

GROUND WATER DISCHARGE PERMIT MODIFICATION
City of Alamogordo Wastewater Treatment Plant, DP-220

I. INTRODUCTION

The New Mexico Environment Department (NMED) issues this Discharge Permit Modification (Discharge Permit), DP-220, to the City of Alamogordo (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 City of Alamogordo Wastewater Treatment Plant (facility) into ground and surface water, so as to protect ground and surface water for present and potential future use as domestic and agricultural water supply and other uses and protect public health. In issuing this Discharge Permit, NMED has determined that the requirements of Subsection C of 20.6.2.3109 NMAC have been met.

The activities which produce the discharge, the location of the discharge, and the quantity, quality and flow characteristics of the discharge are briefly described as follows:

Up to 5,000,000 gallons per day (gpd) of domestic wastewater from the City of Alamogordo is treated by the City's municipal wastewater treatment facility (WWTF). The facility is located at 3290 Airport Road, Alamogordo in Section 15, T17S, R09E, Otero County.

The use of reclaimed domestic wastewater from the City's WWTF is authorized by this Discharge Permit for irrigation of various City owned properties, including roadway medians, City parks, a municipal golf course, native grassland and disposal at a surplus discharge area. The discharge sites are located in Sections 1, 25, 26, and 35, T16S, R09E; Sections 8, 17, 18, 19, 20, 29, and 31, T16S, R10E; Sections 12, 14, 16, and 23, T17S, R09E; and Section 10, T17S, R10E, Otero County.

The City of Alamogordo WWTF is also authorized by this Discharge Permit to transfer reclaimed domestic wastewater to other facilities for reuse as follows:

- To the Alamogordo Public Schools pursuant to DP-1757;
- To other entities permitted by NMED to receive and discharge reclaimed wastewater; and
- For temporary uses in and around the City of Alamogordo including, but not limited to: dust control, construction purposes, and fire suppression. The authorized delivery point for such discharges is at the WWTF stand-pipe.

This Discharge Permit sets forth separate requirements for the discharge of reclaimed wastewater and for the transfer of reclaimed wastewater to other permitted entities. The separate requirements are identified in individual Parts, which include:

- **PART I. APPLICABLE TO ALL DISCHARGES.**
- **PART II. APPLICABLE TO WASTEWATER TREATMENT FACILITY AND RECLAIMED WASTEWATER STORAGE LAGOONS**

- **PART III. APPLICABLE TO ALL DISCHARGES OF RECLAIMED DOMESTIC WASTEWATER**
- **PART IV. APPLICABLE TO DISCHARGES OF CLASS 1A RECLAIMED DOMESTIC WASTEWATER**
- **PART V. APPLICABLE TO DISCHARGES OF CLASS 1B RECLAIMED DOMESTIC WASTEWATER**
- **PART VI. APPLICABLE TO DISCHARGES OF CLASS 3 RECLAIMED DOMESTIC WASTEWATER**
- **PART VII. APPLICABLE TO TRANSFERS OF CLASS 1A RECLAIMED DOMESTIC WASTEWATER TO OTHER FACILITIES WITH SEPARATE NMED GROUND WATER DISCHARGE PERMITS**
- **PART VIII. APPLICABLE FOR THE TRANSFER OF RECLAIMED DOMESTIC WASTEWATER FOR TEMPORARY USES (IN A MANNER THAT DOES NOT REQUIRE A DISCHARGE PERMIT) STAND-PIPE DELIVERY**

The modification consists of adding Balloon Park on Lavelle Road, the Canal Street median between N White Sands Blvd and N Florida Ave, and the Juniper Drive median, located between Indian Wells Rd and Aspen Dr, as land application areas. The discharge contains water contaminants or toxic pollutants which may be elevated above the standards of Section 20.6.2.3103 NMAC. Ground water most likely to be affected beneath the facility and discharge sites is at a depth ranging from 20-200 feet and has a total dissolved solids concentration of approximately 1,600-20,000 milligrams per liter.

The original Discharge Permit was issued on May 24, 1982 and subsequently renewed and/or modified on December 20, 1985, March 27, 1987, June 26, 1987, December 23, 1991, March 10, 1995, April 21, 2000, January 31, 2007, and June 1, 2009. The permittee's application consists of the materials submitted by Severn Trent on behalf of the permittee dated May 3, 2010 and additional information received on June 14, 2010 and other materials as applicable. The discharge shall be managed in accordance with all conditions and requirements of this Discharge Permit.

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

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

The following abbreviations may be used in this Discharge Permit:

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

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

OPERATIONAL PLAN

Part I. Applicable to All Discharges

#	Terms and Conditions – Operational Plan
1.	The permittee shall implement the following operational plan to ensure compliance with Title 20, Chapter 6, Parts 1 and 2 NMAC. [20.6.2.3106.C NMAC, 20.6.2.3107 NMAC]
2.	The permittee shall operate in a manner such that standards and requirements of Sections 20.6.2.3101 and 20.6.2.3103 NMAC are not violated. [20.6.2.3101 NMAC, 20.6.2.3103 NMAC]

Part II. Applicable to Wastewater Treatment Facility and Reclaimed Wastewater Storage Lagoons

3.	The permittee is authorized to receive up to 5,000,000 gpd of domestic wastewater from the City of Alamogordo and treat it at the City’s WWTF. Reclaimed wastewater is stored in synthetically lined lagoons prior to use. [20.6.2.3104 NMAC, 20.6.2.3106 NMAC]
4.	Treated wastewater discharged from the treatment facility shall not exceed the following limitation: Total Nitrogen: 15 mg/L. [20.6.2.3109 NMAC]
5.	The permittee shall submit to NMED final construction plans and specifications for plant improvements and additional storage lagoon(s) for NMED approval within 180 days of the effective date of this Discharge Permit (by date). Upon obtaining funding, the permittee shall construct the proposed WWTF improvements and storage lagoon(s) according to the final construction plans and specifications approved by NMED. The permittee shall notify NMED at the commencement of construction to allow NMED personnel to be onsite for inspection during the construction phase. Record drawings of the finished wastewater treatment facility and additional storage lagoon(s) shall be submitted to NMED within 30 days of completion. A licensed New Mexico professional engineer shall certify all construction plans and specifications, supporting design calculations, and record drawings of the wastewater treatment system. [20.6.2.3109 NMAC]
6.	The permittee shall maintain fences and locking doors to limit public access to the wastewater treatment facility. The access controls shall be constructed in a manner which prevents access by the general public and animals such as dogs (e.g., chain link, field fencing or locking lids) and shall be maintained throughout the term of this Discharge Permit. [20.6.2.3109 NMAC]
7.	The permittee shall maintain signs at the facility entrance and other areas where public contact is possible indicating that the water is not potable. All signs shall remain visible and legible for the term of this Discharge Permit. [20.6.2.3109 NMAC]
8.	The permittee shall remove solids from the treatment plant as needed, depending on process control testing such as: the 30-minute settleometer test, the Mixed Liquor Suspended Solids concentration or the Mean Cell Residence Time. The solids shall be contained, transported, and disposed of in accordance with all local, state, and federal (40 CFR Part 503) regulations. Records of solids disposal shall be submitted to NMED in the quarterly monitoring reports. [20.6.2.3109 NMAC]

9.	<p>The lagoon liners shall be maintained in such a manner as to avoid conditions which could affect the structural integrity of the lagoons and/or lagoon liners. Such conditions include, but are not limited to:</p> <ul style="list-style-type: none"> • Erosion damage; • Animal activity/damage; • The presence of vegetation, such as; aquatic plants, weeds, woody shrubs or trees growing within five feet of the lagoon edge or within the lagoon itself; • Evidence of seepage; • Evidence of berm subsidence; and/or • The presence of large pieces or large quantities of debris in the lagoon. <p>The permittee shall visually inspect the lagoons and surrounding berms on a monthly basis to ensure proper maintenance. Vegetation growing around the lagoons shall be routinely controlled by mechanical removal in a manner that is protective of the lagoon liner. Any evidence of damage to the lagoon berm or liner shall be reported to NMED immediately upon discovery. [20.6.2.3107 NMAC]</p>
10.	<p>The permittee shall maintain a minimum of two feet of freeboard between the liquid level in the lagoons and the top elevation of the lagoon liners at all times. [20.6.2.3107 NMAC, 20.6.2.3109 NMAC]</p>
11.	<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. All 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. [20.7.4 NMAC]</p>

Part III. Applicable to All Discharges of Reclaimed Domestic Wastewater

#	Terms and Conditions – Operational Plan
12.	<p>The permittee shall apply Class 1A reclaimed wastewater to up to 339.38 acres of turf and landscaping, Class 1B reclaimed wastewater to up to 300 acres of turf and landscaping, and Class 3 reclaimed wastewater to up to 400 acres of turf and landscaping. The amount of total nitrogen applied in the wastewater shall not exceed 200 pounds per acre per year. Nitrogen content shall not be adjusted to account for volatilization or mineralization processes. Wastewater shall be distributed evenly over the entire area of application. Excessive ponding shall be prevented. [20.6.2.3109 NMAC]</p>
13.	<p>The permittee shall meet the following general requirements for above ground use of reclaimed domestic wastewater:</p> <ol style="list-style-type: none"> a) The permittee shall maintain signs in English and Spanish at above ground areas receiving reclaimed wastewater. The signs shall be posted at the entrance and/or at other locations where public access may occur and shall state: NOTICE: THIS AREA IS IRRIGATED WITH RECLAIMED WASTEWATER - DO NOT DRINK. AVISO: ESTA ÁREA ESTÁ REGADA CON AGUAS NEGRAS RECOBRADAS - NO TOMAR. Alternate wording and/or graphics may be submitted for NMED approval. All signs shall remain visible and legible for the term of this Discharge Permit. b) The permittee shall maintain signs in English and Spanish at above ground areas

	<p>receiving reclaimed wastewater. All signs shall remain visible and legible for the term of this Discharge Permit.</p> <p>c) The reclaimed wastewater systems shall have no direct or indirect cross connections with potable water systems pursuant to the latest revision of the New Mexico Plumbing and Mechanical Code.</p> <p>d) Above ground use of reclaimed wastewater shall not result in excessive standing or pooling of wastewater, and shall be applied at the appropriate consumptive water use rate. Irrigation shall not be conducted at times when the receiving area is saturated or frozen.</p> <p>e) The discharge of reclaimed wastewater shall be confined to the area designated and approved for receiving the wastewater.</p> <p>f) All water supply wells within 200 feet of a wetted irrigation area shall have adequate well head construction and irrigation shall be managed to ensure protection of ground water quality.</p> <p>g) All existing and accessible portions of the reclaimed wastewater system shall be colored purple or clearly labeled as being part of a reclaimed wastewater distribution system. All piping, valves and outlets that are installed during the term of this Discharge Permit shall be color-coded in purple pursuant to the latest revision of the New Mexico Plumbing and Mechanical Code to differentiate piping or fixtures used to convey reclaimed wastewater from piping or fixtures used for potable or other water. All valves, outlets, and sprinkler heads used in reclaimed wastewater systems shall be of a type that can only be operated by authorized personnel.</p> <p>[20.6.2.3109 NMAC]</p>
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Part IV. Applicable to Discharges of Class 1A Reclaimed Wastewater

#	Terms and Conditions – Operational Plan
14.	<p>The permittee is authorized to discharge up to a total of 5,000,000 gpd of Class 1A reclaimed wastewater to the following locations:</p> <ul style="list-style-type: none"> • 80 acres of landscaping and turf at Griggs Sports Complex/Hobby Park, located at 3000 N Florida Ave, • 2.94 acres of landscaping at Pecan Strip Drive, located in the median of Pecan Drive between Indian Wells Road and 25th Street, • 1.65 acres of landscaping and turf at University Park, located at 1701 25th St, • 0.69 acres of landscaping at the Senior Center, located at 2201 Puerto Rico Ave, • 5 acres of landscaping at Indian Wells Strip, located in the median of Indian Wells Road between Washington Ave and White Sands Blvd, • 5 acres of landscaping at Canal Street median, located between N White Sands Blvd and N Florida Ave, • 10 acres of landscaping at Juniper Drive median, located between Indian Wells Road and Aspen Drive, • 9.7 acres of landscaping at Balloon Park, located west of La Velle Road, approximately 0.4 mile north of Mayflower Drive, • 20 acres of landscaping and turf at Alameda Park/Zoo, including the Gift Shop, Zoo

	<p>and Zookeeper’s Office, and the Alameda Park Gazebo, located at White Sands Blvd between Indian Wells Road and 10th Street,</p> <ul style="list-style-type: none"> • 50 acres of landscaping and turf at Washington/Oregon Parks, including Circle Drive Park, Family Recreation Center, City Hall, Washington Park, and the Jim Abbott Soccer Field, located between Washington and Oregon Avenues, between Indian Wells Rd and Canyon Road, • 10 acres of landscaping and turf at Sacramento Elementary School and Alamogordo High School, located at 300 Alaska Avenue and 103 Cuba Avenue, • 25.5 acres of landscaping and turf at the Immaculate Conception Cemetery and the Monte Vista Cemetery, located at 1300 E First St, • 6.9 acres of landscaping at Tierra de Sueños, located north of the Municipal Golf Course, • 100 acres of turf at the Municipal Golf Course, located at 2351 Hamilton Rd, • 12 acres of turf at Hooser Ballfield Complex, located at 2111 S Walker Ave <p>[20.6.2.3104 NMAC, 20.6.2.3106 NMAC]</p>																								
15.	<p>Class 1A reclaimed wastewater discharged from the WWTF to these locations shall not exceed the following limitations:</p> <table border="1"> <thead> <tr> <th><u>Test</u></th> <th><u>30-day geometric mean</u></th> <th><u>30-day average</u></th> <th><u>maximum</u></th> </tr> </thead> <tbody> <tr> <td>Fecal coliform bacteria:</td> <td>5 CFU/100 mL</td> <td>N/A</td> <td>23 CFU/100 mL</td> </tr> <tr> <td>BOD₅:</td> <td>N/A</td> <td>10 mg/L</td> <td>15 mg/L</td> </tr> <tr> <td>Turbidity:</td> <td>N/A</td> <td>3 NTU</td> <td>5 NTU</td> </tr> <tr> <td>TRC:</td> <td>N/A</td> <td>Monitor Only</td> <td>Monitor Only</td> </tr> <tr> <td>Total Nitrogen:</td> <td>N/A</td> <td>N/A</td> <td>15 mg/L</td> </tr> </tbody> </table> <p>[20.6.2.3109 NMAC]</p>	<u>Test</u>	<u>30-day geometric mean</u>	<u>30-day average</u>	<u>maximum</u>	Fecal coliform bacteria:	5 CFU/100 mL	N/A	23 CFU/100 mL	BOD ₅ :	N/A	10 mg/L	15 mg/L	Turbidity:	N/A	3 NTU	5 NTU	TRC:	N/A	Monitor Only	Monitor Only	Total Nitrogen:	N/A	N/A	15 mg/L
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Part V. Applicable to Discharges of Class 1B Reclaimed Wastewater

#	Terms and Conditions – Operational Plan												
16.	<p>The permittee is authorized to discharge up to 5,000,000 gpd of Class 1B reclaimed wastewater to the following location:</p> <ul style="list-style-type: none"> • 300 acres of cropland at the Municipal Airport, located approximately 0.5 miles south of the airport runway. <p>[20.6.2.3104 NMAC, 20.6.2.3106 NMAC]</p>												
17.	<p>Class 1B reclaimed wastewater discharged from the WWTF to this location shall not exceed the following limitations:</p> <table border="1"> <thead> <tr> <th><u>Test</u></th> <th><u>30-day geometric mean</u></th> <th><u>30-day average</u></th> <th><u>maximum</u></th> </tr> </thead> <tbody> <tr> <td>Fecal coliform bacteria:</td> <td>100 CFU/100 mL</td> <td>N/A</td> <td>200 CFU/100 mL</td> </tr> <tr> <td>BOD₅:</td> <td>N/A</td> <td>30 mg/L</td> <td>45 mg/L</td> </tr> </tbody> </table>	<u>Test</u>	<u>30-day geometric mean</u>	<u>30-day average</u>	<u>maximum</u>	Fecal coliform bacteria:	100 CFU/100 mL	N/A	200 CFU/100 mL	BOD ₅ :	N/A	30 mg/L	45 mg/L
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BOD ₅ :	N/A	30 mg/L	45 mg/L										

	TSS:	N/A	30 mg/L	45 mg/L
	TRC:	N/A	Monitor Only	Monitor Only
	Total Nitrogen:	N/A	N/A	15 mg/L
	[20.6.2.3109 NMAC]			
18.	<p>The permittee shall meet the following setbacks, access restrictions and equipment requirements for spray irrigation using Class 1B reclaimed domestic wastewater:</p> <p>a) A minimum 100-foot set-back shall be maintained between any dwellings or occupied establishments and the edge of any area receiving reclaimed wastewater.</p> <p>b) Irrigation shall be postponed at times when windy conditions may result in drift of reclaimed wastewater outside the designated area of application.</p> <p>c) Whenever reclaimed wastewater is used in areas with public access it shall be applied at times and in a manner that minimizes public contact.</p> <p>d) The spray irrigation system shall utilize only low trajectory spray nozzles.</p> <p>[20.6.2.3109 NMAC]</p>			

Part VI. Applicable to Discharges of Class 3 Reclaimed Wastewater

#	Terms and Conditions – Operational Plan																											
19.	<p>The permittee is authorized to discharge up to 5,000,000 gpd of Class 3 reclaimed wastewater to the following location:</p> <ul style="list-style-type: none"> 400 acres of native grassland at the Plant Surplus Site, located approximately one mile southwest of the treatment plant. <p>[20.6.2.3104 NMAC, 20.6.2.3106 NMAC]</p>																											
20.	<p>Class 3 reclaimed wastewater discharged from the WWTF to this location shall not exceed the following limitations:</p> <table border="1" data-bbox="267 1243 1289 1545"> <thead> <tr> <th>Test</th> <th>30-day geometric mean</th> <th>30-day average</th> <th>maximum</th> </tr> </thead> <tbody> <tr> <td>Fecal coliform bacteria:</td> <td>1000 CFU/100 mL</td> <td>N/A</td> <td>5000 CFU/100 mL</td> </tr> <tr> <td>BOD₅:</td> <td>N/A</td> <td>30 mg/L</td> <td>45 mg/L</td> </tr> <tr> <td>TSS:</td> <td>N/A</td> <td>75 mg/L</td> <td>90 mg/L</td> </tr> <tr> <td>TRC:</td> <td>N/A</td> <td>Monitor Only</td> <td>Monitor Only</td> </tr> <tr> <td>Total Nitrogen:</td> <td>N/A</td> <td>N/A</td> <td>15 mg/L</td> </tr> </tbody> </table> <p>[20.6.2.3109 NMAC]</p>				Test	30-day geometric mean	30-day average	maximum	Fecal coliform bacteria:	1000 CFU/100 mL	N/A	5000 CFU/100 mL	BOD ₅ :	N/A	30 mg/L	45 mg/L	TSS:	N/A	75 mg/L	90 mg/L	TRC:	N/A	Monitor Only	Monitor Only	Total Nitrogen:	N/A	N/A	15 mg/L
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21.	<p>The permittee shall meet the following setbacks and access restrictions for flood irrigation using Class 3 reclaimed domestic wastewater:</p> <p>a) Whenever reclaimed wastewater is used in areas with public access it shall be applied at times and in a manner that minimizes public contact.</p> <p>b) Access to the irrigated area shall be restricted by perimeter fencing using 4-strand barbed wire and locking gate or other NMED approved access controls.</p> <p>c) A minimum 100-foot set-back shall be maintained between any dwellings or occupied</p>																											

	establishments and the edge of any area receiving reclaimed wastewater. [20.6.2.3109 NMAC]
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Part VII. Applicable to Transfers of Class 1A Reclaimed Wastewater to other Facilities with separate NMED Ground Water Discharge Permits

#	Terms and Conditions – Operational Plan																								
22.	<p>The permittee is authorized to transfer Class 1A reclaimed wastewater to the following permitted locations:</p> <ul style="list-style-type: none"> Alamogordo Public Schools per Discharge Permit, DP-1757; and Other entities that are authorized by NMED under separate Discharge Permits to receive and discharge Class 1A reclaimed domestic wastewater. <p>[20.6.2.3104 NMAC; 20.6.2.3106 NMAC]</p>																								
23.	<p>Prior to transferring to a newly authorized location for the first time, the permittee shall give written notification to NMED stating the date the discharge is to commence, the discharge permit number of the recipient, and to what location.</p> <p>[20.6.2.3109.H NMAC]</p>																								
24.	<p>Class 1A reclaimed wastewater transferred from the WWTF to locations as described in the operational plan of this Part shall not exceed the following limitations:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Test</th> <th style="text-align: center;">30-day geometric mean</th> <th style="text-align: center;">30-day average</th> <th style="text-align: center;">maximum</th> </tr> </thead> <tbody> <tr> <td>Fecal coliform bacteria:</td> <td style="text-align: center;">5 CFU/100 mL</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">23 CFU/100 mL</td> </tr> <tr> <td>BOD₅:</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">10 mg/L</td> <td style="text-align: center;">15 mg/L</td> </tr> <tr> <td>Turbidity:</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">3 NTU</td> <td style="text-align: center;">5 NTU</td> </tr> <tr> <td>TRC:</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">Monitor Only</td> <td style="text-align: center;">Monitor Only</td> </tr> <tr> <td>Total Nitrogen:</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">15 mg/L</td> </tr> </tbody> </table> <p>[20.6.2.3109 NMAC]</p>	Test	30-day geometric mean	30-day average	maximum	Fecal coliform bacteria:	5 CFU/100 mL	N/A	23 CFU/100 mL	BOD ₅ :	N/A	10 mg/L	15 mg/L	Turbidity:	N/A	3 NTU	5 NTU	TRC:	N/A	Monitor Only	Monitor Only	Total Nitrogen:	N/A	N/A	15 mg/L
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Part VIII. Applicable for the Transfer of Class 1A Reclaimed Domestic Wastewater for Temporary Uses (In a Manner That Does Not Require a Discharge Permit) - Stand-Pipe Delivery

#	Terms and Conditions – Operational Plan
25.	<p>The permittee is authorized to transfer Class 1A reclaimed domestic wastewater via the stand-pipe for the following temporary uses which are defined by this Discharge Permit:</p> <ul style="list-style-type: none"> dust control on roads and construction sites construction soil compaction fire suppression mixing of mortar, slurry or cement irrigation of non-food crops (i.e., not for human consumption) by flood irrigation; spray irrigation of non-food crops is prohibited <p>[20.6.2.3104 NMAC; 20.6.2.3106 NMAC]</p>

26.	<p>Class 1A reclaimed wastewater transferred for temporary uses shall not exceed the following limitations:</p> <table border="1"> <thead> <tr> <th><u>Test</u></th> <th><u>30-day geometric mean</u></th> <th><u>30-day average</u></th> <th><u>maximum</u></th> </tr> </thead> <tbody> <tr> <td>Fecal coliform bacteria:</td> <td>5 CFU/100 mL</td> <td>N/A</td> <td>23 CFU/100 mL</td> </tr> <tr> <td>BOD₅:</td> <td>N/A</td> <td>10 mg/L</td> <td>15 mg/L</td> </tr> <tr> <td>Turbidity:</td> <td>N/A</td> <td>3 NTU</td> <td>5 NTU</td> </tr> <tr> <td>TRC:</td> <td>N/A</td> <td>Monitor Only</td> <td>Monitor Only</td> </tr> <tr> <td>Total Nitrogen:</td> <td>N/A</td> <td>N/A</td> <td>15 mg/L</td> </tr> </tbody> </table> <p>[20.6.2.3109 NMAC]</p>	<u>Test</u>	<u>30-day geometric mean</u>	<u>30-day average</u>	<u>maximum</u>	Fecal coliform bacteria:	5 CFU/100 mL	N/A	23 CFU/100 mL	BOD ₅ :	N/A	10 mg/L	15 mg/L	Turbidity:	N/A	3 NTU	5 NTU	TRC:	N/A	Monitor Only	Monitor Only	Total Nitrogen:	N/A	N/A	15 mg/L
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TRC:	N/A	Monitor Only	Monitor Only																						
Total Nitrogen:	N/A	N/A	15 mg/L																						
27.	<p>The permittee shall meet the following specific requirements for temporary above ground use of reclaimed domestic wastewater:</p> <ol style="list-style-type: none"> Access to the reclaimed wastewater distribution system (stand-pipe) shall be restricted. Public access to the reclaimed wastewater system is prohibited. Reclaimed wastewater shall only be transferred to the users by the permittee or its designate. All recipients of reclaimed wastewater for temporary uses shall be notified in writing of the following: <ul style="list-style-type: none"> Transport vehicles and storage tanks containing reclaimed wastewater provided by the permittee shall contain signs in English and Spanish identifying the contents as non-potable water and advising against consumption. Above ground use of reclaimed wastewater shall not result in excessive ponding of wastewater. Application shall not be conducted at times when the receiving area is saturated or frozen. Spraying and misting of the reclaimed wastewater shall be minimized. <p>[20.6.2.3109 NMAC]</p>																								

MONITORING, REPORTING, AND OTHER REQUIREMENTS

Part I. Applicable to All Discharges

#	Terms and Conditions – Monitoring, Reporting and Other Requirements
28.	The permittee shall conduct the following monitoring, reporting, and other requirements listed below. [20.6.2.3107 NMAC]
29.	<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> <ol style="list-style-type: none"> American Public Health Association, Standard Methods for the Examination of Water and Wastewater (18th, 19th or current); U.S. Environmental Protection Agency, Methods for Chemical Analysis of Water and Waste;

	<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) 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. [20.6.2.3107.B NMAC]</p>
30.	<p>The permittee shall submit quarterly monitoring reports to NMED for the most recently completed quarterly period by the 1st of February, May, August and November each year.</p> <p>Quarterly monitoring shall be performed during the following periods:</p> <ul style="list-style-type: none"> • January 1st through March 31st (first quarter) – due by May 1st; • April 1st through June 30th (second quarter) – due by August 1st; • July 1st through September 30th (third quarter) – due by November 1st; and • October 1st through December 31st (fourth quarter) – due by February 1st. <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>

Part II. Applicable to Wastewater Treatment Facility and Reclaimed Wastewater Storage Lagoons

31.	<p>The permittee shall measure the totalized, daily average and peak volume of wastewater discharged to the treatment facility each month using a primary measuring device equipped with head sensing, totalizing and chart recording/data logging mechanisms. The totalized, daily average and peak discharge volumes for each month shall be submitted to NMED in the quarterly monitoring reports. The flow meter shall be calibrated against the primary measuring device to within +/- 10% of actual flow and kept operational at all times. [20.6.2.3107 NMAC]</p>								
32.	<p>The permittee shall sample reclaimed wastewater prior to the Plant Storage Pond on a monthly basis and analyze the samples for TKN, NO₃-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. [20.6.2.3107 NMAC]</p>								
33.	<p>On an annual basis, the permittee shall sample reclaimed wastewater prior to the Plant Storage Pond by collecting a 24-hour flow weighted composite sample (unless otherwise noted) and analyzing it for the following inorganic constituents:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">aluminum</td> <td>manganese</td> </tr> <tr> <td>arsenic</td> <td>molybdenum</td> </tr> <tr> <td>barium</td> <td>mercury (total unfiltered)</td> </tr> <tr> <td>boron</td> <td>pH (instantaneous grab sample)</td> </tr> </table>	aluminum	manganese	arsenic	molybdenum	barium	mercury (total unfiltered)	boron	pH (instantaneous grab sample)
aluminum	manganese								
arsenic	molybdenum								
barium	mercury (total unfiltered)								
boron	pH (instantaneous grab sample)								

	<p>cadmium nickel chromium <u>radioactivity</u>: combined radium-226 & radium-228 cobalt selenium copper silver cyanide sulfate fluoride uranium iron zinc lead</p> <p>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 monitoring reports due by August 1 each year. [20.6.2.3107 NMAC]</p>		
<p>34.</p>	<p>On an annual basis, the permittee shall sample reclaimed wastewater prior to the Plant Storage Pond by collecting a grab sample and analyzing it for the following organic constituents:</p> <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top; width: 50%;"> benzene benzo-a-pyrene carbon tetrachloride chloroform 1,1-dichloroethane 1,2-dichloroethane (EDC) 1,1-dichloroethylene (1,1-DCE) ethylbenzene ethylene dibromide (EBD) methylene chloride <u>PAHs</u>: total naphthalene plus monomethylnaphthalenes </td> <td style="vertical-align: top; width: 50%;"> Phenols Polychlorinated biphenyls (PCBs) toluene 1,1,2,2-tetrachloroethane 1,1,2,2-tetrachloroethylene (PCE) 1,1,1-trichloroethane 1,1,2-trichloroethane 1,1,2-trichloroethylene (TCE) vinyl chloride xylenes (total) </td> </tr> </table> <p>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 monitoring reports due by August 1 each year. [20.6.2.3107 NMAC]</p>	benzene benzo-a-pyrene carbon tetrachloride chloroform 1,1-dichloroethane 1,2-dichloroethane (EDC) 1,1-dichloroethylene (1,1-DCE) ethylbenzene ethylene dibromide (EBD) methylene chloride <u>PAHs</u> : total naphthalene plus monomethylnaphthalenes	Phenols Polychlorinated biphenyls (PCBs) toluene 1,1,2,2-tetrachloroethane 1,1,2,2-tetrachloroethylene (PCE) 1,1,1-trichloroethane 1,1,2-trichloroethane 1,1,2-trichloroethylene (TCE) vinyl chloride xylenes (total)
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<p>35.</p>	<p>Within 90 days of the effective date of this Discharge Permit (by DATE), the permittee shall replace monitoring well MW-10. The permittee shall install:</p> <ul style="list-style-type: none"> • One monitoring well (MW-10a) located 20 to 50 feet hydrologically downgradient of the Municipal Golf Course, located near the southwest corner of the golf course. <p>All monitoring well locations shall be approved by NMED prior to installation. The wells shall be completed in accordance with the attachment titled <i>Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions</i>, Revision 1.0, July 2008. Construction and lithologic logs shall be submitted to NMED within 30 days of well completion. [20.6.2.3107 NMAC]</p>		
<p>36.</p>	<p>Following well development and no more than five days after installation of the replacement monitoring well required by this Discharge Permit, the permittee shall sample ground water in the new well and analyze the samples for NO₃-N, TKN, Cl, and TDS. The</p>		

	<p>permittee shall sample:</p> <ul style="list-style-type: none"> • MW-10a, intended to be located hydrologically downgradient of the Municipal Golf Course, located near the southwest corner of the golf course. <p>Ground water sample collection, preservation, transport and analysis shall be performed according to the following procedure:</p> <ol style="list-style-type: none"> a) measure the depth-to-ground water from the top of well casing to the nearest hundredth of a foot; b) purge three well volumes of water from the well prior to sample collection; c) obtain samples from the well for analysis; d) properly prepare, preserve and transport samples; and e) analyze samples in accordance with the methods authorized in this Discharge Permit. <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. [20.6.2.3107 NMAC]</p>
37.	<p>Within 120 days of the effective date of this Discharge Permit (by DATE), 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 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 be completed and certified by a licensed New Mexico professional surveyor. 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 map showing the location of all monitoring wells and the direction and gradient of ground water flow at the facility. The data and map of ground water flow direction at the facility shall be submitted to NMED within 30 days of survey completion. [20.6.2.3107 NMAC]</p>
38.	<p>The permittee shall perform quarterly ground water sampling in three monitoring wells and analyze the samples for NO₃-N, TKN, Cl, and TDS. The permittee shall sample:</p> <ul style="list-style-type: none"> • MW-3, intended to be located hydrologically downgradient of the Airport Pivots, located between the Airport Pivots; • MW-8, intended to be located hydrologically downgradient of the Plant Surplus Site, located southwest of Plant Surplus Site; • MW-10a, intended to be located hydrologically downgradient of the Municipal Golf Course, located near the southwest corner of the golf course. <p>Ground water sample collection, preservation, transport and analysis shall be performed according to the following procedure:</p> <ol style="list-style-type: none"> a) measure the depth-to-ground water from the top of well casing to the nearest hundredth of a foot; b) purge three well volumes of water from the well prior to sample collection; c) obtain samples from the well for analysis; d) properly prepare, preserve and transport samples; and

	<p>e) analyze samples in accordance with the methods authorized in this Discharge Permit.</p> <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. [20.6.2.3107 NMAC]</p>
39.	<p>Once prior to the expiration date of this Discharge Permit, NMED shall have the option to require the permittee to temporarily remove the dedicated pump from each monitoring well to provide access for a complete well inspection by NMED personnel. NMED shall establish the inspection date and provide at least 60 days notice to the permittee by certified mail. Dedicated pumps shall be removed at least 48 hours prior to NMED inspection to allow adequate settling time for sediment agitated from pump removal. [20.6.2.3107 NMAC]</p>

Part III. Applicable to All Discharges of Reclaimed Domestic Wastewater

40.	<p>The permittee shall complete land application data sheets (LADS) quarterly that document the amount of nitrogen applied to the land application areas. The LADS (copy enclosed) shall reflect the nitrogen concentration from the most recent wastewater analysis and the measured discharge volumes for each month. The LADS or a statement that no land application occurred shall be submitted to NMED in the quarterly monitoring reports. [20.6.2.3107 NMAC]</p>
41.	<p>The permittee shall keep a log of all additional fertilizer applied to each field in the land application areas. The log shall contain the date of fertilizer application, the type and nutrient concentration of the fertilizer, and the amount of fertilizer applied to each field. A summary of the log entries shall be submitted to NMED in the quarterly monitoring reports. [20.6.2.3107 NMAC]</p>

Part IV. Applicable to Discharges of Class 1A Reclaimed Wastewater

#	Terms and Conditions – Monitoring, Reporting and Other Requirements
42.	<p>The permittee shall measure and record all discharges from the WWTF to the land application areas authorized to receive Class 1A reclaimed domestic wastewater using three totalizing flow meters (located at Lavelle Pond, the Municipal Golf Course, and Hooser Park) on a monthly basis. The monthly discharge volumes for each location in the land application area shall be submitted to NMED in the quarterly monitoring reports. The volumes discharged to each location each month shall be used to calculate nitrogen loading on the LADS. The flow meters shall be calibrated to within +/- 10% of actual flow and kept operational at all times. [20.6.2.3107.A(1) NMAC, 20.6.2.3109.C(3) NMAC]</p>
43.	<p>The permittee shall perform the following analyses on Class 1A reclaimed wastewater samples collected prior to the Plant Storage Pond using the sampling method and frequency indicated:</p> <ul style="list-style-type: none"> • Fecal coliform bacteria: grab sample at peak daily flow three times per week. • BODs: six-hour composite sample three times per week; • The permittee shall continuously monitor reclaimed wastewater for turbidity after the

	<p>final treatment process during discharge. The permittee shall record the average and maximum turbidity values for each calendar month.</p> <ul style="list-style-type: none"> • The permittee shall record TRC concentrations whenever fecal coliform samples are collected. <p>Samples shall be properly prepared, preserved, transported and analyzed in accordance with the methods authorized in this Discharge Permit. Analytical results, monthly average and maximum turbidity values, and a copy of the log of TRC concentrations shall be submitted to NMED in the quarterly monitoring reports. [20.6.2.3107 NMAC]</p>
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Part V. Applicable to Discharges of Class 1B Reclaimed Wastewater

#	Terms and Conditions – Monitoring, Reporting and Other Requirements
44.	<p>The permittee shall measure and record all discharges from the WWTF to the locations authorized to receive Class 1B reclaimed domestic wastewater using three totalizing flow meters (located on each central pivot) on a monthly basis. The monthly discharge volumes for each location in the land application area shall be submitted to NMED in the quarterly monitoring reports. The volumes discharged to each location each month shall be used to calculate nitrogen loading on the LADS. The flow meters shall be calibrated to within +/- 10% of actual flow and kept operational at all times. [20.6.2.3107.A(1) NMAC, 20.6.2.3109.C(3) NMAC]</p>
45.	<p>The permittee shall perform the following analyses on Class 1B reclaimed wastewater samples collected prior to the Plant Storage Pond using the sampling method and frequency indicated:</p> <ul style="list-style-type: none"> • Fecal coliform bacteria: grab sample at peak daily flow three times per week; • BOD₅: six-hour composite sample three times per week; • TSS: six-hour composite sample three times per week; • The permittee shall record TRC concentrations whenever fecal coliform samples are collected. <p>Samples shall be properly prepared, preserved, transported and analyzed in accordance with the methods authorized in this Discharge Permit. Analytical results and a copy of the log of TRC concentrations shall be submitted to NMED in the quarterly monitoring reports. [20.6.2.3107 NMAC]</p>

Part VI. Applicable to Discharges of Class 3 Reclaimed Wastewater

#	Terms and Conditions – Monitoring, Reporting and Other Requirements
46.	<p>The permittee shall measure and record all discharges from the WWTF to the locations authorized to receive Class 3 reclaimed domestic wastewater using one totalizing flow meter located on the line to the Plant Surplus Site on a monthly basis. The monthly discharge volumes to the land application area shall be submitted to NMED in the quarterly monitoring reports. The volumes discharged each month shall be used to calculate nitrogen loading on the LADS. The flow meters shall be calibrated to within +/-</p>

	10% of actual flow and kept operational at all times. [20.6.2.3107.A(1) NMAC, 20.6.2.3109.C(3) NMAC]
47.	<p>The permittee shall perform the following analyses on Class 3 reclaimed wastewater samples collected prior to the Plant Storage Pond using the sampling method and frequency indicated:</p> <ul style="list-style-type: none"> • Fecal coliform bacteria: grab sample at peak daily flow once per week; • BOD₅: three-hour composite once per week; • TSS: three-hour composite once per week; • The permittee shall record TRC concentrations whenever fecal coliform samples are collected. <p>Samples shall be properly prepared, preserved, transported and analyzed in accordance with the methods authorized in this Discharge Permit. Analytical results and a copy of the log of TRC concentrations shall be submitted to NMED in the quarterly monitoring reports. [20.6.2.3107 NMAC]</p>

Part VII. Applicable to Transfers of Class 1A Reclaimed Wastewater to other Facilities with separate NMED Ground Water Discharge Permits

#	Terms and Conditions – Monitoring, Reporting, and Other Requirements
48.	<p>The permittee shall measure and record all transfers from the WWTF to other NMED permitted facilities authorized to discharge Class 1A reclaimed wastewater on a monthly basis using totalizing flow meters on the transfer lines. A summary of the monthly discharge volumes shall be submitted to NMED in the monthly monitoring reports. The flow meter(s) shall be calibrated to within +/- 10% of actual flow and kept operational at all times. [20.6.2.3107.A(1) NMAC, 20.6.2.3109.C(3) NMAC]</p>
49.	<p>The permittee shall perform the following analyses on Class 1A reclaimed wastewater samples collected prior to the Plant Storage Pond using the sampling method and frequency indicated:</p> <ul style="list-style-type: none"> • Fecal coliform bacteria: grab sample at peak daily flow three times per week. • BOD₅: six-hour composite sample three times per week; • The permittee shall continuously monitor reclaimed wastewater for turbidity after the final treatment process during discharge. The permittee shall record the average and maximum turbidity values for each calendar month. • The permittee shall record TRC concentrations whenever fecal coliform samples are collected. <p>Samples shall be properly prepared, preserved, transported and analyzed in accordance with the methods authorized in this Discharge Permit. Analytical results, monthly average and maximum turbidity values, and a copy of the log of TRC concentrations shall be submitted to NMED in the quarterly monitoring reports. [20.6.2.3107 NMAC]</p>

Part VIII. Applicable for the Transfer of Class 1A Reclaimed Domestic Wastewater for Temporary Uses (In a Manner That Does Not Require a Discharge Permit) - Stand-Pipe Delivery

#	Terms and Conditions – Monitoring, Reporting, and Other Requirements
50.	<p>The permittee shall measure and record the volume of Class 1A reclaimed domestic wastewater conveyed from the stand-pipe for temporary use. The volume shall be measured on a monthly basis using a totalizing flow meter located on the transfer line at the point of transfer (stand-pipe at WWTF). The permittee shall submit a summary of the monthly discharge volumes to NMED in the monthly monitoring reports. The flow meter shall be calibrated to within +/- 10% of actual flow and kept operational at all times. [20.6.2.3107.A(1) NMAC, 20.6.2.3109.C(3) NMAC]</p>
51.	<p>The permittee shall perform the following analyses on Class 1A reclaimed wastewater samples collected prior to the Plant Storage Pond using the sampling method and frequency indicated:</p> <ul style="list-style-type: none"> • Fecal coliform bacteria: grab sample at peak daily flow three times per week. • BODs: six-hour composite sample three times per week; • The permittee shall continuously monitor reclaimed wastewater for turbidity after the final treatment process during discharge. The permittee shall record the average and maximum turbidity values for each calendar month. • The permittee shall record TRC concentrations whenever fecal coliform samples are collected. <p>Samples shall be properly prepared, preserved, transported and analyzed in accordance with the methods authorized in this Discharge Permit. Analytical results, monthly average and maximum turbidity values, and a copy of the log of TRC concentrations shall be submitted to NMED in the quarterly monitoring reports. [20.6.2.3107 NMAC]</p>

CONTINGENCY PLAN

Part I. Applicable to All Discharges

#	Terms and Conditions – Contingency Plan
52.	<p>In the event that ground water standards are violated during the term of this Discharge Permit, upon closure of the facility or during the implementation of post-closure requirements, the permittee shall submit to NMED a corrective action plan that proposes measures to mitigate damage from the discharge including, at a minimum, source control measures and an implementation schedule. The permittee may be required to abate water pollution pursuant to Sections 20.6.2.4000 through 20.6.2.4115 NMAC, if the corrective action plan will not result in compliance with the standards and requirements set forth in Section 20.6.2.4103 NMAC within 180 days of confirmation of ground water contamination. [20.6.2.1203 NMAC, 20.6.2.4105.A(8) NMAC]</p>
53.	<p>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</p>

	required by Paragraph (1) of Subsection A of 20.6.2.1203 NMAC. Within 7 days of discovering the discharge, the permittee shall submit a written report to NMED verifying the oral notification and providing any additional information or changes. The permittee shall submit a corrective action report within 15 days after discovery of the discharge. [20.6.2.1203 NMAC]
54.	In the event NMED or the permittee identifies any other failures of the Discharge Permit 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]

Part II. Applicable to Wastewater Treatment Facility and Reclaimed Wastewater Storage Lagoons

55.	In the event that monitoring indicates ground water standards are violated during the term of this Discharge Permit, upon closure of the facility or during post-closure monitoring, the permittee shall collect a confirmatory sample from the monitoring well within 15 days to confirm the initial sampling results. Within 15 days of confirmation of ground water contamination, the permittee shall submit to NMED a corrective action plan that proposes measures to mitigate damage from the discharge including, at a minimum, source control measures and an implementation schedule. The permittee may be required to abate water pollution pursuant to Sections 20.6.2.4000 through 20.6.2.4115 NMAC, if the corrective action plan will not result in compliance with the standards and requirements set forth in Section 20.6.2.4103 NMAC within 180 days of confirmation of ground water contamination. [20.6.2.1203 NMAC, 20.6.2.4105.A(8) NMAC]
56.	In the event that analytical results of a quarterly treated wastewater sample exceed the total nitrogen limitation set in this Discharge Permit, the permittee shall analyze another sample within 15 days to confirm the initial results. Upon confirmation that the limitation is being exceeded, the permittee shall enact the following contingency plan: <ul style="list-style-type: none"> a) NMED shall be notified immediately that the contingency plan is being enacted. b) Wastewater sampling and analysis shall be done on a weekly basis. c) The permittee shall examine the operation and maintenance log, required under the Record Keeping section of this permit, for improper operational procedures. The permittee shall also conduct a physical inspection of the treatment system to detect abnormalities. Any abnormalities discovered shall be corrected. d) If analytical results from wastewater sampling continue to exceed the limitation, the permittee shall submit a corrective action plan for NMED approval to modify operational procedures and/or upgrade the treatment process to achieve the effluent limit. The plan shall be submitted within 90 days of the original confirmation of exceedance of the effluent limitation. The corrective action plan shall be implemented immediately upon NMED approval. <p>When analytical results from three consecutive months of wastewater sampling do not exceed the limitation, the permittee shall return to monthly monitoring.</p> <p>[20.6.2.3107.A(10) NMAC]</p>
57.	In the event that a minimum of two feet of freeboard cannot be maintained in the lagoons at all times, the permittee shall submit a corrective action plan for NMED approval within 30

	<p>days of the date when the two feet of freeboard limit was initially exceeded. [20.6.2.3107 NMAC, 20.6.2.3109 NMAC]</p>
58.	<p>In the event that inspection findings reveal significant damage likely to affect the ability of the lined lagoons to contain contaminants, the permittee shall submit a corrective action plan for the repair or replacement of the lagoon 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]</p>
59.	<p>In the event that information available to NMED indicates that a well(s) is not appropriately constructed to effectively monitor ground water quality, contains insufficient water to allow the collection of representative ground water samples, or is not completed in a manner that is protective of ground water quality, the permittee shall install a replacement well(s) within 90 days of notification from NMED. Replacement well location(s) shall be approved by NMED prior to installation and completed in accordance with the attachment titled <i>Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions</i>, Revision 1.0, July 2008. Construction and lithologic logs shall be submitted to NMED within 30 days of well completion.</p> <p>Upon completion of the replacement monitoring well(s), the monitoring well(s) requiring replacement shall be properly plugged and abandoned. The well(s) shall be plugged and abandoned in accordance with the abandonment details in the attachment titled <i>Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions</i>, Revision 1.0, July 2008, and any applicable local, state, and federal regulations. Documentation describing the plugging and abandonment procedures, including photographic documentation, shall be submitted to NMED within 30 days of completed well abandonment. [20.6.2.3107 NMAC]</p>
60.	<p>In the event that ground water flow information obtained pursuant to this Discharge Permit indicates that a monitoring well(s) was not installed hydrologically downgradient of the intended discharge location(s), the permittee shall install a replacement well(s) within 90 days of notification from NMED. The well location(s) shall be approved by NMED prior to installation and completed in accordance with the attachment titled <i>Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions</i>, Revision 1.0, July 2008. Construction and lithologic logs shall be submitted to NMED within 30 days of well completion. [20.6.2.3107 NMAC]</p>

Part III. Applicable to All Discharges of Reclaimed Domestic Wastewater

61.	<p>In the event that LADS show that the amount of nitrogen in wastewater applied exceeds 200 pounds per acre per year, the permittee shall submit a corrective action plan for the reduction of nitrogen loading to the land application area. The plan shall be submitted to NMED for approval within 90 days of the end of the monitoring period in which the exceedance occurred. The corrective action plan shall be implemented within 30 days of NMED approval. [20.6.2.3107.A(10) NMAC]</p>
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Part IV. Applicable to Discharges of Class 1A Reclaimed Wastewater

#	Terms and Conditions – Contingency Plan
62.	<p>In the event that analytical results of a reclaimed domestic wastewater sample exceed any of the maximum limitations for BODs, turbidity, or fecal coliform bacteria set by Part IV of the Operational Plan of this Permit, the permittee shall re-sample within 24 hours of becoming aware of the exceedance to confirm the initial results. If the exceedance of any of the maximum limitations is confirmed, or if any of the 30-day average limitations is exceeded, the permittee shall enact the following contingency plan:</p> <p>a) NMED shall be notified immediately that the contingency plan is being enacted.</p> <p>b) The permittee shall immediately cease discharging/transferring reclaimed domestic wastewater to the following locations:</p> <ul style="list-style-type: none"> • 80 acres of landscaping and turf at Griggs Sports Complex/Hobby Park, located at 3000 N Florida Ave, • 2.94 acres of landscaping at Pecan Strip Drive, located in the median of Pecan Drive between Indian Wells Road and 25th Street, • 1.65 acres of landscaping and turf at University Park, located at 1701 25th St, • 0.69 acres of landscaping at the Senior Center, located at 2201 Puerto Rico Ave, • 5 acres of landscaping at Indian Wells Strip, located in the median of Indian Wells Road between Washington Ave and White Sands Blvd, • 5 acres of landscaping at Canal Street median, located between N White Sands Blvd and N Florida Ave, • 10 acres of landscaping at Juniper Drive median, located between Indian Wells Road and Aspen Drive, • 9.7 acres of landscaping at Balloon Park, located west of La Velle Road, approximately 0.4 mile north of Mayflower Drive, • 20 acres of landscaping and turf at Alameda Park/Zoo, including the Gift Shop, Zoo and Zookeeper’s Office, and the Alameda Park Gazebo, located at White Sands Blvd between Indian Wells Road and 10th Street, • 50 acres of landscaping and turf at Washington/Oregon Parks, including Circle Drive Park, Family Recreation Center, City Hall, Washington Park, and the Jim Abbott Soccer Field, located between Washington and Oregon Avenues, between Indian Wells Rd and Canyon Road, • 10 acres of landscaping and turf at Sacramento Elementary School and Alamogordo High School, located at 300 Alaska Avenue and 103 Cuba Avenue, • 25.5 acres of landscaping and turf at the Immaculate Conception Cemetery and the Monte Vista Cemetery, located at 1300 E First St, • 6.9 acres of landscaping at Tierra de Sueños, located north of the Municipal Golf Course, • 100 acres of turf at the Municipal Golf Course, located at 2351 Hamilton Rd, • 12 acres of turf at Hooser Ballfield Complex, located at 2111 S Walker Ave. <p>c) The permittee shall examine the operation and maintenance log, required under the Record Keeping section of this Discharge Permit, for improper operational procedures. The permittee shall also conduct a physical inspection of the treatment system to detect</p>

	<p>abnormalities. Any abnormalities discovered shall be corrected.</p> <p>When the analytical results from samples of reclaimed domestic wastewater, sampled as required by this Discharge Permit, no longer exceed any of the maximum limitations, the permittee may resume discharging reclaimed wastewater to the locations authorized to receive it under Part IV of the Operational Plan of this Permit.</p> <p>If a facility is required to enact the contingency plan more than two times in a calendar year, the permittee shall submit a corrective action plan for NMED approval to modify operational procedures and/or upgrade the treatment process to achieve consistent compliance with the maximum and 30-day average limitations. The plan shall be submitted within 60 days of the second occurrence and shall be implemented immediately upon NMED approval. Additional sampling of stored reclaimed wastewater prior to discharge to the land application area may be required as part of the corrective action plan. [20.6.2.3107.A(10) NMAC]</p>
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Part V. Applicable to Discharges of Class 1B Reclaimed Wastewater

#	Terms and Conditions – Contingency Plan
63.	<p>In the event that analytical results of a reclaimed domestic wastewater sample exceed any of the maximum limitations for BOD₅, TSS, or fecal coliform bacteria set by Part V of the Operational Plan of this Permit, the permittee shall re-sample within 24 hours of becoming aware of the exceedance to confirm the initial results. If the exceedance of any of the maximum limitations is confirmed, or if any of the 30-day average limitations is exceeded, the permittee shall enact the following contingency plan:</p> <ol style="list-style-type: none"> a) NMED shall be notified immediately that the contingency plan is being enacted. b) The permittee shall immediately cease discharging reclaimed domestic wastewater to the following locations: <ul style="list-style-type: none"> • 300 acres of cropland at the Municipal Airport, located approximately 0.5 miles south of the airport runway c) The permittee shall examine the operation and maintenance log, required under the Record Keeping section of this Discharge Permit, for improper operational procedures. The permittee shall also conduct a physical inspection of the treatment system to detect abnormalities. Any abnormalities discovered shall be corrected. <p>When the analytical results from samples of reclaimed domestic wastewater, sampled as required by this Discharge Permit, no longer exceed any of the maximum limitations, the permittee may resume discharging reclaimed wastewater to the locations authorized to receive it under Part V of the Operational Plan of this Permit.</p> <p>If a facility is required to enact the contingency plan more than two times in a calendar year, the permittee shall submit a corrective action plan for NMED approval to modify operational procedures and/or upgrade the treatment process to achieve consistent compliance with the maximum and 30-day average limitations. The plan shall be submitted within 60 days of the second occurrence and shall be implemented immediately upon</p>

	NMED approval. Additional sampling of stored reclaimed wastewater prior to discharge to the land application area may be required as part of the corrective action plan. [20.6.2.3107.A(10) NMAC]
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Part VI. Applicable to Discharges of Class 3 Reclaimed Wastewater

#	Terms and Conditions – Contingency Plan
64.	<p>In the event that analytical results of a reclaimed domestic wastewater sample exceed any of the maximum limitations for BOD₅, TSS, or fecal coliform bacteria set by Part VI of the Operational Plan of this Permit, the permittee shall re-sample within 24 hours of becoming aware of the exceedance to confirm the initial results. If the exceedance of any of the maximum limitations is confirmed, or if any of the 30-day average limitations is exceeded, the permittee shall enact the following contingency plan:</p> <ol style="list-style-type: none"> a) NMED shall be notified immediately that the contingency plan is being enacted. b) The permittee shall examine the operation and maintenance log, required under the Record Keeping section of this Discharge Permit, for improper operational procedures. The permittee shall also conduct a physical inspection of the treatment system to detect abnormalities. Any abnormalities discovered shall be corrected. <p>If a facility is required to enact the contingency plan more than two times in a calendar year, the permittee shall submit a corrective action plan for NMED approval to modify operational procedures and/or upgrade the treatment process to achieve consistent compliance with the maximum and 30-day average limitations. The plan shall be submitted within 60 days of the second occurrence and shall be implemented immediately upon NMED approval. Additional sampling of stored reclaimed wastewater prior to discharge to the land application area may be required as part of the corrective action plan. [20.6.2.3107.A(10) NMAC]</p>

Part VII. Applicable to Transfers of Class 1A Reclaimed Wastewater to other Facilities with Separate NMED Ground Water Discharge Permits

#	Terms and Conditions – Contingency Plan
65.	<p>In the event that analytical results of a reclaimed domestic wastewater sample exceed any of the maximum limitations for BOD₅, turbidity, or fecal coliform bacteria set by Part VII of the Operational Plan of this Permit, the permittee shall re-sample within 24 hours of becoming aware of the exceedance to confirm the initial results. If the exceedance of any of the maximum limitations is confirmed, or if any of the 30-day average limitations is exceeded, the permittee shall enact the following contingency plan:</p> <ol style="list-style-type: none"> a) NMED shall be notified immediately that the contingency plan is being enacted. b) The permittee shall immediately cease transferring reclaimed domestic wastewater to: <ul style="list-style-type: none"> • Alamogordo Public Schools, DP-1757; and • Other entities, which are authorized by NMED under separate ground water Discharge Permits to discharge reclaimed domestic wastewater. c) The permittee shall examine the operation and maintenance log, required under the Record Keeping section of this Discharge Permit, for improper operational procedures.

	<p>The permittee shall also conduct a physical inspection of the treatment system to detect abnormalities. Any abnormalities discovered shall be corrected.</p> <p>When the analytical results from samples of reclaimed domestic wastewater, sampled as required by this Discharge Permit, no longer exceed any of the maximum limitations, the permittee may resume transferring reclaimed wastewater to the locations authorized to receive it under Part VII of the Operational Plan of this Permit.</p> <p>If a facility is required to enact the contingency plan more than two times in a calendar year, the permittee shall submit a corrective action plan for NMED approval to modify operational procedures and/or upgrade the treatment process to achieve consistent compliance with the maximum and 30-day average limitations. The plan shall be submitted within 60 days of the second occurrence and shall be implemented immediately upon NMED approval. Additional sampling of stored reclaimed wastewater prior to discharge to the land application area may be required as part of the corrective action plan. [20.6.2.3107.A(10) NMAC]</p>
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Part VIII. Applicable for the Transfer of Class 1A Reclaimed Domestic Wastewater for Temporary Uses (In a Manner That Does Not Require a Discharge Permit) - Stand-Pipe Delivery

#	Terms and Conditions – Contingency Plan
66.	<p>In the event that analytical results of a reclaimed domestic wastewater sample exceed any of the maximum limitations for BOD₅, turbidity, or fecal coliform bacteria set by Part VIII of the Operational Plan of this Permit, the permittee shall re-sample within 24 hours of becoming aware of the exceedance to confirm the initial results. If the exceedance of any of the maximum limitations is confirmed, or if any of the 30-day average limitations is exceeded, the permittee shall enact the following contingency plan:</p> <ol style="list-style-type: none"> a) NMED shall be notified immediately that the contingency plan is being enacted. b) The permittee shall immediately cease discharging reclaimed domestic wastewater for temporary uses via the stand-pipe. c) The permittee shall examine the operation and maintenance log, required under the Record Keeping section of this Discharge Permit, for improper operational procedures. The permittee shall also conduct a physical inspection of the treatment system to detect abnormalities. Any abnormalities discovered shall be corrected. <p>When the analytical results from samples of reclaimed domestic wastewater, sampled as required by this Discharge Permit, no longer exceed any of the maximum limitations, the permittee may resume transferring reclaimed wastewater to the stand-pipe for temporary uses.</p> <p>If a facility is required to enact the contingency plan more than two times in a calendar year, the permittee shall submit a corrective action plan for NMED approval to modify operational procedures and/or upgrade the treatment process to achieve consistent compliance with the maximum and 30-day average limitations. The plan shall be submitted within 60 days of the second occurrence and shall be implemented immediately</p>

	upon NMED approval. Additional sampling of stored reclaimed wastewater prior to discharge to the land application area may be required as part of the corrective action plan. [20.6.2.3107.A(10) NMAC]
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CLOSURE PLAN

Part I. Applicable to All Discharges

There are no applicable conditions for this part.

Part II. Applicable to Wastewater Treatment Facility and Reclaimed Wastewater Storage Lagoons

#	Terms and Conditions – Closure Plan
67.	<p>Within 90 days of the effective date of this Discharge Permit (by date), the permittee shall properly plug and abandon four existing monitoring wells:</p> <ul style="list-style-type: none"> • MW-4, located near intersection of Walker Ave and Airport Ave, north of the airport runway; • MW-10, located near the southwest corner of the golf course; • MW-11, intended to be located hydrologically downgradient of the cemetery and ballfields, located west of the southwest corner of Steinhoff Soccer Complex; and • MW-12, intended to be located hydrologically downgradient of the Alamogordo High School and Sacramento Schools, located near Alamogordo High School. <p>The wells shall be plugged and abandoned in accordance with the attachment titled <i>Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions</i>, Revision 1.0, July 2008, and any applicable local, state, and federal regulations. Documentation describing the plug and abandonment procedures, including photo documentation, shall be submitted to NMED within 30 days of completed well abandonment. [20.6.2.3107 NMAC]</p>
68.	<p>Upon closure of the facility, the permittee shall perform the following closure measures:</p> <ol style="list-style-type: none"> a) Remove or plug all lines leading to the treatment system so that a discharge can no longer occur. b) Drain and/or evaporate all liquids from all treatment units and dispose of all sludge in accordance with all local, state, and federal (40 CFR Part 503) regulations. c) Remove or demolish all tanks and re-grade area with clean fill to blend with surface topography and prevent ponding. d) Perforate or remove the holding lagoon liner(s) and re-grade the lagoons with clean fill to blend with surface topography and prevent ponding. <p>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>

Part III. Applicable to All Discharges of Reclaimed Domestic Wastewater

There are no applicable conditions for this part.

Part IV. Applicable to Discharges of Class 1A Reclaimed Wastewater

#	Terms and Conditions – Closure Plan
69.	Upon discontinuance of transfer of reclaimed domestic wastewater to any of the Class 1A locations authorized under Part IV of the Operational Plan of this Permit, the permittee shall remove or plug all lines leading to any of the locations that receive Class 1A reclaimed wastewater so that the transfer of reclaimed wastewater can no longer occur. [20.6.2.3107.A(11) NMAC]

Part V. Applicable to Discharges of Class 1B Reclaimed Wastewater

#	Terms and Conditions – Closure Plan
70.	Upon discontinuance of transfer of reclaimed domestic wastewater to any of the Class 1B locations authorized under Part V of the Operational Plan of this Permit, the permittee shall remove or plug all lines leading to any of the locations that receive Class 1B reclaimed wastewater so that the transfer of reclaimed wastewater can no longer occur. [20.6.2.3107.A(11) NMAC]

Part VI. Applicable to Discharges of Class 3 Reclaimed Wastewater

#	Terms and Conditions
71.	Upon discontinuance of transfer of reclaimed domestic wastewater to any of the Class 3 locations authorized under Part VI of the Operational Plan of this Permit, the permittee shall remove or plug all lines leading to any of the locations that receive Class 3 reclaimed wastewater so that the transfer of reclaimed wastewater can no longer occur. [20.6.2.3107.A(11) NMAC]

Part VII. Applicable to Transfers of Class 1A Reclaimed Wastewater to other Facilities with separate NMED Ground Water Discharge Permits

#	Terms and Conditions
72.	Upon discontinuance of transfer of reclaimed domestic wastewater to any of the locations authorized under Part VII of the Operational Plan of this Permit, the permittee shall remove or plug all lines leading to any of the locations that receive reclaimed wastewater so that the transfer of reclaimed wastewater can no longer occur. [20.6.2.3107.A(11) NMAC]

Part VIII. Applicable for the Transfer of Class 1A Reclaimed Domestic Wastewater for Temporary Uses (In a Manner That Does Not Require a Discharge Permit) - Stand-Pipe Delivery

#	Terms and Conditions
73.	Upon discontinuance of transfer of reclaimed domestic wastewater to the stand-pipe authorized under Part VIII of the Operational Plan of this Permit, the permittee shall remove or plug all lines to the stand-pipe so that the transfer of reclaimed wastewater can no longer occur. [20.6.2.3107.A(11) NMAC]

GENERAL TERMS AND CONDITIONS

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

	<p>federal or WQCC regulation.</p> <p>c) Inspect, at regular business hours or at other reasonable times, any facility, equipment (including monitoring and control equipment or treatment works), practices or operations regulated or required under this Discharge Permit, or under any federal or WQCC regulation.</p> <p>d) Sample or monitor, at reasonable times for the purpose of assuring compliance with this Discharge Permit or as otherwise authorized by the WQA, any effluent, water contaminant, or receiving water at any location before or after discharge.</p> <p>[20.6.2.3107.D NMAC, 74-6-9(B) & (E) WQA]</p>
80.	<p>INSPECTION and ENTRY - Nothing in this Discharge Permit shall be construed as limiting in any way the inspection and entry authority of NMED under the WQA, the WQCC Regulations, or any other applicable law or regulation.</p> <p>[20.6.2.3107 NMAC, 74-6-9(B) & (E) WQA]</p>
81.	<p>DUTY to PROVIDE INFORMATION - The permittee shall furnish to NMED, within a reasonable time, any documents or other information which it may request to determine whether cause exists for modifying, terminating and/or renewing this Discharge Permit or to determine compliance with this Discharge Permit. The permittee shall also furnish to NMED, upon request, copies of documents required to be kept by this Discharge Permit.</p> <p>[20.6.2.3107.D NMAC, 74-6-9(B) & (E) WQA]</p>
82.	<p>SPILLS, LEAKS, and OTHER UNAUTHORIZED DISCHARGES - This Discharge Permit authorizes only those discharges specified herein. Any unauthorized discharges violate Section 20.6.2.3104 NMAC and must be reported to NMED and remediated as required by Section 20.6.2.1203 NMAC. [20.6.2.1203 NMAC]</p>
83.	<p>MODIFICATIONS and/or AMENDMENTS - The permittee shall notify NMED of any changes to the permittee's wastewater treatment and disposal system, including any changes in the wastewater flow rate or the volume of wastewater storage, or of any other changes to operations or processes that would result in any significant change in the discharge of water contaminants. The permittee shall obtain NMED's approval, as a modification to this Discharge Permit pursuant to Subsections E, F, or G of 20.6.2.3109 NMAC, prior to any increase in the quantity discharged, or any increase in the concentration of water contaminants discharged, above those levels approved in this Discharge Permit. [20.6.2.3107.C NMAC]</p>
84.	<p>PLANS and SPECIFICATIONS - The permittee shall file plans and specifications with NMED for the construction of a wastewater system and for proposed changes that will change substantially the quantity or quality of the discharge from the system. The permittee shall file plans and specifications prior to the commencement of construction. Changes to the wastewater system having a minor effect on the character of the discharge shall be reported as of January 1 and June 30 of each year to NMED. [20.6.2.1202 NMAC]</p>
85.	<p>CIVIL PENALTIES - Any violation of the requirements and conditions of this Discharge Permit, including any failure to allow NMED staff to enter and inspect records or facilities, or any refusal or failure to provide NMED with records or information, may subject the permittee to a civil enforcement action. Pursuant to WQA 74-6-10(A) and (B), such action may include a compliance order requiring compliance immediately or in a specified time, assessing a civil penalty, modifying or terminating the Discharge Permit, or any combination of the foregoing; or an action in district court seeking injunctive relief, civil</p>

	<p>penalties, or both. Pursuant to WQA 74-6-10(C) and 74-6-10.1, civil penalties of up to \$15,000 per day of noncompliance may be assessed for each violation of the WQA 74-6-5, the WQCC Regulations, or this Discharge Permit, and civil penalties of up to \$10,000 per day of noncompliance may be assessed for each violation of any other provision of the WQA, or any regulation, standard, or order adopted pursuant to such other provision. In any action to enforce this Discharge Permit, the permittee waives any objection to the admissibility as evidence of any data generated pursuant to this Discharge Permit.</p> <p>[74-6-10 WQA, 74-6-10.1 WQA]</p>
86.	<p>CRIMINAL PENALTIES – Any person who knowingly violates or knowingly causes or allows another person to:</p> <ol style="list-style-type: none"> 1) make any false material statement, representation, certification or omission of material fact in an application, record, report, plan or other document filed, submitted or required to be maintained under the WQA; 2) falsify, tamper with or render inaccurate any monitoring device, method or record required to be maintained under the WQA; or 3) fail to monitor, sample or report as required by a permit issued pursuant to a state or federal law or regulation, is subject to felony charges and shall be sentenced in accordance with the provisions of Section 31-18-15 NMSA 1978. <p>[74-6-10.2(A-F) WQA]</p>
87.	<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. [20.6.2 NMAC]</p>
88.	<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 (30) days of the receipt of this Discharge Permit. Unless a timely petition for review is made, the decision of NMED shall be final and not subject to judicial review. [74-6-5(O) WQA]</p>
89.	<p>TRANSFER of DISCHARGE PERMIT - Prior to the transfer of any ownership, control, or possession of this permitted facility or any portion thereof, the permittee shall notify the proposed transferee in writing of the existence of this Discharge Permit and include a copy of this Discharge Permit with the notice. The permittee shall deliver or send by certified mail to NMED a copy of the notification and proof that such notification has been received by the proposed transferee. [20.6.2.3111 NMAC]</p>
90.	<p>TERM - Pursuant to WQA 74-6-5(I) and Subsection H of 20.6.2.3109 NMAC, the term of this Discharge Permit is five years from its effective date. To renew this Discharge Permit, the permittee must submit an application for renewal at least 180 days before the termination date. [20.6.2.3109.H NMAC, 74-6-5(I) WQA]</p>
91.	<p>Payment of permit fees is due at the time of Discharge Permit approval. Permit fees shall be paid in a single payment or shall be paid in equal installments on a yearly basis over the term of the Discharge Permit. Single payments shall be remitted to NMED no later than 30 days after the Discharge Permit effective date. Initial installment payments shall be remitted to NMED no later than 30 days after the Discharge Permit effective date; subsequent installment payments shall be remitted to NMED no later than the anniversary of the Discharge Permit effective date. An approved Discharge Permit shall be suspended or terminated if the facility fails to remit an installment payment by its due date. [20.6.2.3114.F NMAC, 74-6-5(K) WQA]</p>

EFFECTIVE DATE: June 1, 2009
MODIFICATION DATE: modification date
EXPIRATION DATE: June 1, 2014

WILLIAM C. OLSON
Chief, Ground Water Quality Bureau
New Mexico Environment Department

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