

**GROUND WATER DISCHARGE PERMIT RENEWAL AND MODIFICATION**  
**City of Raton - Raton Water Works Wastewater Treatment Facility, DP-254**

**I. INTRODUCTION**

The New Mexico Environment Department (NMED) issues this Discharge Permit Renewal and Modification (Discharge Permit), DP-254, to the City of Raton (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 City of Raton Wastewater Treatment Facility (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 620,000 gallons per day (gpd) of domestic wastewater from the City of Raton is received at the City's wastewater treatment facility (WWTF), treated and discharged for irrigation on 250 acres of landscape. Treated effluent is also discharged to Doggett Creek pursuant to National Pollutant Discharge Elimination System (NPDES) permit NM0020273.

Up to 100,000 gpd domestic wastewater treatment facility sludge is discharged to a 60-acre surface disposal site.

Up to 1,500 gpd of grease trap/interceptor waste is received, treated and/or disposed of at the WWTF site.

This Discharge Permit sets forth separate requirements for the discharge of reclaimed wastewater, surface disposal of sludge and surface disposal/treatment of grease trap/interceptor waste. The separate requirements are identified in individual Parts, which include:

**PART I. APPLICABLE TO ALL PARTS.**

**PART II. APPLICABLE TO RECLAIMED WASTEWATER  
TREATMENT/STORAGE FACILITIES AND DISCHARGES OF RECLAIMED  
WASTEWATER TO IRRIGATED REUSE SITES**

**PART III. APPLICABLE TO DISCHARGES OF DOMESTIC WWTF SLUDGE  
TO THE SURFACE DISPOSAL AREA**

**PART IV. APPLICABLE TO DISCHARGES AND TREATMENT OF GREASE  
TRAP/INTERCEPTOR WASTE AT THE WWTF**

The modification consists of authorizing the disposal of grease trap/interceptor waste for up to one year and then allowing dewatering of grease trap/interceptor waste at the WWTF site. The discharges contain water contaminants or toxic pollutants which may be elevated above the

standards of Section 20.6.2.3103 NMAC. All facilities are located within the Maxwell Land Grant. The WWTF and sludge disposal site are located at 420 Hereford Ave, Raton, in (projected) Section 6, Township 30 N, Range 24 E, Colfax County. Reclaimed wastewater irrigation areas are located in (projected) Section 1, Township 30 N, Range 23 E and (projected) Sections 25, 26 and 27, Township 31 N, Range 23 E, Colfax County. Ground water is reported to be present at depths ranging from three to 28 feet in the vicinity of the WWTF site. Ground water in the area is reported to contain TDS concentrations ranging from 3,660 to 4,600 mg/L.

The original Discharge Permit was issued on March 15, 1983 and was subsequently renewed and/or modified on September 17, 1984 (modification) and August 25, 1986 (modification), November 16, 1987 (renewal), November 12, 1992 (renewal), December 22, 1994 (modification) and March 12, 1996 (modification), January 20, 1998 (renewal) and March 16, 1998 (modification). The permittee's application consists of the materials submitted by Wilson and Company on behalf of the permittee received March 7, 2003 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.

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 <sub>5</sub>	biochemical oxygen demand (5-day)	NO <sub>3</sub> -N	nitrate-nitrogen
CFR	Code of Federal Regulations	NTU	nephelometric turbidity units
CFU	colony forming units	SDDS	Surface Disposal Data Sheet
Cl	chloride	TDS	total dissolved solids
EPA	United States Environmental Protection Agency	TKN	total Kjeldahl nitrogen
mg/kg	milligrams per kilogram	TPH	total petroleum hydrocarbons
mg/L	milligrams per liter	TSS	total suspended solids
mL	milliliters	total nitrogen	TKN+NO <sub>3</sub> -N
NMAC	New Mexico Administrative Code	WQCC	Water Quality Control Commission
NMED	New Mexico Environment Department		
NMSA	New Mexico Statutes Annotated		

## 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. AUTHORIZATION

The permittee is authorized to:

Receive and treat up to 620,000 gallons per day (gpd) of domestic wastewater at the City's wastewater treatment facility (WWTF). The treatment facility consists of:

- Ø Headworks; spiral screen, long channel grit chambers, influent Parshall flume
- Ø Sequential Batch Reactors
- Ø Effluent storage impoundment
- Ø Ultraviolet light disinfection
- Ø Disk filters (reclaimed wastewater only)
- Ø Chlorination (reclaimed wastewater only)
- Ø Solids handling; aerobic digester, sludge storage impoundment, sludge surface disposal site, grit dewatering, grease trap/interceptor waste dewatering

Discharge treated wastewater (reclaimed wastewater) for irrigation of up to 250 acres of City owned/leased properties and property owned by the Raton Public Schools and for dust control/landscape irrigation/wash water purposes on the WWTF grounds. Note that treated effluent is also discharged to Doggett Creek pursuant to National Pollutant Discharge Elimination System (NPDES) permit NM0020273.

Discharge up to 100,000 gpd (or a maximum of 5.0 million gallons per year) of liquid, semi-solid and/or solid domestic wastewater treatment facility sludge from the WWTF to a 60-acre surface disposal site (20-acre and 40-acre areas).

Temporarily discharge up to 1,500 gpd of grease trap waste to a 1 acre portion of the 60 acre sludge disposal site for up to one year after the effective date of this Discharge Permit. After one year, the discharge of grease trap/interceptor waste at this facility shall cease and the

permittee is then authorized to dewater up to 1,500 gpd of grease trap/interceptor waste at the WWTF and discharge the aqueous portion of grease trap/interceptor waste to the WWTF for treatment and disposal. Up to five cubic yards of non-aqueous (dewatered) grease trap/interceptor waste can be temporarily stored on an impervious pad or in an above ground container at the WWTF site prior to properly disposing of the dewatered waste in accordance with all local, state and federal regulations.

[20.6.2.3104 NMAC, 20.6.2.3106 NMAC]

**IV. 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**

**Part I. Applicable to All Parts**

#	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.	The permittee shall utilize operators, certified by the State of New Mexico at the appropriate level, to operate the wastewater collection, treatment and disposal systems and to conduct analyses in the WWTF laboratory. All operations and maintenance of all or any part of the wastewater system and laboratory analyses shall be performed by, or under the direct supervision of, a certified operator.  [20.7.4 NMAC]

**Part II. Applicable to Reclaimed Wastewater Treatment/Storage Facilities and Discharges of Reclaimed Wastewater to Irrigated Reuse Sites**

4.	Reclaimed wastewater discharged from the final treatment process shall not exceed the following limitation: <b>Total Nitrogen: 10 mg/L.</b>  [20.6.2.3109 NMAC]
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5.	<p>Reclaimed wastewater discharged from final treatment process shall not exceed the following limitations:</p> <table border="1" data-bbox="246 352 1172 766"> <thead> <tr> <th data-bbox="246 352 479 426">Test</th> <th data-bbox="479 352 711 426">30-day geometric mean</th> <th data-bbox="711 352 943 426">30-day average</th> <th data-bbox="943 352 1172 426">maximum</th> </tr> </thead> <tbody> <tr> <td data-bbox="246 426 479 499">Fecal coliform bacteria:</td> <td data-bbox="479 426 711 499"><b>100 Org/100 mL</b></td> <td data-bbox="711 426 943 499">N/A</td> <td data-bbox="943 426 1172 499"><b>200 Org/100 mL</b></td> </tr> <tr> <td data-bbox="246 499 479 573">- OR - E. coli bacteria:</td> <td data-bbox="479 499 711 573"><b>126 Org/100 mL</b></td> <td data-bbox="711 499 943 573">N/A</td> <td data-bbox="943 499 1172 573"><b>235 Org/100 mL</b></td> </tr> <tr> <td data-bbox="246 573 479 615">BOD<sub>5</sub>:</td> <td data-bbox="479 573 711 615">N/A</td> <td data-bbox="711 573 943 615"><b>30 mg/L</b></td> <td data-bbox="943 573 1172 615"><b>45 mg/L</b></td> </tr> <tr> <td data-bbox="246 615 479 688">TSS:</td> <td data-bbox="479 615 711 688">N/A</td> <td data-bbox="711 615 943 688"><b>30 mg/L</b></td> <td data-bbox="943 615 1172 688"><b>45 mg/L</b></td> </tr> <tr> <td data-bbox="246 688 479 766">TRC:</td> <td data-bbox="479 688 711 766">N/A</td> <td data-bbox="711 688 943 766"><b>Monitor Only</b></td> <td data-bbox="943 688 1172 766"><b>Monitor Only</b></td> </tr> </tbody> </table> <p>[20.6.2.3109 NMAC]</p>	Test	30-day geometric mean	30-day average	maximum	Fecal coliform bacteria:	<b>100 Org/100 mL</b>	N/A	<b>200 Org/100 mL</b>	- OR - E. coli bacteria:	<b>126 Org/100 mL</b>	N/A	<b>235 Org/100 mL</b>	BOD <sub>5</sub> :	N/A	<b>30 mg/L</b>	<b>45 mg/L</b>	TSS:	N/A	<b>30 mg/L</b>	<b>45 mg/L</b>	TRC:	N/A	<b>Monitor Only</b>	<b>Monitor Only</b>
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6.	<p>The permittee shall maintain fences and access controls around the WWTF 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., 6 ft chain link, field fencing or locking lids) and shall be maintained throughout the term of this Discharge Permit.</p> <p>[20.6.2.3109 NMAC]</p>																								
7.	<p>The permittee shall maintain signs at the facility entrance and other areas where public contact is possible indicating that the water is not potable. All signs shall remain visible and legible for the term of this Discharge Permit.</p> <p>[20.6.2.3109 NMAC]</p>																								
8.	<p>The permittee shall properly manage all solids generated by the treatment system to maintain effective operation by removing solids as necessary in accordance with accepted process control methods. Solids removed from the treatment process shall be contained, transported, and disposed of in accordance with all local, state, and federal regulations. The permittee shall maintain records of solids disposal.</p> <p>[NMSA 1978, § 74-6-5.D, Subsection B of 20.6.2.3109 NMAC]</p>																								
9.	<p>The permittee shall maintain the WWTF effluent storage, sludge storage and golf course impoundments in such a manner as to avoid conditions which could affect the structural integrity of the impoundments. Such conditions include or may be characterized by the following:</p> <ul style="list-style-type: none"> <li>erosion damage;</li> <li>animal burrows or other damage;</li> <li>evidence of liner damage (where liners are present)</li> <li>the presence of vegetation including aquatic plants, weeds, woody shrubs or trees growing within five feet of the top inside edge of a sub-grade impoundment, within five feet of the toe of the outside berm of an above-grade impoundment, or within the</li> </ul>																								

	<p>impoundment itself; the presence of large debris or large quantities of debris in the impoundment; evidence of seepage; and evidence of berm subsidence.</p> <p>Vegetation growing around all impoundments shall be routinely controlled by mechanical removal in a manner that is protective of the impoundment.</p> <p>The permittee shall visually inspect the impoundments and surrounding berms on a monthly basis to ensure proper maintenance. In the event that inspection reveals any evidence of damage that threatens the structural integrity of an impoundment berm or liner (where liners are present), or that may result in an unauthorized discharge, the permittee shall enact the contingency plan set forth in this Discharge Permit.</p> <p>[NMSA 1978, § 74-6-5.D, Subsection B of 20.6.2.3109 NMAC]</p>
10.	<p>The permittee shall preserve a minimum of two feet of freeboard between the liquid level in the impoundments and the elevation of the top of the impoundment berm or liner (where liners are present). In the event that the permittee determines that two feet of freeboard cannot be preserved in an impoundment, the permittee shall enact the contingency plan set forth in this Discharge Permit.</p> <p>[NMSA 1978, § 74-6-5.D, Subsection B of 20.6.2.3109 NMAC]</p>
11.	<p>The permittee shall meet the following general requirements for above-ground use of reclaimed domestic wastewater:</p> <ul style="list-style-type: none"><li>a) The permittee shall maintain signs in English and Spanish at all re-use areas. The signs shall be posted at the entrance to re-use areas and at other locations where public exposure to reclaimed wastewater may occur. The signs shall state: <b>NOTICE: THIS AREA IS IRRIGATED WITH RECLAIMED WASTEWATER - DO NOT DRINK. AVISO: ESTA ÁREA ESTÁ REGADA CON AGUAS NEGRAS RECOBRADAS - NO TOMAR.</b> Alternate wording and/or graphics may be submitted to NMED for approval. All signs shall remain visible and legible for the term of this Discharge Permit.</li><li>b) The reclaimed wastewater systems shall have no direct or indirect cross connections with public water systems or irrigation wells pursuant to the latest revision of the New Mexico Plumbing Code (14.8.2 NMAC) and New Mexico Mechanical Code (14.9.2 NAMC).</li><li>c) Above-ground use of reclaimed wastewater shall not result in excessive ponding of wastewater, and shall not exceed the water consumptive needs of the crop. Re-use shall not be conducted at times when the re-use area is saturated or frozen.</li><li>d) The discharge of reclaimed wastewater shall be confined to the re-use area.</li><li>e) The discharge of reclaimed domestic wastewater to crops for human consumption is prohibited.</li><li>f) Water supply wells within 200 feet of a re-use area shall have adequate wellhead construction pursuant to 19.27.4 NMAC. Re-use shall be managed to ensure protection of ground water quality.</li></ul>

	<p>g) Existing portions of the reclaimed wastewater distribution system which are accessible (with the exception of application equipment such as sprinklers or pivots) shall be colored purple or clearly labeled as being part of a reclaimed wastewater distribution system. Piping, valves and outlets that are installed during the term of this Discharge Permit shall be colored purple pursuant to the latest revision of the New Mexico Plumbing Code (14.8.2 NMAC) and New Mexico Mechanical Code (14.9.2 NAMC) to differentiate piping or fixtures used to convey reclaimed wastewater from those intended for potable or other uses. Valves, outlets, and sprinkler heads used in reclaimed wastewater systems shall be accessible only to authorized personnel.</p> <p>[NMSA 1978, § 74-6-5.D, Subsections B and C of 20.6.2.3109 NMAC]</p>
<p>12.</p>	<p>The permittee shall meet the following setbacks, access restrictions and equipment requirements for spray irrigation using Class 1B reclaimed domestic wastewater:</p> <ul style="list-style-type: none"> <li>a) A minimum 100-foot set-back shall be maintained between any dwellings or occupied establishments and the edge of any area receiving reclaimed wastewater.</li> <li>b) Irrigation shall be postponed at times when windy conditions may result in drift of reclaimed wastewater outside the designated area of application.</li> <li>c) Whenever reclaimed wastewater is used in areas with public access it shall be applied at times and in a manner that minimizes public contact.</li> <li>d) The spray irrigation system shall utilize only low trajectory spray nozzles, with the exception of irrigation at the football field, which may be performed using a high trajectory “water cannon”.</li> <li>e) Whenever reclaimed wastewater is used to irrigate the football field using the “water cannon”, all persons except employees shall be excluded from the grounds of the football field by escorting persons from the premises and locking public entrances. Signs indicating that irrigation with reclaimed wastewater is underway and that access is prohibited shall be displayed at all public entrances during irrigation. If windy conditions result in drift of reclaimed wastewater from the “water cannon” outside of the application area (turf), irrigation shall be postponed.</li> </ul> <p>[NMSA 1978, § 74-6-5.D, Subsections B and C of 20.6.2.3109 NMAC]</p>

**Part III. Applicable to Discharges of Domestic WWTF Sludge to the Surface Disposal Area**

<p>13.</p>	<p>The permittee shall apply liquid, semi-solids and solid domestic wastewater treatment facility sludge to the 20-acre and 40-acre sludge disposal areas on a rotational basis. The sludge shall be evenly distributed during application. Ponding of liquid sludge shall be minimized. Treatment, storage and disposal of sludge shall be in accordance with requirements set forth in 40 CFR Part 503.</p> <p>[20.6.2.3104 NMAC]</p>
<p>14.</p>	<p>The permittee shall maintain fences around the entire surface disposal facility to prevent unrestricted access. A minimum of a three-strand barbed wire fence and locked gate shall surround the facility.</p> <p>[20.6.2.3109 NMAC]</p>
<p>15.</p>	<p>Within 90 of days of the effective date of this Discharge Permit (<b>by [date]</b>), the permittee</p>

	<p>shall post and maintain the following signs at the following locations:</p> <p>Signs in both English and Spanish that state: "Notice: Waste Disposal Area - KEEP OUT" and "Aviso: Área de Disposición - NO ENTAR" posted at the facility entrance and every 500 feet along the facility boundary.</p> <p>A sign with the name of the facility's contact person, office phone number of the contact person, emergency contact phone number for the facility, and physical location of facility including township, range, and section(s) posted at the entrance gate.</p> <p>All signs shall be weatherproof and shall remain legible for the term of this Discharge Permit.</p> <p>[20.6.2.3109 NMAC]</p>
16.	<p>The permittee shall monitor the facility's stormwater retention impoundments for the presence of standing liquid after every precipitation event. Should standing liquid be noted in the facility's stormwater retention impoundments, it shall be removed with 72 hours of the storm event and transported to the WWTF for treatment and disposal or otherwise disposed of in accordance with all local, state and federal regulations.</p> <p>[20.6.2.3109 NMAC]</p>

**Part IV. Applicable to Treatment and Discharges of Grease Trap/Interceptor Waste at the WWTF**

17.	<p>The permittee may temporarily discharge up to 1,500 gpd of grease trap/interceptor waste to a 1-acre portion of the 60-acre sludge disposal site for up to one year after the effective date of this Discharge Permit (<b>until ([date])</b>). Discharged grease trap/interceptor waste shall be evenly distributed and turned into the soil before the end of each day that a discharge occurs.</p> <p>After <b>[date]</b>, the discharge of grease trap/interceptor waste to the sludge disposal area at this facility shall cease and the permittee shall separate the aqueous portion of the grease trap/interceptor waste received at the facility from the non-aqueous portion (i.e., grease and settleable solids) using dewatering equipment designed to achieve at least 90% liquid-solids separation. The permittee shall collect the aqueous portion of grease trap/interceptor waste and discharge it to the WWTF for treatment and disposal.</p> <p>[20.6.2.3109 NMAC]</p>
18.	<p>Up to five cubic yards of non-aqueous (dewatered) grease trap/interceptor waste may be temporarily stored on an impervious pad or in an above ground water tight container at the WWTF site prior to properly disposing of the dewatered waste in accordance with all local, state and federal regulations.</p> <p>[20.6.2.3109 NMAC]</p>

19.	<p>The permittee shall visually inspect the impervious storage pad or above ground water tight container on a monthly basis to ensure proper containment of the separated non-aqueous grease trap/interceptor waste. Any conditions that could affect the impermeability of the pad or structural integrity of the above ground water tight container shall be corrected. Such conditions include but are not limited to erosion damage, cracks, animal activity/damage or evidence of seepage. The permittee shall keep a log of the inspection findings and repairs made.</p> <p>[20.6.2.3107 NMAC]</p>
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### MONITORING, REPORTING, AND OTHER REQUIREMENTS

#### **Part I. Applicable to All Parts**

#	Terms and Conditions
20.	<p>The permittee shall conduct the following monitoring, reporting, and other requirements listed below in accordance with the monitoring requirements of this Discharge Permit.</p> <p>[NMSA 1978, § 74-6-5.D, Subsections B and C of 20.6.2.3109 NMAC, 20.6.2.3107 NMAC]</p>
21.	<p><b>METHODOLOGY</b> – 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"> <li>a) American Public Health Association, Standard Methods for the Examination of Water and Wastewater (18<sup>th</sup>, 19<sup>th</sup> or current)</li> <li>b) U.S. Environmental Protection Agency, Methods for Chemical Analysis of Water and Waste</li> <li>c) U.S. Geological Survey, Techniques for Water Resources Investigations of the U.S. Geological Survey</li> <li>d) American Society for Testing and Materials, Annual Book of ASTM Standards, Part 31. Water</li> <li>e) U.S. Geological Survey, et al., National Handbook of Recommended Methods for Water Data Acquisition</li> <li>f) Federal Register, latest methods published for monitoring pursuant to Resource Conservation and Recovery Act regulations</li> <li>g) Methods of Soil Analysis: Part 1. Physical and Mineralogical Methods; Part 2. Microbiological and Biochemical Properties; Part 3. Chemical Methods, American Society of Agronomy</li> </ul> <p>[Subsection B of 20.6.2.3107 NMAC]</p>
22.	<p>The permittee shall submit quarterly monitoring reports to NMED for the most recently completed quarterly period by the 1<sup>st</sup> of February, May, August and November each year.</p> <p>Quarterly monitoring shall be performed during the following periods:                      January 1<sup>st</sup> through March 31<sup>st</sup> (first quarter) – <b>due by May 1<sup>st</sup></b>;</p>

<p>April 1<sup>st</sup> through June 30<sup>th</sup> (second quarter) – <b>due by August 1<sup>st</sup></b>; July 1<sup>st</sup> through September 30<sup>th</sup> (third quarter) – <b>due by November 1<sup>st</sup></b>; and October 1<sup>st</sup> through December 31<sup>st</sup> (fourth quarter) – <b>due by February 1<sup>st</sup></b>.</p> <p>The monitoring reports shall contain the items specified in this Discharge Permit.</p> <p>[20.6.2.3107 NMAC]</p>
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**Part II. Applicable to Reclaimed Wastewater Treatment/Storage Facilities and Discharges of Reclaimed Wastewater to Irrigated Reuse Sites**

<p>23. The permittee shall measure the totalized, average daily and peak daily volume of wastewater discharged to the treatment facility each month using a Parshall flume equipped with head sensing, totalizing and chart recording/data logging mechanisms located at the headworks of the WWTF.</p> <p>The totalized, average daily and peak daily discharge volumes for each month shall be submitted to NMED in the quarterly monitoring reports.</p> <p>[NMSA 1978, § 74-6-5.D, Subsections B and C of 20.6.2.3109 NMAC]</p>
<p>24. The permittee shall measure the monthly volume of reclaimed wastewater discharged from the treatment system to the re-use area. The permittee shall obtain readings from the totalizing flow meter located on the reclaimed wastewater transfer line at the WWTF on a monthly basis and calculate the monthly and average daily discharge volume.</p> <p>The monthly meter readings, and calculated monthly and average daily discharge volumes shall be submitted to NMED in the quarterly monitoring reports.</p> <p>[NMSA 1978, § 74-6-5.D, Subsections B and C of 20.6.2.3109 NMAC]</p>
<p>25. All flow meters shall be capable of having their accuracy ascertained under actual working (field) conditions. A field calibration method shall be developed for each flow meter and that method shall be used to check the accuracy of each respective meter. Field calibrations shall be performed upon repair or replacement of a flow measurement device and, at a minimum, on an annual basis.</p> <p>Flow meters shall be calibrated to within plus or minus 10 percent of actual flow, as measured under field conditions. Field calibrations shall be performed by an individual knowledgeable in flow measurement and in the installation/operation of the particular device in use. A flow meter calibration report shall be prepared for each flow measurement device at the frequency calibration is required. The flow meter calibration report shall include the following information:</p> <ul style="list-style-type: none"><li>a) The location and meter identification.</li><li>b) The method of flow meter field calibration employed.</li><li>c) The measured accuracy of each flow meter prior to adjustment indicating the positive</li></ul>

	<p>or negative offset as a percentage of actual flow as determined by an in-field calibration check.</p> <p>d) The measured accuracy of each flow meter following adjustment, if necessary, indicating the positive or negative offset as a percentage of actual flow of the meter.</p> <p>e) Any flow meter repairs made during the previous year or during field calibration.</p> <p>The permittee shall submit the results of flow meter field calibrations to NMED in the next monitoring report due following completion of the calibration(s).</p> <p>[NMSA 1978, § 74-6-5.D, Subsections B and C of 20.6.2.3109 NMAC]</p>
26.	<p>The permittee shall visually inspect flow meters on a monthly basis for evidence of malfunction. If a visual inspection indicates a flow meter is not functioning as required by this Discharge Permit, the permittee shall repair or replace the meter within 30 days of discovery. For <i>repaired</i> meters, the permittee shall submit a report to NMED with the next monitoring report following the repair that includes a description of the malfunction; a statement verifying the repair; and a flow meter field calibration report completed in accordance with the requirements of this Discharge Permit. For <i>replacement</i> meters, the permittee shall submit a report to NMED with the next monitoring report following the replacement that includes a design schematic for the device and a flow meter field calibration report completed in accordance with the requirements of this Discharge Permit.</p> <p>[NMSA 1978, § 74-6-5.D, Subsections B and C of 20.6.2.3109 NMAC]</p>
27.	<p>The permittee shall sample reclaimed wastewater from the NPDES outfall on a quarterly basis and analyze the samples for TKN, NO<sub>3</sub>-N, 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.</p> <p>[20.6.2.3107 NMAC]</p>
28.	<p>The permittee shall perform the following analyses on reclaimed wastewater samples collected from the NPDES outfall using the sampling method and frequency indicated:</p> <p style="padding-left: 40px;">BOD<sub>5</sub> and TSS: three-hour composite sample once per week;</p> <p>The permittee shall perform the following analyses on reclaimed wastewater samples collected from the Tiger Drive Pump Station using the sampling method and frequency indicated:</p> <p style="padding-left: 40px;">Fecal coliform or E. coli bacteria: grab sample three times per week.</p> <p style="padding-left: 40px;">The permittee shall record TRC concentrations whenever fecal coliform or E. coli samples are collected.</p> <p>Samples shall be properly prepared, preserved, transported and analyzed in accordance with the methods authorized in this Discharge Permit. Analytical results and a copy of the log of TRC concentrations shall be submitted to NMED in the quarterly monitoring reports.</p>

	<p>[20.6.2.3107 NMAC]</p>																								
<p>29.</p>	<p>On an annual basis, the permittee shall sample reclaimed wastewater from the NPDES outfall by collecting a 24-hour flow weighted composite sample and analyze the composite sample for the following inorganic chemicals:</p> <table border="0"> <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 radium-226 &amp; radium-228</td> </tr> <tr> <td>cobalt</td> <td>selenium</td> </tr> <tr> <td>copper</td> <td>silver</td> </tr> <tr> <td>cyanide</td> <td>sulfate</td> </tr> <tr> <td>fluoride</td> <td>uranium</td> </tr> <tr> <td>iron</td> <td>zinc</td> </tr> <tr> <td>lead</td> <td></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 reports due by August 1st each year.</p> <p>[20.6.2.3107 NMAC]</p>	aluminum	manganese	arsenic	molybdenum	barium	mercury (total unfiltered)	boron	pH	cadmium	nickel	chromium	<u>radioactivity</u> : combined radium-226 & radium-228	cobalt	selenium	copper	silver	cyanide	sulfate	fluoride	uranium	iron	zinc	lead	
aluminum	manganese																								
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cobalt	selenium																								
copper	silver																								
cyanide	sulfate																								
fluoride	uranium																								
iron	zinc																								
lead																									
<p>30.</p>	<p>On an annual basis, the permittee shall sample reclaimed wastewater from the NPDES outfall by collecting a grab sample and analyze the grab sample for the following organic chemicals:</p> <table border="0"> <tr> <td>benzene</td> <td>Phenols</td> </tr> <tr> <td>benzo-a-pyrene</td> <td>Polychlorinated biphenyls (PCBs)</td> </tr> <tr> <td>carbon tetrachloride</td> <td>toluene</td> </tr> <tr> <td>chloroform</td> <td>1,1,2,2-tetrachloroethane</td> </tr> <tr> <td>1,1-dichloroethane</td> <td>1,1,2,2-tetrachloroethylene (PCE)</td> </tr> <tr> <td>1,2-dichloroethane (EDC)</td> <td>1,1,1-trichloroethane</td> </tr> <tr> <td>1,1-dichloroethylene (1,1-DCE)</td> <td>1,1,2-trichloroethane</td> </tr> <tr> <td>ethylbenzene</td> <td>1,1,2-trichloroethylene (TCE)</td> </tr> <tr> <td>ethylene dibromide (EBD)</td> <td>vinyl chloride</td> </tr> <tr> <td>methylene chloride</td> <td>xylene (total)</td> </tr> <tr> <td><u>PAHs</u>: total naphthalene plus monomethylnaphthalenes</td> <td></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 reports due by August 1st each year.</p>	benzene	Phenols	benzo-a-pyrene	Polychlorinated biphenyls (PCBs)	carbon tetrachloride	toluene	chloroform	1,1,2,2-tetrachloroethane	1,1-dichloroethane	1,1,2,2-tetrachloroethylene (PCE)	1,2-dichloroethane (EDC)	1,1,1-trichloroethane	1,1-dichloroethylene (1,1-DCE)	1,1,2-trichloroethane	ethylbenzene	1,1,2-trichloroethylene (TCE)	ethylene dibromide (EBD)	vinyl chloride	methylene chloride	xylene (total)	<u>PAHs</u> : total naphthalene plus monomethylnaphthalenes			
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[20.6.2.3107 NMAC]

**Part III. Applicable To Discharges Of Domestic WWTF Sludge To The Surface Disposal Area**

- |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 31. | <p>Within 90 days of the effective date of this Discharge Permit (<b>by DATE</b>), the permittee shall submit a written monitoring well location proposal for review and approval by NMED. The proposal shall designate the locations of all monitoring wells required to be installed by this Discharge Permit. The proposal shall include, at a minimum, the following information:</p> <ul style="list-style-type: none"><li>a) A map showing the proposed location of each monitoring well from the boundary of the source it is intended to monitor and the approximate ground surface elevation at each proposed monitoring well location.</li><li>b) A written description of the specific location proposed for each monitoring well including the distance (in feet) and direction of each monitoring well from the edge (i.e., toe of impoundment berm) of the source it is intended to monitor. Examples include, 35 feet north-northwest of the northern berm of the synthetically lined wastewater impoundment; 45 feet due south of the leachfield; 30 feet southeast of the land application area 150 degrees from north.</li><li>c) A statement describing the ground water flow direction beneath the facility and data supporting the determination.</li></ul> <p>[20.6.2.3107 NMAC]</p> |
| 32. | <p>Within 180 days of the effective date of this Discharge Permit (<b>by DATE</b>), the permittee shall install the following three new monitoring wells at the sludge surface disposal area:</p> <ul style="list-style-type: none"><li>One monitoring well (MW-1) hydrologically upgradient of the entire facility.</li><li>One monitoring well (MW-2) located 20 to 50 feet hydrologically downgradient of the 20-acre sludge surface disposal area.</li><li>One monitoring well (MW-3) 20 to 50 feet hydrologically downgradient of 40-acre sludge surface disposal area.</li></ul> <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 for the monitoring wells shall be submitted to NMED within 30 days of monitoring well completion. [20.6.2.3107 NMAC]</p>                                                                                                                                                                                                                                                                           |
| 33. | <p>Within 240 days of the effective date of this Discharge Permit (<b>by DATE</b>), the permittee shall survey all wells approved by NMED for Discharge Permit monitoring purposes to a U.S. Geological Survey (USGS) or other permanent benchmark. Survey data shall include northing, easting and elevation to the nearest hundredth of a foot or in accordance with the "Minimum Standards for Surveying in New Mexico" (12.8.2 NMAC). A survey elevation shall be established at the top-of-casing, with a permanent marking indicating the point of survey. The survey shall be completed and certified by a licensed New Mexico professional surveyor. Depth-to-water shall be measured to the nearest hundredth of a foot</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

	<p>in all surveyed wells, and the data shall be used to develop a map showing the location of all monitoring wells and the direction and gradient of ground water flow at the facility. The data and map of ground water flow direction at the facility shall be submitted to NMED within <b>30 days of the completion of the survey.</b></p> <p>[20.6.2.3107 NMAC]</p>																										
<p>34.</p>	<p>The permittee shall perform semi-annual ground water sampling in 3 monitoring wells and analyze the samples for the following dissolved (except where noted) constituents:</p> <table border="0"> <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>NO<sub>3</sub>-N</td> </tr> <tr> <td>cadmium</td> <td>pH</td> </tr> <tr> <td>Cl</td> <td>nickel</td> </tr> <tr> <td>chromium</td> <td>selenium</td> </tr> <tr> <td>cobalt</td> <td>silver</td> </tr> <tr> <td>copper</td> <td>sulfate</td> </tr> <tr> <td>cyanide</td> <td>TDS</td> </tr> <tr> <td>fluoride</td> <td>TKN (total unfiltered)</td> </tr> <tr> <td>iron</td> <td>zinc</td> </tr> <tr> <td>lead</td> <td>Polychlorinated biphenyls (PCBs)</td> </tr> </table> <p>The permittee shall sample the following wells:</p> <ul style="list-style-type: none"> <li>MW-1, intended to be located hydrologically upgradient of the facility.</li> <li>MW-2, intended to be located hydrologically downgradient of the 20-acre disposal area.</li> <li>MW-3, intended to be located hydrologically downgradient of the 40-acre disposal area.</li> </ul> <p>Ground water sample collection, preservation, transport and analysis shall be performed according to the following procedure:</p> <ol style="list-style-type: none"> <li>a) Measure the depth-to-ground water from the top of well casing to the nearest hundredth of a foot.</li> <li>b) Purge three well volumes of water from the well prior to sample collection.</li> <li>c) Obtain samples from the well for analysis.</li> <li>d) Properly prepare, preserve and transport samples.</li> <li>e) Analyze samples in accordance with the methods authorized in this Discharge Permit.</li> </ol> <p>Depth-to-water measurements, analytical results, including 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 semi-annual monitoring reports.</p> <p>[20.6.2.3107 NMAC]</p>	aluminum	manganese	arsenic	molybdenum	barium	mercury (total unfiltered)	boron	NO <sub>3</sub> -N	cadmium	pH	Cl	nickel	chromium	selenium	cobalt	silver	copper	sulfate	cyanide	TDS	fluoride	TKN (total unfiltered)	iron	zinc	lead	Polychlorinated biphenyls (PCBs)
aluminum	manganese																										
arsenic	molybdenum																										
barium	mercury (total unfiltered)																										
boron	NO <sub>3</sub> -N																										
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fluoride	TKN (total unfiltered)																										
iron	zinc																										
lead	Polychlorinated biphenyls (PCBs)																										
<p>35.</p>	<p>The permittee shall measure and record the volume and dry weight of domestic wastewater</p>																										

	<p>treatment facility sludge discharged to the 20-acre and 40-acre surface disposal areas each month by tracking the volume of the loads transported to the sites and the percent total solids as determined by sampling each type of sludge (i.e., solid, semisolid, liquid). The records of the volume of solids discharged shall be used for reporting in accordance with this Discharge Permit.</p> <p>[20.6.2.3107 NMAC]</p>
36.	<p>The permittee shall sample each sludge type (solid, semi-solid and liquid) transported to the surface disposal site on a monthly basis and analyze the sample(s) for percent total solids (%TS). Samples shall be properly prepared, preserved, transported and analyzed in accordance with the methods authorized in this Discharge Permit. Analytical results, reported as %TS for each sludge type, shall be used for reporting purposes as outlined in this Discharge Permit.</p> <p>[20.6.2.3107 NMAC]</p>
37.	<p>The permittee shall sample each sludge type (solid, semi-solid and liquid) transported to the surface disposal facility on a quarterly basis and analyze the samples for TKN and NO<sub>3</sub>-N. Samples shall be properly prepared, preserved, transported and analyzed in accordance with the methods authorized in this Discharge Permit. Analytical results, reported as mg/kg for TKN and NO<sub>3</sub>-N (dry weight basis), shall be used for reporting purposes as outlined in this Discharge Permit and shall be submitted to NMED on an annual basis in the quarterly monitoring report due on August 1<sup>st</sup> each year.</p> <p>[20.6.2.3107 NMAC]</p>
38.	<p>The permittee shall complete surface disposal data sheets (SDDS) to document the amount of nitrogen applied to the 20-acre and 40-acre surface disposal areas each month. A separate SDDS shall be completed for each area and shall reflect the nitrogen concentration from the quarterly sludge analysis and the total number of dry tons discharged to each area each month. Nitrogen content shall not be adjusted to account for volatilization or mineralization processes. The SDDS, or a statement that no surface disposal occurred to a specific area, shall be submitted to NMED on an annual basis in the quarterly monitoring report due on August 1<sup>st</sup> each year.</p> <p>[20.6.2.3107 NMAC]</p>
39.	<p>The permittee shall submit copies of the completed sludge Discharge Monitoring Reports (DMR) required by 40 CFR Part 503 to NMED on an annual basis in the quarterly monitoring report due on August 1<sup>st</sup> each year.</p> <p>[40.503(17) CFR, 74-6-5(E)(1) WQA, 74-6-5(K) WQA]</p>
40.	<p>Once prior to the expiration date of this Discharge Permit, NMED shall have the option to perform down-hole inspections of all monitoring wells identified in this Discharge Permit. NMED shall establish the inspection date and provide at least 60 days notice to the permittee by certified mail. The permittee shall have any existing dedicated pumps removed at least 48 hours prior to NMED inspection to allow adequate settling time of sediment agitated from pump removal (if pumps exist).</p>

	<p>Should a facility not have existing dedicated pumps, but decide to install pumps in any of the monitoring wells, NMED shall be notified at least 90 days prior to pump installation so that a down-hole well inspection(s) can be scheduled prior to pump placement.</p> <p>[20.6.2.3107 NMAC]</p>
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**Part IV. Applicable To Treatment and Discharges of Grease Trap/Interceptor Waste At The WWTF**

41.	<p>The permittee shall create a manifest for each load of grease trap/interceptor waste received at the WWTF. The manifest shall record the following information:</p> <ul style="list-style-type: none"><li>Name of the hauling company;</li><li>Date of receipt;</li><li>Name and address of the waste origin;</li><li>Volume of waste;</li><li>Confirmation of inspection for acceptable waste type;</li><li>Signature of person conducting the inspection; and</li></ul> <p>Copies of each manifest created during the reporting period shall be submitted to NMED with the quarterly monitoring report.</p> <p>[20.6.2.3107 NMAC]</p>
42.	<p>Prior to accumulating five cubic yards of non-aqueous (dewatered) grease trap/interceptor waste on site, the permittee shall dispose of stored waste in accordance with all local, state and federal waste disposal regulations.</p> <p>The permittee shall prepare a report that details the removal of non-aqueous grease trap/interceptor waste temporarily stored at the facility following liquid/solids separation. The report shall include the following information:</p> <ul style="list-style-type: none"><li>Date of removal of the non-aqueous grease trap/interceptor waste;</li><li>Volume of non-aqueous grease trap/interceptor waste material removed; and</li><li>Address and contact information of the disposal facility that received the non-aqueous grease trap/interceptor waste for disposal or recycling.</li></ul> <p>The report shall be submitted to NMED in the quarterly monitoring report.</p> <p>[20.6.2.3107 NMAC]</p>

**CONTINGENCY PLAN**

**Part I. Applicable to All Parts**

#	Terms and Conditions
43.	<p>In the event that ground water monitoring indicates that a standard of Section 20.6.2.3103 NMAC is exceeded; the total nitrogen concentration in ground water is greater than 10 mg/L; or a toxic pollutant (defined in Subsection WW of 20.6.2.7 NMAC) is present in ground water sample and in any subsequent ground water sample collected from a monitoring well required by this Discharge Permit, the permittee shall enact the following contingency plan:</p> <p>Within 60 days of the subsequent sample analysis date, the permittee shall propose measures to ensure that the exceedance of a standard or the presence of a toxic pollutant will be mitigated by submitting a corrective action plan to NMED for approval. The corrective action plan shall include a description of the proposed actions to control the source and an associated completion schedule. The plan shall be enacted as approved by NMED.</p> <p>Once invoked (whether during the term of this Discharge Permit; or after the term of this Discharge Permit and prior to the completion of the Discharge Permit closure plan requirements ), this condition shall apply until the permittee has fulfilled the requirements of this condition and ground water monitoring confirms for a minimum of two years of consecutive ground water sampling events that the standards of Section 20.6.2.3103 NMAC are not exceeded and toxic pollutants are not present in ground water.</p> <p>The permittee may be required to abate water pollution pursuant to Sections 20.6.2.4000 though 20.6.2.4115 NMAC, should the corrective action plan 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.</p> <p>[NMSA 1978, § 74-6-5.D, Subsection B of 20.6.2.3109 NMAC, Subsection A of 20.6.2.3107 NMAC]</p>
44.	<p>In the event that a release (commonly known as a “spill”) occurs that is not authorized under this Discharge Permit, the permittee shall initiate the notifications and corrective actions required in Section 20.6.2.1203 NMAC and summarized below.</p> <p>Within <u>24 hours</u> following discovery of the unauthorized discharge, the permittee shall verbally notify NMED and provide the following information:</p> <ol style="list-style-type: none"> <li>a) The name, address, and telephone number of the person or persons in charge of the facility, as well as of the owner and/or operator of the facility.</li> <li>b) The name and address of the facility.</li> <li>c) The date, time, location, and duration of the unauthorized discharge.</li> <li>d) The source and cause of unauthorized discharge.</li> <li>e) A description of the unauthorized discharge, including its estimated chemical composition.</li> <li>f) The estimated volume of the unauthorized discharge.</li> </ol>

	<p>g) Any actions taken to mitigate immediate damage from the unauthorized discharge.</p> <p>Within <u>one week</u> following discovery of the unauthorized discharge, the permittee shall submit written notification to NMED with information requested listed above.</p> <p>Within <u>15 days</u> following discovery of the unauthorized discharge, the permittee shall submit a corrective action plan to NMED describing any corrective actions taken and/or to be taken relative to the unauthorized discharge that includes the following:</p> <ul style="list-style-type: none"><li>a) A description of proposed actions to mitigate damage from the unauthorized discharge.</li><li>b) A description of proposed actions to prevent future unauthorized discharges of this nature.</li><li>c) A schedule for completion of proposed actions.</li></ul> <p>In the event that the unauthorized discharge causes or may with reasonable probability cause water pollution in excess of the standards and requirements of Section 20.6.2.4103 NMAC, and the water pollution will not be abated within 180 days after notice is required to be given pursuant to Paragraph (1) of Subsection A of 20.6.2.1203 NMAC, the permittee may be required to abate water pollution pursuant to Sections 20.6.2.4000 through 20.6.2.4115 NMAC.</p> <p>Nothing in this condition shall be construed as relieving the permittee of the obligation to comply with all requirements of Section 20.6.2.1203 NMAC.</p> <p>[NMSA 1978, § 74-6-5.D, Subsection B of 20.6.2.3109 NMAC, 20.6.2.1203 NMAC]</p>
45.	<p>In the event that NMED or the permittee identifies any failures of the discharge plan or this Discharge Permit not specifically noted herein, NMED may require the permittee to submit a corrective action plan and a schedule for completion of corrective actions to address the failure(s). Additionally, NMED may require a Discharge Permit modification to achieve compliance with 20.6.2 NMAC.</p> <p>[NMSA 1978, § 74-6-5.D, Subsections B and E of 20.6.2.3109 NMAC, Subsection A of 20.6.2.3107NMAC]</p>

**Part II. Applicable to Reclaimed Wastewater Treatment/Storage Facilities and Discharges of Reclaimed Wastewater to Irrigated Reuse Sites**

46.	<p>In the event that analytical results of a quarterly treated wastewater sample indicate an exceedance of the total nitrogen limitation set in this Discharge Permit, the permittee shall collect and analyze a second sample within 30 days of the first sample analysis date. In the event the second sample results indicate that the limitation is continuing to be exceeded, the following contingency plan shall be enacted:</p> <ul style="list-style-type: none"><li>a) Within 15 days of the second sample analysis date indicating that the limitation is continuing to be exceeded, the permittee shall<ul style="list-style-type: none"><li>a. notify NMED that the contingency plan is being enacted; and</li><li>b. submit a copy of the first and second analytical results indicating an exceedance to NMED.</li></ul></li></ul>
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- b) The permittee shall increase the frequency of treated wastewater total nitrogen sampling and analysis to once per month.
- c) The permittee shall examine the operation and maintenance log, required by the Record Keeping conditions of this Discharge Permit, for improper operational procedures.
- d) The permittee shall conduct a physical inspection of the treatment system to detect abnormalities. Any abnormalities discovered shall be corrected. A report detailing the corrections made shall be submitted to NMED within 30 days of correction.
- e) In the event that any analytical results from monthly wastewater sampling indicate an exceedance of the total nitrogen limitation, the permittee shall propose to modify operational procedures and/or upgrade the treatment process to achieve the total nitrogen limit by submitting a corrective action plan to NMED for approval. The plan shall include a schedule for completion of corrective actions and shall be submitted within 90 days of the second sample analysis date indicating that the limitation was being exceeded. The permittee shall initiate implementation of the plan following approval by NMED.

When analytical results from three consecutive months of wastewater sampling do not exceed the limitation, the permittee is authorized to return to a quarterly monitoring frequency.

[NMSA 1978, § 74-6-5.D, Subsection B of 20.6.2.3109 NMAC, Subsection A of 20.6.2.3107 NMAC]

47. In the event that analytical results of a reclaimed domestic wastewater sample indicates an exceedance of any of the maximum limitations for BOD<sub>5</sub>, TSS, or fecal coliform/E. coli bacteria set by this Discharge Permit, the permittee shall collect and analyze a second sample within 24 hours after becoming aware of the exceedance. In the event the second sample results indicate that any maximum limitation is continuing to be exceeded (i.e., confirmed exceedance), the contingency plan below shall be enacted.

AND / OR

In the event that analytical results of a reclaimed domestic wastewater sample indicates an exceedance of any of the 30-day average limitations for BOD<sub>5</sub>, TSS or fecal coliform/E. coli bacteria set by this Discharge Permit (i.e., confirmed exceedance), the contingency plan below shall be enacted.

Contingency Plan

- a) Within 24 hours of becoming aware of a confirmed exceedance (as identified above), the permittee shall:
  - a. notify NMED that the contingency plan is being enacted; and
  - b. submit copies of the recent analytical results indicating an exceedance to NMED.
- b) The permittee shall immediately cease discharging reclaimed domestic wastewater to the re-use areas.
- c) The permittee shall examine the operation and maintenance log, required by the Record Keeping conditions of this Discharge Permit, for improper operational procedures.

	<p>d) The permittee shall conduct a physical inspection of the treatment system to detect abnormalities. Any abnormalities discovered shall be corrected. A report detailing the corrections made shall be submitted to NMED within 30 days following correction.</p> <p>When the analytical results from samples of reclaimed domestic wastewater, sampled as required by this Discharge Permit, no longer indicate an exceedance of any of the maximum limitations, the permittee may resume discharging reclaimed wastewater to the re-use area.</p> <p>If a facility is required to enact the contingency plan more than two times in a 12-month period, the permittee shall propose to modify operational procedures and/or upgrade the treatment process to achieve consistent compliance with the maximum and 30-day average limitations by submitting a corrective action plan for NMED approval. The plan shall include a schedule for completion of corrective actions and shall be submitted within 60 days following the second sample analysis date. The permittee shall initiate implementation of the plan following approval by NMED. Prior to recommencing discharge to the re-use area, additional sampling of any stored reclaimed wastewater may be required by NMED in response to the submitted corrective action plan.</p> <p>[NMSA 1978, § 74-6-5.D, Subsections B and C of 20.6.2.3109 NMAC, Subsection A of 20.6.2.3107 NMAC]</p>
48.	<p>In the event that a minimum of two feet of freeboard cannot be preserved in an impoundment, the permittee shall take actions authorized by this Discharge Permit and all applicable local, state, and federal regulations to restore the required freeboard.</p> <p>In the event that two feet of freeboard cannot be restored within a period of 72 hours following discovery, the permittee shall propose actions to be immediately implemented to restore two feet of freeboard by submitting a short-term corrective action plan to NMED for approval. Examples of short-term corrective actions include: removing excess wastewater from the impoundment through pumping and hauling; or reducing the volume of wastewater discharged to the impoundments. The plan shall include a schedule for completion of corrective actions and shall be submitted within 15 days following the date when the two feet of freeboard limit was initially discovered. The permittee shall initiate implementation of the plan following approval by NMED.</p> <p>In the event that the short-term corrective actions fail to restore two feet of freeboard, the permittee shall propose permanent corrective actions in a long-term corrective action plan submitted to NMED within 90 days following failure of the short-term corrective action plan. Examples include: the installation of an additional storage impoundment, or a significant/permanent reduction in the volume of wastewater discharged to the impoundment. The plan shall include a schedule for completion of corrective actions and implementation of the plan shall be initiated following approval by NMED.</p> <p>[NMSA 1978, § 74-6-5.D, Subsection B of 20.6.2.3109 NMAC, Subsection A of 20.6.2.3107 NMAC]</p>
49.	<p>In the event that inspection findings reveal significant damage likely to affect the structural</p>

	<p>integrity of an impoundment or its ability to contain contaminants, the permittee shall propose the repair or replacement of the impoundment by submitting a corrective action plan to NMED for approval. The plan shall be submitted to NMED within 30 days after discovery by the permittee or following notification from NMED that significant damage is evident. The corrective action plan shall include a schedule for completion of corrective actions and the permittee shall initiate implementation of the plan following approval by NMED.</p> <p>[NMSA 1978, § 74-6-5.D, Subsection B of 20.6.2.3109 NMAC, Subsection A of 20.6.2.3107 NMAC]</p>
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**Part III. Applicable To Discharges Of Domestic WWTF Sludge To The Surface Disposal Area**

50.	<p>In the event that the sludge surface disposal area is saturated, frozen or covered with snow, sludge shall not be discharged to the surface disposal area. Should the adverse conditions persist beyond the sludge storage capacity of the wastewater treatment facility, the permittee shall obtain NMED approval for a temporary alternative. [20.6.2.3107.A(10) NMAC]</p>
51.	<p>In the event that information available to NMED indicates that a monitoring 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>
52.	<p>In the event that ground water flow information obtained pursuant to this Discharge Permit indicates that a monitoring well(s) was not installed hydrologically downgradient of the intended discharge location(s), the permittee shall install a replacement well(s) within 90 days of notification from NMED. The 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. [20.6.2.3107 NMAC]</p>

**CLOSURE PLAN**

**Part II. Applicable to Reclaimed Wastewater Treatment/Storage Facilities and Discharges of Reclaimed Wastewater to Irrigated Reuse Sites**

#	Terms and Conditions
53.	<p>Upon closure of the WWTF and/or reuse areas, the permittee shall perform the following closure measures:</p> <ul style="list-style-type: none"> <li>a) Remove or plug all lines leading to the treatment system and reuse areas so that a discharge can no longer occur.</li> <li>b) Drain and/or evaporate all liquids from all treatment units and dispose of all sludge in accordance with all local, state, and federal (40 CFR Part 503) regulations.</li> <li>c) Remove or demolish all tanks and re-grade the area with clean fill to blend with surface topography and prevent ponding.</li> <li>d) Perforate or remove all reclaimed wastewater holding impoundment liners and re-grade all impoundments with clean fill to blend with surface topography and prevent ponding.</li> </ul> <p>When all closure and post-closure requirements have been met (including closure conditions for other discharges authorized by this Discharge Permit), the permittee may request to terminate the Discharge Permit.</p> <p>[20.6.2.3107.A(11) NMAC]</p>

**Part III. Applicable To Discharges Of Domestic WWTF Sludge To The Surface Disposal Area**

54.	<p>The permittee shall remediate soils at the approximately 12-acre section of the 60-acre sludge surface disposal area that was previously used as a hydrocarbon landfarm to the following standards:</p> <table border="1" data-bbox="250 1270 1110 1499"> <thead> <tr> <th>Chemical Constituent</th> <th>Remediation Standard (mg/kg)</th> </tr> </thead> <tbody> <tr> <td>TPH</td> <td>440</td> </tr> <tr> <td>benzene</td> <td>10.0</td> </tr> <tr> <td>toluene</td> <td>252</td> </tr> <tr> <td>ethyl benzene</td> <td>128</td> </tr> <tr> <td>xylene</td> <td>82.0</td> </tr> </tbody> </table> <p>Soils shall be sampled on a semi-annual basis until they are remediated to the standards identified above. One semi-annual sample shall be taken for every two acres of the 12 acre section where hydrocarbon contaminated soils were placed (up to six samples per sampling event). Monitoring shall continue until all soils are remediated to the standards.</p> <p>If the standards cannot be met within five years, the permittee shall submit a corrective action plan to NMED within 45 days of receipt of the fifth year's second semi-annual analytical results.</p> <p>When soils are demonstrated to have been remediated to the standards, the hydrocarbon</p>	Chemical Constituent	Remediation Standard (mg/kg)	TPH	440	benzene	10.0	toluene	252	ethyl benzene	128	xylene	82.0
Chemical Constituent	Remediation Standard (mg/kg)												
TPH	440												
benzene	10.0												
toluene	252												
ethyl benzene	128												
xylene	82.0												

	<p>landfarm activities will be considered closed and all closure requirements for the hydrocarbon landfarm activities will have been met.</p> <p>The application of additional hydrocarbon contaminated soils to the sludge surface disposal site is prohibited. Future discharges of hydrocarbon contaminated soils to this site will require a modification to this Discharge Permit or issuance of a separate Discharge Permit by NMED prior to discharge.</p> <p>[20.6.2.3109 NMAC, 20.6.2.3107. NMAC]</p>
55.	<p>Upon closure of the sludge surface disposal site and/or sludge storage impoundment, the permittee shall perform the following closure measures:</p> <ul style="list-style-type: none"><li>a) Complete the installation of all monitoring wells as required by this Discharge Permit.</li><li>b) Pump out any sludge contained in the sludge storage impoundment and discharge it by subsurface injection to the disposal area.</li><li>c) Remove all stormwater collected in the stormwater retention impoundments as required by the Discharge Permit and then re-grade the ponds with clean fill to blend with the surface topography.</li><li>d) Backfill the sludge surface disposal site with clean fill (as necessary) and contour to provide for positive stormwater drainage.</li><li>e) Re-vegetate the sludge surface disposal site and disturbed areas at the facility by establishing a vegetative cover equal to 70% of the native perennial vegetative cover consisting of at least three native plant species including at least one grass, but not including noxious weeds. The permittee shall maintain the vegetative cover through two consecutive growing seasons.</li><li>f) Following final grading and re-seeding of the facility, the permittee shall maintain the perimeter fencing and security gate for a minimum of three years to prevent unauthorized access.</li><li>g) Submit proof to NMED that all closure activities set forth for the facility under 40 CFR 503 have been completed.</li><li>h) Following completion of the closure activities above, continue ground water monitoring as required by this Discharge Permit for two years 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.</li><li>i) Following notification from NMED that post-closure monitoring may cease, the permittee shall plug and abandon the monitoring well(s) in accordance with the attachment titled <i>Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions</i>, Revision 1.1, March 2011.</li></ul> <p>When all closure and post-closure requirements have been met, the permittee may request to remove the approval for the discharge of domestic wastewater treatment sludge from this Discharge Permit or terminate this Discharge Permit (as appropriate).</p> <p>[20.6.2.3107.A(11) NMAC]</p>

**Part IV. Applicable To Treatment and Discharges of Grease Trap/Interceptor Waste At The WWTF**

56.	<p>Upon ceasing temporary discharge of grease trap/interceptor waste to a 1-acre portion of the 60-acre sludge disposal site, the permittee shall perform the following closure measures:</p> <ol style="list-style-type: none"> <li>a) Ensure that all grease trap/interceptor waste is incorporated into the soil to prevent attraction of vectors.</li> <li>b) Return the 1-acre portion of the 60-acre sludge disposal site to use for sludge disposal.</li> </ol> <p>Upon closure of the grease trap/interceptor waste dewatering equipment/impervious pad, the permittee shall perform the following closure measures:</p> <ol style="list-style-type: none"> <li>a) Remove all liquid from the liquid/solids separation equipment and other equipment and properly dispose of it in accordance with this Discharge Permit.</li> <li>b) Remove all non-aqueous grease trap/interceptor waste and properly dispose of it in accordance with this Discharge Permit.</li> <li>c) Remove the liquid/solids separation equipment from the facility, remove the impervious pad and/or re-grade the area to match the surrounding topography and promote positive drainage.</li> </ol> <p>When all closure and post-closure requirements have been met, the permittee may request to remove the approval for the discharge of grease trap/interceptor waste from this Discharge Permit or terminate this Discharge Permit (as appropriate).</p> <p>[20.6.2.3107.A(11) NMAC]</p>
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**GENERAL TERMS AND CONDITIONS**

#	Terms and Conditions
57.	<p><b>RECORD KEEPING</b> - The permittee shall maintain a written record of the following information:</p> <ol style="list-style-type: none"> <li>a) Information and data used to complete the application for this Discharge Permit.</li> <li>b) Records of any releases (i.e., commonly known as “spills”) not authorized under this Discharge Permit and reports submitted pursuant to 20.6.2.1203 NMAC.</li> <li>c) Records of the operation, maintenance, and repair of all facilities/equipment used to treat, store or dispose of wastewater.</li> <li>d) Facility record drawings (plans and specifications) showing the actual construction of the facility and bear the seal and signature of a licensed New Mexico professional engineer.</li> <li>e) Copies of monitoring reports completed and/or submitted to NMED pursuant to this Discharge Permit.</li> <li>f) The volume of wastewater or other wastes discharged pursuant to this Discharge Permit.</li> <li>g) Ground water quality and wastewater quality data collected pursuant to this Discharge Permit.</li> <li>h) Copies of construction records (well log) for all ground water monitoring wells</li> </ol>

	<p>required to be sampled pursuant to this Discharge Permit.</p> <ul style="list-style-type: none"><li>i) Records of the maintenance, repair, replacement or calibration of any monitoring equipment or flow measurement devices required by this Discharge Permit.</li><li>j) 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:<ul style="list-style-type: none"><li>i) The dates, location and times of sampling or field measurements;</li><li>ii) The name and job title of the individuals who performed each sample collection or field measurement;</li><li>iii) The sample analysis date of each sample;</li><li>iv) The name and address of the laboratory, and the name of the signatory authority for the laboratory analysis;</li><li>v) The analytical technique or method used to analyze each sample or collect each field measurement;</li><li>vi) The results of each analysis or field measurement, including raw data;</li><li>vii) The results of any split, spiked, duplicate or repeat sample; and</li><li>viii) A copy of the laboratory analysis chain-of-custody as well as a description of the quality assurance and quality control procedures used.</li></ul></li></ul> <p>The written record shall be maintained by the permittee at a location accessible during a facility inspection by NMED for a period of at least five years from the date of application, report, collection or measurement and shall be made available to the department upon request.</p> <p>[NMSA 1978, § 74-6-5.D, Subsection B of 20.6.2.3109 NMAC, Subsection A of 20.6.2.3107 NMAC]</p>
58.	<p><b>INSPECTION and ENTRY</b> - The permittee shall allow inspection by NMED of the facility and its operations which are subject to this Discharge Permit and the WQCC regulations. The inspections shall occur during regular business hours (or as necessary at other reasonable times when the facility is discharging wastewater).</p> <p>The permittee shall allow NMED to perform assessments, sampling or monitoring during an inspection for the purpose of evaluating compliance with this Discharge Permit and the WQCC regulations.</p> <p>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 local, state or federal regulations.</p> <p>[Subsection D of 20.6.2.3107 NMAC, NMSA 1978, §§ 74-6-9.B and 74-6-9.E]</p>
59.	<p><b>DUTY to PROVIDE INFORMATION</b> - The permittee shall, upon NMED's request, allow NMED's inspection/duplication of records required by this Discharge Permit and/or furnish to NMED copies of such records.</p> <p>[NMSA 1978, § 74-6-5.D, Subsection B of 20.6.2.3109 NMAC 20.6.2.3107.D NMAC,</p>

	NMSA 1978, §§ 74-6-9.B and 74-6-9.E]
60.	<p>MODIFICATIONS and/or AMENDMENTS – In the event the permittee proposes a change to the facility or the facility’s discharge that would result in a change in the volume discharged; the location of the discharge; or in the amount or character of water contaminants received, treated or discharged by the facility, the permittee shall notify NMED prior to implementing such changes. The permittee shall obtain approval (which may require modification of this Discharge Permit) by NMED prior to implementing such changes.</p> <p>[NMSA 1978, § 74-6-5.D, Subsection E of 20.6.2.3109 NMAC, Subsection C of 20.6.2.3107 NMAC]</p>
61.	<p>PLANS and SPECIFICATIONS – In the event the permittee is proposing to construct a wastewater system or change a process unit of an existing system such that the quantity or quality of the discharge will change substantially from that authorized by this Discharge Permit, the permittee shall submit construction plans and specifications to NMED for the proposed system or process unit prior to the commencement of construction.</p> <p>In the event the permittee implements changes to the wastewater system authorized by this Discharge Permit which result in only a minor effect on the character of the discharge, the permittee shall report such changes (including the submission of record drawings, where applicable) as of January 1 and June 30 of each year to NMED.</p> <p>[NMSA 1978, § 74-6-5.D, Subsection B of 20.6.2.3109 NMAC, 20.6.2.1202 NMAC]</p>
62.	<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.</p> <p>[NMSA 1978, §§ 74-6-10 and 74-6-10.1, ]</p>
63.	<p>CRIMINAL PENALTIES – Any person who knowingly violates or knowingly causes or allows another person to:</p> <ol style="list-style-type: none"> <li>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;</li> <li>2) falsify, tamper with or render inaccurate any monitoring device, method or record</li> </ol>

	<p>required to be maintained under the WQA; or</p> <p>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 NMSA 1978, § 31-18-15.</p> <p>[NMSA 1978, §§ 74-6-10.2.A through 74-6-10.2.F]</p>
64.	<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.</p> <p>[20.6.2 NMAC]</p>
65.	<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 days of the receipt of postal notice of this Discharge Permit and shall include a statement of the issues to be raised and the relief sought. Unless a timely petition for review is made, the decision of NMED shall be final and not subject to judicial review.</p> <p>[NMSA 1978, § 74-6-5.O]</p>
66.	<p>TRANSFER of DISCHARGE PERMIT - Prior to the transfer of any ownership, control, or possession of this facility or any portion thereof, the permittee shall notify the proposed transferee in writing of the existence of this Discharge Permit and shall 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.</p> <p>Until both ownership and possession of the facility have been transferred to the transferee, the permittee shall continue to be responsible for any discharge from the facility.</p> <p>[20.6.2.3111 NMAC]</p>
67.	<p>PERMIT FEES - 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.</p> <p>Permit fees are associated with <u>issuance</u> of this Discharge Permit. Nothing in this Discharge Permit shall be construed as relieving the permittee of the obligation to pay all permit fees assessed by NMED. A permittee that ceases discharging or does not commence discharging from the facility during the term of the Discharge Permit shall pay all permit fees assessed by NMED. An approved Discharge Permit shall be suspended or terminated if the facility fails to remit an installment payment by its due date.</p> <p>[Subsection F of 20.6.2.3114 NMAC, NMSA 1978, § 74-6-5.K]</p>

**V. PERMIT TERM & SIGNATURE**

EFFECTIVE DATE: [effective date]

TERM ENDS: [expiration date]

[Subsection H of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.I]

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

draft