

Statement of Basis - Narrative
NSR Permit

Company: C and E Concrete Inc.
Facility: 600 TPH Portable Rock Crushing Facility - Tinaja Pit
Permit No(s): 0879M3
Tempo/IDEA ID No: 1773 - PRN20110001
Permit Writer: Mary Gerhart

Tracking	NSR tracking entries completed: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	NSR tracking page attached to front cover of permit folder: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Paid Invoice Attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Balance Due Invoice Attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Invoice Comments: Paid in Full

Permit Review	Date to Enforcement: TBD	Inspector Reviewing: Robert Samaniego
	Date Enf. Review Completed: TBD	Date of Reply: TBD
	Date to Applicant: TBD	Date of Reply: TBD
	Date of Comments from EPA: NR	Date to EPA: NR
	Date to Supervisor: TBD	

1.0 **Plant Process Description:**

This facility is a portable 600 TPH crushing plant which is requesting to operate the aggregate processing equipment during daylight hours only, with an average material input of 600 TPH. The facility is also requesting a maximum annual throughput limit of 1,680,000 tons per year, combustion equipment operation of 3700 hours per year and haul road truck traffic of 24 hours per day including loading and unloading the trucks.

All crushing plant equipment is presently located within the existing material quarry. Material mined is loaded into an end dump truck and transported and unloaded into the rip rap plant. Material screened at the rip rap plant is loaded into end dump trucks and transported and unloaded into the main crusher plant feeder/primary crusher. Material is processed in the main crusher plant and loaded onto material storage piles. Two additional feeders allow intermediate input of material within the main crusher plant. The combined material input for the three feeders located at the main crusher plant will not exceed 600 tph. Processed material from the main crusher plant is then loaded by front end loaders and transported to the aggregate wash plant. Product material from either the main aggregate plant or aggregate wash plant is unloaded into intermediate storage piles. Material from the intermediate storage piles is then loaded into haul trucks. Water sprays are used at the crushers and input to the screens to control fugitive dust to levels below the opacity standards for each crusher or screen. Moisture carryover or water sprays will be used to control fugitive dust at all transfer points to levels below the opacity standards for material transfers. Fugitive dust control for end dump trucks transporting material within the pit is controlled by either base course or watering.

Fugitive dust generated by the haul truck on the unpaved loop road is controlled by base course and watering. Fugitive dust generated by the haul trucks on the main plant access road is controlled by pavement.

2.0 **Description of this Modification:**

The requested modifications consist of the following:

A. Hours of operation

2.A.1 The aggregate processing plant operating hours will include all daylight hours, seven days per week;

2.A.2 Annual hours of operation of the plant engines/generator will increase from 2785 hours per year to 3700 hours per year;

2.A.3 The hourly emission rate of nitrogen dioxides from the plant engines/generator will decrease 25%. The permit will limit the capacity of each of the plant engines/generators;

B. Revisions in recordkeeping

2.B.1 The requirement that limits hourly throughput is requested to change to a daily average hourly throughput.

2.B.2 The daily average hourly throughput will be determined from the actual daily throughput as recorded by a weight belt located downstream from the plant feeders at the main aggregate crushing plant and the actual daily hours of operation.

C. Haul road truck traffic

2.C.1 Haul road operating hours will be excluded from the facility processing hours of operation as stipulated by the C&E Concrete Settlement Agreement (dated 4/21/2011), dismissing a lawsuit filed by C & E Concrete, Inc.

3.0 **Source Determination:**

1. The emission sources evaluated include all equipment at the facility.

2. Single Source Analysis:

A. SIC Code: Do the facilities belong to the same industrial grouping (i.e., same two-digit SIC code grouping, or support activity)? Yes

B. Common Ownership or Control: Are the facilities under common ownership or control? Yes

C. Contiguous or Adjacent: Are the facilities located on one or more contiguous or adjacent properties? Yes

3. Is the source, as described in the application, the entire source for 20.2.70, 20.2.72, or 20.2.74 NMAC applicability purposes? Yes

4.0 **PSD Applicability:**

A. The source, as determined in 3.0 above, is a minor source before and after this modification.

5.0 **History**

*The asterisk denotes the current active NSR and Title V permits that have not been superseded.

Permit Number	Issue Date	Action Type	Description of Action (Changes)
0879M3	TBD	Sig Rev	Revisions in hours of operation, record keeping and haul road traffic
0879M2R2	TBD	Admin	Withdrawal of like kind engine exchange
0879M2R2	11-30-11	Admin	Like kind engine exchange
0879M2R1	5-17-11	Reopening	Withdrawn
*0879M2	4-8-08	Sig Rev	Addition of a rip rap plant, wash plant, two crusher engines, and reducing the annual hours of operation.
	2-10-00	Relocation	Relocation to Section unknown, Range 13W, Township 9N of Cibola County
0879M1	1-19-00	Sig Rev	Authorization of a 600 tph portable rock crushing plant
	4-22-97	Relocation	Relocation to Section 4, Range 13W, Township 9N of Cibola County
	1-31-97	Relocation	Relocation to Section 19, Range 11W, Township 14N of McKinley County
	2-27-95	Relocation	Relocation to Section 4, Range 13W, Township 9N of Cibola County
	1-3-95	Relocation	Relocation to Section 25, Range 10W, Township 13N of McKinley County
	11-17-94	Relocation	Relocation to Section 11, Range 8W, Township 10N of Cibola County
	7-27-94	Relocation	Relocation to Section 4, Range 13W, Township 9N of Cibola County
	6-19-94	Relocation	Relocation to Section 16, Range 12W, Township 14N of McKinley County
	4-15-94	Relocation	Relocation to Section 28, Range 7W, Township 14N of Cibola County
	11-15-93	Relocation	Relocation to Section 6, Range 11W, Township 10N on 11-19-93 and then to Section 19, Township 14N, Range 11W of McKinley County on 12-6-93
	7-26-93	Relocation	Relocation to the Tinaja Pit
0879	8-14-91	New 20.2.72 NMAC Construction Permit	Authorization of a Portable 400 tph Rock Crushing Plant

6.0 **Public Response/Concerns:** As of January 6, 2011 this permit writer is aware of public comment and concern from one citizen and two representatives The National Park Service administering El Morro and El Malpais National Monuments.

7.0 **Compliance Testing:** None is required at this time

8.0 **Startup and Shutdown:**

- A. If applicable, did the applicant indicate that a startup, shutdown, and emergency operational plan was developed in accordance with 20.2.70.300.D(5)(g) NMAC? NA
- B. If applicable, did the applicant indicate that a malfunction, startup, or shutdown operational plan was developed in accordance with 20.2.72.203.A.5 NMAC? Yes
- C. Did the applicant indicate that a startup, shutdown, and scheduled maintenance plan was developed and implemented in accordance with 20.2.7.14.A and B NMAC? Yes
- D. Were emissions from startup, shutdown, and scheduled maintenance operations calculated and included in the emission tables? Yes

9.0 **Compliance and Enforcement Status [Title V only]:** NA

10.0 **Modeling:** An air dispersion modeling analysis of PM2.5, performed by the applicant and verified by the Department, demonstrates that operation of the facility neither causes nor significantly contributes to exceedances of the PM2.5 ambient air quality standards. The Department is currently reviewing compliance with the TSP and PM10 ambient air quality standards.

11.0 **State Regulatory Analysis(NMAC/AQCR):**

20 NMAC	Title	Applies (Y/N)	Comments
2.1	GENERAL PROVISIONS	Y	The facility is subject to Title 20 Environmental Protection Chapter 2 Air Quality of the New Mexico Administrative Code so is subject to Part 1 General Provisions, Update to Section 116 of regulation for Significant figures & rounding. Applicable with no permitting requirements.
2.3	Ambient Air Quality Standards	Y	20.2.3 NMAC is a SIP approved regulation that limits the maximum allowable concentration of Total Suspended Particulates, Sulfur Compounds, Carbon Monoxide and Nitrogen Dioxide. 20.2.3.9 NMAC, LIMITATION OF APPLICABILITY TO 20.2.70 NMAC. The requirements of this part are not applicable requirements under 20.2.70 NMAC, as defined by that part. This section does not limit the applicability of this part to sources required to obtain a permit under 20.2.72 NMAC, nor does it limit which terms and conditions of permits issued pursuant to 20.2.72 NMAC are applicable requirements for permits issued pursuant to 20.2.70 NMAC.
2.7	Excess Emissions	Y	Applies to all facilities' sources
2.61	Smoke and Visible Emissions	Y	Engines Units 31, 46 and 84 are Stationary Combustion Equipment.
2.70	Operating Permits	N	PTE is not \geq 100 TPY

20 NMAC	Title	Applies (Y/N)	Comments
2.71	Operating Permit Fees	N	Source is not subject to 20.2.70 NMAC as cited at 20.2.71.109 NMAC.
2.72	Construction Permits	Y	PER > 10 pph or 25 tpy for a criteria pollutant
2.73	NOI & Emissions Inventory Requirements	Y	Applicable to all facilities that require a permit. PER > 10 tpy for all criteria pollutants
2.74	Permits-Prevention of Significant Deterioration	N	Source is not one of the 28 listed – PTE < 100 tpy
2.75	Construction Permit Fees	Y	This facility is subject to 20.2.72
2.77	New Source Performance	Y	Applies to any stationary source constructing or modifying and which is subject to the requirements of 40 CFR Part 60, as amended through January 31, 2009 and 40 CFR 60 Subpart OOO applies.
2.78	Emissions Standards for HAPs	N	This regulation applies to all sources emitting hazardous air pollutants, which are subject to the requirements of 40 CFR Part 61.
2.79	Permits – Nonattainment Areas	N	This facility is not located in a non-attainment area. Non-attainment Link
2.82	MACT Standards for Source Categories of HAPs	N	This regulation applies to all sources emitting hazardous air pollutants, which are subject to the requirements of 40 CFR Part 63, as amended through January 31, 2009 and none apply.

12.0 Federal Regulatory Analysis:

Air Programs Subchapter C (40 CFR 50)	National Primary and Secondary Ambient Air Quality Standards	Applies (Y/N)	Comments
C	Federal Ambient Air Quality Standards	Y	Independent of permit applicability; applies to all sources of emissions for which there is a Federal Ambient Air Quality Standard.

NSPS Subpart (40 CFR 60)	Title	Applies (Y/N)	Comments
A	General Provisions	Y	Applies if any other subpart applies and OOO applies
40 CFR Part 60 Subpart IIII	Standards of Performance for Stationary Compression Ignition Internal Combustion Engines	N	The provisions of this subpart are applicable to owners and operators of stationary CI ICE that commence construction after July 11, 2005. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator. At present, C & E Concrete

NSPS Subpart (40 CFR 60)	Title	Applies (Y/N)	Comments
			has no engines that will be used at this facility that meet the definition of construction. If at any time C & E has applicable stationary CI ICE, they will meet the requirements stated in 40 CFR 60.4205 through 40 CFR 60.4208.
40 CFR 60 Subpart OOO	Standards of Performance for Nonmetallic Mineral Processing Plants	Y	This facility is a portable rock crushing plant with an input capacity greater than 150 tons per hour

NESHAP Subpart (40 CFR 61)	Title	Applies (Y/N)	Comments
A	General Provisions	N	Applies if any other subpart applies and none apply

MACT Subpart (40 CFR 63)	Title	Applies (Y/N)	Comments
A	General Provisions	Y	Applies if any other subpart applies and ZZZZ applies
40 CFR 63 Subpart ZZZZ	National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE MACT)	Y	A facility is subject to this subpart if they own or operate a stationary RICE at an area source of HAP emissions, except if the stationary RICE is being tested at a stationary RICE test cell/stand.

13.0 **Exempt and/or Insignificant Equipment that do not require monitoring:** None