



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.berncogov/planning>.

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

Air Quality Permit Applicant Company Name:			
Facility Name:			
Facility Physical Address:	City:	State:	Zip:
Facility Legal Description:			

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.

<input type="checkbox"/> Zoning Certification Provided by: <i>This is a use-specific certification.</i> 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/	<input type="checkbox"/> City Zoning Verification <input type="checkbox"/> 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/
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