



Air Quality Bureau
NOTICE OF VIOLATION

TRACKING NUMBER:	USA-0141-2001	ICIS ENFORCEMENT ACTION ID:	NM000A200195276
COMPANY NAME:	United States Army	FACILITY NAME:	White Sands Missile Range
PERMIT(S):	P085-R3-M1 and P085-R3-M3	SOURCE CLASS:	Title V Major
INSPECTION DATE(S):	September 11 and 18, 2020	EARLIEST DISCOVERY:	March 31, 2020
SELF-REPORTED:	No	*NRV, FRV OR HPV:	HPV
FACILITY LOCATION:	9 miles E of Organ, NM 88001	CONTACT PERSON:	Jorge Uribe (915) 241-6379 Jorge.a.uribe2.civ@army.mil
MAILING ADDRESS:	100 Headquarters Avenue (AMIM-WSP-E-EC Bldg 163), WSMR, NM 88002	COUNTIES:	Doña Ana, Otero, Sierra, Socorro, Lincoln
AGENCY INTEREST #:	141	AQB AIRS #:	350130021

This Notice of Violation (NOV) is a written record of the AIR QUALITY BUREAU'S (AQB) finding that a violation of AIR QUALITY CONTROL REGULATIONS or AIR QUALITY PERMIT CONDITIONS has occurred. A Notice is issued each time a violation is observed or discovered. This NOV may subject you to monetary penalties through administrative, civil, or criminal prosecution.

*Each violation set forth in this Notice of Violation (NOV) has been evaluated in accordance with the U.S. Environmental Protection Agency's (EPA) Guidance on Federally-Reportable Violations for Clean Air Act Stationary Sources (September 2014) and Timely and Appropriate Enforcement Response to High Priority Violations (August 2014). The overall assessment of this enforcement case reflects the highest level determined.

NRV: Non-Reportable Violation
FRV: Federally-Reportable Violation
HPV: High Priority Violation

If you have questions or believe any statement in this notice is erroneous, please contact Cember Hardison, Environmental Specialist, at (505) 629-6688 or at ceMBER.hardison@env.nm.gov. If you are represented by counsel, please contact Chris Vigil, Assistant General Counsel, at (505) 383-2060 or ChristopherJ.Vigil@env.nm.gov.

Air Quality Bureau Official

Date

Company:	United States Army	Inspection By:	Margaret Doyle
Facility:	White Sands Missile Range	Date of Discovery:	September 18, 2020
NOV #:	USA-0141-2001	NOV Prepared By:	Cember Hardison
Permit #:	P085-R3-M3	NRV, FRV or HPV:	FRV
Agency Interest #:	141	AQB AIRS #:	350130021

VIOLATION 1: Title V Permit P085-R3-M3 Specific Condition A115.C - *Facility Source Placeholder Requirements* and Specific Condition A1305.A - *Hours of Operation Monitoring (2)*

Number of Claims: 2

Requirement:

Specific Condition A115.C states, “Army owned and operated placeholders will be used to report operational emissions monitoring of army owned sources. The Facility will report engine serial numbers, make, model, and duration on-site to NMED in addition to the operational emissions monitoring semi-annually...”

Specific Condition A1305.A(2) states in relevant part, “...The Facility shall maintain records of each generator that utilizes PH-A, PH-B, PH-C, and PH-D, these records should include make, model, serial number, capacity, fuel type, and hours of operation of the facility. All records shall be maintained at the Facility and supplied to the New Mexico Environment Department upon request...”

Description:

On September 11, 2020 and September 18, 2020, the AQB conducted an onsite Partial Compliance Evaluation (PCE) of the US Army’s White Sands Missile Range (WSMR), to include the southern section. During the PCE, the AQB compliance inspector discovered two (2) reciprocating internal combustion engines (RICE), that had not been reported by the US Army as required, identified as unit numbers EU-049 and EU-206. Engine unit information is summarized in the below table.

Unit Identification	Permit Place Holder Number	Make; Model	Manufacturer date	Installation Date	Location & Date Discovered
EU-049	None	Cummins (old); no data plate	No data plate	unknown	September 11, 2020. Southern area
EU-206	None	Cummins; 4BT3.9-G4	November 2002	unknown	September 11, 2020. Southern area

Twice, on February 26, 2020 and on April 8, 2020, the AQB compliance inspector requested records of monthly operating hours for all emergency generators including these two units. The US Army has never provided this information. The US Army reported for the first time, along with 56 other engines, Units EU-049 and EU-206 in its Title V permit application, received on November 22, 2021, in Table 2-B – Addendum 3 as “Existing Institutional Emergency Power Generators.” The engine operating hours and other information that is necessary to determine applicable requirements was omitted from the application.

Conclusion:

The failure of the US Army to use placeholders and provide all required records of all engines used at the WSMR are violations of Title V Permit P085-R3-M3 Specific Conditions A115.C and A1305.A. Missing records for two engines represents two claims.

Additional Information Required:

The following additional information shall be submitted within the specified timeframes.

Within 15 days of receipt of this NOV, the US Army shall submit in writing the causes of this violation as well as the actions taken to prevent the recurrence of this violation that includes an explanation of why engines were not reported.

Company:	United States Army	Inspection By:	Margaret Doyle
Facility:	White Sands Missile Range	Date of Discovery:	August 19, 2020
NOV #:	USA-0141-2001	NOV Prepared By:	Cember Hardison
Permit #:	P085-R3-M3	NRV, FRV or HPV:	FRV
Agency Interest #:	141	AQB AIRS #:	350130021

VIOLATION 2: 40 CFR § 63.11111(h), Subpart CCCCCC: *National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities [GDF]*

40 CFR § 63.11117(d) *Requirements for facilities with monthly throughput of 10,000 gallons of gasoline or more.*

Number of Claims: 2

Requirement:

40 CFR § 63.11111 (h) states “Monthly throughput is the total volume of gasoline loaded into, or dispensed from, all the gasoline storage tanks located at a single affected GDF. If an area source has two or more GDF at separate locations within the area source, each GDF is treated as a separate affected source.”

40 CFR 63.11117 (d) states, “You must have records available within 24 hours of a request by the Administrator to document your gasoline throughput.”

Description:

On August 19, 2020, the AQB received from the US Army, the Title V semiannual monitoring report (“report”) for WSMR covering operations from January 1, 2020 to June 30, 2020. The report included monthly gasoline throughput records from January 2019 to June 2020 in “Section 13 NESHAP CCCCCC Monthly Gasoline Throughput” with records required by 40 CFR § 63.11111(e). Records of monthly gasoline loaded and gasoline dispensed were reported as a combined total for the two GDFs, units RC-2 and ST-4.

On September 18, 2020, during an onsite PCE, the AQB compliance inspector confirmed with TRC, a US Army contractor that operates the GDFs, that they were combining the monthly gallon throughput of gasoline through two separate GDFs, the Rhodes Canyon (Unit RC-2) and Stallion (Unit ST-4).

40 CFR § 63, Subpart CCCCCC applies one of three emissions standards to a GDF based on monthly throughputs of <10,000 gallons, => 10,000 gallons, and =>100,000 gallons. In Section 13 of the report, the US Army reported for nine (9) months in 2019, a monthly combined throughput for RC-2 and ST-4 that was greater 10,000 gallon/month. Due to the combined reporting, compliance with the emission standards cannot be verified.

Conclusion:

The failure of the US Army to record the monthly gasoline throughput separately for the Rhodes Canyon GDF (Unit RC-2) and the Stallion GDF (Unit ST-4) are violations of 40 CFR § 63.11111(h) and § 63.11117(d). Records for two GDFs represents two claims.

Additional Information Required:

The following additional information shall be submitted within the specified timeframes.

Within 15 days of receipt of this NOV, the US Army shall submit in writing the causes of this violation as well as the actions taken to prevent the recurrence of this violation that includes an explanation of why it was reporting a combined monthly throughput for two separate GDFs.

Company:	United States Army	Inspection By:	Margaret Doyle
Facility:	White Sands Missile Range	Date of Discovery:	August 19, 2020
NOV #:	USA-0141-2001	NOV Prepared By:	Cember Hardison
Permit #:	P085-R3-M1 and M3	NRV, FRV or HPV:	FRV
Agency Interest #:	141	AQB AIRS #:	350130021

VIOLATION 3: Title V Permit P085-R3-M1 and P085-R3-M3 Specific Condition A1305.A *Hours of Operation*

Number of Claims: 10

Requirement:

Both Title V permits containing identical Specific Condition A1305.A in effect at the time the violations occurred.

Specific Condition A1305.A states, "Requirement: Internal Combustion units listed in Table 1301.A may operate at any time of the day, any day of the week. Based on a monthly rolling 12-month total, units shall be limited to the hours of operations as shown in Table 1301.A to demonstrate compliance with the emission limits shown in Tables 106.A and 1303.A."

Table 1301.A *Regulated Equipment List* limits the combined annual operating hours for all diesel generator engines in category PH-A to 8760 hours per year and in category PH-C to 3000 hours per year.

Description:

On August 19, 2020, the AQB received from the US Army, the Title V semiannual monitoring report ("report") for WSMR covering operations from January 1, 2020 to June 30, 2020. Attached to the report was Section 5 "Monthly Operating Activities and Emissions by Source Category," with records of monthly operating hours for the PH-A and PH-C category diesel generator engines.

Ten times during January, 2020 to June, 2020 the US Army exceeded the operating hour limits of the PH-A and PH-C engine categories. The below tables list the months during 2020 when the US Army exceeded operating hour limits.

Engine Category #	Month and Year	Table 1301.A Annual Operating Hour Limit	Monthly rolling 12-Month Operating Hours	Excess Monthly Operating Hours
PH-A-#	February 2020	8760	10350	1590
PH-A-#	March 2020	8760	9925	1165
PH-A-#	April 2020	8760	9650	890
PH-A-#	May 2020	8760	8957	197

Engine Category #	Month and Year	Table 1301.A Annual Operating Hour Limit	Monthly rolling 12-Month Operating Hours	Excess Monthly Operating Hours
PH-C-#	January 2020	3000	6356	3356
PH-C-#	February 2020	3000	6410	3410
PH-C-#	March 2020	3000	6338	3338
PH-C-#	April 2020	3000	5717	2717
PH-C-#	May 2020	3000	5503	2503
PH-C-#	June 2020	3000	5780	2780

Conclusion:

The failure of the US Army to limit annual operating hours for engine categories PH-A and PH-C to the limits required by the permit is a violation of Title V Permits P085-R3-M1 and P085-R3-M3 Specific Condition A1305.A. The violation occurred over 4 months for PH-A engines (4 claims) and 6 months for PH-C engines (6 claims), for a total of 10 claims.

Additional Information Required:

The following additional information shall be submitted within the specified timeframes.

Within 15 days of receipt of this NOV, the US Army shall submit in writing the causes of this violation as well as the actions taken to prevent the recurrence of this violation that includes an explanation of why it failed to obtain pre-authorization through a permit application pursuant to 20.2.72.200.A(2) and 20.2.70.404.C(2) NMAC to increase operating hours.

Company:	United States Army	Inspection By:	Margaret Doyle
Facility:	White Sands Missile Range	Date of Discovery:	March 31, 2020
NOV #:	USA-0141-2001	NOV Prepared By:	Cember Hardison
Permit #:	P085-R3-M1 and M3	NRV, FRV or HPV:	FRV
Agency Interest #:	141	AQB AIRS #:	350130021

VIOLATION 4: Title V Permits P085-R3-M1 and R3-M3, Specific Condition A1303.A: *Emission Limits – Internal Combustion* and Table 1303.A: *Allowable Emissions*

Number of Claims: 42

Requirement:

Both Title V permits contain identical Specific Condition A1303.A and Table 1303.A.

Specific Condition A1303.A states, “Allowable emission limits for internal combustion on The Facility are listed in Table 1303.A.”

“Table 1303.A: Allowable Emissions” [relevant part]

Source	NOx tpy	CO tpy	VOC tpy	SO ₂ tpy	TSP tpy	PM ₁₀ tpy	PM _{2.5} tpy
PH-A-#	31.501	6.788	2.551	2.083	2.236	2.236	2.236

Description:

Table 1303.A in Title V Permits P085-R3-M1 and R3-M3, list the ton per year (tpy) allowable limits of seven (7) regulated air pollutants for generator engine group, PH-A.

For six (6) months in 2020, the US Army exceeded each of the tpy, allowable emission limits for source PH-A. This is based on US Army permit records and their equation used to quantify air emissions from internal combustion engines. The US Army submitted final excess emissions reports (EERs) for five (5) of the PH-A, 2020 excess emissions events. The US Army reported each excess emissions event type as “other” and “Title V deviation”, and did not report if the events were due to routine or predictable startup, shutdown, or maintenance; malfunction; and/or emergency. The US Army declined to submit affirmative defense demonstrations (ADDs) pursuant to 20.2.7 NMAC.

The below table summarizes the six (6) excess emission events during 2020 and includes the EER ID number and the the US Army’s discovery dates reported in their final EERs submitted on March 31, 2020; April 2, 2020; May 14, 2020; July 13, 2020; and July 14, 2020.

EER No. and Final EER Submittal Dates	Discovery Date	Month & Year Exceeded	NOx excess tpy	CO excess tpy	VOC excess tpy	SO ₂ excess tpy	TSP (PM) excess	PM ₁₀ excess tpy	PM _{2.5} excess tpy
Not reported	Not reported	Jan 2020	2.24	0.48	0.18	0.15	0.158	0.158	0.158
141-03312020-03	Mar 30, 2020	Feb 2020	8.02	1.73	0.65	0.53	0.569	0.569	0.569
141-04022020-01	Apr 2, 2020	Mar 2020	6.03	1.299	0.49	0.399	0.428	0.428	0.428
141-05202020-01	May 20, 2020	Apr 2020	5.04	1.0866	0.41	0.33	0.357	0.357	0.357
141-07132020-01	Jul 13, 2020	May 2020	2.46	0.53	0.2	0.16	0.174	0.174	0.174
141-07142020-01	Jul 14, 2020	Jun 2020	1.09	0.235	0.09	0.07	0.077	0.077	0.077

Conclusion:

The failure of the US Army to operate Unit PH-A within the allowable tpy emission limits for seven (7) pollutants over six (6) months during 2020 are violations of Title V Permits P085-R3-M1 and P085-R3-M3 Specific Condition A1303.A. The 6 exceedance events represent 6 claims, each for 7 pollutants, resulting in 42 claims.

Additional Information Required:

The following additional information shall be submitted within the specified timeframes.

Within 15 days of receipt of this NOV, the US Army shall submit in writing the causes of this violation as well as the actions taken to prevent the recurrence of this violation that includes an explanation of why it failed to obtain pre-authorization through a permit application pursuant to 20.2.72.200.A(2) or 20.2.70.404.C(2) NMAC to modify ton per year (tpy) emission limits.

Company:	United States Army	Inspection By:	Margaret Doyle
Facility:	White Sands Missile Range	Date of Discovery:	February 16, 2021
NOV #:	USA-0141-2001	NOV Prepared By:	Cember Hardison
Permit #:	P085-R3-M3	NRV, FRV or HPV:	HPV
Agency Interest #:	141	AQB AIRS #:	350130021

VIOLATION 5: 40 CFR § 60.4243, Subpart JJJJ: *What are my compliance requirements if I am an owner or operator of a stationary SI internal combustion engine? (a) and (b)*

Number of Claims: 1

Requirement:

40 CFR § 60.4243, Subpart JJJJ, states in part

“(a) If you are an owner or operator of a stationary SI internal combustion engine that is manufactured after July 1, 2008, and must comply with the emission standards specified in § 60.4233(a) through (c), you must comply by purchasing an engine certified to the emission standards in § 60.4231(a) through

(c), as applicable... In addition, you must meet one of the requirements specified in (a)(1) and (2) of this section.

(1) If you operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, you must keep records of conducted maintenance to demonstrate compliance ...

(b)(1) Purchasing an engine certified according to procedures specified in this subpart, for the same model year and demonstrating compliance according to one of the methods specified in paragraph (a) of this section.”

Description:

Since Title V semiannual monitoring report ending December 30, 2018, the US Army was incorrectly reporting the wrong model, horsepower (hp), and fuel and engine type for Unit PHD-09. This information is required for the US Army and the AQB to determine which New Source Performance Standard (NSPS) applies, Subpart JJJJ or IIII in 40 CFR § 60; and any applicable emissions standard, testing, monitoring, maintenance, and/or records.

The US Army first reported Unit PHD-09 as a 73 hp, Cummins model QS85-G3 NR3, natural gas fueled spark ignition (SI) engine, constructed in 2012, and subject to 40 CFR § 60, Subpart JJJJ.

To determine compliance with applicable regulations for engines during the PCE, in September and again in October, 2019, the AQB inspector requested technical information and records for engines; to include the make and model, horsepower, and fuel and engine type; any EPA certificates of conformity to emissions standards; and/or any required records. The US Army failed to respond to either request with records or technical updates for Unit PHD-09.

In October 2019, the AQB inspector contacted the Cummins manufacturer and was informed that engines with model number QS85-G3 NR3, are 145 hp, diesel fueled compression ignition (CI) engines. CI engines are subject to Subpart IIII. On November 4, 2019 the AQB notified the US Army of the

discrepancy, and to immediately research and submit correct information for Unit PHD-09, that was necessary for AQB to verify compliance. The US Army provided no information.

In February and April 2020, the AQB requested engine technical information and required records, specifically to include any needed corrections discovered in the previous PCE. For engine Unit PHD-09, the US Army again failed to correct the model number, hp, and fuel and engine type; to provide an EPA certificate of conformity, if any; or to provide any required records.

On February 16, 2021, the AQB received the US Army's Title V semiannual monitoring report ending December 30, 2020. In the report, the US Army stated in relevant part, "Unit PHD-09 was previously incorrectly identified as a diesel-powered generator...The generator is now correctly identified as a propane-powered generator, with the correct engine make and model information, to include its EPA certificate-of-conformity with the NSPS standards..." The US Army reported PHD-09 as a 48 hp, propane fueled SI engine; Cummins model CEX, manufactured in February 2012.

The US Army did not provide the EPA issued certificate of conformity for unit PHD-09, which the AQB requires to determine if it conforms to emissions standards in 40 CFR § 60, Subpart JJJJ using alternative propane fuel.

Conclusion:

The failure of the US Army to correctly identify the applicable New Source Performance Standard (NSPS), Subpart JJJJ or IIII; and the failure to demonstrate compliance with any applicable emissions standards, monitoring, maintenance, and/or records is a violation of 40 CFR § 60.4243(a) and (b).

Additional Information Required:

The following additional information shall be submitted within the specified timeframes.

Within 15 days of receipt of this NOV, the US Army shall submit in writing the causes of this violation as well as the actions taken to prevent the recurrence of this violation that includes an explanation of why it took more than three (3) years to identify and report the correct NSPS, emissions standards, and compliance requirements that apply to unit PHD-09.

Company:	United States Army	Inspection By:	Margaret Doyle
Facility:	White Sands Missile Range	Date of Discovery:	August 19, 2020
NOV #:	USA-0141-2001	NOV Prepared By:	Cember Hardison
Permit #:	P085-R3-M3	NRV, FRV or HPV:	FRV
Agency Interest #:	141	AQB AIRS #:	350130021

VIOLATION 6: 40 CFR. § 60.4214(b), Subpart IIII: *What are My Notification, Reporting, and Recordkeeping Requirements if I am an Owner or Operator of a Stationary CI Internal Combustion Engine?*

Number of Claims: 42

Requirement:

40 CFR § 60.4214(b), Subpart IIII states in relevant part, ...”Starting with the model years in Table 5 to this subpart, if the emergency engine does not meet the standards applicable to non-emergency engines in the applicable model year, the owner or operator must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter. The owner must record the time of operation of the engine and the reason the engine was in operation during that time.”

Description:

On August 19, 2020, the AQB received from the US Army, the Title V semiannual monitoring report (“report”) for WSMR for January 1, 2020 to June 30, 2020. Attached to the report was Section 6 “Power Generator Engine Operating Hours” with records of total monthly operating hours for each PH-C diesel generator, numbers 01 to 42. The US Army certifies that all PH-C units are “emergency” engines as defined in 40 CFR § 60.4211(f). However it has consistently failed to record hours of emergency or non-emergency operation, the times of operation, nor the reasons each engine operated pursuant to 40 CFR § 60.4214(b).

For the 2020 PCE, the AQB compliance inspector requested 40 CFR § 60.4214(b) records on February 26, 2020, but the US Army did not provide them in its response dated March 2, 2020. The US Army in its Title V semiannual monitoring report ending June 2021, did report the total non-emergency operating hours for each PH-C unit between January 1 to June 30, 2021. However, they still failed to report the reasons for operating each engine.

Conclusion:

The failure of the US Army to keep records of emergency and non-emergency service of PH-C diesel generator, units 01 to 42, is a violation of 40 CFR § 60.4214(b), Subpart IIII. Each engine represents one claim, resulting in 42 claims.

Additional Information Required:

The following additional information shall be submitted within the specified timeframes.

Within 15 days of receipt of this NOV, the US Army shall submit in writing the causes of this violation as well as the actions taken to prevent the recurrence of this violation that includes an explanation of why it certifies PH-C units are emergency engines but fails to keep and submit required compliance records.

Company:	United States Army	Inspection By:	Margaret Doyle
Facility:	White Sands Missile Range	Date of Discovery:	February 28, 2020
NOV #:	USA-0141-2001	NOV Prepared By:	Cember Hardison
Permit #:	P085-R3-M1	NRV, FRV or HPV:	HPV
Agency Interest #:	141	AQB AIRS #:	350130021

VIOLATION 7: Title V Permit P085-R3-M1, General Condition B101.A(5): *Legal A. Permit Terms and Conditions (20.2.70 Section 7, 201.B, 300, 301.B, 302, 405 NMAC)*

Number of Claims: 2

Requirement:

General Condition B101.A(5) states, “The permittee shall furnish any information the Department requests in writing to determine if cause exists for reopening and revising, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. This information shall be furnished within the time period specified by the Department. Additionally, the permittee shall furnish, upon request by the Department, copies of records required by the permit to be maintained by the permittee.”

Title V permit number P085-R3-M1, was in effect at the time of the violation and contained the identical General Permit condition found in permit number P085-R3-M3.

Description:

On February 26, 2020 the AQB compliance inspector submitted a written records request to the US Army due by close of business on February 28, 2020. The US Army provided records late, on March 2, 2020, and failed to include the requested monthly operating hours and monthly meter data for existing institutional emergency generators subject to recordkeeping at 40 CFR § 63.6585(f)(3), Subpart ZZZZ (records request, numbers 3 and 4).

On April 8, 2020, the AQB compliance inspector requested again the monthly operating hour and meter records, due by close of business April 17, 2020. On June 25, 2020, the US Army stated that they would provide the records that were requested on April 8, 2020, but the AQB never received these records.

Conclusion:

The failure of the US Army to provide records requested by the AQB is a violation of Title V Permit P085-R3-M1 General Condition B101.A(5). Records were requested twice without an appropriate response, resulting in 2 claims.

Additional Information Required:

The following additional information shall be submitted within the specified timeframes.

Within 15 days of receipt of this NOV, the US Army shall submit in writing the causes of this violation as well as the actions taken to prevent the recurrence of this violation that includes an explanation of why it fails to submit records to the Department, as required by the Title V permit.

ADDITIONAL INFORMATION VERIFICATION

This form must be completed and signed by the facility's Responsible Official (Title V) and returned within 15 days of the issuance of the Notice of Violation. Submit information according to the instructions in the NOV cover letter and according to each violation's instructions. Submit this form and all required documentation to:

Cember Hardison
<mailto:cember.hardison@env.nm.gov>

I hereby verify that the US Army has provided the required additional information outlined in this Notice of Violation. All required documentation has been submitted within 15 days of receipt of the Notice of Violation.

Signature

Printed Name:

Title:

Date

VIOLATION 1: Title V Permit P085-R3-M3 Specific Conditions A115.C and A1305.A: Failure to use placeholders and provide all required records of all engines used at the WSMR

Additional Information Required:

The following additional information shall be submitted within the specified timeframes.

Within 15 days of receipt of this NOV, the US Army shall submit in writing the causes of this violation as well as the actions taken to prevent the recurrence of this violation that includes an explanation of why engines were not reported.

1. Cause(s) of violation:

2. Actions taken to prevent recurrence:

VIOLATION 2: 40 CFR § 63.11111(h) and 63.11117(d): Failure to record the monthly gasoline throughput separately for the Rhodes Canyon GDF (Unit RC-2) and the Stallion GDF (Unit ST-4)

Additional Information Required:

The following additional information shall be submitted within the specified timeframes.

Within 15 days of receipt of this NOV, the US Army shall submit in writing the causes of this violation as well as the actions taken to prevent the recurrence of this violation that includes an explanation of why it was reporting a combined monthly throughput for two separate GDFs.

1. Cause(s) of violation:

2. Actions taken to prevent recurrence:

VIOLATION 3: Title V Permit P085-R3-M1 and R3-M3 Specific Condition A1305.A: Failure to limit annual operating hours for engine categories PH-A and PH-C to the limits required by the permit

Additional Information Required:

The following additional information shall be submitted within the specified timeframes.

Within 15 days of receipt of this NOV, the US Army shall submit in writing the causes of this violation as well as the actions taken to prevent the recurrence of this violation that includes an explanation of why it failed to obtain pre-authorization through a permit application pursuant to 20.2.72.200.A(2) and 20.2.70.404.C(2) NMAC to increase operating hours.

1. Cause(s) of violation:

2. Actions taken to prevent recurrence:

VIOLATION 4: Title V Permits P085-R3-M1 and R3-M3, Specific Condition A1303.A and Table 1303.A:
Failure to operate Unit PH-A within the allowable tpy emission limits for seven (7)
pollutants over six (6) months during 2020

Additional Information Required:

The following additional information shall be submitted within the specified timeframes.

Within 15 days of receipt of this NOV, the US Army shall submit in writing the causes of this violation as well as the actions taken to prevent the recurrence of this violation that includes an explanation of why it failed to obtain pre-authorization through a permit application pursuant to 20.2.72.200.A(2) or 20.2.70.404.C(2) NMAC to modify ton per year (tpy) emission limits.

1. Cause(s) of violation:

2. Actions taken to prevent recurrence:

VIOLATION 5: 40 CFR § 60.4243(a) and (b), Subpart JJJ: Failure to correctly identify the applicable New Source Performance Standard (NSPS) and demonstrate compliance with emissions standards and other applicable requirements

Additional Information Required:

The following additional information shall be submitted within the specified timeframes.

Within 15 days of receipt of this NOV, the US Army shall submit in writing the causes of this violation as well as the actions taken to prevent the recurrence of this violation that includes an explanation of why it took more than three (3) years to identify and report the correct NSPS, emissions standards, and compliance requirements that apply to unit PHD-09.

1. Cause(s) of violation:

2. Actions taken to prevent recurrence:

VIOLATION 6: 40 CFR § 60.4214(b), Subpart IIII: Failure to keep records of emergency and non-emergency service of PHC diesel generator, units 01 to 42

Additional Information Required:

The following additional information shall be submitted within the specified timeframes.

Within 15 days of receipt of this NOV, the US Army shall submit in writing the causes of this violation as well as the actions taken to prevent the recurrence of this violation that includes an explanation of why it certifies PH-C units are emergency engines but fails to keep and submit required compliance records.

1. Cause(s) of violation:

2. Actions taken to prevent recurrence:

VIOLATION 7: Title V Permit P085-R3-M1, General Condition B101.A(5): Failure of the US Army to provide records requested by the AQB

Additional Information Required:

The following additional information shall be submitted within the specified timeframes.

Within 15 days of receipt of this NOV, the US Army shall submit in writing the causes of this violation as well as the actions taken to prevent the recurrence of this violation that includes an explanation of why it fails to submit records to the Department, as required by the Title V permit.

1. Cause(s) of violation:

2. Actions taken to prevent recurrence: