



NEW MEXICO  
ENVIRONMENT DEPARTMENT



Ground Water Quality Bureau

SUSANA MARTINEZ  
Governor

JOHN A. SANCHEZ  
Lieutenant Governor

Harold Runnels Building  
1190 St. Francis Drive  
P.O. Box 5469, Santa Fe, NM 87502-5469  
Phone (505) 827-2918 Fax (505) 827-2965  
www.nmenv.state.nm.us

DAVE MARTIN

7002 2430 0004 2498 7462

**U.S. Postal Service  
CERTIFIED MAIL**  
(Domestic Mail Only; No Ins)

For delivery information visit [usps.com](#)

**OFFICIAL MAIL**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

Tom Melanson, Manager  
Bosque del Apache National  
1001 Highway 1  
San Antonio, New Mexico 87

PS Form 3800, June 2002

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

November 15, 2011

Tom Melanson, Manager  
Bosque del Apache National Wildlife Refuge  
1001 Highway 1  
San Antonio, NM 87832

**RE: Draft Discharge Permit, DP-1753, Bosque del Apache National Wildlife Refuge**

Dear Mr. Melanson:

Notice is hereby given pursuant to Subsection H of 20.6.2.3108 NMAC that Ground Water Discharge Permit DP-1753, Bosque del Apache National Wildlife Refuge, has been proposed for approval (copy enclosed). The New Mexico Environment Department (NMED) will publish notice of the availability of the draft Discharge Permit in the near future and will forward a copy of the notice to you.

Prior to making a final ruling on the proposed Discharge Permit, NMED will allow 30 days from the date the public notice is published during which time written comments can be submitted and/or a public hearing requested. Comments and/or hearing requests may be submitted by any interested person, including the Discharge Permit applicant. Written comments and/or hearing requests must be submitted to the Ground Water Quality Bureau at the address above and shall set forth the reasons why a hearing is requested. A hearing will be held only if hearing requests are received from the public and/or the Discharge Permit applicant during the 30-day comment period and NMED determines there is substantial public interest in the proposed Discharge Permit. Hearings are presided over by the NMED Secretary or a hearing officer appointed by the Secretary.

Please review the enclosed draft Discharge Permit carefully for accuracy and completeness, and to make sure you understand what it requires. Please be aware that this Discharge Permit may

Tom Melanson, DP-1753

November 15, 2011

Page 2

contain conditions that require the permittee to implement operational, monitoring or closure actions by a specified deadline. Such conditions are listed at the beginning of the Operational, Monitoring, and Closure Plans of the Discharge Permit.

A copy of the Water Quality Control Commission (WQCC) Regulations, 20.6.2 NMAC, is available at [http://www.nmcpr.state.nm.us/nmac/\\_title20/T20C006.htm](http://www.nmcpr.state.nm.us/nmac/_title20/T20C006.htm).

If you have any comments, questions, or concerns, please contact me at (505) 827-2978. If written comments and/or a written request for hearing are not received during the public comment period, the draft Discharge Permit will become final. The term of the final Discharge Permit shall not exceed five years in accordance with the Water Quality Act and the WQCC Regulations. Thank you for your cooperation during the review process.

Sincerely,



Russell A. Isaac, Ph.D., P.E.  
Environmental Engineer

enc: Draft Discharge Permit, DP-1753  
Ground Water Discharge Permit Monitoring Well Construction and Abandonment  
Conditions, Revision 1.1, March 2011

cc: Patrick McDermott, USFWS, 2321 West Royal Palm Road, Suite 103  
Phoenix, AZ 85021-4915  
John D. Blacker, P.E., HG&A, 12801 N. Central Expressway, Dallas, TX 75243

**GROUND WATER DISCHARGE PERMIT**  
**Bosque del Apache National Wildlife Refuge, DP-1753**

**I. INTRODUCTION**

The New Mexico Environment Department (NMED) issues this Discharge Permit (Discharge Permit), DP-1753, to the US Fish and Wildlife Service, Bosque del Apache National Wildlife Refuge (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 US Fish and Wildlife Service, Bosque del Apache National Wildlife Refuge (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 or will be 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 4,360 gallons per day (gpd) of domestic wastewater is discharged from Bosque del Apache National Wildlife Refuge to a treatment and disposal system. The majority of wastewater from the facility is treated in an advanced treatment system and then is discharged to a 1.5-acre subsurface disposal area. Also, two separate septic tank/leachfield systems receive wastewater from the Farm/Mechanical Shop buildings and the manager's residence. Potential contaminants associated with these types of discharges include nitrogen compounds. The facility is located at 1001 Highway 1, approximately eight miles south of San Antonio, in Section 12, Township 6S, Range 1W, Socorro County. Ground water most likely to be affected is at a depth of approximately 10 feet and has a total dissolved solids concentration of approximately 490 milligrams per liter.

The discharge contains water contaminants which may be elevated above the standards of Section 20.6.2.3103 NMAC and/or the presence of toxic pollutants as defined in Subsection WW of 20.6.2.7 NMAC

The facility is located at 1001 Highway 1, approximately eight miles south of San Antonio, in Section 12, Township 6S, Range 1W, Socorro County. Ground water most likely to be affected is at a depth of approximately 10 feet and has a total dissolved solids concentration of approximately 490 milligrams per liter.

The permittee's application consists of the materials submitted by Aaron D. Drew, Deputy Project Leader, on behalf of the permittee dated March 2, 2010 and materials contained in the administrative record prior to issuance of this Discharge Permit. The discharge shall be managed in accordance with all conditions and requirements of this Discharge Permit.

Pursuant to Section 20.6.2.3109 NMAC, NMED reserves the right to require a Discharge Permit Modification in the event NMED determines that the requirements of 20.6.2 NMAC are being or may be violated or the standards of Section 20.6.2.3103 NMAC are being or may be violated. This may include a determination that structural controls and/or management practices approved under this Discharge Permit are not protective of ground water quality, and that more stringent requirements to protect ground water quality may be required by NMED. The permittee may be required to implement abatement of water pollution and remediate ground water quality.

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
BOD <sub>5</sub>	biochemical oxygen demand (5-day)	NTU	nephelometric turbidity units
CFR	Code of Federal Regulations	Org	organisms
Cl	chloride	TDS	total dissolved solids
EPA	United States Environmental Protection Agency	TKN	total Kjeldahl nitrogen
gpd	gallons per day	total nitrogen	TKN+NO <sub>3</sub> -N
LADS	land application data sheet(s)	TRC	Total Residual Chlorine
mg/L	milligrams per liter	TSS	total suspended solids
mL	milliliters	UPC	Uniform Plumbing Code
NMAC	New Mexico Administrative Code	WQA	New Mexico Water Quality Act
NMED	New Mexico Environment Department	WQCC	Water Quality Control Commission
NMSA	New Mexico Statutes Annotated	WWTF	Wastewater Treatment Facility
NO <sub>3</sub> -N	nitrate nitrogen		

**II. FINDINGS**

In issuing this Discharge Permit, NMED finds:

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

meaning of Subsection A of 20.6.2.3101 NMAC.

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

### III. AUTHORIZATION TO DISCHARGE

The permittee is authorized to receive and treat up to 4,360 gpd of domestic wastewater using a Tornado activated sludge package plant and two septic tank/leachfield systems. The majority of wastewater from the facility enters a 3,000-gallon equalization tank with a lift station which pumps the wastewater to the treatment system consisting of a 1,250-gallon trash tank, two 1,690-gallon aeration chambers in series and a settling unit. Treated wastewater is pumped through a flow meter and discharged to a 1.5-acre subsurface disposal area. Also, two separate septic tank/leachfield systems receive wastewater discharged from the Farm and Mechanical Shop buildings and the manager's residence, respectively. [20.6.2.3104 NMAC, Subsection C of 20.6.2.3106 NMAC, Subsection C of 20.6.2.3109 NMAC]

The permittee is authorized to discharge water contaminants subject to the following conditions:

### IV. CONDITIONS

The conditions of this Discharge Permit shall be complied with by the permittee and are enforceable by NMED.

#### A. 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.  [NMSA 1978, § 74-6-5.D, Subsections B and C of 20.6.2.3109 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, Subsections B and C of 20.6.2.3109 NMAC]

#### *Operational Actions with Implementation Deadlines*

#	Terms and Conditions
3.	Within 180 days following the effective date of this Discharge Permit ( <b>by DATE</b> ), the permittee shall complete construction of the Tornado package plant system and subsurface disposal area in accordance with the final construction plans and specifications submitted

	<p>to NMED (dated April 7, 2011 by the professional engineer of record). The permittee shall notify NMED at the commencement of construction to allow NMED personnel to be onsite for inspection during construction. The permittee shall submit record drawings that bear the seal and signature of a licensed New Mexico professional engineer (pursuant to the New Mexico Engineering and Surveying Practice Act and the rules promulgated under that authority) for the constructed Tornado package plant system and subsurface disposal area to NMED within 30 days of completion.</p> <p>[NMSA 1978, § 74-6-5.D, Subsection B of 20.6.2.3109 NMAC, 20.6.2.1202 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]</p>
4.	<p>Within 180 days following the effective date of this Discharge Permit (<b>by DATE</b>), the permittee shall install measures such as twist lock covers requiring special tools for removal; covers weighing 58 pounds or more, net weight; or stainless steel hinge and hasp mechanism at the wastewater treatment facility to control access by the general public and animals.</p> <p>[NMSA 1978, § 74-6-5.D, Subsection B of 20.6.2.3109 NMAC]</p>
5.	<p>Within 180 days of the effective date of this Discharge Permit (<b>by DATE</b>), the permittee shall post signs in English and Spanish indicating that the wastewater at the treatment facility is not potable. Signs shall be posted at the facility entrance and other areas where there is potential for public contact with wastewater.</p> <p>[NMSA 1978, § 74-6-5.D, Subsection B of 20.6.2.3109 NMAC]</p>
6.	<p>Within 180 days of the effective date of this Discharge Permit (<b>by [date]</b>), the permittee shall provide access to the existing septic tank systems by installing two 24-inch openings. The access openings shall be located above the inlet and outlet piping of the septic tank to facilitate inspection of the tank's interior, repair of the internal piping and removal of sludge and scum. The access openings shall be extended from the tank to at least three inches above the ground surface or as approved by NMED. The access openings shall have a secured lid to deter unauthorized access but the lid shall remain above ground, unconcealed by dirt or pavement. A secure lid shall consist of one of the following: a padlock; a twist lock cover requiring special tools for removal; a cover weighing 58 pounds or more, net weight; or a stainless steel hinge and hasp mechanism. The permittee shall submit written confirmation of access-way installation, including photographic documentation, to NMED within 120 days of the effective date of this Discharge Permit (by [date]).</p> <p>[20.6.2.3107 NMAC]</p>

*Operating Conditions*

#	Terms and Conditions
7.	<p>Treated wastewater discharged from the Tornado package plant shall not exceed the following limitation:</p> <p><b>Total Nitrogen: 20 mg/L</b></p> <p>[NMSA 1978, § 74-6-5.D, Subsections B and C of 20.6.2.3109 NMAC]</p>
8.	<p>The permittee shall discharge treated wastewater to the 1.5-acre subsurface disposal area such that the amount of total nitrogen discharged does not exceed 200 pounds per acre in any 12-month period. Nitrogen content shall not be adjusted to account for volatilization or mineralization processes. Wastewater shall be distributed evenly throughout the entire subsurface disposal area.</p> <p>[NMSA 1978, § 74-6-5.D, Subsections B and C of 20.6.2.3109 NMAC]</p>
9.	<p>The permittee shall maintain measures such as twist lock covers requiring special tools for removal; covers weighing 58 pounds or more, net weight; or stainless steel hinge and hasp mechanism at the wastewater treatment facility to control access by the general public and animals. Access control measures shall be maintained throughout the term of 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 maintain signs indicating that the wastewater at the facility is not potable. Signs shall be posted at the treatment facility entrance and other areas where there is potential for public contact with wastewater. All signs shall be printed in English and Spanish remain visible and legible for the term of 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 inspect the septic tanks associated with the Mechanic/Farm Shops and the Manager's Residence semi-annually for the accumulation of scum and solids. In the event that the scum layer exceeds three inches or the settled solids occupy 50% or more of the tank volume, the contents of the tank(s) shall be pumped by a licensed hauler. The permittee shall maintain a record of solids removal and disposal, including date, volume of solids removed, and method of disposal.</p> <p>[NMSA 1978, § 74-6-5.D, Subsection B of 20.6.2.3109 NMAC]</p>
12.	<p>The permittee shall visually inspect the area above the subsurface disposal area semi-annually to ensure proper maintenance. Any conditions that indicate damage to the subsurface disposal area shall be corrected. Such conditions include, but are not limited to erosion damage, animal activity/damage, woody shrubs or evidence of seepage. The</p>

	<p>permittee shall keep a log of the inspection findings and repairs. The log shall be made available to NMED upon request.</p> <p>In the event of a failure of the subsurface disposal area, 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>
13.	<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.</p> <p>The permittee shall maintain manifests for all solids transported from the treatment facility for off-site disposal. The manifests shall identify the date, volume of solids removed and method of disposal.</p> <p>[NMSA 1978, § 74-6-5.D, Subsection B of 20.6.2.3109 NMAC]</p>
14.	<p>The permittee shall inspect the lift station(s) on a quarterly basis, and clean as needed to prevent pump failure. The permittee shall maintain a record of lift station inspections, repairs and cleanings.</p> <p>[NMSA 1978, § 74-6-5.D, Subsection B of 20.6.2.3109 NMAC]</p>
15.	<p>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. The operations and maintenance of all or any part of the wastewater system shall be performed by, or under the direct supervision of, a certified operator.</p> <p>[NMSA 1978, § 74-6-5.D, Subsection B of 20.6.2.3109 NMAC, 20.7.4 NMAC]</p>

**B. MONITORING AND REPORTING**

#	Terms and Conditions
16.	<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>
17.	<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> <p>a) American Public Health Association, Standard Methods for the Examination of Water</p>

	<p>and Wastewater (18<sup>th</sup>, 19<sup>th</sup> or current)</p> <p>b) U.S. Environmental Protection Agency, Methods for Chemical Analysis of Water and Waste</p> <p>c) U.S. Geological Survey, Techniques for Water Resources Investigations of the U.S. Geological Survey</p> <p>d) American Society for Testing and Materials, Annual Book of ASTM Standards, Part 31. Water</p> <p>e) U.S. Geological Survey, et al., National Handbook of Recommended Methods for Water Data Acquisition</p> <p>f) Federal Register, latest methods published for monitoring pursuant to Resource Conservation and Recovery Act regulations</p> <p>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</p> <p>[Subsection B of 20.6.2.3107 NMAC]</p>
<p>18.</p>	<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 and submitted as follows:</p> <ul style="list-style-type: none"> <li>• January 1<sup>st</sup> through March 31<sup>st</sup> (first quarter) – <b>due by May 1<sup>st</sup></b></li> <li>• April 1<sup>st</sup> through June 30<sup>th</sup> (second quarter) – <b>due by August 1<sup>st</sup></b></li> <li>• July 1<sup>st</sup> through September 30<sup>th</sup> (third quarter) – <b>due by November 1<sup>st</sup></b></li> <li>• October 1<sup>st</sup> through December 31<sup>st</sup> (fourth quarter) – <b>due by February 1<sup>st</sup></b></li> </ul> <p>Monitoring requirements detailed in this Discharge Permit are summarized on the sheet titled <i>Summary of Required Actions, Monitoring and Reporting</i>.</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>

***Monitoring Actions with Implementation Deadlines***

#	Terms and Conditions
<p>19.</p>	<p>Within 90 days following the effective date of this Discharge Permit (<b>by DATE</b>), the permittee shall install the following flow meters:</p> <ul style="list-style-type: none"> <li>• One totalizing flow meter installed on the discharge line from the dosing tank to the subsurface disposal area to measure the volume of treated wastewater discharged to the subsurface disposal area.</li> </ul> <p>Confirmation of meter installation, type, calibration and locations shall be submitted to</p>

	<p>NMED within 30 days of completed installations.</p> <p>[NMSA 1978, § 74-6-5.D, Subsections B and C of 20.6.2.3109 NMAC]</p>
20.	<p>At least 60 days prior to monitoring well installation, 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> <ol style="list-style-type: none"><li>A map showing the proposed location of the monitoring well(s) from the boundary of the source it is intended to monitor.</li><li>A written description of the specific location proposed for the monitoring well(s) including the distance (in feet) and direction of the monitoring well(s) from the edge of the source it is intended to monitor. Examples include: 35 feet north-northwest of the northern berm of the synthetically lined impoundment; 45 feet due south of the leachfield; 30 feet southeast of the re-use area 150 degrees from north.</li><li>A statement describing the ground water flow direction beneath the facility, and documentation and/or data supporting the determination.</li></ol> <p>All monitoring well locations shall be approved by NMED prior to installation.</p> <p>[NMSA 1978, § 74-6-5.D, Subsection B of 20.6.2.3109 NMAC]</p>
21.	<p>Within 120 days of the effective date of this Discharge Permit (by DATE), the permittee shall install the following new monitoring wells:</p> <ul style="list-style-type: none"><li>One monitoring well (MW-1) hydrologically upgradient of the facility.</li><li>One monitoring well (MW-2) located 20 to 50 feet hydrologically downgradient of the 1.5 acre subsurface disposal area.</li><li>One monitoring well (MW-3) located at an alternate location from MW-2 and 20 to 50 feet hydrologically downgradient of the 1.5-acre subsurface disposal area.</li></ul> <p>The wells shall be completed in accordance with the attachment titled <i>Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions</i>, Revision 1.1, March 2011. Construction and lithologic logs shall be submitted to NMED within 30 days of well completion.</p> <p>Unless otherwise noted in this Discharge Permit, the requirement to install a monitoring well downgradient of a source is <u>not</u> contingent upon construction of or discharge of wastewater to that source, or discharge of wastewater from the facility.</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>
22.	<p>Following the installation of the monitoring wells required to be installed by this Discharge Permit, the permittee shall sample ground water in the wells and analyze the samples for dissolved NO<sub>3</sub>-N, TKN, TDS and Cl.</p>

	<p>Ground water sample collection, preservation, transport and analysis shall be performed according to the following procedure:</p> <ol style="list-style-type: none"><li>a) Measure the depth-to-ground water from the top of the 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 the laboratory QA/QC summary report, and a facility layout map showing the location and number of each well shall be submitted to NMED within 45 days of the installation of the monitoring wells.</p> <p>[NMSA 1978, § 74-6-5.D, Subsection B of 20.6.2.3109 NMAC, Subsection A of 20.6.2.3107 NMAC]</p>
23.	<p>Within 30 days following the the installation of the monitoring wells, 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 shall be 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 bear the seal and signature of a licensed New Mexico professional surveyor (pursuant to the New Mexico Engineering and Surveying Practice Act and the rules promulgated under that authority).</p> <p>Depth-to-water shall be measured to the nearest hundredth of a foot in all surveyed wells, and the data shall be used to develop a ground water elevation contour map showing the location of all monitoring wells and the direction and gradient of ground water flow at the facility. The data and ground water elevation contour map shall be submitted to NMED within 30 days of survey completion.</p> <p>[NMSA 1978, § 74-6-5.D, Subsection B of 20.6.2.3109 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]</p>
24.	<p>Once prior to the date that the term of this Discharge Permit ends, NMED shall have the option to perform downhole 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.</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 downhole well inspection(s) can be scheduled prior to pump placement.</p>

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

**Ground Water Monitoring Conditions**

#	Terms and Conditions
25.	<p>The permittee shall perform quarterly ground water sampling in the following monitoring wells and analyze the samples for dissolved NO<sub>3</sub>-N, TKN, TDS and Cl:</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 and within 20 to 50 feet of the 1.5 acre subsurface disposal area.</li><li>• MW-3, intended to be located at an alternate location from MW-2 and 20 to 50 feet hydrologically downgradient of the 1.5-acre subsurface 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 the 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 the laboratory QA/QC summary report, and a facility layout map showing the location and number of each well shall be submitted to NMED in the quarterly monitoring reports.</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>
26.	<p>The permittee shall develop a ground water elevation contour map on a quarterly basis using the top of casing elevation data from the monitoring well survey and quarterly depth-to-water measurements obtained from the ground water monitoring wells required by this Discharge Permit.</p> <p>The ground water elevation contour map shall depict the ground water flow direction based on the ground water elevation contours. Ground water elevations between monitoring well locations shall be estimated using common interpolation methods. A contour interval appropriate to the data shall be used, but in no case shall the interval be greater than two feet. Ground water elevation contour maps shall depict the ground water flow direction, using arrows, based on the orientation of the ground water elevation contours, and the location and identification of each monitoring well and contaminant source. The ground water elevation contour map shall be submitted to NMED in the quarterly monitoring</p>

	<p>reports.</p> <p>[NMSA 1978, § 74-6-5.D, Subsection B of 20.6.2.3109 NMAC]</p>
--	--

***Facility Monitoring Conditions***

#	Terms and Conditions
27.	<p>The permittee shall measure the totalized volume of water supplied to the entire facility each month using a totalizing flow meter located on the water service line at the Refuge's headquarters. The totalized 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>
28.	<p>The permittee shall measure the monthly volume of treated wastewater discharged from the dosing tank to the 1.5-acre subsurface disposal area. The permittee shall obtain readings from a totalizing flow meter located on the discharge line from the dosing tank 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>
29.	<p>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, once within 90 days of the initiation of discharge from the treatment system.</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> <ol 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 or negative offset as a percentage of actual flow as determined by an in-field calibration check.</li> <li>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.</li> </ol>

	<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>
30.	<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>
31.	<p>The permittee shall collect a sample of treated wastewater from the discharge from the Tornado package plant dosing system 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>[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>
32.	<p>The permittee shall collect wastewater samples from the septic tanks on an annual basis, and analyze for TKN, TDS and Cl. The sample shall be collected from one of the two septic tanks, alternating between septic tanks each year. Analytical results shall be submitted to NMED in the monitoring report due by February 1 of each year. [20.6.2.3107 NMAC]</p>
33.	<p>The permittee shall inspect the septic tanks semi-annually for the accumulation of scum and solids. In the event that the scum layer exceeds three inches or the settled solids occupy 50% of the tank or more, the contents of the tanks shall be pumped by a licensed hauler. The inspection records and pumping invoices shall be submitted to NMED in the semi-annual monitoring reports. [20.6.2.3107 NMAC]</p>
34.	<p>The permittee shall visually inspect the area above each of the two leachfields semi-annually to ensure proper maintenance. Any conditions that indicate damage to either leachfield shall be corrected. Such conditions include, but are not limited to erosion damage, animal activity/damage, woody shrubs, or evidence of seepage. The inspection records shall be submitted to NMED in the semi-annual monitoring reports. [20.6.2.3107 NMAC]</p>

35.	<p>Records of solids disposal, including the volume of solids removed, and copies of all manifests for the previous calendar year shall be submitted to NMED annually in the monitoring report due by August 1<sup>st</sup> each year.</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>
-----	---

**C. CONTINGENCY PLAN**

#	Terms and Conditions
36.	<p>In the event that ground water monitoring indicates that a ground water quality standard identified in 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 a 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 the 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 through 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>
37.	<p>In the event that information available to NMED indicates that a well(s) is not constructed in a manner consistent with the attachment titled <i>Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions</i>, Revision 1.1, March 2011; contains insufficient water to effectively monitor ground water quality; or is not completed in a manner that is protective of ground water quality, the permittee shall install a</p>

replacement well(s) within 120 days following notification from NMED. The permittee shall survey the replacement monitoring well(s) within 150 days following notification from NMED.

Replacement well location(s) shall be approved by NMED prior to installation and completed in accordance with the attachment titled *Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions*, Revision 1.1, March 2011. The permittee shall submit construction and lithologic logs, and survey data and a ground water elevation contour map to NMED within 60 days following well completion.

Upon completion of the replacement monitoring well(s), the monitoring well(s) requiring replacement shall be properly plugged and abandoned. Well plugging, abandonment and documentation of the abandonment procedures shall be completed in accordance with the attachment titled *Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions*, Revision 1.1, March 2011, and all applicable local, state, and federal regulations. The well abandonment documentation shall be submitted to NMED within 60 days of completion of well plugging activities.

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

38. In the event that ground water flow information obtained pursuant to this Discharge Permit indicates that a monitoring well(s) is not located hydrologically downgradient of the discharge location(s) it is intended to monitor, the permittee shall install a replacement well(s) within 120 days following notification from NMED. The permittee shall survey the replacement monitoring well(s) within 150 days following notification from NMED.

Replacement well location(s) shall be approved by NMED prior to installation and completed in accordance with the attachment titled *Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions*, Revision 1.1, March 2011. The permittee shall submit construction and lithologic logs, and survey data and a ground water elevation contour map within 30 days following well completion.

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

39. 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:

- a) Within 15 days of the second sample analysis date indicating that the limitation is continuing to be exceeded, the permittee shall
  - i) notify NMED that the contingency plan is being enacted; and
  - ii) submit a copy of the first and second analytical results indicating an exceedance to NMED.
- b) The permittee shall increase the frequency of total nitrogen wastewater sampling and

	<p>analysis of treated wastewater to once per month.</p> <ul style="list-style-type: none"><li>c) The permittee shall examine the operation and maintenance log, required by the Record Keeping conditions of this Discharge Permit, for improper operational procedures.</li><li>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.</li><li>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 is continuing to be exceeded. The permittee shall initiate implementation of the plan following approval by NMED.</li></ul> <p>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.</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>
40.	<p>In the event that an inspection of the 1.5-acre subsurface disposal area reveals failure, the following contingency plan shall be enacted:</p> <ul style="list-style-type: none"><li>a) Within 24 hours following the discovered failure, the permittee shall implement the following measures:<ul style="list-style-type: none"><li>i) Notify NMED of the failure in accordance with the notification requirements described in the Contingency Plan for unauthorized discharges.</li><li>ii) Restrict public access to the area.</li></ul></li><li>b) The permittee shall conduct a physical inspection of the treatment and disposal system to identify additional potential failures.</li><li>c) The permittee shall propose actions to address the failure and methods of correction by submitting a corrective action report/plan to NMED for approval within 15 days following the discovered failure. 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.</li></ul> <p>[NMSA 1978, § 74-6-5.D, Subsection B of 20.6.2.3109 NMAC, Subsection A of 20.6.2.3107 NMAC]</p>
41.	<p>In the event that a release (commonly known as a "spill") occurs that is not authorized under this Discharge Permit, the permittee shall take measures to mitigate damage from the unauthorized discharge and initiate the notifications and corrective actions required in Section 20.6.2.1203 NMAC and summarized below.</p>

Within 24 hours following discovery of the unauthorized discharge, the permittee shall verbally notify NMED and provide the following information:

- 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.
- b) The name and address of the facility.
- c) The date, time, location, and duration of the unauthorized discharge.
- d) The source and cause of unauthorized discharge.
- e) A description of the unauthorized discharge, including its estimated chemical composition.
- f) The estimated volume of the unauthorized discharge.
- g) Any actions taken to mitigate immediate damage from the unauthorized discharge.

Within one week following discovery of the unauthorized discharge, the permittee shall submit written notification to NMED with the information listed above and any pertinent updates.

Within 15 days following discovery of the unauthorized discharge, the permittee shall submit a corrective action report/plan to NMED describing any corrective actions taken and/or to be taken relative to the unauthorized discharge that includes the following:

- a) A description of proposed actions to mitigate damage from the unauthorized discharge.
- b) A description of proposed actions to prevent future unauthorized discharges of this nature.
- c) A schedule for completion of proposed actions.

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.

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.

[NMSA 1978, § 74-6-5.D, Subsection B of 20.6.2.3109 NMAC, 20.6.2.1203 NMAC]

42. 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.

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

**D. CLOSURE PLAN**

*Closure Actions with Implementation Deadlines*

#	Terms and Conditions
43.	<p>Within 60 days following the completion of the Tornado Package plant system, the permittee shall commence the following closure measures in the septic tank/leachfield systems being replaced by the package plant.</p> <ul style="list-style-type: none"> <li>a) Remove or plug all lines conveying wastewater to the septic tank/leachfield system(s) so that a discharge can no longer occur.</li> <li>b) Pump the septic tanks and dispose of pumpings in accordance with all local, state, and federal regulations.</li> <li>c) Backfill the tanks with clean fill or sand, or remove from the site.</li> </ul> <p>Within 60 days of the completion of closure measures, the permittee shall submit to NMED photographic documentation demonstrating completed closure. [20.6.2.3107.A(11) NMAC]</p>

*Permanent Facility Closure Conditions*

#	Terms and Conditions
44.	<p>In the event a facility is proposed to be permanently closed, upon ceasing discharging, the permittee shall perform the following closure measures:</p> <p>Within <u>90 days</u> of ceasing discharging to the treatment system and the two septic tank/leachfield systems, the permittee shall complete the following closure measures:</p> <ul style="list-style-type: none"> <li>a) The line leading to each system shall be plugged so that a discharge can no longer occur.</li> <li>b) Wastewater shall be drained from the treatment system components and septic tanks shall be disposed of in accordance with all local, state, and federal regulations.</li> <li>c) Solids removed from the treatment system shall be contained, transported, and disposed of in accordance with all local, state, and federal regulations, including 40 CFR Part 503. The permittee shall maintain a record of all solids transported for off-site disposal.</li> </ul>
45.	<p>Within <u>180 days</u> of ceasing discharging to the treatment system, the permittee shall complete the following closure measures:</p> <ul style="list-style-type: none"> <li>a) Remove all lines leading to and from the treatment system, or permanently plug and abandon them in place.</li> <li>b) Remove or demolish all treatment system components, and re-grade area with suitable fill to blend with surface topography, promote positive drainage and prevent ponding.</li> <li>c) Backfill the septic tanks with clean fill or sand, or remove from the site.</li> </ul>

The permittee shall continue ground water monitoring until the requirements of this condition have been met 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.

If monitoring results show that a ground water quality standard in 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, the permittee shall implement the contingency plan required by this Discharge Permit.

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 *Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions*, Revision 1.1, March 2011.

When all closure and post-closure requirements have been met, the permittee may submit a written request for termination of the Discharge Permit to NMED.

[NMSA 1978, § 74-6-5.D, Subsection B of 20.6.2.3109 NMAC, Subsection A of 20.6.2.3107 NMAC, 40 CFR Part 503]

**E. GENERAL TERMS AND CONDITIONS**

#	Terms and Conditions
46.	<p><b>RECORD KEEPING</b> - The permittee shall maintain a written record of the following information:</p> <ul 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 (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></ul>

required to be sampled pursuant to this Discharge Permit.

- i) Records of the maintenance, repair, replacement or calibration of any monitoring equipment or flow measurement devices required by this Discharge Permit.
- 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:
  - i) The dates, location and times of sampling or field measurements;
  - ii) The name and job title of the individuals who performed each sample collection or field measurement;
  - iii) The sample analysis date of each sample;
  - iv) The name and address of the laboratory, and the name of the signatory authority for the laboratory analysis;
  - v) The analytical technique or method used to analyze each sample or collect each field measurement;
  - vi) The results of each analysis or field measurement, including raw data;
  - vii) The results of any split, spiked, duplicate or repeat sample; and
  - viii) A copy of the laboratory analysis chain-of-custody as well as a description of the quality assurance and quality control procedures used.

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.

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

47. **INSPECTION and ENTRY** – The permittee shall allow inspection by NMED of the facility and its operations which are subject to this Discharge Permit and the WQCC regulations. NMED may upon presentation of proper credentials, enter at reasonable times upon or through any premises in which a water contaminant source is located or in which are located any records required to be maintained by regulations of the federal government or the WQCC.

The permittee shall allow NMED to have access to and reproduce for their use any copy of the records, and to perform assessments, sampling or monitoring during an inspection for the purpose of evaluating compliance with this Discharge Permit and the WQCC regulations.

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.

[Subsection D of 20.6.2.3107 NMAC, NMSA 1978, §§ 74-6-9.B and 74-6-9.E]

48.	<p>DUTY to PROVIDE INFORMATION - 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, NMSA 1978, §§ 74-6-9.B and 74-6-9.E]</p>
49.	<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>
50.	<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>
51.	<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>
52.	<p><b>CRIMINAL PENALTIES – No person shall:</b></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 required to be maintained under the WQA; or</li><li>3) fail to monitor, sample or report as required by a permit issued pursuant to a state or federal law or regulation.</li></ol> <p>Any person who knowingly violates or knowingly causes or allows another person to violate the requirements of this condition is guilty of a fourth degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who is convicted of a second or subsequent violation of the requirements of this condition is guilty of a third degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition or knowingly causes another person to violate the requirements of this condition and thereby causes a substantial adverse environmental impact is guilty of a third degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition and knows at the time of the violation that he is creating a substantial danger of death or serious bodily injury to any other person is guilty of a second degree felony 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>
53.	<p><b>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.</b></p> <p>[20.6.2 NMAC]</p>
54.	<p><b>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.</b></p> <p>[NMSA 1978, § 74-6-5.O]</p>
55.	<p><b>TRANSFER of DISCHARGE PERMIT - Prior to the transfer of any ownership, control, or possession of this facility or any portion thereof, the permittee shall:</b></p> <ol style="list-style-type: none"><li>1) notify the proposed transferee in writing of the existence of this Discharge Permit;</li><li>2) include a copy of this Discharge Permit with the notice; and</li><li>3) deliver or send by certified mail to NMED a copy of the notification and proof that</li></ol>

	<p>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>
56.	<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]

---

JERRY SHOEPNER  
Acting Chief, Ground Water Quality Bureau  
New Mexico Environment Department



# New Mexico Environment Department Ground Water Quality Bureau Discharge Permit Summary

## Facility Information

**Facility Name:** Bosque del Apache National Wildlife Refuge  
**Discharge Permit Number** DP-1753

**Legally Responsible Party** Tom Melanson, Manager  
 Bosque del Apache National Wildlife Refuge  
 1001 Highway 1  
 San Antonio, NM 87832  
 (575) 835-1828

## Treatment, Disposal and Site Information

**Primary Waste Type** Domestic  
**Facility Type** Recreational Area

### Treatment Methods

Type	Designation	Description & Comments
Package Treatment Plant	Tornado Package Plant	5000-gallon package treatment plant preceded by a 3000-gallon trash/equalization tank with two aeration compartments followed by a settling unit
Septic Tank	Farm/Mechanic Shops	Septic tank serving these two low use facilities. Details not available.
Septic Tank	Manger's Residence	Septic tank serving the manager's residence. Details not available.

### Discharge Locations

Type	Designation	Description & Comments
Pressure dosed disposal field	Tornado System	1.5-acre subsurface disposal area that receives treated wastewater from the Tornado Package Plant.
Leachfield	Farm/Mechanic Shops	Leachfield of unknown dimensions and construction.
Leachfield	Manger's Residence	Leachfield of unknown dimensions and construction.

### Flow Metering Locations

Type	Designation	Description & Comments
Totalizing Flow Meter	Water supply	On public service line to the complex.
Totalizing Flow Meter	Wastewater	On the discharge from the dosing tank for the Tornado Treatment System to the subsurface disposal area.

### Ground Water Monitoring Locations

Type	Designation	Description & Comments
Monitoring Well (or Supply Well)	MW-1	Intended to be upgradient of Tornado System and septic tanks/leachfields.



# New Mexico Environment Department Ground Water Quality Bureau Discharge Permit Summary

Monitoring Well	MW-2	Intended to be 20-50 feet downgradient of the 1.5 acre disposal area.
Monitoring Well	MW-3	Intended to be at an alternate location from MW-2 and 20-50 feet downgradient of the 1.5 acre disposal area.

Depth-to-Ground Water 10 feet  
Total Dissolved Solids (TDS) 490 mg/L

## Permit Information

Application Received date  
Public Notice Published [not yet published]  
Discharge Permit Issued [effective date]  
Discharge Permit Term Ends [term end date]  
Permitted Discharge Volume 4,360 gallons per day

## NMED Contact Information

Mailing Address Ground Water Quality Bureau  
P.O. Box 5469  
Santa Fe, New Mexico 87502-5469

GWQB Telephone Number (505) 827-2900

NMED Lead Staff Russell A. Isaac  
Lead Staff Telephone Number (505) 827-2978  
Lead Staff Email russell.isaac@state.nm.us



New Mexico Environment Department Ground Water Quality Bureau

Cover Page for Discharge Permit Monitoring Reports

Bosque del Apache, DP-1753

The following page is provided to assist you in compiling your monitoring reports. Use this page as the cover for all monitoring reports. Indicate today's date, the due date and check off the items included. Retain a copy of all monitoring reports for your records. Keep clean copies of this original for future submittals.

Today's Date: \_\_\_\_\_ This report is due (circle date): Feb 1 Aug 1 Year: \_\_\_\_\_

Name and phone number of Ground Water Quality Bureau Reviewer: [name, phone #]

Please check the items included in this report and attach them in the order listed:

Monitoring and Reporting Requirements

Table with 4 columns: Check, #, Description of Monitoring and Reporting Requirements, Reporting Due Dates. Contains 6 rows of requirements such as 'Monthly meter readings and discharge volumes'.

NOTE: See Discharge Permit for full requirement details.

Is all of the information required for this reporting period included in this monitoring report?

Check one: [ ] Yes or [ ] No If no, attach an explanation for any missing information.

Attach the required information and submit all reports to:

NMED Ground Water Quality Bureau
P.O. Box 5469
Santa Fe, New Mexico 87502-5469



**New Mexico Environment Department**  
**Ground Water Quality Bureau - Monitoring Report**  
**Septic Tank/Leachfield Systems**

DP #: 1753

Facility Name: Bosque del Apache National Wildlife Refuge

Today's Date: \_\_\_\_\_ This report is due (circle date): Feb 1 Aug 1 Year: \_\_\_\_\_

Name and phone number of GWQB Reviewer: Russell A. Isaac, (505) 827-2978

The following page is provided to assist you in reporting your monitoring data. Retain a copy of all monitoring reports for your records. **Keep this original so that copies can be made for future submittals.**

**Meter readings** Meter units (and multiplying factor): \_\_\_\_\_

Please fill in the first line with the previous reading for ease of calculation

Date read	Meter reading	Monthly water use (gal)	Volume of water used for irrigation (gal)	Monthly discharge volumes (gal)	Gallons per day

**Monitoring well sample:** Please compile results on this sheet *and* attach copies of lab reports.

Designation	Date Sampled	Depth to water	TKN (mg/L)	NO <sub>3</sub> -N (mg/L)	Cl (mg/L)	TDS (mg/L)

**Wastewater sample:** Please compile results on this sheet *and* attach copies of lab reports.

Designation of sampling location	Date Sampled	TKN (mg/L)	Cl (mg/L)	TDS (mg/L)

If any analytical results exceed the limits or standards listed below, please highlight them on the table below. Check your discharge permit for re-sampling and corrective action requirements.

Ground Water Standards		
Constituent	Limit	Units
NO <sub>3</sub> -N	10	mg/L
Cl	250	mg/L
TDS	1000	mg/L

Completing sampling and analyses in the time period specified in the Discharge Permit.

Mail report to: NMED Ground Water Quality Bureau, P.O. Box 5469, Santa Fe, New Mexico 87502-5469



**New Mexico Environment Department**  
**Ground Water Quality Bureau - Monitoring Report**  
**Septic Tank/Leachfield Systems**

DP #: 1753

Facility Name: Bosque del Apache National Wildlife Refuge

Today's Date: \_\_\_\_\_ This report is due (circle date): Feb 1 Aug 1 Year: \_\_\_\_\_

**Septic tank maintenance:** Please attach copies of pumping invoices

Designation	Date checked	Scum depth (ft/in)	Water Depth (ft/in)	Solids Depth (ft/in)	Date pumped	Gallons pumped

**Leachfield maintenance**

Designation	Date checked	Maintenance performed and/or problems fixed