions, the relocation request within fifteen (15) days of receipt of the notice form.

[11/30/95; A, 01/07/98; A, 02/08/98]