

GROUND WATER DISCHARGE PERMIT RENEWAL AND MODIFICATION
Chevron Mining Inc.-Questa Mine, DP-132

I. INTRODUCTION

The New Mexico Environment Department (NMED) issues this Discharge Permit Renewal and Modification (Discharge Permit), DP-132, to Chevron Mining Inc. (permittee) pursuant to the New Mexico Water Quality Act (WQA), NMSA 1978 §§74-6-1 through 74-6-17, and the New Mexico Water Quality Control Commission (WQCC) Regulations, 20.6.2 NMAC.

NMED's purpose in issuing this Discharge Permit, and in imposing the requirements and conditions specified herein, is to control the discharge of water contaminants from the Chevron Mining Inc.-Questa Mine (facility) into ground and surface water, so as to protect ground and surface water for present and potential future use as domestic and agricultural water supply and other uses and protect public health. In issuing this Discharge Permit, NMED has determined that the requirements of Subsection C of 20.6.2.3109 NMAC have been met.

The activities which produce the discharge, the location of the discharge, and the quantity, quality and flow characteristics of the discharge are briefly described as follows:

Up to 7,045 gallons per day (gpd) of wastewater is discharged to a package treatment plant followed by four leachfields and to eight remote septic tank leachfield disposal systems. Wastewater from two equipment wash pads discharges to two underground storage tanks prior to removal for off-site disposal. The modification consists of upgrading the Goathill Wastewater Treatment System from an aerated lagoon system followed by three leachfields to an activated sludge process followed by four leachfields. The modification also includes the addition of one septic tank/leachfield disposal system located at the Goathill Complex, five septic tank/leachfield disposal systems located at the Mill Site, two septic tank/leachfield systems located at the Tailings Site, one equipment wash pad storage tank located at the Goathill Complex and one equipment wash pad storage tank located at the Mill Site. The discharge contains water contaminants or toxic pollutants which may be elevated above the standards of Section 20.6.2.3103 NMAC. The facilities at the Mine Site are located at 354 State Road 38 (Goathill Complex) and 710 State Road 38 (Mill Site), approximately 3.5 miles east of Questa, in Section 2, T28N, R13E, and in Sections 6 & 31, T28N, R14E, Taos County. The Tailings Site is located at 32 Abra Road, approximately 0.5 miles west of Questa, in Sections 2 & 36, T29N, R12E, Taos County. Ground water most likely to be affected is at a depth of approximately 96 feet and has a total dissolved solids concentration of approximately 2,200 milligrams per liter.

The original Discharge Permit was issued on August 30, 1985 and subsequently renewed and/or modified on September 5, 1990, July 15, 1995 and January 5, 2002. The permittee's application consists of the materials submitted by the permittee dated July 26, 2010 and materials contained in the administrative record prior to issuance of this Discharge Permit. The discharge shall be managed in accordance with all conditions and requirements of this Discharge Permit.

Pursuant to Section 20.6.2.3109 NMAC, NMED reserves the right to require a Discharge Permit Modification in the event NMED determines that the requirements of 20.6.2 NMAC are being or may be violated or the standards of Section 20.6.2.3103 NMAC are being or may be violated.

This may include a determination that structural controls and/or management practices approved under this Discharge Permit are not protective of ground water quality, and that more stringent requirements to protect and/or remediate ground water quality may be required by NMED. These requirements may include: changing waste management practices; expanding monitoring requirements; installing an advanced treatment system; and/or implementing abatement of water pollution.

Issuance of this Discharge Permit does not relieve the permittee of the responsibility to comply with the WQA, WQCC Regulations, and any other applicable federal, state and/or local laws and regulations, such as zoning requirements and nuisance ordinances.

The following abbreviations may be used in this Discharge Permit:

Abbreviation	Explanation	Abbreviation	Explanation
BOD ₅	biochemical oxygen demand (5-day)	NTU	nephelometric turbidity units
CFR	Code of Federal Regulations	Org	organisms
Cl	chloride	TDS	total dissolved solids
LADS	land application data sheet(s)	TKN	total Kjeldahl nitrogen
mg/L	milligrams per liter	total nitrogen	TKN+NO ₃ -N
mL	milliliters	TRC	Total Residual Chlorine
NMAC	New Mexico Administrative Code	TSS	total suspended solids
NMED	New Mexico Environment Department	WQA	New Mexico Water Quality Act
NMSA	New Mexico Statutes Annotated	WQCC	Water Quality Control Commission
NO ₃ -N	nitrate-nitrogen		

II. FINDINGS

In issuing this Discharge Permit, NMED finds:

1. The permittee is discharging effluent or leachate from the facility so that such effluent or leachate may move directly or indirectly into ground water within the meaning of Section 20.6.2.3104 NMAC.
2. The permittee is discharging effluent or leachate from the facility so that such effluent or leachate may move into ground water of the State of New Mexico which has an existing concentration of 10,000 milligrams per liter or less of total dissolved solids within the meaning of Subsection A of 20.6.2.3101 NMAC.
3. The discharge from the facility is not subject to any of the exemptions of Section 20.6.2.3105 NMAC.

III. CONDITIONS

The following conditions shall be complied with by the permittee and are enforceable by NMED. The permittee is authorized to discharge water contaminants subject to the following conditions:

OPERATIONAL PLAN

#	Terms and Conditions
1.	The permittee shall implement the following operational plan to ensure compliance with Title 20, Chapter 6, Parts 1 and 2 NMAC. [20.6.2.3106.C NMAC, 20.6.2.3107 NMAC]
2.	The permittee shall operate in a manner such that standards and requirements of Sections 20.6.2.3101 and 20.6.2.3103 NMAC are not violated. [20.6.2.3101 NMAC, 20.6.2.3103 NMAC]
3.	<p>The permittee is authorized to discharge up to 7,045 gallons per day of domestic wastewater to the following disposal systems:</p> <p>The Goathill Wastewater Treatment System which consists of a Zeo-Clear 20 package treatment plant using an aerated activated sludge process followed by four leachfields. A distribution box diverts treated wastewater to the leachfields. The package plant receives wastewater from the Administration Building, Carpenter Shop, Water Sample Trailers, Goathill Guard Station, Change House, Hoist House, M&E Warehouse and Compressor Building.</p> <p>The Goathill Concrete Batch Plant System which consists of a 1,500 gallon septic tank followed by a leachfield.</p> <p>The Goathill Equipment Wash Pad wastewater storage tank.</p> <p>The Mill Site Main Mill System which consists of a 20,000 gallon septic tank followed by a leachfield. The Main Mill system receives wastewater from the Mill, Mill Warehouse, Decline Shop, Mill Guard Station, Laboratory and Gas Shop.</p> <p>The Mill Site Flotation Mill System which consists of a 5,000 gallon septic tank followed by a leachfield.</p> <p>The Mill Site Primary Crusher System which consists of a 1,500 gallon septic tank followed by a leachfield.</p> <p>The Mill Site Secondary Crusher System which consists of a 1,500 gallon septic tank followed by a leachfield.</p> <p>The Mill Site Power Plant System which consists of a 1,500 gallon septic tank followed by a leachfield.</p> <p>The Mill Site Equipment Wash Pad wastewater storage tank.</p> <p>The Tailings Site Dry/Change House System which consists of a 1,500 gallon septic tank followed by a leachfield.</p> <p>The Tailings Site IX Plant System which consists of a 100 gallon septic tank followed by a leachfield.</p> <p>[20.6.2.3104 NMAC, 20.6.2.3106 NMAC]</p>

#	Terms and Conditions
4.	Treated wastewater discharged from the Goathill Wastewater Treatment System shall not exceed the following limitation: Total Nitrogen: 20 mg/L. [20.6.2.3109 NMAC]
5.	Within one year of the effective date of this Discharge Permit (by DATE), the permittee shall construct the Goathill Wastewater Treatment System's package treatment plant according to the final construction plans and specifications submitted to NMED on June 14, 2011. The permittee shall notify NMED at the commencement of construction to allow NMED personnel to be onsite for inspection during the construction phase. Record drawings of the finished package plant shall be submitted to NMED within 30 days of completion. A licensed New Mexico professional engineer shall certify all construction plans and specifications, supporting design calculations, and record drawings of the wastewater treatment system. The permittee is authorized to discharge to the present Goathill aerated lagoon system until the package treatment plant is on-line and treating wastewater. [20.6.2.3109 NMAC]
6.	Prior to discharging from the Goathill Wastewater Treatment System, the permittee shall install fences around the package plant to control public access. The fences shall be constructed in a manner which prevents access by the general public and animals such as dogs (e.g., chain link, or field fencing) and shall be maintained throughout the term of this Discharge Permit. [20.6.2.3109 NMAC]
7.	Prior to discharging from the Goathill Wastewater Treatment System, the permittee shall post signs at the package plant entrance indicating that the water is not potable. All signs shall remain visible and legible for the term of this Discharge Permit. [20.6.2.3109 NMAC]
8.	Within 180 days of the effective date of this Discharge Permit (by DATE), the permittee shall provide access to the Goathill Concrete Batch Plant septic tank, the Mill Site Primary Crusher septic tank, the Mill Site Secondary Crusher septic tank, the Mill Site Power Plant septic tank, the Tailings Site Dry/Change House septic tank and the Tailing Site IX Plant septic tank by installing two 24-inch openings at each septic tank. The access openings shall be located above the inlet and outlet piping of the septic tank to facilitate inspection of the tank's interior, repair of the internal piping and removal of sludge and scum. The access openings shall be extended from the tank to at least three inches above the ground surface or as approved by NMED. The access openings shall have a secured lid to deter unauthorized access but the lid shall remain above the ground, unconcealed by dirt or pavement. The permittee shall submit written confirmation of access-way installation, including photographic documentation, to NMED within 240 days of the effective date of this Discharge Permit (by DATE). [20.6.2.3107 NMAC]
9.	The permittee shall remove solids from the Goathill Wastewater Treatment System as needed, depending on process control testing such as: the 30-minute settleometer test, the Mixed Liquor Suspended Solids concentration or the Mean Cell Residence Time. The solids shall be contained, transported, and disposed of in accordance with all local, state, and federal (40 CFR Part 503) regulations. Records of solids disposal shall be submitted to NMED in the quarterly monitoring reports. [20.6.2.3109 NMAC]

#	Terms and Conditions
10.	The permittee shall utilize operators, certified by the State of New Mexico at the appropriate level, to operate the Goathill Wastewater Treatment System and associated disposal system. All operations and maintenance of all or any part of the wastewater system shall be performed by, or under the direct supervision of, a certified operator. [20.7.4 NMAC]

MONITORING, REPORTING, AND OTHER REQUIREMENTS

#	Terms and Conditions
11.	The permittee shall conduct the following monitoring, reporting, and other requirements listed below. [20.6.2.3107 NMAC]
12.	<p>METHODOLOGY - Unless otherwise approved in writing by NMED, the permittee shall conduct sampling and analysis in accordance with the most recent edition of the following documents:</p> <ul style="list-style-type: none"> a) American Public Health Association, Standard Methods for the Examination of Water and Wastewater (18th, 19th or current) b) U.S. Environmental Protection Agency, Methods for Chemical Analysis of Water and Waste c) U.S. Geological Survey, Techniques for Water Resources Investigations of the U.S. Geological Survey d) American Society for Testing and Materials, Annual Book of ASTM Standards, Part 31. Water e) Federal Register, latest methods published for monitoring pursuant to Resources Conservation Recovery Act regulations f) U.S. Geological Survey, et al., National Handbook of Recommended Methods for Water Data Acquisition g) Methods of Soil Analysis: Part 1. Physical and Mineralogical Methods; Part 2. Microbiological and Biochemical Properties; and Part 3: Chemical Methods, American Society of Agronomy. <p>[20.6.2.3107.B NMAC]</p>
13.	<p>The permittee shall submit quarterly monitoring reports to NMED for the most recently completed quarterly period by the 1st of February, May, August and November of each year.</p> <p>Quarterly monitoring shall be performed during the following periods: January 1st through March 31st (first quarter) – due by May 1st; April 1st through June 30th (second quarter) – due by August 1st; July 1st through September 30th (third quarter) – due by November 1st; and October 1st through December 31st (fourth quarter) – due by February 1st.</p>

#	Terms and Conditions
	Monitoring requirements detailed in this Discharge Permit are summarized on the sheet titled <i>Summary of Required Actions, Monitoring and Reporting</i> . [20.6.2.3107 NMAC]
14.	The permittee shall measure the volume of treated wastewater discharged from the Goathill Wastewater Treatment System package plant each month using a primary measuring device equipped with a head sensing mechanism connected to a totalizing flow meter. The monthly totalized meter readings shall be submitted to NMED in the quarterly monitoring reports. The flow meter shall be calibrated against the primary measuring device to within +/- 10% of actual flow and kept operational at all times. [20.6.2.3107 NMAC]
15.	Within 90 days of the effective date of this Discharge Permit (by DATE), the permittee shall install a totalizing flow meter on the Mill Site's potable water supply to estimate the volume of wastewater discharged to the septic tank/leachfield disposal systems. Confirmation of meter installation, type, calibration and locations shall be submitted to NMED within 30 days of completed installations. [20.6.2.3109 NMAC]
16.	The permittee shall estimate the volume of wastewater discharged monthly to the Mill Site septic tank/leachfield systems by recording the monthly meter readings for the Mill Site's water supply and calculating the monthly water usage. The permittee shall make note of any significant uses of the water during each month such as evaporative cooling that do not contribute to the Mill Site septic tank/leachfield systems. The monthly meter readings, calculated water usage, notes and estimated volume of wastewater discharged to the Mill Site septic tank/leachfield systems shall be submitted to NMED in the quarterly monitoring reports. The water supply meter shall be kept operational at all times. [20.6.2.3107.A(1) NMAC, 20.6.2.3109.H(1) NMAC]
17.	<p>Within 180 days of the effective date of this Discharge Permit (by DATE), the permittee shall install the following two new monitoring wells:</p> <p>One monitoring well MMW-(# to be designated by the permittee) located 20 to 50 feet hydrologically downgradient of the Goathill Wastewater Treatment System's leachfields.</p> <p>One monitoring well MMW-(# to be designated by the permittee) located 20 to 50 feet hydrologically downgradient of the Mill Site Main Mill System's leachfield.</p> <p>All monitoring well locations shall be approved by NMED prior to installation. The wells shall be completed in accordance with the attachment titled <i>Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions</i>, Revision 1.1, March 2011. Construction and lithologic logs shall be submitted to NMED within 30 days of well completion. [20.6.2.3107 NMAC]</p>
18.	<p>Following installation of the new monitoring wells required by this Discharge Permit and no more than five days after the installation of the wells, the permittee shall sample ground water in the new wells and analyze the samples for all constituents listed in 20.6.2.3103 NMAC of the WQCC Regulations, with the exception of NO₃-N, TDS and Cl. The permittee shall sample the following wells:</p> <p>MMW-(# to be designated by the permittee), intended to be located hydrologically</p>

#	Terms and Conditions
	<p>downgradient of the Goathill Wastewater Treatment System's leachfields. MMW-(# to be designated by the permittee), intended to be located hydrologically downgradient of the Mill Site Main Mill System's leachfield.</p> <p>Ground water sample collection, preservation, transport and analysis shall be performed according to the following procedure:</p> <ol style="list-style-type: none"> Measure the depth-to-ground water from the top of well casing to the nearest hundredth of a foot. Purge three well volumes of water from the well prior to sample collection. Obtain samples from the well for analysis. Properly prepare, preserve and transport samples. Analyze samples in accordance with the methods authorized in this Discharge Permit. <p>Depth-to-water measurements, analytical results, including the laboratory QA/QC summary report, and a facility layout map showing the location and number of each well shall be submitted to NMED within 45 days of the installation of the monitoring wells.</p> <p>Subsequent monitoring of ground water under this Discharge Permit will be based on the results of this sampling and analyses and upon the results of the sampling and analysis of the wastewater discharges authorized under this Discharge Permit. This Discharge Permit may be amended as necessary to reflect the adjusted annual monitoring requirements. [20.6.2.3107 NMAC]</p>
19.	<p>The permittee shall perform quarterly ground water sampling in two monitoring wells and analyze the samples for NO₃-N, TKN, TDS and Cl. The permittee shall sample the following wells:</p> <p>MMW-(# to be designated by the permittee), intended to be located hydrologically downgradient of the Goathill Wastewater Treatment System's leachfields. MMW-(# to be designated by the permittee), intended to be located hydrologically downgradient of the Mill Site Main Mill System's leachfield.</p> <p>Ground water sample collection, preservation, transport and analysis shall be performed according to the following procedure:</p> <ol style="list-style-type: none"> Measure the depth-to-ground water from the top of well casing to the nearest hundredth of a foot. Purge three well volumes of water from the well prior to sample collection. Obtain samples from the well for analysis. Properly prepare, preserve and transport samples. Analyze samples in accordance with the methods authorized in this Discharge Permit. <p>Depth-to-water measurements, analytical results, including the laboratory QA/QC summary report, and a facility layout map showing the location and number of each well shall be submitted to NMED in the quarterly monitoring reports. [20.6.2.3107 NMAC]</p>

#	Terms and Conditions																										
20.	The permittee shall submit a copy of the ground water elevation contour map developed on a quarterly basis as required by Discharge Permit DP-1055. The ground water elevation contour map shall depict the ground water flow direction based on the ground water elevation contours. The data and ground water elevation contour maps shall be submitted to NMED in the quarterly reports. [20.6.2.3107 NMAC]																										
21.	The permittee shall sample treated wastewater from the Goathill Wastewater Treatment System (prior to the leachfields) on a quarterly basis and analyze the samples for NO ₃ -N, TKN, TDS and Cl. Samples shall be properly prepared, preserved, transported and analyzed in accordance with the methods authorized in this Discharge Permit. Analytical results shall be submitted to NMED in the quarterly monitoring reports. [20.6.2.3107 NMAC]																										
22.	The permittee shall sample wastewater from the Mill Site Main Mill System's septic tank on a quarterly basis and analyze the samples for TKN, TDS and Cl. Samples shall be properly prepared, preserved, transported and analyzed in accordance with the methods authorized in this Discharge Permit. Analytical results shall be submitted to NMED in the quarterly monitoring reports. [20.6.2.3107 NMAC]																										
23.	<p>Within 18 months of the effective date of this Discharge Permit (by DATE), the permittee shall sample treated wastewater from the Goathill Wastewater Treatment System (prior to the leachfields) and wastewater from the Mill Site Main Mill System's septic tank (near the outlet of the septic tank) by collecting a grab sample at each system and analyzing the samples for the following inorganic chemicals:</p> <table data-bbox="313 1163 1117 1623"> <tbody> <tr> <td>aluminum</td> <td>manganese</td> </tr> <tr> <td>arsenic</td> <td>molybdenum</td> </tr> <tr> <td>barium</td> <td>mercury (total unfiltered)</td> </tr> <tr> <td>boron</td> <td>pH</td> </tr> <tr> <td>cadmium</td> <td>nickel</td> </tr> <tr> <td>chromium</td> <td><u>radioactivity</u>: combined</td> </tr> <tr> <td>cobalt</td> <td>radium-226 & radium-228</td> </tr> <tr> <td>copper</td> <td>selenium</td> </tr> <tr> <td>cyanide</td> <td>silver</td> </tr> <tr> <td>fluoride</td> <td>sulfate</td> </tr> <tr> <td>iron</td> <td>uranium</td> </tr> <tr> <td>lead</td> <td>zinc</td> </tr> </tbody> </table> <p>The permittee shall also sample treated wastewater from the Goathill Treatment Wastewater System (prior to the leachfields) and wastewater from the Mill Site Main Mill System's septic tank (near the outlet of the septic tank) by collecting a grab sample at each system and analyzing the samples for the following organic chemicals:</p> <table data-bbox="313 1854 878 1887"> <tbody> <tr> <td>benzene</td> <td>Phenols</td> </tr> </tbody> </table>	aluminum	manganese	arsenic	molybdenum	barium	mercury (total unfiltered)	boron	pH	cadmium	nickel	chromium	<u>radioactivity</u> : combined	cobalt	radium-226 & radium-228	copper	selenium	cyanide	silver	fluoride	sulfate	iron	uranium	lead	zinc	benzene	Phenols
aluminum	manganese																										
arsenic	molybdenum																										
barium	mercury (total unfiltered)																										
boron	pH																										
cadmium	nickel																										
chromium	<u>radioactivity</u> : combined																										
cobalt	radium-226 & radium-228																										
copper	selenium																										
cyanide	silver																										
fluoride	sulfate																										
iron	uranium																										
lead	zinc																										
benzene	Phenols																										

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	<table border="0"> <tr> <td style="vertical-align: top;"> benzo-a-pyrene carbon tetrachloride chloroform 1,1-dichloroethane 1,2-dichloroethane (EDC) 1,1-dichloroethylene (1,1-DCE) ethylbenzene ethylene dibromide (EBD) methylene chloride <u>PAHs</u>: total naphthalene plus monomethylnaphthalenes </td> <td style="vertical-align: top;"> Polychlorinated biphenyls (PCBs) toluene 1,1,2,2-tetrachloroethane 1,1,2,2-tetrachloroethylene (PCE) 1,1,1-trichloroethane 1,1,2-trichloroethane 1,1,2-trichloroethylene (TCE) vinyl chloride xylenes (total) </td> </tr> </table> <p>Samples shall be properly prepared, preserved, transported and analyzed in accordance with the methods authorized in this Discharge Permit. Analytical results shall be submitted to NMED in the monitoring report due by February 1, 2013.</p> <p>Subsequent monitoring will be based on the results of the above sampling and analyses. This Discharge Permit may be amended to reflect additional monitoring requirements. [20.6.2.3107 NMAC]</p>	benzo-a-pyrene carbon tetrachloride chloroform 1,1-dichloroethane 1,2-dichloroethane (EDC) 1,1-dichloroethylene (1,1-DCE) ethylbenzene ethylene dibromide (EBD) methylene chloride <u>PAHs</u> : total naphthalene plus monomethylnaphthalenes	Polychlorinated biphenyls (PCBs) toluene 1,1,2,2-tetrachloroethane 1,1,2,2-tetrachloroethylene (PCE) 1,1,1-trichloroethane 1,1,2-trichloroethane 1,1,2-trichloroethylene (TCE) vinyl chloride xylenes (total)
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24.	<p>The permittee shall inspect all septic tanks semi-annually for the accumulation of scum and solids. In the event that the scum layer exceeds three inches or the settled solids occupy 50% of a tank or more, the contents of the tank shall be pumped by a licensed hauler. The inspection and pumping records shall be submitted to NMED in the monitoring reports due by February 1st and August 1st of each year. [20.6.2.3107 NMAC]</p>		
25.	<p>The permittee shall inspect the wastewater levels weekly in the Goathill equipment pad's wastewater storage tank and the Mill Site equipment pad's wastewater storage tank. In the event that the liquid level reaches 75% of the capacity of the storage tank, the contents of the tank shall be removed and disposed of in accordance with all local, state and federal regulations. The permittee shall maintain a log for each storage tank. The log shall include date and total volume of wastewater removed for disposal. A copy of the log shall be submitted to NMED in the monitoring report due by February 1st of each year. [20.6.2.3107 NMAC]</p>		
26.	<p>The permittee shall visually inspect the area above every leachfield semi-annually to ensure proper maintenance. Any conditions that indicate damage to any leachfield shall be corrected. Such conditions include, but are not limited to erosion damage, animal activity/damage, woody shrubs, or evidence of seepage. The permittee shall keep a log of the inspection findings and repairs made. [20.6.2.3107 NMAC]</p>		

CONTINGENCY PLAN

#	Terms and Conditions
27.	<p>In the event that ground water monitoring indicates that one or more of the ground water standards of Section 20.6.2.3103 NMAC are violated during the term of this Discharge Permit, upon closure of the facility or during post-closure monitoring, the permittee shall perform the following actions:</p> <ol style="list-style-type: none"> a) Collect a second sample from the monitoring well(s) within 30 days of the initial sample analysis date to verify the initial results. b) Submit the analytical results for both the initial and second ground water samples to NMED within 30 days of the analysis date of the second ground water sample. <p>In the event that analytical results of the second ground water sample verify the exceedance of one or more of the ground water standards of Section 20.6.2.3103 NMAC, within 60 days of the second sample analysis date the permittee shall submit a corrective action plan to NMED and implement the plan upon NMED approval. The corrective action plan shall propose measures to mitigate damage from the discharge including, at a minimum, source control measures and an implementation schedule. The permittee may be required to abate water pollution pursuant to Sections 20.6.2.4000 through 20.6.2.4115 NMAC, if the corrective action plan will not result in compliance with the standards and requirements set forth in Section 20.6.2.4103 NMAC within 180 days of confirmed ground water contamination. [20.6.2.1203 NMAC, 20.6.2.4105.A(8) NMAC]</p>
28.	<p>In the event of a spill or release that is not authorized under this Discharge Permit, the permittee shall initiate the notifications and corrective actions as required in Section 20.6.2.1203 NMAC. The permittee shall take immediate corrective action to contain and remove or mitigate the damage caused by the discharge. Within 24 hours after discovery of the discharge, the permittee shall verbally notify NMED and provide the information required by Paragraph (1) of Subsection A of 20.6.2.1203 NMAC. Within seven days of discovering the discharge, the permittee shall submit a written report to NMED verifying the oral notification and providing any additional information or changes. The permittee shall submit a corrective action report within 15 days after discovery of the discharge. [20.6.2.1203 NMAC]</p>
29.	<p>In the event that analytical results of a quarterly treated wastewater sample from the Goathill Wastewater Treatment System exceed the total nitrogen limitation set in this Discharge Permit, the permittee shall analyze another sample within 15 days to confirm the initial results. Upon confirmation that the limitation is being exceeded, the permittee shall enact the following contingency plan:</p> <ol style="list-style-type: none"> a) NMED shall be notified immediately that the contingency plan is being enacted. b) Wastewater sampling and analysis shall be done on a monthly basis. c) The permittee shall examine the operation and maintenance log, required under the Record Keeping section of this permit, for improper operational procedures. The permittee shall also conduct a physical inspection of the treatment system to detect abnormalities. Any abnormalities discovered shall be corrected.

#	Terms and Conditions
	<p>d) If analytical results from wastewater sampling continue to exceed the limitation, the permittee shall submit a corrective action plan for NMED approval to modify operational procedures and/or upgrade the treatment process to achieve the effluent limit. The plan shall be submitted within 90 days of the original confirmation of exceedance of the effluent limitation. The corrective action plan shall be implemented immediately upon NMED approval.</p> <p>When analytical results from three consecutive months of wastewater sampling do not exceed the limitation, the permittee shall return to quarterly monitoring. [20.6.2.3107.A(10) NMAC]</p>
30.	<p>In the event that information available to NMED indicates that a well(s) is not appropriately constructed to effectively monitor ground water quality, contains insufficient water to allow the collection of representative ground water samples, or is not completed in a manner that is protective of ground water quality, the permittee shall install a replacement well(s) within 90 days of notification from NMED. Replacement well location(s) shall be approved by NMED prior to installation and completed in accordance with the attachment titled <i>Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions</i>, Revision 1.1, March 2011. Construction and lithologic logs shall be submitted to NMED within 30 days of well completion.</p> <p>Upon completion of the replacement monitoring well(s), the monitoring well(s) requiring replacement shall be properly plugged and abandoned. The well(s) shall be plugged and abandoned in accordance with the abandonment details in the attachment titled <i>Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions</i>, Revision 1.1, March 2011, and any applicable local, state, and federal regulations. Documentation describing the plugging and abandonment procedures, including photographic documentation, shall be submitted to NMED within 30 days of completed well abandonment. [20.6.2.3107 NMAC]</p>
31.	<p>In the event that an inspection of any leachfield reveals failure, the permittee shall enact the following contingency plan:</p> <ol style="list-style-type: none"> a) Within 24 hours of the discovered failure, the permittee shall notify NMED of the failure and public access to the area shall be restricted. b) The permittee shall conduct a physical inspection of the treatment system/septic tank and disposal system to identify additional failures. c) The permittee shall submit a corrective action plan for NMED approval to address the failure and propose methods of correction. The corrective action plan shall be submitted within 30 days of the discovered failure and shall be implemented immediately upon NMED approval. <p>[20.6.2.3107 NMAC, 20.6.2.3109 NMAC]</p>
32.	<p>In the event NMED or the permittee identifies any other failures of the Discharge Permit or system not specifically noted herein, NMED may require the permittee to develop for NMED approval contingency plans and schedules to cope with the failures. [20.6.2.3107.A(10) NMAC]</p>

CLOSURE PLAN

#	Terms and Conditions
33.	<p>Within two years of the effective date of this Discharge Permit (by DATE), the permittee shall perform the following closure measures to the Goathill aerated lagoon system:</p> <ul style="list-style-type: none"> a) Remove or plug all lines leading to the lagoons and three leachfields so that a discharge can no longer occur. b) Process through the Goathill Wastewater Treatment System and/or evaporate all liquids from the lagoons and dispose of all sludge in accordance with all local, state, and federal (40 CFR Part 503) regulations. c) Perforate or remove the lagoon liners and re-grade the lagoons with clean fill to blend with surface topography and prevent ponding. <p>[20.6.2.3107.A(11) NMAC]</p>
34.	<p>Within two years of the effective date of this Discharge Permit (by DATE), the permittee shall perform the following closure measures to the Mine's Core Shacks, Goathill Guard Shack and Mill Site Gas Shop septic tank/leachfield systems:</p> <ul style="list-style-type: none"> a) Remove or plug all lines conveying wastewater to the septic tank/leachfield systems so that a discharge can no longer occur. b) Pump the septic tanks and dispose of pumpings in accordance with all local, state, and federal regulations. c) Backfill the tanks with clean fill or sand, or remove from the site. <p>[20.6.2.3107.A(11) NMAC]</p>
35.	<p>Upon closure of the facility, the permittee shall perform the following closure measures:</p> <ul style="list-style-type: none"> a) Complete the installation of all monitoring wells as required by this Discharge Permit. b) Remove or plug all lines leading to the Goathill Wastewater Treatment System and leachfields so that a discharge can no longer occur. c) Remove or plug all lines conveying wastewater to all septic tank/leachfield systems and to all equipment wash pad storage tanks so that a discharge can no longer occur. d) Drain and/or evaporate all liquids from all wastewater treatment units and dispose of all sludge in accordance with all local, state, and federal (40 CFR Part 503) regulations. e) Pump all septic tanks and storage tanks and dispose of pumpings in accordance with all local, state, and federal regulations. f) Remove or demolish all wastewater treatment units and re-grade the area with clean fill to blend with surface topography and prevent ponding. g) Backfill all septic tanks and storage tanks with clean fill or sand, or remove from the site. h) Continue ground water monitoring as required by this Discharge Permit for two years after closure to confirm the absence of ground water contamination. If monitoring results show that the ground water standards in Section 20.6.2.3103 NMAC are being violated, the permittee shall implement the contingency plan required by this Discharge Permit. i) Following notification from NMED that post-closure monitoring may cease, the permittee shall plug and abandon the monitoring wells in accordance with the

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	<p>attachment titled <i>Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions</i>, Revision 1.1, March 2011.</p> <p>When all post-closure requirements have been met, the permittee may request to terminate the Discharge Permit. [20.6.2.3107.A(11) NMAC]</p>

GENERAL TERMS AND CONDITIONS

#	Terms and Conditions
36.	<p>RECORD KEEPING - The permittee shall maintain at its facility a written record of all data and information related to field measurements, sampling, and analysis conducted pursuant to this Discharge Permit. The following information shall be recorded and shall be made available to NMED upon request:</p> <ul style="list-style-type: none"> a) the dates, exact place and times of sampling or field measurements; b) the name and job title of the individuals who performed each sample collection or field measurement; c) the date of the analysis of each sample; d) the name and address of the laboratory and the name and job title of the person that performed the analysis of each sample; e) the analytical technique or method used to analyze each sample or take each field measurement; f) the results of each analysis or field measurement, including raw data; g) the results of any split sampling, spikes or repeat sampling; and h) a description of the quality assurance and quality control procedures used. <p>[20.6.2.3107.A NMAC]</p>
37.	<p>RECORD KEEPING - The permittee shall maintain a written record of any spills, seeps, and/or leaks of effluent, and of leachate and/or process fluids not authorized by this Discharge Permit. [20.6.2.3107.A NMAC]</p>
38.	<p>RECORD KEEPING - The permittee shall maintain a written record of the operation, maintenance, and repair of all facilities/equipment used to treat, store or dispose of wastewater; to measure flow rates, to monitor water quality, or to collect other data required by this Discharge Permit. This record shall include repair, replacement or calibration of any monitoring equipment and repair or replacement of any equipment used in the permittee's waste or wastewater treatment and disposal system. [20.6.2.3107.A NMAC]</p>
39.	<p>RECORD KEEPING - The permittee shall maintain a written record of the amount of wastewater, effluent, leachate or other wastes discharged pursuant to this Discharge Permit. [20.6.2.3107.A NMAC]</p>
40.	<p>RECORD KEEPING - The permittee shall retain records of all monitoring information, including all calibration and maintenance records, copies of all reports required by this Discharge Permit, and records of all data used to complete the application for this Discharge Permit for a period of at least five years from the date of the sample collection,</p>

#	Terms and Conditions
	measurement, report or application. This period may be extended by request of the Secretary at any time. [20.6.2.3107.A NMAC]
41.	<p>INSPECTION and ENTRY - The permittee shall allow the Secretary or an authorized representative, upon the presentation of credentials, to:</p> <ul style="list-style-type: none"> a) Enter at regular business hours or at other reasonable times upon the permittee's premises or other location where records must be kept under the conditions of this Discharge Permit, or under any federal or WQCC regulation. b) Inspect and copy, during regular business hours or at other reasonable times, any records required to be kept under the conditions of this Discharge Permit, or under any federal or WQCC regulation. c) Inspect, at regular business hours or at other reasonable times, any facility, equipment (including monitoring and control equipment or treatment works), practices or operations regulated or required under this Discharge Permit, or under any federal or WQCC regulation. d) Sample or monitor, at reasonable times for the purpose of assuring compliance with this Discharge Permit or as otherwise authorized by the WQA, any effluent, water contaminant, or receiving water at any location before or after discharge. <p>[20.6.2.3107.D NMAC, 74-6-9(B) & (E) WQA]</p>
42.	<p>INSPECTION and ENTRY - Nothing in this Discharge Permit shall be construed as limiting in any way the inspection and entry authority of NMED under the WQA, the WQCC Regulations, or any other applicable law or regulation.</p> <p>[20.6.2.3107 NMAC, 74-6-9(B) & (E) WQA]</p>
43.	<p>DUTY to PROVIDE INFORMATION - The permittee shall furnish to NMED, within a reasonable time, any documents or other information which it may request to determine whether cause exists for modifying, terminating and/or renewing this Discharge Permit or to determine compliance with this Discharge Permit. The permittee shall also furnish to NMED, upon request, copies of documents required to be kept by this Discharge Permit.</p> <p>[20.6.2.3107.D NMAC, 74-6-9(B) & (E) WQA]</p>
44.	<p>SPILLS, LEAKS, and OTHER UNAUTHORIZED DISCHARGES - This Discharge Permit authorizes only those discharges specified herein. Any unauthorized discharges violate Section 20.6.2.3104 NMAC and must be reported to NMED and remediated as required by Section 20.6.2.1203 NMAC. [20.6.2.1203 NMAC]</p>
45.	<p>MODIFICATIONS and/or AMENDMENTS - The permittee shall notify NMED of any changes to the permittee's wastewater treatment and disposal system, including any changes in the wastewater flow rate or the volume of wastewater storage, or of any other changes to operations or processes that would result in any significant change in the discharge of water contaminants. The permittee shall obtain NMED's approval, as a modification to this Discharge Permit pursuant to Subsections E, F, or G of 20.6.2.3109 NMAC, prior to any increase in the quantity discharged, or any increase in the concentration of water contaminants discharged, above those levels approved in this Discharge Permit.</p> <p>[20.6.2.3107.C NMAC]</p>

#	Terms and Conditions
46.	<p>PLANS and SPECIFICATIONS - The permittee shall file plans and specifications with NMED for the construction of a wastewater system and for proposed changes that will change substantially the quantity or quality of the discharge from the system. The permittee shall file plans and specifications prior to the commencement of construction. Changes to the wastewater system having a minor effect on the character of the discharge shall be reported as of January 1 and June 30 of each year to NMED. [20.6.2.1202 NMAC]</p>
47.	<p>CIVIL PENALTIES - Any violation of the requirements and conditions of this Discharge Permit, including any failure to allow NMED staff to enter and inspect records or facilities, or any refusal or failure to provide NMED with records or information, may subject the permittee to a civil enforcement action. Pursuant to WQA 74-6-10(A) and (B), such action may include a compliance order requiring compliance immediately or in a specified time, assessing a civil penalty, modifying or terminating the Discharge Permit, or any combination of the foregoing; or an action in district court seeking injunctive relief, civil penalties, or both. Pursuant to WQA 74-6-10(C) and 74-6-10.1, civil penalties of up to \$15,000 per day of noncompliance may be assessed for each violation of the WQA 74-6-5, the WQCC Regulations, or this Discharge Permit, and civil penalties of up to \$10,000 per day of noncompliance may be assessed for each violation of any other provision of the WQA, or any regulation, standard, or order adopted pursuant to such other provision. In any action to enforce this Discharge Permit, the permittee waives any objection to the admissibility as evidence of any data generated pursuant to this Discharge Permit. [74-6-10 WQA, 74-6-10.1 WQA]</p>
48.	<p>CRIMINAL PENALTIES – Any person who knowingly violates or knowingly causes or allows another person to:</p> <ol style="list-style-type: none"> 1) make any false material statement, representation, certification or omission of material fact in an application, record, report, plan or other document filed, submitted or required to be maintained under the WQA; 2) falsify, tamper with or render inaccurate any monitoring device, method or record required to be maintained under the WQA; or 3) fail to monitor, sample or report as required by a permit issued pursuant to a state or federal law or regulation, is subject to felony charges and shall be sentenced in accordance with the provisions of Section 31-18-15 NMSA 1978. [74-6-10.2(A-F) WQA]
49.	<p>COMPLIANCE WITH OTHER LAWS - Nothing in this Discharge Permit shall be construed in any way as relieving the permittee of the obligation to comply with all applicable federal, state, and local laws, regulations, permits or orders. [20.6.2 NMAC]</p>
50.	<p>RIGHT to APPEAL - The permittee may file a petition for review before the WQCC on this Discharge Permit. Such petition shall be in writing to the WQCC within thirty (30) days of the receipt of this Discharge Permit. Unless a timely petition for review is made, the decision of NMED shall be final and not subject to judicial review. [74-6-5(O) WQA]</p>

#	Terms and Conditions
51.	TRANSFER of DISCHARGE PERMIT - Prior to the transfer of any ownership, control, or possession of this permitted facility or any portion thereof, the permittee shall notify the proposed transferee in writing of the existence of this Discharge Permit and include a copy of this Discharge Permit with the notice. The permittee shall deliver or send by certified mail to NMED a copy of the notification and proof that such notification has been received by the proposed transferee. [20.6.2.3111 NMAC]
52.	TERM - Pursuant to WQA 74-6-5(I) and Subsection H of 20.6.2.3109 NMAC, the term of this Discharge Permit is five years from its effective date. To renew this Discharge Permit, the permittee must submit an application for renewal at least 180 days before the termination date. [20.6.2.3109.H NMAC, 74-6-5(I) WQA]
53.	Payment of permit fees is due at the time of Discharge Permit approval. Permit fees shall be paid in a single payment or shall be paid in equal installments on a yearly basis over the term of the Discharge Permit. Single payments shall be remitted to NMED no later than 30 days after the Discharge Permit effective date. Initial installment payments shall be remitted to NMED no later than 30 days after the Discharge Permit effective date; subsequent installment payments shall be remitted to NMED no later than the anniversary of the Discharge Permit effective date. An approved Discharge Permit shall be suspended or terminated if the facility fails to remit an installment payment by its due date. [20.6.2.3114.F NMAC, 74-6-5(K) WQA]

EFFECTIVE DATE: **effective date**
EXPIRATION DATE: **expiration date**

WILLIAM C. OLSON
Chief, Ground Water Quality Bureau
New Mexico Environment Department