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**BUTCH TONGATE**  
CABINET SECRETARY

**AIR QUALITY BUREAU**

**GCP-TEMPORARY CONTROL MINOR**

**Issued under 20.2.72 NMAC**

A handwritten signature in blue ink that reads "Butch Tongate".

\_\_\_\_\_  
Acting Division Director  
Environment Protection Division  
NMED

A handwritten date in blue ink that reads "10/5/18".

\_\_\_\_\_  
Date

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**PART A      SPECIFIC REQUIREMENTS****A100   Introduction**

- A. The GCP-Temporary Control Minor Air Quality Permit ("Permit") is issued by the Air Quality Bureau (AQB) of the New Mexico Environment Department (Department) under Title 20 Chapter 2 Part 72 of the New Mexico Administrative Code [20.2.72.220 NMAC]. The Department issues general permits in order to register groups of sources that have similar operations, processes, and emissions and that are subject to the same or substantially similar requirements [20.2.72.220.A(1) NMAC]. General permits provide an additional permitting option for specific types of sources that can meet the predetermined permit requirements [20.2.72.220.C(1) NMAC].
- B. This Permit authorizes an owner or operator to construct, modify, and operate a temporary flare or combustor at oil and gas production facilities in New Mexico (excluding Bernalillo County, tribal lands, non-attainment areas, and City of Sunland Park) under the conditions set forth herein.
- C. An owner or operator that registers for and receives approval to construct under this Permit will have satisfied the State of New Mexico's requirement for obtaining an air quality permit prior to constructing, modifying, or operating a source of air pollutants. However, other federal, state, or local agencies may have additional requirements such as zoning restrictions.
- D. All sources for which the Department has approved a Registration Form under GCP-Temporary Control Minor are subject to terms and conditions of this permit. No source may construct or operate under this permit unless the Department has approved its Registration Form in writing. No source may operate under this permit unless such operation meets all the requirements herein.
- E. This permit may co-locate with other equipment, provided that equipment does not need a permit under 20.2.72 NMAC. This permit may not be co-located with another permitted facility.
- F. Construction or modification of a source shall not begin until the Department has approved the Registration Form and the owner or operator has been notified in writing. [20.2.72.200.E NMAC and 20.2.72.220.C(6)(a) NMAC]
- G. The Facility shall operate as specified in the Registration Form. The emission limits for flares or combustors specified in the Registration Form are federally enforceable, and shall become the terms and conditions of this Permit.
- H. The owner or operator may apply for registration of a Facility under this Permit if:



- (1) The Facility can comply with all of the requirements of this Permit; and
- (2) The sources authorized include flares or combustors.

I. The Department shall deny a Registration Form if:

- (1) The Registration Form is not complete;
- (2) The Permit will be co-located with other equipment permitted under 20.2.72;
- (3) The Permit will be located at a single location for longer than one (1) year;
- (4) The source, as proposed, is not qualified to register for GCP-Temporary Control Minor;
- (5) The source, as proposed, includes emission units not allowed under GCP-Temporary Control Minor;
- (6) The source is, or contains, a petroleum refinery, chemical manufacturing plant, flare pits, or bulk gasoline terminal, or is a listed source in Table 1 of 20.2.74.501 NMAC;
- (7) The source, as proposed, cannot meet the terms and conditions of GCP-Temporary Control Minor as determined by the review of the Registration Form(s);
- (8) The Facility is located in a nonattainment area [defined by 20.2.72.216 and 20.2.79 NMAC], Bernalillo County, or tribal lands;
- (9) The public notice performed for the Facility is inadequate to meet the requirements in Condition C100.B – *Public Notification*; or
- (10) Any criteria listed in 20.2.72.208 NMAC is applicable.

**A101 Permit Duration (expiration)**

- A. The term of this permit is permanent unless withdrawn or cancelled by the Department. This permit shall not operate at a single location for greater than (12) consecutive months.

**A102 Facility: Description**

- A. The function of the source is to temporarily flare or combust stranded gas at an oil and gas production facility for periods of less than twelve (12) consecutive months. Sources subject to this permit may co-locate with other equipment at a production site.

**A103 Facility: Applicable Regulations**

- A. The permittee shall comply with all applicable sections of the requirements listed in Table 103.

**Table 103: Applicable Requirements**

<b>Applicable Requirements</b>	<b>Federally Enforceable</b>
20.2.1 NMAC General Provisions	X
20.2.3 NMAC Ambient Air Quality Standards	X
20.2.7 NMAC Excess Emissions	X
20.2.61 NMAC Smoke and Visible Emissions	X
20.2.72 NMAC Construction Permit	X
20.2.73 NMAC Notice of Intent and Emissions Inventory Requirements	X
20.2.75 NMAC Construction Permit Fees	X
20.2.77 NMAC New Source Performance Standards	
40 CFR 50 National Ambient Air Quality Standards	X

**A104 Facility: Regulated Sources**

- A. This permit authorizes the operation of temporary flares and combustors. This permit does not include conditions for equipment other than temporary flares or combustors.

**A105 Facility: Control Equipment - NA****A106 Facility: Allowable Emissions**

- A. The allowable hourly and annual emission limits for each flare or combustor are established in the Registration Form.
- B. Table 106 does not establish facility emission limits but establishes the eligibility criteria to register under this permit.

**Table 106: Maximum Eligible Emission Rates to Register Under this Permit\***

<b>Pollutant</b>	<b>Emissions (tons per year)</b>
Nitrogen Oxides (NO <sub>x</sub> )	95
Carbon Monoxide (CO)	95
Volatile Organic Compounds (VOC)	95
Sulfur Dioxide (SO <sub>2</sub> )	95
Total Suspended Particulates (TSP)	25
Particulate Matter less than 10 microns (PM <sub>10</sub> )	25

<b>Pollutant</b>	<b>Emissions (tons per year)</b>
Particulate Matter less than 2.5 microns (PM <sub>2.5</sub> )	25
Hydrogen Sulfide (H <sub>2</sub> S)	25
Any one (1) Hazardous Air Pollutant (HAP)	< 10
Total HAP	< 25

\*These rates include emissions from co-located equipment.

### C. Allowable Hourly and Annual Emission Limits

#### **Requirement:**

Compliance with the allowable hourly and annual emission limits for flares and combustors in the Registration Form shall be demonstrated by the following:

- 1) The permittee shall perform the monitoring, recordkeeping, and reporting as required in this permit and shall maintain a copy of the approved Registration Form with the requested allowable emission limits onsite or at the closest business office.
- 2) Monthly, for each allowable hourly and annual emission limit established in the Registration Form, the permittee shall calculate the maximum hourly emission rate and the monthly total emissions in tons per month. The emissions shall be based upon the data collected in accordance with Condition A201.
- 3) For co-located equipment that does not require any registration or is authorized to operate under a NOI, the potential emission rate from that equipment shall be identified and entered in the Registration Form. This information shall be included in the records as required below.

**Monitoring:** Monthly, for each allowable emission limit established in the Registration Form, the permittee shall calculate:

- 1) the maximum hourly emission rate of NO<sub>x</sub>, CO, SO<sub>2</sub>, and H<sub>2</sub>S, and
- 2) the monthly total emissions in tons.

**Recordkeeping:** Monthly, the permittee shall record:

- 1) the maximum hourly emission rate of NO<sub>x</sub>, CO, SO<sub>2</sub> and H<sub>2</sub>S that occurred during that month,
- 2) the first month's emissions and after the first month, the cumulative total emissions in tons for each pollutant, and
- 3) the record shall include the potential emission rate from all co-located equipment at the Facility.

The permittee shall record in accordance with Condition B109.

**Reporting:** The permittee shall report in accordance with Section B110.

### **A107 Facility: Allowable Startup, Shutdown, & Maintenance (SSM) and Malfunction Emissions**

- A. This permit does not include additional emission limits from SSM or malfunction.

**A108 Facility: Allowable Operations**

- A. Unless requested in the Registration Form, all equipment is authorized for continuous operation. Monitoring, recordkeeping, and reporting are not required to demonstrate compliance with continuous hours of operation.
- B. The permittee may request to operate an emission unit less than 8760 hours per year in the Registration Form. The permittee shall demonstrate compliance with the allowable hours of operation for the unit by complying with Condition A108C.

## C. Hours of Operation (For Emission Units operated less than 8760 hours per year)

**Requirement:** To ensure compliance with allowable emission limits in the Registration Form, the permittee shall comply with the following requirements.

**Monitoring:** The permittee shall monitor the hours of operation of each emission unit authorized to operate less than 8760 hours of operation.

**Recordkeeping:** The permittee shall record the hours of operation of each such emission unit monthly, shall calculate and record the monthly cumulative 12-month total hours of operation, and shall meet the recordkeeping requirements in Section B109.

**Reporting:** The permittee shall report in accordance with Section B110.

**A109 Facility: Reporting Schedules**

- A. The permittee shall report according to the Specific Conditions and General Conditions of this permit.

**A110 Facility: Sulfur Requirements**

- A. Sulfur limits are established in Condition A201.

**A111 Facility: 20.2.61 NMAC Opacity**

## A. 20.2.61 NMAC Opacity Limit

**Requirement:** Visible emissions from flares and combustors shall not equal or exceed an opacity of 20 percent in accordance with the requirements at 20.2.61.109 NMAC.

**Monitoring:** Use of natural gas constitutes compliance with 20.2.61 NMAC unless opacity equals or exceeds 20% averaged over a 10-minute period. When any visible emissions are observed during operation other than during startup mode, opacity shall be measured over a 10-minute period, in accordance with the procedures at 40 CFR 60, Appendix A, Reference Method 9 (EPA Method 9) as required by 20.2.61.114 NMAC, or the operator will be allowed to perform maintenance/repair to eliminate the visible emissions. Following completion of equipment maintenance/repair, the operator shall conduct visible emission observations in accordance with

the following procedures:

- Visible emissions observations shall be conducted over a 10-minute period during operation after completion of startup mode in accordance with the procedures at 40 CFR 60, Appendix A, Reference Method 22 (EPA Method 22). If no visible emissions are observed, no further action is required.
- If any visible emissions are observed during completion of the EPA Method 22 observation, subsequent opacity observations shall be conducted over a 10-minute period, in accordance with the procedures at EPA Method 9 as required by 20.2.61.114 NMAC.

**Recordkeeping:** If no visible emissions were observed, none.

If any visible emissions observations were conducted, the permittee shall keep records in accordance with the requirements of Section B109 and as follows:

For any visible emissions observations conducted in accordance with EPA Method 22, record the information on the form referenced in EPA Method 22, Section 11.2.

For any opacity observations conducted in accordance with the requirements of EPA Method 9, record the information on the form referenced in EPA Method 9, Sections 2.2 and 2.4.

**Reporting:** The permittee shall report in accordance with Section B110.

**A112 Facility: Equipment Operating Under a Notice of Intent (NOI) or No Permit Required (NPR Determination)**

- A. This permit covers flares and combustors operating for less than twelve (12) consecutive months at an oil and gas production site. There may be scenarios when other equipment is located on-site, and such equipment does not require a registration or is registered under a NOI. For facilities that are co-located with equipment, the applicant shall seek and obtain a GCP-Temporary Control Minor permit prior to constructing a flare or combustor which exceeds the permit thresholds in 20.2.72 NMAC.
- B. Upon removal of the flare or combustor, the facility shall revert back to its original status.

**A113 Facility: Relocation Requirements**

- A. The flare or combustor authorized under this permit may be relocated.
- B. Relocation Notice:
  - (1) The permittee shall submit a request using the Department's Registration Form at least fifteen (15) days prior to any relocation of the flare or combustor. Relocation includes moving within an approved area.
  - (2) The permittee shall post notice of the relocation at the relocation site in such a manner that the public has access to information concerning the proposed

relocation. The operation of a unit at a new location shall not commence until the Department has approved the location.

## **EQUIPMENT SPECIFIC REQUIREMENTS**

### **OIL AND GAS INDUSTRY**

#### **A200 Oil and Gas Industry**

##### **A201 Flare or Combustor**

###### **A. Pilot Flame, Visible Emissions, and Operational Requirements**

**Requirement:** Compliance with the allowable emission limits for flares and combustors in the Registration Form shall be demonstrated by the following:

- 1) The emission limits are based on daily throughput, H<sub>2</sub>S concentration, and hours of operation.
- 2) The flare or combustor may only combust stranded gas. If the units combust any gas stream other than stranded gas, those events shall be reported in accordance with 20.2.7 NMAC.
- 3) The flare or combustor shall be equipped with a continuous pilot flame or an auto-igniter.
- 4) The flare or combustor shall be equipped with a system to ensure that they are operated with a flame present at all times that gas is sent to the unit(s).
- 5) The flare or combustor shall combust gas at all times gas is sent to the unit(s).
- 6) The flare or combustor shall be installed, operated, and maintained according to manufacturer's specifications.
- 7) The flare or combustor shall be operated with no visible emissions except for periods not to exceed a total of sixty (60) seconds during any ten (10) consecutive minutes.
- 8) The permittee shall not operate the flare or combustor at a single location for longer than twelve (12) months.

###### **Monitoring:**

- 1) For equipment with a continuous pilot or an auto igniter, the permittee shall continuously monitor the presence of a pilot flame using a thermocouple equipped with a continuous recorder and alarm, to detect the presence of a flame, or any other equivalent device approved by the Department.
- 2) Weekly, the permittee shall perform an inspection of the flare to ensure the flare is operating properly and in accordance with the good combustion practices.

- 3) Weekly, and when any visible emissions are observed, the permittee shall perform a Method 22 observation while the pilot flame is present to certify compliance with the visible emission requirements. The observation shall be a minimum of ten (10) minutes.
- 4) For flaring of the following event types, the permittee shall monitor in accordance with the following:

For flaring at high pressure, a gas flow meter and flow totalizer, equipped with a chart recorder or data logger (electronic storage), shall be installed in the flare line to measure and record the total standard cubic feet (scf) of gas sent to the flare during any flaring event.

Monitoring for flaring or combusting of low pressure gas is satisfied by continuously monitoring the gas throughput to the unit.
- 5) The permittee shall measure the H<sub>2</sub>S content, VOC content, and the heating value (Btu/scf) of the gas sent to the flare or combustor for combustion with a gas analysis. The gas analysis shall not be older than one year.
- 6) For all high pressure flares, the flow meter, totalizer, and if used, the inline monitor shall be operated, calibrated, and maintained as specified by the manufacturer, permittee, or equivalent and as necessary to ensure correct and accurate readings.
- 7) For each location, the permittee shall monitor the date of initial startup and final shutdown of each flare or combustor.

**Recordkeeping:** The permittee shall record:

- 1) Chronologically, all instances of alarm activation, including the date and cause of alarm activation, actions taken to bring the flare into normal operating conditions, the name of the personnel conducting the inspection, and maintenance activities.
- 2) The results of the Method 22 observations.
- 3) The results of the gas analysis including H<sub>2</sub>S, VOC content, and heating value.
- 4) Both the hourly and monthly flow meter and flow totalizer measurements of gas sent to the flare during each flaring event.
- 5) Monthly, based on the data monitored and recorded in this condition and the throughput of the gas streams sent to any high pressure flare, the calculations and the basis of the calculations of the maximum hourly emission rate and the monthly total emissions in tons per month.
- 6) If the maximum hourly emission rate calculated in requirement 5 above, exceeds the allowable hourly emission limit, calculate and record the hourly emission rate for each hour of each flaring event of that month.
- 7) The results of the inspection, including the date, time, and name of personnel conducting the inspection.
- 8) For each location, the permittee shall record the date of initial startup and final shutdown of each flare or combustor.

**Reporting:** The permittee shall report in accordance with Section B110 and in accordance with 20.2.7 NMAC.



- B. The facility can have any number of flares, provided that each flare has at least the minimum stack parameters determined by the SO<sub>2</sub> emission rate, and so long as the facility total emission rate remains below the permitted limit.

**Table 3: Flare Minimum Stack Height Requirements**

<b>SO<sub>2</sub> Emission Rate (lb/hr)</b>	<b>Height (ft)</b>
4501 – 5000	59.1
4001 – 4500	52.5
3501 – 4000	45.9
3001 – 3500	39.4
2501 – 3000	29.5
20 – 2500	19.7
10 – 19	13.1
5 – 9	11.5
3 – 4	9.8
2	8.2
0 – 1	6.6

- C. Flare gas shall contain no higher than 6% H<sub>2</sub>S by volume (pre-combustion). If flare gas contains more than 6% H<sub>2</sub>S by volume, then assist gas may be added to reduce the gas composition to 6% H<sub>2</sub>S or less by volume.
- D. Combustors are not permitted to burn gas with high sulfur content. The SO<sub>2</sub> emission limit for combustors is 0.9 lb/hr if the units operate with a velocity of at least two (2) feet per second. The SO<sub>2</sub> limit is 0.7 lb/hr if the units operate with a velocity of at least one (1) foot per second. This limit is based upon the air dispersion modeling used in the development of this permit.

## **A202 Siting Requirements**

### **Terrain:**

Equipment shall be at least 100 meters from any stack to terrain that is five (5) or more meters above the top of a stack.

### **Nearby facilities:**

The facility must be at least 150 meters from any source that emits over 25 tons/year of NO<sub>x</sub>.

### **Class I areas:**

The facility must be at least (three) 3 miles from any Class I area.



**PART B GENERAL CONDITIONS****B100 Introduction**

- A. The Department has determined that all facilities registered under and operating in accordance with this permit will meet all applicable requirements under the federal Clean Air Act, the New Mexico Air Quality Control Act, and Title 20, Chapter 2 NMAC, including 20.2.74 NMAC (Prevention of Significant Deterioration), 20.2.77 NMAC (New Source Performance Standards), 20.2.78 (Emission Standards for Hazardous Air Pollutants), 20.2.82 NMAC (Maximum Achievable Control Technology Standards for Source Categories of Hazardous Air Pollutants), and will not cause or contribute to air contaminant levels in excess of any national or New Mexico ambient air quality standard.
- B. Where the permit refers to “Department approved” or “approved by the Department,” means for the purposes of this permit to have been approved in writing by the Department. Guidance published on the AQB website meets this requirement.

**B101 Legal**

- A. The permittee shall construct or modify and operate the Facility in accordance with all of the conditions of the permit, including the representations in the Registration Form. 20.2.72.210.D NMAC, states that any term or condition imposed by the Department on a permit is enforceable to the same extent as a regulation of the Environmental Improvement Board.
- B. Unless otherwise specified in Part A or Part C of this permit, any future physical changes, changes in the method of operation, or changes in the authorized 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)
- C. On an as needed basis, the Department may revise the Registration Form and Air Emission Calculation Tool in order to make necessary revisions, improvements, and updates to the Forms.
- D. Registrations which require notification under Condition C101.A or Condition C101.B 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

**B102 Authority**

- A. This permit is issued pursuant to the Air Quality Control Act (Act) 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, including 20.2.72.220, General Permits, and is enforceable pursuant to the Act and the air quality control regulations applicable to this source.

**B103 Fees**

- A. Each Registration Form shall include a check or money order for permit fees required pursuant to 20.2.75 NMAC – *Construction Permit Fees*.
- B. The Department will assess an annual fee for this Facility. 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)
- C. All fees shall be remitted in the form of a corporate check, certified check, or money order, or other Department approved method, and made payable to the "NM Environment Department, AQB."

**B104 Appeal Procedures**

- A. 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 or hand delivered to: (20.2.72.207.F NMAC)

For Mailing:

Administrator, New Mexico Environmental Improvement Board  
P.O. Box 5469  
Santa Fe, NM 87502-5469

For Hand Delivery:  
Administrator, New Mexico Environmental Improvement Board  
1190 St. Francis Drive, Harold Runnels Bldg.  
Santa Fe, New Mexico 87505

**B105 Submittal of Reports and Certifications**

- A. Stack Test Notifications, Protocols, and Stack Test Reports shall be submitted as directed by the Department. See: <https://www.env.nm.gov/air-quality/testing/> for further information.
- B. Excess Emission Reports shall be submitted as directed by the Department. See <https://www.env.nm.gov/air-quality/excess-emissions-reporting/> for further information. (20.2.7.110 NMAC)
- C. Routine reports shall be submitted to the mailing address below, or as directed by the Department:  
  
Manager, Compliance and Enforcement Section  
New Mexico Environment Department  
Air Quality Bureau  
525 Camino de los Marquez, Suite 1  
Santa Fe, NM 87505

**B106 NSPS and/or MACT General Conditions**

- A. No additional requirements.

**B107 Startup, Shutdown, and Maintenance Operations**

- A. No additional requirements.

**B108 General Monitoring Requirements**

- A. These requirements do not supersede or relax requirements of federal regulations.
- B. The following monitoring requirements shall be used to determine compliance with applicable requirements and emission limits. Any sampling, whether by portable analyzer or EPA reference method, that measures an emission rate over the applicable averaging period greater than an emission limit in this permit constitutes

noncompliance with this permit. The Department may require, at its discretion, additional tests pursuant to EPA Reference Methods at any time, including when sampling by portable analyzer measures an emission rate greater than an emission limit in this permit; but such requirement shall not be construed as a determination that the sampling by portable analyzer does not establish noncompliance with this permit and shall not stay enforcement of such noncompliance based on the sampling by portable analyzer.

- C. If the emission unit is shutdown at the time when periodic monitoring is due to be accomplished, the permittee is not required to restart the unit for the sole purpose of performing the monitoring. Using electronic or written mail, the permittee shall notify the Department's Compliance and Enforcement Section of a delay in emission tests prior to the deadline for accomplishing the tests. Upon recommencing operation, the permittee shall submit any pertinent pre-test notification requirements set forth in the current version of the Department's Standard Operating Procedures For Use Of Portable Analyzers in Performance Test, and shall accomplish the monitoring.
- D. When requested by the Department, the permittee shall provide schedules of testing and monitoring activities.

#### **B109 General Recordkeeping Requirements**

- A. The permittee shall maintain records to assure and verify compliance with the terms and conditions of this permit. As applicable, the minimum information to be included in these records is:
  - (1) equipment identification (include make, model and serial number for all tested equipment and emission controls);
  - (2) date(s) and time(s) of sampling or measurements;
  - (3) date(s) analyses were performed;
  - (4) the qualified entity that performed the analyses;
  - (5) analytical or test methods used;
  - (6) results of analyses or tests; and
  - (7) operating conditions existing at the time of sampling or measurement.
- B. Except as provided in the Specific Conditions, electronic records shall be maintained on-site or if unmanned, at the permittee's local business office for a minimum of two (2) years from the time of recording and shall be made available to Department personnel upon request.

**B110 General Reporting Requirements**

(20.2.72 NMAC Sections 210 and 212)

- A. Records and reports shall be maintained on-site or at the permittee's local business office unless specifically required to be submitted to the Department or EPA by another condition of this permit or by a state or federal regulation. Records may be maintained electronically.
- B. The permittee shall notify the Air Quality Bureau's Compliance and Enforcement Section using the current Submittal Form posted to NMED's Air Quality web site under Compliance and Enforcement/Submittal Forms in writing of, or provide the Department with (20.2.72.212.A and B):
  - (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 approval of the registration, but actual startup shall not occur earlier than approval of the registration; and
  - (2) after receiving authority to construct, the equipment serial number as provided by the manufacturer or permanently affixed if shop-built and the actual date of initial startup of each new or modified source within fifteen (15) days after the startup date.
- C. Unless otherwise specified in Parts A or C of this permit, the permittee shall notify the Department's Permitting Program Manager, in writing of, or provide the Department with (20.2.72.212.C and D):
  - (1) any change of operators or any equipment substitutions within fifteen (15) days of such change;
  - (2) any necessary update or correction 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.
- D. Results of monitoring for each pollutant (except opacity) shall be reported in pounds per hour (unless otherwise specified) and tons per year as applicable. 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 Bureau, tabular data shall be submitted in editable, MS Excel format.
- E. The permittee shall submit reports of excess emissions in accordance with 20.2.7.110.A NMAC.

**B111 General Testing Requirements None****B112 Compliance**

- A. The Department has 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)
- B. A copy of the most recent Registration Form, the Department's approval letter(s), and the GCP 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)

**B113 Permit Cancellation and Revocation**

- A. The Department may revoke this permit if the applicant or permittee has knowingly and willfully misrepresented a material fact in the Registration 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.
- B. 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)
- C. 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)

**B114 Notification to Subsequent Owners**

- A. 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)
- B. 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)

**PART C REGISTRATION PROCEDURE****C100 Registration Forms****A. General Requirements**

- (1) The owner or operator of a source to be registered under GCP-Temporary Control Minor shall complete the following steps. All submittals shall be made on the current Registration Form provided by the Department. The owner or operator shall:
  - (a) Complete the public notice requirements as required in C100.B. Public notice is required for new facilities, and existing, constructed facilities that are registering under 20.2.72 NMAC for the first time.
  - (b) Complete all sections of the Registration Form. This includes the AECT.
  - (c) Submit a complete GCP-Temporary Control Registration Form, including proof of Public Notice and a payment of 10 fee points as required by 20.2.75 NMAC, to the Department.
- (2) Within thirty (30) calendar days of receiving a Registration Form for the GCP-Temporary Control Minor, the Department shall review the Registration Form and shall approve or deny the registration. The Department may not grant approval of a Registration Form until fifteen (15) days after Public Notice has been published and posted. Approval or denial, once effective, of a Registration Form is a determination by the Department of whether or not the source qualifies to register for coverage under GCP-Temporary Control Minor. The Department shall notify the owner or operator of its decision by certified mail.

**B. Public Notification**

- (1) The applicant's public notice requirements shall be completed and submitted as part of the Registration Form.



- (2) In accordance with 20.2.72.220.A(2)(b)ii NMAC, the applicant's public notice requirements include:
  - (a) a notice published once in the legal notices section of a newspaper in general circulation in the county or counties in which the Facility is proposed to be constructed or operated is located. The applicant's legal notice may include multiple separate facilities if required location information for each facility is included in the notice; and
  - (b) a notice posted at the proposed or existing Facility entrance in a publicly accessible and conspicuous place on the property on which the Facility is, or is proposed to be, located, until the general permit registration is granted or denied.
- (3) In accordance with 20.2.72.220.C(2) NMAC, the Department shall not grant the registration until at least fifteen (15) days after the date the applicant's public notice was initiated.

#### **C101 Revision Processes**

##### **A. Administrative Changes that Require Notification**

- (1) Owners or operators shall, at a minimum, submit Sections 1 and 10 of the Registration Form to the Department for the following change(s). The notification shall include all information required by the Department to review the request and shall be submitted within fifteen (15) calendar days of the change(s):
  - (a) Change of owner/operator,
  - (b) Correcting a typographical error, or
  - (c) Change of contact information for any person identified in the Registration Form.
- (2) No public notification is required.
- (3) No permit fees under 20.2.75 NMAC apply.

##### **B. Modifications that Require Notification**

- (1) Prior to any modification of a source, the owner or operator shall, at a minimum, submit Sections 1 through 10, and the AECT of the Registration Form to the Department.
- (2) No construction of a modification shall begin prior to receiving written approval by the Department.
- (3) Types of modifications that require notification include construction of any new regulated equipment, changes in the method of operation, or any other physical changes which modifies any requested allowable hourly or annual emission limit.
- (4) The owner or operator shall maintain the current Registration Form on-site or at the permittee's local business office.



- (5) The revised Registration Form, including the lb/hr and tpy emission limits of new or altered emissions units, becomes part of the registration and is enforceable.
- (6) No public notification is required.
- (7) General Construction Permit fees under 20.2.75 NMAC **do** apply. A fee of 10 fee points is required to be submitted with the Registration Form. The current value of a fee point can be found on the Department's Permitting website.

C. Changes that Prevent Meeting General Permit Limits

- (1) Changes or equipment additions that prevent the Facility from meeting the requirements of GCP-Temporary Control Minor shall not occur before the owner or operator applies for and is issued an individual construction permit under 20.2.72.200 NMAC. [20.2.72.220.D(2) NMAC]

**PART D MISCELLANEOUS: SUPPORTING ON-LINE DOCUMENTS;  
DEFINITIONS; ACRONYMS**

**D100 Supporting On-Line Documents**

- A. Copies of the following documents can be downloaded from NMED's web site under Compliance and Enforcement or requested from the Bureau.
  - 1) Excess Emission Form (for reporting deviations and emergencies)
  - 2) Universal Stack Test Notification, Protocol and Report Form and Instructions
  - 3) SOP for Use of Portable Analyzers in Performance Tests

**D101 Definitions**

- A. **"Combustor" or "Enclosed Combustion Device"** means a direct enclosed ground level combustion device.
- B. **"Flare"** means a direct combustion device in which air and all combustible gases react at the burner with the objective of complete and instantaneous oxidation of the combustible gases.
- C. **"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 NMAC)
- D. **"Monthly Rolling"** is a concept of incorporating the most recent month's emissions data into a 12-month period. To determine the current monthly rolling total (or

- average), subtract the oldest month's data from the calculation and add the current (most recent) month's data and perform the required calculation.
- E. **"Natural Gas"** is defined as a naturally occurring fluid mixture of hydrocarbons that contains 20.0 grains or less of total sulfur per 100 standard cubic feet (SCF) and is either composed of at least 70% methane by volume or has a gross calorific value of between 950 and 1100 Btu per standard cubic foot. (40 CFR 60.631)
- F. **"Natural Gas Liquids"** means the hydrocarbons, such as ethane, propane, butane, and pentane that are extracted from field gas. (40 CFR 60.631)
- G. **"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.
- H. **"NO<sub>2</sub>"** 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 NO<sub>x</sub> or NO<sub>2</sub>. (20.2.2 NMAC)
- I. **"NO<sub>x</sub>"** see NO<sub>2</sub>
- J. **"Potential Emission Rate"** or "PER" 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.
- K. **"Property Boundary"** means the outside edge of the property, which includes all the equipment, registered under this Permit. The property may consist of one or more continuous and adjacent properties if they are owned, leased, or under direct control of the owner or operator.
- L. **"SSM"**, for requirements under 20.2.7 NMAC, means routine or predictable startup, shutdown, or scheduled maintenance.
- M. **"Shutdown"**, for requirements under 20.2.7 NMAC, means the cessation of operation of any air pollution control equipment or process equipment.

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

## D102 Acronyms

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 Thermal Unit
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
CO.....	carbon monoxides
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
H <sub>2</sub> S .....	hydrogen sulfide
IC .....	internal combustion
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 Statutes Annotated
NO <sub>x</sub> .....	nitrogen oxides
NSPS.....	New Source Performance Standard
NSR.....	New Source Review
PEM .....	parametric emissions monitoring

PM.....	particulate matter (equivalent to TSP, total suspended particulate)
PM <sub>10</sub> .....	particulate matter 10 microns and less in diameter
PM <sub>2.5</sub> .....	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
rpm .....	revolutions per minute
scfm.....	standard cubic feet per minute
SO <sub>2</sub> .....	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