

**STATE OF NEW MEXICO
BEFORE THE SECRETARY OF THE ENVIRONMENT**

NEW MEXICO ENVIRONMENT DEPARTMENT,

Complainant,

v.

C & E Concrete Inc.,

Respondent.

No. EPCEB Air Case: CEC-31184-2601

ADMINISTRATIVE COMPLIANCE ORDER

1. Pursuant to NMSA 1978, Section 74-2-12 of the New Mexico Air Quality Control Act (“Act”) (collectively, NMSA 1978, §§ 74-2-1 through -17 (as amended through 2021)), the Compliance and Enforcement Division (“Division”) of The New Mexico Environment Department (“Department” or “NMED”) issues this Compliance Order (“Order”) to C & E Concrete Inc. (“C & E”), to require compliance and assess a civil penalty for the violations of the Act, the Air Quality Regulations at Title 20, Part 2 (“Regulations”) of the New Mexico Administrative Code (“NMAC”), and violations of an air quality permit regulations at the Portable Crusher 2 GCP2-4705 (“Facility”).

2. As set forth in the detailed allegations below, as part of a full compliance evaluation (“FCE”). A summary of these alleged violations is set forth in Table 1 below. This Order addresses the seriousness of the violations and the necessary corrective actions required to address them.

Table 1: Summary of Violations

Violation Number	Permit Condition and/or Regulation Violated	Violation Description
1	GCP2-4705-RE02 IV.C.1 (c)	Failure to provide notice of modification, expansion of Area of Operations and Haul Road.

FACTUAL BACKGROUND

3. C & E, owns and operates the Facility located approximately 4.8 miles north of the intersection of Highway 64 and 350 in Farmington at latitude/longitude 36.772694, -108.088444, in San Juan County, New Mexico.

4. On March 06, 2012, the Department issued C & E its original General Construction Permit-2 (“GCP”) GCP-2-4705. **[NMED Attachment 1]**

5. On April 20, 2012, NMED issued a revision to Permit Number GCP-2-4705-R01 for a change in location. **[NMED Attachment 2]**

6. On June 23, 2017, NMED issued a revision to Permit Number GCP-2-4705-R02 for a change in location. **[NMED Attachment 3]**

7. On October 03, 2025, an NMED compliance inspector conducted an onsite visit as part of a Full Compliance Evaluation (“FCE”).

8. On January 21, 2026, NMED issued a Post Inspection Notification (“PIN”). The PIN listed one (1) potential violation. **[NMED Attachment 4]**

9. On September 18, 2026, NMED sent C & E a proposed Tolling Agreement (“TA”) with a reply deadline of September 23, 2026. C & E did not agree to the TA.

VIOLATION**Violation 1**

C & E failed to provide notice of modification, expansion of Area of Operations and Haul

Road in violation of GCP-2-4705-R02 IV.C.1 (c).

Violation 1 Background

10. GCP-2-4705-R02 IV.C.1 (c) states, “prior to making changes to the Facility that affect any information on the registration form [20.2.72.220.D NMAC]: except as noted in subparagraphs d through j of this paragraph.”

Violation Summary

11. C & E violated GCP-2-4705-R02 IV.C.1 (c) when it failed to notify NMED when it modified and/or expanded the Area of Operations and Haul Road.

12. During the onsite inspection, NMED compliance inspectors observed active expansion of the area of operations outside the permitted restricted area and area of operations. The expansion included extending haul roads from 0.06 miles to an estimated 2.6 miles. NMED observed one (1) occurrence of this violation which is subject to penalties pursuant to NMED-AQB Civil Penalty Policy. [NMED Attachment 5 and 6]

EFFECTIVE DATE

13. The Effective Date of this Order shall be the date upon which this Order is signed by the New Mexico Secretary of Environment (“Secretary”) or the Secretary’s designee.

COMPLIANCE ORDER

14. Section 74-2-12(A) authorizes the Secretary to issue a compliance order requiring compliance with a regulation or permit.

15. Pursuant to the NMED Delegation Order dated July 20, 2026, the Environmental Protection Compliance and Enforcement Bureau (“Bureau”) Chief may approve the commencement of a civil enforcement action with concurrence by the Secretary or his designee.

16. The Secretary or the Secretary’s designee has concurred with this enforcement

action.

17. Within 60 days of the Order Effective Date, C & E is ordered to submit a relocation permit application expanding area of operations.

18. If C & E fails to complete the corrective action in paragraph 17 in the allotted time, and unless the Parties agree to extend the time allotted, C & E shall pay a stipulated penalty of \$2,000.00 per day for each day thereafter until the date the corrective action is completed.

CIVIL PENALTY

19. Section 74-2-12(A) of the Act authorizes the Secretary to issue a compliance order assessing a civil penalty for a violation of the Act, the Regulations, or a condition of a permit issued under the Act.

20. Section 74-2-12(B) of the Act authorizes the Secretary to assess a civil penalty of up to fifteen thousand dollars (\$15,000.00) per day of noncompliance for each violation under Section 74-2-12(A).

21. For the violation described in this order, the Department has calculated and assessed a civil penalty of \$46,000.00 consistent with the NMED-AQB Civil Penalty Policy, with a maximum penalty of \$15,000.00 per violation per occurrence. The penalty calculations are attached. **[NMED Attachment 7]**.

22. Within thirty (30) days of the Order Effective Date, C & E shall pay a civil penalty of \$46,000.00 to the State of New Mexico.

23. Payment of the civil penalty shall be made to the “State of New Mexico General Fund” by certified or corporate check, or by wire transfer (“ACH deposit”) following the instructions in this Order.

24. If C & E fails to make timely and complete payment of the civil penalty as

indicated above, and unless the Parties agree to extend the time for payment of the civil penalty, C & E shall pay a stipulated penalty of \$2,000.00 per day for each day a payment is not timely or complete.

ADMINISTRATIVE COST OF NONCOMPLIANCE

25. Within thirty (30) days of the Order Effective Date, C & E shall make a separate payment of \$2,114.00 to the NMED-Environmental Protection Compliance and Enforcement Bureau for administrative costs incurred to date that are associated with this matter.

26. Payment of the administrative cost of noncompliance shall be made separately and shall be payable to the “NMED-Environmental Protection Compliance and Enforcement Bureau” and paid by certified or corporate check or by wire transfer (“ACH deposit”) following the instructions in this Order. On the date that delivery of funds is initiated, C & E shall notify the Environmental Protection Compliance and Enforcement Bureau by email at ENV-AQB.Settlement.Notifications@state.nm.us and notify the Enforcement Specialist at valerie.sanchez@env.nm.gov.

27. To the extent that C & E does not resolve this matter within 30 days of the Order Effective Date, including the payment of the civil penalty of \$46,000.00, C & E will continue to accrue additional administrative costs of noncompliance up to \$2,500 per day, pursuant to Section 74-2-12.1(B).

PAYMENT INSTRUCTIONS

28. On the dates that delivery of the civil penalty payment and/or the administrative cost payment are initiated, C & E shall notify the Environmental Protection Compliance and

Enforcement Bureau by email at ENV-AQB.Settlement.Notifications@state.nm.us and notify the Enforcement Specialist at valerie.sanchez@env.nm.gov.

Certified or corporate checks must be sent to the following address:

New Mexico Environment Department
Environmental Protection Compliance and Enforcement Bureau
c/o Compliance and Enforcement Manager
525 Camino de los Marquez, Suite I
Santa Fe, New Mexico 87505

ACH deposits shall be made to Wells Fargo Bank as follows:

Wells Fargo Bank, N.A.
100 W. Washington Street, Floor20
Phoenix, AZ 85003

Routing Transit Number: 121000248
Deposit Account Number: 4123107799
Descriptor: NMED-EPCEB-CEC-31184-2601

NOTICE OF OPPORTUNITY TO ANSWER AND REQUEST A HEARING

29. Pursuant to Section 74-2-12(C) and 20.1.5.200 NMAC, C & E may request a public hearing by filing a written Request for Hearing with the hearing clerk no later than 30 days from the issue date of this Order. The Request for Hearing shall include an Answer:

- a. Admitting or denying each alleged finding of fact. Any alleged finding of fact which is not specifically denied shall be deemed to be admitted. C & E may assert that it has insufficient knowledge of any alleged finding of fact, and such finding shall be deemed to be denied;
- b. Asserting any affirmative defense upon which C & E intends to rely. Any affirmative defense not asserted in the Answer, except an affirmative defense asserting lack of subject matter jurisdiction, shall be deemed to be waived;

c. Signed under oath or affirmation that the information contained therein is true and correct to the best of the signatory's knowledge; and

d. Attaching a copy of this Order.

30. This Order shall become final unless C & E files a Request for Hearing and Answer as set forth above. C & E may file a Request for Hearing and Answer at:

Pam Jones, Paralegal/Hearing Clerk Office of Public Facilitation
New Mexico Environment Department
1190 St. Francis Drive
Santa Fe, NM 87505
Telephone: 505-660-4305
pamela.jones@env.nm.gov

31. The public hearing shall be governed by 20.1.5 NMAC.

SETTLEMENT CONFERENCE

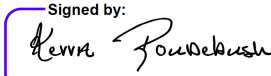
32. C & E may confer with the Department regarding settlement at any time, but a settlement conference or request for a settlement conference shall not extend or waive the deadline for filing a Request for Hearing and Answer. C & E may appear at a settlement conference *pro se* or through counsel. The Secretary or the Secretary's designee shall execute any settlement as a Stipulated Final Order. A Stipulated Final Order shall resolve all issues raised in this Order, shall bind all parties to this Order, and shall not be appealable. To confer regarding settlement, contact:

Chris Vigil, Assistant General Counsel
New Mexico Environment Department
121 Tijeras Avenue NE, Suite 1000
Albuquerque, NM 87102
Telephone: (505) 469-4696
christopherj.vigil@env.nm.gov

TERMINATION

33. This Order shall terminate upon approval of the Secretary or the Secretary's designee of a Stipulated Final Order.

NEW MEXICO ENVIRONMENT DEPARTMENT

BY:  Signed by:
97489715874D487... **DATE:** 9/28/2026

Kerra Roudebush, Bureau Chief
Environmental Protection Compliance and Enforcement Bureau
New Mexico Environment Department

CERTIFICATE OF SERVICE

I certify that on September 28, 2026, this Compliance Order was served by email and by
U.S. Mail Certified Mail to:

C & E Concrete, Inc.
P.O. Box 2547
Milan, New Mexico 87021
cmeech@ceconcrete.net

DocuSigned by:

Christopher Vigil

BEA771A476434EA...

Chris Vigil, Assistant General Counsel
New Mexico Environment Department



SUSANA MARTINEZ
GOVERNOR

JOHN A. SANCHEZ
LIEUTENANT GOVERNOR

New Mexico ENVIRONMENT DEPARTMENT

Air Quality Bureau

1301 Siler Road, Building B

Santa Fe, NM 87507-3113

Phone (505) 476-4300

Fax (505) 476-4375

www.nmenv.state.nm.us



DAVE MARTIN
CABINET SECRETARY

BUTCH TONGATE
DEPUTY SECRETARY

March 6, 2012

CERTIFIED MAIL NO. 7005 1820 0001 5770 1314

RETURN RECEIPT REQUESTED

Copy also sent by e-mail

Walter Meech
President
C and E Concrete Inc.
PO Box 2547
Milan, NM 87021

General Permit GCP-2-4705
IDEA No.31184 - PRN20120001
C & E Concrete - Portable Crusher 2 GCP2-4705
AIRS No. 357773286

Re: Response to GCP-2 Registration Application for C & E Concrete - Portable Crusher 2 GCP2-4705

Dear Mr. Meech:

This letter is in response to your air quality permit application dated 2/16/2012 to construct a **quarrying/crushing/screening** facility near Milan, in McKinley County, New Mexico. The Department received the application on February 27, 2012.

The application review has been completed and **the information provided is sufficient to issue your GCP-2 permit**. The Department authorizes this facility to be located in Township 13N, Range 10W, Section 25, near Milan, in McKinley County, New Mexico at UTM Coordinates: UTMH 241031 m, UTMV 3912923 m, UTMZ 13, as specified in the application.

This letter serves as your permit registration to construct and operate under the attached copy of the GCP-2 general permit. The general permit includes the terms and conditions for operation as well as emission and compliance requirements.

In addition to 20.2.72 NMAC, the permittee is responsible for determining whether other state and federal regulations *such as* those found in Table 1 apply to any of the facility's units reported in the original GCP application or to any units that may be added to the facility in the future. It is the permittee's responsibility to determine applicability and to comply with all applicable regulations.

Table 1: Other Regulations

Citation	Title
20.2.38 NMAC	Hydrocarbon Storage Facilities
20.2.61 NMAC	Smoke and Visible Emissions
40 CFR 60 Subpart Ka	Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984
40 CFR 60 Subpart Kb	Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) For Which Construction, Reconstruction, or Modification Commenced After July 23, 1984
40 CFR 60, Subpart IIII	Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
40 CFR 60, Subpart JJJJ	Standards of Performance for Stationary Spark Ignition Internal Combustion Engines
40 CFR 63 Subpart ZZZZ	National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines
40 CFR 63 Subpart HH	National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities

The following requirements will apply to any subsequent repositioning of emissions activities within the approved location.

- a. The facility will continue to comply with all terms and conditions of its existing General Construction Permit, unless the Department's approval of this relocation explicitly changes the setback distances based on a modeling analysis that you submitted and the Department approved prior to this application.
- b. The facility will maintain at least a 3 mile setback between the area of operations and the boundary of any federal Class I area, unless the existing permit specifies a different setback.
- c. The facility will maintain at least a 1 mile setback between the area of operations and the area of operations of any other industrial source of regulated air contaminants, unless the existing permit for at least one of the sources explicitly specifies a different setback or explicitly allows for collocation upon relocation.
- d. Any repositioning will maintain at least a 0.25 mile (1,320 feet, 440 yards, 402 meters) setback between the area of operations and any occupied structures, unless the existing permit explicitly specifies a different setback applicable upon relocation.

Pursuant to 20.2.75.11 NMAC, the Department will assess an annual fee for this facility. This regulation set the fee amount at \$1,500 through 2004 and requires it to be adjusted annually for the Consumer Price Index on January 1. The current fee amount is available by contacting the Department or can be found on the Department's website. The AQB will invoice the permittee for the annual fee amount at the beginning of each calendar year. This fee does not apply to sources which are assessed an annual fee in accordance with 20.2.71 NMAC. For sources that satisfy the definition of "small business" in subsection F of 20.2.75.7 NMAC, this annual fee will be divided by two.

C and E Concrete Inc

C & E Concrete - Portable Crusher 2 GCP2-4705 - Air Quality Permit No. 4705

March 6, 2012

Page 3 of 3

All fees shall be remitted in the form of a corporate check, certified check, or money order made payable to the "NM Environment Department, AQB" mailed to the address shown on the invoice and shall be accompanied by the remittance slip attached to the invoice.

If you have any questions, please contact me in Santa Fe at 505-476-4355. Thank you.

Sincerely,

Teri Waldron
Technical Services Unit
Permits Section, Air Quality Bureau

Enclosure: Industry/Consultant Feedback Questionnaire with envelope



SUSANA MARTINEZ
GOVERNOR

JOHN A. SANCHEZ
LIEUTENANT GOVERNOR

New Mexico
ENVIRONMENT DEPARTMENT

Air Quality Bureau

1301 Siler Road, Building B

Santa Fe, NM 87507-3113

Phone (505) 476-4300

Fax (505) 476-4375

www.nmenv.state.nm.us



DAVE MARTIN
CABINET SECRETARY

BUTCH TONGATE
DEPUTY SECRETARY

April 20, 2012

CERTIFIED MAIL NO. 7010 1670 0000 8687

RETURN RECEIPT REQUESTED

Copy also sent by e-mail

Walter Meech
President
C and E Concrete Inc
P.O. Box 2547
Milan, NM 87021

NSR Air Quality Permit No. GCP-2-4705
TEMPO No. 31184 - PRN20120003
AIRS No. 357773286
Aggregate Handling Facility

Re: Response to Relocation Application for C & E Concrete - Portable Crusher 2 GCP2-4705

Dear Mr. Meech:

This letter is in response to your relocation application dated 4/16/2012 to relocate the portable Aggregate Handling Facility approximately 0.25 miles SW of Milan, New Mexico in McKinley County. The application was received by the Department on April 18, 2012.

The application review has been completed and the **Relocation has been Approved with Conditions**. The Department authorizes this facility to be located in Township 11N, Range 10W, Section 22, approximately 0.25 miles SW of Milan in McKinley County, New at UTM Coordinates: UTMH 237373 m, UTMV 3894656 m, UTMZ 13, as specified in the application.

Operation of this facility must comply with Air Quality Permit number GCP-2, Rev. 3, the Air Quality Control Act, and any applicable regulations and standards pursuant to NMSA 1978, Section 74-2-7-H. Per 20.2.72.202.D.3.d NMAC, the following conditions apply at this approved location, and can not be carried forward to any future sites. These conditions apply in addition to or instead of conditions in the existing permit.

1. **Condition 1:** The earliest date that installation of equipment can begin at the approved location is 05/03/2012..
2. **Condition 2:** Public access must be restricted within 10 meters (33 feet) of the perimeter of the area of operations.

3. **Condition 3:** This facility is restricted to operate daylight hours only, 7 days per week, 52 weeks per year, for a maximum of 4380 hours per year.
4. **Condition 4:** Haul roads and truck traffic areas shall be watered to control particulate emissions to the nearest public access.
5. **Condition 5:** Dust controls must be used on all equipment, traffic areas, haul roads, sites of overburden removal, active pit areas and stockpiles.
6. **Condition 6:** Only permitted equipment or approved substitutes may be used.
7. **Condition 7:** The following requirements will apply to any subsequent repositioning of emissions activities within the approved location.
 - a. The facility will continue to comply with all terms and conditions of its existing General Construction Permit, unless the Department's approval of this relocation explicitly changes the setback distances based on a modeling analysis that you submitted and the Department approved prior to this application.
 - b. The facility will maintain at least a 3 mile setback between the area of operations and the boundary of any federal Class I area, unless the existing permit specifies a different setback.
 - c. Any repositioning will maintain at least a 0.25 mile (1,320 feet, 440 yards, 402 meters) setback between the area of operations and any occupied structures, unless the existing permit explicitly specifies a different setback applicable upon relocation.
8. **Condition 8:** The plant shall not be repositioned within the approved restricted area if any of the conditions of this approval to relocate to this site would be violated.

If you have any questions, please call me in Santa Fe at 505-476-4355. Thank you!

Sincerely,

Teri Waldron
Technical Services Unit
Permits Section
Air Quality Bureau

Enclosure: Industry/Consultant Feedback Questionnaire with envelope



SUSANA MARTINEZ
GOVERNOR

JOHN A. SANCHEZ
LT. GOVERNOR

New Mexico
ENVIRONMENT DEPARTMENT

525 Camino de los Marquez, Suite 1
Santa Fe, NM 87505-1816
Phone (505) 476-4300
Fax (505) 476-4375
www.env.nm.gov



BUTCH TONGATE
CABINET SECRETARY

J. C. BORREGO
DEPUTY SECRETARY

June 23, 2017

CERTIFIED MAIL NO. 7015 1520 0001 8091 0943

RETURN RECEIPT REQUESTED

Copy also sent by e-mail

Walter Meech
President
C and E Concrete Inc
P.O. Box 2547
Milan, NM 87021

Air Quality Permit No. GCP-2-4705 RE02
TEMPO No. 31184 - PRN20170001
AIRS No. 35-777-3286
Aggregate Handling Facility

Re: Response to Relocation Application for C & E Concrete - Portable Crusher 2 GCP2-4705

Dear Mr. Meech:

This letter is in response to your relocation application dated June 8, 2017 to relocate a portable Aggregate Handling Facility. This relocation will be 4.8 miles north of the intersection of Highways 64 and 350 (Crouch Mesa Rd.) in Farmington, New Mexico. The application was received by the Department on June 8, 2017.

The application review has been completed and the **Relocation has been Approved with Conditions**. The Department authorizes this facility to be located at latitude/longitude 36.7727°N, 108.0884°W (36°, 46', 21.7" N; 108°, 5', 18.4" W). The legal description is: New Mexico, New Mexico Meridian T30N, R12W, sec34. The UTM coordinates are zone 12 (X,Y) 759860, 4073611, as specified in the application.

Operation of this facility must comply with Air Quality General Construction Permit number GCP-2, Rev. 3, issued September 12, 2006, the Air Quality Control Act, and any applicable regulations and standards pursuant to NMSA 1978, Section 74-2-7-H. Per 20.2.72.202.D.3.d NMAC, the following conditions apply at this approved location, and cannot be carried forward to any future sites.

These conditions apply in addition to or instead of conditions in the existing permit.

1. **Condition 1:** The earliest date that installation of equipment can begin at the approved location is **June 23, 2017**.
2. **Condition 2:** Public access must be restricted within 10 meters (33 feet) of the perimeter of the area of operations.
3. **Condition 3:** This facility is restricted to operate daylight hours only, 7 days per week, 52 weeks per year, for a maximum of 4380 hours per year.
4. **Condition 4:** Haul roads and truck traffic areas shall be watered to control particulate emissions to the nearest public access.
5. **Condition 5:** Dust controls must be used on all equipment, traffic areas, haul roads, sites of overburden removal, active pit areas and stockpiles.
6. **Condition 6:** Only permitted equipment or approved substitutes may be used.
7. **Condition 7:** The following requirements will apply to any subsequent repositioning of emissions activities within the approved location.
 - a. The facility will continue to comply with all terms and conditions of its existing General Construction Permit.
 - b. The facility will maintain at least a 3-mile setback between the area of operations and the boundary of any federal Class I area.
 - c. Any repositioning will maintain at least a 0.25 mile (1,320 feet, 440 yards, 402 meters) setback between the area of operations and any occupied structures.
8. **Condition 8:** The plant shall not be repositioned within the approved restricted area if any of the conditions of this approval to relocate to this site would be violated.

Response to Relocation Application for
C & E Concrete - Portable Crusher 2 GCP2-4705
Air Quality Permit No. GCP2-4705RE02
June 23, 2017

Page 3 of 3

If you have any questions, please call me in Santa Fe at 505-476-4333.

Sincerely,

A handwritten signature in blue ink, appearing to read "Greg Tickle", with a stylized flourish at the end.

Greg Tickle
Permit Specialist
Permit Section - Technical Services Unit
Air Quality Bureau

cc: Paul Wade, pwade@montrose-env.com, Class One Technical Services, Inc.

Enclosure: Industry/Consultant Feedback Questionnaire with envelope



Version 07-15-25

New Mexico Environment Department
Compliance and Enforcement Division
525 Camino de Los Marquez
Santa Fe, NM 87505
Phone (505) 476-4300



POST INSPECTION NOTIFICATION FORM

This form shall constitute written notice, to the extent required by the Air Quality Control Act, Section 74-2-5.1.A, of the results of an investigation for which enforcement action is contemplated. The form identifies areas of concern identified during the investigation. Non-compliance with air quality requirements, including state and federal air quality laws, regulations, and permit conditions may result in the issuance of a compliance order, emergency order, civil or criminal complaint, Notice of Violation with associated civil penalty. The facility owner or operator is advised to initiate prompt corrective action for the areas of concern listed below.

Activity: ☐ FCE ☐ PCE ☒ Complaint ☐ Submittal – Type: _____ ☐ Other (explain) _____

GENERAL FACILITY INFORMATION

Company Name:	C & E Concrete Inc.		Facility Name:	Portable Crusher 2 GCP2 - 4705	
Physical Location:	36.772694, -108.088444		Inspection Date(s):	October 3, 2025	
Facility Contact:	James C. Briggs farmingtoncrusher@ceconcrete.net (505) 947-5051		Inspector:	Casey M Stavert caseym.stavert@env.nm.gov (505) 629-3404	
AI#	AIRS#	NSR#		Title V#	Acid Rain #
31184	35-777-3286	GCP2-4705-RE02		N/A	N/A

Potential Violation Number	Permit OR Regulation:	Description of Area(s) of Concern:
1	GCP2-4705-RE02 IV.C.1(c)	Failure to provide notice of modification, expansion of Area of Operations and Haul Road. On October 3, 2025, Sarah Kell (NMED – Inspector) and I (Casey M Stavert, NMED – Supervisor) conducted an on-site investigation at the facility. During our on-site investigation, we observed active expansion of the area of operations outside of the permitted restricted area and area of operations. This expansion included extending haul roads from 0.06 miles to an estimated 2.6 miles when measured from GPS points taken during the on-site inspection.

Inspector Signature: **Casey M. Stavert**
Digitally signed by Casey M. Stavert
Date: 2026.01.21 11:39:55 -07'00'

Title: Air Compliance Supervisor

Date: December 9, 2025

Comments:

Facility Representative Signature:

Title:

Date:

Signing above acknowledges receipt of this post-inspection notification form and identified handouts and does not constitute agreement with the contents.

[Get Directions](#) [History](#)

✓ 36.772694, -108.088444

Places

My Places

[Sightseeing Tour](#)
Make sure 3D Buildings layer is checked

Occupied Structure

Temporary Places

Layers

Primary Database

[Update on desktop app downloads](#)

Borders and Labels

Places

Photos

Roads

3D Buildings

Weather

Gallery

More

Terrain



36.772694, -108.088444

Places

- My Places
- ☒ Sightseeing Tour
Make sure 3D Buildings layer is checked
- ☐ Occupied Structure
- ☐ Temporary Places

Layers

- ☒ Primary Database
- ☐ [Update on desktop app downloads](#)
- ☒ Borders and Labels
- ☒ Places
- ☐ Photos
- ☒ Roads
- ☒ 3D Buildings
- ☐ Weather
- ☐ Gallery
- ☐ More
- ☒ Terrain



36.772694, -108.088444

Ruler

Line Path Polygon Circle 3D path 3D polygon

Measure the distance or area of a geometric shape on the ground

Perimeter: 1.22 Miles

Area: 39.70 Acres

☐ Mouse Navigation

Save

Clear

Image © 2026 Airbus

NMED Attachment 6

Google Earth

1985

Imagery Date: 1/29/2026 36°46'21.97" N 108°05'05.78" W elev 5727 ft eye alt 10665 ft

Company: C & E Concrete, Inc.
Facility: Portable Crusher 2 GCP2-4705
NOV #: CEC-31184-2601
Permit #: GCP-2-4705-R02

Calculations by: Valerie Sanchez
Reviewed by: Kerra Roudebush
Date of calculation: September 23, 2026
Source class: Minor

CIVIL PENALTY CALCULATION
Confidential - for settlement purposes only

Violation #1 Failure to provide notice of modification, expansion of Area of Operations and Haul Road pursuant to GCP2-4705-R02 IV.C.1 (c).

A.	Gravity Determination	Penalty	\$5,000.00
	Type of violation: Permit application to modify permit		
	Potential for harm: Significant		
	Extent of deviation: Moderate		
	Number of claims: 1		
	Penalty per claim: \$ 5,000.00		

Basis: Potential for harm and extent of deviation, as denoted above, are detailed in the Bureau's Civil Penalty Policy, Sections VI.C.1.a, VI.C.1.b and Appendix F.

GCP2-4705-R02 IV.C.1 (c) states that "prior to making changes to the Facility that affect any information on the registration form [20.2.72.220.D NMAC]; except as noted in subparagraphs d through j of this paragraph."

During the onsite inspection, NMED compliance inspectors observed active expansion of the area of operations outside of the permitted restricted area and area of operations. This expansion included extending haul roads from 0.06 miles to an estimated 2.6 miles.

B.	Multi-Day Component	Penalty	\$18,000.00
	Number of days: 45		
	Multiplier: 400		
	Quantity: 1		

Basis: The total number of days is 2705 including the range from April 06, 2019 when the expansion started until September 1, 2026 when calculations were being made. The total number of days was divided by 60 due to 20.2.72.212 (D) NMAC stating "any necessary update or correction no more than sixty (60) days after the operator knows or should have know of the condition necessitating the update or correction of the permit" giving a total of 45 days.

Adjustment Factors		Factor Total	2.0
	I. Effort to comply:	Minimal cooperation / minimal compliance	0.2
Basis:	C & E has shown little effort to comply with permit regulations.		
	II. Negligence/willfulness:	Negligent	0.2
Basis:	As a permitted facility, C & E is reasonably presumed to have knowledge of the permit conditions and applicable NMAC regulations.		
	III. History of noncompliance:	History of noncompliance with different regulation(s)	0.2
Basis:	C & E has another case involving this facility with EPCEB. They also have two other cases involving other facilities.		
	IV. Financial Condition:	Gross sales \$10,000,000 - \$50,000,000	0.4
Basis:	C & E has an estimated annual sales of over 19 million. This estimate was pulled from Dunn and Bradstreet on February 13, 2026.		
	V. Mathematical adjustment		1.0
C.	Economic Benefit	Penalty	\$0.00
Basis:	The Bureau made a preliminary determination that an insignificant economic benefit was received; therefore, the total is \$0.00. The Bureau reserves the right to assess an economic benefit if one is found to exist.		
Violation Penalty:			
	A. Gravity Determination	\$5,000.00	
	B. Multi-Day Component	\$18,000.00	
	Adjusted Gravity + Multi-Day Components		\$46,000.00
	C. Economic Benefit		\$0.00
	Violation Total		\$46,000.00

TOTAL CALCULATED PENALTY	\$46,000.00
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Violation 1 \$46,000.00

Company:	C & E Concrete, Inc.	Calculations by:	Valerie Sanchez
Facility:	Portable Crusher 2 GCP2-4705	Reviewed by:	Kerra Roudebush
NOV #:	CEC-31184-2601	Date of calculation:	September 23, 2026
Permit #:	GCP-2-4705-R02	Source class:	Minor

MAXIMUM ALLOWABLE PENALTY	\$690,000.00
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Maximum allowable penalty is for comparison purposes only: \$15,000 per violation per day may be assessed pursuant to New Mexico Air Quality Control Act Section 74-2-12.B.

	Maximum Daily Penalty	QTY:	Number of Days:	Maximum Penalty
Violation 1	\$15,000.00	1	45	\$690,000.00
			Maximum Total	\$690,000.00