Trinity Consultants
9400 Holly Ave NE, Bldg 3, Ste B, Albuquerque, NM 87122 / P 505.266.6611 / **trinityconsultants.com**

December 19, 2025

PP
Application Received January 13,2026

Pauline Padilla
Senior Environmental Health Scientist
Air Quality Program
Environmental Health Department
City of Albuquerque
paulinepadilla@cabq.com

RE: Air Quality Construction Permit Application #3551
1st Administrative Incompleteness Determination

Dear Mrs. Padilla,

We have reviewed the incompleteness determination issued on November 24th, 2025, in response to the air quality construction permit application submitted by the University of New Mexico on November 13th, 2025, for the UNM Police Headquarters facility. After careful review, we have addressed each of the identified concerns within the attached, revised application package. Below is a summary of the revisions included to address the concerns identified within the incompleteness determination:

1. The application did not include the following items:

a. A second copy of the application package pursuant to 20.11.41.13(D) NMAC, which should be a high-quality electronic duplicate of the hardcopy application package as stated on page 2 of the Construction Permit Application Checklist.

- The revised submittal will include two copies of the application package pursuant to 20.11.41.13 (D) NMAC.

b. The emission calculations file(s) in Microsoft Excel-compatible format as stated on page 2 of the Construction Permit Application Checklist.

- An electronic copy of the Microsoft Excel calculations is being included with the revised application package.

c. The engine manufacturer's specifications to include the engine size. The specification sheets provided only list the generator specifications and size.

- The Caterpillar engine specifications have been included within section 2.5 of the revised application package.

d. The engine Tier 3 EPA certification document(s).

- The EPA certificate of conformity has been included within section 2.5 of the revised application package.

e. Pictures of the weather-proof public notice sign posted on the proposed construction site pursuant to 20.11.41.13(B)(2) and 20.11.41.13(E)(15) NMAC.

- Pictures of the weather-proof public notice signposting have been included in Appendix C of the revised application package.

f. The Zoning Requirement Cover Letter Form filled out. The zoning attachments were provided but the Zoning Requirement Cover Letter Form was not present.

- The Zoning Requirement Cover Letter Form has been included in Appendix F of the revised application package.

2. Hazardous Air Pollutant Emissions Table: There is only one unit in the table, yet the total HAPs emission values do not match the unit emission values. Since there is only one unit, the individual and total values should be the same. All the other emission calculations tables seem to match except for this one. The values listed in this table need to be corrected.

- The Hazardous Air Pollutant Emissions Table values have been corrected.

3. Emission Calculations: The engine rated power used in the emission calculations appears to be the generator rated power as listed in the provided manufacturer's specifications and not the actual rated power of the engine, which is the unit that has the potential to emit. The emission calculations should be based on the nameplate/rated power of the engine. If the emission calculations change, then the application form will need to be updated and signed again.

- The emissions calculations and application form have been revised and re-signed.

4. Emission Calculations: The SO2 emission factor from AP-42 listed in the emission calculations table is the emission factor for gasoline engines, yet this is proposed to be a diesel engine. Furthermore, the application states that this is a Tier 3 engine so the preferred calculation methodology for SO2 should be mass balance using ultra-low sulfur content (15 ppm) since that is the fuel requirement in 40 CFR 60, Subpart IIII. 5. Emission Calculations: The formaldehyde emission factor is stated to be from the manufacturer's specification sheet in the footnotes of the emission calculations table and yet the value used in the emission calculations is from AP-42. Also, no emission factor for formaldehyde is listed in the provided manufacturer's specification sheets.

- The emissions calculations have been revised utilizing the mass balance for ultra-low sulfur diesel (15ppm), and the footnotes have been revised to reflect the use of AP-42 formaldehyde emission factors. As the emission calculations changed, the application form has been updated and re-signed.

6. Compliance History Disclosure Form: The applicant's name listed is the facility contact person, yet this should be the name of the owner company as listed on the application form, which in this case is the University of New Mexico. The date on which the form was signed is also missing. Please correct the form and have it signed again.

- The Compliance History Disclosure form has been revised to reflect the applicant as opposed to the facility's contact person, and re-signed.

7. Regulated Emission Sources Table: The Manufacture Date for Unit 1 is listed as TBD. If an exact month and year of manufacture is not known yet, we need you to provide at least a year or range of years for the engine's expected manufacture date so that we can confirm which federal regulations apply to the engine.

- The regulated emissions source table has been revised with the estimated engine manufacture date (2025+).

8. Regulated Emission Sources Table: The listed Process Rate for Unit 1 (300 kW/222 hp) does not make sense. The horsepower rating for an engine cannot be lower than the kilowatt rating. As noted above, the 300-kW value appears to be for the generator and the listed Process Rate should be for the engine at a minimum. If you can provide all the information for the generator, in addition to the engine, that would be ideal, but at a minimum we need the correct engine information.

- The regulated emissions source table has been revised to correctly reflect the engine's rated power (480 HP).

9. What does UNM want to call this emission unit? In the Regulated Emission Sources Table, other tables in the application form, and on the application report page 2-3, it is called Unit 1. On the two pages of emission calculations, it is called Gen-1. Either is fine but please be consistent in the naming of emission units. In the UNM Title V permit, the emergency engines are labeled according to building number, e.g. 291-EG-2 or 072-EG-1. The same approach could be used in a Construction Permit application like this one if desired.
10. The UTM coordinates and the provided aerial image show the facility location as a parking lot. Could you please clarify if this will be the place of construction where the emergency generator will be located?

- The unit's name has been revised to 1700-EG-1 to align with the UNM Title V naming nomenclature.

Please do not hesitate to contact us with any questions regarding the revised application submittal.

Warm regards,

Trinity Consultants, Inc

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CITY OF ALBUQUERQUE
ENVIRONMENTAL HEALTH DEPARTMENT
AIR QUALITY PROGRAM

PERMIT APPLICATION

University of New Mexico (UNM)
Police Headquarters

Prepared By:

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December 2025

Project 253201.0122

Trinity Consultants

1.0 Executive Summary

This application is being submitted for an Authority to Construct (ATC) to add an emergency generator for the UNM Police Headquarters. The facility is located at 2500 Campus BLVD NE, Albuquerque, NM 87106.

In accordance with 20.11.41.13.E NMAC, this application submittal includes all the requirements set forth by the department, including:
(1) Application Forms
(2) Owner and Operator's Name and Mailing Address
(3) Application Date
(4) Sufficient Attachments: Calculations, Potential Emission Rate, Nature of All Regulated Contaminants, Actual emissions,
(5) Operational and Maintenance Strategy
(6) Topographical Map
(7) Aerial Photograph of the proposed location
(8) Complete Description of all Sources of Regulated Air Contaminants and Process Flow Diagram
(9) Full Description of Air Pollution Control Equipment
(10) Description of Equipment or Methods used for emission measurement
(11) Maximum and Normal Operating Time Schedules of the Source
(12) Other Relevant Information
(13) Applicant Signature
(14) Accompanied by a Registration Fee
(15) Proof of Public Notice Requirements

Equipment to be authorized at this facility after issuance of the Construction Permit is detailed below:

- One (1) diesel-fired (480 Hp) 300 kW Caterpillar generator (1700-EG-1)

The uncontrolled emissions are based on 8760 hours per year and controlled on 200 hours per year. These emissions are included in the department's application forms.

2. DESCRIPTION OF FACILITY AND EMISSIONS INFORMATION

The following section summarizes the source of emissions, process description, methodology, and emission factors used to estimate air pollutant emissions from the facility.

2.1 Description of the Facility

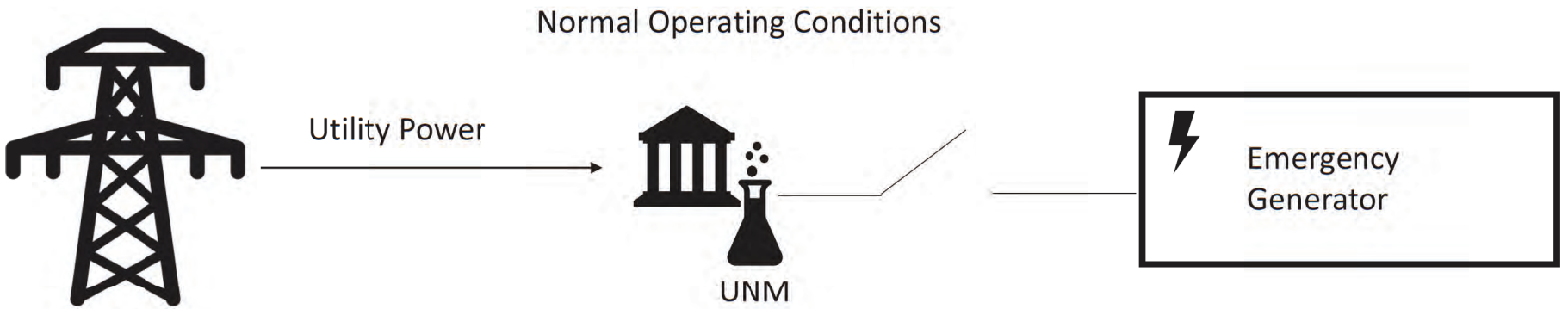
The backup generator's primary function is to provide backup power to support operations in the event of a primary power interruption. There are comparatively minor actual emissions from the infrequent and intermittent emergency backup operations inherent to the Police Headquarters' operations.

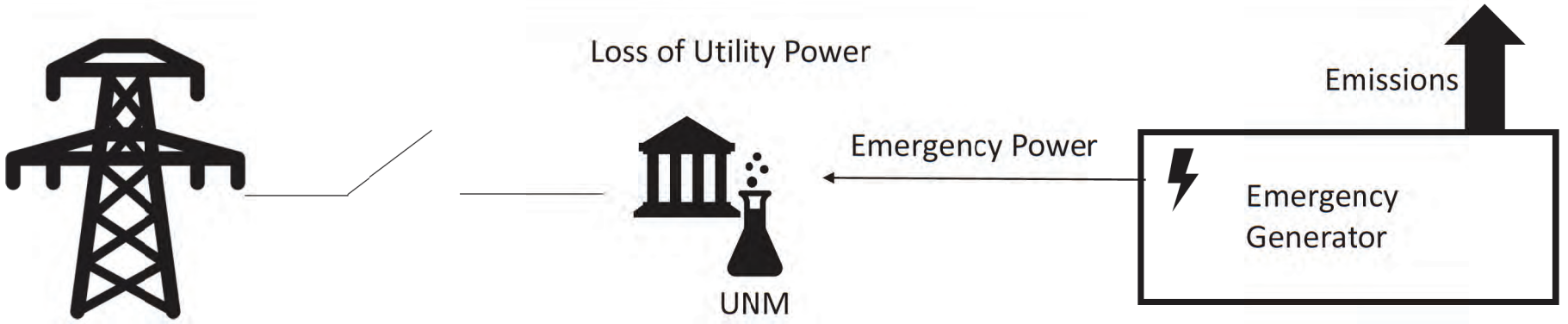
The source is subject to 40 CFR 60 Subpart IIII [New Source Performance Standards (NSPS) for compression Ignition Reciprocating Internal Combustion Engines (RICE)]. The source is subject to 40 CFR 63 Subpart ZZZZ [National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines per 40 CFR 63.6590(C). The unit will comply with the requirements of both 40 CFR Part 50 IIII, and 40 CFR Subpart ZZZZ.

2.2 Process Flow

A process flow diagram (PFD) is attached below. It should be noted that there is no specific process for this facility, as the only source at this facility will be the generator, which will provide power in the event of a PNM outage.

Emergency Generator Process Flow Diagram





2.3 Air Pollutant Emissions and Calculation Methodology

2.3.1 Diesel Generator (Unit1700-EG-1)

Emissions from the new generator result from the combustion of diesel fuel. NO_x, CO, VOC, and PM combustion emissions are based on emission factors provided in 40 CFR 60 Subpart IIII [New Source Performance Standards (NSPS) Tier 3. SO_2 emissions are based on the stoichiometric calculation based upon ULSD containing 15 ppm sulfur, and HAPs are based on AP-42 Tables 3.3-1 and 3.3-2.

To calculate lb/hr emissions for NO_x, CO, VOC, and PM, the emission factor (g/bhp) was multiplied by the engine's standby rating. The lb/MMBtu HAP emission factors from AP-42 Table 3.3-2 were multiplied by the heat input calculated by the fuel consumption rate and the heat value of Diesel (MMBtu/gal) to calculate all HAP lb/hr emissions. To calculate the lb/hr for $S0_2$, a stoichiometric calculation based upon Ultra Low Sulfur Diesel (ULSD) containing 15 PPM Sulfur was conducted. To calculate the uncontrolled emission rate in tons per year, the lb/hr rate was multiplied by 8760 hours per year and converted to tons (1 ton = 2,000 lb). The controlled emission rate, in tons per year, was calculated by multiplying the controlled annual operating hours of 200 hours by the lb/hr rate and converting to tons.

2.4 Emission Calculations

UNM - Police Headquarters Emissions Summary

Uncontrolled Emissions

Unit	Description	NO_X		CO		VOC		SO_2		PM_{10}		$PM_{2.5}$		HAP	
		lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy
1700-EG-1	Emergency Generator	3.02	13.21	2.75	12.05	0.159	0.70	0.00	0.02	0.159	0.70	0.159	0.70	0.0112	0.049
Total		**3.02**	**13.21**	**2.75**	**12.05**	**0.159**	**0.70**	**0.00**	**0.02**	**0.159**	**0.70**	**0.159**	**0.70**	**0.0112**	**0.049**

Controlled Emissions

Unit	Description	NO_X		CO		VOC		SO_2		PM_{10}		$PM_{2.5}$		HAP	
		lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy
1700-EG-1	Emergency Generator	3.02	0.30	2.75	0.275	0.159	0.0159	0.00	0.000	0.159	0.0159	0.159	0.0159	0.0112	0.00112
Total		**3.02**	**0.30**	**2.75**	**0.275**	**0.159**	**0.0159**	**0.0047**	**0.0005**	**0.159**	**0.0159**	**0.159**	**0.0159**	**0.0112**	**0.00112**

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UNM - Police Headquarters Emissions Summary

Uncontrolled Emissions

Unit	Description	NO_X		CO		VOC		SO_2		PM_{10}		$PM_{2.5}$		HAP	
		lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy
1700-EG-1	Emergency Generator	3.02	13.21	2.75	12.05	0.159	0.70	0.00	0.01	0.159	0.70	0.159	0.70	0.0112	0.049
Total		3.02	13.21	2.75	12.05	0.159	0.70	0.00	0.01	0.159	0.70	0.159	0.70	0.0112	0.049

Controlled Emissions

Unit	Description	NO_X		CO		VOC		SO_2		PM_{10}		$PM_{2.5}$		HAP	
		lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy	lb/hr	tpy
1700-EG-1	Emergency Generator	3.02	0.30	2.75	0.275	0.159	0.0159	0.00	0.000	0.159	0.0159	0.159	0.0159	0.0112	0.00112
Total		3.02	0.30	2.75	0.275	0.159	0.0159	0.0023	0.0002	0.159	0.0159	0.159	0.0159	0.0112	0.00112

THE UNIVERSITY OF NEW MEXICO

UNM - Police Headquarters

Caterpillar D300 GC Diesel Generator Set

Emission Unit:	1700-EG-1
Source Description:	Caterpillar D300 GC Diesel Generator Set
Manufacturer:	Caterpillar
Model Generator:	D300 GC
Model Engine:	C9
Type:	Tier III Deisel

Genset Rating	300.00 KW	Generator Rating	Grams per pound	453.6	grams/lbs.
Heat input	3.0 MMBtu/hr	Fuel consumption * Fuel heat value	MG of S/Kg-Fuel	15	MG S/KG Fuel
Fuel Heat Value	0.137 MMBtu/gal.		Fuel Density	0.8	kg-Fuel/L
Hours of Operation	8760.0 hrs./yr		L to G conversion	3.8	L/Gal
Controlled Hours of Operation	200.0 hrs./yr		lb to mg conversion	2.20E-06	lb/mg
Engine Horse Power	480.0 BHP	Manufacturer Specification			
Fuel consumption	22.2 Gal/hr	Manufacturer Specification			

Emission Calculations

Uncontrolled	NO_x[5]	CO	VOC[5]	SO_2[1]	HCHO	PM_{10}[3]	$PM_{2.5}$[3]	Total HAPs[2]	Units	Notes
	2.85	2.60	0.15	-	-	0.15	0.15	-	g/bhp*hr	NSPS IIII Tier 3 [4]
	-	-	-		1.18E-03	-	-	-	lb-MMBtu	AP-42 Table 3.3-1, & 3.3-2
				4.65E-03					lb/hr	Stoichiometric calculation based on ULSD containing 15 ppm of sulfur (15 mg S/kg)
Emissions	**3.02**	**2.75**	**0.16**	**4.65E-03**	**3.60E-03**	**0.16**	**0.16**	**0.011**	lb/hr	
	13.21	**12.05**	**0.70**	**0.020**	**0.016**	**0.695**	**0.695**	**0.049**	tpy	

Controlled	NO_x[5]	CO	VOC[5]	SO_2[1]	HCHO	PM_{10}[3]	$PM_{2.5}$[3]	Total HAPs[2]	Units	Notes
	2.85	2.60	0.15	-	-	0.15	0.15	-	g/bhp*hr	NSPS IIII Tier 3[4]
	-	-	-		1.18E-03	-	-	-	lb-MMBtu	AP-42 Table 3.3-1, & 3.3-2
				4.65E-03					lb/hr	Stoichiometric calculation based on ULSD containing 15 ppm of sulfur (15 mg S/kg)
Emissions	**3.02**	**2.75**	**0.16**	**4.65E-03**	**3.60E-03**	**0.16**	**0.16**	**0.011**	lb/hr	
	0.30	**0.28**	**0.016**	**4.65E-04**	**3.60E-04**	**0.016**	**0.016**	**1.12E-03**	tpy	

HAP Calculations

Acetaldehyde[2]	Acrolein[2]	Benzene[2]	Toluene[2]	Xylene[2]	Units	Notes
7.67E-04	9.25E-05	9.33E-04	4.09E-04	2.85E-04	lb/MMBtu	AP-42 Table 3.3-2
2.339E-03	**2.821E-04**	**2.846E-03**	**1.247E-03**	**8.692E-04**	lb/hr	Uncontrolled
0.010	**1.24E-03**	**0.012**	**5.46E-03**	**3.81E-03**	tpy	
2.339E-03	**2.821E-04**	**2.846E-03**	**1.247E-03**	**8.692E-04**	lb/hr	Controlled
2.34E-04	**2.82E-05**	**2.85E-04**	**1.25E-04**	**8.69E-05**	tpy	

NOTES

[1] PTE = 15 mg S/kg-Fuel * 0.84 kg-Fuel/L * 3.785 L/gal * 2.2E-06 lb/mg * 22.2 gal/hr* Molar ratio of S:SO_2 (64.066/32.065)

[2] HAPs emissions factors are referenced from AP-42 Table 3.2-2

[3] Assumes PM (Filterable + Condensable) = PM_{10} = $PM_{2.5}$

[4] NPSP IIII Tier 3 nonroad compression-ignition engines: exhaust emissions standards were taken from EPA-420-B-16-022

[5] California Environmental Protection Agency - Air Resources Board Carl Moyer program Guidelines were used to account for 95% & NOx and 5% VOC emissions from the NMHC + NO_X emission factor, as provided in EPA-420-B-16-022.

Exhaust Parameters		
Exhaust Temperature	927 F	Manufacturer Specification
Exhaust Volumetric Flow	2461 acfm	Manufacturer Specification
Exhaust Volumetric Flow	41.02 acfs	
Stack Area	0.21 ft^2	Calculated
Stack Diameter	6 in	
Stack Diameter	0.52 ft	Client Specification
Exhaust Velocity	192.52 ft/sec	Calculated
Stack Height	8.1 ft	Client Specification

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UNM - Police Headquarters

Caterpillar D300 GC Diesel Generator Set

Emission Unit:	1700-EG-1
Source Description:	Caterpillar D300 GC Diesel Generator Set
Manufacturer:	Caterpillar
Model Generator:	D300 GC
Model Engine:	C9
Type:	Tier III Deisel

Genset Rating	300.00	KW	Generator Rating	Grams per pound	453.6	grams/lbs.
Heat input	3.0	MMBtu/hr	Fuel consumption * Fuel heat value	MG of S/Kg-Fuel	15	MG S/KG Fuel
Fuel Heat Value	0.137	MMBtu/gal.		Fuel Density	0.8	kg-Fuel/L
Hours of Operation	8760.0	hrs./yr		L to G conversion	3.8	L/Gal
Controlled Hours of Operation	200.0	hrs./yr		lb to mg conversion	2.20E-06	lb/mg
Engine Horse Power	480.0	BHP	Manufacturer Specification			
Fuel consumption	22.2	Gal/hr	Manufacturer Specification			

Emission Calculations

Uncontrolled	NO_x[5]	CO	VOC[5]	SO_2[1]	HCHO	PM_{10}[3]	$PM_{2.5}$[3]	Total HAPs[2]	Units	Notes
	2.85	2.60	0.15	-	-	0.15	0.15	-	g/bhp*hr	NSPS IIII Tier 3[4]
	-	-	-		1.18E-03	-	-	-	lb-MMBtu	AP-42 Table 3.3-1, & 3.3-2
				2.33E-03					lb/hr	Stoichiometric calculation based on ULSD containing 15 ppm of sulfur (15 mg S/kg)
Emissions	3.02	2.75	0.16	2.33E-03	3.60E-03	0.16	0.16	0.011	lb/hr	
	13.21	12.05	0.70	0.010	0.016	0.695	0.695	0.049	tpy	

Controlled	NO_x[5]	CO	VOC[5]	SO_2[1]	HCHO	PM_{10}[3]	$PM_{2.5}$[3]	Total HAPs[2]	Units	Notes
	2.85	2.60	0.15	-	-	0.15	0.15	-	g/bhp*hr	NSPS IIII Tier 3[4]
	-	-	-		1.18E-03	-	-	-	lb-MMBtu	AP-42 Table 3.3-1, & 3.3-2
				2.33E-03					lb/hr	Stoichiometric calculation based on ULSD containing 15 ppm of sulfur (15 mg S/kg)
Emissions	3.02	2.75	0.16	2.33E-03	3.60E-03	0.16	0.16	0.011	lb/hr	
	0.30	0.28	0.016	2.33E-04	3.60E-04	0.016	0.016	1.12E-03	tpy	

HAP Calculations

Acetaldehyde[2]	Acrolein[2]	Benzene[2]	Toluene[2]	Xylene[2]	Units	Notes
7.67E-04	9.25E-05	9.33E-04	4.09E-04	2.85E-04	lb/MMBtu	AP-42 Table 3.3-2
2.339E-03	2.821E-04	2.846E-03	1.247E-03	8.692E-04	lb/hr	Uncontrolled
0.010	1.24E-03	0.012	5.46E-03	3.81E-03	tpy	
2.339E-03	2.821E-04	2.846E-03	1.247E-03	8.692E-04	lb/hr	Controlled
2.34E-04	2.82E-05	2.85E-04	1.25E-04	8.69E-05	tpy	

NOTES

[1] PTE = 15 mg S/kg-Fuel * 0.84 kg-Fuel/L * 3.785 L/gal * 2.2E-06 lb/mg * 22.2 gal/hr

[2] HAPs emissions factors are referenced from AP-42 Table 3.2-2

[3] Assumes PM (Filterable + Condensable) = PM_{10} = $PM_{2.5}$

[4] NPSP IIII Tier 3 nonroad compression-ignition engines: exhaust emissions standards were taken from EPA-420-B-16-022

[5] California Environmental Protection Agency - Air Resources Board Carl Moyer program Guidelines were used to account for 95% & NOx and 5% VOC emissions from the NMHC + NO_x emission factor, as provided in EPA-420-B-16-022.

Exhaust Parameters			
Exhaust Temperature	927	F	Manufacturer Specification
Exhaust Volumetric Flow	2461	acfm	Manufacturer Specification
Exhaust Volumetric Flow	41.02	acfs	
Stack Area	0.21	ft^2	Calculated
Stack Diameter	6	in	
Stack Diameter	0.52	ft	Client Specification
Exhaust Velocity	192.52	ft/sec	Calculated
Stack Height	8.1	ft	Client Specification

2.5 Supporting Information

- AP-42 Tables 3.3-1, 3.3-2: Gasoline and Diesel Industrial Engines
- NPSP IIII Tier 3 nonroad compression-ignition engines: exhaust emissions standards
- California Environmental Protection Agency Air Resources Board Carl Moyer Program guidelines for Emission Factors for CI Diesel Engines – Percent HC in Relation to NMHC + NOx.
- Generator and Engine Manufacturers Specification information.

Table 3.3-2. SPECIATED ORGANIC COMPOUND EMISSION FACTORS FOR UNCONTROLLED DIESEL ENGINES[a]

EMISSION FACTOR RATING: E

Pollutant	Emission Factor (Fuel Input) (lb/MMBtu)
Benzene[b]	9.33 E-04
Toluene[b]	4.09 E-04
Xylenes[b]	2.85 E-04
Propylene	2.58 E-03
1,3-Butadiene[b,c]	<3.91 E-05
Formaldehyde[b]	1.18 E-03
Acetaldehyde[b]	7.67 E-04
Acrolein[b]	<9.25 E-05
Polycyclic aromatic hydrocarbons (PAH)	
Naphthalene[b]	8.48 E-05
Acenaphthylene	<5.06 E-06
Acenaphthene	<1.42 E-06
Fluorene	2.92 E-05
Phenanthrene	2.94 E-05
Anthracene	1.87 E-06
Fluoranthene	7.61 E-06
Pyrene	4.78 E-06
Benzo(a)anthracene	1.68 E-06
Chrysene	3.53 E-07
Benzo(b)fluoranthene	<9.91 E-08
Benzo(k)fluoranthene	<1.55 E-07
Benzo(a)pyrene	<1.88 E-07
Indeno(1,2,3-cd)pyrene	<3.75 E-07
Dibenz(a,h)anthracene	<5.83 E-07
Benzo(g,h,l)perylene	<4.89 E-07
TOTAL PAH	1.68 E-04

[a] Based on the uncontrolled levels of 2 diesel engines from References 6-7. Source Classification Codes 2-02-001-02, 2-03-001-01. To convert from lb/MMBtu to ng/J, multiply by 430.
[b] Hazardous air pollutant listed in the *Clean Air Act*.
[c] Based on data from 1 engine.

EPA emission standards for nonroad diesel engines are published in the US Code of Federal Regulations, Title 40, Part 89 *[40 CFR Part 89]*.

Applicability

The nonroad standards cover mobile *nonroad diesel engines* of all sizes used in a wide range of construction, agricultural and industrial equipment. The EPA definition of the *nonroad engine* is based on the principle of mobility/portability, and includes engines installed on (1) self-propelled equipment, (2) on equipment that is propelled while performing its function, or (3) on equipment that is portable or transportable, as indicated by the presence of wheels, skids, carrying handles, dolly, trailer, or platform *[40 CFR 1068.30]*. In other words, nonroad engines are all internal combustion engines except motor vehicle (highway) engines, stationary engines (or engines that remain at one location for more than 12 months), engines used solely for competition, or engines used in aircraft.

Effective May 14, 2003, the definition of nonroad engines was changed to also include all diesel powered engines—including stationary ones—used in agricultural operations in California. This change applies only to engines sold in the state of California; stationary engines sold in other states are not classified as nonroad engines.

The nonroad diesel emission regulations are not applicable to all nonroad diesel engines. Exempted are the following nonroad engine categories:

- Engines used in railway locomotives; those are subject to separate EPA regulations.
- Engines used in marine vessels, also covered by separate EPA regulations. Marine engines below 37 kW (50 hp) are subject to Tier 1-2—but not Tier 4—nonroad standards. Certain marine engines that are exempted from marine standards may be subject to nonroad regulations.
- Engines used in underground mining equipment. Diesel emissions and air quality in mines are regulated by the Mine Safety and Health Administration (MSHA).
- Hobby engines (below 50 cm^3 per cylinder)

Examples of regulated applications include farm tractors, excavators, bulldozers, wheel loaders, backhoe loaders, road graders, diesel lawn tractors, logging equipment, portable generators, skid steer loaders, or forklifts.

A new definition of a compression-ignition (diesel) engine is used in the regulatory language since the 1998 rule, that is consistent with definitions established for highway engines. The definition focuses on the engine cycle, rather than the ignition mechanism, with the presence of a throttle as an indicator to distinguish between diesel-cycle and otto-cycle operation. Regulating power by controlling the fuel supply in lieu of a throttle corresponds with lean combustion and diesel-cycle operation. This language allows the possibility that a natural gas-fueled engine equipped with a sparkplug is considered a compression-ignition engine.

Tier 1-3 Emission Standards

The 1998 nonroad engine regulations are structured as a 3-tiered progression. Each tier involves a phase in (by horsepower rating) over several years. Tier 1 standards were phased-in from 1996 to 2000. The more stringent Tier 2 standards take effect from 2001 to 2006, and yet more stringent Tier 3 standards phase-in from 2006 to 2008 (Tier 3 standards apply only for engines from 37-560 kW).

Tier 1-3 emissions standards are listed in Table 1. Nonroad regulations are in the metric system of units, with all standards expressed in grams of pollutant per kWh.

Table 1
EPA Tier 1-3 Nonroad Diesel Engine Emission Standards, g/kWh (g/bhp·hr)

Engine Power	Tier	Year	CO	HC	NMHC+NOx	NOx	PM
kW < 8 (hp < 11)	Tier 1	2000	8.0 (6.0)	-	10.5 (7.8)	-	1.0 (0.75)
	Tier 2	2005	8.0 (6.0)	-	7.5 (5.6)	-	0.8 (0.6)

Engine Power	Tier	Year	CO	HC	NMHC+NOx	NOx	PM
8 ≤ kW < 19 (11 ≤ hp < 25)	Tier 1	2000	6.6 (4.9)	-	9.5 (7.1)	-	0.8 (0.6)
	Tier 2	2005	6.6 (4.9)	-	7.5 (5.6)	-	0.8 (0.6)
19≤ kW < 37 (25 ≤ hp < 50)	Tier 1	1999	5.5 (4.1)	-	9.5 (7.1)	-	0.8 (0.6)
	Tier 2	2004	5.5 (4.1)	-	7.5 (5.6)	-	0.6 (0.45)
37 ≤ kW < 75 (50 ≤ hp < 100)	Tier 1	1998	-	-	-	9.2 (6.9)	-
	Tier 2	2004	5.0 (3.7)	-	7.5 (5.6)	-	0.4 (0.3)
	Tier 3	2008	5.0 (3.7)	-	4.7 (3.5)	-	-†
75 ≤ kW < 130 (100 ≤ hp < 175)	Tier 1	1997	-	-	-	9.2 (6.9)	-
	Tier 2	2003	5.0 (3.7)	-	6.6 (4.9)	-	0.3 (0.22)
	Tier 3	2007	5.0 (3.7)	-	4.0 (3.0)	-	-†
130 ≤ kW < 225 (175 ≤ hp < 300)	Tier 1	1996	11.4 (8.5)	1.3 (1.0)	-	9.2 (6.9)	0.54 (0.4)
	Tier 2	2003	3.5 (2.6)	-	6.6 (4.9)	-	0.2 (0.15)
	Tier 3	2006	3.5 (2.6)	-	4.0 (3.0)	-	-†
225 ≤ kW < 450 (300 ≤ hp < 600)	Tier 1	1996	11.4 (8.5)	1.3 (1.0)	-	9.2 (6.9)	0.54 (0.4)
	Tier 2	2001	3.5 (2.6)	-	6.4 (4.8)	-	0.2 (0.15)
	Tier 3	2006	3.5 (2.6)	-	4.0 (3.0)	-	-†
450 ≤ kW < 560 (600 ≤ hp < 750)	Tier 1	1996	11.4 (8.5)	1.3 (1.0)	-	9.2 (6.9)	0.54 (0.4)
	Tier 2	2002	3.5 (2.6)	-	6.4 (4.8)	-	0.2 (0.15)
	Tier 3	2006	3.5 (2.6)	-	4.0 (3.0)	-	-†
kW ≥ 560 (hp ≥ 750)	Tier 1	2000	11.4 (8.5)	1.3 (1.0)	-	9.2 (6.9)	0.54 (0.4)
	Tier 2	2006	3.5 (2.6)	-	6.4 (4.8)	-	0.2 (0.15)
† Not adopted, engines must meet Tier 2 PM standard.							

Manufacturers who signed the 1998 Consent Decrees with the EPA may be required to meet the Tier 3 standards one year ahead of schedule (i.e. beginning in 2005).

Voluntary, more stringent emission standards that manufacturers could use to earn a designation of “Blue Sky Series” engines (applicable to Tier 1-3 certifications) are listed in Table 2.

Table 2
EPA Voluntary Emission Standards for Nonroad Diesel Engines, g/kWh (g/bhp·hr)

Rated Power (kW)	NMHC+NOx	PM
kW < 8	4.6 (3.4)	0.48 (0.36)
8 ≤ kW <19	4.5 (3.4)	0.48 (0.36)
19 ≤ kW <37	4.5 (3.4)	0.36 (0.27)
37 ≤ kW < 75	4.7 (3.5)	0.24 (0.18)
75 ≤ kW <130	4.0 (3.0)	0.18 (0.13)
130 ≤ kW < 560	4.0 (3.0)	0.12 (0.09)
kW ≥ 560	3.8 (2.8)	0.12 (0.09)

Engines of all sizes must also meet smoke standards of 20/15/50% opacity at acceleration/lug/peak modes, respectively.

The regulations include several other provisions, such as averaging, banking and trading of emission credits and maximum “family emission limits” (FEL) for emission averaging.

ENGINEERING SUBMITTAL

UNM Police Department

WAGNER POWER SYSTEMS

CAT

(1) CATERPILLAR 300kW C9 GCABR

CATERPILLAR

WHERE THE WORLD TURNS FOR POWER

Cat® D300 GC
Diesel Generator Sets

Standby : 60 Hz

Image shown may not reflect actual configuration

Engine Model	Cat® C9 In-line 6, 4-cycle Diesel
Bore x Stroke	112 mm x 149 mm (4.4 in x 5.9 in)
Displacement	8.8 L (538 in³)
Compression Ratio	16.3:1
Aspiration	Turbocharged Air-to-Air Aftercooled
Fuel Injection System	HEUI
Governor	Electronic ADEM™ A4 - G3 Class* capable

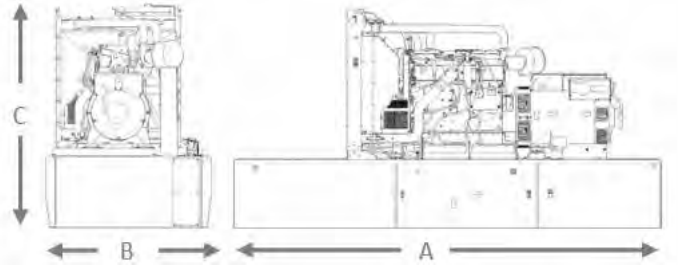
Model	Standby	Emission Strategy
D300 GC	300 ekW, 375 kVA	EPA Certified for Stationary Emergency Application

PACKAGE PERFORMANCE

Performance	Standby
Frequency	60 Hz
Genset Power Rating	375 kVA
Genset power rating with fan @ 0.8 pf	300 ekW
Emissions	EPA TIER 3
Performance Number	DM8168
Fuel Consumption	
100% load with fan, L/hr (gal/hr)	84.1 (22.2)
75% load with fan, L/hr (gal/hr)	65.3 (17.25)
50% load with fan, L/hr (gal/hr)	50.3 (13.3)
25% load with fan, L/hr (gal/hr)	32.3 (8.5)
Cooling System[1]	
Radiator air flow restriction (system), kPa (in water)	0.12 (0.48)
Radiator air flow, m³/min (CFM)	600 (21188)
Engine coolant capacity, L (gal)	14 (3.69)
Radiator coolant capacity, L (gal)	25 (6.6)
Total coolant capacity, L (gal)	45 (11.88)
Inlet Air	
Combustion air inlet flow rate, m³/min (CFM)	26 (918)
Max. Allowable Combustion Air Inlet Temp, °C (°F)	50.3 (122.5)
Exhaust System	
Exhaust stack gas temperature, °C (°F)	497 (926.6)
Exhaust gas flow rate, m³/min (CFM)	69.7 (2461)
Exhaust system backpressure (maximum allowable), kPa (in. water)	10.0 (40.0)
Heat Rejection	
Heat rejection to jacket water, kW (Btu/min)	120 (6838)
Heat rejection to exhaust (total), kW (Btu/min)	320 (18223)
Heat rejection to aftercooler, kW (Btu/min)	92 (5239)
Heat rejection to atmosphere from engine, kW (Btu/min)	23 (1312)
Heat rejection from alternator, kW (Btu/min)	22 (1245)
Emissions (Nominal)[2]	
NOx, mg/Nm³ (g/hp-hr)	2196.0 (4.00)
CO, mg/Nm³ (g/hp-hr)	115.5 (0.2)
HC, mg/Nm³ (g/hp-hr)	23.1 (0.06)
PM, mg/Nm³ (g/hp-hr)	12.7 (0.03)

Alternator[3]			
Voltages	480V	208	600V
Motor starting capability @ 30% Voltage Dip, skVA	705	549	1117
Current, Amps	451	1041	361
Frame Size	M2774L4	M3115L41	M2774L4
Excitation	S.E	S.E	AREP
Temperature Rise, °C	105°C	105°C	105°C

WEIGHTS & DIMENSIONS – OPEN SET



FUEL TANK CAPACITY

Tank Design	Total Capacity L (gal)	Useable Capacity L (gal)
Integral	2270 (600)	2059 (554)

Base	Length "A" mm (in)	Width "B" mm (in)	Height "C" mm (in)	Generator Set Weight kg (lb)
Skid (Wide Base)	3950 (155.5)	1440 (56.7)	1706 (67.2)	2503 (5518.2)
Integral Tank Base	3950 (155.5)	1430 (56.3)	2202 (86.7)	3143 (6929.1)

Note: General configuration not to be used for installation. See general dimension drawings for detail.

APPLICABLE CODES AND STANDARDS:

AS1359, CSA C22.2 No100-04, UL142, UL489, UL869, UL2200, NFPA37, NFPA70, NFPA99, NFPA110, IBC, IEC60034-1, ISO3046, ISO8528, NEMA MG1-22, NEMA MG1-33, 2006/95/EC, 2006/42/EC, 2004/108/EC.
Note: Codes may not be available in all model configurations. Please consult your local Cat Dealer representative for availability.

STANDBY: Output available with varying load for the duration of the interruption of the normal source power. Average power output is 70% of the standby power rating. Typical operation is 200 hours per year, with maximum expected usage of 500 hours per year.

RATINGS: Ratings are based on SAE J1349 standard conditions. These ratings also apply at ISO3046 standard conditions.

FUEL RATES: Based on fuel oil of 35° API [16° C (60° F)] gravity having an LHV of 42 780 kJ/kg (18,390 Btu/lb) when used at 29° C (85° F) and weighing 838.9 g/litre (7.001 lbs/U.S. gal.). Additional ratings may be available for specific customer requirements, contact your Caterpillar representative for details.
For information regarding Low Sulfur fuel and Biodiesel capability, please consult your Cat dealer.

DEFINITIONS AND CONDITIONS

[1] For ambient and altitude capabilities consult your Cat dealer. Air flow restriction (system) is added to existing restriction from factory.

[2] Emissions data measurement procedures are consistent with those described in EPA CFR 40 Part 89, Subpart D & E and ISO8178-1 for measuring HC, CO, PM, NOx. Data shown is based on steady state operating conditions of 77° F, 28.42 in HG and number 2 diesel fuel with 35° API and LHV of 18,390 BTU/lb. The nominal emissions data shown is subject to instrumentation, measurement, facility and engine to engine variations. Emissions data is based on 100% load and thus cannot be used to compare to EPA regulations which use values based on a weighted cycle.

[3] UL 2200 Listed packages may have oversized generators with a different temperature rise and motor starting characteristics. Generator temperature rise is based on a 40° C ambient per NEMA MG1-32.

* Governing Class capability as per ISO8528-5.Consult your local Cat dealer for configuration and site specific transient performance classification.

LET'S DO THE WORK.™

LEHE2024-07 (05/25)

Notice: TMI is moving location November 2025. If you link to TMI your link may break.Notify Shane Gilles wit your current URL so we can advise of a new URL.

PERFORMANCE DATA [C09DE61]

JUNE 20, 2025

For Help Desk Phone Numbers Click here

Perf No: DM8168 **Change Level:** 05

General Heat Rejection Emissions Regulatory Altitude Derate Cross Reference Perf Param Ref

View PDF

SALES MODEL:	C9	**COMBUSTION:**	DIRECT INJECTION
BRAND:	CAT	**ENGINE SPEED (RPM):**	1,800
MACHINE SALES MODEL:		**HERTZ:**	60
ENGINE POWER (BHP):	480	**FAN POWER (HP):**	24.1
GEN POWER W/O FAN (EKW):	319.0	**ADDITIONAL PARASITICS (HP):**	12.3
GEN POWER WITH FAN (EKW):	300.0	**ASPIRATION:**	TA
COMPRESSION RATIO:	16.1	**AFTERCOOLER TYPE:**	ATAAC
RATING LEVEL:	STANDBY	**AFTERCOOLER CIRCUIT TYPE:**	JW+OC, ATAAC
PUMP QUANTITY:	1	**INLET MANIFOLD AIR TEMP (F):**	120
FUEL TYPE:	DIESEL	**JACKET WATER TEMP (F):**	192.2
MANIFOLD TYPE:	DRY	**TURBO CONFIGURATION:**	SINGLE
GOVERNOR TYPE:	ELEC	**TURBO QUANTITY:**	1
CAMSHAFT TYPE:	STANDARD	**TURBOCHARGER MODEL:**	S310-1.25
IGNITION TYPE:	CI	**CERTIFICATION YEAR:**	2005
INJECTOR TYPE:	EUI	**PISTON SPD @ RATED ENG SPD (FT/MIN):**	1,759.8
REF EXH STACK DIAMETER (IN):	4		
MAX OPERATING ALTITUDE (FT):	3,281		

INDUSTRY	SUB INDUSTRY	APPLICATION
ELECTRIC POWER	STANDARD	PACKAGED GENSET

General Performance Data Top

GENSET POWER WITH FAN	PERCENT LOAD	ENGINE POWER	BRAKE MEAN EFF PRES (BMEP)	BRAKE SPEC FUEL CONSUMPTN (BSFC)	ISO BRAKE SPEC FUEL CONSUMPTN (BSFC)	VOL FUEL CONSUMPTN (VFC)	ISO VOL FUEL CONSUMPTN (VFC)	ELEC SPEC FUEL CONSUMPTN (ESFC)	ISO ELEC SPEC FUEL CONSUMPTN (ESFC)
EKW	%	BHP	PSI	LB/BHP-HR	LB/BHP-HR	GAL/HR	GAL/HR	LB/EKW-HR	LB/EKW-HR
300.0	100	480	393	0.332	0.328	22.4	22.2	0.530	0.520
270.0	90	430	352	0.334	0.330	20.2	20.0	0.532	0.522
240.0	80	383	314	0.339	0.335	18.3	18.1	0.541	0.531
225.0	75	361	295	0.342	0.339	17.4	17.2	0.549	0.539
210.0	70	339	277	0.347	0.344	16.6	16.4	0.560	0.550
180.0	60	296	242	0.360	0.357	15.0	14.9	0.592	0.580
150.0	50	253	207	0.376	0.372	13.4	13.3	0.635	0.623
120.0	40	212	173	0.390	0.386	11.6	11.5	0.688	0.675
90.0	30	170	139	0.403	0.400	9.7	9.6	0.762	0.748
75.0	25	149	122	0.411	0.407	8.6	8.5	0.815	0.800
60.0	20	127	104	0.419	0.415	7.5	7.4	0.889	0.872
30.0	10	82.9	68	0.441	0.437	5.2	5.1	1.218	1.195

GENSET POWER WITH FAN	PERCENT LOAD	ENGINE POWER	INLET MFLD PRES	INLET MFLD TEMP	EXH MFLD TEMP	EXH MFLD PRES	ENGINE OUTLET TEMP	COMPRESSOR OUTLET PRES	COMPRESSOR OUTLET TEMP
EKW	%	BHP	IN-HG	DEG F	DEG F	IN-HG	DEG F	IN-HG	DEG F
300.0	100	480	82.5	122.6	1,247.3	60.6	927.2	83	450.8

GENSET POWER WITH FAN	PERCENT LOAD	ENGINE POWER	INLET MFLD PRES	INLET MFLD TEMP	EXH MFLD TEMP	EXH MFLD PRES	ENGINE OUTLET TEMP	COMPRESSOR OUTLET PRES	COMPRESSOR OUTLET TEMP
270.0	90	430	78.7	121.1	1,179.5	55.9	877.6	80	428.0
240.0	80	383	74.9	121.5	1,120.8	51.5	840.4	76	406.4
225.0	75	361	73.0	121.6	1,094.5	49.4	826.3	74	396.1
210.0	70	339	71.0	121.7	1,071.1	47.3	817.6	72	386.3
180.0	60	296	66.4	121.7	1,028.3	43.1	800.8	67	367.7
150.0	50	253	61.1	121.7	988.0	38.7	784.5	62	350.2
120.0	40	212	52.8	121.7	944.9	32.8	768.7	54	321.8
90.0	30	170	42.5	121.6	899.1	25.9	752.9	43	282.8
75.0	25	149	36.9	121.6	875.4	22.3	745.0	38	260.3
60.0	20	127	30.8	121.6	850.8	18.7	737.0	31	235.4
30.0	10	82.9	17.9	121.5	723.0	11.7	650.3	18	178.8

GENSET POWER WITH FAN	PERCENT LOAD	ENGINE POWER	WET INLET AIR VOL FLOW RATE	ENGINE OUTLET WET EXH GAS VOL FLOW RATE	WET INLET AIR MASS FLOW RATE	WET EXH GAS MASS FLOW RATE	WET EXH VOL FLOW RATE (32 DEG F AND 29.98 IN HG)	DRY EXH VOL FLOW RATE (32 DEG F AND 29.98 IN HG)
EKW	%	BHP	CFM	CFM	LB/HR	LB/HR	FT3/MIN	FT3/MIN
300.0	100	480	916.6	2,460.9	3,985.8	4,144.9	872.5	798.0
270.0	90	430	893.4	2,306.9	3,884.5	4,028.0	848.2	780.6
240.0	80	383	870.9	2,173.0	3,772.3	3,902.1	821.8	760.2
225.0	75	361	859.8	2,109.4	3,711.7	3,835.1	806.5	747.8
210.0	70	339	846.8	2,047.1	3,649.5	3,766.9	788.0	732.2
180.0	60	296	814.1	1,926.8	3,499.4	3,605.2	751.6	701.1
150.0	50	253	772.8	1,810.5	3,315.8	3,410.8	715.5	669.7
120.0	40	212	707.1	1,643.7	3,018.0	3,100.6	657.9	617.9
90.0	30	170	623.3	1,424.8	2,642.8	2,711.5	577.7	544.3
75.0	25	149	576.0	1,299.8	2,434.3	2,495.5	530.5	500.6
60.0	20	127	524.5	1,162.9	2,209.5	2,262.9	477.8	451.6
30.0	10	82.9	412.8	851.2	1,728.1	1,764.7	377.1	358.8

Heat Rejection Data Top

GENSET POWER WITH FAN	PERCENT LOAD	ENGINE POWER	REJECTION TO JACKET WATER	REJECTION TO ATMOSPHERE	REJECTION TO EXH	EXHAUST RECOVERY TO 350F	FROM OIL COOLER	FROM AFTERCOOLER	WORK ENERGY	LOW HEAT VALUE ENERGY	HIGH HEAT VALUE ENERGY
EKW	%	BHP	BTU/MIN	BTU/MIN	BTU/MIN	BTU/MIN	BTU/MIN	BTU/MIN	BTU/MIN	BTU/MIN	BTU/MIN
300.0	100	480	6,838	1,312	18,223	10,196	2,598	5,239	20,357	48,785	51,968
270.0	90	430	6,227	1,100	16,530	8,999	2,344	4,774	18,249	44,009	46,881
240.0	80	383	5,718	954	15,163	8,062	2,120	4,304	16,263	39,804	42,402
225.0	75	361	5,492	885	14,576	7,680	2,017	4,080	15,306	37,868	40,339
210.0	70	339	5,288	827	14,082	7,393	1,922	3,868	14,366	36,078	38,432
180.0	60	296	4,912	823	13,054	6,800	1,739	3,448	12,536	32,644	34,774
150.0	50	253	4,565	786	11,966	6,184	1,555	3,034	10,749	29,195	31,100
120.0	40	212	4,219	770	10,567	5,402	1,348	2,419	8,983	25,307	26,959
90.0	30	170	3,811	699	8,973	4,534	1,120	1,706	7,210	21,028	22,400
75.0	25	149	3,554	623	8,129	4,085	999	1,352	6,312	18,747	19,970
60.0	20	127	3,271	492	7,247	3,625	871	1,008	5,399	16,350	17,417
30.0	10	82.9	2,624	519	4,878	2,172	597	397	3,514	11,200	11,931

Emissions Data Top

Units Filter All Units

DIESEL

RATED SPEED NOMINAL DATA: 1800 RPM

GENSET POWER WITH FAN		**EKW**	**300.0**	**225.0**	**150.0**	**75.0**	**30.0**
ENGINE POWER		**BHP**	**480**	**361**	**253**	**149**	**82.9**
PERCENT LOAD		**%**	**100**	**75**	**50**	**25**	**10**
TOTAL NOX (AS NO2)		G/HR	1,881	970	499	267	201
TOTAL CO		G/HR	115	89	129	109	102
TOTAL HC		G/HR	26	29	43	40	35
TOTAL CO2		KG/HR	225	175	135	86	51
PART MATTER		G/HR	15.5	15.2	34.2	22.5	14.6
TOTAL NOX (AS NO2)	(CORR 5% O2)	MG/NM3	2,196.0	1,456.1	978.0	821.3	1,152.5
TOTAL CO	(CORR 5% O2)	MG/NM3	115.5	117.0	221.7	309.8	521.3
TOTAL HC	(CORR 5% O2)	MG/NM3	23.1	33.0	63.3	96.7	146.2
PART MATTER	(CORR 5% O2)	MG/NM3	12.7	17.6	52.2	50.4	64.7
TOTAL NOX (AS NO2)	(CORR 15% O2)	MG/NM3	814.9	540.3	362.9	304.8	427.7
TOTAL CO	(CORR 15% O2)	MG/NM3	42.9	43.4	82.3	115.0	193.5
TOTAL HC	(CORR 15% O2)	MG/NM3	8.6	12.2	23.5	35.9	54.2
PART MATTER	(CORR 15% O2)	MG/NM3	4.7	6.5	19.4	18.7	24.0
TOTAL NOX (AS NO2)	(CORR 5% O2)	PPM	1,070	709	476	400	561
TOTAL CO	(CORR 5% O2)	PPM	92	94	177	248	417
TOTAL HC	(CORR 5% O2)	PPM	43	62	118	180	273
TOTAL NOX (AS NO2)	(CORR 15% O2)	PPM	397	263	177	148	208
TOTAL CO	(CORR 15% O2)	PPM	34	35	66	92	155
TOTAL HC	(CORR 15% O2)	PPM	16	23	44	67	101
TOTAL NOX (AS NO2)		G/HP-HR	3.95	2.70	1.98	1.79	2.42
TOTAL CO		G/HP-HR	0.24	0.25	0.51	0.73	1.23
TOTAL HC		G/HP-HR	0.06	0.08	0.17	0.27	0.42
PART MATTER		G/HP-HR	0.03	0.04	0.14	0.15	0.18
TOTAL NOX (AS NO2)		G/KW-HR	5.37	3.67	2.69	2.44	3.29
TOTAL CO		G/KW-HR	0.33	0.34	0.70	0.99	1.67
TOTAL HC		G/KW-HR	0.08	0.11	0.23	0.37	0.57
PART MATTER		G/KW-HR	0.04	0.06	0.18	0.21	0.24
TOTAL NOX (AS NO2)		LB/HR	4.15	2.14	1.10	0.59	0.44
TOTAL CO		LB/HR	0.25	0.20	0.29	0.24	0.22
TOTAL HC		LB/HR	0.06	0.06	0.09	0.09	0.08
TOTAL CO2		LB/HR	496	387	297	189	112
PART MATTER		LB/HR	0.03	0.03	0.08	0.05	0.03
OXYGEN IN EXH		%	9.2	11.2	12.6	13.6	15.0
DRY SMOKE OPACITY		%	0.1	0.3	1.0	0.9	0.8
BOSCH SMOKE NUMBER			0.62	0.67	0.96	0.90	0.87

RATED SPEED POTENTIAL SITE VARIATION: 1800 RPM

GENSET POWER WITH FAN		**EKW**	**300.0**	**225.0**	**150.0**	**75.0**	**30.0**
ENGINE POWER		**BHP**	**480**	**361**	**253**	**149**	**82.9**
PERCENT LOAD		**%**	**100**	**75**	**50**	**25**	**10**
TOTAL NOX (AS NO2)		G/HR	2,032	1,047	539	288	217
TOTAL CO		G/HR	214	166	242	203	191
TOTAL HC		G/HR	50	54	81	76	65
PART MATTER		G/HR	30.2	29.7	66.7	43.9	28.4
TOTAL NOX (AS NO2)	(CORR 5% O2)	MG/NM3	2,371.7	1,572.5	1,056.2	887.0	1,244.7
TOTAL CO	(CORR 5% O2)	MG/NM3	216.0	218.7	414.7	579.4	974.9
TOTAL HC	(CORR 5% O2)	MG/NM3	43.7	62.4	119.7	182.7	276.3
PART MATTER	(CORR 5% O2)	MG/NM3	24.8	34.3	101.8	98.2	126.1
TOTAL NOX (AS NO2)	(CORR 15% O2)	MG/NM3	880.1	583.5	391.9	329.2	461.9
TOTAL CO	(CORR 15% O2)	MG/NM3	80.2	81.2	153.9	215.0	361.8
TOTAL HC	(CORR 15% O2)	MG/NM3	16.2	23.2	44.4	67.8	102.5
PART MATTER	(CORR 15% O2)	MG/NM3	9.2	12.7	37.8	36.5	46.8
TOTAL NOX (AS NO2)	(CORR 5% O2)	PPM	1,155	766	514	432	606
TOTAL CO	(CORR 5% O2)	PPM	173	175	332	464	780
TOTAL HC	(CORR 5% O2)	PPM	82	116	223	341	516
TOTAL NOX (AS NO2)	(CORR 15% O2)	PPM	429	284	191	160	225
TOTAL CO	(CORR 15% O2)	PPM	64	65	123	172	289
TOTAL HC	(CORR 15% O2)	PPM	30	43	83	127	191
TOTAL NOX (AS NO2)		G/HP-HR	4.27	2.92	2.13	1.94	2.61
TOTAL CO		G/HP-HR	0.45	0.46	0.96	1.36	2.30
TOTAL HC		G/HP-HR	0.11	0.15	0.32	0.51	0.79
PART MATTER		G/HP-HR	0.06	0.08	0.26	0.29	0.34
TOTAL NOX (AS NO2)		G/KW-HR	5.80	3.96	2.90	2.63	3.55
TOTAL CO		G/KW-HR	0.61	0.63	1.30	1.85	3.12
TOTAL HC		G/KW-HR	0.14	0.21	0.43	0.69	1.07
PART MATTER		G/KW-HR	0.09	0.11	0.36	0.40	0.47
TOTAL NOX (AS NO2)		LB/HR	4.48	2.31	1.19	0.64	0.48
TOTAL CO		LB/HR	0.47	0.37	0.53	0.45	0.42
TOTAL HC		LB/HR	0.11	0.12	0.18	0.17	0.14
PART MATTER		LB/HR	0.07	0.07	0.15	0.10	0.06

Regulatory Information Top

EPA TIER 3 **2005 - 2010**

GASEOUS EMISSIONS DATA MEASUREMENTS PROVIDED TO THE EPA ARE CONSISTENT WITH THOSE DESCRIBED IN EPA 40 CFR PART 89 SUBPART D AND ISO 8178 FOR MEASURING HC, CO, PM, AND NOX. THE "MAX LIMITS" SHOWN BELOW ARE WEIGHTED CYCLE AVERAGES AND ARE IN COMPLIANCE WITH THE NON-ROAD REGULATIONS.

Locality	Agency	Regulation	Tier/Stage	Max Limits - G/BKW - HR
U.S. (INCL CALIF)	EPA	NON-ROAD	TIER 3	CO: 3.5 NOx + HC: 4.0 PM: 0.20

EPA EMERGENCY STATIONARY **2011 - ----**

GASEOUS EMISSIONS DATA MEASUREMENTS PROVIDED TO THE EPA ARE CONSISTENT WITH THOSE DESCRIBED IN EPA 40 CFR PART 60 SUBPART IIII AND ISO 8178 FOR MEASURING HC, CO, PM, AND NOX. THE "MAX LIMITS" SHOWN BELOW ARE WEIGHTED CYCLE AVERAGES AND ARE IN COMPLIANCE WITH THE EMERGENCY STATIONARY REGULATIONS.

Locality	Agency	Regulation	Tier/Stage	Max Limits - G/BKW - HR
U.S. (INCL CALIF)	EPA	STATIONARY	EMERGENCY STATIONARY	CO: 3.5 NOx + HC: 4.0 PM: 0.20

Altitude Derate Data Top

STANDARD

ALTITUDE CORRECTED POWER CAPABILITY (BHP)

AMBIENT OPERATING TEMP (F)	30	40	50	60	70	80	90	100	110	120	130	140	NORMAL
ALTITUDE (FT)													
0	480	480	480	480	480	477	474	465	452	433	412	395	478
1,000	480	480	480	480	477	475	470	457	441	422	402	386	476
2,000	480	480	479	477	474	470	463	446	427	410	392	376	473
3,000	480	478	475	470	463	457	449	434	418	403	386	370	464
4,000	475	469	463	456	450	444	436	422	407	391	374	358	453
5,000	462	456	449	442	436	430	422	408	393	377	360	343	442
6,000	449	442	435	428	422	416	408	394	379	362	346	329	430
7,000	434	428	421	414	408	402	394	379	364	348	332	315	418
8,000	420	413	406	400	394	387	380	365	350	334	318	302	406
9,000	405	398	392	385	379	373	365	350	335	320	305	289	394
10,000	390	384	377	371	365	359	352	337	322	307	293	278	382
11,000	376	369	363	357	351	345	339	334	320	305	291	277	370
12,000	361	355	348	342	337	331	326	320	315	303	288	270	357
13,000	347	340	334	329	323	318	312	307	302	290	274	257	345
14,000	332	326	321	315	310	304	299	294	289	276	261	246	333
15,000	319	313	307	302	297	291	286	282	276	263	249	235	322

Cross Reference Top

Test Spec	Setting	Engine Arrangement	Engineering Model	Engineering Model Version	Start Effective Serial Number	End Effective Serial Number
0K6616	NAP	2531644	GS279	-	S9L00001	
4150068	PP5547	3950369	GS279	-	S9P00001	
4150068	PP5547	4529865	GS857	LS	S9P00001	
4150068	PP5547	5664658	PG350	G	RG300001	
4150068	PP5547	5664658	PG375	G	RE300001	

Performance Parameter Reference Top

Parameters Reference: DM9600 - 15

PERFORMANCE DEFINITIONS

PERFORMANCE DEFINITIONS DM9600

APPLICATION: Engine performance tolerance values below are representative of a typical production engine tested in a calibrated dynamometer test cell at SAE J1995 standard reference conditions. Caterpillar maintains ISO9001:2000 certified quality management systems for engine test Facilities to assure accurate calibration of test equipment. Engine test data is corrected in accordance with SAE J1995. Additional reference material SAE J1228, J1349, ISO 8665, 3046-1:2002E, 3046-3:1989, 1585, 2534, 2288, and 9249 may apply in part or are similar to SAE J1995. Special engine rating request (SERR) test data shall be noted.

PERFORMANCE PARAMETER TOLERANCE FACTORS: Power +/- 3% Torque +/- 3% Exhaust stack temperature +/- 8% Inlet airflow +/- 5% Intake manifold pressure-gage +/- 10% Exhaust flow +/- 6% Specific fuel consumption +/- 3% Specific fuel consumption (C7-C18) +/- 4% Fuel rate +/- 5% Specific DEF consumption +/- 3% DEF rate +/- 5% Heat rejection +/- 5% Heat rejection exhaust only +/- 10% Heat rejection CEM only +/- 10%
Heat Rejection values based on using treated water.
Torque is included for truck and industrial applications, do not use for Gen Set or steady state applications.
On C7 - C18 engines, at speeds of 1100 RPM and under these values are provided for reference only, and may not meet the tolerance listed.
On 3500 and C175 engines, at speeds below Peak Torque these values are provided for reference only, and may not meet the tolerance listed.
These values do not apply to C280/3600. For these models, see the tolerances listed below.

C280/3600 HEAT REJECTION TOLERANCE FACTORS: Heat rejection +/- 10% Heat rejection to Atmosphere +/- 50% Heat rejection to Lube Oil +/- 20% Heat rejection to Aftercooler +/- 5%

TEST CELL TRANSDUCER TOLERANCE FACTORS: Torque +/- 0.5% Speed +/- 0.2% Fuel flow +/- 1.0% Temperature +/- 2.0 C degrees Intake manifold pressure +/- 0.1 kPa
OBSERVED ENGINE PERFORMANCE IS CORRECTED TO SAE J1995 REFERENCE AIR AND FUEL CONDITIONS.

REFERENCE ATMOSPHERIC INLET AIR FOR 3500 ENGINES AND SMALLER SAE J1228 AUG2002 for marine engines, and J1995 JAN2014 for other engines, reference atmospheric pressure is 100 KPA (29.61 in hg), and standard temperature is 25deg C (77 deg F) at 30% relative humidity at the stated aftercooler water temp, or inlet manifold temp.
FOR 3600 ENGINES Engine rating obtained and presented in accordance with ISO 3046/1 and SAE J1995 JANJAN2014 reference atmospheric pressure is 100 KPA (29.61 in hg), and standard temperature is 25deg C (77 deg F) at 30% relative humidity and 150M altitude at the stated aftercooler water temperature.

MEASUREMENT LOCATION FOR INLET AIR TEMPERATURE Location for air temperature measurement air cleaner inlet at stabilized operating conditions.

REFERENCE EXHAUST STACK DIAMETER The Reference Exhaust Stack Diameter published with this dataset is only used for the calculation of Smoke Opacity values displayed in this dataset. This value does not necessarily represent the actual stack diameter of the engine due to the variety of exhaust stack adapter options available. Consult the price list, engine order or general dimension drawings for the actual stack diameter size ordered or options available.

REFERENCE FUEL DIESEL Reference fuel is #2 distillate diesel with a 35API gravity; A lower heating value is 42,780 KJ/KG (18,390 BTU/LB) when used at 15 deg C (59 deg F), where the density is 850 G/Liter (7.0936 Lbs/Gal).
GAS Reference natural gas fuel has a lower heating value of 33.74 KJ/L (905 BTU/CU Ft). Low BTU ratings are based on 18.64 KJ/L (500 BTU/CU FT) lower heating value gas. Propane ratings are based on 87.56 KJ/L (2350 BTU/CU Ft) lower heating value gas.

ENGINE POWER (NET) IS THE CORRECTED FLYWHEEL POWER (GROSS) LESS EXTERNAL AUXILIARY LOAD Engine corrected gross output includes the power required to drive standard equipment; lube oil, scavenge lube oil, fuel transfer, common rail fuel, separate circuit aftercooler and jacket water pumps. Engine net power available for the external (flywheel) load is calculated by subtracting the sum of auxiliary load from the corrected gross flywheel out put power. Typical auxiliary loads are radiator cooling fans, hydraulic pumps, air compressors and battery charging alternators. For Tier 4 ratings additional Parasitic losses would also include Intake, and Exhaust Restrictions.

ALTITUDE CAPABILITY Altitude capability is the maximum altitude above sea level at standard temperature and standard pressure at which the engine could develop full rated output power on the current performance data set.
Standard temperature values versus altitude could be seen on TM2001.
When viewing the altitude capability chart the ambient temperature is the inlet air temp at the compressor inlet.
Engines with ADEM MEUI and HEUI fuel systems operating at conditions above the defined altitude capability derate for atmospheric pressure and temperature conditions outside the values defined, see TM2001.
Mechanical governor controlled unit injector engines require a setting change for operation at conditions above the altitude defined on the engine performance sheet. See your Caterpillar technical representative for non standard ratings.

REGULATIONS AND PRODUCT COMPLIANCE TMI Emissions information is presented at 'nominal' and 'Potential Site Variation' values for standard ratings. No tolerances are applied to the emissions data. These values are subject to change at any time. The controlling federal and local emission requirements need to be verified by your Caterpillar technical representative.
Customer's may have special emission site requirements that need to be verified by the Caterpillar Product Group engineer.

EMISSION CYCLE LIMITS: Cycle emissions Max Limits apply to cycle-weighted averages only. Emissions at individual load points may exceed the cycle-weighted limit.

WET & DRY EXHAUST/EMISSIONS DESCRIPTION: Wet - Total exhaust flow or concentration of total exhaust flow Dry - Total exhaust flow minus water vapor or concentration of exhaust flow with water vapor excluded

EMISSIONS DEFINITIONS: Emissions : DM1176

EMISSION CYCLE DEFINITIONS
1. For constant-speed marine engines for ship main propulsion, including,diesel-electric drive, test cycle E2 shall be applied, for controllable-pitch propeller sets test cycle E2 shall be applied.
2. For propeller-law-operated main and propeller-law-operated auxiliary engines the test cycle E3 shall be applied.
3. For constant-speed auxiliary engines test cycle D2 shall be applied.
4. For variable-speed, variable-load auxiliary engines, not included above, test cycle C1 shall be applied.

HEAT REJECTION DEFINITIONS: Diesel Circuit Type and HHV Balance : DM9500

HIGH DISPLACEMENT (HD) DEFINITIONS: 3500: EM1500

RATING DEFINITIONS: Agriculture : TM6008

Fire Pump : TM6009
Generator Set : TM6035
Generator (Gas) : TM6041
Industrial Diesel : TM6010
Industrial (Gas) : TM6040
Irrigation : TM5749
Locomotive : TM6037
Marine Auxiliary : TM6036
Marine Prop (Except 3600) : TM5747
Marine Prop (3600 only) : TM5748
MSHA : TM6042
Oil Field (Petroleum) : TM6011
Off-Highway Truck : TM6039
On-Highway Truck : TM6038

SOUND DEFINITIONS: Sound Power : DM8702
Sound Pressure : TM7080

Date Released : 03/12/24

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
2025 MODEL YEAR
CERTIFICATE OF CONFORMITY
WITH THE CLEAN AIR ACT

OFFICE OF TRANSPORTATION AND AIR QUALITY
ANN ARBOR, MICHIGAN 48105

Certificate Issued To: **Caterpillar Inc.**
(U.S. Manufacturer or Importer)

Certificate Number: SCPXL08.8NZS-023

Effective Date: 08/05/2024

Expiration Date: 12/31/2025

Byron J. Bunker, Division Director
Compliance Division

Issue Date: 08/05/2024

Revision Date: N/A

Model Year: 2025
Manufacturer Type: Original Engine Manufacturer
Engine Family: SCPXL08.8NZS

Mobile/Stationary Indicator: Stationary
Emissions Power Category: 225<=kW<450
Fuel Type: Diesel
After Treatment Devices: No After Treatment Devices Installed
Non-after Treatment Devices: Electronic Control, Engine Design Modification

Pursuant to Section 111 and Section 213 of the Clean Air Act (42 U.S.C. sections 7411 and 7547) and 40 CFR Part 60, and subject to the terms and conditions prescribed in those provisions, this certificate of conformity is hereby issued with respect to the test engines which have been found to conform to applicable requirements and which represent the following engines, by engine family, more fully described in the documentation required by 40 CFR Part 60 and produced in the stated model year.

This certificate of conformity covers only those new compression-ignition engines which conform in all material respects to the design specifications that applied to those engines described in the documentation required by 40 CFR Part 60 and which are produced during the model year stated on this certificate of the said manufacturer, as defined in 40 CFR Part 60.

It is a term of this certificate that the manufacturer shall consent to all inspections described in 40 CFR 1068 and authorized in a warrant or court order. Failure to comply with the requirements of such a warrant or court order may lead to revocation or suspension of this certificate for reasons specified in 40 CFR Part 60. It is also a term of this certificate that this certificate may be revoked or suspended or rendered void *ab initio* for other reasons specified in 40 CFR Part 60.

This certificate does not cover engines sold, offered for sale, or introduced, or delivered for introduction, into commerce in the U.S. prior to the effective date of the certificate.

3. OPERATIONAL PLAN – AIR EMISSIONS DURING SSM

The UNM Police Headquarters is owned and operated by the University of New Mexico. As soon as a malfunction occurs, the facility will shut down applicable equipment as quickly as possible to prevent the release of excess or non-permitted emissions. The facility will only restart once it is confirmed that the malfunction has been addressed, and it will operate as normal and in accordance with its permits.

Additional details are provided in this section for each piece of equipment regarding the specific steps UNM will take should a malfunction occur on site, as well as further information on safety procedures and processes to protect employees, the general public, and the environment.

3.1 Emergency Generator Operational Plan

3.1.1 Emergency Generator Startup Procedure

A startup event for a Reciprocating Internal Combustion Engine (RICE) occurs when the unit is initially operated after being off. UNM carefully monitors the entire startup process to ensure safety and minimize airborne emissions.

The following actions included in the operational plan are critical for minimizing emissions during startup:

- Minimizing cold engine startups. UNM ensures warm engine startup by ensuring engine coolant heaters are online. These units are checked on a monthly basis.
- Ensuring the engine is achieving good combustion.
- Monitoring the opacity and color of the exhaust gases and taking the unit offline for repairs upon the observation of abnormal soot coming out of the stacks.

3.1.2 Emergency Generator Shutdown Procedure

A shutdown event for a RICE occurs when the unit is shut down after a period of operation. UNM carefully monitors the entire shutdown process to ensure safety and minimize airborne emissions.

The following actions included in the operational plan are critical for minimizing emissions during engine shutdown:

- Removing the full electrical load from the system and initiating a cool-down cycle before the engine is stopped.
- Monitoring the opacity and color of the exhaust gases and taking the unit offline for repairs upon the observation of abnormal soot coming out of the stacks.

3.1.3 Emergency Generator Maintenance

UNM ensures the emergency generator RICE is appropriately maintained according to the manufacturer's recommendations. UNM carefully monitors the engines to ensure safety and minimize airborne emissions during regularly scheduled maintenance events.
The following actions included in the maintenance operational plan are critical for minimizing emissions during the event:

- Ensure the engine is achieving good combustion during the maintenance activity;

- Monitoring the opacity and color of the exhaust gases and taking the unit offline for repairs upon the observation of abnormal soot coming out of the stacks.

4. BEST AVAILABLE CONTROL TECHNOLOGY (BACT)

4.1.1 Definition of BACT

NMAC 20.11.61.7.M Contains the following definition of BACT:

> ***"Best available control technology (BACT)"*** *means an emissions limitation … based on the maximum degree of reduction for each regulated [New Source Review] NSR pollutant which would be emitted from any proposed major stationary source or major modification, which the director on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source or modification through application of production processes or available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of such pollutant.*

This definition is consistent with federal regulations as codified in 40 CFR 52.21(b)(12), which goes on to define an NSR pollutant to be any pollutant for which a National Ambient Air Quality Standard (NAAQs) has been established, including Volatile Organic Compounds (VOC) as a precursor to ozone emissions.[1] To apply federal guidance and national resources effectively, the UNH Police HQ has used VOC as a surrogate for the HAP listed in the regulation. VOC is an appropriate surrogate because the listed HAP also meet the definition of a VOC:

> ***Volatile organic compounds (VOC)*** *means any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions.*[2]

The chemical structures of benzene, toluene, and xylene are variations of a six-sided carbon ring and have the potential to participate in atmospheric chemical reactions; thus, they can be classified as VOCs. Any control device with the potential to reduce VOC emissions will naturally reduce emissions from the target HAP.

The BACT definition goes on to add the following baseline:

> *In no event shall application of best available control technology result in emissions of any pollutant which would exceed the emissions allowed by any applicable standard under 40 CFR Parts 60 and 61.*

Control technologies for VOC specific to engines similar to those at the UNMH Police Headquarters are listed within the Federal Regulations (40 CFR Parts 60, 61, and 63), Reasonably Available (RACT)/BACT/Lowest Available Emission Rate (LAER) Clearinghouse (RBLC), and EPA published guidance. These resources establish national BACT standards and were reviewed in preparation of this report.
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[1] 40 CFR 52.21(b)(50)(i)(B)

[2] 40 CFR 51.100(s)

4.1.2 Description of Source and Process

The University of New Mexico Police Headquarters' emergency backup generator's primary function is to provide backup power to support operations in the event of a primary power interruption. The emergency generator will be the sole source of regulatory air pollutants, including targeted Hazardous Air Pollutants (HAPs). Emergency Generator operations will be limited to 200 hours per year, with operations being conducted in line with Section 3.1 above. A high-level process flow diagram is shown in Section 2.2 above.

4.1.3 Selection of BACT

The proposed emergency compression ignition engine is subject to 40 CFR Part 60 Subpart IIII and 40 CFR Part 63 Subpart ZZZZ, as incorporated through 40 CFR 63.6590(C). In accordance with these standards, the engine will be a certified 40 CFR Part 60 Subpart IIII-compliant unit equipped with manufacturer-specified designs to limit emissions. As an emergency generator, the unit will be limited to no more than 200 hours of operation per year. The best available control technology for this source consists of using a compliant, certified engine equipped with advanced emission controls, operated under good combustion and maintenance practices to ensure optimal performance and minimized emissions, as outlined in Section 3.1. The proposed control strategy meets all applicable federal requirements and represents the most effective and feasible means of controlling emissions for an emergency-use engine of this type.

4. BEST AVAILABLE CONTROL TECHNOLOGY (BACT)

4.1.1 Definition of BACT

NMAC 20.11.61.7.M Contains the following definition of BACT:

> ***"Best available control technology (BACT)"*** *means an emissions limitation … based on the maximum degree of reduction for each regulated [New Source Review] NSR pollutant which would be emitted from any proposed major stationary source or major modification, which the director on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source or modification through application of production processes or available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of such pollutant.*

This definition is consistent with federal regulations as codified in 40 CFR 52.21(b)(12), which goes on to define an NSR pollutant to be any pollutant for which a National Ambient Air Quality Standard (NAAQs) has been established, including Volatile Organic Compounds (VOC) as a precursor to ozone emissions.[1] To apply federal guidance and national resources effectively, ABQT has used VOC as a surrogate for the HAP listed in the regulation. VOC is an appropriate surrogate because the listed HAP also meet the definition of a VOC:

> *Volatile organic compounds (VOC) means any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions.*[2]

The chemical structures of benzene, toluene, and xylene are variations of a six-sided carbon ring and have the potential to participate in atmospheric chemical reactions; thus, they can be classified as VOCs. Any control device with the potential to reduce VOC emissions will naturally reduce emissions from the target HAP.

The BACT definition goes on to add the following baseline:

> *In no event shall application of best available control technology result in emissions of any pollutant which would exceed the emissions allowed by any applicable standard under 40 CFR Parts 60 and 61.*

Control technologies for VOC specific to tanks and loading racks, similar to those at ABQT, are listed within the Federal Regulations (40 CFR Parts 60, 61, and 63), Reasonably Available (RACT)/BACT/Lowest Available Emission Rate (LAER) Clearinghouse (RBLC) and EPA published guidance. These resources establish national BACT standards and were reviewed in preparation of this report.

[1] 40 CFR 52.21(b)(50)(i)(B)

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4.1.2 Description of Source and Process

The University of New Mexico Police Headquarters' emergency backup generator's primary function is to provide backup power to support operations in the event of a primary power interruption. The emergency generator will be the sole source of regulatory air pollutants, including targeted Hazardous Air Pollutants (HAPs). Emergency Generator operations will be limited to 200 hours per year, with operations being conducted in line with Section 3.1 above. A high-level process flow diagram is shown in Section 2.2 above.

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The proposed emergency compression ignition engine is subject to 40 CFR Part 60 Subpart IIII and 40 CFR Part 63 Subpart ZZZZ, as incorporated through 40 CFR 63.6590(C). In accordance with these standards, the engine will be a certified 40 CFR Part 60 Subpart IIII-compliant unit equipped with manufacturer-specified designs to limit emissions. As an emergency generator, the unit will be limited to no more than 200 hours of operation per year. The best available control technology for this source consists of using a compliant, certified engine equipped with advanced emission controls, operated under good combustion and maintenance practices to ensure optimal performance and minimized emissions, as outlined in Section 3.1. The proposed control strategy meets all applicable federal requirements and represents the most effective and feasible means of controlling emissions for an emergency-use engine of this type.

N/A- No modeling is required since the facility consists of an emergency generator.

APPENDIX A. APPLICATION FORMS

Application for Air Pollutant Sources in Bernalillo County Source Registration (20.11.40 NMAC) and Construction Permits (20.11.41 NMAC) – Updated November 2023

Permit Application Checklist – Updated May 2025

Permit Application Review Fee Checklist – Updated April 2025.

City of Albuquerque – Environmental Health Department
Air Quality Program

Please mail this application to **P.O. Box 1293, Albuquerque, NM 87103**
or hand deliver between 8:00 am – 5:00 pm Monday – Friday to:
3rd Floor, Suite 3023 – One Civic Plaza NW, Albuquerque, NM 87102
(505) 768-1972 aqd@cabq.gov

Application for Air Pollutant Sources in Bernalillo County
Source Registration (20.11.40 NMAC) and Construction Permits (20.11.41 NMAC)

Submittal Date: December 19, 2025

Owner/Corporate Information ☐ **Check here and leave this section blank if information is exactly the same as Facility Information below.**

Company Name: **University of New Mexico**			
Mailing Address: **Scholes Hall 160, Bldg. 10, 1800 Roma Ave**	City: **Albuquerque**	State: **NM**	Zip: **87131**
Company Phone: **(505) 277-0305**	Company Contact: **Casey Hall**		
Company Contact Title: **Director Environmental Health and Safety**	Phone: **(505) 277-0305**	E-mail: **cbhall4@unm.edu**	

Stationary Source (Facility) Information: **Provide a plot plan (legal description/drawing of the facility property) with overlay sketch of facility processes, location of emission points, pollutant type, and distances to property boundaries.**

Facility Name: **UNM Police Headquarters**			
Facility Physical Address: **2500 Campus BLVD NE**	City: **Albuquerque**	State: **NM**	Zip: **87106**
Facility Mailing Address (if different): **N/A**	City: **N/A**	State: **N/A**	Zip: **N/A**
Facility Contact: **Casey Hall**	Title: **Director Environmental Health and Safety**		
Phone: **(505) 277-0305**	E-mail: **cbhall4@unm.edu**		
Authorized Representative Name[1]: **Casey Hall**	Authorized Representative Title: **Director Environmental Health and Safety**		

Billing Information ☒ **Check here if same contact and mailing address as corporate** ☐ **Check here if same as facility**

Billing Company Name:			
Mailing Address:	City:	State:	Zip:
Billing Contact:	Title:		
Phone:	E-mail:		

Preparer/Consultant(s) Information ☐ **Check here and leave section blank if no Consultant used or Preparer is same as Facility Contact.**

Name: **Adam Erenstein**	Title: **Principal Consultant**		
Mailing Address: **9400 Holly Ave NE, Bldg. 3, Ste B**	City: **Albuquerque**	State: **NM**	Zip: **87122**
Phone: **(505) 266-6611**	Email: **aerenstein@trinityconsultants.com**		

1. See 20.11.41.13(E)(13) NMAC.

Application for Air Pollutant Sources in Bernalillo County
Source Registration (20.11.40 NMAC) and Construction Permits (20.11.41 NMAC)

General Operation Information (if any question does not pertain to your facility, type N/A on the line or in the box)

Permitting action being requested (please refer to the definitions in 20.11.40 NMAC or 20.11.41 NMAC):			
☒ New Permit	☐ Permit Modification Current Permit #:	☐ Technical Permit Revision Current Permit #:	☐ Administrative Permit Revision Current Permit #:
☐ New Registration Certificate	☐ Modification Current Reg. #:	☐ Technical Revision Current Reg. #:	☐ Administrative Revision Current Reg. #:
UTM coordinates of facility (Zone 13, NAD 83): **13S, UTM 351,875 m E, UTM 3,884,041 m N**			
Facility type (*i.e.*, a description of your facility operations): **Emergency Generator**			
Standard Industrial Classification (SIC Code #): **8221**		North American Industry Classification System (NAICS Code #): **611310**	
Is this facility currently operating in Bernalillo County? **Yes**		If **YES**, list date of original construction: **TBD** If **NO**, list date of planned startup:	
Is the facility permanent? **Yes**		If **NO**, list dates for requested temporary operation: From **N/A** Through **N/A**	
Is the facility a portable stationary source? **No**		If **YES**, is the facility address listed above the main permitted location for this source? **N/A**	
Is the application for a physical or operational change, expansion, or reconstruction (*e.g.*, altering process, or adding, or replacing process or control equipment, etc.) to an existing facility? **Yes**			
Provide a description of the requested changes: **Installation of a new Emergency Generator**			
What is the facility's operation? ☒ Continuous ☐ Intermittent ☐ Batch			

Estimated percent of production/operation:	Jan-Mar: **25%**	Apr-Jun: **25%**	Jul-Sep: **25%**	Oct-Dec: **25%**
Requested operating times of facility:	**24** hours/day	**7** days/week	**4** weeks/month	**12** months/year

Will there be special or seasonal operating times other than shown above? This includes monthly- or seasonally-varying hours. **Yes**
If **YES**, please explain: **Emergency operation limited to 200 hours per year**
List raw materials processed:
List saleable item(s) produced:

USE INSTRUCTIONS: For the forms on the following pages, please do not alter or delete the existing footnotes or page breaks. If additional footnotes are needed then add them to the end of the existing footnote list for a given table. Only update the rows and cells within tables as necessary for your project. Unused rows can be deleted from tables. If multiple scenarios will be represented then the Uncontrolled and Controlled Emission Tables, and other tables as needed, can be duplicated and adjusted to indicate the different scenarios.

Regulated Emission Sources Table

(*E.g.*, Generator-Crusher-Screen-Conveyor-Boiler-Mixer-Spray Guns-Saws-Sander-Oven-Dryer-Furnace-Incinerator-Haul Road-Storage Pile, etc.) Match the Units listed on this Table to the same numbered line if also listed on Emissions Tables & Stack Table.

Unit Number and Description[1]	Manufacturer	Model #	Serial #	Manufacture Date	Installation Date	Modification Date[2]	Process Rate or Capacity (Hp, kW, Btu, ft^3, lbs, tons, yd^3, etc.)[3]	Fuel Type
1700-EG-1 Emergency Generator	**Caterpillar**	**C9 GCABR**	**TBD**	**2025+**	**TBD**	**N/A**	**300 kW (480 HP)**	**Diesel**

NOTE: To add extra rows in Word, click anywhere in the last row. A plus (+) sign should appear on the bottom right corner of the row. Click the plus (+) sign to add a row. Repeat as needed.

1. Unit numbers must correspond to unit numbers in the previous permit unless a complete cross reference table of all units in both permits is provided.
2. To determine whether a unit has been modified, evaluate if changes have been made to the unit that impact emissions or that trigger modification as defined in 20.11.41.7(U) NMAC. If not, put N/A.
3. Basis for Equipment Process Rate or Capacity (*e.g.*, Manufacturer's Data, Field Observation/Test, etc.) **NSPS iiii & AP-42 3.3**
   Submit information for each unit as an attachment.

Emissions Control Equipment Table

Control Equipment Units listed on this Table should either match up to the same Unit number as listed on the Regulated Emission Sources, Controlled Emissions and Stack Parameters Tables (if the control equipment is integrated with the emission unit) or should have a distinct Control Equipment Unit Number and that number should then also be listed on the Stack Parameters Table.

Control Equipment Unit Number and Description	Controlling Emissions for Unit Number(s)	Manufacturer	Model # | Serial #	Date Installed	Controlled Pollutant(s)	% Control Efficiency[1]	Method Used to Estimate Efficiency	Rated Process Rate or Capacity or Flow
N/A – There is no control equipment at this facility.								

NOTE: To add extra rows in Word, click anywhere in the last row. A plus (+) sign should appear on the bottom right corner of the row. Click the plus (+) sign to add a row. Repeat as needed.

1. Basis for Control Equipment % Efficiency (*e.g.*, Manufacturer's Data, Field Observation/Test, AP-42, etc.). **N/A**
   Submit information for each unit as an attachment.

Exempted Sources and Exempted Activities Table

See 20.11.41 NMAC for exemptions.

Unit Number and Description	Manufacturer	Model #	Serial #	Manufacture Date	Installation Date	Modification Date[1]	Process Rate or Capacity (Hp, kW, Btu, ft^3, lbs, tons, yd^3, etc.)[2]	Fuel Type
N/A – There are no exempted sources and exempted activities at this facility								
							/	

NOTE: To add extra rows in Word, click anywhere in the last row. A plus (+) sign should appear on the bottom right corner of the row. Click the plus (+) sign to add a row. Repeat as needed.

1. To determine whether a unit has been modified, evaluate if changes have been made to the unit that impact emissions or that trigger modification as defined in 20.11.41.7(U) NMAC. Also, consider if any changes that were made alter the status from exempt to non-exempt. If not, put N/A.
2. Basis for Equipment Process Rate or Capacity (*e.g.*, Manufacturer's Data, Field Observation/Test, etc.) **N/A**
   Submit information for each unit as an attachment.

Uncontrolled Emissions Table

(Process potential under physical/operational limitations during a 24 hr/day and 365 day/year = 8760 hrs)

Regulated Emission Units listed on this Table should match up to the same numbered line and Unit as listed on the Regulated Emissions and Controlled Tables. List total HAP values per Emission Unit if overall HAP total for the facility is ≥ 1 ton/yr.

Unit Number*	Nitrogen Oxides (NO_X)		Carbon Monoxide (CO)		Nonmethane Hydrocarbons/Volatile Organic Compounds (NMHC/VOCs)		Sulfur Dioxide (SO_2)		Particulate Matter ≤ 10 Microns (PM_{10})		Particulate Matter ≤ 2.5 Microns ($PM_{2.5}$)		Hazardous Air Pollutants (HAPs)		Method(s) used for Determination of Emissions (AP-42, Material Balance, Field Tests, etc.)
	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	
1700-EG-1	**3.02**	**13.21**	**2.75**	**12.05**	**0.16**	**0.70**	**4.65E-03**	**0.020**	**0.16**	**0..695**	**0.16**	**0.695**	**0.011**	**0.049**	**AP-42 Section 3.3 and NSPS iiii, Material Balance**
Totals of Uncontrolled Emissions	**3.02**	**13.21**	**2.75**	**12.05**	**0.16**	**0.70**	**4.65E-03**	**0.020**	**0.16**	**0..695**	**0.16**	**0.695**	**0.011**	**0.049**	

NOTE: To add extra rows in Word, click anywhere in the second-to-last row. A plus (+) sign should appear on the bottom right corner of the row. Click the plus (+) sign to add a row. Repeat as needed.

*A permit is required and this application along with the additional checklist information requested on the Permit Application checklist must be provided if:

(1) any one of these process units or combination of units, has an uncontrolled emission rate greater than or equal to (≥) 10 lbs/hr or 25 tons/yr for any of the above pollutants, excluding HAPs, based on 8,760 hours of operation; or

(2) any one of these process units or combination of units, has an uncontrolled emission rate ≥ 2 tons/yr for any single HAP or ≥ 5 tons/yr for any combination of HAPs based on 8,760 hours of operation; or

(3) any one of these process units or combination of units, has an uncontrolled emission rate ≥ 5 tons/yr for lead (Pb) or any combination of lead and its compounds based on 8,760 hours of operation; or

(4) any one of the process units or combination of units is subject to an Air Board or federal emission limit or standard.

* If all of these process units, individually and in combination, have an uncontrolled emission rate less than (<) 10 lbs/hr or 25 tons/yr for all of the above pollutants (based on 8,760 hours of operation), but > 1 ton/yr for any of the above pollutants, then a source registration is required. A Registration is required, at minimum, for any amount of HAP emissions. Please complete the remainder of this form.

Updated page received January 19,2026

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Uncontrolled Emissions Table

(Process potential under physical/operational limitations during a 24 hr/day and 365 day/year = 8760 hrs)

Regulated Emission Units listed on this Table should match up to the same numbered line and Unit as listed on the Regulated Emissions and Controlled Tables. List total HAP values per Emission Unit if overall HAP total for the facility is ≥ 1 ton/yr.

Unit Number*	Nitrogen Oxides (NO_X)		Carbon Monoxide (CO)		Nonmethane Hydrocarbons/Volatile Organic Compounds (NMHC/VOCs)		Sulfur Dioxide (SO_2)		Particulate Matter ≤ 10 Microns (PM_{10})		Particulate Matter ≤ 2.5 Microns ($PM_{2.5}$)		Hazardous Air Pollutants (HAPs)		Method(s) used for Determination of Emissions (AP-42, Material Balance, Field Tests, etc.)
	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	
1700-EG-1	**3.02**	**13.21**	**2.75**	**12.05**	**0.16**	**0.70**	**2.33E-03**	**0.010**	**0.16**	**0..695**	**0.16**	**0.695**	**0.011**	**0.049**	**AP-42 Section 3.3 and NSPS iiii, Material Balance**
Totals of Uncontrolled Emissions	**3.02**	**13.21**	**2.75**	**12.05**	**0.16**	**0.70**	**2.33E-03**	**0.010**	**0.16**	**0..695**	**0.16**	**0.695**	**0.011**	**0.049**	

NOTE: To add extra rows in Word, click anywhere in the second-to-last row. A plus (+) sign should appear on the bottom right corner of the row. Click the plus (+) sign to add a row. Repeat as needed.

*A permit is required and this application along with the additional checklist information requested on the Permit Application checklist must be provided if:

(1) any one of these process units or combination of units, has an uncontrolled emission rate greater than or equal to (≥) 10 lbs/hr or 25 tons/yr for any of the above pollutants, excluding HAPs, based on 8,760 hours of operation; or

(2) any one of these process units or combination of units, has an uncontrolled emission rate ≥ 2 tons/yr for any single HAP or ≥ 5 tons/yr for any combination of HAPs based on 8,760 hours of operation; or

(3) any one of these process units or combination of units, has an uncontrolled emission rate ≥ 5 tons/yr for lead (Pb) or any combination of lead and its compounds based on 8,760 hours of operation; or

(4) any one of the process units or combination of units is subject to an Air Board or federal emission limit or standard.

* If all of these process units, individually and in combination, have an uncontrolled emission rate less than (<) 10 lbs/hr or 25 tons/yr for all of the above pollutants (based on 8,760 hours of operation), but > 1 ton/yr for any of the above pollutants, then a source registration is required. A Registration is required, at minimum, for any amount of HAP emissions. Please complete the remainder of this form.

Controlled Emissions Table

(Based on current operations with emission controls OR requested operations with emission controls)

Regulated Emission Units listed on this Table should match up to the same numbered line and Unit as listed on the Regulated Emissions and Uncontrolled Tables. List total HAP values per Emission Unit if overall HAP total for the facility is ≥ 1 ton/yr.

Unit Number	Nitrogen Oxides (NO_X)		Carbon Monoxide (CO)		Nonmethane Hydrocarbons/Volatile Organic Compounds (NMHC/VOCs)		Sulfur Dioxide (SO_2)		Particulate Matter ≤ 10 Microns (PM_{10})		Particulate Matter ≤ 2.5 Microns ($PM_{2.5}$)		Hazardous Air Pollutants (HAPs)		Control Method	% Efficiency[1]
	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr		
1700-EG-1	**3.02**	**0.30**	**2.75**	**0.28**	**0.16**	**0.016**	**4.65E-03**	**4.65E-04**	**0.16**	**0.016**	**0.16**	**0.016**	**0.011**	**1.12E-03**	**Hours of Operation**	**N/A**
Totals of Controlled Emissions	**3.02**	**0.30**	**2.75**	**0.28**	**0.16**	**0.016**	**4.65E-03**	**4.65E-04**	**0.16**	**0.016**	**0.16**	**0.016**	**0.011**	**1.12E-03**		

NOTE: To add extra rows in Word, click anywhere in the second-to-last row. A plus (+) sign should appear on the bottom right corner of the row. Click the plus (+) sign to add a row. Repeat as needed.

1. Basis for Control Method % Efficiency (*e.g.*, Manufacturer's Data, Field Observation/Test, AP-42, etc.). **Hours of Operation**
   Submit information for each unit as an attachment.

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Controlled Emissions Table

(Based on current operations with emission controls OR requested operations with emission controls)

Regulated Emission Units listed on this Table should match up to the same numbered line and Unit as listed on the Regulated Emissions and Uncontrolled Tables. List total HAP values per Emission Unit if overall HAP total for the facility is ≥ 1 ton/yr.

Unit Number	Nitrogen Oxides (NO_X)		Carbon Monoxide (CO)		Nonmethane Hydrocarbons/Volatile Organic Compounds (NMHC/VOCs)		Sulfur Dioxide (SO_2)		Particulate Matter ≤ 10 Microns (PM_{10})		Particulate Matter ≤ 2.5 Microns ($PM_{2.5}$)		Hazardous Air Pollutants (HAPs)		Control Method	% Efficiency[1]
	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr		
1700-EG-1	**3.02**	**0.30**	**2.75**	**0.28**	**0.16**	**0.016**	**2.33E-03**	**2.33E-04**	**0.16**	**0.016**	**0.16**	**0.016**	**0.011**	**1.12E-03**	**Hours of Operation**	**N/A**
Totals of Controlled Emissions	**3.02**	**0.30**	**2.75**	**0.28**	**0.16**	**0.016**	**2.33E-03**	**2.33E-04**	**0.16**	**0.016**	**0.16**	**0.016**	**0.011**	**1.12E-03**		

NOTE: To add extra rows in Word, click anywhere in the second-to-last row. A plus (+) sign should appear on the bottom right corner of the row. Click the plus (+) sign to add a row. Repeat as needed.

1. Basis for Control Method % Efficiency (*e.g.*, Manufacturer's Data, Field Observation/Test, AP-42, etc.). **Hours of Operation**
   Submit information for each unit as an attachment.

Hazardous Air Pollutants (HAPs) Emissions Table

Report the Potential Emission Rate for each HAP from each source on the Regulated Emission Sources Table that emits a given HAP. Report individual HAPs with ≥ 1 ton/yr total emissions for the facility on this table. Otherwise, report total HAP emissions for each source that emits HAPs and report individual HAPs in the accompanying application package in association with emission calculations. If this application is for a Registration solely due to HAP emissions, report the largest HAP emissions on this table and the rest, if any, in the accompanying application package.

Unit Number	Total HAPs															
	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr
1700-EG-1	**0.011**	**1.12E-03**														
Totals of HAPs for all units:	**0.011**	**1.12E-03**														

NOTE: To add extra rows in Word, click anywhere in the second-to-last row. A plus (+) sign should appear on the bottom right corner of the row. Click the plus (+) sign to add a row. Repeat as needed.

Use Instructions: Copy and paste the HAPs table here if need to list more individual HAPs.

Purchased Hazardous Air Pollutant Table*

Product Categories (Coatings, Solvents, Thinners, etc.)	Hazardous Air Pollutant (HAP), or Volatile Hazardous Air Pollutant (VHAP) Primary To The Representative As Purchased Product	Chemical Abstract Service (CAS) Number of HAP or VHAP from Representative As Purchased Product	HAP or VHAP Concentration of Representative As Purchased Product (pounds/gallon, or %)	Concentration Determination (CPDS, SDS, etc.)[1]	Total Product Purchases For Category	(-)	Quantity of Product Recovered & Disposed For Category	(=)	Total Product Usage For Category
N/A – There is no purchased HAPs at this facility.									
TOTALS					lb/yr gal/yr	(-)	lb/yr gal/yr	(=)	lb/yr gal/yr

NOTE: To add extra rows in Word, click anywhere in the second-to-last row. A plus (+) sign should appear on the bottom right corner of the row. Click the plus (+) sign to add a row. Repeat as needed.

NOTE: Product purchases, recovery/disposal and usage should be converted to the units listed in this table. If units cannot be converted please contact the Air Quality Program prior to making changes to this table.

1. Submit, as an attachment, information on one (1) product from each Category listed above which best represents the average of all the products purchased in that Category. CPDS = Certified Product Data Sheet; SDS = Safety Data Sheet

*** A Registration is required, at minimum, for any amount of HAP or VHAP emission.**
Emissions from purchased HAP usage should be accounted for on previous tables as appropriate.
A permit may be required for these emissions if the source meets the requirements of 20.11.41 NMAC.

Material and Fuel Storage Table

(*E.g.*, Tanks, barrels, silos, stockpiles, etc.)

Storage Equipment		Product Stored	Capacity (bbls, tons, gals, acres, etc.)	Above or Below Ground	Construction (Welded, riveted) & Color	Installation Date	Loading Rate[1]	Offloading Rate[1]	True Vapor Pressure	Control Method	Seal Type	% Eff.[2]
TBD	**TBD**	**Diesel**	**147 gallon**	**Above**	**TBD**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**

NOTE: To add extra rows in Word, click anywhere in the last row. A plus (+) sign should appear on the bottom right corner of the row. Click the plus (+) sign to add a row. Repeat as needed.

1. Basis for Loading/Offloading Rate (*e.g.*, Manufacturer's Data, Field Observation/Test, etc.). **N/A**
   Submit information for each unit as an attachment.
2. Basis for Control Method % Efficiency (*e.g.*, Manufacturer's Data, Field Observation/Test, AP-42, etc.). **N/A**
   Submit information for each unit as an attachment.

Stack Parameters Table

If any equipment from the Regulated Emission Sources Table is also listed in this Stack Table, use the same numbered line for the emission unit on both tables to show the association between the Process Equipment and its stack.

Unit Number and Description		Pollutant (CO, NOx, PM_{10}, etc.)	UTM Easting (m)	UTM Northing (m)	Stack Height (ft)	Stack Exit Temp. (°F)	Stack Velocity (fps)	Stack Flow Rate (acfm)	Stack Inside Diameter (ft)	Stack Type
1700-EG-1	**Generator**	**NO_X, CO, VOC, SO_2, PM_{10}, $PM_{2.5}$, HAPs**	**351,875 m**	**3,884,041 m**	**8.15**	**927**	**192.52**	**2461**	**0.52**	**Vertical**

NOTE: To add extra rows in Word, click anywhere in the last row. A plus (+) sign should appear on the bottom right corner of the row. Click the plus (+) sign to add a row. Repeat as needed.

Certification

NOTICE REGARDING SCOPE OF A PERMIT: The Environmental Health Department's issuance of an air quality permit only authorizes the use of the specified equipment pursuant to the air quality control laws, regulations and conditions. Permits relate to air quality control only and are issued for the sole purpose of regulating the emission of air contaminants from said equipment. Air quality permits are not a general authorization for the location, construction and/or operation of a facility, nor does a permit authorize any particular land use or other form of land entitlement. It is the applicant's/permittee's responsibility to obtain all other necessary permits from the appropriate agencies, such as the City of Albuquerque Planning Department or Bernalillo County Department of Planning and Development Services, including but not limited to site plan approvals, building permits, fire department approvals and the like, as may be required by law for the location, construction and/or operation of a facility. For more information, please visit the City of Albuquerque Planning Department website at https://www.cabq.gov/planning and the Bernalillo County Department of Planning and Development Services website at https://www.bernco.gov/planning.

NOTICE REGARDING ACCURACY OF INFORMATION AND DATA SUBMITTED: Any misrepresentation of a material fact in this application and its attachments is cause for denial of a permit or revocation of part or all of the resulting registration or permit, and revocation of a permit for cause may limit the permitee's ability to obtain any subsequent air quality permit for ten (10) years. Any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan or other document filed or required to be maintained under the Air Quality Control Act, NMSA 1978 §§ 74-2-1 to 74-2-17, is guilty of a misdemeanor and shall, upon conviction, be punished by a fine of not more than ten thousand dollars ($10,000) per day per violation or by imprisonment for not more than twelve months, or by both.

I, the undersigned, hereby certify that I have knowledge of the information and data represented and submitted in this application and that the same is true and accurate, including the information and date in any and all attachments, including without limitation associated forms, materials, drawings, specifications, and other data. I also certify that the information represented gives a true and complete portrayal of the existing, modified existing, or planned new stationary source with respect to air pollution sources and control equipment. I understand that there may be significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations. I also understand that the person who has applied for or has been issued an air quality permit by the Department is an obligatory party to a permit appeal filed pursuant to 20.11.81 NMAC. Further, I certify that I am qualified and authorized to file this application, to certify the truth and accuracy of the information herein, and bind the source. Moreover, I covenant and agree to comply with any requests by the Department for additional information necessary for the Department to evaluate or make a final decision regarding the application.

Signed this 12th day of January, 20 26

Teresa A. Costantinidis
Print Name

Exec Vice President Finance + Admin
Print Title

Teresa A. Costantinidis
Signature

Role: ☑ Owner ☐ Operator

☐ Other Authorized Representative

City of Albuquerque
Environmental Health Department
Air Quality Program

Construction Permit (20.11.41 NMAC)
Application Checklist

This checklist must be returned with the application

Any person seeking a new air quality permit, a permit modification, or an emergency permit under 20.11.41 NMAC (Construction Permits) shall do so by filing a written application with the Albuquerque-Bernalillo County Joint Air Quality Program, which administers and enforces local air quality laws for the City of Albuquerque ("City") and Bernalillo County ("County"), on behalf of the City Environmental Health Department ("Department").

The Department will rule an application administratively incomplete if it is missing or has incorrect information. The Department may require additional information that is necessary to make a thorough review of an application, including but not limited to technical clarifications, emission calculations, emission factor usage, additional application review fees if any are required by 20.11.2 NMAC, and new or additional air dispersion modeling.

If the Department has ruled an application administratively incomplete three (3) times, the Department will deny the permit application. Any fees submitted for processing an application that has been denied will not be refunded. If the Department denies an application, a person may submit a new application and the fee required for a new application. The applicant has the burden of demonstrating that a permit should be issued.

The following are the minimum elements that shall be included in the permit application before the Department can determine whether an application is administratively complete and ready for technical review. It is not necessary to include an element if the Department has issued a written waiver regarding the element and the waiver accompanies the application. However, the Department shall not waive any federal requirements.

At all times before the Department has made a final decision regarding the application, an applicant has a duty to promptly supplement and correct information the applicant has submitted in an application to the Department. The applicant's duty to supplement and correct the application includes but is not limited to relevant information acquired after the applicant has submitted the application and additional information the applicant otherwise determines is relevant to the application and the Department's review and decision. While the Department is processing an application, regardless of whether the Department has determined the application is administratively complete, if the Department determines that additional information is necessary to evaluate or make a final decision regarding the application, the Department may request additional information and the applicant shall provide the requested additional information.

NOTICE REGARDING PERMIT APPEALS: A person who has applied for or has been issued an air quality permit by the Department shall be an obligatory party to a permit appeal filed pursuant to 20.11.81 NMAC.

NOTICE REGARDING SCOPE OF A PERMIT: The Department's issuance of an air quality permit only authorizes the use of the specified equipment pursuant to the air quality control laws, regulations and conditions. Permits relate to air quality control only and are issued for the sole purpose of regulating the emission of air contaminants from said equipment. Air quality permits are not a general authorization for the location, construction and/or operation of a facility, nor does a permit authorize any particular land use or other form of land entitlement. It is the applicant's/permittee's responsibility to obtain all other necessary permits from the appropriate agencies, such as the City Planning Department or County Department of Planning and Development Services, including but not limited to site plan approvals, building permits, fire department approvals and the like, as may be required by law for the location, construction and/or operation of a facility. For more information, please visit the City Planning Department website at https://www.cabq.gov/planning and the County Department of Planning and Development Services website at https://www.bernco.gov/planning.

The Applicant shall:

20.11.41.13(A) NMAC – Pre-Application Requirements:

Item	Completed	N/A[1]	Waived[2]
(1) Request a pre-application meeting with the Department using the pre-application meeting request form. Include a copy of the request form submitted to the Department.	☐	☐	☒
(2) Attend the pre-application meeting. Date of pre-application meeting:	☐	☐	☒
Pre-application meeting agenda and public notice sign checklists included with application?	☒	☐	☐

1. *Not Applicable*
2. *It is not necessary to include an element if the Department has issued a written waiver regarding the element and the waiver accompanies the application. However, the Department shall not waive any federal requirements.*

20.11.41.13(B) NMAC – Applicant's Public Notice Requirements:

Item	Included in Application	N/A[1]	Waived[2]
(1) Provide public notice in accordance with the regulation, including by certified mail or electronic copy to the designated representative(s) of the recognized neighborhood associations and recognized coalitions that are within one-half mile of the exterior boundaries of the property on which the source is or is proposed to be located.	☒	☐	☐
• Contact list of representative(s) of recognized neighborhood associations and recognized coalitions cannot be more than three months old from the application submittal date. • Include contact list provided by Department in application submittal.	☒	☐	☐
• Provide notice using the Notice of Intent to Construct form and Applicant Notice Cover Letter.	☒	☐	☐
(2) In accordance with the regulation, post and maintain in a visible location a weather proof sign provided by the Department. Include pictures in application.	☒	☐	☐
Documentary proof of all public notice requirements listed above and required by 20.11.41.13(E)(15) included with application?	☒	☐	☐

1. *Not Applicable; For emergency permits, the public notice requirements in 20.11.41.24 NMAC shall apply instead.*
2. *It is not necessary to include an element if the Department has issued a written waiver regarding the element and the waiver accompanies the application. However, the Department shall not waive any federal requirements.*

20.11.41.13(D) NMAC

Item	Included in Application
A person who is seeking a construction permit pursuant to 20.11.41 NMAC shall complete a permit application and file one complete original and one duplicate copy with the Department.	☒
• A high-quality electronic duplicate copy is required by the Department to speed up review and allow for the Department public notice to be posted online. The electronic copy must be an exact duplicate of the hardcopy original, including pages with signatures such as the application certification page. Note: Do not include financial information, such as a copy of a check, in the electronic PDF.	☒
The electronic submittal on thumb drive, unless alternate method is allowed by the Department, must also include modeling files, if applicable, and emission calculations file(s) in Microsoft Excel-compatible format.	☒

The Permit Application shall include:

20.11.41.13(E) NMAC – Application Contents

Item	Included in Application	N/A[1]	Waived[2]
(1) A complete permit application on the most recent form provided by the Department.	☒	☐	☐
(2) The application form includes:			
a. The applicant's name, street and post office address, and contact information;	☒	☐	☐
b. The facility owner/ operator's name, street address and mailing address, if different from the applicant;	☒	☐	☐
c. The consultant's name and contact information, if applicable;	☒	☐	☐
d. All information requested on the application form is included (*i.e.*, the form is complete).	☐	☐	☐
(3) The date the application was submitted to the Department.	☒	☐	☐
(4) Sufficient attachments for the following:			
a. Ambient impact analysis using an atmospheric dispersion model approved by the U.S. Environmental Protection Agency, and the Department to demonstrate compliance with the applicable National Ambient Air Quality Standards (NAAQS). *See* 20.11.1 NMAC. If you are modifying an existing source, the modeling must include the emissions of the entire source to demonstrate the impact the new or modified source(s) will have on existing plant emissions.	☐	☒	☐
b. The air dispersion model has been executed pursuant to a protocol that was approved in advance by the Department.	☐	☒	☐
c. Air dispersion modeling approved (or 2nd denied) protocol date:	☐	☒	☐
d. Basis or source for each emission rate (including manufacturer's specification sheets, AP-42 section sheets, test data, or corresponding supporting documentation for any other source used).	☒	☐	☐
e. All calculations used to estimate potential emission rates and controlled/proposed emissions.	☒	☐	☐
f. Basis for the estimated control efficiencies and sufficient engineering data for verification of the control equipment operation, including if necessary, design, drawing, test report and factors which affect the normal operation.	☒	☐	☐
g. Fuel data for each existing and/or proposed piece of fuel burning equipment.	☒	☐	☐
h. Anticipated maximum production capacity of the entire facility and the requested production capacity after construction and/or modification.	☒	☐	☐
i. Stack and exhaust gas parameters for all existing and proposed emission stacks.	☒	☐	☐
(5) An operational and maintenance strategy detailing:	☒	☐	☐
a. the steps the applicant will take if a malfunction occurs that may cause emission of a regulated air contaminant to exceed a limit that is included in the permit;	☒	☐	☐
b. the nature of emissions during routine startup or shutdown of the source and the source's air pollution control equipment; and	☒	☐	☐
c. the steps the applicant will take to minimize emissions during routine startup or shutdown.	☒	☐	☐
(6) A map, such as a 7.5'-topographic quadrangle map published by the U.S. Geological Survey or a map of equivalent or greater scale, detail, and precision, including a City or County zone atlas map that shows the proposed location of each process equipment unit involved in the proposed construction, modification, or operation of the source, as applicable.	☒	☐	☐

Item	Included in Application	N/A[1]	Waived[2]
(7) An aerial photograph showing the proposed location of each process equipment unit involved in the proposed construction, modification, relocation or technical revision of the source except for federal agencies or departments involved in national defense or national security as confirmed and agreed to by the Department in writing.	☒	☐	☐
(8) A complete description of all sources of regulated air contaminants and a process flow diagram depicting the process equipment unit or units at the facility, both existing and proposed, that are proposed to be involved in routine operations and from which regulated air contaminant emissions are expected to be emitted.	☒	☐	☐
(9) A full description of air pollution control equipment, including all calculations and the basis for all control efficiencies presented, manufacturer's specifications sheets, and site layout and assembly drawings; UTM (universal transverse mercator) coordinates shall be used to identify the location of each emission unit.	☒	☐	☐
(10) A description of the equipment or methods proposed by the applicant to be used for emission measurement.	☒	☐	☐
(11) The maximum and normal operating time schedules of the source after completion of construction or modification, as applicable.	☒	☐	☐
(12) Any other relevant information as the Department may reasonably require, including without limitation:	☒	☐	☐
a. Provide an applicability determination for all potentially applicable federal regulations.	☒	☐	☐
b. Applicants shall provide documentary proof that the proposed air quality permitted use of the facility's subject property is allowed by the zoning designation of the City or County zoning laws, as applicable. Sufficient documentation includes: (i) a zoning certification from the City Planning Department or County Department of Planning and Development Services, as applicable, if the property is subject to City or County zoning jurisdiction; or (ii) a zoning verification from both planning departments if the property is not subject to City or County zoning jurisdiction.[3] A zone atlas map shall not be sufficient.	☒	☐	☐
c. Compliance History Disclosure Form[4]	☒	☐	☐
d. BACT Analysis, if applicable, for new permit or permit modification applications.	☒	☐	☐
(13) The signature of the applicant, operator, owner or an authorized representative, certifying to the accuracy of all information as represented in the application and attachments, if any.	☐	☐	☐
(14) A check or money order for the appropriate application fee or fees required by 20.11.2 NMAC, *Fees*. (Online fee payments are now accepted as well. Application must be submitted first, then Department will provide invoice for online payment.)	☒	☐	☐

1. *Not Applicable*
2. *It is not necessary to include an element if the Department has issued a written waiver regarding the element and the waiver accompanies the application. However, the Department shall not waive any federal requirements.*
3. *Applicants are not required to submit documentation for the subject property's zoning designation when applying for a relocation of a portable stationary source, or a technical or administrative revision to an existing permit.*
4. *Required for applications filed pursuant to the following regulations: Construction Permits (20.11.41 NMAC); Operating Permits (20.11.42 NMAC); Nonattainment Areas (20.11.60 NMAC); Prevention of Significant Deterioration (20.11.61 NMAC); and Acid Rain (20.11.62 NMAC); except this Form shall not be required for asbestos notifications under 20.11.20.22 NMAC, and this Form shall only be required for administrative permit revision (20.11.41.28(A) NMAC) and administrative permit amendments (20.11.42.12(E)(1) NMAC) when the action requested is a transfer of ownership. Air Quality Program staff can answer basic questions about the Compliance History Disclosure Form but will not provide specific advice about which boxes to check or whether information must be disclosed. The decision about how to answer a question and whether there is information to disclose is the responsibility of applicants/permittees.*

City of Albuquerque
Environmental Health Department
Air Quality Program

Permit Application Review Fee Checklist Instructions

All source registration and construction permit applications for stationary or portable sources shall be charged an application review fee according to the fee schedule in 20.11.2 NMAC. These filing fees are required for both new construction, reconstruction, and permit modification/revision applications. Most air quality notification (AQN) applications shall be charged an application review fee according to 20.11.39 NMAC. Qualified small businesses as defined in 20.11.2 NMAC may be eligible to pay one-half of the application review fees and 100% of all applicable federal program review fees.

Please fill out the permit application review fee checklist completely and submit with a check or money order payable to the "City of Albuquerque Fund 242" and:

1. Deliver it in person to the Albuquerque Environmental Health Department, 3rd floor, Room 3023, Albuquerque-Bernalillo County Government Center, south building, One Civic Plaza NW, Albuquerque, NM 87102; or

2. Mail it to Albuquerque Environmental Health Department, Air Quality Program, Permitting Division, P.O. Box 1293, Albuquerque, NM 87103; or

3. Online fee payments are now accepted as well. Application must be submitted first, then Department will provide invoice for online payment. Fill out form completely and mark check box below fee amount due on last page to request an invoice to pay the fee online.

The Department will provide a receipt of payment to the applicant. The person delivering or filing a submittal shall attach a copy of the receipt of payment to the submittal as proof of payment. Application review fees shall not be refunded without the written approval of the manager. If a refund is requested, a reasonable professional service fee to cover the costs of staff time involved in processing such requests shall be assessed. Please refer to 20.11.2 NMAC (effective January 10, 2011) for more detail concerning the "Fees" regulation as this checklist does not relieve the applicant from any applicable requirement of the regulation.

City of Albuquerque
Environmental Health Department
Air Quality Program

Permit Application Review Fee Checklist Effective January 1, 2025 – December 31, 2025

Please completely fill out the information in each section. Incompleteness of this checklist may result in the Albuquerque Environmental Health Department not accepting the application review fees. If you have any questions concerning this checklist, please call (505) 768-1972.

I. COMPANY INFORMATION:

Company Name	University of New Mexico		
Company Address	Scholes Hall 160, Bldg. 10, 1800 Roma Ave, Albuquerque, NM 87131		
Facility Name	UNM Police Headquarters		
Facility Address	1700 Mesa Vista Rd, NE Albuquerque, NM 87106.		
Contact Person	Casey Hall		
Contact Person Phone Number	(505) 277-0305	**Email**	cbhall4@unm.edu
Are these application review fees for an existing permitted source located within the City of Albuquerque or Bernalillo County?	**Yes** ☐	**No** ☒	
If yes, what is the current permit/registration/AQN number for this facility?	**Permit #**		
Is this application review fee for a Qualified Small Business as defined in 20.11.2 NMAC? (See Definition of Qualified Small Business on Page 4)	**Yes** ☐	**No** ☒	

II. STATIONARY SOURCE APPLICATION REVIEW FEES:

If the application is for a new stationary source facility, please check all that apply. If this application is for a modification to an existing permit please see Section III. For revisions or relocations please see Sections IV or V.

Check All That Apply	Stationary Sources	Review Fee	Program Element
	Air Quality Notifications		
☐	AQN New Application	$701.00	2801
☐	AQN Technical Amendment	$383.00	2802
☐	AQN Transfer of a Prior Authorization	$383.00	2803
☒	*Not Applicable*	*See Sections Below*	
	Stationary Source Review Fees (Not Based on Proposed Allowable Emission Rate)		
☐	Source Registration required by 20.11.40 NMAC	$715.00	2401
☒	A Stationary Source that requires a permit pursuant to 20.11.41 NMAC or other board regulations and are not subject to the below proposed allowable emission rates	$1,429.00	2301
☐	*Not Applicable*	*See Sections Below*	
	Stationary Source Review Fees (Based on the Proposed Allowable Emission Rate for the single highest fee pollutant)		
☐	Proposed Allowable Emission Rate equal to or greater than 1 tpy and less than 5 tpy	$1,072.00	2302
☐	Proposed Allowable Emission Rate equal to or greater than 5 tpy and less than 25 tpy	$2,144.00	2303
☐	Proposed Allowable Emission Rate equal to or greater than 25 tpy and less than 50 tpy	$4,288.00	2304
☐	Proposed Allowable Emission Rate equal to or greater than 50 tpy and less than 75 tpy	$6,432.00	2305
☐	Proposed Allowable Emission Rate equal to or greater than 75 tpy and less than 100 tpy	$8,577.00	2306
☐	Proposed Allowable Emission Rate equal to or greater than 100 tpy	$10,721.00	2307
☒	*Not Applicable*	*See Sections Below*	

Federal Program Review Fees for each subpart (In addition to the Stationary Source Application Review Fees above)			
☒	40 CFR 60 – "New Source Performance Standards" (NSPS)	$1,429.00	2308
☐	40 CFR 61 – "National Emission Standards for Hazardous Air Pollutants" (NESHAPs)	$1,429.00	2309
☐	40 CFR 63 – (NESHAPs) Promulgated Standards	$1,429.00	2310
☐	20.11.64 – (NESHAPs) Case-by-Case MACT Review (Major HAP sources)	$14,294.00	2311
☐	20.11.61 NMAC – Prevention of Significant Deterioration (PSD) Permit	$7,147.00	2312
☐	20.11.60 NMAC – Non-Attainment Area Permit	$7,147.00	2313
☐	*Not Applicable*	*Not Applicable*	

III. MODIFICATION TO EXISTING PERMIT APPLICATION REVIEW FEES:

If the application is for a modification to an existing permit, please check all that apply. If this application is for a new stationary source facility, please see Section II. For revisions or relocations please see Sections IV or V.

Check All That Apply	Modifications	Review Fee	Program Element
Modification Application Review Fees (Not Based on Proposed Allowable Emission Rate)			
☐	Proposed modification to an existing Source Registration required by 20.11.40 NMAC	$715	2401
☐	Proposed modification to an existing stationary source that requires a permit pursuant to 20.11.41 NMAC or other board regulations and are not subject to the below proposed allowable emission rates	$1,429	2321
☒	*Not Applicable*	*See Sections Below*	
Modification Application Review Fees (Based on the Proposed Allowable Emission Rate for the single highest fee pollutant)			
☐	Proposed Allowable Emission Rate equal to or greater than 1 tpy and less than 5 tpy	$1,072.00	2322
☐	Proposed Allowable Emission Rate equal to or greater than 5 tpy and less than 25 tpy	$2,144.00	2323
☐	Proposed Allowable Emission Rate equal to or greater than 25 tpy and less than 50 tpy	$4,288.00	2324
☐	Proposed Allowable Emission Rate equal to or greater than 50 tpy and less than 75 tpy	$6,432.00	2325
☐	Proposed Allowable Emission Rate equal to or greater than 75 tpy and less than 100 tpy	$8,577.00	2326
☐	Proposed Allowable Emission Rate equal to or greater than 100 tpy	$10,721.00	2327
☒	*Not Applicable*	*See Sections Below*	
Major Modifications Review Fees (In addition to the Modification Application Review Fees above)			
☐	20.11.60 NMAC – Permitting in Non-Attainment Areas	$7,147.00	2333
☐	20.11.61 NMAC – Prevention of Significant Deterioration	$7,147.00	2334
☒	*Not Applicable*	*Not Applicable*	
Federal Program Review Fees for each subpart (This section applies only if a Federal Program Review is triggered by the proposed modification) (These fees are in addition to the Modification and Major Modification Application Review Fees above)			
☐	40 CFR 60 – "New Source Performance Standards" (NSPS)	$1,429.00	2328
☐	40 CFR 61 – "National Emission Standards for Hazardous Air Pollutants" (NESHAPs)	$1,429.00	2329
☐	40 CFR 63 – (NESHAPs) Promulgated Standards	$1,429.00	2330
☐	20.11.64 – (NESHAPs) Case-by-Case MACT Review (Major HAP sources)	$14,294.00	2331
☐	20.11.61 NMAC – Prevention of Significant Deterioration (PSD) Permit	$7,147.00	2332
☐	20.11.60 NMAC – Non-Attainment Area Permit	$7,147.00	2333
☒	*Not Applicable*	*Not Applicable*	

IV. ADMINISTRATIVE AND TECHNICAL REVISION APPLICATION REVIEW FEES:

If the application is for an administrative or technical revision of an existing permit issued pursuant to 20.11.40 or 20.11.41 NMAC, please check one that applies.

Check One	Revision Type	Review Fee	Program Element
☐	Administrative Revisions	$250.00	2340
☐	Technical Revisions	$500.00	2341
☒	*Not Applicable*	*See Sections II, III or V*	

V. PORTABLE STATIONARY SOURCE RELOCATION FEES:

If the application is for a portable stationary source relocation of an existing permit, please check one that applies.

Check One	Portable Stationary Source Relocation Type	Review Fee	Program Element
☐	No New Air Dispersion Modeling Required	$500.00	2501
☐	New Air Dispersion Modeling Required	$750.00	2502
☒	*Not Applicable*	*See Sections II, III or IV*	

VI. Please submit payment in the amount shown for the total application review fee.

Section Totals	Review Fee Amount
Section II Total	$1,429
Section III Total	$1,429
Section IV Total	$
Section V Total	$
Total Application Review Fee	**$2,858**

☐ **Check here if an invoice is requested so Application Review Fee can be paid online.**

I, the undersigned, a responsible officer of the applicant company, certify that to the best of my knowledge, the information stated on this checklist gives a true and complete representation of the permit application review fees which are being submitted. I also understand that an incorrect submittal of permit application reviews may cause an incompleteness determination of the submitted permit application and that the balance of the appropriate permit application review fees shall be paid in full prior to further processing of the application.

Signed this 12th day of January, 20 26

Teresa A. Costantinidis
Print Name

Exec Vice President Finance + Admin
Print Title

Teresa A. Costantinidis
Signature

Definition of Qualified Small Business as defined in 20.11.2 NMAC:
"Qualified small business" means a business that meets all of the following requirements:

(1) a business that has 100 or fewer employees;
(2) a small business concern as defined by the federal Small Business Act;
(3) a source that emits less than 50 tons per year of any individual regulated air pollutant, or less than 75 tons per year of all regulated air pollutants combined; and
(4) a source that is not a major source or major stationary source.

Note: Beginning January 1, 2011, and every January 1 thereafter, an increase based on the consumer price index shall be added to the application review fees. The application review fees established in Subsection A through D of 20.11.2.18 NMAC shall be adjusted by an amount equal to the increase in the consumer price index for the immediately-preceding year. Application review fee adjustments equal to or greater than fifty cents ($0.50) shall be rounded up to the next highest whole dollar. Application review fee adjustments totaling less than fifty cents ($0.50) shall be rounded down to the next lowest whole dollar. The department shall post the application review fees on the city of Albuquerque environmental health department air quality program website.

APPENDIX B. PRE-PERMIT APPLICATION MEETING

Pre-Permit Application Meeting Waiver Email.

From:	Adam Erenstein
To:	McKinstry, Michael W.
Cc:	Casey Hall; Oliver Seekins
Subject:	RE: Emergency Generators for UNM
Date:	Wednesday, August 13, 2025 11:32:46 AM
Attachments:	image002.png image003.png image004.png

Michael,
That is great news. Thank you!

Regards,

Adam Erenstein
Principal Consultant, Manager of Consulting Services

P 505.266.6611 M 480.760.3860
Email: aerenstein@trinityconsultants.com
9400 Holly Avenue NE, Building 3, Suite B, Albuquerque, NM 87122

Trinity Consultants

Connect with us: LinkedIn / YouTube / trinityconsultants.com
View our capabilities in the Environmental Consulting, Built Environment, Life Sciences, and Water & Ecology markets.

Book time to meet with me

From: McKinstry, Michael W. <mmckinstry@cabq.gov>
Sent: Wednesday, August 13, 2025 7:11 AM
To: Adam Erenstein <AErenstein@trinityconsultants.com>
Cc: Casey Hall <cbhall4@unm.edu>; Oliver Seekins <Oliver.Seekins@trinityconsultants.com>
Subject: RE: Emergency Generators for UNM

Mr. Erenstein,

I see no problem with waiving the pre-application meeting for emergency generators at UNM. Contact me if you need anything else.

Regards,

ONE ALBUQUERQUE environmental health

MICHAEL W. MCKINSTRY

environmental health manager
o 505.768.1923
m 505.228-3441
e mmckinstry@cabq.gov
cabq.gov/ehd

From: Adam Erenstein <AErenstein@trinityconsultants.com>
Sent: Monday, August 11, 2025 4:18 PM
To: McKinstry, Michael W. <mmckinstry@cabq.gov>
Cc: Casey Hall <cbhall4@unm.edu>; Oliver Seekins <Oliver.Seekins@trinityconsultants.com>
Subject: Emergency Generators for UNM

Hi Michael,
I hope you're doing well! We are working two construction permit applications for two separate emergency generators to be located at University of New Mexico. One will be located at the UNM Police Department building and the other will be located at the Pharmacy Department building.

I wanted to see if we could waive the pre-application meeting for these construction permit applications or if you would prefer to have one. If you would prefer to have a pre-application meeting, could you provide me with a few dates that work for you?

Thanks for your help and please don't hesitate to reach out if you have any questions.

Regards,

Adam Erenstein
Principal Consultant, Manager of Consulting Services

P 505.266.6611 M 480.760.3860
Email: aerenstein@trinityconsultants.com
9400 Holly Avenue NE, Building 3, Suite B, Albuquerque, NM 87122

APPENDIX C. NOTICE OF INTENT TO CONSTRUCT

Notice of Intent Cover Letter

Notice of Intent (NOI) to Construct

Email Documentation of NOI Sent to Neighborhood Associations and Coalitions

Public Notice Sign Guidelines Checklist

Pictures of the Posted Notice

Fill out the required highlighted information below. Then use the Subject as the Subject line of the required public notice email(s) sent to nearby neighborhood associations/neighborhood coalitions. Copy and paste the rest of the completed information on this page into the body of the email(s) and attach the completed NOI form. If providing notice by certified mail, use this page as the cover letter and attach the NOI form.

SUBJECT: Public Notice of Proposed Air Quality Construction Permit Application University of New Mexico – Police Headquarters

Dear Neighborhood Association/Coalition Representative(s),

Why did I receive this public notice?
You are receiving this notice in accordance with New Mexico Administrative Code (NMAC) 20.11.41.13.B(1) which requires any applicant seeking an Air Quality Construction Permit pursuant to 20.11.41 NMAC to provide public notice by certified mail or electronic mail to the designated representative(s) of the recognized neighborhood associations and recognized coalitions that are within one-half mile of the exterior boundaries of the property on which the source is or is proposed to be located.

What is the Air Quality Permit application review process?
The City of Albuquerque, Environmental Health Department, Air Quality Program (Program) is responsible for the review and issuance of Air Quality Permits for any stationary source of air contaminants within Bernalillo County. Once the application is received, the Program reviews each application and rules it either complete or incomplete. Complete applications will then go through a 30-day public comment period. Within 90 days after the Program has ruled the application complete, the Program shall issue the permit, issue the permit subject to conditions, or deny the requested permit or permit modification. The Program shall hold a Public Information Hearing pursuant to 20.11.41.15 NMAC if the Director determines there is significant public interest and a significant air quality issue is involved.

What do I need to know about this proposed application?

Applicant Name	Casey Hall
Site or Facility Name	UNM Police Headquarters
Site or Facility Address	2500 Campus Blvd NE, Albuquerque, NM 87106.
New or Existing Source	NEW
Anticipated Date of Application Submittal	December 19th, 2025
Summary of Proposed Source to Be Permitted	EXAMPLES: The application is to construct an EPA NSPS IIII Tier 3 emission-certified, diesel-fired internal combustion engine coupled to a 300 kW emergency electrical generator. The application seeks to limit the unit to 200 hours of operation per year. The purpose of the unit is to provide emergency backup electrical power in the case of the unavoidable loss of commercial power.

What emission limits and operating schedule are being requested?
See attached Notice of Intent to Construct form for this information.

How do I get additional information regarding this proposed application?
For inquiries regarding the proposed source, contact:
- Casey Hall
- Cbhall4@unm.edu
- (505) 277-0305

For inquiries regarding the air quality permitting process, contact:
- City of Albuquerque Environmental Health Department Air Quality Program
- aqd@cabq.gov
- (505) 768-1972

NOTICE FROM THE APPLICANT

Notice of Intent to Apply for Air Quality Construction Permit

You are receiving this notice because the New Mexico Air Quality Control Act (20.11.41.13B NMAC) requires any owner/operator proposing to construct or modify a facility subject to air quality regulations to provide public notice by certified mail or electronic mail to designated representatives of recognized neighborhood associations and coalitions within 0.5-mile of the property on which the source is or is proposed to be located.

This notice indicates that the owner/operator intends to apply for an Air Quality Construction Permit from the Albuquerque – Bernalillo County Joint Air Quality Program. Currently, no application for this proposed project has been submitted to the Air Quality Program. Applicants are required to include a copy of this form and documentation of mailed notices with their Air Quality Construction Permit Application.

Proposed Project Information

Applicant's name and address:
Nombre y domicilio del solicitante: UNM Police Headquarters
2500 Campus BLVD, NE, Albuquerque, NM 87106

Owner / operator's name and address:
Nombre y domicilio del propietario u operador: University of New Mexico
Scholes Hall 160 Bld. 10, 1800 Roma Ave, Albuquerque, NM.

Contact for comments and inquires:
Datos actuales para comentarios y preguntas:

Name *(Nombre)*: Casey Hall
Address *(Domicilio)*: Scholes Hall 160 Bld. 10, 1800 Roma Ave, Albuquerque, NM.
Phone Number *(Número Telefónico)*: (505) 277-0305
E-mail Address *(Correo Electrónico)*: cbhall4@unm.edu

Actual or estimated date the application will be submitted to the department:
Fecha actual o estimada en que se entregará la solicitud al departamento: December 19th, 2025

Description of the source:
Descripción de la fuente: Emergency Generator

Exact location of the source or proposed source:
Ubicación exacta de la fuente o fuente propuesta: 2500 Campus Blvd NE, ALbuquerque NM 87106

Nature of business:
Tipo de negocio: Emergency Generator

Process or change for which the permit is requested:
Proceso o cambio para el cuál de solicita el permiso: Permitting a new emergency generator

Maximum operating schedule:
Horario máximo de operaciones: 200 hours per year

Normal operating schedule:
Horario normal de operaciones: N/A

Preliminary estimate of the maximum quantities of each regulated air contaminant the source will emit:
Estimación preliminar de las cantidades máximas de cada contaminante de aire regulado que la fuente va a emitir:

Air Contaminant *Contaminante de aire*	**Proposed Construction Permit** *Permiso de Construcción Propuesto*		**Net Changes (for permit modification or technical revision)** *Cambio Neto de Emisiones (para modificación de permiso o revisión técnica)*	
	pounds per hour *libras por hora*	tons per year *toneladas por año*	pounds per hour *libras por hora*	tons per year *toneladas por año*
NO_x	3.02	0.30	N/A	N/A
CO	2.75	0.28	N/A	N/A
VOC	0.16	0.016	N/A	N/A
SO_2	2.33E-03	2.33E-04	N/A	N/A
PM_{10}	0.16	0.016	N/A	N/A
$PM_{2.5}$	0.16	0.016	N/A	N/A
HAP	0.011	1.12E-03	N/A	N/A

NOTE: To add extra rows for H_2S or Pb in Word, click in a box in the last row. Click the plus (+) sign that appears on the right of the row to add a row.

Questions or comments regarding this Notice of Intent should be directed to the Applicant. Contact information is provided with the Proposed Project Information on the first page of this notice. To check the status of an Air Quality Construction Permit application, call 311 and provide the Applicant's information, or visit www.cabq.gov/airquality/air-quality-permits.

The Air Quality Program will issue a Public Notice announcing a 30-day public comment period on the permit application for the proposed project when the application is deemed complete. The Air Quality Program does not process or issue notices on applications that are deemed incomplete. More information about the air quality permitting process is attached to this notice.

Air Quality Construction Permitting Overview

This is the typical process to obtain an Air Quality Construction Permit for Synthetic Minor and Minor sources of air pollution from the Albuquerque – Bernalillo County Joint Air Quality Program.

Step 1: Pre-application Meeting: The Applicant and their consultant must request a meeting with the Air Quality Program to discuss the proposed action. If air dispersion modeling is required, Air Quality Program staff discuss the modeling protocol with the Applicant to ensure that all proposed emissions are considered.

> **Notice of Intent from the Applicant:** Before submitting their application, the Applicant is required to notify all nearby neighborhood associations and interested parties that they intend to apply for an air quality permit or modify an existing permit. The Applicant is also required to post a notice sign at the facility location.

Step 2: Administrative Completeness Review and Preliminary Technical Review: The Air Quality Program has 30 days from the day the permit is received to review the permit application to be sure that it is administratively complete. This means that all application forms must be signed and filled out properly, and that all relevant technical information needed to evaluate any proposed impacts is included. If the application is not complete, the permit reviewer will return the application and request more information from the Applicant. Applicants have three opportunities to submit an administratively complete application with all relevant technical information.

> **Public Notice from the Department:** When the application is deemed complete, the Department will issue a Public Notice announcing a 30-day public comment period on the permit application. This notice is distributed to the same nearby neighborhood associations and interested parties that the Applicant sent notices to, and published on the Air Quality Program's website.
>
> During this 30-day comment period, individuals have the opportunity to submit written comments expressing their concerns or support for the proposed project, and/or to request a Public Information Hearing. If approved by the Environmental Health Department Director, Public Information Hearings are held after the technical analysis is complete and the permit has been drafted.

Step 3: Technical Analysis and Draft Permit: Air Quality Program staff review all elements of the proposed operation related to air quality, and review outputs from advanced air dispersion modeling software that considers existing emission levels in the area surrounding the proposed project, emission levels from the proposed project, and meteorological data. The total calculated level of emissions is compared to state and federal air quality standards and informs the decision on whether to approve or deny the Applicant's permit.

Draft Permit: The permit will establish emission limits, standards, monitoring, recordkeeping, and reporting requirements. The draft permit undergoes an internal peer review process to determine if the emissions were properly evaluated, permit limits are appropriate and enforceable, and the permit is clear, concise, and consistent.

> **Public Notice from the Department:** When the technical analysis is complete and the permit has been drafted, the Department will issue a second Public Notice announcing a 30-day public comment period on the technical analysis and draft permit. This second Public Notice, along with the technical analysis documentation and draft permit, will be published on the Air Quality Program's website, and the public notice for availability of the technical analysis and draft permit will only be directly sent to those who requested further information during the first comment period.

During this second 30-day comment period, residents have another opportunity to submit written comments expressing their concerns or support for the proposed project, and/or to request a Public Information Hearing.

Possible Public Information Hearing: The Environmental Health Department Director may decide to hold a Public Information Hearing for a permit application if there is significant public interest and a significant air quality issue. If a Public Information Hearing is held, it will occur after the technical analysis is complete and the permit has been drafted.

Step 4: Public Comment Evaluation and Response: The Air Quality Program evaluates all public comments received during the two 30-day public comment periods and Public Information Hearing, if held, and updates the technical analysis and draft permit as appropriate. The Air Quality Program prepares a response document to address the public comments received, and when a final decision is made on the permit application, the comment response document is published on the Air Quality Program's website and distributed to the individuals who participated in the permit process. If no comments are received, a response document is not prepared.

Step 5: Final Decision on the Application: After public comments are addressed and the final technical review is completed, the Environmental Health Department makes a final decision on the application. If the permit application meets all applicable requirements set forth by the New Mexico Air Quality Control Act and the federal Clean Air Act, the permit is approved. If the permit application does not meet all applicable requirements, it is denied.

Notifications of the final decision on the permit application and the availability of the comment response document is published on the Air Quality Program's website and distributed to the individuals who participated in the permit process.

The Department must approve a permit application if the proposed action will meet all applicable requirements and if it demonstrates that it will not result in an exceedance of ambient air quality standards. Permit writers are very careful to ensure that estimated emissions have been appropriately identified or quantified and that the emission data used are acceptable.

The Department must deny a permit application if it is deemed incomplete three times, if the proposed action will not meet applicable requirements, if estimated emissions have not been appropriately identified or quantified, or if the emission data are not acceptable for technical reasons.

For more information about air quality permitting, visit www.cabq.gov/airquality/air-quality-permits

Timothy M. Keller,
Mayor

Public Participation

List of Neighborhood Associations and Neighborhood Coalitions
MEMORANDUM

To: Oliver Seekins
From: Michael McKinstry, Environmental Health-Air Quality Permitting Manager
Subject: Determination of Neighborhood Associations and Coalitions within 0.5 mile of 1700 Mesa Vista Road NE, Bernalillo County, NM.
Date: October 23, 2025

DETERMINATION:

On October 23, 2025, I used the City of Albuquerque Zoning Advanced Map Viewer (http://coagisweb.cabq.gov/) to verify which City of Albuquerque Neighborhood Associations (NA), Homeowner Associations (HOA) and Neighborhood Coalitions (NC) are located within 0.5 mile of 1700 Mesa Vista Road NE in Bernalillo County, NM.

I then used the City of Albuquerque Office (COA) of Neighborhood Coordination's Monthly Master NA List dated October 2025 and the Bernalillo County (BC) Monthly Neighborhood Association October 2025 Excel file to determine the contact information for each NA and NC located within 0.5 mile of 1700 Mesa Vista Road NE in Bernalillo County, NM.

The table below contains the contact information, which will be used in the City of Albuquerque Environmental Health Department's public notice. Duplicates have been deleted.

COA/BC Association or Coalition	Name	Email or Mailing Address*
Campus NA	Kenny Stansbury Calvin Martin	kenny.stansbury@gmail.com calmartin93@gmail.com
District 6 Coalition	M. Ryan Kious Patricia Willson	m.ryankious@gmail.com info@willsonstudio.com
District 7 Coalition	Janice Arnold-Jones Michael Kious	jearnoldjones70@gmail.com mikekious@aol.com
North Campus NA	Maia Mullen Tim Davis	maiamullen@gmail.com tdavisnm@gmail.com
Silver Hills NA	Eva Blaylock James Montalbano	evarockstar@msn.com ja.montalbano@gmail.com

Timothy M. Keller,
Mayor

Public Participation

List of Neighborhood Associations
and Neighborhood Coalitions
MEMORANDUM

Spruce Park NA	David Keating Heidi Brown	dnkeating@comcast.net emailbrowns@aol.com
Sycamore	Eliberto Calderon Mardon Gardella	eliberto@themaverickscholar.org mabdowa@gmail.com

If email address is not listed, provide public notice via certified mail and include a copy of each mail receipt with the application submittal.

From:	Oliver Seekins
To:	"Casey Hall"
Cc:	Adam Erenstein
Bcc:	"kenny.stansbury@gmail.com"; "calmartin93@gmail.com"; "m.ryankious@gmail.com"; "info@willsonstudio.com"; "jearnoldjones70@gmail.com"; "mikekious@aol.com"; "maiamullen@gmail.com"; "tdavisnm@gmail.com"; "evarockstar@msn.com"; "ja.montalbano@gmail.com"; "dnkeating@comcast.net"; "emailbrowns@aol.com"; "eliberto@themaverickscholar.org"; "mabdowa@gmail.com"
Subject:	Public Notice of Proposed Air Quality Construction Permit Application University of New Mexico – Police Headquarters
Date:	Friday, December 19, 2025 11:11:00 AM
Attachments:	image001.png Police HQ - Notice of Intent V2.0 2025 12.19.pdf

Dear Neighborhood Association/Coalition Representative(s),

Why did I receive this public notice?

You are receiving this notice in accordance with New Mexico Administrative Code (NMAC) 20.11.41.13.B(1) which requires any applicant seeking an Air Quality Construction Permit pursuant to 20.11.41 NMAC to provide public notice by certified mail or electronic mail to the designated representative(s) of the recognized neighborhood associations and recognized coalitions that are within one-half mile of the exterior boundaries of the property on which the source is or is proposed to be located.

What is the Air Quality Permit application review process?

The City of Albuquerque, Environmental Health Department, Air Quality Program (Program) is responsible for the review and issuance of Air Quality Permits for any stationary source of air contaminants within Bernalillo County. Once the application is received, the Program reviews each application and rules it either complete or incomplete. Complete applications will then go through a 30-day public comment period. Within 90 days after the Program has ruled the application complete, the Program shall issue the permit, issue the permit subject to conditions, or deny the requested permit or permit modification. The Program shall hold a Public Information Hearing pursuant to 20.11.41.15 NMAC if the Director determines there is significant public interest and a significant air quality issue is involved.

What do I need to know about this proposed application?

Applicant Name	Casey Hall
Site or Facility Name	UNM Police Headquarters
Site or Facility Address	2500 Campus BLVD NE, Albuquerque, NM 87106.
New or Existing Source	NEW
Anticipated Date of	December 19th, 2025

Application Submittal	
Summary of Proposed Source to Be Permitted	The application is to construct an EPA NSPS IIII Tier 3 emission-certified, diesel-fired internal combustion engine coupled to a 300 kW emergency electrical generator. The application seeks to limit the unit to 200 hours of operation per year. The purpose of the unit is to provide emergency backup electrical power in the case of the unavoidable loss of commercial power.

What emission limits and operating schedule are being requested?

See attached Notice of Intent to Construct form for this information.

How do I get additional information regarding this proposed application?

For inquiries regarding the proposed source, contact:

- Casey Hall
- cbhall4@unm.edu
- (505) 277-0305

For inquiries regarding the air quality permitting process, contact:

- City of Albuquerque Environmental Health Department Air Quality Program
- aqd@cabq.gov
- (505) 768-1972

Warmest regards,

Oliver Seekins
Senior Consultant

P: 505.266.6611 M: 918.805.5037
Email: oliver.seekins@trinityconsultants.com
9400 Holly Avenue NE, Building 3, Suite B, Albuquerque, NM 87122

City of Albuquerque
Environmental Health Department
Air Quality Program

Public Notice Sign Guidelines

Any person seeking a permit under 20.11.41 NMAC, Construction Permits, shall do so by filing a written application with the Department. *Prior to submitting an application, the applicant shall post and maintain a weather-proof sign provided by the department. The applicant shall keep the sign posted until the department takes final action on the permit application; if an applicant can establish to the department's satisfaction that the applicant is prohibited by law from posting, at either location required, the department may waive the posting requirement and may impose different notification requirements.* **A copy of this form must be submitted with your application.**

Applications that are ruled incomplete because of missing information will delay any determination or the issuance of the permit. The Department reserves the right to request additional relevant information prior to ruling the application complete in accordance with 20.11.41 NMAC.

Applicant Company Name: **University of New Mexico**
Facility Name: **UNM Police Headquarters**

☒ The sign must be posted at the more visible of either the proposed or existing facility entrance (or, if approved in advance and in writing by the department, at another location on the property that is accessible to the public)

- ☒ The sign shall be installed and maintained in a condition such that members of the public can easily view, access, and read the sign at all times.
- ☐ The lower edge of the sign board should be mounted a minimum of 2 feet above the existing ground surface to facilitate ease of viewing

☒ Include at least two pictures of the completed, properly posted sign in the application package immediately following this document. One picture should show the location of the posted sign and the other should be close enough to the sign for the posted information to be legible in the picture.

☐ **Check here if the department has waived the sign posting requirement.**
Alternative public notice details:

Proposed Air Quality Construction Permit

Permiso de Construcción de Calidad del Aire Propuesto

1. **Applicant's Name:** UNM POLICE HEADQUARTERS
   Nombre del solicitante:
   Owner or Operator's Name: UNIVERSITY OF NEW MEXICO
   Nombre del Propietario u Operador:
2. **Actual or Estimated Date the Application will be Submitted to the Department:**
   Fecha Actual o Estimada en que se Entregará la Solicitud al Departamento:
3. **Exact Location of the Source or Proposed Source:** 2500 CAMPUS BLVD NE, ALBUQUERQUE, NM 87106
   Ubicación Exacta de la Fuente o Fuente Propuesta:
4. **Description of the Source:** EMERGENCY GENERATOR
   Descripción de la Fuente:
   Nature of Business: EMERGENCY GENERATOR
   Tipo de Negocio:
   Process or change for which a permit is requested: PERMITTING A NEW EMERGENCY GENERATOR
   Proceso o cambio para el cual se solicita el permiso:

Preliminary estimate of the maximum quantities of each regulated air contaminant the source will emit:
Estimación preliminar de las cantidades máximas de cada contaminante de aire regulado que la fuente va a emitir:

Air Contaminant *Contaminante de Aire*	Proposed Construction Permit *Permiso de Construcción Propuesto*		Net Change Emissions (for permit modification or technical revision) *Cambio Neto de Emisiones (para modificación de permiso o revisión técnica)*	
	Pounds per hour *libras por hora*	Tons per year *toneladas por año*	Pounds per hour *libras por hora*	Tons per year *toneladas por año*
NO_x	3.02	0.30	—	—
CO	2.75	0.275	—	—
VOC	0.159	0.0159	—	—
SO_2	0.0023	0.00023	—	—
PM_{10}	0.16	0.016	—	—
$PM_{2.5}$	0.16	0.016	—	—
HAP	0.011	0.0011	—	—

5. **Maximum Operating Schedule:** 200 hours / year
   Horario Máximo de Operaciones:
   Normal Operation Schedule: N/A
   Horario Normal de Operaciones:
6. **Current Contact Information for Comments and Inquiries**
   Datos actuales para Comentarios y Preguntas
   Name *(Nombre):* Casey Hall
   Address *(Domicilio):* Scholes Hall, 160 Bld. 10, 1800 Roma Ave., Albuquerque, NM
   Phone Number *(Número Telefónico):* (505) 277-0305
   Email Address *(Correo Electrónico):* cbhall4@unm.edu

Call 311 for additional information concerning this project, the Air Quality Program, or to file a complaint.
Llame al 311 para obtener información adicional sobre este proyecto, del Programa de Calidad del Aire, o para presentar una queja.
Goi 311 de biet thêm thông tin hoặc để khiếu nại về dự án này, Chương Trình Chất Lượng Không Khí

City of Albuquerque, Environmental Health Department, Air Quality Program – Stationary Source Permitting
Ciudad de Albuquerque, Departamento de Salud Ambiental, Programa de Calidad del Aire – Permisos para Fuentes Inmóviles
(505) 768-1972, aqd@cabq.gov

THIS SIGN SHALL REMAIN POSTED UNTIL THE DEPARTMENT TAKES FINAL ACTION ON THE PERMIT APPLICATION.
ESTE AVISO DEBERÁ DE MANTENERSE PUESTO HASTA QUE EL DEPARTAMENTO TOME UNA DECISIÓN SOBRE LA SOLICITUD DE PERMISO


takeuchi
CAMPUS COMMUNITY
PROJECT MANAGER
Jim Lloyd
fdc.unm.edu
CONSTRUCTION MANAGER AT RISK
Jaynes Corporation
www.jaynescorp.com
ARCHITECT OF RECORD
Hartman + Majewski Design Group
www.designgroupnm.com
Proposed Air Quality Construction Permit
UNM POLICE HEADQUARTERS
UNIVERSITY OF NEW MEXICO
2500 Campus Blvd NE, Albuquerque, NM
EMERGENCY GENERATOR
EMERGENCY GENERATOR
200 hours/year
N/A

APPENDIX D. COMPLIANCE HISTORY DISCLOSURE FORM

Compliance history disclosure form – November 2023

City of Albuquerque
Environmental Health Department
Air Quality Program

Air Quality
Compliance History Disclosure Form

The Albuquerque-Bernalillo County Joint Air Quality Program ("Program") administers and enforces local air quality laws for the City of Albuquerque ("City") and Bernalillo County ("County") on behalf of the City Environmental Health Department, including the New Mexico Air Quality Control Act ("AQCA"), NMSA 1978, Sections 74-2-1 to -17. In accordance with Sections 74-2-7(P) and (S) of the AQCA, the Program may deny any permit application or revoke any permit issued pursuant to the AQCA if, within ten years immediately preceding the date of submission of the permit application, the applicant or permittee meets any one of the criteria outlined in the AQCA. The Program requires applicants to file this Compliance History Disclosure Form in order for the Program to deem an air permit application administratively complete, or issue an air permit for those permits without an initial administrative completeness determination process. Additionally, an existing permit holder (permits issued prior to the Effective Date of this Form) shall provide this Compliance History Disclosure Form to the Program upon the Program's request. Note: Program Staff can answer basic questions about this Compliance History Disclosure Form but cannot provide specific guidance or legal advice.

Instructions

1. Applications filed pursuant to the following regulations shall include this Compliance History Disclosure Form, in accordance with Section 74-2-7(S) of the AQCA: *Construction Permits* (20.11.41 NMAC); *Operating Permits* (20.11.42 NMAC); *Nonattainment Areas* (20.11.60 NMAC); *Prevention of Significant Deterioration* (20.11.61 NMAC); *Acid Rain* (20.11.62 NMAC); and *Fugitive Dust* (20.11.20 NMAC) except this Form shall not be required for asbestos notifications under 20.11.20.22 NMAC.
2. This Compliance History Disclosure Form is not site specific: responses shall be based on the applicant/permittee as an entity and not be limited to the application, site, facility or source.
3. The permittee identified on this Compliance History Disclosure Form shall match the permittee in the existing permit or new application. If the information in an existing permit needs to be changed, please contact the Program about revisions and ownership transfers.
4. Answer every question completely and truthfully, and do not leave any blank spaces. If there is nothing to disclose in answer to a particular question, check the box labeled "No" except for Question 5b. Failure to provide any of the information requested in this Compliance History Disclosure Form may constitute grounds for an incompleteness determination, application denial, or permit revocation.
5. Be especially careful not to leave out information in a way that might create an impression that you are trying to hide it. Omitting information, even unintentionally, may result in application denial or permit revocation.
6. For any required explanations, be sure to identify the question to which the explanation is responsive. If you submit any document in connection with your answer to any question, refer to it as, "Exhibit No.__", and attach it after the explanation(s) at the end of the Compliance History Disclosure Form, consecutively numbering each additional page at the top right corner.
7. The Program may require additional information to make a thorough review of an application. At all times before the Program has made a final decision regarding the application, an applicant has a duty to promptly supplement and correct information the applicant has submitted in an application to the Program. The applicant's duty to supplement and correct the application includes, but is not limited to, relevant information acquired after the applicant has submitted the application and additional information the applicant otherwise determines is relevant to the application and the Program's review and decision. While the Program is processing an application, regardless of whether the Program has determined the application is administratively complete, if the Program determines that additional information is necessary to evaluate or make a final decision regarding the application, the Program may request additional information and the applicant shall provide the requested additional information.
8. Supplementary information required by the Program may include responses to public comment received by the Program during the application review process.
9. Any fees submitted for processing an application that has been denied will not be refunded. If the Program denies an application, a person may submit a new application and the fee required for a new application. The applicant has the burden of demonstrating that a permit should be issued.

COMPLIANCE HISTORY		
A. Applicant/Permittee Name: **University of New Mexico**		*Check Applicable Box:* ☒ Applicant ☐ Permittee
B. Time Period of Compliance Reporting (10 Years): October 20, 2015 to October 20, 2025 *Instructions: For applicants, answer the following questions with information from within the 10 years preceding the current application. For existing permit holders requested to submit this form by the Program outside of an application, answer the following questions with information from within the 10 years preceding the Program's issuance of each permit.*		
C. Questions		
1	Knowingly misrepresented a material fact in an application for a permit?	☐ Yes ☒ No
2	Refused to disclose information required by the provisions of the New Mexico Air Quality Control Act?	☐ Yes ☒ No
3	Been convicted in any court of any state or the United States of a felony related to environmental crime?	☐ Yes ☒ No
4	Been convicted in any court of any state or the United States of a crime defined by state or federal statute as involving or being in restraint of trade, price fixing, bribery, or fraud?	☐ Yes ☒ No
5a	Constructed or operated any facility for which a permit was sought, including the current application, without the required air quality permit(s) under 20.11.41 NMAC, 20.11.42 NMAC, 20.11.60 NMAC, 20.11.61 NMAC, or 20.11.62 NMAC?	☐ Yes ☒ No
5b	If "No" to question 5a, mark N/A and go to question 6. If "Yes" to question 5a, state whether each facility that was constructed or operated without the required air quality permit met at least one of the following exceptions: i. The unpermitted facility was discovered after acquisition during a timely environmental audit that was authorized by the Program or the New Mexico Environment Department; or ii. The operator of the facility, using good engineering practices and established approved calculation methodologies, estimated that the facility's emissions would not require an air permit, **and** the operator applied for an air permit within 30 calendar days of discovering that an air permit was required for the facility.	☐ Yes ☐ No ☒ N/A
6	Had any permit revoked or permanently suspended for cause under the environmental laws of any state or the United States?	☐ Yes ☒ No
7	For each "yes" answer, or "no" to 5b, please attach an explanation and supporting documentation.	

I, the undersigned, hereby certify under penalty of law that this Compliance History Disclosure Form (Form) and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. I have knowledge of the information in this Form and it is, to the best of my knowledge and belief, true, accurate, and complete. I understand that there are significant penalties for submitting false information, including denial of the application or revocation of a permit, as well as fines and imprisonment for knowing violations. If I filed an application, I covenant and agree to promptly supplement and correct information in this Form until the Program makes a final decision regarding the application. Further, I certify that I am qualified and authorized to file this Form, to certify to the truth and accuracy of the information herein, and bind the permittee and source.

Signed on 12/19/2025

Teresa A. Costantinidis
Print Name

Teresa A. Costantinidis
Signature

Exec Vice President for Finance + Admin
Print Title

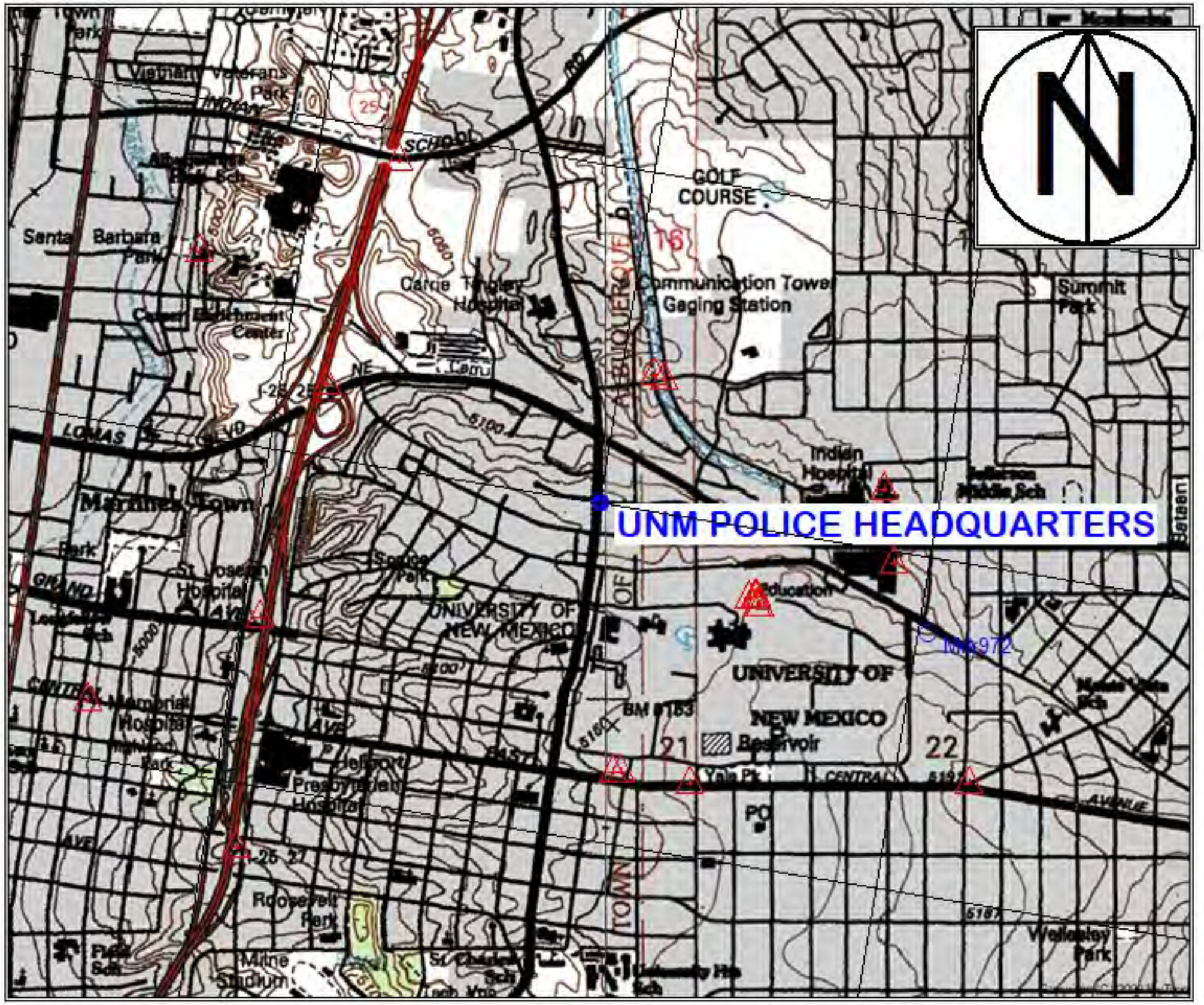
University of New Mexico
Company Name

APPENDIX E. FACILITY LOCATION AND AERIAL PHOTOGRAPH

Appendix Figure D-1: Facility Location

Appendix Figure D-2: Aerial Photograph of Process Locations

Appendix Figure E-1. Facility Location


UNM POLICE HEADQUARTERS
GOLF COURSE
Communication Tower
Gaging Station
Summit Park
Carrie Tingley Hospital
Indian Hospital
UNIVERSITY OF NEW MEXICO
Reservoir
Mariners Town Park
Roosevelt Park
Wellesley Park
Veterans Park
Santa Barbara Park
Presbyterian Hospital
St. Joseph Hospital
Memorial Hospital
Johnson Gym
Education
Yale Pl
CENTRAL AVENUE
LOMAS
GRAND
TOWN OF
ALBUQUERQUE
SCHOOL
NE
I-25
25
21
22
27
BM 5163
5187
6000
6100
6050
6150
6200
6300
6400
6450
6500
NM 372
SCALE 1:18000
0
1000
2000
3000
4000
5000
6000
FEET

Appendix Figure E-2. Aerial Photograph of Process Locations

The new UNM Police HQ is being constructed on the former parking lot located at 1700 Mesa Vista RD, NE Albuquerque, NM 87131.

UNM Police Headquarters

1700 Mesa Vista Rd NE, Albuquerque, NM 87131

Legend

UNM Police Headquarters

UNM Police Headquarters

Mesa Vista Rd NE

University Blvd NE

Sigma Chi Rd NE

N

100 ft

Google Earth

Image Landsat / Copernicus

Appendix Figure E-1. Facility Location

APPENDIX F. ZONING REQUIREMENTS

Based upon review of applicable New Mexico las and certain Attorney General Options, the University's use, and proposed use, of the Proposed Property is not subject to local zoning ordinances. Specifically, Article XII, Section 3 of the New Mexico Constitution states that:

> " *The schools, colleges, university and other institutions provided for by this constitution shall forever remain under the exclusive control of the state, and no part of the proceeds arising from the sale or disposal of any lands granted to the state by congress, or any other funds appropriated, levied or collected for educational purposes shall be used for the support of any sectarian, denominated or private school, college or university."*

In turn, Article XII, Section 11 of the New Mexico Constitution establishes and designates the University as a state educational institution, Article XII, Section 13 provides that the "legislature shall provide for the control and management of the University of New Mexico by a board of regents…" Pursuant to NMSA 1978, § 21-7-3, "[t]he management and control of the University of New Mexico, the care and preservation of all its property, the erection and construction of all buildings necessary for its use and the disbursements and expenditures of all money shall be vested in a board of seven regents." The New Mexico Attorney General has held that the University is not subject to local municipal ordinances unless the legislature has specifically ceded its control to the municipality. See N.M. Op. AG No. 69-48. To date, the New Mexico legislature has not relinquished such control over land use zoning. A copy of N.M. Op. AG No. 69-48 is attached to this letter.

The above and attached documentation in this section notes that UNM is not subject to City of Albuquerque or Bernalillo County ordinances.

City of Albuquerque
Environmental Health Department
Air Quality Program

Construction Permit (20.11.41 NMAC)
Zoning Requirement Cover Letter

This Cover Letter Must Be Returned With The Application Along With All Required Attachments

The Albuquerque-Bernalillo County Joint Air Quality Program, which administers and enforces local air quality laws for the City of Albuquerque ("City") and Bernalillo County ("County"), on behalf of the City Environmental Health Department ("Department").

Any person seeking a new air quality permit or a permit modification under 20.11.41 NMAC (Construction Permits) shall provide documentary proof that the proposed air quality permitted use of the facility's subject property is allowed by the zoning designation of the City or County zoning laws, as applicable. Sufficient documentation may include (i) a zoning certification from the City Planning Department or County Department of Planning and Development Services, as applicable, if the applicant is subject to City or County zoning jurisdiction; or (ii) a zoning verification from both planning departments if the applicant is not subject to City or County zoning jurisdiction. A zone atlas map shall not be sufficient. At this time, applicants are not required to submit documentation for the subject property's zoning designation when applying for a relocation of a portable stationary source, or a technical or administrative revision to an existing permit.

The Department will rule an application administratively incomplete if it is missing or has incorrect information. If the Department has ruled an application administratively incomplete three (3) times, the Department will deny the permit application. Any fees submitted for processing an application that has been denied will not be refunded. If the Department denies an application, a person may submit a new application and the fee required for a new application. The applicant has the burden of demonstrating that a permit should be issued.

The Department may require additional information that is necessary to make a thorough review of an application. At all times before the Department has made a final decision regarding the application, an applicant has a duty to promptly supplement and correct information the applicant has submitted in an application to the Department. The applicant's duty to supplement and correct the application includes, but is not limited to, relevant information acquired after the applicant has submitted the application and additional information the applicant otherwise determines is relevant to the application and the Department's review and decision. While the Department is processing an application, regardless of whether the Department has determined the application is administratively complete, if the Department determines that additional information is necessary to evaluate or make a final decision regarding the application, the Department may request additional information and the applicant shall provide the requested additional information.

NOTICE REGARDING SCOPE OF A PERMIT: The Department's issuance of an air quality permit only authorizes the use of the specified equipment pursuant to the air quality control laws, regulations and conditions. Permits relate to air quality control only and are issued for the sole purpose of regulating the emission of air contaminants from said equipment. Air quality permits are not a general authorization for the location, construction and/or operation of a facility, nor does a permit authorize any particular land use or other form of land entitlement. It is the applicant's/permittee's responsibility to obtain all other necessary permits from the appropriate agencies, such as the City Planning Department or County Department of Planning and Development Services, including but not limited to site plan approvals, building permits, fire department approvals and the like, as may be required by law for the location, construction and/or operation of a facility. For more information, please visit the City Planning Department website at https://www.cabq.gov/planning and the County Department of Planning and Development Services website at https://www.bernco.gov/planning.

Corporate and Facility Information: This information shall match the information in the permit application**.**

Air Quality Permit Applicant Company Name: University of New Mexico			
Facility Name: UNM Police Headquarters			
Facility Physical Address: 1700 Mesa Vista RD NE	City: Albuquerque	State: NM	Zip: 87131
Facility Legal Description: 013 00AAS PER Plat C 12 1452 UNM CAMPUS			

General Operation Information: This information shall match the information in the permit application.

Permitting action being requested (please refer to the definitions in 20.11.41 NMAC):
☒ New Permit ☐ Permit Modification, Current Permit #:

Attachment Information: The location information provided to the City Planning Department or County Department of Planning and Development Services, as applicable, and reflected in the zoning certification or verifications, as applicable, shall be the same as the Facility location information provided to the Department in the air quality construction permit application.

☐ Zoning Certification Provided by: Choose an item *This is a use-specific certification.* **City Planning Form**: https://www.cabq.gov/planning/code-enforcement-zoning **County Planning Form**: https://www.bernco.gov/planning/planning-and-land-use/applications-forms/	☒ City Zoning Verification ☐ County Zoning Verification **City Planning Form**: https://www.cabq.gov/planning/code-enforcement-zoning **County Planning Form**: https://www.bernco.gov/planning/planning-and-land-use/applications-forms/

Planning & Development Services Department
415 Silver Ave. SW, 2nd Floor
Albuquerque, New Mexico 87102
Office: (505) 314-0350
Fax: (505) 314-0480
www.bernco.gov

June 7, 2023

REGENTS OF UNM REAL ESTATE DEPARTMENT

Re: Bernalillo County zoning regulations and University of New Mexico owned property

To Whom It May Concern:

This letter shall certify that Bernalillo County zoning regulations are not applicable to University of New Mexico entity owned properties. This includes properties located within the boundary of UNM Main Campus. Bernalillo County is willing to assist UNM with necessary permits, building permits for example, if approached by UNM and if appropriate. UNM may need to coordinate with the City of Albuquerque on certain projects.

Do not hesitate to contact me if you have questions concerning this matter at 314-0499 or at mgould@bernco.gov.

Sincerely,

Maggie Gould
Zoning Administrator

Enclosures:
Cc: cbhall4@unm.edu

CITY OF ALBUQUERQUE

CODE ENFORCEMENT
Plaza Del Sol Building, Suite 500
600 2nd Street NW
Albuquerque, NM 87102
Tel: (505) 924-3850 Fax: (505) 924-3847

Date: June 13, 2023

VIA cbhall4@unm.edu
University of New Mexico
ATTN: Casey Hall
MSC07 4100 1 University of New Mexico
Albuquerque NM, 87131

RE: UPC: 101505747547313402 - the "property."

To Whom It May Concern:

This letter will certify that according to the map on file in this office on June 13, 2023, the referenced property, legally described as * **013 00AAS PER PLAT C 12 1452 U N M CAMPUS** Albuquerque, Bernalillo County, New Mexico, is Zoned: RESIDENTIAL-MULTI-FAMILY HIGH DENSITY ZONE DISTRICT (R-MH).

The current use of the property is for a University or College a Legally Nonconforming use in this zone.

This property has been inspected and it was found to be in compliance with the applicable provisions of the Integrated Development Ordinance. There is no overlay or special exceptions associated with this property. The property is not governed by an on-file Site Development Plan.

If you have any questions regarding this matter please contact me at (505) 924-3301 or by email at ametzgar@cabq.gov.

Sincerely:

Angelo Metzgar,
Code Compliance Manager, Code Enforcement, Planning Department

PO Box 1293
Albuquerque
NM 87103
www.cabq.gov

4-2 ALLOWABLE USES

Table 4-2-1: Allowable Uses
P = Permissive Primary C = Conditional Primary A = Permissive Accessory CA = Conditional Accessory
CV = Conditional if Structure Vacant for 5+ years T = Temporary CT = Conditional Temporary
Blank Cell = Not Allowed

Zone District >> / Land Uses	Residential						Mixed-use				Non-residential								Use-specific Standards
	R-A	R-1	R-MC	R-T	R-ML	R-MH	MX-T	MX-L	MX-M	MX-H	NR-C	NR-BP	NR-LM	NR-GM	NR-SU	NR-PO A	NR-PO B	NR-PO C	
PRIMARY USES THAT MAY BE ACCESSORY IN SOME ZONE DISTRICTS																			
RESIDENTIAL USES																			
Household Living																			
Dwelling, single-family detached	P	P	P	P	P		P												4-3(B)(1)
Dwelling, mobile home			P																4-3(B)(2)
Dwelling, cluster development	P	P		P	P		P												4-3(B)(3)
Dwelling, cottage development	P	P	P	P	P		P												4-3(B)(4)
Dwelling, two-family detached (duplex)		P		P	P		P												4-3(B)(5)
Dwelling, townhouse				P	P	P	P	P	P	P									4-3(B)(6)
Dwelling, live-work				C	C	P	P	P	P	P	CA	CA							4-3(B)(7)
Dwelling, multi-family					P	P	P	P	P	P									4-3(B)(8)
Group Living																			
Assisted living facility or nursing home				C	P	P	P	P	P	P									
Community residential facility, small	P	P		P	P	P	P	P	P	P									4-3(B)(9)
Community residential facility, large					P	P	P	P	P	P									4-3(B)(9)
Dormitory						P	C	P	P	P									
Group home, small					C	P	P	P	P										4-3(B)(10)
Group home, medium					C	C	C	P	P	P									4-3(B)(10)
Group home, large						C			C	C									4-3(B)(10)
CIVIC AND INSTITUTIONAL USES																			
Adult or child day care facility			C	C	C	P	P	P	P	P	P	P	A	A					
BioPark																P (in D)			4-3(C)(7)
Cemetery															P				
Community center or library	C	P		P	P	P	P	P	P	P	C	C	C	C		P		C	4-3(C)(1)
Correctional facility															P				
Elementary or middle school	C	C		C	P	P	P	P	P	P	P	P	CV			P		C	4-3(C)(2)
Fire or police station															P				
High school	C	C		C	C	P	P	P	P	P	P	P	C			P			4-3(C)(3)
Hospital									P	P	P	P							4-3(C)(4)
Museum				CV	CV	C	P	P	P	P	P	P	P	P		P	A		4-3(C)(5)
Overnight shelter									C	C	C	C	C	C					4-3(C)(6)
Parks and open space	P	P		P	P	P	P	P	P	P	P	P	C	C	A	P	P	P	4-3(C)(7)
Religious institution	P	P		P	P	P	P	P	P	P	P	P	CV	CV					4-3(C)(8)
Sports field							CV	C	P	P	P	P	P	C		P		C	

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Zone District >> / Land Uses	Residential						Mixed-use				Non-residential								Use-specific Standards
	R-A	R-1	R-MC	R-T	R-ML	R-MH	MX-T	MX-L	MX-M	MX-H	NR-C	NR-BP	NR-LM	NR-GM	NR-SU	NR-PO A	NR-PO B	NR-PO C	
University or college						CV	CV	C	P	P	P	P	CV	CV					
Vocational school						CV	P	P	P	P	P	P	P	P					
COMMERCIAL USES																			
Agriculture and Animal-related																			
Community garden	P	P	P	P	P	P	P	P	P	P	P	P	C	C		A	A	A	4-3(D)(1)
Equestrian facility	P																P	C	4-3(D)(2)
General agriculture	P											C	P	P			P	A	4-3(D)(3)
Kennel	C							C	C		P	P	P	P					4-3(D)(4)
Nursery	P								A		P	P	P	P		A	A		
Veterinary hospital	C						C	P	P	P	P	P	P	P					4-3(D)(5)
Other pet services	C						C	P	P	P	P	P	P	P					
Food, Beverage, and Indoor Entertainment																			
Adult entertainment												P	P	P					4-3(D)(6)
Auditorium or theater						A	A	A	P	P	P	P	P	P					4-3(D)(7)
Bar							C	C	P	P	P	P	P	P					4-3(D)(8)
Catering service									P	P	P	P	P	P					
Health club or gym			A		A	A	P	P	P	P	P	P	P	A					4-3(D)(9)
Mobile food truck court							C	P	P	P	P	P	P	C					4-3(D)(10)
Nightclub									P	P	P	P	P						4-3(D)(8)
Residential community amenity, indoor	P	P	P	P	P	P	P	P	P	P								C	4-3(D)(11)
Restaurant							C	P	P	P	P	P	P	P					4-3(D)(8)
Tap room or tasting room							C	C	P	P	P	P	P	P					4-3(D)(8)
Other indoor entertainment							C	P	P	P	P	P	P	P		P		C	4-3(D)(12)
Lodging																			
Bed and breakfast	A	CA		A	A	P	P												4-3(D)(13)
Campground or recreational vehicle park									C		P	P					A	C	4-3(D)(14)
Hotel or motel							P	P	P	P	P	P	P	P					4-3(D)(15)
Motor Vehicle-related																			
Car wash								P	P	P	P	P	P	P					4-3(D)(16)
Heavy vehicle and equipment sales, rental, fueling, and repair											P	C	P	P					4-3(D)(17)
Light vehicle fueling station								C	P	P	P	P	P	P					4-3(D)(18)
Light vehicle repair								P	P	P	P	P	P	P					4-3(D)(19)
Light vehicle sales and rental								C	P	P	P	P	P	P					4-3(D)(20)
Outdoor vehicle storage											C	C	P	P			A		4-3(D)(21)
Paid parking lot			A		A	A	C	P	P	A	P	P	P	P	A	A	A		4-3(D)(22)
Parking structure			A		A	A	CA	P	P	P	P	P	P	P	A				4-3(D)(22)
Offices and Services																			
Bank							P	P	P	P	P	P	P	CV					4-3(D)(23)

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Zone District >>	Residential						Mixed-use				Non-residential								Use-specific Standards
Land Uses	R-A	R-1	R-MC	R-T	R-ML	R-MH	MX-T	MX-L	MX-M	MX-H	NR-C	NR-BP	NR-LM	NR-GM	NR-SU	NR-PO A	NR-PO B	NR-PO C	
Blood services facility									C	C	C	P	P	P					
Club or event facility							C	P	P	P	P	P	P	CV		P	P	C	4-3(D)(24)
Commercial services								P	P	P	P	P	P	P					
Construction contractor facility and yard										C	P	P	P	P					4-3(D)(25)
Crematorium															P				
Medical or dental clinic							P	P	P	P	P	P	P	P					4-3(D)(26)
Mortuary								C	P	P	P	P	C		A				
Office							P	P	P	P	P	P	P	P					
Personal and business services, small							P	P	P	P	P	P	P	P					4-3(D)(27)
Personal and business services, large									P	P	P	P	P	P					4-3(D)(27)
Research or testing facility							P	P	P	P	P	P	P	P					4-3(D)(28)
Self-storage								C	C	P	P	P	P	P			A		4-3(D)(29)
Outdoor Recreation and Entertainment																			
Amphitheater										C	C	C	C	C	A	P	A	C	
Balloon Fiesta Park events and activities																P			4-3(D)(30)
Drive-in theater									C	C	C	C	C						4-3(D)(31)
Fairgrounds															P				
Residential community amenity, outdoor	P	P	P	P	P	P	P	P	P	P								A	
Stadium or racetrack															P	P			
Other outdoor entertainment	CA	CA	CA	CA	CA	CA	A	A	A	A	P	P	P	A		P		P	4-3(D)(32)
Retail Sales																			
Adult retail										P		P	P	P					4-3(D)(6)
Art gallery	CV	CV	C	P	P	P	P	P	P	P	P		P	A					4-3(D)(33)
Bakery goods or confectionery shop							C	P	P	P	P	P	P	P					
Building and home improvement materials store									C	C	P	P	P	C					4-3(D)(34)
Cannabis retail							P	P	P	P	P	P	A	A					4-3(D)(35)
Farmers' market	T		T	T	T	T	T	P	P	P	P	P	CV	CV		P	A	CA	4-3(D)(36)
General retail, small			A			A	P	P	P	P	P	P	P	P					4-3(D)(37)
General retail, medium									P	P	P	C	C						4-3(D)(37)
General retail, large									C	C	P	P							4-3(D)(37)
Grocery store								P	P	P	P		P	P					4-3(D)(38)
Liquor retail							C	A	C	C	C	C	C	C					4-3(D)(39)
Nicotine retail							CA	A	C	C	C	C	C	C					4-3(D)(40)
Pawn shop								C	P	P	P	P	P	P					4-3(D)(41)

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Zone District >>	Residential						Mixed-use				Non-residential								Use-specific Standards
Land Uses	R-A	R-1	R-MC	R-T	R-ML	R-MH	MX-T	MX-L	MX-M	MX-H	NR-C	NR-BP	NR-LM	NR-GM	NR-SU	NR-PO A	NR-PO B	NR-PO C	
Transportation																			
Airport															P				4-3(D)(42)
Freight terminal or dispatch center												C	P	P					4-3(D)(43)
Helipad									CA	CA	A	P	P	P	A				4-3(D)(44)
Park-and-ride lot						C	C	C	P	C	C	P	C	C	A	A			4-3(D)(45)
Railroad yard												C	P	P					4-3(D)(46)
Transit facility						C	C	C	P	P	P	P	P	P					4-3(D)(47)
INDUSTRIAL USES																			
Manufacturing, Fabrication, and Assembly																			
Artisan manufacturing							C	P	P	P	P	P	P	P					4-3(E)(1)
Cannabis cultivation							C	P	P	P	P	P	P	P					4-3(E)(2)
Cannabis-derived products manufacturing							C	P	P	P	P	P	P	P					4-3(E)(3)
Light manufacturing										A	P	P	P	P					4-3(E)(4)
Heavy manufacturing														P					4-3(E)(5)
Natural resource extraction															P				4-3(E)(6)
Special manufacturing														C					4-3(E)(7)
Telecommunications, Towers, and Utilities																			
Drainage facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	A	A	C	
Electric utility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	A	A	A	4-3(E)(8)
Geothermal energy generation	A	A	A	A	A	A	A	A	A	A	A	P	P	P		A	A		4-3(E)(9)
Major utility, other	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	A	A	A	
Solar energy generation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	P	P	P	4-3(E)(10)
Wind energy generation							A	A	A	A	A	A	A	C	A	A	A		4-3(E)(11)
Wireless Telecommunications Facility (WTF)																			
Architecturally integrated	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			
Non-commercial or broadcasting antenna	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			
Collocation	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			4-3(E)(12)
Freestanding							P	P	P	P	P	P	P	P	A				
Public utility collocation	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			
Roof-mounted			A		A	A	A	A	A	A	A	A	A	A	A				
Small cell	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Waste and Recycling																			
Recycling drop-off bin facility						A	A	A	A	A	P	P	P	P					4-3(E)(13)
Solid waste convenience center															P				4-3(E)(14)
Salvage yard												C	C	P					4-3(E)(15)
Waste and/or recycling transfer station															P				4-3(E)(16)
Wholesaling and Storage																			

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Above-ground storage of fuels or feed													C	P					
Outdoor storage								CA	C	C	C	A	P	P					4-3(E)(17)
Warehousing									C	C	P	P	P	P					4-3(E)(18)
Wholesaling and distribution center									C	C	P	P	P	P					4-3(E)(19)
ACCESSORY AND TEMPORARY USES																			
ACCESSORY USES																			**4-3(F)(1)**
Agriculture sales stand	A	A	A	A	A	A	A	A	A	A	A	A	CA	CA			A		4-3(F)(2)
Animal keeping	A	A	A	A	A	A	A	A	A	A	A	A	A	A				CA	4-3(F)(3)
Automated Teller Machine (ATM)			A		A	A	A	A	A	A	A	A	A	A		T	T		
Drive-through or drive-up facility								A	A	CA	A	A	A						4-3(F)(4)
Dwelling unit, accessory with kitchen		A		A	A	A	A	A	A		A	A	A	A	A		A		4-3(F)(5)
Dwelling unit, accessory without kitchen	CA	A		A	A	A	A	A	A		A	A	A	A	A		A		4-3(F)(5)
Family care facility	A	A	A	A	A	A	A	A	A	A									4-3(F)(6)
Family home day care	CA	CA	CA	CA	A	A	A												4-3(F)(7)
Garden	A	A	A	A	A	A	A	A	A	A	A	A	A				A		
Hobby breeder	A	A	A	A															4-3(F)(8)
Home occupation	A	A	A	A	A	A	A	A	A	A									4-3(F)(9)
Independent living facility				A	A	A	A	A	A	A									4-3(F)(10)
Mobile food truck	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			4-3(F)(11)
Mobile vending cart							A	A	A	A	A	A	A	A		A		A	4-3(F)(12)
Outdoor animal run	A							CA	CA		CA		A	A					4-3(F)(13)
Outdoor dining area							CA	A	A	A	A	A	A	A	A				4-3(F)(14)
Second kitchen in a dwelling	A	A	A	A	A	A	A												4-3(F)(15)
Other use accessory to non-residential primary use							A	A	A	A	A	A	A	A	A			A	4-3(F)(16)
Other use accessory to residential primary use	A	A	A	A	A	A	A	A	A	A									4-3(F)(17)
TEMPORARY USES																			
Temporary Uses That Require A Permit																			
Circus									T		T	T	T						4-3(G)(1)
Construction staging area, trailer, or office	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T		4-3(G)(2)
Dwelling, temporary	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T		4-3(G)(3)
Fair, festival, or theatrical performance	T	T	T	T	T	T	T	T	T	T	T	T			T	T	T		4-3(G)(4)
Open air market							T	T	T	T	T						T		4-3(G)(5)

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Park-and-ride facility, temporary						T	T	T	T	T	T	T	T	T	T		T		4-3(G)(6)
Real estate office or model home	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T				4-3(G)(7)
Safe outdoor space							CT	CT	CT	CT	T	T	T	T					4-3(G)(8)
Seasonal outdoor sales							T	T	T	T	T	T	T	T					4-3(G)(9)
Temporary use not listed			T			T	T	T	T	T	T	T	T	T	T		T		4-3(G)(10)
Temporary Uses That Do Not Require A Permit																			
Garage or yard sale	T	T	T	T	T	T	T												4-3(G)(10)
Hot air balloon takeoff/landing	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	4-3(G)(11)

RESIDENTIAL – MULTI-FAMILY HIGH DENSITY ZONE DISTRICT (R-MH)

Purpose: The purpose of the R-MH zone district is to promote and encourage the development of high-density attached and multi-family housing, with taller, multi-story buildings encouraged in Centers and Corridors in areas close to major streets and public transit facilities. The primary land use is multi-family dwellings, with limited civic and institutional uses to serve the surrounding residential area.

This document provides a summary about development in the R-MH zone district. It includes links to Frequently Asked Questions (FAQs) about allowable uses, use-standards, development standards, and the approval process.

The document also includes a summary of the development standards and a summary of the allowable uses in this zone. To see the full Integrated Development Ordinance (IDO), click the link below.

https://ido.abc-zone.com/

Notes:

1. Check the project website for links to the Integrated Development Ordinance, the Allowable Uses Table, and excerpts from the Allowable Uses Table for each zone district.
   https://abc-zone.com/node/919
2. Check the IDO to see if there are any Use-specific Standards or an Airport Protection Overlay zone that may change the allowable uses on your property. (See IDO Part 4 and Subsection 3-3, respectively). For more information, see these FAQs:
   https://abc-zone.com/node/915
   https://abc-zone.com/node/931
3. Check the IDO to find development standards for your zone district and any context-specific standards that apply to your property. (See IDO Parts 2 and 5.) For more information, see this FAQ:
   https://abc-zone.com/node/930
4. Check the IDO to find review and approval processes that may apply to a zone district, your project, or your property. (See IDO Part 6.) For more information, see this FAQ:
   https://abc-zone.com/node/933

If you have other questions, email devhelp@cabq.gov or request a Pre-application Review Team Meeting (PRT) here:
https://www.cabq.gov/planning/urban-design-development/pre-application-review-team-meetings

Development Standards Summary

Table 2-3-11: R-MH Zone District Dimensional Standards

UC-MS-PT = Urban Centers, Main Street areas, and Premium Transit areas BR = bedroom DU = dwelling units

Note: Any different dimensional standards in Part 14-16-3 (Overlay Zones) and Section 14-16-5-9 (Neighborhood Edges) applicable to the property shall prevail over the standards in this table.

Development Location		General	UC-MS-PT
Site Standards*			
Lot size, minimum See Subsection 14-16-5-1(C)(2)	A	10,000 sq. ft.	
Lot width, minimum See Subsection 14-16-5-1(C)(2)	B	150 ft.	100 ft.
Usable open space, minimum	C	≤1 BR: 225 sq. ft. / unit 2 BR:285 sq. ft. / unit ≥3 BR: 350 sq. ft. / unit	50 % reduction
Setback Standards			
Front, minimum	D	15 ft. / N/A	0 ft. / 10 ft.
Side, minimum	E	Interior: 5 ft.; Street side: 10 ft. / N/A	0 ft. / Street side: 15 ft
Rear, minimum	F	15 ft.	
Building Height			
Building height, maximum	G	**48 ft.** >100 ft. from all lot lines: N/A	**65 ft.**

[1] Residential development that qualifies for funding through Article 14-17 of ROA 1994 (Family Housing Developments) may be eligible for development incentives specified in that Article.

*See IDO Subsection 14-16-5-1(C)(2) Contextual Residential Development in Areas of Consistency, if applicable, for additional standards that modify these general dimensional standards.

Table 2-3-12: Other Applicable IDO Sections

Overlay Zones	Part 14-16-3	Landscaping, Buffering, and Screening	14-16-5-6
Allowable Uses	14-16-4-2	Walls and Fences	14-16-5-7
Use-specific Standards	14-16-4-3	Outdoor Lighting	14-16-5-8
Dimensional Standards	14-16-5-1	Neighborhood Edges	14-16-5-9
Site Design and Sensitive Lands	14-16-5-2	Solar Access	14-16-5-10
Access and Connectivity	14-16-5-3	Building Design	14-16-5-11
Subdivision of Land	14-16-5-4	Signs	14-16-5-12
Parking and Loading	14-16-5-5	Operations and Maintenance	14-16-5-13

Use Table Summary

The following excerpt from Table 4-2-1 shows the allowable uses for the **R-MH zone district only** (highlighted). See the Integrated Development Ordinance (IDO) for the complete list of uses allowed in all zone districts and use definitions (Table 4-2-1 and Section 14-16-7-1, respectively).

- ⇨ Permissive uses (P) are allowed in this zone by right, without any other approvals
- ⇨ Conditional uses (C) require approval at a public hearing (see Subsection 14-16-6-6(A) for more info)
- ⇨ Accessory uses (A) must be in addition to an allowed primary use (either P or C)

The column on the far right (also highlighted), provides IDO section references for Use-specific Standards that may apply to a use. These Use-specific Standards may change the allowable uses depending on the context of the site or may impose requirements on the development.

Table 4-2-1: Allowable Uses

P = Permissive Primary C = Conditional Primary A = Permissive Accessory CA = Conditional Accessory
CV = Conditional if Structure Vacant for 5 years or more T = Temporary CT = Conditional Temporary
Blank Cell = Not Allowed

Zone District >> / Land Uses	Residential						Mixed-use				Non-residential								Use-specific Standards
	R-A	R-1	R-MC	R-T	R-ML	R-MH	MX-T	MX-L	MX-M	MX-H	NR-C	NR-BP	LM	GM	NR-SU	NR-A	NR-B	NR-C	
PRIMARY USES THAT MAY BE ACCESSORY IN SOME ZONE DISTRICTS																			
RESIDENTIAL USES																			
Household Living																			
Dwelling, townhouse				P	P	P	P	P	P	P									4-3(B)(6)
Dwelling, live-work				C	C	P	P	P	P	P	CA	CA							4-3(B)(7)
Dwelling, multi-family					P	P	P	P	P	P									4-3(B)(8)
Group Living																			
Assisted living facility or nursing home				C	P	P	P	P	P	P									
Community residential facility, small	P	P		P	P	P	P	P	P	P									4-3(B)(9)
Community residential facility, large					P	P	P	P	P	P									4-3(B)(9)
Dormitory						P	C	P	P	P									
Group home, small					C	P	P	P	P										4-3(B)(10)
Group home, medium					C	C	C	P	P	P									4-3(B)(10)
Group home, large						C			C	C									4-3(B)(10)

Table 4-2-1: Allowable Uses

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Zone District >>	Residential						Mixed-use				Non-residential								Use-specific Standards
	A	-1	MC	-T	ML	MH	K-T	K-L	-M	-H	-C	-BP	-M	-M	-SU	N	R-	P	O	
CIVIC AND INSTITUTIONAL USES																				
Adult or child day care facility			C	C	C	P	P	P	P	P	P	P	A	A						
Community center or library	C	P		P	P	P	P	P	P	P	C	C	C	C		P		C		4-3(C)(1)
Elementary or middle school	C	C		C	P	P	P	P	P	P	P	P	CV			P		C		4-3(C)(2)
High school	C	C		C	C	P	P	P	P	P	P	P	C			P				4-3(C)(3)
Museum				CV	CV	C	P	P	P	P	P	P	P	P		P	A			4-3(C)(5)
Parks and open space	P	P		P	P	P	P	P	P	P	P	P	C	C	A	P	P	P		4-3(C)(7)
Religious institution	P	P		P	P	P	P	P	P	P	P	P	CV	CV						4-3(C)(8)
University or college						CV	CV	C	P	P	P	P	CV	CV						
Vocational school						CV	P	P	P	P	P	P	P	P						
COMMERCIAL USES																				
Agriculture and Animal-related																				
Community garden	P	P	P	P	P	P	P	P	P	P	P	P	C	C		A	A	A		4-3(D)(1)
Food, Beverage, and Indoor Entertainment																				
Auditorium or theater						A	A	A	P	P	P	P	P	P						4-3(D)(7)
Health club or gym			A		A	A	P	P	P	P	P	P	P	A						4-3(D)(9)
Residential community amenity, indoor	P	P	P	P	P	P	P	P	P	P								C		4-3(D)(11)
Lodging																				
Bed and breakfast	A	CA		A	A	P	P													4-3(D)(13)
Motor Vehicle-related																				
Paid parking lot			A		A	A	C	P	P	A	P	P	P	P	A	A	A			4-3(D)(22)
Parking structure			A		A	A	CA	P	P	P	P	P	P	P	A					4-3(D)(22)
Offices and Services																				
Outdoor Recreation and Entertainment																				
Residential community amenity, outdoor	P	P	P	P	P	P	P	P	P	P								A		
Other outdoor entertainment	CA	CA	CA	CA	CA	CA	A	A	A	A	P	P	P	A		P		P		4-3(D)(32)
Retail Sales																				
Art gallery	CV	CV	C	P	P	P	P	P	P	P	P		P	A						4-3(D)(33)
Farmers' market	T		T	T	T	T	T	P	P	P	P	P	CV	CV		P	A	CA		4-3(D)(36)
General retail, small			A			A	P	P	P	P	P	P	P	P						4-3(D)(37)
Transportation																				
Park-and-ride lot						C	C	C	P	C	C	P	C	C	A	A				4-3(D)(45)
Transit facility						C	C	C	P	P	P	P	P	P						4-3(D)(47)

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Zone District >>	Residential						Mixed-use				Non-residential								Use-specific Standards
	A	-1	MC	-T	ML	MH	-T	-L	-M	-H	-C	BP	M	M	SU	N	R-	P	O	
INDUSTRIAL USES																			
Manufacturing, Fabrication, and Assembly																			
Telecommunications, Towers, and Utilities																			
Drainage facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	A	A	C	
Electric utility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	A	A	A	4-3(E)(8)
Geothermal energy generation	A	A	A	A	A	A	A	A	A	A	A	P	P	P		A	A		4-3(E)(9)
Major utility, other	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	A	A	A	
Solar energy generation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	P	P	P	4-3(E)(10)
Wireless Telecommunications Facility (WTF)																			4-3(E)(12)
Architecturally integrated	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			
Non-commercial or broadcasting antenna	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			
Collocation	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			
Public utility collocation	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			
Roof-mounted			A		A	A	A	A	A	A	A	A	A	A	A				
Small cell	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Waste and Recycling																			
Recycling drop-off bin facility						A	A	A	A	A	P	P	P	P					4-3(E)(13)
Wholesaling and Storage																			

Table 4-2-1: Allowable Uses

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Zone District >>	Residential						Mixed-use				Non-residential								Use-specific Standards
	A	-1	MC	-T	ML	MH	K-T	K-L	-M	K-H	-C	BP	-I	M	SU	N	R-	P	O	
ACCESSORY AND TEMPORARY USES																				
ACCESSORY USES																				4-3(F)(1)
Agriculture sales stand	A	A	A	A	A	A	A	A	A	A	A	A	CA	CA			A			4-3(F)(2)
Animal keeping	A	A	A	A	A	A	A	A	A	A	A	A	A	A				CA		4-3(F)(3)
Automated Teller Machine (ATM)			A		A	A	A	A	A	A	A	A	A	A		T	T			
Dwelling unit, accessory with kitchen		A		A	A	A	A	A	A		A	A	A	A	A		A			4-3(F)(5)
Dwelling unit, accessory without kitchen	CA	A		A	A	A	A	A	A		A	A	A	A	A		A			4-3(F)(5)
Family care facility	A	A	A	A	A	A	A	A	A	A										4-3(F)(6)
Family home day care	CA	CA	CA	CA	A	A	A													4-3(F)(7)
Garden	A	A	A	A	A	A	A	A	A	A	A	A	A				A			
Home occupation	A	A	A	A	A	A	A	A	A	A										4-3(F)(9)
Independent living facility				A	A	A	A	A	A	A										4-3(F)(10)
Mobile food truck	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A				4-3(F)(11)
Second kitchen in a dwelling	A	A	A	A	A	A	A													4-3(F)(15)
Other use accessory to residential primary use	A	A	A	A	A	A	A	A	A	A										4-3(F)(17)
TEMPORARY USES																				
Temporary Uses That Require A Permit																				
Construction staging area, trailer, or office	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T			4-3(G)(2)
Dwelling, temporary	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T			4-3(G)(3)
Fair, festival, or theatrical performance	T	T	T	T	T	T	T	T	T	T	T	T			T	T	T			4-3(G)(4)
Park-and-ride facility, temporary						T	T	T	T	T	T	T	T	T	T		T			4-3(G)(6)
Real estate office or model home	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T					4-3(G)(7)
Temporary use not listed			T			T	T	T	T	T	T	T	T	T	T		T			4-3(G)(10)
Temporary Uses That Do Not Require A Permit																				
Garage or yard sale	T	T	T	T	T	T	T													4-3(G)(11)
Hot air balloon takeoff/landing	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T		4-3(G)(12)

Go to previous versions of this Section

2021 New Mexico Statutes
Chapter 3 - Municipalities
Article 21 - Zoning Regulations
Section 3-21-1 - Zoning; authority of county or municipality.

Universal Citation: NM Stat § 3-21-1 (2021)

A. For the purpose of promoting health, safety, morals or the general welfare, a county or municipality is a zoning authority and may regulate and restrict within its jurisdiction the:

(1) height, number of stories and size of buildings and other structures;

(2) percentage of a lot that may be occupied;

(3) size of yards, courts and other open space;

(4) density of population; and

(5) location and use of buildings, structures and land for trade, industry, residence or other purposes.

B. The county or municipal zoning authority may:

(1) divide the territory under its jurisdiction into districts of such number, shape, area and form as is necessary to carry out the purposes of Sections 3-21-1 through 3-21-14 NMSA 1978; and

to a limited number of parties does not mean that the zoning action is necessarily quasi-judicial in nature. The fact that a particular party's proposed development or a particular parcel is in the mind of the zoning authority when it takes action does not change the nature of the zoning authority's decision from legislative to quasi-judicial. *Albuquerque Commons P'ship v. Albuquerque City Council*, 2006-NMCA-143, 140 N.M. 751, 149 P.3d 67, *rev'd*, 2008-NMSC-025, 144 N.M. 99, 184 P.3d 411.

The uniformity requirement does not prohibit different classifications within a district so long as they are reasonable and based on the public policy to be served. *Albuquerque Commons P'ship v. Albuquerque City Council*, 2006-NMCA-143, 140 N.M. 751, 149 P.3d 67, *rev'd*, 2008-NMSC-025, 144 N.M. 99, 184 P.3d 411.

When a zoning resolution is in substance an ordinance or a permanent regulation, the name given to the resolution is immaterial, and if it is passed with all the formality of an ordinance, the resolution thereby becomes a legislative act. *Albuquerque Commons P'ship v. Albuquerque City Council*, 2006-NMCA-143, 140 N.M. 751, 149 P.3d 67, *rev'd*, 2008-NMSC-025, 144 N.M. 99, 184 P.3d 411.

Comprehensive scheme to regulate land. — The Zoning Act affords counties a comprehensive scheme to regulate land use as a way to protect public health, safety and welfare. *Cerrillos Gravel Products, Inc. v. Santa Fe Bd. of Cnty. Comm'rs*, 2005-NMSC-023, 138 N.M. 126, 117 P.3d 932.

Definition of zoning. — Zoning is defined as governmental regulation of the uses of land and buildings according to districts or zones. When used to promote the public interest, it is justified and has been upheld as a legitimate exercise of the police power. New Mexico has specifically approved its use to protect and promote the safety, health, morals and general welfare. *Miller v. City of Albuquerque*, 1976-NMSC-052, 89 N.M. 503, 554 P.2d 665.

County's authority to promulgate zoning ordinances must come from enabling legislation from the state legislature, and therefore, any exercise of power under a zoning ordinance must be authorized by statute. *Burroughs v. Board of Cnty. Comm'rs*, 1975-NMSC-051, 88 N.M. 303, 540 P.2d 233.

As municipality has no zoning authority beyond that provided by this article. *Mechem v. City of Santa Fe*, 1981-NMSC-104, 96 N.M. 668, 634 P.2d 690; *City of Santa Fe v. Armijo*, 1981-NMSC-102, 96 N.M. 663, 634 P.2d 685.

751, 149 P.3d 67, *rev'd*, 2008-NMSC-025, 144 N.M. 99, 184 P.3d 411.

IV. DOWN ZONING.

Downzoning defined. — The characteristic common to all downzoning actions is that they focus on specific properties or small groups of properties within an otherwise similarly situated class, restricting or allowing uses in ways that do not apply to the surrounding area or similar areas within a municipality. *Albuquerque Commons v. Albuquerque City Council*, 2008-NMSC-025, 144 N.M. 99, 184 P.3d 411, *rev'g*, 2006-NMCA-143, 140 N.M. 751, 149 P.3d 67.

Common characteristic of downzoning. — Where the city council adopted a text amendment to a sector plan as a legislative action to create a new sub-zone within the sector plan area, which consisted of three parcels comprising six percent of the sector plan area and to impose additional, significantly more restrictive regulations that were applicable only to the new sub-zone, the amendment was a downzoing of property in the new sub-zone and a quasi-judicial action that denied the property owners in the sub-zone due process of law. *Albuquerque Commons v. Albuquerque City Council*, 2008-NMSC-025, 144 N.M. 99, 184 P.3d 411, *rev'g*, 2006-NMCA-143, 140 N.M. 751, 149 P.3d 67.

No down-zoning. — Where zoning text amendments were consistent with city's master plan, quantified and made more specific the city's policy vision to assure development of an urban center as stated in its comprehensive plan and in the prior zoning provisions and delineated how that vision would specifically come to pass in future development, and the changes applied to all property owners within the district, the zoning text amendments did not constitute a down-zoning and were legislative in nature. *Albuquerque Commons P'ship v. Albuquerque City Council*, 2006-NMCA-143, 140 N.M. 751, 149 P.3d 67, *rev'd*, 2008-NMSC-025, 144 N.M. 99, 184 P.3d 411.

V. STATE AND FEDERAL IMMUNITY.

Immunity of state. — The state is immune from any municipal zoning regulations. *City of Albuquerque v. Jackson Bros. Inc.*, 1991-NMCA-140, 113 N.M. 149, 823 P.2d 949.

Test to determine whether one political subdivision of the state is immune from the zoning laws of a co-equal political subdivision of the state. — In zoning and land use disputes between co-equal political subdivisions of the state, the statutory guidance test applies to determine whether a land use proposed by one political subdivision of the state may be prohibited by the zoning regulation of another. Under the statutory guidance test, courts review the statutory powers assigned to each entity to ascertain

whether the legislature intended that one entity's local zoning ordinances apply to the other entity's activities. *Village of Logan v. Eastern N.M. Water Util. Auth.*, 2015-NMCA-103.

In zoning and land use dispute between a municipality and a water utility authority, both of which are political subdivisions of the state established by legislative processes, the legislative purpose behind the creation of the water utility authority would be frustrated by requiring it to adhere to municipal zoning ordinances, and therefore the statutory guidance test applies to immunize the water utility authority from the municipality's zoning ordinances. *Village of Logan v. Eastern N.M. Water Util. Auth.*, 2015-NMCA-103.

State governmental body is not subject to local zoning regulations or restrictions. *City of Santa Fe v. Armijo*, 1981-NMSC-102, 96 N.M. 663, 634 P.2d 685.

County may not regulate a private entity on state land operating with the state's approval. *County of Santa Fe v. Milagro Wireless, LLC*, 2001-NMCA-070, 130 N.M. 771, 32 P.3d 214.

VI. DUE PROCESS AND TAKING ISSUES.

State-created substantive property right. — Where a municipality downzoned the landowner's property by map amendment; state case law required the municipality to establish a mistake in the original zoning or subsequent changed conditions in the neighborhood before the zoning could be legally changed; and a municipal resolution required the municipality to demonstrate that a mistake had occurred in the original zoning, that changed neighborhood or community conditions justify the change, or that a different use category is more advantageous to the community before a zoning classification could be changed by map amendment, the property owner had a state-created property right to continued zoning classification of the landowner's property unless the municipality justified the zoning change in accordance with the criteria of state case law and the municipal resolution. *Albuquerque Commons P'ship v. Albuquerque City Council*, 2009-NMCA-065, 146 N.M. 568, 212 P.3d 1122, cert. granted, 2009-NMCERT-007, 147 N.M. 363, 223 P.3d 360 and cert. denied, 1305 S.Ct. 1501, 176 L.Ed. 2d 110 (2010).

Property deprivation or due process violation. — Where state case law and a municipal resolution required the municipality to establish the substantive criteria of change, mistake or a more advantageous use category before changing the zoning classification of property, the failure of the municipality to actually establish one of the substantive criteria does not lead to a property deprivation or due process violation, the deprivation or violation only arises in the event the landowner is denied notice or a