

GROUND WATER DISCHARGE PERMIT
Burlington Northern Santa Fe Belen Railyard, DP-278

I. INTRODUCTION

The New Mexico Environment Department (NMED) issues this Discharge Permit Renewal, DP-278, to Burlington Northern Santa Fe Railway Co. (BNSF) (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 BNSF Belen Railyard (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 20.6.2.3109.C 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 8,250 gallons per day (gpd) of industrial wastewater and stormwater is discharged to a treatment and disposal system. Spilled grease and diesel fuel and precipitation runoff from three fueling areas are collected in track pans and discharged to oil/water separators. Hydrocarbon contaminated sediment accumulated in the track pans and oil/water separators is placed in concrete sludge drying beds prior to off-site disposal at a permitted facility. Liquids drained from the sludge drying beds are discharged to an oil/water separator. The separated water is discharged to two synthetically-lined evaporative lagoons. The separated fuel is pumped to storage tanks and transferred to rail tank cars or trucks for recycling. The facility is located at 106 North First Street, Belen, in Sections 18 and 19, T05N, R02E, Valencia County. Ground water beneath the site is at a depth between four and six feet and has a total dissolved solids concentration between 560 milligrams per liter.

The permittee's application consists of the materials submitted by Environmental Resource Management on behalf of BNSF dated August 5, 2011. The permittee's Discharge Plan consists of this application and previously submitted materials as applicable. The discharge shall be managed in accordance with all conditions and requirements of this Discharge Permit.

Pursuant to 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 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 changing remediation 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 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 20.6.2.3104 NMAC.
1. 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 20.6.2.3101.A NMAC.
3. The permittee discharge from the facility is not subject to any of the exemptions of 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 permitted 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 NMAC 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 discharge up to 8,250 gallons per day of waste water collected from the West Bound Main Line, East Bound Main Line, and Roundhouse Fueling Facilities as well as from the direct truck fuel loading pad and rail tank car unloading track pans near the main fuel tank farm and the sludge drying beds into two 60-mil thick synthetically lined evaporative lagoons. Spilled grease, diesel fuel, and precipitation runoff from the fueling areas are collected in track pans and discharged to individual oil/water separators. Periodically the track pans are washed down with a high pressure sprayer and the fluids are collected in the sump and drained or pumped to the oil/water separators. Separated water is discharged to two on-site synthetically lined evaporative lagoons. Hydrocarbon contaminated soils accumulated in the track pans and oil/water separators are placed in concrete sludge drying beds prior to off-site disposal at a permitted facility. Separated fuel is pumped to storage tanks and transferred to rail tank cars or trucks for recycling. [20.6.2.3104 NMAC, 20.6.2.3109 NMAC]
4.	The permittee shall maintain a minimum of one foot of freeboard in the evaporative lagoons at all times as measured on the slope of the lagoons. In the event that a minimum of one foot of freeboard, as measured on the slope of the lagoon, cannot be maintained at all times, the permittee shall submit a corrective action plan for NMED approval to modify the management of discharge volumes. [20.6.2.3109 NMAC]

MONITORING, REPORTING, AND OTHER REQUIREMENTS

#	Terms and Conditions
5.	The permittee shall conduct the following monitoring, reporting, and other requirements listed below. [20.6.2.3107 NMAC]
6.	<p>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:</p> <ul 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

	<p>d) American Society for Testing and Materials, Annual Book of ASTM Standards, Part 31. Water</p> <p>e) Federal Register, latest methods published for monitoring pursuant to Resources Conservation Recovery Act regulations</p> <p>f) U.S. Geological Survey, et al., National Handbook of Recommended Methods for Water Data Acquisition</p> <p>g) Methods of Soil Analysis: Part 1. Physical and Mineralogical Methods; Part 2. Microbiological and Biochemical Properties; and Part 3. Chemical Methods, American Society of Agronomy.</p> <p>[20.6.2.3107.B NMAC]</p>
7.	<p>The permittee shall submit semi-annual monitoring reports to NMED by the 1st of May and November of each year.</p> <p>Semi-annual monitoring shall be performed during the following periods:</p> <ul style="list-style-type: none"> • August 1st through March 31th (first half) – report due by May 1st; and • April 1st through September 30th (second half) – report due by November 1st. <p>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]</p>
8.	<p>The permittee shall visually inspect the evaporative ponds/lagoons and surrounding berms on a monthly basis to ensure proper maintenance. Any conditions that could damage the ponds/lagoons or liners, or affect the structural integrity of the ponds/lagoons shall be corrected. Such conditions include but are not limited to erosion damage, animal activity /damage, the presence of potentially harmful vegetation such as woody shrubs or uncontrolled weeds, 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. In the event that inspection findings reveal significant damage likely to affect the ability of the lined ponds/lagoons to contain contaminants, the permittee shall submit a corrective action plan to NMED for approval. The permittee shall inspect the oil/water separator on a quarterly basis and pump and clean as needed. The inspection and pumping/cleaning records shall be submitted to NMED in the semi-annual monitoring report. [20.6.2.3107NMAC, 20.6.2.3109 NMAC]</p>
9.	<p>The permittee shall calculate the total monthly volume of wastewater discharged to the evaporative lagoons. The permittee shall use a meter stick to measure estimate wastewater levels in the lagoons on a monthly basis. This wastewater level shall be used to calculate the volume of wastewater discharged to the lagoons. Calculated wastewater discharge volumes shall be reported to NMED in the semi-annual monitoring reports. [20.6.2.3107(A)1 NMAC, 20.6.2.3109(H)1 NMAC]</p>
10.	<p>The permittee shall sample wastewater on an annual basis from one of the evaporative lagoons. The sample shall be analyzed for benzene, toluene, ethylbenzene and xylene (BTEX) by EPA Method 8021; 18 polynuclear aromatic hydrocarbons (PAH) by EPA Method 8270B; and dissolved iron and manganese. Analytical results shall be reported to NMED in the semi-annual monitoring reports. [20.6.2.3107 NMAC]</p>
11.	<p>The permittee shall sample ground water on a semi-annual basis from monitoring wells</p>

	<p>MW-90 and MW-91. The sample shall be analyzed for BTEX by EPA Method 8021; PAH by EPA Method 8270B; and dissolved iron and manganese. Analytical results shall be reported to NMED in the semi-annual monitoring reports. Prior to sample collection, depth to water shall be measured and recorded, each well shall be purged of three (3) well volumes, and field parameters (temperature, conductivity, and pH) shall be measured and recorded during purging. These measurements taken prior to sample collection shall be reported to NMED in the semi-annual monitoring reports.</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"> Measure the depth-to-ground water from the top of well casing to the nearest hundredth of a foot. Purge three well volumes of water from the well prior to sample collection. Obtain samples from the well for analysis. Properly prepare, preserve and transport samples. Analyze samples in accordance with the methods authorized in this Discharge Permit. <p>Depth-to-water measurements, analytical results, including laboratory QA/QC summary report, and a facility layout map showing the location and number of each well shall be submitted to NMED in the semi-annual monitoring reports. [20.6.2.3107 NMAC]</p>
12.	<p>Once prior to the expiration date of this Discharge Permit, 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. [20.6.2.3107 NMAC]</p>

CONTINGENCY PLAN

#	Terms and Conditions
13.	<p>In the event that ground water monitoring indicates that one or more of the ground water standards of Section 20.6.2.3103 NMAC are violated as a result of the permitted discharge during the term of this Discharge Permit, upon closure of the facility or during post-closure monitoring, the permittee shall perform the following actions:</p> <ol style="list-style-type: none"> Collect a second sample from the monitoring well(s) within 30 days of the initial sample analysis date to verify the initial results. Submit the analytical results for both the initial and second ground water samples to NMED within 30 days of the analysis date of the second ground water sample.

	In the event that analytical results of the second ground water sample verify the exceedance of one or more of the ground water standards of Section 20.6.2.3103 NMAC, within 60 days of the second sample analysis date the permittee shall submit a corrective action plan to NMED and implement the plan upon NMED approval. The corrective action plan shall propose 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 confirmed ground water contamination. [20.6.2.1203 NMAC, 20.6.2.4105.A(8) NMAC]
14.	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. Wastewater shall be contained, pumped and/or transferred to the concrete sump, lagoon and/or land application area as necessary. Failed components shall be repaired or replaced within 48 hours from the time of failure or as soon as possible. Within seven 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]
15.	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]
16.	In the event that a minimum of one foot of freeboard cannot be maintained in the two lined evaporative lagoons at all times, the permittee shall submit a corrective action plan for NMED approval within 30 days of the date when the one foot of freeboard limit was initially exceeded. [20.6.2.3107 NMAC, 20.6.2.3109 NMAC]
17.	In the event that inspection findings reveal significant damage likely to affect the ability of the two lined evaporative lagoons to contain contaminants, the permittee shall submit a corrective action plan for the repair or replacement of the liners to NMED for approval within 30 days of discovery by the permittee or following notification from NMED that significant liner damage is evident. [20.6.2.3107 NMAC, 20.6.2.3109 NMAC]

CLOSURE PLAN

#	Terms and Conditions
18.	<p>Upon closure of the facility, the permittee shall perform the following closure measures:</p> <p style="padding-left: 40px;">a) In the event the evaporative lagoons are to be closed, they shall be dismantled by removing and properly disposing of the water and sludge in the lagoons, clean the liner and piping and properly recycle and dispose, and flatten the earthen berms.</p>

	<p>Piping left in the ground will be capped. If there is evidence of leakage from the lagoons, impacts will be assessed and mitigated following NMED approval.</p> <p>b) In the event the fueling platforms are closed, track pans will be cleaned, dismantled and properly disposed. If there is evidence of contaminated soil below the platforms, impacts will be assessed and mitigated following NMED approval.</p> <p>c) In the event the oil/water separators are closed, they shall be pumped, cleaned, removed, and properly disposed. Removed sludge shall be disposed at a proper facility. All piping into the separators shall be capped. If there is evidence of contaminated soil below the platforms, impacts will be assessed and mitigated following NMED approval</p> <p>d) Following notification from NMED that post-closure monitoring is not required or may cease, plug and abandon the ground water monitoring wells in accordance with NMED’s Guidelines for <i>Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions</i>, Revision 1.1, March 2011.</p> <p>e) When all post-closure requirements have been met, the permittee may request to terminate the Discharge Permit. [20.6.2.3107(A)11 NMAC]</p>
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GENERAL TERMS AND CONDITIONS

#	Terms and Conditions
19.	<p>RECORD KEEPING - The permittee shall maintain a written record of the following information:</p> <p>a) Information and data used to complete the application for this Discharge Permit.</p> <p>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.</p> <p>c) Records of the operation, maintenance, and repair of all facilities/equipment used to treat, store or dispose of wastewater.</p> <p>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.</p> <p>e) Copies of monitoring reports completed and/or submitted to NMED pursuant to this Discharge Permit.</p> <p>f) The volume of wastewater or other wastes discharged pursuant to this Discharge Permit.</p> <p>g) Ground water quality and wastewater quality data collected pursuant to this Discharge Permit.</p> <p>h) Copies of construction records (well log) for all ground water monitoring wells required to be sampled pursuant to this Discharge Permit.</p> <p>i) Records of the maintenance, repair, replacement or calibration of any monitoring equipment or flow measurement devices required by this Discharge Permit.</p> <p>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:</p> <p>i) The dates, location and times of sampling or field measurements;</p>

	<ul style="list-style-type: none"> 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. <p>The written record shall be maintained by the permittee at a location accessible during a facility inspection by NMED for a period of at least five years from the date of application, report, collection or measurement and shall be made available to the department upon request.</p> <p>[NMSA 1978, § 74-6-5.D, 20.6.2.3109.B NMAC, 20.6.2.3107.A NMAC]</p>
20.	<p>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.</p> <p>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.</p> <p>Nothing in this Discharge Permit shall be construed as limiting in any way the inspection and entry authority of NMED under the WQA, the WQCC Regulations, or any other local, state or federal regulations.</p> <p>[20.6.2.3107.D NMAC, NMSA 1978, §§ 74-6-9.B and 74-6-9.E]</p>
21.	<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, 20.6.2.3109.B NMAC 20.6.2.3107.D NMAC, NMSA 1978, §§ 74-6-9.B and 74-6-9.E]</p>
22.	<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</p>

	<p>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, 20.6.2.3109.E NMAC, 20.6.2.3107.C NMAC]</p>
23.	<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, 20.6.2.3109.B NMAC, 20.6.2.1202 NMAC]</p>
24.	<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>
25.	<p>CRIMINAL PENALTIES – No person shall:</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. <p>Any person who knowingly violates or knowingly causes or allows another person to violate</p>

	<p>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>
26.	<p>COMPLIANCE with OTHER LAWS - Nothing in this Discharge Permit shall be construed in any way as relieving the permittee of the obligation to comply with all applicable federal, state, and local laws, regulations, permits or orders.</p> <p>[20.6.2 NMAC]</p>
27.	<p>RIGHT to APPEAL - The permittee may file a petition for review before the WQCC on this Discharge Permit. Such petition shall be in writing to the WQCC within thirty days of the receipt of postal notice of this Discharge Permit and shall include a statement of the issues to be raised and the relief sought. Unless a timely petition for review is made, the decision of NMED shall be final and not subject to judicial review.</p> <p>[NMSA 1978, § 74-6-5.O]</p>
28.	<p>TRANSFER of DISCHARGE PERMIT - Prior to the transfer of any ownership, control, or possession of this facility or any portion thereof, the permittee shall:</p> <ol style="list-style-type: none"> 1) notify the proposed transferee in writing of the existence of this Discharge Permit; 2) include a copy of this Discharge Permit with the notice; and 3) deliver or send by certified mail to NMED a copy of the notification and proof that such notification has been received by the proposed transferee. <p>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>
29.	<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>[20.6.2.3114.F NMAC, NMSA 1978, § 74-6-5.K]</p>

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

EFFECTIVE DATE: Effective Date
EXPIRATION DATE: Expiration Date

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

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