Timothy M. Keller, Mayor

ALBUQUERQUE/BERNALILLO COUNTY
AIR QUALITY CONTROL BOARD
TITLE V OPERATING PERMIT #2093-RN3
FACILITY CDS #NM/001/00368
Facility ID: FA0010151; Record ID: PR0013806

Paul J. Rogers, Director

Issued to: Public Service Company of New Mexico
2401 Aztec Rd NE
Albuquerque, NM 87107

Certified Mail # xxxx xxxx xxxx xxxx xxxx
Return Receipt Requested

Responsible Official: Edward-James Anderson,
Environmental Compliance Manager

The Albuquerque Environmental Health Department (Department), Air Quality Program and the Albuquerque/Bernalillo County Air Quality Control Board (A/BCAQCB); pursuant to the Federal Clean Air Act (CAA, also known herein as the Federal Act); the New Mexico Air Quality Control Act, NMSA 1978, as amended 74-2-4, 74-2-5.C; the Joint Air Quality Control Board Ordinance, Revised Ordinances of Albuquerque 1994, 9-5-1-4; the Joint Air Quality Control Board Ordinance, Bernalillo County Ordinance 94-5; A/BCAQCB Regulation Title 20, New Mexico Administrative Code (NMAC), Chapter 11 (20.11 NMAC), Part 41 (20.11.41 NMAC), Construction Permits; Part 42 (20.11.42 NMAC), Operating Permits; and Part 61 (20.11.61 NMAC) Prevention of Significant Deterioration; hereby issue Operating Permit #2093-RN3 to Public Service Company of New Mexico (PNM) (Permittee) which is hereby authorized to operate the following processes at:

Facility/Location	Process Description	SIC	NAICS
Rio Bravo Generating Station 725 Electric Avenue SE Albuquerque, New Mexico 87105 UTM 350,169 E, 3,887,287 N Zone 13	150 MW, Simple Cycle, Gas Turbine, Electric Generating Station 755 hp emergency generator engine	4911	221112

This Operating Permit has been issued based on the review of the renewal application received by the Department on May 9, 2025, which was deemed administratively complete on July 8, 2025. This permit places enforceable limitations and standards on processes at the Facility. The term of this permit is five (5) years. It will expire on XXXX, XX XXXX which is five (5) years from the date of issuance, pursuant to 20.11.42.12.C(2) NMAC. Application for renewal of this permit is due twelve (12) months prior to the date of expiration, pursuant to 20.11.42.12(A)(2)(a)(ii) NMAC. This permit #2093-RN3 supersedes permit #2093-RN2-1AR issued on December 19, 2023.

Pursuant to the New Mexico Air Quality Control Act, NMSA 1978, as amended, all terms and conditions in this permit are enforceable by the Department, including any provisions designed to limit this Facility's emissions. Furthermore, pursuant to 20.11.42.12(C)(1)(e) NMAC, all terms and conditions are enforceable under the Federal Act by the Administrator of the United States Environmental Protection Agency (EPA) and citizens, unless the term or condition is specifically designated in this permit as not being enforceable under the Federal Act.

Issued on the _____ day of _____, 2026

_____
Terrance Smith, Environmental Health Deputy Director
Air Quality Program
Environmental Health Department
City of Albuquerque

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Definition of Abbreviations and Acronyms

Abbreviation/Acronym	Definition
A/BCAQCB - -	The Albuquerque/Bernalillo County Air Quality Control Board
Administrator - -	The Administrator of the United States Environmental Protection Agency
CAA - -	The Federal Clean Air Act
CAM - -	Compliance Assurance Monitoring
CEMS- -	Continuous Emissions Monitoring System
CH_4 - -	Methane
CO - -	Carbon Monoxide
CO_2 - -	Carbon Dioxide
Department or Director- -	The City of Albuquerque Environmental Health Department/Air Quality Program
EPA - -	United States Environmental Protection Agency
Facility - -	Public Service Company of New Mexico and the Owner/Operator or Responsible Official
Federal Act - -	The Federal Clean Air Act
GHG - -	Greenhouse Gas
HAP - -	Hazardous Air Pollutant
hp - -	Horsepower
kW - -	Kilowatt
lb/hr - -	Pound per Hour
MACT - -	Maximum Achievable Control Technology
mg - -	Milligram
MW - -	Megawatt
MMBtu - -	Million British Thermal Units
MM tons - -	Million tons
ng - -	Nanogram
NAICS - -	North American Industrial Classification System
NESHAP - -	National Emission Standards for Hazardous Air Pollutants
NMSA - -	New Mexico Statutes Annotated
NMAC - -	New Mexico Administrative Code
NSPS - -	New Source Performance Standards
NO_x - -	Nitrogen Oxides
OMP - -	Operations and Maintenance Plan
20.11 NMAC - -	New Mexico Administrative Code, Title 20, Chapter 11

Permittee	The owner, operator or responsible official at a permitted 20.11.42 NMAC source, as identified in any permit application or modification – Public Service Company of New Mexico
PM - -	Particulate Matter
PM_{10} - -	Particulate Matter, 10 microns or less
$PM_{2.5}$ - -	Particulate Matter, 2.5 microns or less
PNM - -	Public Service Company of New Mexico
ppm - -	Parts Per Million
PSD - -	Prevention of Significant Deterioration
PTE - -	Potential to Emit
SIC - -	Standard Industrial Classification
SSMP - -	Startup Shutdown Malfunction Plan
THC - -	Total Hydrocarbons
TPY - -	Tons Per Year
$\mu g/m^3$ - -	Micrograms Per Cubic Meter
VOC - -	Volatile Organic Compounds

I. INTRODUCTION

This facility is a nominal 100-150 MW simple cycle combustion turbine electric power generation unit fueled with both natural gas and fuel oil.

Pursuant to 20.11.42.12(C)(1)(a) NMAC, the Department specifies, with this permit, terms and conditions upon the operation of this facility to assure compliance with all applicable requirements, as defined in 20.11.42 NMAC at the time this permit is issued or as specified in the schedule of compliance contained herein.

1.0 PERMIT SHIELD

Pursuant to 20.11.42.12(C)(9) NMAC, compliance with the conditions of this permit shall be deemed to be compliance with any applicable requirements existing as of the date of permit issuance and identified in Table I-1. The requirements in Table I-1 are applicable to this facility with specific requirements identified for individual emission units. Emission units with no applicable requirements are not shown in Table I-1. The requirements in Table I-1 are applicable to this facility, but are not federally enforceable because they are not SIP approved. The Department has determined that the requirements in Table I-2 as identified in the permit application are not applicable to this source.

This permit shield does not extend to administrative amendments, to minor permit modifications, to changes made under section 502(b)(10) of the federal Act, or to permit terms for which notice has been given to reopen or revoke all or part.

The Department deems compliance with this operating permit to be compliance with Prevention of Significant Deterioration/Construction Permit (PSD/CP) #0694-M3-1AR.

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TABLE I-1. APPLICABLE REQUIREMENTS FOR THE FACILITY
{There may be other requirements than those listed here.}

Applicable Requirements	Federally Enforceable	Entire Facility	Emission Unit Nos.
20.11.5 NMAC Visible Air Contaminants This regulation limits visible emissions from stationary sources	X		Unit 1 and Unit 3
20.11.8 NMAC Ambient Air Quality Standards This regulation adopts the Federal and State ambient air quality standards	X	X	
20.11.20 NMAC Fugitive Dust Control This regulation requires each person shall use reasonably available control measures or any other effective control measures during active operations or on inactive disturbed surface areas, as necessary to prevent the release of fugitive dust, whether or not the person is required by 20.11.20 NMAC to obtain a fugitive dust control permit. The use of reasonable precautions to prevent particulate matter that is generated from becoming airborne, requires permits for disturbances exceeding ¾ acre, and requires controls on dirt roads.	X	X	
20.11.40 NMAC Source Registration This regulation addresses registration of stationary air pollution sources.	X	X	
20.11.41 NMAC Construction Permits This regulation addresses pre-construction permitting of stationary air pollution sources. (The revised regulation that went into effect January 1, 2014 has not yet been approved into the SIP by EPA and is therefore not federally enforceable. However, the previous regulation that went into effect October 1, 2002 is federally enforceable.)	X	X	
20.11.42 NMAC Operating Permits This regulation addresses permitting of Title V major sources	X	X	
20.11.47 NMAC - Emissions Inventory Requirements This regulation requires sources to provide an emissions inventory to the Department on an annual basis	X	X	
20.11.49 NMAC Excess Emissions This regulation pertains to any source whose operation results in an emission of a regulated air pollutant, including fugitive emissions, in excess of the quality, rate, opacity or concentration specified by an air quality regulation or permit condition	X	X	
20.11.61 NMAC Prevention of Significant Deterioration This regulation addresses pre-construction and modifications of major NSR air pollution sources	X	X	

Applicable Requirements	Federally Enforceable	Entire Facility	Emission Unit Nos.
20.11.62 Acid Rain Program Permits This regulation addresses acid rain sources.	X	X	
20.11.63 NMAC New Source Performance Standards for Stationary Sources This regulation pertains to the national performance standards for stationary sources and incorporates the federal NSPS regulations	X		Unit 1 and 3
20.11.64 NMAC Emission Standards for Hazardous Air Pollutants for Stationary Sources This regulation pertains to the national emission standards for hazardous air pollutants for stationary sources and incorporates the federal NESHAP regulations.	X		Unit 3
20.11.67 NMAC Equipment, Emissions, Limitations This regulation pertains to oil and gas burning equipment.	X		Unit 1
20.11.90 NMAC Administrative, Enforcement, Inspection This regulation pertains to source surveillance, performance tests and administration and enforcement regulations	X	X	
40 CFR 50 National Ambient Air Quality Standards This regulation adopts Federal ambient air quality standards.	X	X	
40 CFR 60 NSPS Subpart A – General Provisions Applies to all sources subject to a standard in 40 CFR 60	X		Unit 1 and Unit 3
40 CFR 60 NSPS Subpart GG – Standards of Performance for Stationary Gas Turbines The provisions of this subpart are applicable to all stationary gas turbines with a heat input at peak load to or greater than 10.7 gigajoules (10 million Btu) per hour and commenced construction, modification, or reconstruction after October 3, 1977	X		Unit 1
40 CFR – 60 NSPS Subpart IIII – Standards of Performance for Stationary Compression Ignition Internal Combustion Engines Establishes national standards of performance and emissions for stationary source compression ignition internal combustion engines that commenced construction after July 11, 2005 and were manufactured after April 1, 2006.	X		Unit 3
40 CFR 63 NESHAP Subpart A – General Provisions Applies to all sources subject to a standard in 40 CFR 63	X		Unit 3

Applicable Requirements	Federally Enforceable	Entire Facility	Emission Unit Nos.
40 CFR 63 NESHAP Subpart ZZZZ – National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE) Establishes national emission limitations and operating limitations for hazardous air pollutants (HAP) emitted from stationary reciprocating internal combustion engines (RICE) located at major and area sources of HAP emissions	X		Unit 3
40 CFR 70 State Operating Permit Programs Establishes comprehensive State air quality permitting systems consistent with the requirements of Title V of the Clean Air Act	X	X	
40 CFR 72 Permits Regulation Establishes certain general provisions and the operating permit program requirements for affected sources and affected units under the Acid Rain Program	X		Unit 1
40 CFR 73 Sulfur Dioxide Allowance System Establishes requirements and procedures for the allocation of sulfur dioxide emission allowances	X		Unit 1
40 CFR 75 Continuous Emissions Monitoring Establishes continuous emissions monitoring requirements for sources subject to the Acid Rain Program.	X		Unit 1
40 CFR 98 – Mandatory Greenhouse Gas Reporting Rule Establishes mandatory greenhouse gas (GHG) reporting requirements for owners and operators of certain facilities that directly emit GHG as well as for certain suppliers.	X	X	

TABLE I-2: NOT APPLICABLE REQUIREMENTS

The Department has determined that the following requirements identified in the Permit Application as potentially applicable are not Applicable Requirements for this facility. **{The applicant may have identified more or fewer requirements than are listed here.}**

Requirements Identified as Potentially Applicable in Application	Not Applicable For This Facility(1)	No Requirements(2)
40 CFR 60 NSPS Subpart K through Kb – New Source Performance Standards for Petroleum Liquid Storage Vessels Exempt from requirements because storage tank contents have a vapor pressure less than 3.5 kPA		X
40 CFR 61 NESHAP Subpart M – Asbestos No planned activity triggers applicability of this regulation.	X	X
40 CFR 64 – Compliance Assurance Monitoring Rio Bravo Generating station does use a control device to achieve compliance with an emission limitation and has potential pre-control emissions greater than the major source threshold, but is exempt from any requirements under 40 CFR 64 pursuant to 40 CFR 64.2(b)(1)(iii) and (vi).		X
40 CFR 68 – Chemical Accident Prevention Provisions Rio Bravo Generating Station does not currently store propane, and therefore does not require a Risk Management Plan.	X	X

(1) No existing or planned operation/activity at this facility triggers the applicability of these requirements.

(2) Although these regulations may provide guidance, they do not impose any specific requirements on the operation of the facility as described in this permit.

[The remainder of this page shall remain blank]

2.0 TOTAL EMISSIONS

The total emissions from this facility, excluding insignificant or trivial activities, are shown in the following table. Emission limitations for individual units are shown in Section 3.2.

TABLE I-3: TOTAL POLLUTANT EMISSIONS FROM ENTIRE FACILITY

Pollutant	Emissions (tons per year)
Nitrogen Oxides (NO_X)	529
Carbon Monoxide (CO)	505
Sulfur Dioxide (SO_2)	69
Volatile Organic Compounds (VOC)	34
Particulate Matter (PM_{10})	58
Particulate Matter ($PM_{2.5}$)	52
Hazardous Air Pollutants (HAPs)	8

**Table above is for information only, not an enforceable condition.*

3.0 INSIGNIFICANT ACTIVITIES

Activities that meet the criteria of being insignificant or de minimis pursuant to this paragraph, do not trigger modification requirements under 20.11.41 NMAC or 20.11.42 NMAC are shown in the table below. The listed insignificant activities emissions in the below table are in addition to the listed Potential-To-Emit (PTE) and are for informational purposes only. Pursuant to Albuquerque/Bernalillo County Air Quality Control Regulations Title 20, Chapter 11, Part 42 (Part 42), Operating Permits, the Director of the Environmental Health Department (Department) may list certain activities located at major source as insignificant based on the activities' actual limitations, emission rates, or production rates and approved by the Administrator of the US Environmental Protection Agency (EPA). However, the Department may not consider any activity for which applicable requirements apply as insignificant, regardless of whether the activity meets the criteria as approved by EPA. The Facility is not required to notify the Department of changes that qualify under this section; however, the Facility shall maintain sufficient records to demonstrate compliance with the provisions of this section.

TABLE I-4: ESTIMATED EMISSIONS FROM INSIGNIFICANT ACTIVITIES

Emission Units	Pollutant/Parameter*
Aboveground Fuel Oil Storage Tank	VOC < 1 tpy

** The listed insignificant activities emissions in the above table are for information only, not an enforceable condition.*

II. PERMIT TERMS AND CONDITIONS

1.0 GENERAL CONDITIONS

1.1 The following permit terms and conditions are placed upon the permittee in accordance with 20.11.42.12(B)(2) NMAC and 20.11.42.12(C)(1)(b) NMAC:

1.1.1 The permittee shall abide by all terms and conditions of this permit, except as allowed under section 502(b)(10) of the federal Act. Any permit noncompliance is grounds for enforcement action and significant or repetitious noncompliance may result in termination of this permit. Additionally, noncompliance with federally enforceable conditions of this permit constitutes a violation of the federal Act.

1.1.2 It shall not be a defense for the permittee in an enforcement action to claim that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

1.1.3 If the Department determines that cause exists to modify, reopen and revise, revoke and reissue, or terminate this permit, this shall be done in accordance with 20.11.42.13(F) NMAC.

1.1.4 The permittee shall furnish any information the Department requests in writing to determine if cause exists for reopening and revising, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. This information shall be furnished within the time period specified by the Department. Additionally, the permittee shall furnish, upon request by the Department, copies of records required by the permit to be maintained by the permittee.

1.1.5 A request by the permittee that this permit be modified, revoked and reissued, or terminated, or a notification by the permittee of planned changes or anticipated noncompliance, shall not stay any conditions of this permit.

1.1.6 This permit does not convey property rights of any sort, or any exclusive privilege.

1.2 The issuance of this permit, or the filing or approval of a compliance plan, does not relieve the permittee from civil or criminal liability for failure to comply with the state or federal Acts, or any applicable state or federal regulation or law. This condition is pursuant to 20.11.42.12(C)(1)(f) NMAC and New Mexico Air Quality Control Act NMSA 1978 74-2-2 through 74-2-23.

1.3 Severability Clause - If any section, paragraph, sentence, clause or word of this permit is for any reason held to be unconstitutional or otherwise invalid by any court, the decision shall not affect the validity of remaining provisions of PSD/CP #0694-M3-1AR. This condition is pursuant to 20.11.42.12(C)(1)(a)(iv) NMAC.

1.4 The permittee shall pay fees to the Department consistent with the fee schedule in 20.11.2 NMAC - Permit Fees. The fees will be assessed and invoiced separately from this permit. This condition is pursuant to 20.11.42.12(C)(1)(a)(v) NMAC.

1.5 A responsible official (as defined in 20.11.42 NMAC) shall certify the accuracy, truth and completeness of every report and compliance certification submitted to the Department as required by this permit. These certifications shall be part of each document. This condition is pursuant to 20.11.42.12(A)(5) NMAC.

1.6 Revocation or termination of this permit by the Department terminates the permittee's right to operate this facility. This condition is pursuant to 20.11.42.2(B)(2) NMAC.

1.7 The permittee shall submit an emissions inventory annually for this facility. This condition is pursuant to 20.11.47.14(B)(1) NMAC.

1.8 The source will continue to comply with all applicable requirements. For applicable requirements that will become effective during the term of the permit, the source will meet such requirements on a timely basis. This condition is pursuant to 20.11.42.12(C)(6)(c) NMAC.

1.9 The conditions of PSD/CP #0694-M3-1AR are incorporated into this permit in addition to all other applicable requirements including emission limits.

[The remainder of this page shall remain blank]

2.0 FACILITY INFORMATION

The following conditions are placed upon the permittee pursuant to 20.11.42.12(C)(1)(g) NMAC.

2.1 Process Equipment

All of the process equipment authorized for this facility is listed in the table(s) shown below (emission units that were identified as insignificant are not included):

TABLE 2-A: PROCESS EQUIPMENT TABLE

Process Equipment Unit No.	Unit Description	Manufacturer	Model Number	Serial Number	Date of Equipment Mfg.	Rated Process Rate	
1	Gas Turbine	General Electric	PG 7241 (FA)	297-260	1998	Nameplate Capacity:	150 MW
						Heat Input Capacity (Natural Gas):	1582.1 MMBTU/hr
						Heat Input Capacity (#2 Fuel Oil):	1680.1 MMBTU/hr
3	Emergency Power Generator Engine	Cummins	QSX15-G9	80019516	2017	755 HP	

2.2 Emission Control Equipment

All the pollution control equipment required for this facility is listed in the table shown below. Each emission point is identified by the same number that was assigned to it in the permit application:

TABLE 2-B: EMISSION CONTROL EQUIPMENT

Process Equipment Number	Type of Air Pollution Control Equipment	Manufacturer	Model Number	Serial Number	Achieved Control	Control Efficiency
1a Natural Gas	Dry low NO_X	GE 7FA	PG7241	297260	15 ppmv NO_X	40 to 50% by weight NO_X
1b #2 Fuel Oil	Water Injection	GE 7FA	PG7241	297260	42 ppmv NO_X	40 to 50% by weight NO_X

3.0 REQUIREMENTS FOR INDIVIDUAL EMISSIONS UNITS

Information regarding applicable requirements, emission limits, operational limitations and requirements, work practices, and monitoring, testing and recordkeeping requirements is provided below for each emissions unit or set of similar units.

3.1 Applicable Requirements

Applicable Requirements for this facility are shown in **TABLE I-1**. Emission Unit #1 and Unit #3 are subject to the unit-specific requirements that are referenced in **TABLE I-1**. This condition is pursuant to 20.11.42.12(C)(1)(a) NMAC.

3.2 Emissions Limits

3.2.1 The Facility is subject to the following emission limits:

TABLE 3-A: CRITERIA POLLUTANT EMISSION LIMITS

Emission Unit Number	NO_X lb/hr	NO_X tpy	CO lb/hr	CO tpy	SO_2 lb/hr	SO_2 tpy	VOC lb/hr	VOC tpy	PM_{10} lb/hr	PM_{10} tpy	$PM_{2.5}$ lb/hr	$PM_{2.5}$ tpy
1a Natural Gas[A]	87.5	320.1	106.5	389.8	2.2	8.1	6.0	22.0	9.0	32.9	8.2	30.0
1b #2 Fuel Oil[A]	288.1	207.5	159.0	114.5	84.8	61.1	17.0	12.0	34.0	24.5	30.9	22.3
3 Emergency Generator Engine	7.20[C]	1.8[C]	4.33	1.10	0.0074	0.0018	0.80[C]	0.20[C]	0.25	0.063	0.25	0.063
TOTALS	**N/A[B]**	**529.4**	**N/A[B]**	**505.4**	**N/A[B]**	**69.2**	**N/A[B]**	**34.2**	**N/A[B]**	**57.5**	**N/A[B]**	**52.4**

[A] 7,320 annual operating hours on pipeline quality natural gas and 1,440 operating hours on #2 fuel oil.
[B] Total lb/hr are not shown since unit will operate on either natural gas only or #2 fuel oil only, not on both fuels simultaneously.
[C] The emissions for NO_x and VOC are applicable to 40 CFR §60.4202 and in accordance with §60.4205(b) and §60.4202 shall meet the emission standards in 40 CFR §1039, Appendix I which are a combined standard of NO_x+VOC. The NO_x and VOC emission limits in this table are an extrapolated form of this standard as 90% NO_x and 10% VOC. Refer to Condition **3.2.1.13.**

TABLE 3-B: HAZARDOUS AIR POLLUTANTS EMISSION LIMITS

Emission Unit Number	Formaldehyde lb/hr	Formaldehyde tpy	Total HAPS lb/hr	Total HAPS tpy
1a Natural Gas[A]	1.12	4.11	1.63	5.95
1b #2 Fuel Oil[A]	0.47	0.34	2.16	1.56
TOTALS	**N/A[B]**	**4.45**	**N/A[B]**	**7.51**

[A] 7,320 annual operating hours on pipeline quality natural gas and 1,440 operating hours on #2 fuel oil.
[B] Total lb/hr are not shown since unit will operate on either natural gas only or #2 fuel oil only, not on both fuels simultaneously.

TABLE 3-C: EMISSION LIMITS PER 40 CFR 60 SUBPART GG

Emission Unit Number	NO_X[A]	SO_2
1a Natural Gas	109.9 ppm @ 15% O_2	0.8% Sulfur by weight in fuel or discharged into the atmosphere, any gases which contain sulfur dioxide in excess of 0.015% by volume at 15% oxygen and on a dry basis
1b #2 Fuel Oil	102.9 ppm @ 15% O_2	0.8% Sulfur by weight in fuel or discharged into the atmosphere, any gases which contain sulfur dioxide in excess of 0.015% by volume at 15% oxygen and on a dry basis

[A] Compliance with NO_X ppm @ 15% O_2 emission limits based on 4-hour rolling average, per 40 CFR 60.334 (j)(1)(iii)(A-C).

TABLE 3-D: EMISSION LIMITS PER 20.11.67 NMAC

Emission Unit Number	NO_X[C] lb/million BTUs	SO_2[D] lb/million BTUs	Particulate Matter (PM_{10})[E] lb/million BTUs
1a Natural Gas[A]	0.2	N/A[B]	N/A[B]
1b #2 Fuel Oil[A]	0.3	0.34	0.03

[A] 7,320 annual operating hours on pipeline quality natural gas and 1,440 operating hours on #2 fuel oil.
[B] 20.11.67 NMAC does not specify a limit.
[C] Compliance with NO_X lb/MMBtu emission limits based on 30-day rolling average. Refer to Conditions 3.2.1.9, and 3.2.1.12.
[D] Compliance with SO_2 lb/MMBtu emission limits based on 30-day rolling average. Refer to Condition 3.2.1.11.
[E] Compliance with PM_{10} lb/MMBtu emission limits based on semi-annual TPM average. Refer to Conditions 3.2.1.10 and 3.2.1.6.3.

3.2.1.1 Compliance with the NO_X tpy emission limitation for Emission Unit #1 in **TABLE 3-A** of Condition 3.2.1 shall be based on a monthly rolling 12-month total. To determine compliance with the tpy emission limit for NO_X, the hourly lb/hr NO_X values measured by the CEMS shall be summed for each fuel type for each monthly rolling 12-month total. Any operation within an hour on a given fuel is included as an operating hour for that fuel.

3.2.1.2 Compliance with the NO_X lb/hr emission limitation for Emission Unit #1 in **TABLE 3-A** of Condition 3.2.1 shall be based on the hourly lb/hr NO_X values measured by the CEMS for a given hour. Any operation within an hour on a given fuel is included as an operating hour for that fuel. For any hour containing a startup or shut-down cycle, while firing on either natural gas or #2 fuel oil, an excess emission is defined as an hourly lb/hr NO_X value measured by the CEMS that exceeds 288.1 lb/hr. For all other operating hours, an excess emission is defined as an hourly lb/hr NO_X value measured by the CEMS that exceeds the applicable NO_X lb/hr emission limitation in Table 3-A of Condition 3.2.1.

3.2.1.3 Compliance with the CO and VOC lb/hr emission limitation for Emission Unit #1 in **TABLE 3-A** of Condition 3.2.1 shall be based on the averaging period specified in EPA 40 CFR 60, Appendix A, Reference Method 10 and Method 25A, respectively, or other method as approved by the Department.

3.2.1.4 Compliance with the CO and VOC tpy emission limitation for Emission Unit #1 in **TABLE 3-A** of Condition 3.2.1 shall be determined using the CO and VOC lb/hr emission rates.

3.2.1.5 Compliance with the SO_2 lb/hr emission limitation for Emission Unit #1 in **TABLE 3-A** of Condition 3.2.1 shall be based on the use of pipeline quality natural gas and #2 fuel oil with less than 0.05% sulfur by weight. The fuel sulfur content and hours of operation on each fuel shall be used to determine tons per year emissions.

3.2.1.6 Compliance with the $PM_{2.5}$ and PM_{10} emission limitations for Emission Unit #1 in **TABLE 3-A** of Condition 3.2.1 shall be based on compliance with Conditions 3.2.1.6.1, 3.2.1.6.2, and 3.2.1.6.3.

3.2.1.6.1 Work Practice Standards:

1. Low Sulfur Fuel Oil: During oil operations, combust only low sulfur #2 fuel oil (less than 0.05% sulfur by weight) and maintain records of the sulfur content of each shipment of #2 fuel oil delivery based on the methods described in 40 CFR 75.
2. Pipeline Quality Natural Gas: During natural gas operations, combust only pipeline quality natural gas.
3. Hours of Operation: Monitoring and recordkeeping of the hours of operation on natural gas and #2 fuel oil.
4. Good Air Pollution Control Practices: At all times facility shall, to the extent practicable, maintain and operate the affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions.
5. Periodic Tuning: The permittee shall perform maintenance and inspect equipment during planned outages and shall perform turbine tuning whenever major combustion components are replaced.

3.2.1.6.2 Method 9 Opacity Readings During Oil Operations**:** When firing #2 fuel oil in Emission Unit #1, visible emissions from the stack shall be monitored daily in accordance with Condition 3.4.1.5.2.

3.2.1.6.3 Semi-Annual Compliance Demonstration Based on Monitoring Data

Calculate the average TPM (total particulate matter) emissions semi-annually using the following formula.

Assume TPM = TSP = PM_{10} = $PM_{2.5}$ for compliance purposes.

TPM = F + W + S + O
where:

TPM	=	total particulate matter
F	=	PM formed from fuel ash
W	=	PM from dissolved solids in the NO_X control water
S	=	inorganic condensable PM due to SO_3 formation
O	=	organic condensable PM

Each term of the above formula shall be calculated as follows when fired on natural gas to determine the semi-annual average TPM in (lb/hr).

TABLE 3-E: HOW TO CALCULATE AVERAGE TPM WHEN USING NATURAL GAS IN LB/HR

Term		Calculation	Explanation
F	=	0	Natural gas contains no ash.
W	=	0	NO_X control water injection not used when firing on natural gas.
S	=	$(Q_{fuel})(S_{fuel})(F1)(3.06$ lb $H_2SO_4/ 1$ lb S)	(Q_{fuel}) = total natural gas usage / total hours of operation (scf/hr) (S_{fuel}) = sulfur concentration of fuel = (0.5 grains **S**/100 scf)(1 lb/ 7,000 grains) (F1) = fraction of sulfur in fuel converted to H_2SO_4 which can condense into PM = (0.0005) (3.06 lb H_2SO_4/ 1 lb S) = mass ratio for H_2SO_4 to sulfur
O	=	5.23 (lb/hr)	100% of VOC emissions from 2000 stack test when fired on natural gas.

Each term of the above formula shall be calculated as follows when fired on #2 fuel oil to determine the semi-annual average TPM in (lb/hr).

TABLE 3-F: HOW TO CALCULATE AVERAGE TPM WHEN USING #2 FUEL OIL IN LB/HR

Term		Calculation	Explanation
F	=	$(Q_{fuel})(A_{fuel})$	(Q_{fuel}) = total #2 fuel oil usage / total hours of operation (lb/hr) (A_{fuel}) = fuel ash concentration from fuel oil analysis (%)
W	=	(Q_{water})(TDS)	(Q_{water}) = total water used for NO_X control / total hours of operation (lb/hr) (TDS) = total dissolved solids in NO_X control water (ppm)
S	=	$(Q_{fuel})(S_{fuel})(F1)(3.06$ lb $H_2SO_4/ 1$ lb S)	(Q_{fuel}) = total #2 fuel oil usage / total hours of operation (lb/hr) (S_{fuel}) = sulfur concentration of fuel from fuel oil analysis (ppm) (F1) = fraction of sulfur in fuel converted to H_2SO_4 which can condense into PM = (0.0005) (3.06 lb H_2SO_4/ 1 lb S) = mass ratio for H_2SO_4 to sulfur
O	=	4.77 (lb/hr)	100% of VOC emissions from 2000 stack test when fired on #2 fuel oil.

Each term of the above formula shall be calculated as follows when fired on #2 fuel oil to determine the semi-annual average TPM in (lb/MMBtu).

TABLE 3-G: HOW TO CALCULATE AVERAGE TPM WHEN USING #2 FUEL OIL IN LB/MMBTU

Term		Calculation	Explanation
F	=	$(Q_{fuel})(A_{fuel})$	(Q_{fuel}) = total fuel oil usage / total heat input (lb/MMBtu) (A_{fuel}) = fuel ash concentration from fuel oil analysis (%)
W	=	(Q_{water})(TDS)	(Q_{water}) = total water used for NO_X control / total heat input (lb/MMBtu) (TDS) = total dissolved solids in NO_X control water (ppm)
S	=	$(Q_{fuel})(S_{fuel})$(F1)(3.06 lb H_2SO_4/ 1 lb S)	(Q_{fuel}) = total fuel oil usage / total heat input (lb/MMBtu) (S_{fuel}) = sulfur concentration of fuel from fuel oil analysis (ppm) (F1) = fraction of sulfur in fuel converted to H_2SO_4 which can condense into PM = (0.0005) (3.06 lb H_2SO_4/ 1 lb S) = mass ratio for H_2SO_4 to sulfur
O	=	0.0033 (lb/MMBtu)	100% of VOC emissions from 2000 stack test when fired on #2 fuel oil.

The facility shall submit the lb/hr and lb/MMBtu TPM values in the semi-annual monitoring report as required in Section 5.0.

Annual TPM will be calculated by multiplying the average of the semi-annual TPM values during the reporting period by the operating hours during the reporting period.

3.2.1.7 In accordance with 40 CFR 60.332, when operating on natural gas or #2 fuel oil, Emission Unit #1 shall comply with the applicable NO_x standard specified in **TABLE 3-C** of Condition 3.2.1. Emission Unit #1, when operating on natural gas or #2 fuel oil, shall not exceed the more stringent of the applicable NO_x standard as specified in Table 3-C of Condition 3.2.1 or the lb/hr emission limit as specified in the **TABLE 3-A** of Condition 3.2.1.

3.2.1.8 In accordance with either 40 CFR 60.333 (a) or (b), when operating on natural gas or #2 fuel oil, Emission Unit #1 shall comply with the SO_2 standard as specified in **TABLE 3-C** of Condition 3.2.1 Emission Unit #1, when operating on natural gas or #2 fuel oil, shall not exceed the more stringent of the SO_2 standard as specified in **TABLE 3-C** of Condition 3.2.1 or the lb/hr emission limit as specified in **TABLE 3-A** of Condition 3.2.1.

3.2.1.8.1 Per 40 CFR 60.333(a), Emission Unit #1 shall not cause to be discharged into the atmosphere, any gases which contain sulfur dioxide in excess of 0.015% by volume at 15% oxygen and on a dry basis.

3.2.1.8.2 Per 40 CFR 60.333(b), Emission Unit #1 shall not burn any fuel that contains sulfur in excess of 0.8% by weight.

3.2.1.9 In accordance with 20.11.67.17 NMAC, the NO_2 emissions from Emission Unit #1 when operating on #2 fuel oil shall be limited to 0.3 pounds /million BTUs based on a 30-day rolling average. Compliance with the standard shall be based on a 30-day rolling average, updated every 24 hours from midnight to midnight, representing one turbine operating day. The 30-day rolling average shall be calculated by summing the daily averages of 30 sequential (not necessarily consecutive) valid turbine operating days divided by thirty (30). A valid turbine operating day shall have at least three (3) operating hours. Daily averages shall be calculated by averaging the hourly NO_2 values during each day from midnight to midnight, and shall not include hours in which the unit did not operate. NO_2 is a component of NO_x, therefore compliance with the standard may be shown using NO_x CEMS data.

3.2.1.10 In accordance with 20.11.67.18 NMAC, the PM_{10} emissions from Emission Unit #1 when operating on #2 fuel oil shall be limited to 0.03 pounds/million BTUs. Compliance with the standard shall be based on the semi-annual TPM emissions calculation in **TABLE 3-G** of Condition 3.2.1.6.3.

3.2.1.11 In accordance with 20.11.67.19 NMAC, the SO_2 emissions from Emission Unit #1 when operating on #2 fuel oil shall be limited to 0.34 pounds/million BTUs based on a 30-day rolling average. Compliance with the standard shall be based on a 30-day rolling average shall be calculated by summing the daily averages of 30 sequential (not necessarily consecutive) valid turbine operating days divided by thirty (30). A valid turbine operating day shall have at least three (3) operating hours. Daily averages shall be calculated by averaging the hourly SO_2 values during each day from midnight to midnight, and shall not include hours in which the unit did not operate.

3.2.1.12 In accordance with 20.11.67.20(A) NMAC, the NO_2 emissions from Emission Unit #1 when operating on natural gas shall be limited to 0.2 pounds/million BTUs based on a 30-day rolling average. Compliance with the standard shall be based on a 30-day rolling average, updated every 24 hours from midnight to midnight, representing one turbine operating day. The 30-day rolling average shall be calculated by summing the daily averages of 30 sequential (not necessarily consecutive) valid turbine operating days divided by thirty (30). A valid turbine operating day shall have at least three (3) operating hours. Daily averages shall be calculated by averaging the hourly NO_2 values during each day from midnight to midnight, and shall not include hours in which the unit did not operate. NO_2 is a component of NO_x, therefore compliance with the standard may be shown using NO_x CEMS data.

3.2.1.13 In accordance with 40 CFR 60, Subpart IIII §60.4205(b), owners and operators of 2007 model year and later emergency stationary diesel-powered engines with a displacement of less than 30 liters per cylinder that are not fire pump engines must comply with the emission standards for new nonroad diesel engines in 40 CFR §60.4202, for all pollutants, for the same model year and maximum engine power for their 2007 model year and later emergency stationary diesel engine. In accordance with §60.4205, and §60.4202 Emission Unit #3 shall comply with the emission standards in 40 CFR Part 1039, Appendix I for the same model year and maximum engine power. Per 40 CFR Part 1039, Appendix I, Emission Unit #3 must meet emission standards for 3.5 g/kW-hr (2.6 g/hp-hr) CO, 6.4 g/kW-hr (4.8 g/hp-hr) NMHC+NO_x, and 0.2 g/kW-hr (0.15 g/hp-hr) PM.

TABLE 3-H: 40 CFR 60 SUBPART IIII LIMITS, REQUESTED EMISSION RATE, AND PERMITTED EMISSION LIMITS

Pollutant	40 CFR 60 Subpart IIII Limit (40 CFR Part 1039, Appendix I)		Requested Emission Rate		Permitted Emission Limits		Permitted Emission Limits In Compliance with NSPS?
	g/kW-hr	g/hp-hr	g/kW-hr	g/hp-hr	g/kW-hr	lb/hr	
CO	3.5	2.6	3.5	2.6	3.5	4.33	Yes
NMHC+NO_x	6.4	4.8	6.4	4.8	6.4	8.0	Yes
PM	0.2	0.15	0.2	0.15	0.2	0.25	Yes

3.2.1.14 For Emission Unit #3, compliance with NO_x, CO, VOC, PM_{10}, and $PM_{2.5}$ pound per hour (lb/hr) emission limits shall be shown by purchasing an engine certified to the emission standards in 40 CFR §60.4205(b) in accordance with 40 CFR §60.4211(c). Compliance with the SO_2 pound per hour (lb/hr) emissions, shall be shown by using fuel meeting the requirement in Condition 3.3.2.4.

3.2.2 The Facility is subject to the following visible emission limits:

3.2.2.1 Emission Unit #1 is subject to the following opacity limits during any six (6) minute timed average pursuant to 20.11.5 NMAC, 20.11.67.18(A) NMAC, and 20.11.67.18(C)(1) NMAC.

TABLE 3-I: OPACITY LIMIT FOR EMISSION UNIT #1

Unit #	Operational Condition	Percent Opacity Limitation	Applicable Requirement
1	Normal Operations[A]	20	20.11.5.12 NMAC 20.11.67.18(A) NMAC
1	Changing Fuels	27[B]	20.11.67.18(C)(1) NMAC

[A]Normal operations includes both natural gas firing and fuel oil firing.
[B]Opacity limit is for a period or periods aggregating not more than 6 minutes in any 60-minute period.

3.2.2.2 Emission Unit #3 shall not cause or allow visible air emissions to exceed 20 percent opacity for any six (6) minute timed average. During the first twenty (20) minutes of cold start-up, the visible emissions shall not exceed 40 percent opacity for any (6) minute timed average. No increase of load shall be applied so as to cause an emission having an opacity greater than 40 percent during any time interval. This condition is pursuant to 20.11.5.13(C) NMAC.

Conditions of Section 3.2 are pursuant to 40 CFR 50, 40 CFR 60, 20.11.5.13(C) NMAC, 20.11.42.12(C)(1)(a), (g) and (h) NMAC, 20.11.67 NMAC and PSD/CP #0694-M3-1AR.

3.3 Operational Requirements

3.3.1 Emission Unit #1 is subject to the following operational requirement and limitations:

TABLE 3-J: OPERATIONAL REQUIREMENTS

Unit#	Maximum 12 Month Rolling Total Operating Hours
1a Natural Gas	7,320
1b #2 Fuel Oil	1,440

3.3.2 Emission Unit #3 is subject to the following operational requirements and limitations:

3.3.2.1 In accordance with 40 CFR 63 Subpart ZZZZ §63.6590(c), an affected source that is a new or reconstructed stationary RICE located at an area source "must meet the requirements of this part by meeting the requirements of 40 CFR Subpart IIII, for compression ignition engines." The permittee shall comply with the specific requirements of Subpart IIII applicable to new stationary compression ignition internal combustion engines meeting the definition of a new engine.

3.3.2.2 Emission Unit #3 is subject to Federal New Source Performance Standards (NSPS), 40 CFR 60 Subpart IIII – Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, and Subpart A – General Provisions. Emission Unit #3 will commence construction after July 11, 2005 and will be manufactured after April 1, 2006. Accordingly, Emission Unit #3 shall comply with all applicable requirements of 40 CFR 60 Subparts A and IIII.

3.3.2.3 Emission Unit #3 shall be restricted to a maximum of 500 hours of operation based on a 12-month rolling total, and shall only be operated during loss of commercial power and as required by the manufacturer for engine exercising/maintenance checks and readiness testing. Emission Unit #3 may operate up to 50 hours per year in non-emergency situations, but those 50 hours are counted towards the 100 hours per year provided for maintenance and testing. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for the facility to supply power to an electric grid or otherwise supply non-emergency power as part of a financial arrangement with another entity. Routine or non-emergency operation of the unit or operation for any other purposes, except as stated above, shall be a violation of this permit.

3.3.2.4 In order to comply with 40 CFR 60, Subpart IIII §60.4207(b), the diesel fuel used in Emission Unit #3 shall meet the following per-gallon standards per 40 CFR 1090.305 for nonroad diesel fuel:

3.3.2.4.1 Sulfur Standard: Maximum sulfur content of 15 ppm and

3.3.2.4.2 Cetane index or aromatic content. Diesel fuel must meet one of the following standards:

3.3.2.4.2.1 Minimum cetane index of 40; or

3.3.2.4.2.2 Maximum aromatic content of 35 volume percent.

3.3.2.5 The permittee shall operate and maintain Emission Unit#3 according to the manufacturer's written instructions or procedures developed by the permittee that have been approved by the manufacturer. In addition, the permittee may only change those settings that are allowed by the manufacturer. The permittee must also meet the requirements of 40 CFR Parts 1039.105 and/or 1068 as they apply. This condition is pursuant to 40 CFR 60 Subpart IIII §60.4211.

3.3.3 All equipment shall be maintained per manufacturer specifications to ensure the emissions remain at or below the permitted levels.

Conditions of Section 3.3 are pursuant to 20.11.42.12.C(1)(a), (g) and (h) NMAC and PSD/CP #0694-M3-1AR.

3.4 Emissions Monitoring and Testing Requirements

The following monitoring and/or testing requirements (except those requirements involving direct sampling of exhaust from an emission unit, and except those requirements that originate in an applicable requirement) shall be used as indicators of compliance with applicable requirements and emission limits. Monitoring that indicates a facility may not be in compliance with those applicable requirements will require additional monitoring and/or testing of the affected emission units to be determined by the Department, and may result in a determination of non-compliance with the applicable requirement. Failure to perform the monitoring or testing required by this permit is non-compliance with this permit.

3.4.1 Specific Monitoring Requirements

Emission Unit #1 and Emission Unit #3 are subject to the following emissions monitoring requirements:

TABLE 3-K: MONITORING AND TESTING REQUIREMENTS

Unit #	Parameters to Monitor	To Comply With Condition(s)	Monitoring Required	Monitoring Method and Frequency
1	NO_x	3.2.1.1	Continuous Emissions Monitoring (CEMS)	See Condition 3.4.1.1
		3.2.1.2		
		3.2.1.7		
		3.2.1.9		
		3.2.1.12		
1	CO and VOC	3.2.1.3	Periodic Emissions Testing or Fuel Usage	See Condition 3.4.1.2
		3.2.1.4		
1	SO_2	3.2.1.5	Fuel Sulfur Content and Fuel Usage	See Condition 3.4.1.3
		3.2.1.8		
		3.2.1.11		
1	Total Particulate Matter (PM_{10} and $PM_{2.5}$)	3.2.1.6	Semi-Annual Compliance Demonstration Method	See Condition 3.4.1.4
		3.2.1.10		
1, 3	Visible Emissions	3.2.2.1	Opacity	See Condition 3.4.1.5
		3.2.2.2		
1	Operating Hours	3.3.1	Operations	See Condition 3.4.1.6
3	Operating Hours	3.3.2.3	Operations	See condition 3.4.1.10
1	NO_x, SO_2, CO	Conditions 6(d) or 6(e) of PSD/CP #0694-M3-1AR	Conditional Emission Testing	See condition 3.4.1.8
1	NO_x and SO_2	40 CFR 60, Subpart A and GG	CEMS, Fuel Sulfur Content, and Fuel Usage	See condition 3.4.1.9
1	CO_2, CH_4, and N_2O	40 CFR 98 Mandatory Greenhouse Gas Reporting Subpart A – General Provisions and Subpart C – General Stationary Fuel Combustion Sources.	Recordkeeping	See condition 3.4.1.7

3.4.1.1 Emission Unit #1 is equipped with a Continuous Emissions Monitoring System (CEMS) for monitoring NO_x emissions as required by 40 CFR 75. The permittee shall demonstrate compliance with Conditions 3.2.1.1, 3.2.1.2, 3.2.1.7, 3.2.1.9 and 3.2.1.12 using NO_x CEMS data.

3.4.1.2 For Emission Unit #1, the permittee shall demonstrate compliance with Conditions 3.2.1.3 and 3.2.1.4 by conducting periodic emission tests for CO and VOC or monitoring fuel usage as required in Condition 3.4.1.4.1. Fuel usage shall be monitored with flow meters. Annual compliance testing has not been imposed at this time. An initial performance test of Emission Unit #1 was conducted in June 2000. The initial performance test was conducted in accordance with EPA Method 10 for CO, EPA Method 25A for VOC, and the methods contained in Appendix A of 40 CFR 60. Additional emission testing may be re-imposed if inspections indicate noncompliance with permit conditions. Any additional emission test shall be conducted in accordance with EPA Method 10, 25A, and the methods contained in Appendix A of 40 CFR 60, unless otherwise approved by the Department.

3.4.1.3 For Emission Unit #1, the permittee shall demonstrate compliance with Conditions 3.2.1.5, 3.2.1.8 and 3.2.1.11 by monitoring fuel sulfur content and fuel usage. Monitoring of the sulfur content of natural gas fuel shall be conducted in accordance with 40 CFR 60.334(i)(3). Monitoring of the sulfur content of #2 fuel oil shall be conducted in accordance with 40 CFR 75 Appendix D Section 2.2.4. Fuel usage shall be monitored with flow meters for Emission Unit #1.

3.4.1.4 For Emission Unit #1, the permittee shall demonstrate compliance with Conditions 3.2.1.6 and 3.2.1.10 using the Semi-Annual Compliance Demonstration Method contained in Condition 3.2.1.6.1 through 3.2.1.6.3. The permittee shall monitor the following parameters used in the calculations required in Condition 3.2.1.6.3:

3.4.1.4.1 Operational hours, hourly fuel usage, and fuel type on a daily basis.

3.4.1.4.2 Fuel oil ash content data for each shipment of #2 fuel oil using ASTM-D482 or equivalent test method.

3.4.1.4.3 Fuel oil sulfur content for each shipment of #2 fuel oil based on the methods described in 40 CFR 75.

3.4.1.4.4 TDS value of water used for NO_x control based on laboratory analysis every 6 months, value used in calculation will be lab results or minimum laboratory detection limit if results are non-detect.

3.4.1.4.5 Hourly water injection rate used during #2 fuel oil combustion.

3.4.1.5 The permittee shall demonstrate compliance with Conditions 3.2.2.1 and 3.2.2.2 by monitoring visible emissions as follows:

3.4.1.5.1 For Emission Unit #1, monitoring of visible emissions when firing on natural gas shall require monitoring and recording the amount of natural gas used on an hourly basis.

3.4.1.5.2 For Emission Unit #1, in accordance with 20.11.5.15 NMAC monitoring of visible emissions when firing on #2 fuel oil shall be performed daily utilizing 40 CFR 60 Appendix A, Method 9 and shall include two six-minute observation periods. Daily opacity monitoring is not required when conditions do not meet the position criteria described in Section 2.1 of 40 CFR 60 Appendix A, Method 9, including the requirement that the qualified observer stand with the sun oriented in the 140° sector to his/her back.

3.4.1.5.3 For Emission Unit #3, monitoring of visible emissions shall be conducted annually utilizing 40 CFR 60 Appendix A, Method 9.

3.4.1.6 The permittee shall demonstrate compliance with Condition 3.3.1 by monitoring the monthly hours of operation for Emission Unit #1 for each fuel.

3.4.1.7 Emission Unit #1 shall comply with the general monitoring requirements of the Federal Mandatory Greenhouse Gas Reporting Rule 40 CFR 98 Subpart A – General Provisions, and Subpart C – General Stationary Fuel Combustion Sources.

3.4.1.8 For Emission Unit #1, additional emission testing may be required by Conditions 6(d) or 6(e) of PSD/CP #0694-M3-1AR, and shall be conducted in accordance with Conditions 6(g), 6(h), and 6(i) of PSD/CP #0694-M3-1AR.

3.4.1.9 For Emission Unit #1, the permittee shall meet the applicable monitoring requirements of 40 CFR 60, Subpart A and GG.

3.4.1.10 The permittee shall demonstrate compliance with Condition 3.3.2.3 by monitoring hours of operation for Emission Unit #3 using a non-resettable hour meter.

3.4.2 General Monitoring Requirements

3.4.2.1 The permit shall contain all emissions monitoring requirements, and analysis procedures or test methods required to assure and verify compliance with the terms and conditions of the permit and applicable requirements including any procedures and methods promulgated by the administrator. This condition is pursuant to 20.11.42.12(C)(3)(a) NMAC.

3.4.2.2 Where the applicable requirement does not require periodic testing or instrumental or non-instrumental monitoring (which may consist of recordkeeping designed to serve as monitoring), the permit shall require periodic monitoring sufficient to yield reliable data from the relevant time period that are representative of the source's compliance with the permit. Such monitoring requirements shall assure use of terms, test methods, units, averaging periods, and other statistical conventions consistent with the applicable requirement. This condition is pursuant to 20.11.42.12(C)(3)(b) NMAC.

3.4.2.3 The permit shall also contain specific monitoring requirements concerning the use, maintenance, and, when appropriate, installation of monitoring equipment or methods. This condition is pursuant to 20.11.42.12(C)(3)(c) NMAC.

Conditions of Section 3.4 are pursuant to 20.11.42.12(C)(3) NMAC, 40 CFR 60 Subpart GG, 40 CFR 75 and PSD/CP #0694-M3-1AR.

4.0 RECORDKEEPING

4.1 Specific Recordkeeping Requirements

The permittee shall follow the recordkeeping requirements listed below and provide any other information the Department may request to demonstrate the accuracy of the monitoring.

4.1.1 Emission Unit #1 Gas Turbine Recordkeeping

4.1.1.1 For Emission Unit #1 as required by 40 CFR 75.12(c) the permittee shall calculate the hourly, quarterly, and annual NO_x emission rates (in lb/MMBtu) by combining the NO_x concentration (in ppm), diluent concentration (in percent O_2 or CO_2), and percent moisture (if applicable) measurements according to the procedures in Appendix F of 40 CFR Part 75. The permittee shall maintain records of the NO_x emission rate calculations and records of the measurements used in the calculations.

4.1.1.2 Maintain records of periodic emission testing for CO and VOC in accordance with Condition 3(f) of PSD/CP #0694-M3-1AR.

4.1.1.3 Maintain records of sulfur content of fuel and fuel usage consistent with Condition 3.4.1.3.

4.1.1.4 Maintain records of the parameters monitored in Condition 3.4.1.4 for the Semi-Annual Compliance Demonstration Method.

4.1.1.5 Maintain records of visible emissions monitoring for Emission Unit #1 consistent with Condition 3.4.1.5.

4.1.1.6 Maintain and record the monthly operating hours for each type of fuel for Emission Unit #1. These records shall also show the total hours of operation in any given 12-month period for each type of fuel.

4.1.1.7 Maintain records of emission testing required by Condition 3.4.1.8 in accordance with Condition 3(f) of PSD/CP #0694-M3-1AR.

4.1.1.8 Maintain records in accordance with 40 CFR 60 Subpart A and GG.

4.1.1.8.1 Maintain a file of all measurements including performance test measurements in a permanent form suitable for inspection. The file shall be retained for at least two years following the date of such measurements, maintenance, reports, and records in accordance with 40 CFR 60 Subpart A §60.7(f).

4.1.1.8.2 Maintain records of fuel sulfur content required by Condition 3.4.1.3, 40 CFR 60.334(i)(3) for natural gas fuel and 40 CFR 75 Appendix D Section 2.24 for #2 fuel oil.

4.1.1.8.3 Maintain records for excess emissions and downtime required by 40 CFR 60.334(j)(iii).

4.1.1.9 The permittee shall comply with the general recordkeeping requirements found in 40 CFR 98.3. Maintain records of Greenhouse Gas emissions as specified in 40 CFR 98.37. The permittee shall comply with the recordkeeping requirement of 40 CFR 98.3(g) and §98.37.

4.1.1.10 Maintain records of turbine tuning, maintain records of maintenance and maintain records of equipment inspections during planned outages and whenever major combustion components are replaced per Condition 3.2.1.6.1.

4.1.1.11 Maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; and malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative in accordance with 40 CFR 60 Subpart A §60.7(b).

4.1.2 Emission Unit #3 Emergency Generator Engine Recordkeeping

4.1.2.1 Install a non-resettable hour meter prior to the startup of Emission Unit #3. This condition is pursuant to 40 CFR 60 Subpart IIII §60.4209(a).

4.1.2.2 Maintain an accurate monthly log for Emission Unit #3 hours of operation, both as a monthly total and as a 12-month rolling total.

4.1.2.3 Maintain records of visible emissions monitoring for Emission Unit #3 consistent with Condition 3.4.1.5.

Conditions of Section 4.1 are pursuant to 20.11.42.12(C)(4) NMAC, 40 CFR 60, 40 CFR 63, 40 CFR 75, and PSD/CP #0694-M3-1AR.

4.2 General Recordkeeping Requirements

4.2.1 Data Recording Requirements

All sampling and measured data required by this permit for the emissions units in this facility shall be recorded. The minimum information to be included in these records is:

4.2.1.1 the date, place as defined in the permit, and time of sampling or measurements;

4.2.1.2 the date(s) analyses were performed;

4.2.1.3 the company or entity that performed the analyses;

4.2.1.4 the analytical techniques or methods used;

4.2.1.5 the results of such analyses; and

4.2.1.6 the operating conditions existing at the time of sampling or measurement.

Condition 4.2.1 is pursuant to 20.11.42.12(C)(4)(a) NMAC.

4.2.2 Maintenance of Records

The permittee shall keep copies of all monitoring and measurement data, equipment calibration and maintenance records, original strip charts for Continuous Emission Monitoring instruments if used, other supporting information, and reports required by the permit for at least five (5) years from the time the data was gathered or the reports written. Each record shall show clearly to which emissions unit and /or piece of monitoring equipment it applies, and the date the data was gathered. This condition is pursuant to 20.11.42.12(C)(4)(b) NMAC.

4.2.3 Off Permit Changes

The permittee shall keep a record describing off permit changes made at this source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under this permit, and the emissions resulting from those changes. This condition is pursuant to 20.11.42.12(C)(8)(b) NMAC.

Conditions of Section 4.0 are pursuant to 20.11.42.12(C)(4) NMAC, 40 CFR 60, 40 CFR 63, 40 CFR 75, and PSD/CP #0694-M3-1AR.

5.0 REPORTING

5.1 Monitoring Reports

5.1.1 Emission Unit #1 Gas Turbine Reporting

5.1.1.1 Reports of monitoring on NO_x emissions for Emission Unit #1 shall be expressed as NO_x in tpy and lb/hr, NO_x in ppm @ 15% O_2, and as NO_2 in lb/MMBtu based on the averaging times and rolling total specified by Conditions 3.2.1.1, 3.2.1.2, 3.2.1.7, 3.2.1.9, and 3.2.1.12.

5.1.1.2 Report records of periodic CO an VOC emission tests, if required, in accordance with Conditions 6(g), 6(h), and 6(i) of PSD/CP #0694-M3-1AR.

5.1.1.3 Report records of fuel sulfur content and fuel usage as specified in Condition 3.4.1.3.

5.1.1.4 Report records of the parameters monitored in Condition 3.4.1.4 for the Semi-Annual Compliance Demonstration Method.

5.1.1.5 Report records of visible emissions monitoring for Emission Unit #1 and Unit #3**.**

5.1.1.6 Report monthly operating hours for Emission Unit #1 for each type of fuel.

5.1.1.7 Report records of any emission testing required by Condition 3.4.1.8 in accordance with Conditions 6(g), 6(h), and 6(i) of PSD/CP #0694-M3-1AR.

5.1.1.8 Report records of turbine tuning whenever major combustion components are replaced per Condition 3.2.1.6.1.

5.1.1.9 The permittee shall comply with the general reporting requirements found in 40 CFR 98.3. Annual Greenhouse Gas emission reports shall comply with 40 CFR 98.46. The annual report shall comply with the data reporting requirements specified in 40 CFR 98.36(b) and, if applicable §98.36(c)(2) or (c)(3).

5.1.1.10 The permittee shall comply with any relevant reporting requirements under the provisions of the Acid Rain Program.

5.1.1.11 The permittee shall comply with the reporting requirements found in 40 CFR 60.7(d) and 40 CFR 60.334(j).

5.1.2 Emission Unit #3 Emergency Generator Engine Reporting

5.1.2.1 Report records of monthly hours of operation for Emission Unit #3 on a 12-month rolling total.

5.1.2.2 Report records of hours spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation.

5.2 Reporting Schedule

Reports of all required monitoring activities for this facility shall be submitted to the Department on the following schedule.

TABLE 5-A: REPORTING SCHEDULE REQUIREMENTS

Report Content	Submittal Date
Sections 5.1.1	Within 45 days of June 30th and December 31st. Period between report submittal not to exceed 6 months during transition from reporting schedule based on permit issuance date to defined date reporting schedule listed above.
Section 6.1.1	The annual compliance certification report submitted to the Department and to EPA every 12-months. This report is due no later than 30 days after June 30th of every year. Period between compliance certification report submittal not to exceed 12-months during transition from reporting schedule based on permit issuance date to defined date reporting schedule listed above.
See Condition 5.1.1.9	The annual GHG report shall be submitted no later than March 31 of each calendar year for GHG emissions in the previous year.
See Condition 5.1.1.10	The quarterly Electronic Data Reports shall be submitted no later than 30 days following the end of each calendar quarter.
See Condition 5.1.1.11	The semi-annual excess emissions and monitoring system report shall be submitted no later than 30 days following the end of each six-month period.

This condition pursuant to 20.11.42.12(C)(5)(a) NMAC, 40 CFR 60, 40 CFR 75 and PSD/CP #0694-M3-1AR.

All instances of deviations from permit requirements, including emergencies, shall be clearly identified in these reports.

5.3 Reporting Deviations

The permittee shall submit reports of all deviations from permit requirements to the Department when they occur. The permittee shall communicate initial notice of the deviation to the Department within twenty-four (24) hours of the start of the first business day following the start of the occurrence via telephone, e-mail or facsimile. Within ten (10) calendar days of the start of the first business day following the start of the occurrence, written notice using the Excess Emissions Reporting Form (attached to this permit) shall be submitted to the Department. This condition is pursuant to 20.11.42.12(C)(5)(b) NMAC.

5.4 Reporting Excess Emissions

The permittee shall submit reports of all excess emissions to the Department. The permittee shall report the excess emissions to the Department with written notice using the Excess Emissions Reporting Form (attached to this permit). The permittee of a source having excess emissions shall report the following information to the Department:

5.4.1 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;

5.4.2 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,

5.4.3 ALTERNATIVE REPORT: 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.

This condition is pursuant to 20.11.49 NMAC.

6.0 COMPLIANCE

6.1 Compliance Certification

6.1.1 The permittee shall submit compliance certification reports certifying the compliance status of this facility with respect to all applicable requirements. These reports shall be made on copies of the Compliance Certification Report Form (attached to this permit) and submitted to the Department and to EPA every 12 months. This report is due no later than 30 days after June 30th of every year. The period between compliance certification report submittal not to exceed 12 months during transition from reporting schedule based on permit issuance date to defined date reporting schedule listed above. This condition is pursuant to 20.11.42.12(C)(5)(c) NMAC.

6.1.2 For sources that have submitted air dispersion modeling that demonstrates compliance with state and federal standards in accordance with sections 20.11.8.11 NMAC and 20.11.8.12 NMAC, compliance with the terms and conditions of this permit regarding source emissions and operation shall be deemed to be compliant with state and federal ambient air quality standards (20.11.8 NMAC Ambient Air Quality Standards and 40 CFR 50 NAAQS).

6.2 Inspections

The permittee shall allow representatives of the Department, upon presentation of credentials and other documents as may be required by law, to do the following:

6.2.1 enter the permittee's premises where a source or emission unit is located, or where records that are required by this permit to be maintained are kept,

6.2.2 have access to and copy, at reasonable times, any records that are required by this permit to be maintained,

6.2.3 inspect any facilities, equipment (including monitoring and air pollution control equipment), work practices or operation regulated or required under the permit, and

6.2.4 sample or monitor any substances or parameters for the purpose of assuring compliance with this permit or applicable requirements or as otherwise authorized by the Federal Act.

Conditions of Section 6.2 are pursuant to 20.11.42.12(C)(6)(a) NMAC.

6.3 Posting of Permit

A copy of this permit shall be kept at the permitted facility and shall be made available to Department personnel for inspection upon request. This condition is pursuant to 20.11.42.12(C)(6)(c) NMAC.

7.0 PERMIT REOPENING AND REVOCATION

7.1 Conditions for Reopening and Revocation

This permit will be reopened and revised when any one of the following conditions occurs, and may be revoked and reissued when Conditions 7.1.3 or 7.1.4 occurs:

7.1.1 Additional requirements under the Federal Act become applicable to this source three (3) or more years before the expiration date of this permit. If the effective date of the requirement is later than the expiration date of this permit, then the permit is not required to be reopened unless the original permit or any of its terms and conditions has been extended due to the Department's failure to take timely action on a request by the permittee to renew this permit.

7.1.2 Additional requirements, including excess emission requirements, become applicable to this source under Title IV of the Federal Act (the acid rain program). Upon approval by the Administrator, excess emissions offset plans will be incorporated into this permit.

7.1.3 The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the terms and conditions of the permit.

7.1.4 The Department or the Administrator determines that the permit must be revised or revoked and reissued to assure compliance with an applicable requirement.

Conditions of Section 7.1 are pursuant to 20.11.42.13(F)(1)(a) NMAC.

7.2 Reopening and Revocation Proceedings

Proceedings to reopen or revoke this permit shall affect only those parts of this permit for which cause to reopen or revoke exists. Emissions units for which permit conditions have been revoked shall not be operated until new permit conditions have been issued for them. This condition is pursuant to 20.11.42.13(F)(1)(b) NMAC.

8.0 CERTIFICATION

A responsible official, as defined in 20.11.42 NMAC shall certify the accuracy, truth, and completeness of every report and compliance certification submitted to the Department or to the EPA as required by any permit condition or applicable requirement. This condition is pursuant to 20.11.42.12(A)(5) NMAC.

9.0 CONFIDENTIAL INFORMATION

9.1 Confidentiality Requirements

9.1.1 Any records, reports or information obtained by the Department shall be available to the public, except upon the Facility's ability to demonstrate to the Department that records, reports, information, or particular sections thereof, would divulge confidential business records, methods, or processes entitled to protection as a trade secret. However, emission data will not be treated as confidential information. Confidential information, upon request, shall be disclosed to any officer, employee, or other authorized representative of the Department, the New Mexico Environment Department, or the EPA, or during any relevant proceedings under the A/BCAQCB Regulations, the Air Quality Control Act, or the Federal Act (74-2-11 NMSA).

9.1.2 All confidentiality claims made regarding material submitted to the Department under 20.11.42.12(B) NMAC shall be reviewed in accordance with the provisions of the Joint Air Quality Control Board Ordinances, pursuant to the New Mexico Air Quality Control Act, 74-2-11 NMSA 1978, and the New Mexico Inspection of Public Records Act, 14-2-1 et seq. NMSA 1978.

9.1.3 In the case where an applicant or Facility has submitted information to the Department under a claim of confidentiality, the Department may also require the applicant or Facility to submit a copy of such information directly to the Administrator. 20.11.42.12(B) NMAC.

9.1.4 An operating permit is a public record, and not entitled to protection under Section 114(c) of the Federal Act.

Conditions of Section 9.0 are pursuant to 20.11.42 NMAC and 74-2-11 NMSA.

10.0 AIRBORNE PARTICULATE MATTER

10.1 Fugitive Dust

The permittee shall be subject to the requirements found in 20.11.20 NMAC – Fugitive Dust Control if it is engaged with new construction or site modification involving active operations that result in disturbed surface areas or involve bulk material handling to prevent or abate injury to human health and to prevent or abate unreasonable interference with public welfare, visibility and the reasonable use of property.

10.2 Fugitive Dust Mitigation

Each person shall use reasonably 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, paved or unpaved roadway or 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 using the visible fugitive dust detection method in 20.11.20.26 NMAC or an equivalent method approved in writing by the department. 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. Failure to comply with this condition shall be a violation of 20.11.20 NMAC.

Conditions of Section 10.0 are pursuant to 20.11.20 NMAC.

11.0 CREDIBLE EVIDENCE

Notwithstanding any other provisions of any applicable rule or regulation or requirement of this permit that state specific methods that may be used to assess compliance with applicable requirements, pursuant to 40 CFR 70 and EPA's Credible Evidence Rule, 62 Fed. Reg. 8314 (Feb. 24, 1997), any credible evidence or information relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed shall be considered for purposes of Title V compliance certifications. Furthermore, for purposes of establishing whether or not a person has violated or is in violation of any emissions limitation or standard or permit condition, nothing in this permit shall preclude the use, including the exclusive use, by any person of any such credible evidence or information.

12.0 ANNUAL FEES

This condition 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, a construction 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.

TABLE 12-A: FACILITY WIDE FEE POLLUTANTS IN TONS PER YEAR

Fee Pollutant	Facility Wide Fee Pollutant Totals in Tons per Year (TPY)
Nitrogen Oxides (NO_x)	529
Carbon Monoxide (CO)	505
Sulfur Dioxide (SO_2)	69
Volatile Organic Compounds (VOC)	34
Particulate Matter (PM_{10})	58
Hazardous Air Pollutants (HAPs)	8
Facility Wide Fee Pollutants Totals (TPY)	**1,203**

III. APPEAL PROCEDURES

Any person who participated in this permitting action before the Department and who is adversely affected by the action taken by the Department concerning this permit, may file a petition for a hearing before the Albuquerque/Bernalillo County Air Quality Control Board ("Board"). The petition must be made in writing to the board within thirty (30) days from the date notice is given of the Department's action. The petition must specify the portions of the permitting action to which the petitioner objects and certify that a copy of the petition has been mailed or hand-delivered as required by 20.11.42.13(D)(1)(b) NMAC; a copy of the permitting action for which review is sought must be attached to the petition. Upon receipt of the appeal notice, the petitioner must mail or deliver a copy of the petition to the Department, and to the applicant or permittee if the petitioner is not the applicant/permittee. Request for a hearing shall be sent to:

Secretary, Albuquerque/Bernalillo County Air Quality Control Board
One Civic Plaza
P.O. Box 1293
Albuquerque, New Mexico 87103

Unless a timely request for a hearing is made, the decision of the Department will be final. If a timely request for hearing is made, the board will hold a hearing within ninety (90) days of receipt of the petition in accordance with the New Mexico Air Quality Control Act NMSA 1978 74-2-7 and 20.11.42.13(D)(1)(c) NMAC.

Any person who is adversely affected by an administrative action taken by the board pursuant to 20.11.42.13(D)(1)(a) NMAC may appeal to the Court of Appeals in accordance with New Mexico Air Quality Control Act NMSA 1978 74-2-9. Petitions for judicial review must be filed no later than thirty (30) days after the administrative action. This condition is pursuant to 20.11.42.13(D)(2) NMAC and New Mexico Air Quality Control Act NMSA 1978 74-2-9.

IV. SUBMITTAL OF REPORTS AND CERTIFICATIONS

Compliance notifications, monitoring results and reports, emissions sampling and measurement data, monitoring activity reports, compliance schedule progress reports, test protocols, excess emission forms, and test reports, if any and any other compliance status information required by this permit shall be certified by the responsible official and submitted to:

Application for Permit amendments or modifications shall be submitted to:

Albuquerque Environmental Health Department
Air Quality Program
Attention: Permitting Supervisor
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 compliance reports shall be submitted to:

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

EPA Address -- All correspondence to the EPA required by this permit shall be sent to the following address:

Director, Compliance Assurance and Enforcement Division
U.S. EPA, Region 6
1204 Elm Street, Suite 500
Mail Code 6ECD
Dallas, TX 75270-2102

EPA regulations codified in 40 CFR Part 52, 60, 62, and 63 require affected sources to submit performance test reports, notification reports, and periodic reports to EPA electronically, through the Central Data Exchange/Compliance and Emission Data Reporting Interface, CDX/CEDRI.

Questions about this permit should be referred to Manager of the Permitting Section of the Air Quality Program in Albuquerque at 505-768-1972.

Attachments:
1) Excess Emission Form (Only Locally Enforceable)
2) Compliance Certification Report Form

Excess Emission Reporting Form and Instructions-Only Locally Enforceable

Compliance Certification Report Form