



AIR QUALITY CONSTRUCTION PERMIT No. 1529-M3
FACILITY CDS #NM/001/00042
Facility ID: FA0004746; Record ID: PR0007438



Richard J. Berry, Mayor

Mary Lou Leonard, Director

Issued to: Albuquerque Metals Recycling, Inc.
 3339 Second Street SW
 Albuquerque, New Mexico 87105

Certified Mail No. XXXX
 Return Receipt Requested

Responsible Officials: Paul F. Wynn, Jr., Vice President

Pursuant to the New Mexico Air Quality Control Act, Chapter 74, Article 2 New Mexico Statutes Annotated 1978 (as amended); the Joint Air Quality Control Board Ordinance, 9-5-1 to 9-5-99 ROA 1994; the Bernalillo County Joint Air Quality Control Board Ordinance, Bernalillo County Ordinance 94-5; the Albuquerque/Bernalillo County Air Quality Control Board (A/BCAQCB) Regulation Title 20, New Mexico Administrative Code (20 NMAC), Chapter 11, Part 40 (20.11.40 NMAC), Air Contaminant Source Registration; and A/BCAQCB Regulation Title 20, Chapter 11, Part 41 NMAC (20.11.41 NMAC), Construction Permits; Albuquerque Metals Recycling, Inc. (Company or Permittee) is hereby issued this **CONSTRUCTION PERMIT** and authorized to operate the following equipment at:

Facility/Location	Facility Process Description	SIC	NAICS
Albuquerque Metals Recycling 3339 Second Street SW Albuquerque, New Mexico UTMN: 3878090 UTME: 348685	Metal Recycling Facility	5093	423930

This CONSTRUCTION Permit Number 1529-M3 has been issued based on the review of the application received by the Albuquerque Environmental Health Department (Department), Air Quality Program on December 7, 2015 which was deemed complete on April 1, 2016, and additional information received July 15, 2016, and on the National Ambient Air Quality Standards, New Mexico Ambient Air Quality Standards, and Air Quality Control Regulations for Albuquerque/Bernalillo County, as amended. As these standards and regulations are updated or amended, the applicable changes will be incorporated into Permit Number 1529-M3 and will apply to the Facility. This permit supersedes all portions of Air Quality Permit Number 1529-M2 issued on February 15, 2011.

Issued on the ____ day of _____, 2016

 Isreal Tavarez, Environmental Health Manager
 Air Quality Program
 Environmental Health Department
 City of Albuquerque

I. CONDITIONS: Conditions have been imposed in this permit to assure continued compliance. 20.11.41.19.D NMAC states that any term or condition imposed by the Department on a permit or permit modification is enforceable to the same extent as a regulation of the Board. Pursuant to 20.11.41 NMAC, the facility is subject to the following conditions:

1. Construction and Operation: Compliance will be based on Department inspections of the metal recycling facility (facility), reviews of production records, submission of appropriate permit applications for modification, and timely notification to the Department regarding equipment substitutions and relocations.

a) This permit modification authorizes the update of the permit to account for the aboveground gasoline storage tank, conveyor drops, screens and storage piles at the facility.

b) This permit authorizes the construction and operation of the following equipment:

Ferrous Processing

Process Equipment Unit #	Process Equipment Description	Manufacturer	Model Number	Serial Number	Date of Mfg.	Rated Process Rate (each)	Unit Subject To NSPS
1	Hammer Mill	Metso	98 X 104	N/A	2011	200 ton/hr	No
2	Cyclone	Metso	250 HP Fan	N/A	2011	150 ton/hr	No
3	Ferrous Conveyors (3)	Metso	N/A	N/A	2011	150 ton/hr	No
4	Non-Ferrous (NF) Conveyor	Metso	N/A	N/A	2011	50 ton/hr	No

Non-Ferrous and Fines Processing

Process Equipment Unit #	Process Equipment Description	Manufacturer	Model Number	Serial Number	Date of Mfg.	Rated Process Rate (each)	Unit Subject To NSPS
5	Pre-Trommel NF Conveyor	Metso	N/A	N/A	2011	50 ton/hr	No
6	Post-Trommel NF Conveyors (17)	Metso	N/A	N/A	2011	12.5 ton/hr	No
7	NF Trommel Screening	Metso	N/A	N/A	2011	50 ton/hr	No
8	Post-Trommel Screening (5)	Metso	N/A	N/A	2011	12.5 ton/hr	No
9	Fines Screening	Metso	N/A	N/A	2011	20 ton/hr	No
10	Fines Conveyors (5)	Metso	N/A	N/A	2011	20 ton/hr	No
11	Auto Shredder Residue (ASR) Piles (4)	N/A	N/A	N/A	N/A	N/A	No

Other Equipment

Process Equipment Unit #	Process Equipment Description	Manufacturer	Model Number	Serial Number	Date of Mfg.	Rated Process Rate (each)	Unit Subject To NSPS
12	Unpaved Haul Road	N/A	N/A	N/A	N/A	N/A	No
13	Gasoline Above-Ground Storage Tank	N/A	N/A	N/A	N/A	N/A	No

- c) All equipment shall be maintained as per manufacturer specifications to ensure the emissions remain at or below the permitted levels.
- d) This facility shall be constructed and operated in accordance with information provided in the permit application dated October 30, 2015 and received December 7, 2015, and additional information received July 15, 2016, and in accordance with the legal authority specified above and the conditions of this permit.
- e) National Emissions Standard for Hazardous Air Pollutants (NESHAP) found in 40 CFR 63 Subpart CCCCCC – National Emission Standards for Hazardous Air Pollutants for Source Categories: Gasoline Dispensing Facilities apply to this facility. Based on the requested annual throughput for gasoline, this facility’s monthly throughput would amount to less than 10,000 gallons or more of gasoline. Therefore, the permittee shall ensure the applicable requirements of 40 CFR Part 63, Subpart CCCCCC, §63.11116 are met as well as the Subpart A – General Provisions of 40 CFR Part 63.
- f) In addition to the NESHAP cited in Condition I.1.e), prior to any asbestos demolition or renovation work, the Department must be notified and proper permits shall be obtained and CFR Title 40, Part 61 Subpart M may apply.
- g) Changes in plans, specifications, and other representations proposed in the application documents shall not be made if they will increase the potential to emit or cause a change in the method of control of emissions or in the character of emissions. Any such proposed changes shall be submitted as a modification to this permit. No modification shall begin prior to issuance of a permit.
- h) Replacement of emission units for which an allowable emissions limit has been established in the permit may be requested by the permittee through a technical permit revision in accordance with 20.11.41.28.B NMAC.
- i) The equipment listed in Condition I.1.b), are limited to the following operational restrictions. These conditions have been placed in the permit based on air dispersion modeling of the Facility at this location to demonstrate compliance with the National Ambient Air Quality Standards and New Mexico Ambient Air Quality Standards for PM_{2.5}, PM₁₀, and TSP.
- i. The facility may operate continuously;
 - ii. Fencing/barriers shall be installed and maintained restricting access to the property;
 - iii. Process equipment unit #1 shall not exceed a production rate of 200 tons/hr;
 - iv. Process equipment unit #1 shall be equipped with a water injection system. This condition is being imposed to maintain a control efficiency of 90% of fugitive emissions from process equipment units #1 through 10;
 - v. Process equipment unit #5 shall not exceed a production rate of 50 tons/hr;

vi. Process equipment unit #9 shall not exceed a production rate of 20 tons/hr; and,

vii. Process equipment unit #13 annual throughput shall be limited to 3703 gallons of gasoline per 12-month rolling period.

j) Pursuant to 20.11.20.12.A. NMAC, General Provisions, Fugitive Dust Control, the owner/operator shall "...use reasonable available control measures or any other effective control measure to prevent a violation of the national ambient air quality standards and meet the objective established in 20.11.20.6 NMAC, whether or not the person has been issued a fugitive dust control permit. No person shall allow fugitive dust, track out, or transported material from any active operation, open storage pile, ... disturbed surface area, or inactive disturbed surface area to be carried beyond the property line, right-of-way, easement or any other area under control of the person generating or allowing the fugitive dust if the fugitive dust will: 1) adversely affect the health, public welfare or safety of the residents of Bernalillo county; or 2) impair visibility or the reasonable use of property; or 3) be visible longer than a total of 15 minutes in any one hour observation period...To mitigate fugitive dust, all inactive disturbed surface areas must be stabilized and maintained in stable condition by the owner, operator, or person responsible for maintenance of the disturbed surface..." In addition to the above condition, the permittee shall apply water daily to the haul roads. These conditions have been placed in the permit based on air dispersion modeling of the Facility at this location to demonstrate compliance with the National Ambient Air Quality Standards and New Mexico Ambient Air Quality Standards for PM_{2.5}, PM₁₀, and TSP.

k) The emission of a regulated air pollutant in excess of the quantity, rate, opacity, or concentration specified in an air quality regulation or permit condition that results in an excess emission is a violation of the air quality regulation or permit condition and may be subject to an enforcement action. 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 pollution control practices for minimizing emissions. This condition is pursuant to 20.11.49.14 NMAC.

2. **Unit Emission Limits:** Condition 2, Unit Emission Limits, has been placed in the permit in accordance with 20.11.41.19.B and C NMAC to allow the Department to determine compliance with the terms and conditions of the permit. These were the emission rates stated in the permit application and are the basis of the Department's review. Compliance will be based on Department inspections of the facility and upon compliance with the emission limits and opacity readings conducted in accordance with the test methods specified in Condition 6 - **Compliance Tests**.

a) The facility shall not exceed the emission limits stated in the table below. Tons per year emissions shall be based on a 12-month rolling total.

Criteria Pollutants

Em. Unit #	VOC lb/hr	VOC tpy	TSP lb/hr	TSP tpy	PM ₁₀ lb/hr	PM ₁₀ tpy	PM _{2.5} lb/hr	PM _{2.5} tpy	Percent Opacity	Recordkeeping ¹	Monitoring ¹	Reporting ¹	Compliance Test ²
1	--	--	0.47	2.1	0.47	2.1	0.47	2.1	20%	Yes	Yes	Yes	Yes
2	--	--	0.86	3.75	0.86	3.75	0.86	3.75	20%	Yes	Yes	Yes	Yes
3	--	--	0.06	0.28	0.02	0.09	0.01	0.03	20%	Yes	Yes	Yes	Yes
4	--	--	0.007	0.03	0.002	0.01	0.001	0.003	20%	Yes	Yes	Yes	Yes
5	--	--	0.007	0.03	0.002	0.01	0.001	0.003	20%	Yes	Yes	Yes	Yes
6	--	--	0.03	0.13	0.01	0.04	0.003	0.01	20%	Yes	Yes	Yes	Yes
7	--	--	0.11	0.48	0.04	0.16	0.003	0.01	20%	Yes	Yes	Yes	Yes
8	--	--	0.14	0.60	0.05	0.20	0.003	0.01	20%	Yes	Yes	Yes	Yes

Em. Unit #	VOC lb/hr	VOC tpy	TSP lb/hr	TSP tpy	PM ₁₀ lb/hr	PM ₁₀ tpy	PM _{2.5} lb/hr	PM _{2.5} tpy	Percent Opacity	Recordkeeping ¹	Monitoring ¹	Reporting ¹	Compliance Test ²
9	--	--	0.04	0.19	0.01	0.06	0.001	0.004	20%	Yes	Yes	Yes	Yes
10	--	--	0.01	0.06	0.005	0.02	0.001	0.006	20%	Yes	Yes	Yes	Yes
11	--	--	0.02	0.08	0.01	0.04	0.001	0.01	20%	Yes	Yes	Yes	No
12	--	--	1.98	8.67	0.51	2.23	0.05	0.22	N/A	Yes	Yes	Yes	No
13	0.02	0.07	--	--	--	--	--	--	N/A	Yes	Yes	Yes	No
Totals	0.02	0.07	3.74	16.4	1.99	8.70	1.40	6.16					

¹ Refer to Conditions 3, 4 and 5 for unit specific record keeping/monitoring, and reporting requirements

² Refer to Condition 6 for unit specific compliance testing requirements

- b) Compliance with lb/hr emission rates for units #1 and 11 shall be based on compliance with the opacity standards in Condition I.2.c).
- c) Emission units #1 through 11 shall not cause or allow visible air emissions to exceed 20 percent opacity for any six (6) minute timed average pursuant to 20.11.5.12 NMAC.
3. **Record keeping:** -- Condition 3 has been placed in the permit in accordance with 20.11.41.19.B(4) NMAC and 20.11.41.19.C(8) and (9) NMAC to allow the Department to determine compliance with the terms and conditions of the permit. Compliance will be based on Department inspection of records and logs.
- a) Record and log the hourly throughput for emission unit #1 using the belt scale on the shredder.
- b) Record and log the hourly throughputs for emission units #5 and 9 via number of buckets loaded. Based on facility testing the weight of each bucket is conservatively assumed to be 3000 lbs.
- c) Record the annual gasoline throughput for emission unit #13. These records must be retained for the most recent five-year period for the facility.
- d) Record the daily application of water to the haul roads. If application of water is not required, the daily record shall indicate why application was not necessary (i.e. recent rain, snowfall, etc.).
4. **Monitoring:** Condition 4 has been placed in the permit in accordance with 20.11.41.19.B(4) NMAC and 20.11.41.19.C(3),(4),(5),(6) and (7) NMAC to allow the Department to determine compliance with the terms and conditions of the permit. Compliance will be based on Department inspection of equipment and logs. The permittee shall install the appropriate equipment deemed necessary by Department for performance testing and continuous emissions monitoring.
- a) Monitor the hourly throughput for emission units #1, 5 and 9.
- b) Monitor the annual gasoline throughput for emission unit #13. These records must be retained for the most recent five-year period for the facility.
- c) Monitor the daily application of water to the haul roads.
5. **Reporting:** Condition 5 has been placed in the permit in accordance with 20.11.41.21 NMAC and 20.11.90 NMAC to allow the Department to determine compliance with the terms and conditions of the permit. Compliance will be based on timely submittal of the reports, notifications, and required information and shall be made in accordance with 20.11.41.20 NMAC.

The permittee shall notify the Department in writing of:

- a) The anticipated date of initial startup of Process equipment not less than thirty (30) days prior to the date pursuant to 20.11.41.20 A. NMAC;
 - b) Notification of the actual date of initial startup of Process equipment units shall be postmarked within 15 days after such date and submitted to the Department. This shall be conducted pursuant to CFR Title 40, Part 60, Subpart A, 60.7 (a)(3);
 - c) Any change in control or ownership within fifteen (15) days of the change in control or ownership; 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 the conditions;
 - d) An annual (January 1 through December 31 of the previous year) emissions inventory to include the annual production in tons, together with descriptions of any reconfiguration of process technology and air pollution equipment by March 15 every year; and,
 - e) The permittee of a source having an excess emission shall provide the department with the following reports on forms provided by the department:
 - i. **INITIAL REPORT:** The permittee shall file an initial report, no later than the end of the next regular business day after the time of discovery of an excess emission pursuant to 20.11.49.15.A(1) NMAC;
 - ii. **FINAL REPORT:** The permittee shall file a final report, no later than 10 days after the end of the excess emission. If the period of an excess emission extends beyond 10 days, the permittee shall submit the final report to the department within 72 hours of the date and time the excess emission ceased. This condition is pursuant to 20.11.49.15.A(2) NMAC and 20.11.49.15.C NMAC; and,
 - iii. **ALTERNATIVE REPORTING:** If the facility is subject to the reporting requirements of 40 CFR Parts, 60, 61, and 63 and the federal requirements duplicate the requirements of 20.11.49.15 NMAC, then the federal reporting requirements shall suffice. This condition is pursuant to 20.11.49.15.D NMAC.
- 6. Compliance Tests:** Condition 6 "Compliance Tests" has been placed in the permit in accordance with CFR Title 40, Part 60, Subpart A General Provisions, 20.11.41.22 NMAC and NMAC, 20.11.90.13 NMAC. Compliance will be based on the satisfactory completion of the compliance tests, the timely submittal of the emission unit test results to the Department, and on meeting the emission limits specified in Condition 2.
- a) For emission units #1 and 2, initial compliance tests were conducted in order to demonstrate compliance of the opacity standards stated in Condition 2. Compliance tests and a testing schedule may be re-imposed (or imposed) if inspections of the source indicate non-compliance with permit conditions or the previous test showed non-compliance or was technically unsatisfactory. If the compliance test is re-imposed it shall be conducted in accordance with EPA methods contained in Appendix A of the CFR, Title 40, Part 60, unless otherwise approved by the Department.
 - b) In accordance with CFR Title 40, Part 60.8, Performance Tests, initial compliance tests shall be conducted on emission units #3 through 10 to demonstrate compliance with the opacity standards established in Condition I.2.a). The compliance tests shall be conducted in accordance with EPA Method 9 found in Appendix A of 40 CFR 60, and procedures in Subpart A of CFR Title 40 Part 60. These tests shall be conducted within one hundred eighty (180) days of permit issuance or the substitution of equipment.
 - c) Annual compliance tests on emission units #1 through 10 have not been imposed at this time.

- d) Compliance testing requirements for emission units #11 through 13 have not been imposed at this time.
- e) Compliance tests may be reimposed if inspections of the source indicates non-compliance with permit conditions or the previous test showed non-compliance or was technically unsatisfactory.
- f) The owner or operator shall notify the Department at least fifteen (15) days prior to the test date and allow a representative of the Department to be present at the test. (20.11.41.21 NMAC and CFR Title 40, Subpart A “General Provisions”).
- g) The permittee shall provide for the Department's approval a written test protocol at least fifteen (15) days prior to the anticipated test date. The protocol shall describe the test methods to be used (including sampling locations), and shall describe data reduction procedures. Any variation from the established sampling and analytical procedures or from facility operating conditions shall be presented for Department approval. The owner or operator shall allow a representative of the Department to be present at the test. (20.11.41.21 NMAC and CFR Title 40, Subpart A “General Provisions”). In the protocol, for emission units #3 through 10 one conveyor or screen may be selected to test as representative of each emission unit.
- h) The test protocol and compliance test report shall conform to the standard format specified by the Department.
- i) The tests shall be conducted at ninety percent (90%) or greater of each plant’s permitted capacity to demonstrate compliance with the permitted emission limits. Compliance testing at other than 90% production levels shall be performed at the Department's request and/or approval.
- j) One copy of the compliance test results shall be submitted to the Department Enforcement Section within thirty (30) days after the completion of testing.

Unit Specific Compliance Testing

Unit Number	Initial Compliance Test	Frequency of Compliance Test
1 and 2	Conducted for opacity	Not Required*
3 through 10	Yes (Opacity)	Not Required*
11 through 13	Not Required*	Not Required*

* Compliance tests have not been imposed for this unit at this time, but may be imposed if inspections of the source indicate non-compliance with permit conditions.

7. Modifications: Condition 7 has been placed in the permit in accordance with 20.11.41.7.U NMAC, to enable the Department to review proposed changes to the facility which may constitute a permit modification prior to such changes. Compliance will be based on Department inspections and the submittal of a new permit application for any modification.

- a) Any future physical changes or changes in the method of operation which results in an increase in the pre-controlled emission rate may constitute a modification as defined by 20.11.41.7.U NMAC. No modification shall begin prior to issuance of a permit. Modifications or revisions to this permit shall be processed in accordance with 20.11.41 NMAC.

8. Compliance Assurance/Enforcement-- All air pollution emitting facilities within Bernalillo County are subject to all applicable Albuquerque/Bernalillo County Air Quality Control Regulations, whether listed in this permit or not.

- a) The issuance of a permit does not relieve the permittee from responsibility of complying with the provisions of the Air Quality Control Act, and the laws and regulations in force pursuant to the Act. (20.11.41.18 NMAC).

- b) Any conditions imposed upon the Facility as the result of a Construction Permit or any other permit issued by the Department shall be enforceable to the same extent as a regulation of the Board. (20.11.41.19.D NMAC).
- c) The Department is authorized to issue a compliance order requiring compliance and assessing a civil penalty not to exceed Fifteen Thousand and no/100 Dollars (\$15,000) per day of noncompliance for each violation, commence a civil action in district court for appropriate relief, including a temporary and permanent injunction. (74-2-12 NMSA).
- d) Scheduled and Unscheduled Inspection (74-2-13 NMSA) -- The Department will conduct scheduled and unscheduled inspections to insure compliance with the Air Quality Control Act, and the laws and regulations in force pursuant to the Act, and this Permit, and, upon presentation of credentials:
 - i. Shall have a right of entry to, upon, or through any premises on which an emission source is located or on which any records required to be maintained by regulations of the Board or by any permit condition are located;
 - ii. May at any reasonable time have access to and copy any records required to be established and maintained by Regulations of the Board, or any permit condition;
 - iii. May inspect any monitoring equipment and method required by Regulations of the Board or by any permit condition, and;
 - iv. Sample any emissions that are required to be sampled pursuant to Regulation of the Board, or any permit condition.
- e) Any credible evidence may be used to establish whether the permittee has violated or is in violation of any regulation of the Board, or any other provision of law. Credible evidence and testing shall include, but is not limited to (20.11.41.27A and B NMAC):
 - i. A monitoring method approved for the source pursuant to 20.11.42 NMAC "Operating Permits" and incorporated into an operating permit;
 - ii. Compliance methods specified in the Regulations, conditions in a permit issued to the facility, or other provision of law;
 - iii. Federally enforceable monitoring or testing methods, including methods in 40 CFR parts 51, 60, 61, and 75; and,
 - iv. Other testing, monitoring or information-gathering methods that produce information comparable to that produced by any CFR method and approved by the Department and EPA.

9. Posting of the Permit -- Compliance will be based on Department inspections of the facility, which show that a copy of the permit has been posted in a visible location. A copy of this permit shall be posted in a visible location at the plant site at all times. The permit shall be made available to Department personnel for inspection upon request.

10. Annual Fees -- Condition 10 has been placed in the permit in accordance with 20.11.2 NMAC to allow the Department to determine compliance with the terms and conditions of the permit. Compliance will be based on the receipt of the annual emissions fee due each year to the Department pursuant to 20.11.2 NMAC. Every owner or operator of a source that is required to obtain a source registration, an Authority-to-Construct permit, an operating permit, or a preconstruction permit shall pay an annual emissions fee pursuant to 20.11.2 NMAC, 20.11.40 NMAC, 20.11.41 NMAC, 20.11.42 NMAC, 20.11.60 NMAC, 20.11.61 NMAC, or 20.11.62 NMAC.

Facility Wide Fee Pollutants (Tons Per Year)

Fee Pollutant	Facility Wide Fee Pollutant Totals in Tons per Year (TPY)
Total Suspended Particulate Matter (TSP)	16
Volatile Organic Compounds (VOC)	0
Facility Wide Fee Pollutants Totals (TPY)	16

II. ADDITIONAL REQUIREMENTS

1. **Permit Cancellation**-- The Department may cancel any 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 pursuant to 20.11.41.20.B NMAC.

Application for permit modifications, relocation notices and items listed under **ADDITIONAL REQUIREMENTS** shall be submitted to:

Albuquerque Environmental Health Department
Air Quality Program
Permitting Section
P.O. Box 1293
Albuquerque, New Mexico 87103

Test protocols and compliance test reports shall be submitted to:

Albuquerque Environmental Health Department
Air Quality Program
Attention: Enforcement Supervisor
P.O. Box 1293
Albuquerque, New Mexico 87103

All reports shall be submitted to:

Albuquerque Environmental Health Department
Air Quality Program
Attention: Compliance Officer
P.O. Box 1293
Albuquerque, New Mexico 87103