

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 (20.11.41.13(B) and 20.11.72.9 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 1 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 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:

Owner / operator's name and address:

Nombre y domicilio del propietario u operador:

Contact for comments and inquires:

Datos actuales para comentarios y preguntas:

Name (*Nombre*):

Address (*Domicilio*):

Phone Number (*Número Telefónico*):

E-mail Address (*Correo Electrónico*):

Actual or estimated date the application will be submitted to the department:

Fecha actual o estimada en que se entregará la solicitud al departamento:

Description of the source:

Descripción de la fuente:

Exact location of the source or proposed source:

Ubicación exacta de la fuente o fuente propuesta:

Nature of business:

Tipo de negocio:

Process or change for which the permit is requested:

Proceso o cambio para el cuál de solicita el permiso:

Maximum operating schedule:

Horario máximo de operaciones:

Normal operating schedule:

Horario normal de operaciones:

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 <i>Contaminante de aire</i>	Proposed Construction Permit <i>Permiso de Construcción Propuesto</i>		Net Changes (for permit modification or technical revision) <i>Cambio Neto de Emisiones (para modificación de permiso o revisión técnica)</i>	
	pounds per hour <i>libras por hora</i>	tons per year <i>toneladas por año</i>	pounds per hour <i>libras por hora</i>	tons per year <i>toneladas por año</i>
NO_x				
CO				
VOC				
SO₂				
PM₁₀				
PM_{2.5}				
HAP				

NOTE: To add extra rows for H₂S 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 <https://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 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 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 application 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 deem the application incomplete 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 to which the Applicant sent notices, as well as interested parties who have requested notification of application submittals, and is 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, request to review the draft technical analysis, 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 and modeled impact is compared to state and federal air quality standards and informs the decision on whether to approve or deny the Applicant’s permit application.

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.

Possible Public Notice from the Department: If individuals request to review the draft technical analysis for a permitting action during the first 30-day public comment period in Step 2, there will be an additional public notice step. 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 possible 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 possible 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.

Air Quality Construction Permitting Overview

Step 4: Public Comment Evaluation and Response: The Air Quality Program evaluates all public comments received during the 30-day public comment period(s) 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 permitting 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.

If there is public participation for a permit application and a response document is prepared, notification 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 permitting process. If there is no public participation, no notification of the final decision is provided.

The Department is legally required to 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