From: NMOAI, NMENV
Sent: Wednesday, September 23, 2020 9:30 AM
To: Spillers, Robert, NMENV
Subject: Fw: Comment on the draft rule

From: Kulkarni, Pranav <pkulkarni@eprod.com>
Sent: Thursday, September 17, 2020 7:21 AM
To: NMOAI, NMENV
Subject: [EXT] Comment on the draft rule

The proposed 15 tpy sitewide emissions threshold (20.2.50.D) is arbitrary and affects sites that have insignificant ozone forming potential. Enterprise proposes the following that existing sources, particularly engines and turbines, should be exempt from the rule and new sources constructed after an established future date are exempt if emissions of VOC and NOX are below 100 tpy each.

The 100 tpy threshold for new sources is consistent with the following established source thresholds:

- Ozone Nonattainment major source thresholds (NOX and VOC) for Marginal and Moderate nonattainment which is 100 tpy. Serious (50 tpy) and Severe (25 tpy) major source thresholds are much greater than the proposed 15 tpy threshold.
- Federal Title V major source threshold is 100 tpy for all criteria pollutants including VOC and NOx.
- The New Mexico GCP-O&G permit threshold is 95 tpy for NOx and VOC. It is important to note that the permit is intended for smaller sources.
- The New Mexico Notice of Intent (NOI) authorization does not restrict VOC emissions (it only restricts regulated pollutants such as NOx for which NAAQS is established <25 tpy).

Sites with less than 100 tpy NOx and VOC are insignificant with respect to Ozone Forming Potential. For instance, a site permitted under the GCP-O&G permit would have an ozone forming potential less than 61% of the significance level of 1.96 micrograms per cubic meter per the EPA MERP guidance document (referenced in NMED Modeling Guidelines document, June 2019). In other words, the ozone forming potential of such a site would be insignificant.

Enterprise believes that NMED should focus their efforts on large new sites with significant ozone forming potential where a much greater benefit towards ozone reduction may be attained and companies are better able to plan for incorporation of pollution control equipment in the facility design.

We look forward to continuing the discussion with you and the NMED team.

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