

WILDEARTH GUARDIANS' PROPOSED REDLINE MODIFICATIONS
TO NMED'S PROPOSED 20.2.50 NMAC

TITLE 20 ENVIRONMENTAL PROTECTION
CHAPTER 2 AIR QUALITY (STATEWIDE)
PART 50 OIL AND GAS SECTOR – OZONE PRECURSOR POLLUTANTS

20.2.50.7 DEFINITIONS: In addition to the terms defined in 20.2.2. NMAC – Definitions, as used in this Part, the following definitions apply.

GG. “Potential to emit (PTE)”: means the maximum capacity of a stationary source to emit an air contaminant under its physical and operational design. The physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and a restriction on the hours of operation or on the type or amount of material combusted, stored or processed, shall be treated as part of its design if the limitation is federally enforceable. The PTE for nitrogen dioxide shall be based on total oxides of nitrogen. For wellhead sites, calculation of PTE shall include non-mobile source emissions that may occur prior to commencement of operation.

20.2.50.112 GENERAL PROVISIONS:
A. General requirements

(11) In permitting a stationary source subject to this Part pursuant to 20.2.72, 20.2.74, or 20.2.79 NMAC, the department shall deny any application for a permit or permit revision, including any general permit registration, where construction or modification will cause or contribute to air contaminant levels in excess of ninety-five percent of any primary National Ambient Air Quality Standard for ozone. Compliance with this Part does not demonstrate that a stationary source will not cause or contribute to exceedances of any National Ambient Air Quality Standard or New Mexico ambient air quality standard.

D. Reporting requirements:
(1) The owner or operator shall submit records of all monitoring events documenting deviations of this Part to the department. For excess emissions, reports shall be submitted in accordance with 20.2.7 NMAC. For all other deviations, reports shall be submitted

semi-annually beginning January 1, 2022 and shall be submitted by the 30th day of the month following the end of each semi-annual period.

(2) Within 24 hours of a request by the department, the owner or operator shall for each unit subject to the request, provide the requested information either by electronically submitting a CDR to the department's Secure Extranet Portal (SEP), or by other means and formats specified by the department in its request.

(3) The owner or operator shall comply with all applicable reporting requirements at 20.2.7 NMAC.