

**GROUND WATER DISCHARGE PERMIT - RENEWAL AND MODIFICATION
EXISTING DAIRY FACILITY with a LAND APPLICATION AREA
Double K Dairy, DP-1257**

I. INTRODUCTION AND SUMMARY

The New Mexico Environment Department (NMED) issues this Discharge Permit Renewal and Modification (Discharge Permit), DP-1257, to Double K Dairy, LLC (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 and 20.6.6 NMAC.

NMED's purpose in issuing this Discharge Permit is to control the discharge of water contaminants from Double K Dairy (dairy facility) for the protection of ground water and those segments of surface water gaining from ground water inflow, for present and potential future use as domestic and agricultural water supply and other uses, and to protect public health.

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:

A maximum daily discharge volume of 49,900 gallons per day (gpd) of wastewater may be discharged from the production area. Wastewater from the parlor flows to a concrete sump, then is pumped through a screen solids separator to a synthetically lined combination wastewater and stormwater impoundment (proposed and required for construction) for storage. Wastewater is land applied by center pivot to up to 150 acres of irrigated cropland under cultivation. The dairy facility is proposing to construct a new synthetically lined combination wastewater and stormwater impoundment to replace a 30,000-gallon steel holding tank. The modifications consist of increasing the discharge volume from 30,000 gpd to 49,000 gpd and changing from disposal by evaporation to land application to up to 150 acres of irrigated cropland under cultivation. The discharge contains water contaminants or toxic pollutants which may be elevated above the standards of Section 20.6.2.3103 NMAC.

The dairy facility is located at 438 South Roosevelt Rd 30, approximately four miles southeast of Causey, in Sections 31 and 32, T05S, R37E, Roosevelt County. Ground water most likely to be affected is at a depth of approximately 107 feet and had a pre-discharge total dissolved solids concentration of approximately 500 milligrams per liter.

The original Discharge Permit was issued on November 19, 1999, and subsequently renewed and modified on March 23, 2006. The application consists of the materials submitted by Shannon Kizer on behalf of the permittee dated April 3, 2012, and materials contained in the administrative record associated with issuance of this Discharge Permit. The discharge shall be managed in accordance with all applicable requirements of the Dairy Rule (20.6.6 NMAC) and this Discharge Permit.

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

The following acronyms and abbreviations may be used in this Discharge Permit:

Abbreviation	Explanation	Abbreviation	Explanation
Cl	chloride	NO ₃ -N	nitrate-nitrogen
gpd	gallons per day	S	Sulfur
LADS	land application data sheet(s)	SO ₄	Sulfate
mg/L	milligrams per liter	TDS	total dissolved solids
NMAC	New Mexico Administrative Code	TKN	total Kjeldahl nitrogen
NMED	New Mexico Environment Department	WQA	New Mexico Water Quality Act
NMP	Nutrient management plan	WQCC	Water Quality Control Commission
NMSA	New Mexico Statutes Annotated		

II. FINDINGS

In issuing this Discharge Permit, NMED finds:

1. The permittee is discharging from a facility that meets the definition of “dairy facility” and is subject to the Dairy Rule (20.6.6 NMAC). This dairy facility meets the definition of “existing dairy facility”.
2. The permittee is discharging effluent or leachate from the dairy facility that may move directly or indirectly into ground water within the meaning of Section 20.6.2.3104 NMAC.
3. The permittee is discharging effluent or leachate from the dairy facility that 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.
4. The discharge from the dairy facility is not subject to any of the exemptions of Section 20.6.2.3105 NMAC.
5. The Discharge Permit for this facility last issued on March 23, 2006 (before the effective date of the Dairy Rule of December 31, 2011) required the wastewater impoundment system to have the capacity to dispose of the maximum daily discharge volume (expressed in gallons per day), plus stormwater runoff and direct precipitation generated from the facility, by evaporation while preserving two feet of freeboard. The facility is modifying the operational practice from disposal by evaporation to land application of wastewater to 150 acres of cropland under cultivation. Therefore, this Discharge Permit

requires the wastewater impoundment system to have the capacity to store the volume of wastewater discharged at the maximum daily discharge volume for a minimum of 60 days, plus stormwater runoff and direct precipitation generated from the facility, while preserving two feet of freeboard.

6. The dairy facility was existing as of the effective date of the Dairy Rule (December 31, 2011) and does not measure the volume of wastewater discharged to wastewater impoundment(s) using a flow meter installed on the discharge line(s) from all wastewater sources to the wastewater impoundment(s).
7. This Discharge Permit contains requirements associated with the following potential contaminant sources as identified in the application and the administrative record as of the effective date of this Discharge Permit:
 - a) Combination Wastewater/Stormwater Impoundments
 - i. **PWRS/RCS** - authorized for use by this Discharge Permit.
 - b) Stormwater Impoundments
 - i. **RCS** - not authorized for use by this Discharge Permit; was authorized for use by the last Discharge Permit issued prior to the effective date of the Dairy Rule; subject to closure and post-closure ground water monitoring requirements. This impoundment is located west of the production area and reported as abandoned.
 - c) Fields within the Land Application Area
 - i. **LAA-D** - authorized for use by this Discharge Permit.
 - ii. **LAA-A** - not authorized for use by this Discharge Permit; was not authorized for use by the last Discharge Permit issued prior to the effective date of the Dairy Rule. However, this field has received wastewater and/or stormwater as of the effective date of this Discharge Permit and is subject to closure and post-closure ground water monitoring requirements. This field consisted of 160 acres; applied by tanker truck. This field is located east of the production area and LAA-B.
 - iii. **LAA-B** - not authorized for use by this Discharge Permit; was not authorized for use by the last Discharge Permit issued prior to the effective date of the Dairy Rule. However, this field has received wastewater and/or stormwater as of the effective date of this Discharge Permit and is subject to closure and post-closure ground water monitoring requirements. This field consisted of 200 acres; applied by tanker truck. This field is located north of the production area.
 - iv. **LAA-C** - not authorized for use by this Discharge Permit; was authorized for use by the last Discharge Permit issued prior to the effective date of the Dairy Rule. This field has received wastewater and/or stormwater as of the effective date of this Discharge Permit and is subject to closure and post-closure ground water monitoring requirements. This field consisted of 50 acres; applied by center pivot. This field is located west of the production area.

III. APPLICABLE RULES

Sections 20.6.2.3000 through 20.6.2.3114 NMAC and Part 20.6.6 NMAC (Dairy Rule) apply to discharges specific to dairy facilities and their operations.

IV. DISCHARGE PERMIT REQUIREMENTS

The permittee is authorized to discharge water contaminants pursuant to this Discharge Permit which contains requirements authorized or specified by the Dairy Rule. The permittee shall comply with the Dairy Rule and this Discharge Permit, which are enforceable by NMED. The permittee is authorized to discharge water contaminants subject to the following requirements:

AUTHORIZATION TO DISCHARGE

1. The permittee is authorized to discharge up to 49,900 gpd of wastewater from the production area. Wastewater from the parlor flows to a concrete sump, then is pumped through a screen solids separator to a synthetically lined combination wastewater and stormwater impoundment (proposed and required for construction) for storage. Wastewater is land applied by center pivot to up to 150 acres of irrigated cropland under cultivation.
2. The permittee is authorized to use the following impoundments for the following purposes in accordance with Subsection B of 20.6.6.20 NMAC.
 - a) **PWRS/RCS** – authorized to receive wastewater and stormwater for storage prior to land application. This impoundment is proposed for construction.
3. The permittee is authorized to apply wastewater and stormwater to all fields within the land application area in accordance with Subsections B, C and I of 20.6.6.21 NMAC. The land application area consists of the following fields for a total land application area of 150 acres.
 - a) **LAA-D** – consists of 150 acres; applied by center pivot. This field was not authorized by the last Discharge Permit issued prior to the effective date of the Dairy Rule (December 31, 2011) to receive wastewater and/or stormwater; however, this field encompasses portions of a field previously known as LAA-B which has received wastewater and/or stormwater. This field is located north of the production area.

APPLICATION REQUIREMENTS

4. Within 90 days from the effective date of this Discharge Permit (**by DATE**), the permittee shall submit the following information to satisfy the requirements of Sections 20.6.6.10 through 20.6.6.12 NMAC.

- a) Pursuant to Subsection I of 20.6.6.12 NMAC, provide a description for metering of wastewater discharged from the production area to the PWRs/RCS in accordance with Subsections I, J, K, L, M, N, and O of 20.6.6.20 NMAC.
- b) Pursuant to Subsection K of 20.6.6.12 NMAC, identify locations for new monitoring wells to meet the requirements of Subsections A and B of 20.6.6.23 NMAC.
- c) Pursuant to Paragraph (2) of Subsection P of 20.6.6.12 NMAC, develop and submit a nutrient management plan (NMP) that satisfies the requirements of Subsection I of 20.6.6.21 NMAC.

ENGINEERING AND SURVEYING REQUIREMENTS

- 5. The permittee shall comply with the requirements of Section 20.6.6.17 NMAC and shall submit to NMED all information or documentation required by the applicable portions of Section 20.6.6.17 NMAC.
- 6. The permittee shall complete the following items and submit documentation to NMED as summarized in the following table:

Item No.	Action Required and Submittal Due to NMED	Due Date	Citation
A.	<p><u>Impoundment Plans and Specifications:</u></p> <p>Submit construction plans and specifications for installation of a combination wastewater/stormwater impoundment(s) to achieve compliance with the storage capacity requirements of Subsection D of 20.6.6.17 NMAC.</p>	[90 days of effective date]	20.6.6.17.C(1) NMAC
B.	<p><u>Manure Solids Separation Plans and Specifications – New Wastewater System:</u></p> <p>Submit plans and specifications for manure solids separation as a component of the newly designed wastewater storage system to achieve compliance with Subsection F of 20.6.6.20 NMAC]</p>	[90 days of effective date]	20.6.6.17.C(4) NMAC
C.	<p><u>Flow Metering Plans:</u></p> <p>To achieve compliance with Subsection J of 20.6.6.20 NMAC, submit a description of the location and installation/construction information for a flow meter(s) to measure the following:</p> <ul style="list-style-type: none"> • the volume of wastewater discharged from all wastewater sources to the impoundment(s)* • the volume of wastewater and stormwater discharged from the wastewater storage impoundment to each field in the land application area <p>*Alternatively, to achieve compliance with Subsection J of 20.6.6.20 NMAC, submit a description of the location and installation/construction information for a flow meter(s) installed on the fresh water supply line(s) to measure the</p>	[90 days of effective date]	20.6.6.17.C(7) NMAC

Item No.	Action Required and Submittal Due to NMED	Due Date	Citation
	volume of all sources contributing to the wastewater discharged to the impoundment(s).		

OPERATIONAL REQUIREMENTS

7. The permittee shall comply with the requirements of Sections 20.6.6.20 and 20.6.6.21 NMAC, and shall submit to NMED all information or documentation required by the applicable portions of Sections 20.6.6.20 and 20.6.6.21 NMAC.
8. The permittee shall provide written notice to NMED regarding any changes to the presence of lactating cows and/or the status of wastewater discharges at the facility in accordance with Subsection A of 20.6.6.20 NMAC (summarized in the table below).

Activity	Notification of Estimated Date	Verification of Actual Date
Removal of Lactating Cows	Not required	Within 30 days of removal
Reintroduction of Lactating Cows	Not required	Within 30 days of reintroduction
Cessation of wastewater discharge	Not required	Within 30 days of cessation of discharge
Recommencement of Discharge	Minimum 30 days prior to recommencement	Within 30 days of recommencement

9. Within 90 days from the effective date of this Discharge Permit (**by DATE**), the permittee shall submit a proposal to measure all wastewater discharged from the production area to the PWRS/RCS using a flow metering system developed in accordance with Subsections J, K, L, M, and O of 20.6.6.20 NMAC.
10. The permittee shall install and use the following flow meter(s) in accordance with Subsections J, K, L and N of 20.6.6.20 NMAC, and Subsections G and H of 20.6.6.21 NMAC.
 - a) **Meter-1** – to be located on the discharge line from the milking center to measure the volume of wastewater discharged from the production area to PWRS/RCS.

- OR -

Supply Meter-1 – to be located on the supply water line to the milking center to measure the volume of all fresh water contributing to the wastewater discharged to PWRS/RCS; providing an estimate of the volume of wastewater generated from the production area.

- b) **Meter-2** – to be located on the discharge line from PWRs/RCS to the land application area; measures the volume of wastewater discharged from PWRs/RCS to each field in the land application area (i.e., LAA-D).
11. The permittee is authorized, pursuant to Subsection S of 20.6.6.20 NMAC, to land apply manure solids and composted material to the land application area. Manure solids and composted material shall be applied in accordance with the Nutrient Management Plan (NMP) required by Subsection I of 20.6.6.21 NMAC.
 12. The permittee is authorized to blend wastewater with fresh irrigation water for land application using any of the methods provided in Subsection D of 20.6.6.21 NMAC. Fresh water may be added to a wastewater impoundment prior to land application in accordance with Subsection D of 20.6.6.21 NMAC.
 13. Within 90 days from the effective date of this Discharge Permit (**by DATE**), the permittee shall submit an NMP developed and signed in accordance with Subsection I of 20.6.6.21 NMAC.
 14. The permittee shall remove crops from the following fields within the land application area using the following methods in accordance with Subsection I and J of 20.6.6.21 NMAC. Crops may be grazed prior to and between mechanical harvests, however, nitrogen removal credit shall not be taken for grazing activities unless a grazing plan is developed and submitted in accordance with Subsections I and J of 20.6.6.21 NMAC.
 - a) **LAA-D** – crops shall be harvested mechanically.

The permittee shall submit an application for Discharge Permit Modification to NMED for any proposed changes to the method(s) of crop removal for any field within the land application area as required by Subsection K of 20.6.6.21 NMAC.

15. The permittee shall complete the following items and submit documentation to NMED as summarized in the following table:

Item No.	Action Required and Submittal Due to NMED	Due Date	Citation
A.	<u>Impoundment Construction or Improvement:</u> i) Complete construction of a new or improvements to an existing impoundment to achieve compliance with the Dairy Rule, in accordance with construction plans and specifications, and supporting design calculations. ii) Submit the Construction Certification Report verifying construction pursuant to Subsection C of 20.6.6.17 NMAC.	[1 yr of effective date] Within 90 days of completed impoundment construction.	20.6.6.20.E NMAC
B.	<u>Manure Solids Separator Installation – New System:</u> i) Complete construction of a manure solids separator	Prior to	20.6.6.20.F

Item No.	Action Required and Submittal Due to NMED	Due Date	Citation
	associated with the new wastewater storage system. ii) Submit confirmation of solids separator construction.	discharging to the new system.	NMAC
C.	<u>Flow Meter Installation:</u> i) Complete installation of flow meter(s). ii) Submit confirmation of installation.	[150 days of effective date] [180 days of effective date]	20.6.6.20.J NMAC
D.	<u>Scaled Map of Dairy Facility – Updates:</u> Following completion of any additions or changes to the dairy facility which affect the items listed in Subsection U of 20.6.6.20 NMAC, the permittee shall update and resubmit the facility map.	Within 90 days of any addition or change.	20.6.6.20.V NMAC
E.	<u>Nutrient Management Plan:</u> Develop and submit annual updates to the NMP.	Annually: May 1	20.6.6.21.I NMAC
F.	<u>Backflow Prevention:</u> i) Complete installation of backflow prevention methods or devices. ii) Submit confirmation of installation.	[90 days of effective date] [180 days of effective date]	20.6.6.21.M NMAC
G.	<u>Backflow Prevention by Reduced Pressure Principle Backflow Prevention Assembly – Inspection and Maintenance:</u> Submit copies of inspection and maintenance records and test results for each RP device, should the device be used to satisfy the requirements of Subsection M of 20.6.6.21 NMAC.	Annually: May 1	20.6.6.21.N NMAC

GROUND WATER MONITORING REQUIREMENTS

16. The permittee shall comply with the requirements of Section 20.6.6.23 NMAC and shall submit to NMED all information or documentation required by the applicable portions of Section 20.6.6.23 NMAC.
17. Monitoring wells shall be constructed and completed in accordance with Subsection D of 20.6.6.23 NMAC.
18. Monitoring wells shall be permanently identified in accordance with Subsection C of 20.6.6.23 NMAC.

19. Within 90 days from the effective date of this Discharge Permit (**by DATE**), the permittee shall identify locations for the new monitoring wells (listed in the table below) in accordance with Subsections A and B of 20.6.6.23 NMAC.
20. The permittee shall complete the following items and submit documentation to NMED as summarized in the following table:

Item No.	Action Required and Submittal Due to NMED	Due Date	Citation
A.	<p><u>Ground Water Monitoring – New Combination Wastewater/Stormwater Impoundments:</u></p> <p>Install the following monitoring wells within 75 feet hydrologically downgradient of the top inside edge of each <u>new</u> combination impoundment:</p> <p>i) MW-5, hydrologically downgradient of PWRs/RCS.</p>	<p>Prior to discharging wastewater to or collecting stormwater in the impoundment or within 120 days of impoundment completion, <u>whichever occurs first.</u></p>	<p>20.6.6.23.A(2) NMAC</p>
B.	<p><u>Ground Water Monitoring – Stormwater Impoundments (to be abandoned):</u></p> <p>Install the following monitoring wells within 75 feet hydrologically downgradient of the top inside edge of each <u>existing</u> stormwater impoundment:</p> <p>i) MW-6, hydrologically downgradient of RCS.</p>	<p>[120 days of effective date]</p>	<p>20.6.6.23.A(3) NMAC</p>
C.	<p><u>Ground Water Monitoring – Land Application Area:</u></p> <p>Install the following monitoring wells within 50 feet hydrologically downgradient of the downgradient boundary of fields within the land application area:</p> <p>i) MW-7, hydrologically downgradient of LAA-D. ii) MW-8, hydrologically downgradient of LAA-A. iii) MW-9, hydrologically downgradient of LAA-B. iv) MW-10, hydrologically downgradient of LAA-C.</p>	<p>[120 days of effective date]</p>	<p>20.6.6.23.A(4) (a) and (b) NMAC</p>
D.	<p><u>Ground Water Monitoring – Upgradient:</u></p> <p>Install a monitoring well, MW-4, hydrologically upgradient of all contamination sources at the dairy facility.</p>	<p>[120 days of effective date]</p>	<p>20.6.6.23.A(5) NMAC</p>
E.	<p><u>Ground Water Sampling and Reporting – Routine:</u></p> <p>Collect and analyze ground water samples quarterly from all monitoring wells identified in this Discharge Permit.</p>	<p>Quarterly</p>	<p>20.6.6.23.G NMAC</p>

Item No.	Action Required and Submittal Due to NMED	Due Date	Citation
	Sampling shall be performed and results submitted in accordance with Subsection F of 20.6.6.23 NMAC.		
F.	<p><u>Ground Water Sampling – New Monitoring Wells:</u></p> <p>Collect ground water samples from monitoring wells required to be installed <i>within 120 days of the effective date of the Discharge Permit</i>. Sampling shall be performed in accordance with Subsection F of 20.6.6.23 NMAC using the monitoring wells required to be installed in the following locations:</p> <ul style="list-style-type: none"> i) MW-4, hydrologically upgradient of all contamination sources at the dairy facility. ii) MW-6, hydrologically downgradient of RCS. iii) MW-7, hydrologically downgradient of LAA-D. iv) MW-8, hydrologically downgradient of LAA-A. v) MW-9, hydrologically downgradient of LAA-B. vi) MW-10, hydrologically downgradient of LAA-C. 	[150 days of effective date]	20.6.6.23.H NMAC
G.	<p><u>Ground Water Sampling – New Monitoring Wells for New Impoundments:</u></p> <p>Collect ground water samples from monitoring wells required to be installed <i>within the term of the Discharge Permit</i>, (i.e., associated with the newly constructed impoundments). Sampling shall be performed in accordance with Subsection F of 20.6.6.23 NMAC using the monitoring wells required to be installed in the following locations:</p> <ul style="list-style-type: none"> i) MW-5, hydrologically downgradient of PWRS/RCS. 	Within 30 days of well completion.	20.6.6.23.H NMAC
H.	<p><u>Monitoring Well Survey and Ground Water Flow Determination:</u></p> <p>Survey monitoring wells required to be installed <i>within 120 days of the effective date of the Discharge Permit</i> to a USGS benchmark.</p> <p>Survey monitoring wells required to be installed <i>within the term of the Discharge Permit</i> to a USGS benchmark.</p>	<p>[150 days of effective date]</p> <p>Upon well completion, to be included in the well completion report.</p>	20.6.6.23.I NMAC
I.	<p><u>Monitoring Well Completion Report:</u></p> <p>Submit a monitoring well completion report for monitoring wells required to be installed <i>within 120 days of the effective date of the Discharge Permit</i>. The report shall include information from all monitoring wells.</p>	[180 days of effective date]	20.6.6.23.J NMAC
J.	<p><u>Monitoring Well Completion Report – Monitoring Wells for New Impoundments:</u></p> <p>Submit a monitoring well completion report for monitoring wells required to be installed <i>within the term of the Discharge Permit</i> (i.e., associated with the newly constructed</p>	Within 60 days of well completion.	20.6.6.23.J NMAC

Item No.	Action Required and Submittal Due to NMED	Due Date	Citation
	impoundments). The report shall include information from all monitoring wells.		
K.	<u>Ground Water Elevation Contour Maps:</u> Develop and submit ground water elevation contour maps on a quarterly basis using data collected from all monitoring wells used for ground water monitoring at the dairy facility.	Quarterly	20.6.6.23.L NMAC

MONITORING REQUIREMENTS

21. The permittee shall comply with the requirements of Sections 20.6.6.24 and 20.6.6.25 NMAC, and shall submit to NMED all information or documentation required by the applicable portions of Sections 20.6.6.24 and 20.6.6.25 NMAC.
22. The permittee shall submit monitoring reports to NMED on a quarterly schedule that contain monitoring data and information collected pursuant to the Dairy Rule and submitted in accordance with Subsection A of 20.6.6.24 NMAC.

Quarterly monitoring reports shall be submitted according to the following schedule:

- January 1 through March 31 (first quarter) – report due by **May 1**
 - April 1 through June 30 (second quarter) – report due by **August 1**
 - July 1 through September 30 (third quarter) – report due by **November 1**
 - October 1 through December 31 (fourth quarter) – report due by **February 1**
23. The permittee shall perform the following monitoring and submit to NMED the required documentation in monitoring reports as summarized in the following table:

Item No.	Action Required and Submittal Due to NMED	Due Date	Citation
A.	<u>Wastewater Volume Measurement and Reporting:</u> Using a flow meter(s) installed on the discharge line(s), measure the volume of all wastewater discharged to the impoundment(s) authorized to contain wastewater. Submit the information.	Quarterly	20.6.6.24.C NMAC
B.	<u>Flow Meter Field Calibration:</u> Perform flow meter field calibrations annually and submit a flow meter field calibration report.	Annually: May 1	20.6.6.24.E NMAC
C.	<u>Volume of Wastewater and Wastewater/Stormwater Land Applied – Measurement and Reporting:</u> Measure the volume of all wastewater discharges to each field within the land application area using a flow meter(s) and submit the information.	Quarterly	20.6.6.25.A NMAC

Item No.	Action Required and Submittal Due to NMED	Due Date	Citation
D.	<p><u>Wastewater to be Land Applied – Sampling and Reporting:</u></p> <p>The permittee shall collect a representative wastewater sample (consisting of eight subsamples) from each wastewater or combination wastewater/stormwater impoundment. Analyze each representative wastewater sample on a quarterly basis and submit results.</p>	Quarterly	20.6.6.25.C NMAC
E.	<p><u>Manure Solids – Nitrogen Content:</u></p> <p>Should a permittee choose to use actual nitrogen content values of on-site manure solids for the purpose of applying to the land application area, the permittee shall collect and analyze samples annually, and submit results.</p>	Quarterly	20.6.6.25.D NMAC
F.	<p><u>Irrigation Water – Sampling, Volume Applied and Reporting:</u></p> <p>Collect and analyze fresh irrigation water samples on an annual basis from each irrigation well associated with the land application area. Estimate the annual volume of irrigation water applied to each field from each well. Submit estimated volumes and analytical results.</p>	Annually: May 1	20.6.6.25.E NMAC
G.	<p><u>Fertilizer Application Reporting:</u></p> <p>Maintain and submit a log of all additional fertilizer applied to each field within the land application area.</p>	Quarterly	20.6.6.25.F NMAC
H.	<p><u>Land Application Data Sheets:</u></p> <p>Complete and submit land application data sheets (LADS) for each field within the land application area.</p>	Quarterly	20.6.6.25.G NMAC
I.	<p><u>Crop Yield Documentation:</u></p> <p>Submit crop yield documentation and plant and harvest dates of each crop grown.</p>	Quarterly	20.6.6.25.H NMAC
J.	<p><u>Nitrogen Concentration of Harvested Crop:</u></p> <p>Determine the percent total nitrogen and dry matter of each harvested crop and submit results.</p>	Quarterly	20.6.6.25.I NMAC
K.	<p><u>Nitrogen Removal Summary of Harvested Crop:</u></p> <p>Develop and submit a nitrogen removal summary for each crop grown on each field within the land application area.</p>	Quarterly	20.6.6.25.J NMAC
L.	<p><u>Soil Sampling – Initial Event in a Discharge Permit Term:</u></p> <p>Collect and analyze <u>initial</u> soil samples from each field in the land application area for the first soil sampling event during the first year following the effective date of this Discharge Permit. Submit the results.</p>	May 1, 2014	20.6.6.25.K NMAC

Item No.	Action Required and Submittal Due to NMED	Due Date	Citation
M.	<p><u>Soil Sampling – Routine:</u> Collect and analyze <u>routine</u> soil samples annually from each field in the land application area beginning the year following the initial sampling event. Submit the results.</p>	<p>Annually: May 1</p>	<p>20.6.6.25.L NMAC</p>

CONTINGENCY REQUIREMENTS

24. The permittee shall comply with the requirements of Section 20.6.6.27 NMAC and shall submit to NMED all information or documentation required by the applicable portions of Section 20.6.6.27 NMAC.

CLOSURE REQUIREMENTS

25. The permittee shall comply with the requirements of Section 20.6.6.30 NMAC and shall submit to NMED all information or documentation required by the applicable portions of Section 20.6.6.30 NMAC.
26. Within two years of the effective date of the Discharge Permit (**by DATE**), the permittee shall complete closure of the following impoundment(s) in accordance with Paragraph (2) of Subsection A of 20.6.6.30 NMAC.
- a) **RCS** – located west of the production area and north of the proposed PWRS/RCS; reported as abandoned.

GENERAL REQUIREMENTS

27. 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.
28. The permittee shall retain required records for a minimum period of 10 years from the date of sample collection, measurement, report or application in accordance with Section 20.6.6.33 NMAC.
29. Transfer of a Discharge Permit for a dairy facility shall be completed in accordance with Section 20.6.6.34 NMAC.
30. To renew this Discharge Permit, the permittee shall submit an application for renewal, renewal and modification, or renewal for closure at least one year prior to the expiration date of the Discharge Permit in accordance with Section 20.6.6.10 NMAC.

31. In accordance with Subsection A of 20.6.6.9 NMAC, the permittee shall remit a permit fee payment equal to one-tenth of the applicable permit fee from Table 1 of Section 20.6.2.3114 NMAC on the first occurrence of August 1 after the effective date of the Discharge Permit, and annually thereafter until expiration or termination of the Discharge Permit.

V. ADDITIONAL CONDITIONS

In addition to the requirements of 20.6.6 NMAC, the permittee shall comply with the following conditions as authorized by Subsection H of 20.6.6.10 NMAC pursuant to Section 74-6-5 WQA. A hearing may be requested on additional conditions in accordance with Section 20.6.6.15 NMAC.

1. Within two years of the effective date of the Discharge Permit (by DATE), the permittee shall complete closure of the 30,000-gallon steel storage tank using the following closure measures:
 - a) Remove all lines leading to and from the closed tank or permanently plug them and abandon them in place.
 - b) Any wastewater and solids shall be pumped or removed from the tank and shall be applied to the designated land application area as authorized by this Discharge Permit.
 - c) Remove or demolish the closed tank, and re-grade the area with suitable fill to blend with surface topography to promote positive drainage and to prevent ponding.

VI. PERMIT ISSUANCE

Pursuant to WQA 74-6-5(I), the term of this Discharge Permit shall be for the fixed term of five years from the effective date of the Discharge Permit.

Issued by: New Mexico Environment Department

Effective Date: [DATE]

Expiration Date: [DATE]

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