**AIR QUALITY BUREAU**

 **NEW SOURCE REVIEW STREAMLINE PERMIT**

**Issued under 20.2.72 NMAC**

**GENERAL CONDITIONS AND MISCELLANEOUS**

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1. GENERAL CONDITIONS
	1. Streamline Operating Requirements
2. Fuel Requirements: For any engine, gas fuel shall be produced natural gas, sweet natural gas, liquid petroleum gas, or fuel gas, none of which may contain more than 0.1 grain of total sulfur per dry standard cubic foot. Liquid fuel shall be first run refinery grade diesel or No. 2 fuel oil that is not a blend containing waste oils or solvents and contains less than 0.3% sulfur by weight.
3. Combustion units shall not equal or exceed 20% opacity averaged over a 10-minute period regardless of the type of fuel used. For any combustion unit, if any visible emissions are observed during steady state operation, opacity shall be measured over a 10-minute period in accordance with the procedures at 40 CFR 60, Appendix A, Method 9 as required by 20.2.61.114 NMAC. All opacity measurements and corresponding opacity readings shall be recorded and reported in accordance with Section B106.
	1. Use of natural gas fuel or natural gas liquids constitutes compliance with 20.2.61 NMAC unless opacity exceeds 20% averaged over a 10-minute period.
	2. At such time as fuel other than natural gas or natural gas liquids is used, opacity shall be measured over a 10-minute period in accordance with the procedures at 40 CFR 60, Appendix A, Method 9 as required by 20.2.61.114 NMAC and in addition to those required by B100.B above. The additional opacity measurements shall continue on a quarterly basis per calendar year for each affected unit until such time as natural gas or natural gas liquids are used.
	3. When Diesel fuel is used, opacity measurements in addition to those required by B100.B shall be performed on each Unit for a minimum of 10 minutes in accordance with the procedures of 40 CFR 60, Appendix A, Method 9 once every 90 days of operation.
4. For engines required by this permit to be equipped with catalytic converters, the engine shall not be operated without the catalytic converter, specifically including catalyst maintenance periods. During periods of catalyst maintenance, the permittee shall either (1) shut down the engine(s); or (2) replace the catalyst with a functionally equivalent spare to allow the engine to remain in operation.
5. Any engine required by this permit to be equipped with a catalytic converter shall also have an air fuel ratio (AFR) controlling device, or similar device that performs the same function of maintaining an appropriate air-fuel ratio. Engines equipped with oxidation catalysts are not required to operate with an AFR.
6. The permittee shall not co-locate portable engine(s) or turbine(s) at the same site, or at a site that has existing stationary or portable source emissions not regulated by this permit. Either situation may constitute a modification as defined by 20.2.72 NMAC, Construction Permits. For such circumstances, the owner or operator must obtain explicit written approval or a permit from the Department specifically for that circumstance.
7. The permittee may relocate portable engine(s) or turbine(s) to a new location after completing a relocation notice form and determining that the compressor engine will comply with restrictions listed in the form; the permittee shall retain the completed form in company files and provide it to the Department upon request. The permittee shall retain the completed relocation form for two (2) years after the unit moves from the location to which the form applies.
8. If an owner/operator of a site chooses to use portable equipment that is regulated under another permit as well as this permit, the owner/operator will identify, at the time of installation, which permit governs operation at the site and shall record each determination and corresponding date. Records shall be available to the Department upon request. The owner/operator shall ensure that all requirements of the governing permit are fulfilled at the site. Initial emissions tests do not need to be repeated, except as required by the Department.
	1. Legal
9. The specific and general conditions of this permit are pursuant to the Air Quality Control Act (1978 NMSA, Section 74-2-1 et seq.) and regulations adopted pursuant to the Act including Title 20, Chapter 2, Part 72 of the New Mexico Administrative Code (NMAC), (20.2.72 NMAC), Construction Permits, Subpart II and Subpart III, and all provisions of this regulation are applicable to this facility. This permit is enforceable pursuant to the Act and the air quality control regulations applicable to this source. The Department is the Administrator for 40 CFR Parts 60, 61, and 63 pursuant to the delegation and exceptions of Section 10 of 20.2.77 NMAC (NSPS), 20.2.78 NMAC (NESHAP), and 20.2.82 NMAC (MACT).
10. The contents of a permit application specifically identified by the Department shall become the terms and conditions of the permit or permit revision.  Unless modified by conditions of this permit, the permittee shall construct or modify and operate the Facility in accordance with all representations of the application and supplemental submittals that the Department relied upon to determine compliance with applicable regulations and ambient air quality standards.  If the Department relied on air quality modeling to issue this permit, any change in the parameters used for this modeling shall be submitted to the Department for review.  Upon the Department’s request, the permittee shall submit additional modeling for review by the Department.  Results of that review may require a permit modification. (20.2.72.210.A NMAC)
11. Any future physical changes, changes in the method of operation, or changes in restricted area may constitute a modification as defined by 20.2.72 NMAC, Construction Permits.  Unless the source or activity is exempt under 20.2.72.202 NMAC, no modification shall begin prior to issuance of a permit. (20.2.72.200.A.2 and E, and 210.B.4 NMAC)
12. Changes in plans, specifications, and other representations stated in the application documents shall not be made if they cause a change in the method of control of emissions or in the character of emissions, will increase the discharge of emissions or affect modeling results. Any such proposed changes shall be submitted as a revision or modification. (20.2.72.200.A.2 and E, and 210.B.4 NMAC)
13. Applications for permit revisions and modifications shall be submitted to:

Program Manager, Permits Section

New Mexico Environment Department

Air Quality Bureau

525 Camino de los Marquez, Suite 1

Santa Fe, New Mexico 87505-1816

1. The owner or operator of a source having an excess emission shall, to the extent practicable, operate the source, including associated air pollution control equipment, in a manner consistent with good air pollutant control practices for minimizing emissions. (20.2.7.109 NMAC). The establishment of allowable malfunction emission limits does not supersede this requirement.
2. The establishment of permitted startup, shutdown, and maintenance (SSM) emission limits does not supersede the requirements of 20.2.7.14.A NMAC. Except for operations or equipment subject to Condition B106, the permittee shall establish and implement a plan to minimize emissions during routine or predictable start up, shut down, and scheduled maintenance (SSM work practice plan) and shall operate in accordance with the procedures set forth in the plan. (SSM work practice plan) (20.2.7.14.A NMAC)
	1. Annual Fee
3. The Department will assess an annual fee for this Facility. The regulation 20.2.75 NMAC set the fee amount at $1,500 through 2004 and requires it to be adjusted annually for the Consumer Price Index on January 1. The current fee amount is available by contacting the Department or can be found on the Department’s website. The AQB will invoice the permittee for the annual fee amount at the beginning of each calendar year. This fee does not apply to sources which are assessed an annual fee in accordance with 20.2.71 NMAC. For sources that satisfy the definition of “small business” in 20.2.75.7.F NMAC, this annual fee will be divided by two. (20.2.75.11 NMAC)
4. All fees shall be remitted in the form of a corporate check, certified check, or money order made payable to the “NM Environment Department, AQB” mailed to the address shown on the invoice and shall be accompanied by the remittance slip attached to the invoice.
	1. Appeal Procedures
5. 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: (20.2.72.207.F NMAC)

Administrator, New Mexico Environmental Improvement Board

P.O. Box 5469

Santa Fe, New Mexico 87502

* 1. General Monitoring Requirements
1. These requirements do not supersede or relax requirements of federal regulations.
2. For any engine required by this permit to be periodically monitored, the permittee shall conduct the monitoring in accordance with Section B104 and B107.
3. For any engine required by this permit to be equipped with an AFR controller, the permittee shall demonstrate proper operation of the air/fuel ratio controller at least quarterly by measuring exhaust oxygen or NOx concentrations with a properly calibrated portable analyzer as specified in Section B104 and B107.
4. For any engine required by this permit to be equipped with a catalytic converter, the permittee shall demonstrate the maintenance of the NOx and CO reduction efficiency across the catalyst bed. This test shall occur within ninety (90) days following initial startup (as part of the initial compliance test) and on a quarterly basis thereafter, unless an alternate testing schedule is specified by the Department. Properly calibrated portable analyzers are acceptable for the quarterly demonstrations. The permittee shall conduct the test at ninety percent (90%) or greater of full load and shall include the exhaust volume flow rate (dscf) and the NOx and CO emission rates (lb/hr) obtained downstream of the catalytic converter.
5. Within 180-days of startup or permit issuance and annually thereafter, the permittee shall demonstrate compliance with the natural gas or fuel oil limit on total sulfur content as required by General Condition B100.A by monitoring the total sulfur content using one of the following methods:
	* 1. current, valid purchase contract,
		2. tariff sheet or transportation contract for the gaseous or liquid fuel,
		3. fuel gas analysis, or
		4. keeping a receipt or invoice from a commercial fuel supplier, with each fuel delivery, which shall include the delivery date, the fuel type delivered, the amount of fuel delivered, and the maximum sulfur content of the fuel.
6. If a fuel gas analysis is used, compliance with the total sulfur requirement shall be demonstrated using one of the following test methods:
	* + - 1. Gas Chromatography
				2. ASTM D3246-92-11 Microcoulometry
				3. FTIR (Fourier Transform Infrared Spectroscopy)
				4. EPA Method 18
				5. A method approved by the Department in writing
7. If a fuel gas analysis is used and the most recent analysis shows that the actual sulfur content of the fuel gas is less than 50% of the standard, then the permittee may choose to demonstrate compliance once every 5 years instead of annually. If the permittee chooses to test for total sulfur once every 5 years, then the permittee shall monitor the H2S content of the gas annually to show the H2S content is less than 50% of the total sulfur standard.
	1. General Recordkeeping Requirements
8. The permittee shall keep records of the completion of manufacturer's or supplier's recommended equipment maintenance, including replacement of the oxygen sensor as necessary for each air/fuel ratio controller, as well as records of the repair or replacement of the catalytic converter or AFR controlling system.
9. The permittee shall record the results of any quarterly or annual periodic monitoring, including exhaust oxygen or NOx concentrations for verification of proper AFR operation, and the NOx and CO reduction efficiency across the catalyst bed.
10. The permittee shall record the fuel gas sulfur content. These records shall be kept for ten years.
11. The permittee shall maintain all records for a period of two (2) years from the date of generation.
12. The permittee shall keep records of the transportation contract, purchase contract, fuel gas analysis, receipt, or invoice that was used to show compliance with General Conditions B100.A, B104.C, B104.D, and B104.E.
13. Unless otherwise indicated by Specific Conditions, the permittee shall keep the following records for malfunction emissions and routine or predictable emissions during startup, shutdown, and scheduled maintenance (SSM):
	1. The owner or operator of a source subject to a permit shall establish and implement a plan to minimize emissions during routine or predictable startup, shutdown, and scheduled maintenance through work practice standards and good air pollution control practices. This requirement shall not apply to any affected facility defined in and subject to an emissions standard and an equivalent plan under 40 CFR Part 60 (NSPS), 40 CFR Part 63 (MACT), or an equivalent plan under 20.2.72 NMAC. The permittee shall keep records of all sources subject to the plan to minimize emissions during routine or predictable SSM and shall record if the source is subject to an alternative plan and therefore, not subject to the plan requirements under 20.2.7.14.A NMAC.
	2. If the facility has allowable SSM emission limits in this permit, the permittee shall record all SSM events, including the date, the start time, the end time, and a description of the event. This record also shall include a copy of the manufacturer’s, or equivalent, documentation showing that any maintenance qualified as scheduled. Scheduled maintenance is an activity that occurs at an established frequency pursuant to a written protocol published by the manufacturer or other reliable source. The authorization of allowable SSM emissions does not supersede any applicable federal or state standard. The most stringent requirement applies.
	3. If the facility has allowable malfunction emission limits in this permit, the permittee shall record all malfunction events to be applied against these limits. The permittee shall also include the date, the start time, the end time, and a description of the event. **Malfunction means** any sudden and unavoidable failure of air pollution control equipment or process equipment beyond the control of the owner or operator, including malfunction during startup or shutdown. A failure that is caused entirely or in part by poor maintenance, careless operation, or any other preventable equipment breakdown shall not be considered a malfunction. (20.2.7.7.E NMAC) The authorization of allowable malfunction emissions does not supersede any applicable federal or state standard. The most stringent requirement applies. This authorization only allows the permittee to avoid submitting reports under 20.2.7 NMAC for total annual emissions that are below the authorized malfunction emission limit.
	4. The owner or operator of a source shall meet the operational plan defining the measures to be taken to mitigate source emissions during malfunction, startup or shutdown. (20.2.72.203.A(5) NMAC)
	5. General Reporting Requirements
14. The permittee shall submit the following information to the Enforcement Section of the AQB in writing:
	1. the anticipated date of initial startup of each new or modified source not less than thirty (30) days prior to the date. Notification may occur prior to issuance of the permit, but actual startup shall not occur earlier than the permit issuance date,
	2. the equipment serial number and the actual date of initial startup of each new or modified source within fifteen (15) days after the startup date,
	3. the date when each new or modified source reaches the maximum production rate (at which it will operate) within fifteen (15) days after that date,
	4. any change of operators within fifteen (15) days of such change,
	5. any necessary update or correction to the permit no more than sixty (60) days after the operator knows or should have known of the condition necessitating the update or correction of the permit,
	6. any failure of catalytic converter or AFR (as required under 20.2.7 NMAC), and
15. The permittee shall submit to the Compliance Section of the AQB written annual reports of quarterly monitoring results for engines required by this permit to be equipped with catalytic converters and/or air fuel ratio (AFR) type controllers. These reports shall include: the results of the catalyst performance verification, and notification of repair or replacement of the catalytic converter or AFR controlling system. These reports are due within forty-five (45) days following the end of every twelve (12) month period following the date of permit issuance.
16. Results of emission tests and monitoring for each pollutant (except opacity) shall be reported in pounds per hour (unless otherwise specified) and tons per year.  Opacity shall be reported in percent.  The number of significant figures corresponding to the full accuracy inherent in the testing instrument or Method test used to obtain the data shall be used to calculate and report test results in accordance with 20.2.1.116.B and C NMAC. Upon request by the Department, tabular data shall be submitted in editable, MS Excel format.
17. The permittee shall submit reports of excess emissions in accordance with 20.2.7.110.A NMAC.
18. Allowable Emission Limits for Excess Emissions Reporting for Flares and Other Regulated Sources with No Pound per Hour (pph) and/or Ton per Year (tpy) Emission Limits.
	1. When a flare has no allowable pph and/or tpy emission limits in Sections A106 and/or A107, the authorized allowable emissions include only the combustion of pilot and/or purge gas. Compliance is demonstrated by limiting the gas stream to the flare to only pilot and/or purge gas.
	2. For excess emissions reporting as required by 20.2.7 NMAC, the allowable emission limits are 1.0 pph and 1.0 tpy for each regulated air pollutant (except for H2S) emitted by that source as follows:
		* + 1. For flares, when there are no allowable emission limits in Sections A106 and/or A107.
				2. For regulated sources with emission limits in Sections A106 or A107 represented by the less than sign (“<”).
				3. For regulated sources that normally would not emit any regulated air pollutants, including but not limited to vents, pressure relief devices, connectors, etc.
	3. For excess emissions reporting as required by 20.2.7 NMAC for H2S, the allowable limits are 0.1 pph and 0.44 tpy for each applicable scenario addressed in paragraph (2) above.
19. Compliance test protocols, test notifications, the second copy of the test results, regularly scheduled reports, and excess emission shall be submitted to the address below:

Program Manager, Compliance and Enforcement Section

New Mexico Environment Department

Air Quality Bureau

525 Camino de los Marquez, Suite 1

Santa Fe, New Mexico 87505-1816

* 1. General Testing Requirements

Unless otherwise indicated by Specific Conditions or regulatory requirements, the permittee shall conduct testing in accordance with the requirements in Sections B107A, B, C, D and E, as applicable.

1. Initial Compliance Tests

The permittee shall conduct initial compliance tests in accordance with the following requirements:

* 1. Initial compliance test requirements from previous permits (if any) are still in effect, unless the tests have been satisfactorily completed. Compliance tests may be re-imposed if it is deemed necessary by the Department to determine whether the source is in compliance with applicable regulations or permit conditions. (20.2.72 NMAC Sections 210.C and 213)
	2. Initial compliance tests shall be conducted within sixty (60) days after the unit(s) achieve the maximum normal production rate. If the maximum normal production rate does not occur within one hundred twenty (120) days of source startup, then the tests must be conducted no later than one hundred eighty (180) days after initial startup of the source.
	3. The default time period for each test run shall be **at least** 60 minutes and each performance test shall consist of three separate runs using the applicable test method. For the purpose of determining compliance with an applicable emission limit, the arithmetic mean of results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances, beyond the owner or operator's control, compliance may, upon the Department approval, be determined using the arithmetic mean of the results of the two other runs.
	4. Testing of emissions shall be conducted with the emissions unit operating at 90 to 100 percent of the maximum operating rate allowed by the permit. If it is not possible to test at that rate, the source may test at a lower operating rate
	5. Testing performed at less than 90 percent of permitted capacity will limit emission unit operation to 110 percent of the tested capacity until a new test is conducted.
	6. If conditions change such that unit operation above 110 percent of tested capacity is possible, the source must submit a protocol to the Department within 30 days of such change to conduct a new emissions test.
1. EPA Reference Method Tests

The test methods in Section B107.B(1) shall be used for all initial compliance tests and all Relative Accuracy Test Audits (RATAs), and shall be used if a permittee chooses to use EPA test methods for periodic monitoring. Test methods that are not listed in Section B107.B(1) may be used in accordance with the requirements at Section B107.B(2).

* 1. All compliance tests required by this permit shall be conducted in accordance with the requirements of CFR Title 40, Part 60, Subpart A, General Provisions, and the following EPA Reference Methods as specified by CFR Title 40, Part 60, Appendix A:
		1. Methods 1 through 4 for stack gas flowrate
		2. Method 5 for particulate matter (PM)
		3. Method 6C SO2
		4. Method 7E for NOX (test results shall be expressed as nitrogen dioxide (NO2) using a molecular weight of 46 lb/lb-mol in all calculations (each ppm of NO/NO2 is equivalent to 1.194 x 10-7 lb/SCF)
		5. Method 9 for visual determination of opacity
		6. Method 10 for CO
		7. Method 19 for particulate, sulfur dioxide and nitrogen oxides emission rates. In addition, Method 19 may be used in lieu of Methods 1-4 for stack gas flowrate. The permittee shall provide a contemporaneous fuel gas analysis (preferably on the day of the test) and a recent fuel flow meter calibration certificate (within the most recent quarter) with the final test report.
		8. Method 7E or 20 for Turbines per §60.335 or §60.4400
		9. Method 22 for visual determination of fugitive emissions from material sources and smoke emissions from flares
		10. Method 25A for VOC reduction efficiency
		11. Method 29 for Metals
		12. Method 30B for Mercury from Coal-Fired Combustion Sources Using Carbon Sorbent Traps
		13. Method 201A for filterable PM10 and PM2.5
		14. Method 202 for condensable PM
		15. Method 320 for organic Hazardous Air Pollutants (HAPs)
	2. Permittees may propose test method(s) that are not listed in Section B107.B(1). These methods may be used if prior approval is received from the Department.
1. Periodic Monitoring and Portable Analyzer Requirements for the Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters

Periodic emissions tests (periodic monitoring) shall be conducted in accordance with the following requirements:

* 1. Periodic emissions tests may be conducted in accordance with EPA Reference Methods or by utilizing a portable analyzer. Periodic monitoring utilizing a portable analyzer shall be conducted in accordance with the requirements of the current version of ASTM D 6522. However, if a facility has met a previously approved Department criterion for portable analyzers, the analyzer may be operated in accordance with that criterion until it is replaced.
	2. The default time period for each test run shall be **at least** 20 minutes.

Each performance test shall consist of three separate runs. The arithmetic mean of results of the three runs shall be used to determine compliance with the applicable emission limit.

* 1. Testing of emissions shall be conducted in accordance with the requirements at Section B104.
	2. During emissions tests, pollutant and diluent concentration shall be monitored and recorded. Fuel flow rate shall be monitored and recorded if stack gas flow rate is determined utilizing Reference Method 19. This information shall be included with the test report furnished to the Department.
	3. Stack gas flow rate shall be calculated in accordance with Reference Method 19 utilizing fuel flow rate (scf) determined by a dedicated fuel flow meter and fuel heating value (Btu/scf) determined from a fuel sample obtained preferably during the day of the test, but no earlier than three months prior to the test date.Alternatively, stack gas flow rate may be determined by using EPA Reference Methods 1-4.
	4. The permittee shall submit a notification and protocol for periodic emissions tests upon the request of the Department.
1. Initial Compliance Test and RATA Procedures

Permittees required to conduct initial compliance tests and/or RATAs shall comply with the following requirements:

* 1. The permittee shall submit a notification and test protocol to the Department’s Program Manager, Compliance and Enforcement Section, at least thirty (30) days before the test date and allow a representative of the Department to be present at the test. Proposals to use test method(s) that are not listed in Section B107.B(1) (if applicable) shall be included in this notification.
	2. Contents of test notifications, protocols and test reports shall conform to the format specified by the Department’s Universal Test Notification, Protocol and Report Form and Instructions. Current forms and instructions are posted to NMED’s Air Quality web site under Compliance and Enforcement Testing.
	3. The permittee shall provide (a) sampling ports adequate for the test methods applicable to the facility, (b) safe sampling platforms, (c) safe access to sampling platforms and (d) utilities for sampling and testing equipment.
	4. Where necessary to prevent cyclonic flow in the stack, flow straighteners shall be installed
1. General Compliance Test Procedures

The following requirements shall apply to all initial compliance and periodic emissions tests and all RATAs:

* 1. Equipment shall be tested in the "as found" condition. Equipment may not be adjusted or tuned prior to any test for the purpose of lowering emissions, and then returned to previous settings or operating conditions after the test is complete.
	2. The stack shall be of sufficient height and diameter and the sample ports shall be located so that a representative test of the emissions can be performed in accordance with the requirements of EPA Reference Method 1 or the current version of ASTM D 6522, as applicable.
	3. Test reports shall be submitted to the Department no later than 30 days after completion of the test.
	4. Permit Compliance
1. The Department will determine compliance with this permit from adherence of the company to the permit conditions as determined by Department inspections and from the completion and submission of all compliance tests, reports, notifications and record keeping required in this permit within the time frames specified in the permit, unless the Department specifically modifies the conditions of this permit in writing.
	1. Compliance
2. The Department shall be given the right to enter the facility at all reasonable times to verify the terms and conditions of this permit.  Required records shall be organized by date and subject matter and shall at all times be readily available for inspection. The permittee, upon verbal or written request from an authorized representative of the Department who appears at the facility, shall immediately produce for inspection or copying any records required to be maintained at the facility. Upon written request at other times, the permittee shall deliver to the Department paper or electronic copies of any and all required records maintained on site or at an off-site location. Requested records shall be copied and delivered at the permittee’s expense within three business days from receipt of request unless the Department allows additional time. Required records may include records required by permit and other information necessary to demonstrate compliance with terms and conditions of this permit. (NMSA 1978, Section 74-2-13)
3. A copy of the most recent permit(s) issued by the Department shall be kept at the permitted facility or (for unmanned sites) at the nearest company office and shall be made available to Department personnel for inspection upon request. (20.2.72.210.B.4 NMAC)
4. Emissions limits associated with the energy input of a Unit, i.e. lb/MMBtu, shall apply at all times unless stated otherwise in a Specific Condition of this permit. The averaging time for each emissions limit, including those based on energy input of a Unit (i.e. lb/MMBtu) is one (1) hour unless stated otherwise in a Specific Condition of this permit or in the applicable requirement that establishes the limit.
	1. Permit Cancellation and Revocation
5. The Department may revoke this permit if the applicant or permittee has knowingly and willfully misrepresented a material fact in the application for the permit. Revocation will be made in writing, and an administrative appeal may be taken to the Secretary of the Department within thirty (30) days. Appeals will be handled in accordance with the Department's Rules Governing Appeals From Compliance Orders.
6. The Department shall automatically cancel any permit for any source which ceases operation for five (5) years or more, or permanently. Reactivation of any source after the five (5) year period shall require a new permit. (20.2.72 NMAC)
7. The Department may cancel a permit if the construction or modification is not commenced within two (2) years from the date of issuance or if, during the construction or modification, work is suspended for a total of one (1) year. (20.2.72 NMAC)
	1. Notification to Subsequent Owners
8. The permit and conditions apply in the event of any change in control or ownership of the Facility. No permit modification is required in such case. However, in the event of any such change in control or ownership, the permittee shall notify the succeeding owner of the permit and conditions and shall notify the Department’s Program Manager, Permits Section of the change in ownership within fifteen (15) days of that change. (20.2.72.212.C NMAC)
9. Any new owner or operator shall notify the Department’s Program Manager, Permits Section, within thirty (30) days of assuming ownership, of the new owner’s or operator’s name and address. (20.2.73.200.E.3 NMAC)
	1. Asbestos Demolition
10. Prior to any asbestos demolition or renovation work, the permittee shall determine whether 40 CFR 61, National Emissions Standards for Asbestos, Subpart M applies.

1. MISCELLANEOUS
	1. **Supporting On-Line Documents**
2. Copies of the following documents can be downloaded from NMED’s web site under Compliance and Enforcement or requested from the Bureau.

[Excess Emission Form](https://www.env.nm.gov/aqb/enforce_compliance/ExcessEmissionsReporting.htm) (for reporting deviations and emergencies)

[Universal Stack Test Notification, Protocol and Report Form and Instructions](https://www.env.nm.gov/aqb/enforce_compliance/ComplianceTesting.htm)

1. Copies of the following document can be downloaded from NMED’s web site under Permitting or requested from the Bureau.

 [Relocation form for portable streamline compressor engines](https://www.env.nm.gov/aqb/permit/Permit_Apps/Permit_Apps_8_Relocations.html)

* 1. **Definitions**
1. **“Daylight”** is defined as the time period between sunrise and sunset, as defined by the Astronomical Applications Department of the U.S. Naval Observatory. (Data for one day or a table of sunrise/sunset for an entire year can be obtained at <http://aa.usno.navy.mil/>. Alternatively, these times can be obtained from a Farmer’s Almanac or from <http://www.almanac.com/rise/>).
2. **“Fugitive Emission”** means those emissions which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.
3. **“Malfunction”** for the requirements under 20.2.7 NMAC, means any sudden and unavoidable failure of air pollution control equipment or process equipment beyond the control of the owner or operator, including malfunction during startup or shutdown. A failure that is caused entirely or in part by poor maintenance, careless operation, or any other preventable equipment breakdown shall not be considered a malfunction. (20.2.7.7.E NMAC)
4. **“Natural Gas Liquids”** means the hydrocarbons, such as ethane, propane, butane, and pentane, that are extracted from field gas. (40 CFR 60.631)
5. **“National Ambient air Quality Standards”** means, unless otherwise modified, the primary (health-related) and secondary (welfare-based) federal ambient air quality standards promulgated by the US EPA pursuant to Section 109 of the Federal Act.
6. **“Night”** is the time period between sunset and sunrise, as defined by the Astronomical Applications Department of the U.S. Naval Observatory. (Data for one day or a table of sunrise/sunset for an entire year can be obtained at <http://aa.usno.navy.mil/>. Alternatively, these times can be obtained from a Farmer’s Almanac or from <http://www.almanac.com/rise/>).
7. **“Night Operation** or **Operation at Night”** is operating a source of emissions at night.
8. **“NO2”** or "Nitrogen dioxide" means the chemical compound containing one atom of nitrogen and two atoms of oxygen, for the purposes of ambient determinations. The term **"nitrogen dioxide,"** for the purposes of stack emissions monitoring, shall include nitrogen dioxide (the chemical compound containing one atom of nitrogen and two atoms of oxygen), nitric oxide (the chemical compound containing one atom of nitrogen and one atom of oxygen), and other oxides of nitrogen which may test as nitrogen dioxide and is sometimes referred to as NOx or NO2. (20.2.2 NMAC)
9. “**NOx**” see NO2
10. **“Potential Emission Rate”** means the emission rate of a source at its maximum capacity to emit a regulated air contaminant under its physical and operational design, provided any physical or operational limitation on the capacity of the source to emit a regulated air contaminant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored or processed, shall be treated as part of its physical and operational design only if the limitation or the effect it would have on emissions is enforceable by the department pursuant to the Air Quality Control Act or the federal Act.
11. **"Potential to emit"** or **"potential emissions"** means the maximum capacity of a stationary source to emit a regulated air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a regulated air contaminant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitations or the effect it would have on emissions is federally enforceable. Secondary emissions do not count in determining the potential to emit of a stationary source.
12. “**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 a 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.
13. **"Shutdown"**, for requirements under 20.2.72 NMAC, means the cessation of operation of any air pollution control equipment, process equipment or process for any purpose, except routine phasing out of batch process units.
14. **"SSM"**, for requirements under 20.2.7 NMAC, means routine or predictable startup, shutdown, or scheduled maintenance.

**"Shutdown"**, for requirements under 20.2.7 NMAC, means the cessation of operation of any air pollution control equipment or process equipment.

**"Startup"**, for requirements under 20.2.7 NMAC, means the setting into operation of any air pollution control equipment or process equipment.

1. **"Startup"**, for requirements under 20.2.72 NMAC, means the setting into operation of any air pollution control equipment, process equipment or process for any purpose, except routine phasing in of batch process units.
2. **"Sweet natural gas"** means natural gas containing no more than 0.25 grains of hydrogen sulfide per 100 standard cubic feet of gas.
	1. **Acronyms**

2SLB 2-stroke lean burn

4SLB 4-stroke lean burn

4SRB 4-stroke rich burn

acfm actual cubic feet per minute

AFR air fuel ratio

AP-42 EPA Air Pollutant Emission Factors

AQB Air Quality Bureau

AQCR Air Quality Control Region

ASTM American Society for Testing and Materials

BTU British ThermalUnit

CAA Clean Air Act of 1970 and 1990 Amendments

CEM continuous emissions monitoring

cfh cubic feet per hour

cfm cubic feet per minute

CFR Code of Federal Regulation

CI compression ignition

CO carbon monoxides

COMS continuous opacity monitoring system

EIB Environmental Improvement Board

EPA United States Environmental Protection Agency

gr./100 cf grains per one hundred cubic feet

gr./dscf grains per dry standard cubic foot

GRI Gas Research Institute

HAP hazardous air pollutant

hp horsepower

H2S hydrogen sulfide

IC internal combustion

KW/hr kilowatts per hour

lb/hr pounds per hour

lb/MMBtu pounds per million British Thermal Unit

MACT Maximum Achievable Control Technology

MMcf/hr million cubic feet per hour

MMscf million standard cubic feet

N/A not applicable

NAAQS National Ambient Air Quality Standards

NESHAP National Emission Standards for Hazardous Air Pollutants

NG natural gas

NGL natural gas liquids

NMAAQS New Mexico Ambient Air Quality Standards

NMAC New Mexico Administrative Code

NMED New Mexico Environment Department

NMSA New Mexico Statues Annotated

NOx nitrogen oxides

NSCR non-selective catalytic reduction

NSPS New Source Performance Standard

NSR New Source Review

PEM parametric emissions monitoring

PM particulate matter (equivalent to TSP, total suspended particulate)

PM10 particulate matter 10 microns and less in diameter

PM2.5 particulate matter 2.5 microns and less in diameter

pph pounds per hour

ppmv parts per million by volume

PSD Prevention of Significant Deterioration

RATA Relative Accuracy Test Assessment

RICE reciprocating internal combustion engine

rpm revolutions per minute

scfm standard cubic feet per minute

SI spark ignition

SO2 sulfur dioxide

SSM Startup Shutdown Maintenance (see SSM definition)

TAP Toxic Air Pollutant

TBD to be determined

THC total hydrocarbons

TSP Total Suspended Particulates

tpy tons per year

ULSD ultra low sulfur diesel

USEPA United States Environmental Protection Agency

UTM Universal Transverse Mercator Coordinate system

UTMH Universal Transverse Mercator Horizontal

UTMV Universal Transverse Mercator Vertical

VHAP volatile hazardous air pollutant

VOC volatile organic compounds