



Air Permitting Process – Acoma, LLC – East Microgrid





NEW MEXICO ENVIRONMENT DEPARTMENT

INTRODUCTIONS:

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Public Notices

<https://www.env.nm.gov/public-notices/>

▼ Dona Ana County

▼ Acoma, LLC East Microgrid

Public Notice – Air Quality Bureau

- [Public Notice for Air Quality Construction Permit Application 10732](#) (Posted 1/26/2026 – Albuquerque Journal and 1/28/2026-Las Cruces Sun News)
- [Public Notice for Air Quality Construction Permit Application 10732 – Spanish Version – Aviso Legal Español](#) (Posted 1/30/2026-Albuquerque Journal and Las Cruces Sun News)
- [New Source Review Application \(10732\)](#)
 - [New Source Review Redacted Application \(10732\)](#) (Posted 12/17/2025)
 - [New Source Review Redacted Application \(10732\) – Español](#) (Posted 1/22/2026)
 - [Revised New Source Review Application Table 2-A \(10732\)](#) (Posted 1/22/2026)
 - [New Source Review Restated Application \(10732\)](#) (Posted 1/22/2026)
- [Affidavit of Translation](#)
- [State Regulation Section 13 Update](#)
- [Ozone MERP Supplement 2025](#)
- [Final Incompletion \(10732\)](#)
- [Public Involvement Plan \(TBD\)](#)
- [Completion Letter](#) (Posted 1/23/2026)
- [Incompletion Letter \(10732\) – español](#) (Posted 2/2/2026)
- [Completion Letter \(10732\) – español](#) (Posted 2/2/2026)

▼ Acoma, LLC West Microgrid

Public Notice – Air Quality Bureau

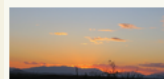
- [Public Notice for Air Quality Construction Permit Application 10734](#) (Posted 1/27/2026 – Albuquerque Journal and Las Cruces Sun News)
- [Public Notice for Air Quality Construction Permit Application 10734 – Spanish Version – Aviso Legal Español](#) (Posted 1/30/2026-Albuquerque Journal and Las Cruces Sun News)
- [New Source Review Application \(10734\)](#)
 - [New Source Review Redacted Application \(10734\)](#) (Posted 12/17/2025)
 - [New Source Review Redacted Application \(10734\) – Español](#) (Posted 1/22/2026)
 - [Revised New Source Review Application Section 1-F \(10734\)](#) (Posted 1/22/2026)
 - [Revised New Source Review Application Table 2-A \(10734\)](#) (Posted 1/22/2026)
 - [New Source Review Restated Application Update \(10734\)](#) (Posted 1/22/2026)
- [Affidavit of Translation](#)
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30-day Public Comment Period: Doña Ana County-East Microgrid Air Quality Construction Permit Application 10732

Ongoing through Monday, March 2
Location: Via Web

The 30-day comment period is open for this permit application. Visit the NMED website www.env.nm.gov and look for the Public Participation menu in the top right. Click Public Notices and look under Doña Ana County to see documents related to this permitting application. Click Public Comment Portal...



30-day Public Comment Period: Doña Ana County-West Microgrid Air Quality Construction Permit Application 10734

Ongoing through Monday, March 2
Location: Via Web

The 30-day comment period is open for this permit application. Visit the NMED website www.env.nm.gov and look for the Public Participation menu in the top right. Click Public Notices and look under Doña Ana County to see documents related to this permitting application. Click Public Comment Portal...



Período de Comentarios Públicos de 30 días: Solicitud de Permiso de Construcción de Calidad del Aire 10732 para el Microred del Este del Condado de Doña Ana (Doña Ana County-East Microgrid)

Ongoing through Monday, March 2
Location: Via Web

El período de comentarios de 30 días está abierto para esta solicitud de permiso. Visite el sitio web del NMED en www.env.nm.gov y busque el menú de Participación Pública en la parte superior derecha. Haga clic en Avisos Públicos (Public Notices) y busque bajo Condado de Doña Ana (Doña Ana County)...



Período de Comentarios Públicos de 30 días: Solicitud de Permiso de Construcción de Calidad del Aire 10734 para el Microred del Oeste del Condado de Doña Ana (Doña Ana County-West Microgrid)

Ongoing through Monday, March 2
Location: Via Web

El período de comentarios de 30 días está abierto para esta solicitud de permiso. Visite el sitio web del NMED en www.env.nm.gov y busque el menú de Participación Pública en la parte superior derecha. Haga clic en Avisos Públicos (Public Notices) y busque bajo Condado de Doña Ana (Doña Ana County)...

<https://www.env.nm.gov/events-calendar/>



Public Notice – Posting Locations

In response to the New Mexico Environmental Law Center letter dated 12/12/2025 requesting posting of Public Notices at the various locations below:

- *On February 13, 2026, Sunland Park Deputy City Manager confirmed to the New Mexico Environment Department via email that the Public Notice notifications (English/Spanish) were posted at: Sunland Park City Clerk's Office, Sunland Park Motor Vehicle Division, Sunland Park Public Health Office, Sunland Park Post Office, Sunland Park Library, Santa Teresa Post Office, Edgemont Park, Villa Valencia Park, San Gabriel Park, and Tuscan Ridge Park.*

In addition, New Mexico Environment Department staff made efforts to post Public Notice notifications (English/Spanish) at the following locations:

- Mercedes Grocery – *State staff spoke with employee and provided notices for posting.*
- Sunland Park's satellite Dona Ana County Branch Community College Administration Office – *State staff provided copies of notices for their bulletin.*
- Carlos Bakery – *State staff spoke with owner and provided notices for posting.*
- Sunland Park Grocery – *State staff could not locate. Potentially, no longer in business.*
- Carousel Convenience Store – *Closed when State staff tried to provide posting notices.*

Note: Permit Applications and Public Notices, both in English and Spanish have been posted at the Environment Department's Las Cruces Field Office.



Permitting Timeline

Previous

- Preliminary source determination: 10/31/25
- Application received: 11/17/25
- Application ruled incomplete: 12/17/25
- Application ruled complete: 1/23/26
- Public comment period started:

East Microgrid: Albuquerque
Journal: 1/27 English; 1/30 Spanish. Las Cruces Sun News: 1/28 English; 1/30 Spanish.

West Microgrid: Albuquerque
Journal: 1/27 English; 1/30 Spanish. Las Cruces Sun News: 1/27 English; 1/30 Spanish.

Current

□ Technical Analysis

- 120-day review period – 30-days public comment period (more information on next slide), complete Public Involvement Plan and Limited English Proficiency Plan, evaluate permit calculations, evaluate technical modeling, drafting documentation of Database Summary, Statement of Basis, and NSR Permit.
- Final Single Source Determination.
- Public Response Letters (next slide), Response to Comments, Administrative and Legal aspects of a potential public hearing.

□ Issue/Denial or Permit Extension Request Date: 4/22/26.



Public Comment Period

Following The Public Comment Period (Closes 3/2/26):

- First Public Response Letter: This letter is intended to provide general information about the permit, requirements, review process, and public hearings.
- Second Public Response Letter: Per 20.72.206.B New Mexico Administrative Code: Notification that the Department's Analysis, including the Statement of Basis, is available for review at the Air Quality Bureau website. Draft analysis to be posted at least 30 days prior to permit decision.
- Final Public Response Letter: Department intends to issue/deny Air Quality Permit No. 10732. The final action of the Department to issue/deny this permit may be appealed in accordance with 20.2.72.207.F New Mexico Administrative Code.



Environmental Justice

Limited English Proficiency - LEP

- **Factor 1 – Number and Proportion of Limited English-Speaking Individuals in the Community:**
 - Limited English-Speaking Households percent.
 - Historical Participation.
- **Factor 2 – Frequency with Which Limited English-Speaking Individuals Come in Contact with the Program:**
 - Frequent, Occasional, Not Frequent.
- **Factor 3 – Nature and Importance of the Activity:**
 - Moderately Important, Important, Very Important.
 - Permits cannot be issued in accordance with 20.2.72 New Mexico Administrative Code unless they demonstrate compliance with all state and federal regulations, including health-based New Mexico and National Ambient Air Quality Standards. This requirement protects the health of the residents in the vicinity of this facility.

Public Involvement Plan - PIP

- **Overview of Air Quality Bureau's plan of action for addressing the community's needs and concerns for processing Air Quality Permit Applications:**
 - Regulations, Completion Letter and Public Notice, Field Office, Appropriate Agencies, Demographics and dissemination of information, public comment, permit issuance.
 - This air quality regulation does require public participation outreach throughout different stages of the permitting process.
- **Contact list of Air Quality Bureau staff with phone numbers and email addresses:**
 - Contact information for applications and other material.
 - Non -English speaker assistance and accommodations.
- **Description of the community/stakeholder groups:**
 - Population demographics - Archive Environmental Justice Screening Tool.



Environmental Justice

Limited English Proficiency - LEP

- Factor 4 – Resources Available to New Mexico Environment Department and Associated Costs:
 - Associated with documents translation, translators, public hearings, and court reporter.

Public Involvement Plan - PIP

- Detailed actions and outreach activities the Air Quality Bureau Permitting Section will take to reach the affected public:
 - Postal Mailing or E-Mailing of Notices to Persons on the Facility-Specific Mailing List.
 - Notices in the State Newspaper and Local Newspapers.
 - Mailing to the Governor or President of Indian Tribes, Pueblos or Nations.
 - Affected Local, State, or Federal Government Agencies, and Active Land Grants.
 - Public Meeting Notices, Public Comment Notices, and Other Notices.
 - Public Comment Periods – Public Notice and Application Analysis Documents.

Note: To create the Limited English Proficiency and Public Involvement Plan documents, the New Mexico Environment Department utilizes an archived version of the Environmental Protection Agency – Environmental Justice Screening and Mapping Tool.



Public Comments

Themes of Comments Received to Date

- ❑ Single source determination.
- ❑ Adjacent to nonattainment.
- ❑ Not aligned with AQB mission to “protect the public health of New Mexicans and the natural beauty of the state by preventing the deterioration of air quality.”
- ❑ Request for public hearing.
- ❑ Other non-air quality related comments.



Questions?

<https://www.env.nm.gov/public-notice/>

<https://www.env.nm.gov/events-calendar/>

- Public Information Sessions before a Hearing (in Santa Teresa, Sunland Park, and statewide)
- Public hearing in Santa Teresa (“Threshold for Significant Public Interest”)
 - Project Alignment with State Climate Goals
 - Natural Gas Source for the Microgrid Facility
 - How will a second meeting be different
- Dual Permitting/2 Facilities
 - Non-Attainment Zone