



***City of Albuquerque
Environmental Health Department
Air Quality Division***



**Permitting Interim Guidance for 90 day Issuance
Of Authority-to-Construct Permits**

- 1.0 Date: January 19, 2000
- 2.0 Purpose: The purpose of this document is to provide interim guidance for authority-to-construct permit applications subject to the ninety (90) day permit action requirements currently implemented by the New Mexico Environment Department until the Albuquerque/Bernalillo County Air Quality Control Board has implemented the revised 20 NMAC 11.41 regulation.
- 3.0 Procedure The following guidelines shall be followed for the processing of all authority-to-construct permit applications, which were received by the Air Quality Division since January 1, 2000
 - 3.1 Permit Applications:
Permit Applications received by the City of Albuquerque, Air Quality Division (Division) shall be reviewed for completeness within thirty (30) days after its receipt.
 - 3.2 Public Notice: Public notice shall allow all interested persons forty-five (45) days from the date the public notice is published to submit written comments and concerns and to request a public hearing. Public notices shall be published within fifteen (15) days of ruling the application complete.
 - 3.3 Permit Processing:
All permits applications shall be reviewed and processed in accordance with 20 NMAC 11.41 except where stated in this interim guidance document.
 - 3.4 Permit Issuance/Denial:
The division shall either issue, issue subject to conditions, or deny the air quality permit within ninety (90) days after the Division deems the application administratively complete if the application is not subject to the requirements of 20 NMAC 11.61; of within one hundred and eighty (180) days after the division deems the application administratively complete if the application is subject to the requirements of 20 NMAC 11.61.

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3.4

Permit Issuance/Denial

If the division fails to take action on the application within the deadlines specified in this interim guidance, the Division shall notify the applicant by certified snail that an extension of time is necessary to process the application and shall specify, in detail, the grounds for the requested extension. The Director may grant an extension that shall not exceed ninety (90) days, to the deadlines specified in this interims guidance if it is determined that good cause exists for the extension. The Director shall notify the applicant by certified mail of the decision on the extension. The notification shall include the length of the extension and the reasons for the extension. Reasons for good cause include, but are not limited to the following:

1. Need for public hearings
2. A health assessment is required for permits for Toxic Air Pollutant emissions
3. Permit application is subject to 20 NMAC 11.60
4. Additional time needed to complete the requirements for Federal review of permits subject to 20 NMAC 11.61
5. Permit application requires complex technical and regulatory issues
6. The Division is unable to complete the review of information submitted, because of the timing and scope of submittal.

Permitting Timeline:

