

GROUND WATER DISCHARGE PERMIT RENEWAL
AAA Pumping Service, Inc., DP-1471

I. INTRODUCTION

The New Mexico Environment Department (NMED) issues this Discharge Permit Renewal (Discharge Permit), DP-1471, to Phillip Krepfl (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 AAA Pumping Service, Inc. (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 74,135 gallons per day (gpd) of wastewater comprised of up to 10,000 gpd of restaurant vegetable fryer oil waste, up to 10,000 gpd of restaurant grease trap waste, up to 50,000 gpd of car wash grit trap waste, up to 135 gpd of jewelry mold waste, and up to 4,000 gpd of septage, is processed and temporarily stored on site, then discharged off-site. No disposal occurs on site. Water, solids, and oils are separated from the restaurant vegetable fryer oil and grease trap wastes. Oils are transferred off-site to oil recycling centers. Water and solids are separated from car wash grit trap waste and from jewelry mold waste. Wastewater is transferred off-site to the City of Albuquerque Southside Water Reclamation Plant (SWRP). Solids are dried and transferred off-site to the City of Albuquerque Landfill. Septage is collected in pumping trucks and transferred off-site to the City of Albuquerque SWRP. All processing activities occur above-ground on concrete slabs with secondary containment and a synthetic-liner leak detection system except the vehicle wash pad and the portable toilet wash pad. Vehicles are washed on a concrete pad which drains to an underground grit trap to a City of Albuquerque sewer line. Dust is rinsed off the inside and outside of portable toilet units on a concrete pad which drains to an underground grit trap and then to an underground holding tank. Wastewater in the underground tank is pumped and hauled to the City of Albuquerque SWRP. The waste storage compartment in the portable toilet units shall be pumped off-site and shall not be washed at the facility. Solids from the vehicle wash pad and portable toilet wash pad grit traps are dried and transferred off-site to the City of Albuquerque Landfill. The discharge contains water contaminants or toxic pollutants which may be elevated above the standards of Section 20.6.2.3103 NMAC. The facility is located at 2855 2nd Street SW, in Albuquerque in Section 32, T10N, R3E, Bernalillo County. Ground water below the site is at a depth of approximately 6 feet and has a total dissolved solids concentration of approximately 500 milligrams per liter.

The original Discharge Permit was issued on December 28, 2004 and was subsequently amended on July 27, 2005. The permittee's application consists of the materials submitted by the permittee

dated July 2, 2009 and additional information received on October 15, 2009. The discharge shall be managed in accordance with all conditions and requirements of this Discharge Permit.

Pursuant to Section 20.6.2.3109 NMAC, NMED reserves the right to require a Discharge Permit Modification in the event NMED determines that the requirements of 20.6.2 NMAC are being or may be violated or the standards of Section 20.6.2.3103 NMAC are being or may be violated. This may include a determination that structural controls and/or management practices approved under this Discharge Permit are not protective of ground water quality, and that more stringent requirements to protect and/or remediate ground water quality may be required by NMED. These requirements may include: lining/relining processing and/or storage areas; changing waste management practices; expanding monitoring requirements; installing an advanced treatment system; and/or implementing abatement of water pollution.

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

The following abbreviations may be used in this Discharge Permit:

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

II. FINDINGS

In issuing this Discharge Permit, NMED finds:

1. The permittee is discharging effluent or leachate from the facility so that such effluent or leachate may move directly or indirectly into ground water within the meaning of Section 20.6.2.3104 NMAC.
2. The permittee is discharging effluent or leachate from the facility so that such effluent or leachate may move into ground water of the State of New Mexico which has an existing concentration of 10,000 milligrams per liter or less of total dissolved solids within the meaning of Subsection A of 20.6.2.3101 NMAC.

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

III. CONDITIONS

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

OPERATIONAL PLAN

#	Terms and Conditions
1.	The permittee shall implement the following operational plan to ensure compliance with Title 20, Chapter 6, Parts 1 and 2 NMAC. [20.6.2.3106.C NMAC, 20.6.2.3107 NMAC]
2.	The permittee shall operate in a manner such that standards and requirements of Sections 20.6.2.3101 and 20.6.2.3103 NMAC are not violated. [20.6.2.3101 NMAC, 20.6.2.3103 NMAC]
3.	The permittee is authorized to accept for temporary storage and processing up to 74,135 gpd comprised of up to 10,000 gpd of restaurant vegetable fryer oil waste, up to 10,000 gpd of restaurant grease trap waste, up to 50,000 gpd of car wash grit trap waste, up to 135 gpd of jewelry mold waste, and up to 4,000 gpd of septage. No disposal shall occur on site. Water, solids, and oils shall be separated from the restaurant vegetable fryer oil and grease trap wastes. Water and solids shall be separated from car wash grit trap wastes. Water and solids shall be separated from the jewelry mold waste. Oils shall be disposed off-site at oil recycling centers. Wastewater shall be transferred off-site to the City of Albuquerque Southside Water Reclamation Plant (SWRP) for disposal. Solids shall be dried and transferred off-site to the City of Albuquerque Landfill for disposal. Septage shall be collected in pumping trucks and transferred to the City of Albuquerque SWRP for disposal. All processing activities occur above-ground on concrete slabs with secondary containment and a synthetic-liner leak detection system except the vehicle wash pad and the portable toilet wash pad. Vehicles shall be washed on a concrete pad which drains to an underground grit trap to a City of Albuquerque sewer line. Dust shall be rinsed off the inside and outside of portable toilet units on a concrete pad which drains to an underground grit trap and then to an underground holding tank. Wastewater in the underground tank shall be pumped and hauled to the City of Albuquerque SWRP. The waste storage compartment in the portable toilet units shall be pumped off-site and shall not be washed on site. Solids from the vehicle wash pad and portable toilet wash pad grit traps shall be dried and transferred off-site to the City of Albuquerque Landfill. [20.6.2.3109 NMAC, 74-6-5 WQA]
4.	The permittee is not authorized to accept or store hazardous waste, floating hydrocarbon products, or any waste type other than restaurant vegetable fryer oil waste, restaurant grease trap waste, car wash grit trap waste, jewelry mold waste, portable toilet rinse water and septage. [20.6.2.3109 NMAC]
5.	Within 30 days of the effective date of this Discharge Permit, the permittee shall submit as-built documents certified by a licensed New Mexico Professional Engineer for the concrete pads with secondary containment and synthetic liner leak detection systems on which all restaurant vegetable fryer oil waste, restaurant grease trap waste, car wash grit trap waste

	and jewelry mold waste processing, drying, and storage activities occur. [20.6.2.3109 NMAC]
6.	The permittee shall maintain fences around the entire processing and storage facility. The fences shall be maintained in a manner which prevents access by children or dogs (e.g., chain link, field/woven fencing). The permittee shall maintain signs indicating that the water is not potable at the facility entrance and other areas where public contact is likely. [20.6.2.3109 NMAC]

MONITORING, REPORTING, AND OTHER REQUIREMENTS

#	Terms and Conditions
7.	The permittee shall conduct the monitoring, reporting, and other requirements listed below. [20.6.2.3107 NMAC]
8.	METHODOLOGY - Unless otherwise approved in writing by NMED, the permittee shall conduct sampling and analysis in accordance with the most recent edition of the following documents: <ol style="list-style-type: none"> a) American Public Health Association, Standard Methods for the Examination of Water and Wastewater (18th, 19th or current); b) U.S. Environmental Protection Agency, Methods for Chemical Analysis of Water and Waste; c) U.S. Geological Survey, Techniques for Water Resources Investigations of the U.S. Geological Survey; d) American Society for Testing and Materials, Annual Book of ASTM Standards, Part 31. Water; e) U.S. Geological Survey, et al., National Handbook of Recommended Methods for Water Data Acquisition; or f) Methods of Soil Analysis: Part 1. Physical and Mineralogical Methods and Part 2. Chemical and Microbiological Properties, American Society of Agronomy. [20.6.2.3107.B NMAC]
9.	The permittee shall submit quarterly monitoring reports to NMED for the most recently completed quarterly period by the 1 st of February, May, August and November each year. Quarterly monitoring shall be performed during the following periods: <ul style="list-style-type: none"> • January 1st through March 31st (first quarter) – due by May 1st; • April 1st through June 30th (second quarter) – due by August 1st; • July 1st through September 30th (third quarter) – due by November 1st; and • October 1st through December 31st (fourth quarter) – due by February 1st. The permittee shall submit a courtesy copy of the quarterly monitoring reports to the Mountain View Neighborhood Association. Monitoring requirements detailed in this Discharge Permit are summarized on the sheet titled <i>Summary of Required Actions, Monitoring and Reporting</i> . [20.6.2.3107 NMAC]
10.	The permittee shall visually inspect the leak detection system for the concrete pads on a

	monthly basis for the presence of fluid. The permittee shall visually inspect the concrete pad on a monthly basis to ensure proper maintenance. Any conditions that could damage the impermeable barrier of the pad or affect the structural integrity of the pad shall be corrected. Such conditions include but are not limited to cracks, erosion damage, animal activity/damage, the presence of potentially harmful vegetation such as woody shrubs or uncontrolled weeds, or evidence of seepage, or the presence of large pieces or quantities of debris. The permittee shall keep a log of the inspection findings and repairs made. The inspection log, including a statement whether or not liquids were observed in the leak detection system, shall be submitted to NMED in the quarterly monitoring reports. In the event that inspection findings reveal significant damage likely to affect the ability of the concrete pad to contain contaminants, the permittee shall submit a corrective action plan to NMED for approval. [20.6.2.3107 NMAC]
11.	The permittee shall inspect the portable toilet rinse water holding tanks monthly to ensure that the tanks do not overflow. The contents of the tanks shall be pumped as needed by a licensed hauler. The inspection records and pumping invoices shall be submitted to NMED in the quarterly monitoring reports. [20.6.2.3107]
12.	The permittee shall inspect the grit traps installed after the truck wash bay and portable toilet rinse pad monthly for the accumulation of oil and solids. In the event that oil and solids have accumulated to greater than 75 % of the working capacity of the grit traps, the contents shall be pumped by a licensed hauler. No oil or solids shall be disposed of on site. The solids shall be contained, transported, and disposed of at a permitted facility in accordance with all local, state, and federal regulations. The grit trap inspection and pumping records shall be submitted to NMED in the quarterly monitoring report. [20.6.2.3109 NMAC]
13.	The permittee shall create a manifest for each waste pick-up/disposal recording the following information: the name of the hauling company, the date of pick-up and disposal, name and address of the waste origin, type of waste/description of contamination, the volume of waste, confirmation of inspection for acceptable waste type, and signature of person conducting the inspection. A quarterly log of the manifest records listing the date of pick-up, hauling company, the volume of waste, and the disposal location shall be submitted with the quarterly monitoring report. [20.6.2.3107 NMAC]
14.	The permittee shall maintain copies of manifests and/or receipts showing that all oil was disposed of at oil recycling facilities, all wastewater and septage were disposed of at the City of Albuquerque SWRP, and all solids were disposed of at the City of Albuquerque Landfill. The permittee shall track the monthly volume of each type of waste disposed of off-site. The monthly volumes shall be submitted to NMED in the quarterly monitoring reports. Manifests and/or receipts shall be maintained at the AAA Pumping Service, Inc. office and shall be made available for NMED inspection. [20.6.2.3109 NMAC]

CONTINGENCY PLAN

#	Terms and Conditions
15.	In the event that ground water standards are violated during the term of this Discharge Permit, upon closure of the facility or during the implementation of post-closure requirements, the permittee shall submit to NMED a corrective action plan that proposes

	measures to mitigate damage from the discharge including, at a minimum, source control measures and an implementation schedule. The permittee may be required to abate water pollution pursuant to Sections 20.6.2.4000 through 20.6.2.4115 NMAC, if the corrective action plan will not result in compliance with the standards and requirements set forth in Section 20.6.2.4103 NMAC within 180 days of confirmation of ground water contamination. [20.6.2.1203 NMAC, 20.6.2.4105.A(8) NMAC]
16.	In the event of a spill or release that is not authorized under this Discharge Permit, the permittee shall initiate the notifications and corrective actions as required in Section 20.6.2.1203 NMAC. The permittee shall take immediate corrective action to contain and remove or mitigate the damage caused by the discharge. Within 24 hours after discovery of the discharge, the permittee shall verbally notify NMED and provide the information required by Paragraph (1) of Subsection A of 20.6.2.1203 NMAC. Within 7 days of discovering the discharge, the permittee shall submit a written report to NMED verifying the oral notification and providing any additional information or changes. The permittee shall submit a corrective action report within 15 days after discovery of the discharge. [20.6.2.1203 NMAC]
17.	In the event NMED or the permittee identifies any other failures of the discharge plan or system not specifically noted herein, NMED may require the permittee to develop for NMED approval contingency plans and schedules to cope with the failures. [20.6.2.3107.A(10) NMAC]

CLOSURE PLAN

#	Terms and Conditions
18.	<p>In the event that the facility permanently closes the permittee shall perform the following closure actions:</p> <ol style="list-style-type: none"> a. Notify NMED that grit trap waste, vegetable fryer oil waste, restaurant grease trap waste, and jewelry mold waste shall no longer be processed and temporarily stored on site. b. Submit a schedule for closure actions. c. Pump out any liquid waste and waste solids contained in the processing and storage units, and dispose of them offsite in accordance with all local, state, and federal regulations. d. Remove processing area concrete slabs, drying beds, and leak detection system components including gravel, drain pipe and synthetic liner, underground tanks, and grit traps in a manner approved by NMED and transport them to a permitted disposal facility. e. Backfill the processing area with clean fill (as necessary) and contour to provide for positive stormwater drainage. <p>When all closure requirements have been met, the permittee may request to terminate the Discharge Permit. [20.6.2.3109 NMAC, 20.6.2.3107. NMAC]</p>

GENERAL TERMS AND CONDITIONS

#	Terms and Conditions
19.	<p>RECORD KEEPING - The permittee shall maintain at its facility a written record of all data and information related to field measurements, sampling, and analysis conducted pursuant to this Discharge Permit. The following information shall be recorded and shall be made available to NMED upon request:</p> <ul style="list-style-type: none"> a) The dates, exact place and times of sampling or field measurements; b) The name and job title of the individuals who performed each sample collection or field measurement; c) The date of the analysis of each sample; d) The name and address of the laboratory and the name and job title of the person that performed the analysis of each sample; e) The analytical technique or method used to analyze each sample or take each field measurement; f) The results of each analysis or field measurement, including raw data; g) The results of any split sampling, spikes or repeat sampling; and h) A description of the quality assurance and quality control procedures used. <p>[20.6.2.3107.A NMAC]</p>
20.	<p>RECORD KEEPING - The permittee shall maintain a written record of any spills, seeps, and/or leaks of effluent, and of leachate and/or process fluids not authorized by this Discharge Permit. [20.6.2.3107.A NMAC]</p>
21.	<p>RECORD KEEPING - The permittee shall maintain a written record of the operation, maintenance, and repair of all facilities/equipment used to treat, store or dispose of wastewater; to measure flow rates, to monitor water quality, or to collect other data required by this Discharge Permit. This record shall include repair, replacement or calibration of any monitoring equipment and repair or replacement of any equipment used in the permittee's waste or wastewater treatment and disposal system. [20.6.2.3107.A NMAC]</p>
22.	<p>RECORD KEEPING - The permittee shall maintain a written record of the amount of wastewater, effluent, leachate or other wastes discharged pursuant to this Discharge Permit. [20.6.2.3107.A NMAC]</p>
23.	<p>RECORD KEEPING - The permittee shall retain records of all monitoring information, including all calibration and maintenance records, copies of all reports required by this Discharge Permit, and records of all data used to complete the application for this Discharge Permit for a period of at least five years from the date of the sample collection, measurement, report or application. This period may be extended by request of the Secretary at any time. [20.6.2.3107.A NMAC]</p>
24.	<p>INSPECTION and ENTRY - The permittee shall allow the Secretary or an authorized representative, upon the presentation of credentials, to:</p> <ul style="list-style-type: none"> a) Enter at regular business hours or at other reasonable times upon the permittee's premises or other location where records must be kept under the conditions of this Discharge Permit, or under any federal or WQCC regulation. b) Inspect and copy, during regular business hours or at other reasonable times, any records required to be kept under the conditions of this Discharge Permit, or under any

	<p>federal or WQCC regulation.</p> <p>c) Inspect, at regular business hours or at other reasonable times, any facility, equipment (including monitoring and control equipment or treatment works), practices or operations regulated or required under this Discharge Permit, or under any federal or WQCC regulation.</p> <p>d) Sample or monitor, at reasonable times for the purpose of assuring compliance with this Discharge Permit or as otherwise authorized by the WQA, any effluent, water contaminant, or receiving water at any location before or after discharge.</p> <p>[20.6.2.3107.D NMAC, 74-6-9(B) & (E) WQA]</p>
25.	<p>INSPECTION and ENTRY - Nothing in this Discharge Permit shall be construed as limiting in any way the inspection and entry authority of NMED under the WQA, the WQCC Regulations, or any other applicable law or regulation. [20.6.2.3107 NMAC, 74-6-9(B) & (E) WQA]</p>
26.	<p>DUTY to PROVIDE INFORMATION - The permittee shall furnish to NMED, within a reasonable time, any documents or other information which it may request to determine whether cause exists for modifying, terminating and/or renewing this Discharge Permit or to determine compliance with this Discharge Permit. The permittee shall also furnish to NMED, upon request, copies of documents required to be kept by this Discharge Permit. [20.6.2.3107.D NMAC, 74-6-9(B) & (E) WQA]</p>
27.	<p>SPILLS, LEAKS, and OTHER UNAUTHORIZED DISCHARGES - This Discharge Permit authorizes only those discharges specified herein. Any unauthorized discharges violate Section 20.6.2.3104 NMAC and must be reported to NMED and remediated as required by Section 20.6.2.1203 NMAC. [20.6.2.1203 NMAC]</p>
28.	<p>MODIFICATIONS and/or AMENDMENTS - The permittee shall notify NMED of any changes to the permittee's wastewater treatment and disposal system, including any changes in the wastewater flow rate or the volume of wastewater storage, or of any other changes to operations or processes that would result in any significant change in the discharge of water contaminants. The permittee shall obtain NMED approval, as a modification to this Discharge Permit pursuant to Subsections E, F, or G of 20.6.2.3109 NMAC, prior to any increase in the quantity discharged, or any increase in the concentration of water contaminants discharged, above those levels approved in this Discharge Permit. [20.6.2.3107.C NMAC]</p>
29.	<p>PLANS and SPECIFICATIONS - The permittee shall file plans and specifications with NMED for the construction of a wastewater system and for proposed changes that will change substantially the quantity or quality of the discharge from the system. The permittee shall file plans and specifications prior to the commencement of construction. Changes to the wastewater system having a minor effect on the character of the discharge shall be reported as of January 1 and June 30 of each year to NMED. [20.6.2.1202 NMAC]</p>
30.	<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</p>

	penalties, or both. Pursuant to WQA 74-6-10(C) and 74-6-10.1, civil penalties of up to \$15,000 per day of noncompliance may be assessed for each violation of the WQA 74-6-5, the WQCC Regulations, or this Discharge Permit, and civil penalties of up to \$10,000 per day of noncompliance may be assessed for each violation of any other provision of the WQA, or any regulation, standard, or order adopted pursuant to such other provision. In any action to enforce this Discharge Permit, the permittee waives any objection to the admissibility as evidence of any data generated pursuant to this Discharge Permit. [74-6-10 WQA, 74-6-10.1 WQA]
31.	<p>CRIMINAL PENALTIES – Any person who knowingly violates or knowingly causes or allows another person to:</p> <ol style="list-style-type: none"> 1) make any false material statement, representation, certification or omission of material fact in an application, record, report, plan or other document filed, submitted or required to be maintained under the WQA; 2) falsify, tamper with or render inaccurate any monitoring device, method or record required to be maintained under the WQA; or 3) fail to monitor, sample or report as required by a permit issued pursuant to a state or federal law or regulation, is subject to felony charges and shall be sentenced in accordance with the provisions of Section 31-18-15 NMSA 1978. <p>[74-6-10.2(A-F) WQA]</p>
32.	COMPLIANCE WITH OTHER LAWS - Nothing in this Discharge Permit shall be construed in any way as relieving the permittee of the obligation to comply with all applicable federal, state, and local laws, regulations, permits or orders. [20.6.2 NMAC]
33.	RIGHT to APPEAL - The permittee may file a petition for review before the WQCC on this Discharge Permit. Such petition shall be in writing to the WQCC within thirty (30) days of the receipt of this Discharge Permit. Unless a timely petition for review is made, the decision of NMED shall be final and not subject to judicial review. [74-6-5(O) WQA]
34.	TRANSFER of DISCHARGE PERMIT - Prior to the transfer of any ownership, control, or possession of this permitted facility or any portion thereof, the permittee shall notify the proposed transferee in writing of the existence of this Discharge Permit and include a copy of this Discharge Permit with the notice. The permittee shall deliver or send by certified mail to NMED a copy of the notification and proof that such notification has been received by the proposed transferee. [20.6.2.3111 NMAC]
35.	TERM - Pursuant to WQA 74-6-5(I) and Subsection H of 20.6.2.3109 NMAC, the term of this Discharge Permit is five years from its effective date. To renew this Discharge Permit, the permittee must submit an application for renewal at least 180 days before the expiration date. [20.6.2.3109.H NMAC, 74-6-5(I) WQA]
36.	Payment of permit fees is due at the time of Discharge Permit approval. Permit fees shall be paid in a single payment or shall be paid in equal installments on a yearly basis over the term of the Discharge Permit. Single payments shall be remitted to NMED no later than 30 days after the Discharge Permit effective date. Initial installment payments shall be remitted to NMED no later than 30 days after the Discharge Permit effective date; subsequent installment payments shall be remitted to NMED no later than the anniversary of the Discharge Permit effective date. An approved Discharge Permit shall be suspended or terminated if the facility fails to remit an installment payment by its due date. [20.6.2.3114.F NMAC, 74-6-5(K) WQA]

EFFECTIVE DATE: effective date

EXPIRATION DATE: expiration date

WILLIAM C. OLSON

Chief, Ground Water Quality Bureau

New Mexico Environment Department

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