Legal Notice
and
Preliminary Determination for an Air Quality Permit for
Mountain States Constructors Inc.

Mountain States Constructors Inc. at 3601 Pan American Freeway NE # 111, Albuquerque, NM has submitted an air quality permit application to the Air Quality Bureau (AQB), New Mexico Environment Department (NMED) for an air quality permit to construct/modify MSCI Davis Pit Plant. The application file has been assigned Permit No. 10998 and TEMPO Agency Interest No. 41372. The exact location of the facility is/will be at latitude and longitude decimal degrees: 34.968768, -105.959603 Datum: NAD 83. To aid in locating this facility, the approximate location is 5.7 mi ESE of Moriarty in Torrance County, NM.

This application is for Mountain States Contractors, Inc.'s MSCI Davis Pit Plant will consist of a pit plant #1 (crushing and screening plant); and pit plant #2 (crushing and screening plant) with a combined throughput of 1200 tons per hour (tph) and 2,400,000 tons per year (tpy); and 200 tph and 400,000 tpy recycled asphalt products (RAP crushing and screening) plant.

Total air pollutant emissions to the atmosphere are estimated to be approximately Nitrogen Oxides (NOx) at 99.6 tons per year (tpy); Carbon Monoxide (CO) at 22.51 tpy; Volatile Organic Compounds (VOC) at 7.6 tpy; Sulfur Dioxide (SO_2) at 3.46 tpy; Particulate Matter 10 microns or less (PM10) at 98.4 tpy; and Particulate Matter 2.5 microns or less (PM2.5) at 14.58 tpy; and greenhouse gas (CO_2e) < 75,000 tpy These emission estimates could change slightly during the course of the Department's review of the application.

The NMED has conducted a preliminary review of the information submitted with the permit application. The preliminary review and applicant's analysis of ambient air quality impacts indicates that the facility's air emissions will meet the air quality standards for Nitrogen Oxides (NOx), Carbon Monoxide (CO), Sulfur Oxides (SOx), Particulate Matter 10 (PM10), Particulate Matter 2.5 (PM2.5) and Lead (Pb). VOCs are a pre-cursor to ozone and the NMED does not require an individual ozone ambient impact analysis for each application. To determine compliance with national ambient air quality standards for ozone, NMED uses air monitors to monitor ozone concentrations. A full review will evaluate the estimated emission rates for the pollutants listed in this public notice and determine compliance with ambient air quality requirements and standards.

Based on the applicant's analysis, a preliminary determination is that this facility will comply with the requirements of Title 20, New Mexico Administrative Code (NMAC), Chapter 2, Parts 1, 3, 7, 61, 72, 73, 75 77 and 82; 40 CFR 50; 40 CFR 60 Subparts A, OOO, IIII; 40 CFR 63 Subparts A, CCCCCC, and ZZZZ; and the New Mexico Air Quality Control Act. Therefore, the preliminary intent of NMED is to issue the air quality permit on or before December 22, 2026.

To ensure compliance with state and federal air regulations, the permit is expected to include conditions that limit the emissions, hours of operation, production rate, and conditions that will require record keeping and reporting to the Department.

The permit application is available for review on the AQB Public Notices of Permitting Actions website www.env.nm.gov/public-notices.

All interested persons have thirty (30) days from the date this notice is published, to notify the Department in writing of their interest in the permit application. The written comments should refer to the company name, facility name and Permit No. (or send a copy of this notice along with your comments). The written comments

shall state the nature of the issues raised and how it relates to the requirements of applicable state and federal air quality regulations and the Clean Air Act. The written comments should be mailed to Todd Sherrill, New Mexico Environment Dept., Air Quality Bureau, Permit Section, 525 Camino de los Marquez Suite 1, Santa Fe, NM 87505-1816, or submitted by email to todd.sherrill2@env.nm.gov. Comments may also be submitted electronically via the NMED public comment portal online at: https://nmed.commentinput.com/comment/search.

The Department will notify all persons, who have provided written comments as to when and where the Department's analysis may be reviewed. Although all written comments will be made part of the public record, any person who does not express interest in writing before the end of this first thirty (30) day period will not receive such notification.

If the Department receives written public comment before the end of the Department's thirty (30) day public notice, the Department's analysis will be made available for review for thirty (30) days at the NMED district or field office nearest to the source before the permit will be issued. Written comments on the analysis or permit application may be submitted to the Department during this second thirty (30) day period or at any time before the permit is issued or denied.

Questions or comments not intended to be part of the public record can be directed to Todd Sherrill at 505-629-3125. General information about air quality and the permitting process can be found at the Air Quality Bureau's web site. The regulation dealing with public participation in the permit review process is 20.2.72.206 NMAC. This regulation can be found in the "Permits" section of this web site.

Atención
Este es un aviso de la oficina de Calidad del Aire del Departamento del Medio Ambiente de Nuevo México, acerca de las emisiones producidas por un establecimiento en esta área. Si usted desea información en español, por favor comuníquese con esa oficina al teléfono (505) 629-7748.

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