

TITLE 20 ENVIRONMENTAL PROTECTION
CHAPTER 11 ALBUQUERQUE - BERNALILLO COUNTY AIR QUALITY CONTROL BOARD
PART 66 PROCESS EQUIPMENT

20.11.66.1 ISSUING AGENCY: Albuquerque - Bernalillo County Air Quality Control Board. P.O. Box 1293, Albuquerque, NM 87103. Telephone: (505) ~~768-2600~~ 768-2601.
[3/24/82. . .12/1/95; 20.11.66.1 NMAC - Rn, 20 NMAC 11.66.I.1, 10/1/02]

20.11.66.2 SCOPE:

A. ~~[This Part] 20.11.66 NMAC is applicable to owners ~~or~~ and operators of ~~any~~ process equipment capable of emitting ~~pollution~~ particulate matter emissions into the atmosphere within Bernalillo County. If a facility that is subject to 20.11.66 NMAC becomes subject to an applicable federal regulation, that facility shall comply with the applicable federal regulation in addition to complying with the requirements of 20.11.66 NMAC.~~

B. Exempt: ~~[This Part] 20.11.66 NMAC~~ does not apply to sources within Bernalillo County, which are located on Indian lands over which the Albuquerque - Bernalillo County Air Quality Control Board lacks jurisdiction.

[12/1/95; 20.11.66.2 NMAC – Rn, 20 NMAC 11.66.I.2, 10/1/02]

20.11.66.3 STATUTORY AUTHORITY: ~~[This Part] 20.11.66 NMAC~~ is adopted pursuant to the authority provided in the New Mexico Air Quality Control Act, NMSA 1978 Sections 74-2-4, ~~[74-2-5.C]~~ 74-2-5; the Joint Air Quality Control Board Ordinance, Bernalillo County Ordinance 94-5 ~~[Section] Sections 4 and 5~~; and the Joint Air Quality Control Board Ordinance, Revised Ordinances of Albuquerque 1994 ~~[Section] Sections 9-5-1-3 and 9-5-1-4~~.
[3/24/82, 12/1/95; 20.11.66.3 NMAC – Rn, 20 NMAC 11.66.I.3, 10/1/02]

20.11.66.4 DURATION: Permanent.

[12/1/95; 20.11.66.4 NMAC – Rn, 20 NMAC 11.66.I.4, 10/1/02]

20.11.66.5 EFFECTIVE DATE: December 1, 1995, unless a later date is cited at the end of a section.

[12/1/95; 20.11.66.5 NMAC – Rn, 20 NMAC 11.66.I.5 & A, 10/1/02]

20.11.66.6 OBJECTIVE: ~~[The objective of this Part is to achieve attainment of regulatory air pollution standards and to minimize air pollution emissions.] To establish particulate matter emission standards for cement kilns, gypsum calciners, and asphalt process equipment.~~

[12/1/95; 20.11.66.6 NMAC – Rn, 20 NMAC 11.66.I.6, 10/1/02]

20.11.66.7 DEFINITIONS: In addition to the definitions in 20.11.66 NMAC, the definitions in 20.11.1 NMAC, *General Provisions*, shall apply unless there is a conflict between definitions, in which case the definition in 20.11.66 NMAC shall govern.

A. “Calciner” means the equipment used to remove combined (chemically bound) water and gases from mineral material through direct or indirect heating. This definition includes expansion furnaces and multiple hearth furnaces. {40 CFR 60.731}

B. Hot mix asphalt facility means any facility (comprised only of any combination of the following: dryers; systems for screening, handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler, systems for mixing hot mix asphalt; and the loading, transfer, and storage systems associated with emission control systems), used to manufacture hot mix asphalt by heating and drying aggregate and mixing with asphalt cements. {40 CFR 60.90 & 91}

[12/1/95; 20.11.66.7 NMAC - Rn, 20 NMAC 11.66.I.7, 10/1/02]

20.11.66.8 VARIANCES: [Reserved]

[12/1/95; 20.11.66.8 NMAC - Rn, 20 NMAC 11.66.I.8, 10/1/02]

20.11.66.9 SAVINGS CLAUSE: Any amendment to 20.11.66 NMAC, *Process Equipment* ~~[which]~~ that is filed with the state records center and archives shall not affect actions pending for violation of a city or county ordinance, ~~[Air Quality Control Board Regulation No. 9, or 20.11.66 NMAC]~~ or a board regulation. Prosecution for a violation under prior regulation wording shall be governed and prosecuted under the statute, ordinance, part, or ~~[regulation]~~ section in effect at the time the violation was committed.

[12/1/95; 20.11.66.9 NMAC – Rn, 20 NMAC 11.66.I.9, 10/1/02]

20.11.66.10 SEVERABILITY: If any section, paragraph, sentence, clause, or word of ~~[this Part]~~ 20.11.66 NMAC or ~~the~~ any federal standards incorporated herein is for any reason held to be unconstitutional or otherwise invalid by any court, the decision shall not affect the validity of remaining ~~portions~~ provisions of ~~[this Part]~~ 20.11.66 NMAC.

[12/1/95; 20.11.66.10 NMAC – Rn, 20 NMAC 11.66.I.10, 10/1/02]

20.11.66.11 DOCUMENTS: Documents incorporated and cited in ~~[this Part]~~ 20.11.66 NMAC may be viewed at the Albuquerque environmental health department, ~~[400 Marquette]~~ One Civic Plaza NW, 3rd Floor, Suite 3023, NW, Albuquerque, NM 87102.

[12/1/95; 20.11.66.11 NMAC – Rn, 20 NMAC 11.66.I.11, & A, 10/1/02]

20.11.66.12 [EMISSIONS OF PARTICULATE MATTER: ~~Except as otherwise provided in this section, no person shall cause or allow the emission of particulate matter to the atmosphere from process equipment in any one hour in total quantities in excess of the amount shown in Table 1.~~

~~_____ A. _____ To use the Table 1, select the process weight per hour (wt/hr). From the process wt/hr shown in Table 1, locate the corresponding value for the maximum number of pounds of contaminants, which may be discharged into the atmosphere in any one hour. As an example, if a process emits contaminants into the atmosphere totaling 1,500 pounds (lbs.), and the process takes 3 hours to complete, you must divide the weight of all materials in the specific process by the number of hours. For example, 1,500 lbs. divided by 3 yields a process weight per hour of 500 lbs. From Table 1, the amount of emissions that can be discharged is 1.77 lbs in any one hour during the overall 3-hour process. Where the process weight per hour falls between figures in the left hand column, the exact weight of permitted discharge shall be interpolated.~~

~~_____ B. _____ For purposes of this Part, the total process weight from all similar process units at a plant or premises shall be used for determining the maximum allowable emission of particulate matter that passes through a stack or stacks. The process weight rate shall be the equipment manufacturers or designers guaranteed maximum input, whichever is greater. Where the nature of any process or operation or the design of any equipment is such as to permit more than one interpretation of this definition, the interpretation that results in the minimum value for allowable emission shall apply.] [Reserved]~~

[12/1/95; 20.11.66.12 NMAC – Rn, 20 NMAC 11.66.I.12 & Repealed, 10/1/02; Rn, 20 NMAC 11.66.II.1, 10/1/02]

20.11.66.13 CEMENT KILNS: ~~[No person operating or utilizing]~~

A. The owner or operator of a cement [kilns] kiln constructed or modified ~~prior to on or before~~ August 17, 1971, shall not permit, cause, suffer or allow particulate matter emissions in excess of 230 mg/m³ of exhaust gas. Any facility that ~~commenced~~ construction or modification after August 17, 1971, shall be subject to 40 CFR 60, Subpart F, *Standards of Performance for Portland Cement Plants*, as incorporated by reference in 20.11.63 NMAC, *New Source Performance Standards For Stationary Sources*.

B. Any new and existing portland cement plant which is a major source or an area source, as defined in 40 CFR 63.2, shall be subject to 40 CFR 63, Subpart LLL, *National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry* as incorporated by reference in 20.11.64 NMAC, *Emissions Standards For Hazardous Air Pollutants For Stationary Sources*.

[12/1/95; 20.11.66.13 NMAC – Rn, 20 NMAC 11.66.II.2, 10/1/02]

20.11.66.14 GYPSUM [COOKERS] CALCINERS: ~~[20.11.66.12 NMAC shall not apply to gypsum cookers or kettles constructed prior to the effective date of these regulations. No person]~~ The owner or operator of equipment for gypsum processing constructed, modified or reconstructed ~~prior to on or before~~ April 23, 1986 shall ~~not permit, cause, suffer or allow the emission of particulate matter into the atmosphere in any one hour from gypsum [cookers] calciners or kettles [constructed prior to the effective date of these regulations] in total amounts [which] that exceed 690 mg/m³ of exhaust gas. The owner or operator of equipment for gypsum processing that commences construction, modification or reconstruction after April 23, 1986, shall be subject to 40 CFR 60, Subpart UUU, *Standards of Performance for Calciners and Dryers in Mineral Industries*, as incorporated by reference in 20.11.63 NMAC, *New Source Performance Standards For Stationary Sources*.~~

[12/1/95; 20.11.66.14 NMAC – Rn, 20 NMAC 11.66.II.3, 10/1/02]

20.11.66.15 ~~[ASPHALTIC BATCH PLANTS]~~ **ASPHALT PROCESS EQUIPMENT:** ~~[20.11.66.12 NMAC shall not apply to an asphaltic batch plant. No person shall]~~ The owner or operator of an asphalt batch plant asphalt process equipment shall not permit, cause, suffer or allow the emission of particulate matter into the atmosphere in any one hour from any or all operations of [an asphaltic batch plant] asphalt process equipment in total quantities in excess of the more stringent of the amount shown in Table 2 of 20.11.66.19 NMAC, or Subsections C through E of 20.11.66.15 NMAC, if applicable.

A. For a process weight between any two consecutive process weights in Table 2 of 20.11.66.19 NMAC, the ~~[emission limitation]~~ maximum stack emission rate shall be determined by interpolation. Where the plant or operation has more than one [emission point] stack, [the emission total is the sum of emissions from all emission points] the maximum stack emission rate applies to the total of the emissions from all stacks.

B. ~~[No plant shall]~~ The owner or operator of asphalt process equipment shall not operate the equipment without a fugitive [dust] **particulate matter emissions** control system. [and the system shall operate and be] The fugitive **dust particulate matter emissions** control system shall be operated and maintained so that all particulate **matter** [emission is] **emissions** are limited to the stack outlet.

C. Any hot mix asphalt facility that commences construction or modification after June 11, 1973, shall be subject to 40 CFR 60, Subpart I, *Standards of Performance for Hot Mix Asphalt Facilities*, as incorporated by reference in 20.11.63 NMAC, *New Source Performance Standards For Stationary Sources*.

D. Any saturator or mineral handling and storage facility at an asphalt roofing plant; or any asphalt storage tank or blowing still that processes or stores asphalt used for roofing only or for roofing and other purposes; and that commences construction or modification after November 18, 1980, shall be subject to 40 CFR 60, Subpart UU, *Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture*, as incorporated by reference in 20.11.63 NMAC, *New Source Performance Standards For Stationary Sources*.

E. Any asphalt storage tank or blowing still (at asphalt processing plants, petroleum refineries, and asphalt roofing plants) that processes or stores only non-roofing asphalts and that commences construction or modification after May 26, 1981, shall be subject to 40 CFR 60, Subpart UU, *Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture*, as incorporated by reference in 20.11.63 NMAC, *New Source Performance Standards For Stationary Sources*.

[12/1/95; 20.11.66.15 NMAC – Rn, 20 NMAC 11.66.II.4, 10/1/02]

20.11.66.16 MEASUREMENT: For purposes of [this Part] 20.11.66 NMAC, any measurement of emissions into the atmosphere ~~[may be made by comparing the weight of materials before and after processing or by measurements taken after particulate emissions have passed through air pollution control devices or apparatus, if any;]~~ shall follow test methods found at 40 CFR Part 60, *Standards Of Performance For New Stationary Sources*, or [by] other [reasonably accurate] test methods or procedures approved in advance and in writing by the ~~department~~ EPA.

[12/1/95; 20.11.66.16 NMAC – Rn, 20 NMAC 11.66.II.5, 10/1/02]

20.11.66.17 FUGITIVE [DUST] **PARTICULATE MATTER EMISSIONS:** ~~[No person shall operate]~~ The owner or operator of ~~any~~ process equipment shall not permit, cause, suffer or allow [which emits] fugitive [dust] **particulate matter** emissions to be emitted into the atmosphere unless [reasonable] reasonably effective precautions are taken to prevent such fugitive [dust] **particulate matter** emissions from being emitted [into the atmosphere] by the process equipment. It shall be a violation of 20.11.66 NMAC, if a department observer records visible fugitive **particulate matter** emissions crossing a property line of the property being investigated, for a total of 15 minutes or more during a continuous one-hour period. a violation of 20.11.66 NMAC has occurred. Compliance with 20.11.66.17 NMAC shall be determined pursuant to 40 CFR 60 Appendix A, Method 22, *Visual Determination Of Fugitive Emissions From Material Sources And Smoke Emissions From Flares*.

[12/1/95; 20.11.66.17 NMAC – Rn, 20 NMAC 11.66.II.6, 10/1/02]

20.11.66.18 [EMISSIONS OF PARTICULATE MATTER:

TABLE 1

Process Wt/hr (lbs)	Maximum Weight Disc/hr (lbs)	Process Wt/hr (lbs)	Maximum Weight Disc/hr (lbs)
50	0.24	3,400	5.44
100	0.46	3,500	5.52
150	0.66	3,600	5.61
200	0.85	3,700	5.69
250	1.03	3,800	5.77
300	1.20	3,900	5.85
350	1.35	4,000	5.93
400	1.50	4,100	6.01
450	1.63	4,200	6.08
500	1.77	4,300	6.15
550	1.89	4,400	6.22
600	2.01	4,500	6.30
650	2.12	4,600	6.37
700	2.24	4,700	6.45
750	2.34	4,800	6.52
800	2.43	4,900	6.60
850	2.53	5,000	6.67
900	2.62	5,500	7.03
950	2.72	6,000	7.37
1,000	2.80	6,500	7.71
1,100	2.97	7,000	8.05
1,200	3.12	7,500	8.39
1,300	3.26	8,000	8.71
1,400	3.40	8,500	9.03
1,500	3.54	9,000	9.36
1,600	3.66	9,500	9.67
1,700	3.79	10,000	10.00
1,800	3.91	11,000	10.63
1,900	4.03	12,000	11.28

Process Wt/hr (lbs)	Maximum Weight Disc/hr (lbs)	Process Wt/hr (lbs)	Maximum Weight Disc/hr (lbs)
2,000	4.14	13,000	11.89
2,100	4.24	14,000	12.50
2,200	4.34	15,000	13.13
2,300	4.44	16,000	13.74
2,400	4.55	17,000	14.36
2,500	4.64	18,000	14.97
2,600	4.74	19,000	15.58
2,700	4.84	20,000	16.19
2,800	4.92	30,000	22.22
2,900	5.02	40,000	28.30
3,000	5.10	50,000	34.30
3,100	5.18	60,000 or more	40.00
3,200	5.27		
3,300	5.36		

] [Reserved]
 [12/1/95; 20.11.66.18 NMAC - Rn, 20 NMAC 11.66.Table 1, 10/1/02]

20.11.66.19 [ASPHALTIC BATCH PLANTS] ASPHALT PROCESS EQUIPMENT ALLOWABLE EMISSION RATES FOR PARTICULATE MATTER:

TABLE 2

<u>Aggregate Process Rate</u> Pounds per hour	<u>[Total] Maximum Stack Emission Rate</u> Pounds per hour
10,000	10
20,000	15
30,000	22
40,000	28
50,000	31
100,000	33
200,000	37
300,000 [and above]	40
400,000	43
500,000	47
600,000 and above	50

[12/1/95; 20.11.66.19 NMAC - Rn, 20 NMAC 11.66.Table 2, 10/1/02]

HISTORY OF 20.11.66 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the commission of public records – state records center and archives.

Resolution No. 1, Air Pollution Control Regulations Of The Albuquerque Bernalillo County Air Quality Control Board, 8/6/71.

Regulation No. 1, Air Pollution Control Regulations, 6/6/73;

Regulation No. 1, Air Pollution Control Regulations, 7/19/73;

Regulation No. 1, Air Pollution Control Regulations, 3/21/77;

Regulation No. 9, Process Equipment, 3/24/82.

History of Repealed Material: [Reserved]

Other History: Regulation No. 9, Process Equipment, filed 3/24/82, was **renumbered** and **reformatted** into first version of the New Mexico Administrative Code as 20 NMAC 11.66, Process Equipment, filed 10/27/95.

20 NMAC 11.66, [~~Regulation No. 9,~~] Process Equipment, filed 10/27/95, was **renumbered, reformatted, amended and replaced** by 20.11.66 NMAC, Process Equipment, effective 10/1/02.