

# **GROUND WATER DISCHARGE PERMIT RENEWAL AND MODIFICATION**

## **Southside Water Reclamation Plant Reuse System, DP-1308**

### **I. INTRODUCTION**

The New Mexico Environment Department (NMED) issues this Discharge Permit Renewal and Modification (Discharge Permit), DP-1308, to Albuquerque Bernalillo County Water Utility Authority (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 Southside Water Reclamation Plant Reuse System (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 7.5 million gallons per day of treated domestic wastewater undergoes tertiary treatment, including coagulation, mechanical filtration, and post filtration disinfection at the Southside Water Reclamation Plant Reuse System. Reclaimed water from the reclamation system is conveyed to storage tanks via underground piping systems and then discharged for landscape irrigation at various facilities on the south side of Albuquerque. The modification consists of increasing the discharge volume from 5.156 million gallons per day to 7.5 million gallons per day. The discharge contains water contaminants or toxic pollutants which may be elevated above the standards of Section 20.6.2.3103 NMAC. The facility is located at 4201 Second St SW, Albuquerque, in Section 7, T09N, R03E, and Section 27, T10N, R03E, Bernalillo County. Ground water most likely to be affected is at a depth of approximately 30 - 40 feet and has a total dissolved solids concentration of approximately 303 milligrams per liter.

The original Discharge Permit was issued on April 30, 2001. The permittee's application consists of the materials submitted by Daniel B Stephens & Associates on behalf of the permittee dated September 22, 2009, and additional information, 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: ceasing discharge; amending, modifying or changing this Discharge Permit; expanding monitoring requirements; installing improvements to the tertiary 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 <sub>5</sub>	biochemical oxygen demand (5-day)	NTU	nephelometric turbidity units
CFR	Code of Federal Regulations	Org	organisms
Cl	chloride	TDS	total dissolved solids
LADS	land application data sheet(s)	TKN	total Kjeldahl nitrogen
mg/L	milligrams per liter	total nitrogen	TKN+NO <sub>3</sub> -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 <sub>3</sub> -N	nitrate-nitrogen		

## II. FINDINGS

In issuing this Discharge Permit, NMED finds:

1. The permittee is discharging effluent or leachate from the facility so that such effluent or leachate may move directly or indirectly into ground water within the meaning of Section 20.6.2.3104 NMAC.
2. The permittee is discharging effluent or leachate from the facility so that such effluent or leachate may move into ground water of the State of New Mexico which has an existing concentration of 10,000 milligrams per liter or less of total dissolved solids within the meaning of Subsection A of 20.6.2.3101 NMAC.
3. The discharge from the facility is not subject to any of the exemptions of Section 20.6.2.3105 NMAC.

## III. CONDITIONS

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

**OPERATIONAL PLAN**

#	Terms and Conditions
1.	The permittee shall implement the following operational plan to ensure compliance with Title 20, Chapter 6, Parts 1 and 2 NMAC. [20.6.2.3106.C NMAC, 20.6.2.3107 NMAC]
2.	The permittee shall operate in a manner such that standards and requirements of Sections 20.6.2.3101 and 20.6.2.3103 NMAC are not violated. [20.6.2.3101 NMAC, 20.6.2.3103 NMAC]
3.	Prior to discharging from the facility, the permittee shall give written notification to NMED stating the date the discharge is to commence. [20.6.2.3109.H NMAC]
4.	The permittee is authorized to treat up to 7.5 million gallons per day of treated domestic wastewater using coagulation, mechanical filtration, and post filtration disinfection at the Southside Water Reclamation Plant Reuse System. Reclaimed water is conveyed to storage tanks via underground piping systems and then discharged for landscape irrigation at various facilities on the south side of Albuquerque. [20.6.2.3104 NMAC, 20.6.2.3106 NMAC]
5.	<p>Reclaimed water discharged from the Southside Water Reclamation Plant Reuse System shall not exceed the following limitations:</p> <ul style="list-style-type: none"> <li>• Total Nitrogen 10.0 mg/L</li> <li>• Aluminum 5.0 mg/L</li> <li>• Arsenic 0.1 mg/L</li> <li>• Barium 1.0 mg/L</li> <li>• Boron 0.75 mg/L</li> <li>• Cadmium 0.01 mg/L</li> <li>• Chromium 0.05 mg/L</li> <li>• Chloride 250.0 mg/L</li> <li>• Cobalt 0.05 mg/L</li> <li>• Copper 1.0 mg/L</li> <li>• Cyanide 0.2 mg/L</li> <li>• Fluoride 1.6 mg/L</li> <li>• Iron 1.0 mg/L</li> <li>• Lead 0.05 mg/L</li> <li>• Manganese 0.2 mg/L</li> <li>• Molybdenum 1.0 mg/L</li> <li>• Total Mercury (Hg) 0.002 mg/L</li> <li>• Nickel 0.2 mg/L</li> <li>• pH 6 – 9</li> <li>• Selenium 0.05 mg/L</li> <li>• Silver 0.05 mg/L</li> <li>• Sulfate 600.0 mg/L</li> <li>• Total Dissolved Solids 1000.0 mg/L</li> <li>• Uranium 0.03 mg/L</li> <li>• Zinc 10.0 mg/L</li> </ul>

	<ul style="list-style-type: none"> <li>• Benzene 0.01 mg/L</li> <li>• Benzo(a)pyrene 0.0007 mg/L</li> <li>• Carbon tetrachloride 0.01 mg/L</li> <li>• Chloroform 0.1 mg/L</li> <li>• 1,1-Dichloroethane 0.025 mg/L</li> <li>• 1,2-Dichloroethane (EDC) 0.01 mg/L</li> <li>• 1-1-Dichloroethylene (1,1 DCE) 0.005 mg/L</li> <li>• Ethylbenzene 0.75 mg/L</li> <li>• Ethylene dibromide (EDB) 0.0001 mg/L</li> <li>• Methylene chloride 0.1 mg/L</li> <li>• PAHs: Naphthalene plus monomethylnaphthalenes 0.03 mg/L</li> <li>• Phenols 0.005 mg/L</li> <li>• Polychlorinated biphenyls (PCBs) 0.001 mg/L</li> <li>• Toluene 0.75 mg/L</li> <li>• 1,1,2,2-tetrachloroethane (PCE) 0.02 mg/L</li> <li>• 1,1,1-Trichloroethane 0.06 mg/L</li> <li>• 1,1,2-Trichloroethane 0.01 mg/L</li> <li>• Trichloroethylene (TCE) 0.005 mg/L</li> <li>• Vinyl Chloride 0.001 mg/L</li> <li>• Xylenes (total) 0.62 mg/L</li> <li>• Radioactivity: Radium 226 and 228 (combined) 30 picocuries per Liter</li> </ul>																						
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>Test</u></th> <th style="text-align: center;"><u>30-day geometric mean</u></th> <th style="text-align: center;"><u>30-day average</u></th> <th style="text-align: center;"><u>maximum</u></th> </tr> </thead> <tbody> <tr> <td>Total coliform bacteria:</td> <td style="text-align: center;"><b>2.2 Org/100 mL</b></td> <td style="text-align: center;">N/A</td> <td style="text-align: center;"><b>23 Org/100 mL or non-detect in 95% of samples</b></td> </tr> <tr> <td>BOD<sub>5</sub>:</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;"><b>10 mg/L</b></td> <td style="text-align: center;"><b>15 mg/L</b></td> </tr> <tr> <td>Turbidity:</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;"><b>2 NTU</b></td> <td style="text-align: center;"><b>5 NTU</b></td> </tr> <tr> <td>TRC:</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;"><b>Monitor Only</b></td> <td style="text-align: center;"><b>Monitor Only</b></td> </tr> </tbody> </table>			<u>Test</u>	<u>30-day geometric mean</u>	<u>30-day average</u>	<u>maximum</u>	Total coliform bacteria:	<b>2.2 Org/100 mL</b>	N/A	<b>23 Org/100 mL or non-detect in 95% of samples</b>	BOD <sub>5</sub> :	N/A	<b>10 mg/L</b>	<b>15 mg/L</b>	Turbidity:	N/A	<b>2 NTU</b>	<b>5 NTU</b>	TRC:	N/A	<b>Monitor Only</b>	<b>Monitor Only</b>
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6.	<p>Prior to discharging from the facility, the permittee shall construct the proposed water reclamation system according to the final construction plans and specifications submitted to NMED on September 22, 2009. 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 water reclamation system 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]</p>																						
7.	<p>The permittee shall maintain fences around the entire water reclamation facility to control public access. The fences 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]</p>																						

8.	<p>Prior to discharging from the facility, the permittee shall post 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]</p>
9.	<p>The permittee shall utilize operators, certified by the State of New Mexico at the appropriate level, to operate the water reclamation system. All operations and maintenance of all or any part of the water reclamation system shall be performed by, or under the direct supervision of, a certified operator. [20.7.4 NMAC]</p>
10.	<p>The permittee shall meet the following requirements for above ground use of reclaimed water:</p> <ul style="list-style-type: none"> <li>a) All existing accessible portions of the reclaimed water system shall be colored purple and 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.</li> <li>b) All access to the reclaimed water distribution system shall be restricted to personnel employed by the permittee and connections to the system shall be inspected by personnel employed by the permittee prior to delivery of reclaimed water.</li> </ul> <p>[20.6.2.3109 NMAC]</p>
11.	<p>The permittee shall develop a program to educate users and a user agreement that outlines the conditions of usage of reclaimed water that includes, at a minimum:</p> <ul style="list-style-type: none"> <li>a) Cross Connection Control;</li> <li>b) Purple Pipe requirements;</li> <li>c) Proper application of reclaimed water for various uses, taking into account the appropriate consumptive water use rate;</li> <li>d) Confining the discharge of reclaimed water to the area designated and approved for receiving the reclaimed water;</li> <li>e) Avoidance of excessive standing or pooling of reclaimed water;</li> <li>f) Avoidance of irrigation at times when the receiving area is saturated or frozen;</li> <li>g) Management of irrigation to protect ground water quality and proper construction of water supply wells within 200 feet of a wetted irrigation area; and</li> <li>h) Signage required to be posted and maintained where reclaimed water is used.</li> </ul> <p>[20.6.2.3109 NMAC]</p>
12.	<p>The permittee shall have and maintain the authority, through ordinance, to discontinue reclaimed water service to any recipient who uses reclaimed water in a manner inconsistent with the user agreement. [20.6.2.3109 NMAC]</p>
13.	<p>The permittee shall not supply reclaimed wastewater to individual residential users. [20.6.2.3109 NMAC]</p>

**MONITORING, REPORTING, AND OTHER REQUIREMENTS**

#	Terms and Conditions										
14.	The permittee shall conduct the following monitoring, reporting, and other requirements listed below. [20.6.2.3107 NMAC]										
15.	<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"> <li>a) American Public Health Association, Standard Methods for the Examination of Water and Wastewater (18th, 19th or current);</li> <li>b) U.S. Environmental Protection Agency, Methods for Chemical Analysis of Water and Waste;</li> <li>c) U.S. Geological Survey, Techniques for Water Resources Investigations of the U.S. Geological Survey;</li> <li>d) American Society for Testing and Materials, Annual Book of ASTM Standards, Part 31.Water;</li> <li>e) U.S. Geological Survey, et al., National Handbook of Recommended Methods for Water Data Acquisition; or</li> <li>f) Methods of Soil Analysis: Part 1. Physical and Mineralogical Methods and Part 2. Chemical and Microbiological Properties, American Society of Agronomy.</li> </ul> <p>[20.6.2.3107.B NMAC]</p>										
16.	<p>The permittee shall submit annual monitoring reports to NMED for the most recently completed annual period of January 1<sup>st</sup> through December 31<sup>st</sup> by the 1<sup>st</sup> of February each year. Monitoring requirements detailed in this Discharge Permit are summarized on the sheet titled <i>Summary of Required Actions, Monitoring and Reporting</i>.</p> <p>[20.6.2.3107 NMAC]</p>										
17.	<p>The permittee shall measure the weekly and monthly volume of reclaimed water discharged from the treatment system using a totalizing flow meter. The weekly and monthly discharge volumes for each week and month shall be submitted to NMED in the annual monitoring reports. The flow meter shall be calibrated to within +/- 10% of actual flow and kept operational at all times. [20.6.2.3107 NMAC, 20.6.2.3109 NMAC]</p>										
18.	<p>On a weekly basis, the permittee shall sample reclaimed water prior to discharge by collecting a grab sample and analyzing the grab sample for TKN and NO<sub>3</sub>-N. 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 annual monitoring report. [20.6.2.3107 NMAC]</p>										
19.	<p>On a quarterly basis, the permittee shall sample reclaimed water prior to discharge by collecting a 24-hour flow weighted composite sample and analyze the composite sample for the following inorganic chemicals:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">aluminum</td> <td style="width: 50%;">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</td> </tr> <tr> <td>cadmium</td> <td>nickel</td> </tr> </table>	aluminum	manganese	arsenic	molybdenum	barium	mercury (total unfiltered)	boron	pH	cadmium	nickel
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	<p>chromium                    <u>radioactivity</u>: combined radium-226 &amp; 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 annual monitoring report. [20.6.2.3107 NMAC]</p>		
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<p>21.</p>	<p>The permittee shall perform the following analyses on reclaimed water samples collected prior to discharge using the sampling method and frequency indicated:</p> <ul style="list-style-type: none"> <li>• Total coliform bacteria: grab sample at peak daily flow three times per week.</li> <li>• BOD<sub>5</sub>: six-hour composite sample three times per week;</li> <li>• The permittee shall continuously (every 15 minutes at a minimum) monitor reclaimed water for turbidity after the final treatment process during discharge. The permittee shall record the average and maximum turbidity values for each calendar month.</li> <li>• The permittee shall record TRC concentrations whenever total coliform samples are collected.</li> </ul> <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 annual monitoring report. [20.6.2.3107 NMAC]</p>		

22.	The permittee shall maintain a list of all sites receiving reclaimed water, including a map indicating the location and a list detailing all uses of reclaimed water at each location. The permittee shall submit an updated list and map to NMED in the annual monitoring report. [20.6.2.3107 NMAC]
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### CONTINGENCY PLAN

#	Terms and Conditions
23.	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]
24.	In the event of a spill or release that is not authorized under this Discharge Permit, the permittee shall initiate the notifications and corrective actions as required in Section 20.6.2.1203 NMAC. The permittee shall take immediate corrective action to contain and remove or mitigate the damage caused by the discharge. Within 24 hours after discovery of the discharge, the permittee shall verbally notify NMED and provide the information required by Paragraph (1) of Subsection A of 20.6.2.1203 NMAC. Within 7 days of discovering the discharge, the permittee shall submit a written report to NMED verifying the oral notification and providing any additional information or changes. The permittee shall submit a corrective action report within 15 days after discovery of the discharge. [20.6.2.1203 NMAC]
25.	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]
26.	In the event that analytical results of a weekly reclaimed water 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: <ol style="list-style-type: none"> <li>a) NMED shall be notified immediately that the contingency plan is being enacted.</li> <li>b) Reclaimed water sampling and analysis shall be done three times per week.</li> <li>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.</li> <li>d) If analytical results from reclaimed water 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</li> </ol>

	<p>exceedance of the effluent limitation. The corrective action plan shall be implemented immediately upon NMED approval.</p> <p>When analytical results from three consecutive months of reclaimed water sampling do not exceed the limitation, the permittee shall return to weekly monitoring.</p> <p>[20.6.2.3107.A(10) NMAC]</p>
27.	<p>In the event that analytical results of a reclaimed water sample exceed any of the maximum limitations for BOD<sub>5</sub>, turbidity, or total coliform bacteria set by this Discharge 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"> <li>NMED shall be notified immediately that the contingency plan is being enacted.</li> <li>The permittee shall immediately cease discharging reclaimed water to the storage tank(s).</li> <li>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.</li> </ol> <p>When the analytical results from samples of reclaimed water, sampled as required by this Discharge Permit, no longer exceed any of the maximum limitations, the permittee may resume discharging reclaimed water to the land application area.</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 water prior to discharge to the land application area may be required as part of the corrective action plan.</p> <p>[20.6.2.3107.A(10) NMAC]</p>
28.	<p>The permittee shall report violations of the user agreement conditions in writing to NMED within thirty days of becoming aware of the violation. If the permittee is working with the user to resolve the violation, the thirty day period for reporting is waived for a period of up to thirty additional days. If the violation is resolved, no reporting is required except that the violation is to be reported in the annual report. If the violation continues after a total of sixty days from the time the permittee became aware of the violation, the permittee shall report the violation to the NMED within five working days.</p>

**CLOSURE PLAN**

#	Terms and Conditions
29.	<p>Upon closure of the facility, the permittee shall perform the following closure measures:</p> <ol style="list-style-type: none"> <li>Remove or plug all lines leading to the treatment system and land application area(s) so that a discharge can no longer occur.</li> <li>Drain and/or evaporate all liquids from all treatment units and dispose of all sludge in</li> </ol>

	<p>accordance with all local, state, and federal (40 CFR Part 503) regulations.</p> <p>c) Remove or demolish all tanks and re-grade area with clean fill to blend with surface topography and prevent ponding.</p> <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>
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**GENERAL TERMS AND CONDITIONS**

#	Terms and Conditions
30.	<p><b>RECORD KEEPING</b> - 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"> <li>a) The dates, exact place and times of sampling or field measurements;</li> <li>b) The name and job title of the individuals who performed each sample collection or field measurement;</li> <li>c) The date of the analysis of each sample;</li> <li>d) The name and address of the laboratory and the name and job title of the person that performed the analysis of each sample;</li> <li>e) The analytical technique or method used to analyze each sample or take each field measurement;</li> <li>f) The results of each analysis or field measurement, including raw data;</li> <li>g) The results of any split sampling, spikes or repeat sampling; and</li> <li>h) A description of the quality assurance and quality control procedures used.</li> </ul> <p>[20.6.2.3107.A NMAC]</p>
31.	<p><b>RECORD KEEPING</b> - 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>
32.	<p><b>RECORD KEEPING</b> - 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>
33.	<p><b>RECORD KEEPING</b> - 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>
34.	<p><b>RECORD KEEPING</b> - 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>

35.	<p><b>INSPECTION and ENTRY</b> - The permittee shall allow the Secretary or an authorized representative, upon the presentation of credentials, to:</p> <ul style="list-style-type: none"> <li>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.</li> <li>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 federal or WQCC regulation.</li> <li>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.</li> <li>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.</li> </ul> <p>[20.6.2.3107.D NMAC, 74-6-9(B) &amp; (E) WQA]</p>
36.	<p><b>INSPECTION and ENTRY</b> - Nothing in this Discharge Permit shall be construed as limiting in any way the inspection and entry authority of NMED under the WQA, the WQCC Regulations, or any other applicable law or regulation. [20.6.2.3107 NMAC, 74-6-9(B) &amp; (E) WQA]</p>
37.	<p><b>DUTY to PROVIDE INFORMATION</b> - The permittee shall furnish to NMED, within a reasonable time, any documents or other information which it may request to determine whether cause exists for modifying, terminating and/or renewing this Discharge Permit or to determine compliance with this Discharge Permit. The permittee shall also furnish to NMED, upon request, copies of documents required to be kept by this Discharge Permit. [20.6.2.3107.D NMAC, 74-6-9(B) &amp; (E) WQA]</p>
38.	<p><b>SPILLS, LEAKS, and OTHER UNAUTHORIZED DISCHARGES</b> - 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>
39.	<p><b>MODIFICATIONS and/or AMENDMENTS</b> - 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>
40.	<p><b>PLANS and SPECIFICATIONS</b> - 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>

41.	<p><b>CIVIL PENALTIES</b> - 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. [74-6-10 WQA, 74-6-10.1 WQA]</p>
42.	<p><b>CRIMINAL PENALTIES</b> – Any person who knowingly violates or knowingly causes or allows another person to:</p> <ol style="list-style-type: none"> <li>1) make any false material statement, representation, certification or omission of material fact in an application, record, report, plan or other document filed, submitted or required to be maintained under the WQA;</li> <li>2) falsify, tamper with or render inaccurate any monitoring device, method or record required to be maintained under the WQA; or</li> <li>3) fail to monitor, sample or report as required by a permit issued pursuant to a state or federal law or regulation, is subject to felony charges and shall be sentenced in accordance with the provisions of Section 31-18-15 NMSA 1978.</li> </ol> <p>[74-6-10.2(A-F) WQA]</p>
43.	<p><b>COMPLIANCE WITH OTHER LAWS</b> - 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>
44.	<p><b>RIGHT to APPEAL</b> - 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>
45.	<p><b>TRANSFER of DISCHARGE PERMIT</b> - 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>
46.	<p><b>TERM</b> - 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>
47.	<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</p>

	<p>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>
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EFFECTIVE DATE:     effective date  
EXPIRATION DATE:   expiration date

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

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