

NEW MEXICO ENVIRONMENT DEPARTMENT
WATER PROTECTION DIVISION

In the Matter of)
Secretary of Environment)
Declaration for Purposes of)
Providing Emergency Relief)
Emergency Powers Order No. 2016-1

WHEREAS, the Secretary of the New Mexico Environment Department (“NMED”) has authority under the Environmental Improvement Act, NMSA 1978, §§ 74-1-1 to -17, and the Drinking Water Regulations, 20.7.10 NMAC, to issue this Order, *see* §§ 74-1-6(J), 74-1-7(A)(2), 74-1-8(A)(2) and 20.7.10.300 NMAC;

WHEREAS, the Morningstar Water Supply System (System No. NM3510524, the “System”) was issued an inspection report dated June 9, 2016 that cited 28 significant deficiencies including failure to meet the turbidity MCL of 0.3 NTU, an acute public health contaminant;

WHEREAS, there exists a long-term need to ensure System compliance to protect public health; and

WHEREAS, the System is considering a permanent connection to the Farmington Water System (System No. NM3510224) to supply potable water to the System’s customers;

THEREFORE, NMED hereby temporarily exempts the System from obtaining Drinking Water Bureau (“DWB”) Regulatory Engineering approval of an Application for Water System Modification, Design & Construction (an “Application”). The exemption is granted until the connection between the System and the Farmington Water System has been completed and certified operational in order to accommodate this emergency connection as timely as possible. An application will be required to be submitted following the completion of the project (see item number 7 below). All work performed under this order shall be done in coordination with the NMED’s Drinking Water Bureau with the following conditions that shall include, but is not limited to:

1. Connection appurtenances must include appropriate control devices to prevent backflow from the System into the Farmington Water System.
2. The Farmington Water System must provide an appropriately qualified inspector to oversee connection construction activities whenever any work is being conducted.
3. The System must implement all appropriate distribution system construction Best Management Practices (BMPs) including, but not limited to, system-wide flushing for the Morningstar System and expanded special microbial sampling within both the Morningstar and Farmington distribution systems during and after construction to verify water quality. These practices shall be coordinated with the Farmington Water System so as to not negatively impact operations, water quality, or water quantity for the Farmington Water System.

4. The System shall discontinue use of the Morningstar surface water treatment plant and sources until written approval has been granted by DWB to return to use, should that be necessary and desired by the System.
5. The System must keep the Boil Water Advisory in effect until the DWB approves to lift based on water quality sampling results.
6. The System must provide timely response to customers regarding questions pertaining to water quality.
7. The System must submit an Application that meets DWB Regulations for the as-built project within 30 days of project completion and must correct any deficiencies identified by the DWB Regulatory Engineer's review of the Application in a timely manner.

IT IS HEREBY ORDERED,



**Ryan Flynn, Secretary
or Authorized Representative**

6-17-2016
Date