NEW MEXICO
ENVIRONMENT DEPARTMENT

Ground Water Quality Bureau

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SUSANA MARTINEZ
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BUTCH TONGATE
Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

May 30, 2012

Ron Schaap, Owner
Southern Draw Dairy
1069 Curry Rd. 21
Clovis, NM 88101

RE: Discharge Permit Renewal and Modification, DP-1022, Southern Draw Dairy

Dear Mr. Schaap:

The New Mexico Environment Department (NMED) issues the enclosed Discharge Permit Renewal and Modification, DP-1022, to Ron Schaap (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 and 20.6.6 NMAC.

The Discharge Permit contains requirements that shall be complied with by the permittee and are enforceable by NMED pursuant to Sections 20.6.2.3104 and 20.6.6.8 NMAC, WQA, and NMSA 1978 §74-6-5 and §74-6-10. The discharge shall be managed in accordance with all applicable requirements of the Dairy Rule and this Discharge Permit. 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.

You will be invoiced under separate cover for $460.00 (one-tenth of the applicable permit fee). This fee is due by August 1, 2012, and annually thereafter until expiration or termination of the Discharge Permit. If you wish to avoid annual payments, you may pay the remaining permit fee balance of $2,300.00 in full upon receipt of the invoice mentioned above.

Pursuant to Subsection I of NMSA 1978 § 74-6-5, the term of this Discharge Permit shall be for the fixed term of five years. The term of this Discharge Permit will end on **May 30, 2017**.

Pursuant to Subsection A of 20.6.6.10 NMAC, you are required to submit an application for renewal or renewal/modification to NMED one year prior to the end of the Discharge Permit term.

If you have any questions, please contact Kimberly Kirby at (505) 222-9523 or Kathie Deal, Agricultural Waste Team Leader, at (505) 827-2713. Thank you for your cooperation during this Discharge Permit review.

Sincerely,

for Jerry Schoeppner, Chief
Ground Water Quality Bureau

JS:KK/kk

Encs: Discharge Permit Renewal and Modification, DP-1022

cc: Kathie Deal, Agricultural Waste Team Leader, NMED-GWQB (permit)
Bill Chavez, NMED District I (permit – electronic copy)
NMED Clovis Field Office (permit)
John Romero, Office of the State Engineer (permit – electronic copy)
Jarett Stovall, Enviro-Ag Engineering, 3404 Airway Blvd., Amarillo, TX 79118 (permit)

GROUND WATER DISCHARGE PERMIT - RENEWAL AND MODIFICATION
EXISTING DAIRY FACILITY with a LAND APPLICATION AREA
Southern Draw Dairy, DP-1022

I. INTRODUCTION AND SUMMARY

The New Mexico Environment Department (NMED) issues this Discharge Permit Renewal and Modification (Discharge Permit), DP-1022, to Ron Schaap (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 and 20.6.6 NMAC.

NMED's purpose in issuing this Discharge Permit is to control the discharge of water contaminants from Southern Draw Dairy (dairy facility) for the protection of ground water and those segments of surface water gaining from ground water inflow, for present and potential future use as domestic and agricultural water supply and other uses, and to protect public health.

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:

A maximum daily discharge volume of 108,000 gallons per day (gpd) of wastewater may be discharged from the production area. Wastewater gravity flows to a concrete-lined drainage channel equipped with settling weirs to settle solids prior to flowing into Cell-1 and/or Cell-2 of the clay-lined combination wastewater/stormwater impoundment system. The clay-lined combination wastewater/stormwater impoundment system consists of three impoundments (Cells 1, 2 and 3) used for the collection and storage of wastewater and stormwater prior to land application. Wastewater is pumped from Cell-1 and Cell-2 through a screen solids separator for land application by center pivot irrigation systems equipped with an underslung PVC pipeline for wastewater application to up to 360 acres of irrigated cropland under cultivation. Wastewater is also recycled for use in a flush alley system, which collects in the concrete-lined drainage channel and is returned directly to the impoundment system. The modification consists of increasing the maximum daily discharge volume from 45,000 to 108,000 gpd. The discharge contains water contaminants or toxic pollutants which may be elevated above the standards of Section 20.6.2.3103 NMAC.

The dairy facility is located at 1069 Curry Rd. 21, approximately 12 miles north of Clovis, in Section 19, T4N, R36E, Curry County. Ground water most likely to be affected is at a depth of approximately 375 feet and had a pre-discharge total dissolved solids concentration of approximately 210 milligrams per liter.

The original Discharge Permit was issued on August 4, 1995, and subsequently modified and renewed on September 5, 1997 and October 10, 2000, respectively. The application consists of the materials prepared by Enviro-Ag Engineering and submitted by the permittee dated June 17, 2005, and materials contained in the administrative record associated with issuance of this Discharge Permit. The discharge shall be managed in accordance with all applicable requirements of the Dairy Rule (20.6.6 NMAC) and this Discharge Permit.

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 acronyms and abbreviations may be used in this Discharge Permit:

Abbreviation	Explanation		Abbreviation	Explanation
Cl	chloride		NO_3-N	nitrate-nitrogen
gpd	gallons per day		S	Sulfur
LADS	land application data sheet(s)		SO_4	Sulfate
mg/L	milligrams per liter		TDS	total dissolved solids
NMAC	New Mexico Administrative Code		TKN	total Kjeldahl nitrogen
NMED	New Mexico Environment Department		WQA	New Mexico Water Quality Act
NMP	Nutrient management plan		WQCC	Water Quality Control Commission
NMSA	New Mexico Statutes Annotated			

II. FINDINGS

In issuing this Discharge Permit, NMED finds:

1. The permittee is discharging from a facility that meets the definition of "dairy facility" and is subject to the Dairy Rule (20.6.6 NMAC). This dairy facility meets the definition of "existing dairy facility".

2. The permittee is discharging effluent or leachate from the dairy facility that may move directly or indirectly into ground water within the meaning of Section 20.6.2.3104 NMAC.

3. The permittee is discharging effluent or leachate from the dairy facility that 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.

4. The discharge from the dairy facility is not subject to any of the exemptions of Section 20.6.2.3105 NMAC.

5. The Discharge Permit for this facility last issued on October 17, 2000, (before the effective date of the Dairy Rule of December 31, 2011) did <u>not</u> specify a required wastewater storage capacity for the combination impoundment system.

6. The dairy facility was existing as of the effective date of the Dairy Rule (December 31, 2011) and does not measure the volume of wastewater discharged to the combination wastewater/stormwater impoundment system using a flow meter installed on the discharge line(s) from all wastewater sources to the combination impoundment system.

7. This Discharge Permit contains requirements associated with the following potential contaminant sources as identified in the application and the administrative record as of the effective date of this Discharge Permit:
   a) Combination Wastewater/Stormwater Impoundments
      i. **Cell-1 (west impoundment)** - authorized for use by this Discharge Permit.
      ii. **Cell-2 (middle impoundment)** - authorized for use by this Discharge Permit.
      iii. **Cell-3 (east impoundment)** - authorized for use by this Discharge Permit.
   b) Fields within the Land Application Area
      i. **Field SD-1** - authorized for use by this Discharge Permit; located east of production area; a.k.a. Northeast Field.
      ii. **Field SD-2** - authorized for use by this Discharge Permit; located southeast of production area; a.k.a. Southeast Field.
      iii. **Field SD-3** - authorized for use by this Discharge Permit; located south of production area; a.k.a. Southwest Field.

III. APPLICABLE RULES

Sections 20.6.2.3000 through 20.6.2.3114 NMAC and Part 20.6.6 NMAC (Dairy Rule) apply to discharges specific to dairy facilities and their operations.

IV. DISCHARGE PERMIT REQUIREMENTS

The permittee is authorized to discharge water contaminants pursuant to this Discharge Permit which contains requirements authorized or specified by the Dairy Rule. The permittee shall comply with the Dairy Rule and this Discharge Permit, which are enforceable by NMED. The permittee is authorized to discharge water contaminants subject to the following requirements:

AUTHORIZATION TO DISCHARGE

1. The permittee is authorized to discharge up to 108,000 gpd of wastewater from the production area. Wastewater gravity flows to a concrete-lined drainage channel equipped with settling weirs to settle solids prior to flowing into Cell-1 and/or Cell-2 of the clay-lined combination wastewater/stormwater impoundment system. The clay-lined combination wastewater/stormwater impoundment system consists of three

impoundments (Cells 1, 2 and 3) used for the collection and storage of wastewater and stormwater prior to land application. Wastewater is pumped from Cell-1 and Cell-2 through a screen solids separator for land application by center pivot irrigation systems equipped with an underslung PVC pipeline for wastewater application to up to 360 acres of irrigated cropland under cultivation. Wastewater is also recycled for use in a flush alley system, which collects in the concrete-lined drainage channel and is returned directly to the impoundment system.

2. The permittee is authorized to use the following impoundments for the following purposes in accordance with Subsection B of 20.6.6.20 NMAC.
   a) **Cell-1 (west impoundment)** – authorized to receive wastewater and stormwater for storage prior to land application. This impoundment exists as of the effective date of this Discharge Permit and is clay-lined. Wastewater, stormwater and flush alley return from the production area are directed into Cells 1 and 2. Cell-1 overflows into Cell-2.
   b) **Cell-2 (middle impoundment)** – authorized to receive wastewater and stormwater for storage prior to land application. This impoundment exists as of the effective date of this Discharge Permit and is clay-lined. Wastewater, stormwater and flush alley return from the production area are directed into Cells 1 and 2. Cell-2 overflows into Cell-3.
   c) **Cell-3 (east impoundment)** – authorized to receive wastewater and stormwater for storage prior to land application. This impoundment exists as of the effective date of this Discharge Permit and is clay-lined. Cell-3 receives overflow from Cell-2.

3. The permittee is authorized to apply wastewater and stormwater to all fields within the land application area in accordance with Subsections B, C and I of 20.6.6.21 NMAC. The land application area consists of the following fields for a total land application area of 360 acres.
   a) **Field SD-1** – consists of 120 acres; applied by a center pivot irrigation system equipped with an underslung PVC pipeline for wastewater application. This field was authorized by a Discharge Permit Amendment (issued February 11, 2003) prior to the effective date of the Dairy Rule (December 31, 2011) to receive wastewater and stormwater and has received wastewater and stormwater as of the effective date of this Discharge Permit.
   b) **Field SD-2** – consists of 120 acres; applied by a center pivot irrigation system equipped with an underslung PVC pipeline for wastewater application. This field was authorized by a Discharge Permit Amendment (issued February 11, 2003) prior to the effective date of the Dairy Rule (December 31, 2011) to receive wastewater and stormwater and has received wastewater and stormwater as of the effective date of this Discharge Permit.
   c) **Field SD-3** – consists of 120 acres; applied by a center pivot irrigation system equipped with an underslung PVC pipeline for wastewater application. This field was authorized by the last Discharge Permit prior to the effective date of the Dairy Rule (December 31, 2011) to receive wastewater and stormwater and has

received wastewater and stormwater as of the effective date of this Discharge Permit.

DAIRY RULE TRANSITION REQUIREMENTS

4. The permittee shall have 90 days from the effective date of this Discharge Permit (**by August 28, 2012**) to submit all the necessary information to comply with Sections 20.6.6.10 through 20.6.6.13 NMAC, in accordance with Subsection D of 20.6.6.35 NMAC. The permittee shall submit the necessary information by completing the application form for Renewal and/or Modification located at the following address:
   - http://www.nmenv.state.nm.us/gwb/NMED-GWQB-dairies.htm

   The following sections of the application form for renewal and/or modification shall be completed, and the form shall be signed by the permittee and notarized prior to submission.
   a) Introduction – *Applicant's Signature and Notary Certification only*
   b) Part I.A
   c) Part I.B.4
   d) Part II.A
   e) Part II.B.1
   f) Part II.B.2
   g) Part II.B.3
   h) Part II.B.4
   i) Part II.B.5
   j) Part II.B.7
   k) Part II.C
   l) Part II.D.2
   m) Part II.D.3(a)
   n) Part II.F
   o) Part IV.B
   p) Part IV.C

ENGINEERING AND SURVEYING REQUIREMENTS

5. The permittee shall comply with the requirements of Section 20.6.6.17 NMAC and shall submit to NMED all information or documentation required by the applicable portions of Section 20.6.6.17 NMAC.

6. The permittee shall complete the following items and submit documentation to NMED as summarized in the following table:

Item No.	Action Required and Submittal Due to NMED	Due Date	Citation
A.	**Flow Metering Plans:** To achieve compliance with Subsection J of 20.6.6.20 NMAC, submit a description of the location and installation/construction information for a flow meter(s) to measure the following: • the volume of wastewater discharged from all wastewater sources to the combination wastewater/stormwater impoundment system* • the volume of wastewater and stormwater discharged from the combination wastewater/stormwater impoundment system to each field in the land application area *Alternatively, to achieve compliance with Subsection J of 20.6.6.20 NMAC, submit a description of the location and installation/construction information for a flow meter(s) installed on the fresh water supply line(s) to measure the volume of all sources contributing to the wastewater discharged to the impoundment(s).	**August 28, 2012**	20.6.6.17.C(7) NMAC

OPERATIONAL REQUIREMENTS

7. The permittee shall comply with the requirements of Sections 20.6.6.20 and 20.6.6.21 NMAC, and shall submit to NMED all information or documentation required by the applicable portions of Sections 20.6.6.20 and 20.6.6.21 NMAC.

8. The permittee shall provide written notice to NMED regarding any changes to the presence of lactating cows and/or the status of wastewater discharges at the facility in accordance with Subsection A of 20.6.6.20 NMAC (summarized in the table below).

Activity	Notification of Estimated Date	Verification of Actual Date
Removal of Lactating Cows	Not required	Within 30 days of removal
Reintroduction of Lactating Cows	Not required	Within 30 days of reintroduction
Cessation of wastewater discharge	Not required	Within 30 days of cessation of discharge
Recommencement of Discharge	Minimum 30 days prior to recommencement	Within 30 days of recommencement

9. The permittee shall install and use the following flow meters in accordance with Subsections J, K, L and N of 20.6.6.20 NMAC to measure the volume of wastewater discharged from the production area to the combination wastewater/stormwater

impoundment system. If possible, a single flow meter may be installed and used to measure the total volume of wastewater discharged from the production area.

a) **Flow Meter 1** – to be located on the discharge line from the parlor to measure wastewater discharged from the parlor.

b) **Flow Meter 2** – to be located on the discharge line from the hospital/maternity barn to measure wastewater discharged from the hospital/maternity barn.

- OR -

The permittee shall install and use the following flow meters in accordance with Subsections J, K, L and N of 20.6.6.20 NMAC to measure the volume of all fresh water contributing to the wastewater discharged from the production area to the combination wastewater/stormwater impoundment system. If possible, a single flow meter may be installed and used to measure the total volume of all fresh water contributing to the wastewater discharged from the production area.

a) **Flow Meter S1** – to be located on the parlor water supply line to measure all fresh water contributing to the wastewater discharged from the parlor.

b) **Flow Meter S2** – to be located on the hospital/maternity barn water supply line to measure all fresh water contributing to the wastewater discharged from the hospital/maternity barn.

Confirmation of flow meter installation shall be completed in accordance with Subsection J of 20.6.6.20 NMAC.

10. The permittee shall install and use the following flow meter(s) in accordance with Subsections J, K, L and N of 20.6.6.20 NMAC, and Subsections G and H of 20.6.6.21 NMAC.

a) **Flow Meter LA1** – to be located on the discharge line from Cell-1 to the land application area to measure the volume of wastewater discharged from Cell-1 to each field in the land application area.

b) **Flow Meter LA2** – to be located on the discharge line from Cell-2 to the land application area to measure the volume of wastewater discharged from Cell-2 to each field in the land application area.

Confirmation of flow meter installation shall be completed in accordance with Subsection J of 20.6.6.20 NMAC.

11. The permittee is authorized, pursuant to Subsection S of 20.6.6.20 NMAC, to land apply manure solids and composted material to the land application area. Manure solids and composted material shall be applied in accordance with the Nutrient Management Plan (NMP) required by Subsection I of 20.6.6.21 NMAC.

12. The permittee is authorized to blend wastewater with fresh irrigation water for land application using any of the methods provided in Subsection D of 20.6.6.21 NMAC.

Fresh water may be added to a wastewater impoundment prior to land application in accordance with Subsection D of 20.6.6.21 NMAC.

13. The permittee shall remove crops from the following fields within the land application area using the following methods in accordance with Subsection I and J of 20.6.6.21 NMAC. Crops may be grazed prior to and between mechanical harvests, however, nitrogen removal credit shall not be taken for grazing activities unless a grazing plan is developed and submitted in accordance with Subsections I and J of 20.6.6.21 NMAC.
    a) **Field SD-1** – crops shall be harvested mechanically.
    b) **Field SD-2** – crops shall be harvested mechanically.
    c) **Field SD-3** – crops shall be harvested mechanically.

    The permittee shall submit an application for Discharge Permit Modification to NMED for any proposed changes to the method(s) of crop removal for any field within the land application area as required by Subsection K of 20.6.6.21 NMAC.

14. The permittee shall complete the following items and submit documentation to NMED as summarized in the following table:

Item No.	Action Required and Submittal Due to NMED	Due Date	Citation
A.	**Flow Meter Installation:** i) Complete installation of flow meter(s). ii) Submit confirmation of installation.	**October 27, 2012** **November 26, 2012**	20.6.6.20.J NMAC
B.	**Scaled Map of Dairy Facility – Updates:** Following completion of any additions or changes to the dairy facility which affect the items listed in Subsection U of 20.6.6.20 NMAC, the permittee shall update and resubmit the facility map.	**Within 90 days of any addition or change.**	20.6.6.20.V NMAC
C.	**Nutrient Management Plan:** Develop and submit annual updates to the NMP.	**Annually:** May 1	20.6.6.21.I NMAC
D.	**Backflow Prevention:** i) Complete installation of backflow prevention methods or devices. ii) Submit confirmation of installation.	**August 28, 2012** **November 26, 2012**	20.6.6.21.M NMAC

Item No.	Action Required and Submittal Due to NMED	Due Date	Citation
E.	**Backflow Prevention by Reduced Pressure Principle Backflow Prevention Assembly – Inspection and Maintenance:** Submit copies of inspection and maintenance records and test results for each RP device, should the device be used to satisfy the requirements of Subsection M of 20.6.6.21 NMAC.	**Annually:** May 1	20.6.6.21.N NMAC

GROUND WATER MONITORING REQUIREMENTS

15. The permittee shall comply with the requirements of Section 20.6.6.23 NMAC and shall submit to NMED all information or documentation required by the applicable portions of Section 20.6.6.23 NMAC.

16. Monitoring wells shall be constructed and completed in accordance with Subsection D of 20.6.6.23 NMAC.

17. Monitoring wells shall be permanently identified in accordance with Subsection C of 20.6.6.23 NMAC.

18. The permittee shall complete the following items and submit documentation to NMED as summarized in the following table:

Item No.	Action Required and Submittal Due to NMED	Due Date	Citation
A.	**Ground Water Monitoring – Existing Combination Wastewater/Stormwater Impoundments:** Install the following monitoring wells within 75 feet hydrologically downgradient of the top inside edge of each existing combination impoundment: i) **MW-2**, hydrologically downgradient of combination impoundment Cell-1. ii) **MW-3**, hydrologically downgradient of combination impoundment Cell-2. iii) **MW-4**, hydrologically downgradient of combination impoundment Cell-3.	**September 27, 2012**	20.6.6.23.A(2) NMAC
B.	**Ground Water Monitoring – Existing Land Application Area:** Install the following monitoring wells within 50 feet hydrologically downgradient of the downgradient boundary of existing fields within the land application area: i) **MW-5**, hydrologically downgradient of Field SD-1. ii) **MW-6**, hydrologically downgradient of Field SD-2. iii) **MW-7**, hydrologically downgradient of Field SD-3.	**September 27, 2012**	20.6.6.23.A(4) (b) and (c) NMAC

Item No.	Action Required and Submittal Due to NMED	Due Date	Citation
C.	**Ground Water Monitoring – Upgradient:** Install a monitoring well, **MW-1**, hydrologically upgradient of all contamination sources at the dairy facility.	**September 27, 2012**	20.6.6.23.A(5) NMAC
D.	**Ground Water Sampling and Reporting – Routine:** Collect and analyze ground water samples quarterly from all monitoring wells identified in this Discharge Permit. Sampling shall be performed and results submitted in accordance with Subsection F of 20.6.6.23 NMAC.	**Quarterly**	20.6.6.23.G
E.	**Ground Water Sampling – New Monitoring Wells:** Collect ground water samples from monitoring wells required to be installed within *120 days of the effective date of the Discharge Permit.* Sampling shall be performed in accordance with Subsection F of 20.6.6.23 NMAC using the following monitoring wells required to be installed in the following locations: i) **MW-1**, hydrologically upgradient of all contamination sources at the dairy facility. ii) **MW-2**, hydrologically downgradient of combination impoundment Cell-1. iii) **MW-3**, hydrologically downgradient of combination impoundment Cell-2. iv) **MW-4**, hydrologically downgradient of combination impoundment Cell-3. v) **MW-5**, hydrologically downgradient of Field SD-1. vi) **MW-6**, hydrologically downgradient of Field SD-2. vii) **MW-7**, hydrologically downgradient of Field SD-3.	**October 27, 2012**	20.6.6.23.H NMAC
F.	**Monitoring Well Survey and Ground Water Flow Determination:** Survey monitoring wells to a U.S. Geological Benchmark.	**October 27, 2012**	20.6.6.23.I NMAC
G.	**Monitoring Well Completion Report:** Submit a monitoring well completion report which includes information from all monitoring wells.	**November 26, 2012**	20.6.6.23.J NMAC
H.	**Ground Water Elevation Contour Maps:** Develop and submit ground water elevation contour maps on a quarterly basis using data collected from all monitoring wells used for ground water monitoring at the dairy facility.	**Quarterly**	20.6.6.23.L NMAC

MONITORING REQUIREMENTS

19. The permittee shall comply with the requirements of Sections 20.6.6.24 and 20.6.6.25 NMAC, and shall submit to NMED all information or documentation required by the applicable portions of Sections 20.6.6.24 and 20.6.6.25 NMAC.

20. The permittee shall submit monitoring reports to NMED on a quarterly schedule that contain monitoring data and information collected pursuant to the Dairy Rule and submitted in accordance with Subsection A of 20.6.6.24 NMAC.

Quarterly monitoring reports shall be submitted according to the following schedule:

- January 1 through March 31 (first quarter) – report due by **May 1**
- April 1 through June 30 (second quarter) – report due by **August 1**
- July 1 through September 30 (third quarter) – report due by **November 1**
- October 1 through December 31 (fourth quarter) – report due by **February 1**

21. The permittee shall perform the following monitoring and submit to NMED the required documentation in monitoring reports as summarized in the following table:

Item No.	Action Required and Submittal Due to NMED	Due Date	Citation
A.	**Wastewater Volume Measurement/Estimation and Reporting:** Using a flow meter(s) installed on the discharge line(s), measure the volume of all wastewater discharged to the impoundment(s) authorized to contain wastewater. Submit the information. **- OR -** Using a flow meter(s) installed on the fresh water supply line(s), measure the volume of all sources contributing to the wastewater discharged to the impoundment(s) authorized to contain wastewater. Submit the meter readings (without adjustments or deductions in accordance with Subsection N of 20.6.6.20 NMAC).	**Quarterly**	20.6.6.24.C NMAC
B.	**Flow Meter Field Calibration:** Perform flow meter field calibrations annually and submit a flow meter field calibration report.	**Annually:** May 1	20.6.6.24.E NMAC
C.	**Volume of Wastewater and Wastewater/Stormwater Land Applied – Measurement and Reporting:** Measure the volume of all wastewater discharges to each field within the land application area using a flow meter(s) and submit the information.	**Quarterly**	20.6.6.25.A NMAC
D.	**Wastewater to be Land Applied – Sampling and Reporting:** The permittee shall collect a representative wastewater sample (consisting of eight subsamples) from each wastewater or combination wastewater/stormwater impoundment. Analyze each representative wastewater sample on a quarterly basis and submit results.	**Quarterly**	20.6.6.25.C NMAC

Item No.	Action Required and Submittal Due to NMED	Due Date	Citation
E.	**Manure Solids – Nitrogen Content:** Should a permittee choose to use actual nitrogen content values of on-site manure solids for the purpose of applying to the land application area, the permittee shall collect and analyze samples annually, and submit results.	**Quarterly**	20.6.6.25.D NMAC
F.	**Irrigation Water – Sampling, Volume Applied and Reporting:** Collect and analyze fresh irrigation water samples on an annual basis from each irrigation well associated with the land application area. Estimate the annual volume of irrigation water applied to each field from each well. Submit estimated volumes and analytical results.	**Annually:** May 1	20.6.6.25.E NMAC
G.	**Fertilizer Application Reporting:** Maintain and submit a log of all additional fertilizer applied to each field within the land application area.	**Quarterly**	20.6.6.25.F NMAC
H.	**Land Application Data Sheets:** Complete and submit land application data sheets (LADS) for each field within the land application area.	**Quarterly**	20.6.6.25.G NMAC
I.	**Crop Yield Documentation:** Submit crop yield documentation and plant and harvest dates of each crop grown.	**Quarterly**	20.6.6.25.H NMAC
J.	**Nitrogen Concentration of Harvested Crop:** Determine the percent total nitrogen and dry matter of each harvested crop and submit results.	**Quarterly**	20.6.6.25.I NMAC
K.	**Nitrogen Removal Summary of Harvested Crop:** Develop and submit a nitrogen removal summary for each crop grown on each field within the land application area.	**Quarterly**	20.6.6.25.J NMAC
L.	**Soil Sampling – Initial Event in a Discharge Permit Term:** Collect and analyze initial soil samples from each field in the land application area for the first soil sampling event during the first year following the effective date of this Discharge Permit. Submit the results.	**May 1, 2013**	20.6.6.25.K NMAC
M.	**Soil Sampling – Routine:** Collect and analyze routine soil samples annually from each field in the land application area beginning the year following the initial sampling event. Submit the results.	**Annually:** May 1	20.6.6.25.L NMAC

CONTINGENCY REQUIREMENTS

22. The permittee shall comply with the requirements of Section 20.6.6.27 NMAC and shall submit to NMED all information or documentation required by the applicable portions of Section 20.6.6.27 NMAC.

CLOSURE REQUIREMENTS

23. The permittee shall comply with the requirements of Section 20.6.6.30 NMAC and shall submit to NMED all information or documentation required by the applicable portions of Section 20.6.6.30 NMAC.

GENERAL REQUIREMENTS

24. 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.

25. The permittee shall retain required records for a minimum period of 10 years from the date of sample collection, measurement, report or application in accordance with Section 20.6.6.33 NMAC.

26. Transfer of a Discharge Permit for a dairy facility shall be completed in accordance with Section 20.6.6.34 NMAC.

27. To renew this Discharge Permit, the permittee shall submit an application for renewal, renewal and modification, or renewal for closure at least one year prior to the expiration date of the Discharge Permit in accordance with Section 20.6.6.10 NMAC.

28. In accordance with Subsection A of 20.6.6.9 NMAC, the permittee shall remit a permit fee payment equal to one-tenth of the applicable permit fee from Table 1 of Section 20.6.2.3114 NMAC on the first occurrence of August 1 after the effective date of the Discharge Permit, and annually thereafter until expiration or termination of the Discharge Permit.

V. ADDITIONAL CONDITIONS

In addition to the requirements of 20.6.6 NMAC, the permittee shall comply with the following conditions as authorized by Subsection H of 20.6.6.10 NMAC pursuant to Section 74-6-5 WQA. A hearing may be requested on additional conditions in accordance with Section 20.6.6.15 NMAC.

1. This Discharge Permit does not contain additional conditions.

VI. PERMIT ISSUANCE

Pursuant to WQA 74-6-5(I), the term of this Discharge Permit shall be for the fixed term of five years from the effective date of the Discharge Permit.

Issued by: New Mexico Environment Department

Effective Date: **May 30, 2012**
Expiration Date: **May 30, 2017**

FOR JERRY SCHOEPPNER
Chief, Ground Water Quality Bureau
New Mexico Environment Department