**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/A1** | **Waived2** |
| 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. |  |  |  |
| 1. 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/A1** | **Waived2** |
| 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. |  |  |  |
| 1. 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/A1** | **Waived2** |
| --- | --- | --- | --- |
| 1. A complete permit application on the most recent form provided by the Department. |  |  |  |
| 1. The application form includes: |  |  |  |
| 1. The applicant’s name, street and post office address, and contact information; |  |  |  |
| 1. The facility owner/ operator’s name, street address and mailing address, if different from the applicant; |  |  |  |
| 1. The consultant’s name and contact information, if applicable; |  |  |  |
| 1. All information requested on the application form is included (*i.e.*, the form is complete). |  |  |  |
| 1. The date the application was submitted to the Department. |  |  |  |
| 1. Sufficient attachments for the following: |  |  |  |
| 1. 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. |  |  |  |
| 1. The air dispersion model has been executed pursuant to a protocol that was approved in advance by the Department. |  |  |  |
| 1. Air dispersion modeling approved (or 2nd denied) protocol date: |  |  |  |
| 1. 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). |  |  |  |
| 1. All calculations used to estimate potential emission rates and controlled/proposed emissions. |  |  |  |
| 1. 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. |  |  |  |
| 1. Fuel data for each existing and/or proposed piece of fuel burning equipment. |  |  |  |
| 1. Anticipated maximum production capacity of the entire facility and the requested production capacity after construction and/or modification. |  |  |  |
| 1. Stack and exhaust gas parameters for all existing and proposed emission stacks. |  |  |  |
| 1. An operational and maintenance strategy detailing: |  |  |  |
| 1. 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; |  |  |  |
| 1. the nature of emissions during routine startup or shutdown of the source and the source’s air pollution control equipment; and |  |  |  |
| 1. the steps the applicant will take to minimize emissions during routine startup or shutdown. |  |  |  |
| 1. 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. |  |  |  |
| 1. 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. |  |  |  |
| 1. 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. |  |  |  |
| 1. 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. |  |  |  |
| 1. A description of the equipment or methods proposed by the applicant to be used for emission measurement. |  |  |  |
| 1. The maximum and normal operating time schedules of the source after completion of construction or modification, as applicable. |  |  |  |
| 1. Any other relevant information as the Department may reasonably require, including without limitation: |  |  |  |
| Provide an applicability determination for all potentially applicable federal regulations. |  |  |  |
| 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. |  |  |  |
| Compliance History Disclosure Form4 |  |  |  |
| BACT Analysis, if applicable, for new permit or permit modification applications. |  |  |  |
| 1. 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. |  |  |  |
| 1. 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.*