

**NEW MEXICO**

**ENVIRONMENT DEPARTMENT**

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Lt. Governor

April 22,2019

Subject: Taos Gravel Products, GCP3 4509RE02, Portable Facility Relocation

Dear Interested Person or Party:

Thank you again for submitting comments regarding the relocation notification for the Taos Gravel Products (TGP) GCP3-4509 portable asphalt facility relocation notice. Your comments are important to us and will be included as part of the public record.

The Air Quality Bureau (AQB) will continue to accept comments until 5 p.m. on April 24, which is the deadline for response to this relocation notification. Per 20.2.72.220.C(2) NMAC, the Air Quality Bureau (AQB) must either issue or deny the request to relocate within 15 days of receipt of the application.

With this second, follow-up letter the AQB is addressing concerns submitted since the April 10, 2019, letter. Visit AQB’s website to review the initial letter and the relocation notification as submitted: [www.env.nm.gov/air-quality/permit-applications-with-public-interest-public-meeting-or-public-hearing/](http://www.env.nm.gov/air-quality/permit-applications-with-public-interest-public-meeting-or-public-hearing/).

The AQB does not have regulatory authority to deny this relocation notification due to the following issues and concerns received from concerned citizens since the April 10 letter. These issues may be regulated pursuant to local ordinances or other state agencies:

1. Light pollution;
2. Wildlife interference;
3. Noise;
4. Property values;
5. Tourism;
6. Employee health ([www.env.nm.gov/occupational\_health\_safety/](http://www.env.nm.gov/occupational_health_safety/));
7. Contamination of water supply of resident rooftop collection or groundwater to well, which is not within the regulatory authority of the AQB (refer to [www.env.nm.gov/water/](http://www.env.nm.gov/water/));

Some concerns raised include:

1. Concerned citizens asked about the water availability for dust control should the relocation be approved. The applicant indicated that a water truck will haul water from off site and will be used to comply with the terms of the permit regarding dust control on haul roads.
2. Citizens were concerned about the potential effects of hazardous air pollutants (HAP). The conditions of the GCP3 require the control of HAP, and limits emissions below major source thresholds.

Although a few citizens mentioned a meeting between Taos Gravel Products owner, Joel Perovich, and concerned citizens, the AQB was not formally invited or provided a meeting time or location. There has been speculation that budgetary concerns precluded AQB from attending the meeting, which is not true. At the meeting the relatively short-term nature of the project was discussed.

The conditions contained in the relocation approval are legally binding and the facility is subject to inspection by the AQB as necessary to enforce both the requirements of the GCP-3 permit and the relocation approval.

Please contact the Bureau with any additional questions.

Sincerely,

Denise Huff

NM Environment Department

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