

Legal Notice
and
Preliminary Determination for an Air Quality Permit for
Union Pacific Railroad

Union Pacific Railroad at 1400 Douglas Street, Omaha, NE 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 UPRR - Santa Teresa Intermodal Terminal. The application file has been assigned Permit No. 9182 and TEMPO Agency Interest No. 39961. The exact location of the facility will be at latitude and longitude decimal degrees: 31.908592, -106.752844 Datum: WGS84. To aid in locating this facility, the approximate location is 5.2 mi NW of Santa Teresa in Doña Ana County, NM.

The proposed construction will consist of permitting haul road traffic and emergency generators.

Total air pollutant emissions to the atmosphere are estimated to be approximately Particulate Matter 10 microns or less (PM10) at 32.6 tpy, and Particulate Matter 2.5 microns or less (PM2.5) at 7.6 tpy, and greenhouse gas (CO₂e) < 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 PM10, and PM2.5. 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 3, 72, 73, 75, 77 and 82; 40 CFR 50; 40 CFR 60 Subparts IIII; 40 CFR 63 Subparts 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 August 5, 2021. This source is a PSD minor source according to 20.2.74 NMAC.

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

Due to the public health emergency order, certain NMED offices are closed to the public. The permit application is available for review on the AQB Public Notices of Permitting Actions website www.env.nm.gov/air-quality/public-notice-of-permitting-actions/. For assistance with viewing this application contact Arianna Espinoza, at 505-476-4367 or arianna.espinoza@state.nm.us.

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 Marvin Mascareñas, New Mexico Environment Dept., Air Quality Bureau, Permit Section, 525 Camino de los Marquez Suite 1, Santa Fe, NM 87505-1816. Written comments may also be sent by email to Marvin.Mascarenas@state.nm.us.

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 Marvin Mascarenas at 505-476-5341. 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. 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 505-476-5557.

Notice of Non-Discrimination

NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Part 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's non-discrimination programs, policies or procedures, or if you believe that you have been discriminated against with respect to a NMED program or activity, you may contact: Kathryn Becker, Non-Discrimination Coordinator, NMED, 1190 St. Francis Dr., Suite N4050, P.O. Box 5469, Santa Fe, NM 87502, (505) 827-2855, nd.coordinator@state.nm.us. You may also visit our website at <https://www.env.nm.gov/non-employee-discrimination-complaint-page/> to learn how and where to file a complaint of discrimination.