



Small Business Compliance Assessment Program Disclosure



The following air quality permit violations or suspected violations were discovered at the following facility and as required are being disclosed within 21 calendar days from discovery.

Name of Facility	Permit Number	Date of Discovery	Date of Disclosure

As the permit owner, I am eligible to use, and agree to follow the requirements of the Small Business Compliance Assessment Program. My actions are voluntary and I understand that the program may waive or reduce the gravity component of the civil penalties to which a small business might otherwise be subject. By reporting the violation(s), I understand that I **may have up to 60 days¹** to correct the violations as determined by the Air Quality Bureau. If the violations cannot be corrected within this time period, I may submit a request for additional time with the Compliance and Enforcement section.

If the known violations are not corrected within the required timeframe, use of the Small Business Compliance Assessment Program will immediately be void and the violations will be referred to the Air Quality Bureau for enforcement.

The owner is to read the following information and confirm that they qualify as a small business.

The small business:

- Is owned or operated by a person that employs 100 or fewer individuals²,
- Is not a major stationary source of air pollutants,
- Does not emit 50 tons or more per year of any regulated pollutant, and
- Emits less than 75 tons per year of all regulated pollutants

General Construction Permit 2, 3, and 5 owners with the following production and/or engine capacity limits will meet the amounts of regulated pollutants mentioned above (50 and 75 ton limitations), and qualify them as a small business.

GCP-2: Quarrying, Crushing, and Screening Facilities – producing less than or equal to 760,000 tons per year (TPY).

GCP-3: Hot Mix Asphalt Plants – batch facilities producing less than or equal to 60,000 TPY, or drum facilities producing less than or equal to 130,000 TPY.

GCP-5: Concrete Batch Plants – producing less than or equal to 130,000 yards per year, and that have a total on-site engine capacity of less than or equal to 180 horsepower.

By checking the box, my company qualifies as a small business and meets the requirements above.

¹ For purposes of this program, the time at which a small business discovers that a violation has or may have occurred begins the 60-day violation correction timeframe.

² If you own more than one business, or are part of a large parent company, all employees must be counted to determine if you meet the 100 employee limit, regardless of which company owns the permit.

Small Business Violation(s)

How was the violation discovered? Check one of the following boxes.

- Through a voluntary compliance assessment conducted by the New Mexico Environment Department Small Business Environmental Assistance Program;
- Through an environmental audit;
- Through participation in a mentoring program; or
- Through other means. If so, how? _____

Check the following boxes that identify your violation(s):

- Initial compliance tests for equipment have not been completed.
- Records of daily hours of operation, production, watering frequency, and others have not been kept on-site or at a local business office.
- Records of monthly opacity observations are not being conducted.
- Equipment changes have been made without proper notification.
- Facility siting restrictions, such as setbacks, have not been met.
- Haul road requirements for distance, roundtrips, and/or dust control are not being met.
- Information provided on initial application does not represent the current facility.
- No records of pressure across the silo filter are being kept.
- Silos are not equipped with audible and visual overfill alarms.
- Filter efficiencies required by the permit have not been met.
- Stockpiles of material are not being contained within 3 walled bunkers.
- Permit and supporting documents such as application and approval letter are not on site.
- Fuel delivery records for type and number of gallons have not been kept.
- Fuel delivery records for type, number of gallons and sulfur content have not been kept (GCP-3).
- Other condition(s) as specified: _____

By signing this form, I agree to correct the violations identified above within the agreed timeframe, as specified by the Air Quality Bureau³.

Owner's signature

Printed name

Date

³ The timeframe may be up to 60 days and will be determined by the Compliance and Enforcement section.

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