



NEW MEXICO
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Draft: June 3, 2021

GROUND WATER QUALITY BUREAU
DISCHARGE PERMIT
Issued under 20.6.2 NMAC

Facility Name: Town of Edgewood Wastewater Treatment Facility
Discharge Permit Number: DP-1654
Facility Location: 117 Bassett Road
Edgewood, New Mexico 87015

County: Santa Fe

Permittee: Town of Edgewood
Mailing Address: P.O. Box 3610
Edgewood, NM 87015

Facility Contact: Juan Torres, Clerk/Treasurer
Telephone Number/Email: (505) 286-4518/jtorres@edgewood-nm.gov

Permitting Action: Renewal and Modification

Permit Issuance Date: DATE
Permit Expiration Date: DATE

NMED Permit Contact: Sandra Gabaldón
Telephone Number/Email: 505-660-8164/sandra.gabaldon@state.nm.us

MICHELLE HUNTER
Chief, Ground Water Quality Bureau

Date

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- New Mexico Environment Department Ground Water Quality Bureau Monitoring Well Construction and Abandonment Guidelines, Revision 1.1, March 2011 (Monitoring Well Guidance)

I. INTRODUCTION

The New Mexico Environment Department (NMED) issues this groundwater discharge permit Renewal (Discharge Permit or DP-1654) to the Town of Edgewood (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) Ground and Surface Water Protection 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 Town of Edgewood Wastewater Treatment Facility (Facility) in order to protect groundwater and those segments of surface water gaining from groundwater inflow for present and potential future use as domestic and agricultural water supply and other uses, and to protect public health. It is NMED's determination in issuing this Discharge Permit that the Permittee has met the requirements of Subsection C of 20.6.2.3109 NMAC. The Permittee is responsible for complying with the terms and conditions of this Discharge Permit pursuant to Section 20.6.2.3104 NMAC; failure to do so may result in enforcement action by NMED (20.6.2.1220 NMAC).

Described below are the activities that produce the discharge, the location of the discharge, and the quantity, quality and flow characteristics.

The Membrane Bio-Reactor (MBR) package plant receives and treats at a volume of up to 75,000 gallons per day of domestic wastewater. Treated wastewater is discharged to a synthetically lined impoundment for disposal by evaporation, to an alternative disposal area, or to the reclaimed wastewater reuse system for dust control, irrigation of Town-owned properties or transfer to other entities with GWQB discharge permits.

The discharge may contain water contaminants or toxic pollutants elevated above the standards of Section 20.6.2.3103 NMAC and is not subject to the exemption at Subsection 20.6.2.3105.A NMAC.

The Facility is located at 117 Bassett Road, approximately one mile west of the intersection of Church Street and Bassett Road, Edgewood, in Section 30, Township 10N, Range 8E, with reuse and alternative disposal area locations in Sections 4, 5, 9, 11-14, 16, 20-23, 25-29, and 33-36 of Township 10N, Range 07E; and Section 30, Township 10N, Range 8E in Santa Fe County. A discharge at the Facility is most likely to affect groundwater at a depth of approximately 112 feet and having a total dissolved solids (TDS) concentration of approximately 600 milligrams per liter.

NMED issued the original Discharge Permit on June 13, 2008 and subsequently renewed the Permit on September 2, 2015. The application (i.e., discharge plan) consists of the materials submitted by the Town of Edgewood on behalf of the Permittee dated May 5, 2020, and materials contained in the administrative record prior to issuance of this Discharge Permit. The Permittee

shall manage the discharge in accordance with all conditions and requirements of this Discharge Permit.

NMED reserves the right to require a Discharge Permit modification in the event NMED determines that the Permittee is or may be violating, or is likely to violate in the future, the requirements of 20.6.2 NMAC or the standards of Section 20.6.2.3103 NMAC. NMED reserves this right pursuant to Section 20.6.2.3109 NMAC. An NMED requirement to modify the Discharge Permit may result from a determination by the department that structural controls and/or management practices approved under this Discharge Permit are insufficiently protective of groundwater quality and human health. NMED reserves the right to require the Permittee implement abatement of water pollution and remediate groundwater quality.

NMED 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.

This Discharge Permit may use the following acronyms and abbreviations.

Abbreviation	Explanation	Abbreviation	Explanation
BOD ₅	biochemical oxygen demand (5-day)	NMED	New Mexico Environment Department
CAP	Corrective Action Plan	NMSA	New Mexico Statutes Annotated
CFR	Code of Federal Regulations	NO ₃ -N	nitrate-nitrogen
CFU	colony forming unit	NTU	nephelometric turbidity units
Cl	chloride	QA/QC	Quality Assurance/Quality Control
EPA	United States Environmental Protection Agency	TDS	total dissolved solids
gpd	gallons per day	TKN	total Kjeldahl nitrogen
LAA	land application area	total nitrogen	= TKN + NO ₃ -N
LADS	Land Application Data Sheet(s)	TRC	total residual chlorine
mg/L	milligrams per liter	TSS	total suspended solids
mL	milliliters	WQA	New Mexico Water Quality Act
MPN	most probable number	WQCC	Water Quality Control Commission
NMAC	New Mexico Administrative Code	WWTF	Wastewater Treatment Facility

II. FINDINGS

In issuing this Discharge Permit, NMED finds the following.

1. The Permittee is discharging effluent or leachate from the Facility so that such effluent or leachate may move into groundwater of the State of New Mexico that has an existing concentration of 10,000 mg/L or less of TDS, within the meaning of Subsection A of 20.6.2.3101 NMAC, without exceeding standards of 20.6.2.3103 NMAC for any water contaminant.
2. The Permittee is allowed to discharge effluent or leachate from the Facility directly or indirectly into groundwater pursuant to this Discharge Permit and Sections 20.6.2.3000 through 20.6.2.3114 NMAC.
3. The discharge from the Facility is not subject to any of the exemptions of Section 20.6.2.3105 NMAC.

III. AUTHORIZATION TO DISCHARGE

The Permittee is responsible for ensuring that discharges authorized by this Discharge Permit are consistent with the terms and conditions herein pursuant to 20.6.2.3104 NMAC.

This Discharge Permit authorizes the Permittee to receive and treat up to 75,000 of domestic wastewater using an MBR wastewater treatment system. The Permittee is authorized to discharge treated wastewater to a synthetically lined storage impoundment, to an alternative disposal area or to the reclaimed wastewater reuse system for dust control, irrigation of Town-owned properties or transfer to other entities with GWQB discharge permits.

[20.6.2.3104 NMAC, Subsection C of 20.6.2.3106 NMAC, Subsection D of 20.6.2.3109 NMAC]

IV. CONDITIONS

NMED issues this Discharge Permit for the discharge of water contaminants subject to the following conditions.

A. OPERATIONAL PLAN

#	Terms and Conditions
1.	The Permittee shall implement the following operational plan to ensure compliance with Title 20, Chapter 6, Parts 2 and 4 NMAC.

#	Terms and Conditions
	[Subsection C of 20.6.2.3109 NMAC]
2.	<p>The Permittee shall operate in a manner that does not violate standards and requirements of Sections 20.6.2.3101 and 20.6.2.3103 NMAC.</p> <p>[20.6.2.3101 NMAC, 20.6.2.3103 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>

Operational Actions with Implementation Deadlines

#	Terms and Conditions
3.	<p>Within 90 days following the issuance date of this Discharge Permit (by DATE) the Permittee shall submit an up-to-date diagram of the layout of the entire Facility to NMED. The diagram shall include the following elements:</p> <ul style="list-style-type: none"> • a north arrow; • the effective date of the diagram; • all components of the wastewater treatment and disposal system; • all alternative disposal area location; • all reuse areas and associated distribution pipelines; • all groundwater monitoring well; • all backflow prevention methods/devices; • all flow measurement devices; and • all wastewater sampling locations. <p>The Permittee shall ensure that any element that cannot be directly shown due to its location inside of existing structures, or because it is buried without surface identification, shall be on the diagram in a schematic format and identified as such.</p> <p>[Subsection C of 20.6.2.3106 NMAC, Subsection A of 20.6.2.3107 NMAC]</p>
4.	<p>Within 90 days following the issuance date of this Discharge Permit (by DATE), the Permittee shall install 18 to 24-inch berms around the alternative disposal area to prevent surface water run-on and run-off. Documentation of berm installation shall consist of a narrative statement describing the berm locations and date-stamped photographs. The Permittee shall submit the documentation to NMED in the next required periodic monitoring report.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>

#	Terms and Conditions
5.	<p>Within 90 days following the issuance date of this Discharge Permit (by DATE), the Permittee shall install permanent visible measuring devices within the evaporative impoundment in the east and west portions. The design of the measuring devices shall allow the Permittee to visually inspect and verify the two-foot freeboard requirements.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
6.	<p>Within 60 days following the issuance date of this Discharge Permit (by DATE), the Permittee shall measure the thickness of the settled solids in the synthetically lined storage impoundment. The Permittee shall report the results of the solids thickness measurements to NMED in the next required periodic monitoring report.</p> <p>The Permittee shall measure the thickness of settled solids in accordance with the following procedure.</p> <ol style="list-style-type: none"> a) The division of the total surface area of the treatment impoundment into nine equal sub-areas. b) One measurement (to the nearest half foot) using a settled solids measurement device (e.g., core sampler) per sub-area. c) Calculation of the average of the nine measurements. <p>In the event that the measured settled solids exceed one-third of the maximum liquid depth in the impoundment, the Permittee shall implement the Contingency Plan set forth in this Discharge Permit.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>

Operating Conditions

#	Terms and Conditions
7.	<p>The Permittee shall ensure that treated wastewater discharged from the system does not exceed the following discharge limit. The Permittee shall collect all effluent samples from the sample port installed on the tank drain line of the effluent holding tank.</p> <p>Total Nitrogen: 10 mg/L</p> <p>[Subsection C of 20.6.2.3109 NMAC]</p>
8.	<p>The Permittee shall ensure that Class 1A reclaimed domestic wastewater discharged from the system does not exceed the following discharge limits.</p>

#	Terms and Conditions															
	<table border="1" data-bbox="293 317 1187 531"> <thead> <tr> <th data-bbox="293 317 586 359">Test</th> <th data-bbox="586 317 886 359">30-day Average</th> <th data-bbox="886 317 1187 359">Maximum</th> </tr> </thead> <tbody> <tr> <td data-bbox="293 359 586 401">E. Coli</td> <td data-bbox="586 359 886 401">3 cfu/100 mL</td> <td data-bbox="886 359 1187 401">15 cfu/100 mL</td> </tr> <tr> <td data-bbox="293 401 586 443">BOD₅</td> <td data-bbox="586 401 886 443">10 mg/L</td> <td data-bbox="886 401 1187 443">15 mg/L</td> </tr> <tr> <td data-bbox="293 443 586 485">Turbidity:</td> <td data-bbox="586 443 886 485">3 NTU</td> <td data-bbox="886 443 1187 485">5 NTU</td> </tr> <tr> <td data-bbox="293 485 586 527">TRC</td> <td data-bbox="586 485 886 527">Monitor Only</td> <td data-bbox="886 485 1187 527">Monitor Only</td> </tr> </tbody> </table> <p data-bbox="293 573 1170 611">[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]</p>	Test	30-day Average	Maximum	E. Coli	3 cfu/100 mL	15 cfu/100 mL	BOD ₅	10 mg/L	15 mg/L	Turbidity:	3 NTU	5 NTU	TRC	Monitor Only	Monitor Only
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TRC	Monitor Only	Monitor Only														
9.	<p data-bbox="293 632 1430 705">The Permittee shall ensure that treated wastewater discharged from the system to the alternative disposal area does not exceed the following discharge limits.</p> <table border="1" data-bbox="293 743 1187 1010"> <thead> <tr> <th data-bbox="293 743 586 785">Test</th> <th data-bbox="586 743 886 785">30-day Average</th> <th data-bbox="886 743 1187 785">Maximum</th> </tr> </thead> <tbody> <tr> <td data-bbox="293 785 586 869">E. Coli</td> <td data-bbox="586 785 886 869">630 MPN/100 mL (geometric mean)</td> <td data-bbox="886 785 1187 869">3,150 cfu/100 mL</td> </tr> <tr> <td data-bbox="293 869 586 911">BOD₅</td> <td data-bbox="586 869 886 911">30 mg/L</td> <td data-bbox="886 869 1187 911">45 mg/L</td> </tr> <tr> <td data-bbox="293 911 586 953">TSS</td> <td data-bbox="586 911 886 953">75 mg/L</td> <td data-bbox="886 911 1187 953">90 mg/L</td> </tr> <tr> <td data-bbox="293 953 586 1010">TRC</td> <td data-bbox="586 953 886 1010">Monitor Only</td> <td data-bbox="886 953 1187 1010">Monitor Only</td> </tr> </tbody> </table>	Test	30-day Average	Maximum	E. Coli	630 MPN/100 mL (geometric mean)	3,150 cfu/100 mL	BOD ₅	30 mg/L	45 mg/L	TSS	75 mg/L	90 mg/L	TRC	Monitor Only	Monitor Only
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10.	<p data-bbox="293 1035 1430 1146">The Permittee shall meet the following setbacks, access restrictions and equipment requirements for disposal of treated domestic wastewater that is disposed of on the alternative disposal area.</p> <ol data-bbox="293 1146 1430 1577" style="list-style-type: none"> a) Maintain a minimum 500-foot setback between any dwellings or occupied establishments and the edge of the reuse area. b) Postpone irrigation using treated domestic wastewater at times when windy conditions may result in drift of treated wastewater outside the disposal area. c) Restrict access to the disposal area using perimeter fencing with four-strand barbed wire and a locking gate, or other access controls approved by NMED. d) Prohibit public access during times when treated domestic wastewater is being applied to the disposal area. e) Limit the spray irrigation system to low trajectory spray nozzles. f) Prohibit the irrigation of fodder, fiber and seed crops for milk producing animals with treated domestic wastewater. <p data-bbox="293 1619 1170 1656">[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1-78, § 74-6-5.D]</p>															
11.	<p data-bbox="293 1682 1430 1755">The Permittee shall meet the following requirements for the temporary above-ground use of Class 1A reclaimed domestic wastewater.</p> <ol data-bbox="293 1755 1430 1829" style="list-style-type: none"> a) Access to the reclaimed domestic wastewater distribution system (standpipe) shall be restricted. Transfer of reclaimed domestic wastewater to other users shall only 															

#	Terms and Conditions
	<p>be done by the Permittee or its designee. The Permittee shall prohibit public access to the reclaimed domestic wastewater system.</p> <p>b) All recipients of reclaimed domestic wastewater for temporary uses shall be notified in writing of the following.</p> <ul style="list-style-type: none">i. Reclaimed domestic wastewater is approved only for construction activities; soil compaction; mixing of mortars, slurries or cement; dust control on roads and construction sites; animal watering; and irrigation of non-food crops.ii. Reclaimed domestic wastewater shall be discharged by gravity flow or under low pressure in a manner that minimizes misting and does not results in excessive standing or ponding of wastewater.iii. If the discharge method results in misting, the area(s) receiving the reclaimed domestic wastewater must be 100 feet from areas accessible to the public.iv. The area receiving the discharge must be 300 feet from potable water supply wells.v. Transport vehicles and storage tanks containing reclaimed domestic wastewater shall have signs, in English and Spanish, identifying the contents as non-potable water and advising against consumption.vi. The user shall not apply of reclaimed domestic wastewater at times when the receiving area is saturated or frozen. <p>The Permittee shall maintain a log of all recipients of reclaimed domestic wastewater and shall provide the log to NMED upon request.</p> <p>[20.6.2.3109 NMAC]</p>
12.	<p>The Permittee shall institute a backflow prevention method to protect wells and public water supply systems from contamination by reclaimed domestic wastewater prior to discharging to the reuse system. Backflow prevention shall be achieved by a total disconnect (physical air gap separation between the discharge pipe and the liquid surface at least twice the diameter of the discharge pipe), or by a reduced pressure principal backflow prevention assembly (RP) installed on the line between the fresh water supply wells or public water supply and the reclaimed domestic wastewater delivery system. The Permittee shall maintain backflow prevention at all times.</p> <p>The Permittee shall have RP devices inspected and tested by a certified backflow prevention assembly tester at the time of installation, repair or relocation and at least on an annual basis thereafter. The backflow prevention assembly tester shall have successfully completed a 40-hour backflow prevention course based on the University of Southern California’s Backflow Prevention Standards and Test Procedures, and obtained certification demonstrating completion. The Permittee shall have all malfunctioning RP</p>

#	Terms and Conditions
	<p>devices repaired or replaced within 30 days of discovery. Supply lines associated with the RP device shall cease being used until repair or replacement has been completed.</p> <p>The Permittee shall maintain copies of the inspection and maintenance records and test results for each RP device associated with the backflow prevention program at a location available for inspection by NMED.</p> <p>[Subsection C of 20.6.2.3109 NMAC]</p>
13.	<p>The Permittee shall maintain 18 to 24-inch berms around the alternative disposal area to prevent surface water run-on and run-off. The Permittee shall inspect the berms on a monthly basis and after any major precipitation event and repaired as necessary.</p> <p>The Permittee shall keep a log of the inspections that includes a date of the inspection, any findings and repairs, and the name of the person responsible for the inspection. The Permittee shall make the log available to NMED upon request.</p> <p>[Subsection C of 20.6.2.3109 NMAC]</p>
14.	<p>The Permittee shall maintain fences around the Facility and the alternative disposal area to restrict access by the general public and animals. The fences shall consist of a minimum of six-foot chain link or field fencing and locking gates. The Permittee shall maintain the fences to serve the stated purpose throughout the term of this Discharge Permit.</p> <p>[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]</p>
15.	<p>The Permittee shall install and maintain signs indicating that the wastewater at the Facility and the alternative disposal area are not potable. The Permittee shall post signs at the Facility entrance and the alternative disposal area along with other areas where there is potential for public contact with wastewater. The signs shall be printed in English and Spanish and shall remain visible and legible for the term of this Discharge Permit.</p> <p>Documentation of sign installation shall consist of a date-stamped photographs. The Permittee shall submit the documentation to NMED in the next required periodic monitoring report.</p> <p>[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]</p>
16.	<p>The Permittee shall maintain the synthetically lined storage impoundment liner to avoid conditions that could affect the liner or the structural integrity of the impoundment. Characterization of such conditions may include the following:</p>

#	Terms and Conditions
	<ul style="list-style-type: none"> • erosion damage; • animal burrows or other damage; • the presence of vegetation including aquatic plants, weeds, woody shrubs or trees growing within five feet of the top inside edge of a sub-grade impoundment, within five feet of the toe of the outside berm of an above-grade impoundment, or within the impoundment itself; • the presence of large debris or large quantities of debris in the impoundment; • evidence of seepage; or • evidence of berm subsidence. <p>The Permittee shall routinely control vegetation growing around the impoundment by mechanical removal that is protective of the impoundment liner.</p> <p>The Permittee shall visually inspect the impoundment and surrounding berms on a monthly basis to ensure proper maintenance. In the event that inspection reveals any evidence of damage that threatens the structural integrity of an impoundment berm or liner, or that may result in an unauthorized discharge, the Permittee shall implement the Contingency Plan set forth in this Discharge Permit.</p> <p>The Permittee shall create and maintain a log of all impoundment inspections which describes the date of the inspection, any findings and repairs and the name of the person responsible for the inspection. The Permittee shall make the log available to NMED upon request.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
17.	<p>The Permittee shall visually inspect the freeboard measuring devices on a bi-weekly basis to ensure proper maintenance of the two-foot freeboard. In the event that inspection reveals that the two-foot freeboard level is at maximum capacity, the Permittee shall implement the Contingency Plan set forth in this Discharge Permit.</p> <p>The Permittee shall create and maintain a log of all freeboard inspections which describes the date of the inspection, any findings and the name of the person responsible for the inspection. The Permittee shall make the log available to NMED upon request.</p> <p>In the event that the visual measuring device shows the two-foot freeboard requirements are not being met, the Permittee shall implement the Contingency Plan set forth in this Discharge Permit.</p>

#	Terms and Conditions
	[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109]
18.	<p>The Permittee shall preserve a minimum of two feet of freeboard, i.e., the liquid level in the impoundment and the elevation of the lowest-most top of the impoundment liner.</p> <p>In the event that the Permittee determines that it cannot preserve two feet of freeboard in the impoundment, the Permittee shall implement the Contingency Plan set forth in this Discharge Permit.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
19.	<p>The Permittee shall meet the following general requirements, setbacks, access restrictions and equipment requirements when operating mechanical evaporators in the storage impoundment:</p> <ul style="list-style-type: none"> • The Permittee shall install a wind gauge and data logger capable of metering wind speed in the location of the storage impoundment prior to discharging from the facility; • Mechanical evaporation is prohibited at times when wind speed equals or exceeds 20 miles per hour (mph) as indicated by the onsite gauge; • Mechanical evaporation shall be postponed at times when windy conditions may result in drift of treated wastewater outside of the surface area footprint of the storage impoundment; • A minimum of 1,000-foot setback shall be maintained between any dwellings or occupied establishments and the berm of the storage impoundment designed for the evaporation of treated wastewater; and • The mechanical evaporator system shall be operated at the lowest effective trajectory possible to minimize the spread of aerosolized treated wastewater. <p>[20.6.2.3109 NMAC]</p>
20.	<p>The Permittee shall properly manage all solids generated by the treatment system to maintain effective operation of the system by removing solids as necessary and in accordance with associated equipment manufacturer’s specifications. The Permittee shall contain, transport and dispose of all solids removed from the treatment process in accordance with all local, state, and federal regulations.</p> <p>The Permittee shall maintain manifests for all solids transported from the treatment Facility for off-site disposal. The manifests shall identify the name of the hauler, the date of off-site shipment, the volume of solids removed, the disposal method, and disposal location.</p>

#	Terms and Conditions
	[Subsection A of 20.6.2.3107 NMAC, Subsection C–F 20.6.2.3109 NMAC]
21.	<p>The Permittee shall utilize operators, certified by the State of New Mexico at the appropriate level pursuant to 20.7.4 NMAC, to operate the wastewater collection, treatment and disposal systems. A certified operator or a direct supervisee of a certified operator shall perform the operations and maintenance of all or any part of the wastewater system.</p> <p>The Permittee shall notify the NMED within 24 hours if at any time the Permittee no longer has a certified operator maintaining the system.</p> <p>[Subsection C of 20.6.2.3109 NMAC, 20.7.4 NMAC]</p>

B. MONITORING AND REPORTING

#	Terms and Conditions
22.	<p>The Permittee shall conduct the monitoring, reporting, and other requirements listed below in accordance with the monitoring requirements of this Discharge Permit.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
23.	<p>METHODOLOGY – Unless otherwise specified by this Discharge Permit, or approved in writing by NMED, the Permittee shall use sampling and analytical techniques that conform with the references listed in Subsection B of 20.6.2.3107 NMAC.</p> <p>[Subsection B of 20.6.2.3107 NMAC]</p>
24.	<p>Quarterly monitoring - The Permittee shall perform monitoring and other Permit required actions during the following periods and shall submit quarterly reports to NMED by the following due dates:</p> <ul style="list-style-type: none"> • January 1st through March 31st – due by May 1st; • April 1st through June 30th – due by August 1st; • July 1st through September 30th – due by November 1st; and • October 1st through December 31st – due by February 1st. <p>[Subsection A of 20.6.2.3107 NMAC]</p>

Monitoring Actions with Implementation Deadlines

#	Terms and Conditions
25.	<p>Within 90 days following the issuance date of this Discharge Permit (by DATE), the Permittee shall install the following flow meter:</p> <p>a) One totalizing flow meter installed on the discharge line from the storage impoundment to the alternative disposal area to measure the volume of treated domestic wastewater discharged to the to the alternative disposal area when conditions are unfavorable for approved uses or when the Class 1A reuse quality standards of this discharge permit cannot be met.</p> <p>The Permittee shall submit confirmation of meter installation, type, calibration, and location within 30 days of completed installations.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
26.	<p>Within 60 days following the issuance date of this Discharge Permit (by DATE), the Permittee shall submit a written groundwater monitoring well location proposal for NMED review and approval. The proposal shall designate the installation location of the monitoring well required by Condition 27 of this Discharge Permit. The proposal shall include, at a minimum, the following information:</p> <p>a) A map showing the proposed location of the monitoring well in relation to the boundary of the source it is intended to monitor.</p> <p>b) A written description of the specific location proposed for the monitoring well including the distance (in feet) and direction of the monitoring well from the edge of the source it is intended to monitor. Examples include: 35 feet north-northwest of the northern berm of the synthetically lined impoundment; 45 feet due south of the alternative disposal area; and 30 feet southeast of the reuse area 150 degrees from north.</p> <p>c) A statement describing the groundwater flow direction beneath the Facility, and documentation and/or data supporting the determination.</p> <p>The Permittee must have NMED’s approval of all monitoring well locations prior to their installation.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
27.	<p>Within 120 days of the issuance date of this Discharge Permit (by DATE), the Permittee shall install the following new monitoring well:</p>

#	Terms and Conditions
	<p>a) One monitoring well (MW-1) located 20 to 50 feet hydrologically downgradient of the alternative disposal area.</p> <p>The Permittee shall complete the well in accordance with the Monitoring Well Guidance or alternative methods submitted for approval.</p> <p>Unless otherwise noted in this Discharge Permit, the requirement to install a monitoring well downgradient of a source is <u>not</u> contingent upon construction of the Facility, or discharge of wastewater from the Facility.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
28.	<p>Following the installation of the monitoring well required by this Discharge Permit, the Permittee shall sample groundwater in the well and analyze the sample for TKN, NO₃-N, TDS and Cl.</p> <p>The Permittee shall perform groundwater sample collection, preservation, transport and analysis according to the following procedure:</p> <ul style="list-style-type: none"> a) Measure the depth-to-most shallow groundwater from the top of the well casing to the nearest one-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. e) Analyze samples in accordance with methods authorized by this Discharge Permit. <p>The Permittee shall submit a well completion report to NMED within 45 days of the installation of the monitoring well. A well completion report shall include: the Office of the State Engineer permit, well construction and lithologic logs, depth-to-most shallow groundwater measurements, analytical results including the laboratory QA/QC summary report, and a facility layout map showing the location and number of the well.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
29.	<p>Within 150 days following the issuance date of this Discharge Permit (by DATE), the Permittee shall perform a geographical survey of the groundwater monitoring well approved by NMED for Discharge Permit monitoring purposes. The survey shall be tied or referenced to a U.S. Geological Survey (USGS) or another permanent benchmark. Survey data shall include northing, easting and elevation to the nearest one-hundredth of a foot or shall be in accordance with the "Minimum Standards for Surveying in New</p>

#	Terms and Conditions
	<p>Mexico” (12.8.2 NMAC). The survey shall bear the seal and signature of a licensed New Mexico professional surveyor (pursuant to the New Mexico Engineering and Surveying Practice Act and the rules promulgated under that authority).</p> <p>The Permittee shall utilize the survey to establish an elevation at the top-of-casing, with a permanent marking indicating the point of elevation.</p> <p>Depth-to-most-shallow groundwater shall be measured to the nearest one-hundredth of a foot in all surveyed wells [and referenced to mean sea level], and the data shall be used to develop a groundwater elevation contour, i.e., potentiometric surface, map showing the location of all monitoring wells and the direction and gradient of groundwater flow in the uppermost aquifer below the Facility. The Permittee shall submit the data and groundwater elevation contour map to NMED within 30 days of survey completion.</p> <p>[Subsection A of 20.6.2.3107 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]</p>

Groundwater Monitoring Conditions

#	Terms and Conditions
30.	<p>The Permittee shall perform quarterly groundwater sampling in the following groundwater monitoring wells and analyze the samples for TKN, NO₃-N, TDS and Cl:</p> <ul style="list-style-type: none"> a) MW-1 located 20 to 50 feet hydrologically downgradient of the alternative disposal area. <p>The Permittee shall perform groundwater sample collection, preservation, transport and analysis according to the following procedures:</p> <ul style="list-style-type: none"> a) Measure the depth-to-most-shallow groundwater from the top of the well casing to the nearest one-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. e) Analyze samples in accordance with the methods authorized in this Discharge Permit. <p>The Permittee shall submit the depth-to-most-shallow groundwater measurements, analytical results, including the laboratory QA/QC summary report, and a Facility layout map showing the location and number of each well to NMED in the quarterly monitoring reports.</p>

#	Terms and Conditions
	[Subsection A of 20.6.2.3107 NMAC]
31.	<p>NMED shall have the option to perform downhole inspections of all groundwater monitoring wells identified in this Discharge Permit. NMED shall establish the inspection date and provide at least a 60-day notice to the Permittee by certified mail. The Permittee shall remove any existing dedicated pumps at least 48 hours prior to NMED inspection to allow adequate settling time of sediment agitated from pump removal.</p> <p>Should the Permittee decide to install pumps in any of the monitoring wells, the Permittee shall notify NMED at least 90 days prior to pump installation so that NMED can schedule a downhole well inspection(s) prior to pump placement.</p> <p>[Subsections A and D of 20.6.2.3107 NMAC]</p>

Facility Monitoring Conditions

#	Terms and Conditions
32.	<p>The Permittee shall measure the totalized volume of wastewater received by the Facility each month using a totalizing flow meter located prior to the mechanical bar screen. The Permittee shall submit totalized influent volumes for each month and average daily influent volumes for each month to NMED in the quarterly monitoring reports.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]</p>
33.	<p>The Permittee shall measure the monthly volume of wastewater discharged to the storage impoundment using a totalizing flow meter located on the discharge line to the impoundment. The Permittee shall obtain the readings on a monthly basis and calculate the monthly and average daily volume discharged to the storage impoundment. The Permittee shall submit the monthly meter readings calculated monthly and average daily discharge volumes to NMED in the quarterly monitoring reports.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]</p>
34.	<p>The Permittee shall measure the monthly volume of wastewater discharged from the storage impoundment to the alternative disposal area using a totalizing flow meter located on the discharge line to the alternative disposal area. The Permittee shall obtain the readings on a monthly basis and calculate the monthly and average daily volume discharged to the storage impoundment. The Permittee shall submit the monthly meter readings, calculated monthly and average daily discharge volumes to NMED in the quarterly monitoring reports.</p>

#	Terms and Conditions
	[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]
35.	<p>The Permittee shall measure the monthly volume of wastewater discharged to the reuse distribution system using a totalizing flow meter located on the discharge line to the reuse distribution system. The Permittee shall obtain meter readings on a monthly basis and calculate the monthly and average daily volume discharged to the reuse irrigation areas. The Permittee shall submit the monthly meter readings, calculated monthly and average daily discharge volumes to NMED in the quarterly monitoring reports.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]</p>
36.	<p>All flow meters shall be capable of having their accuracy verified under working (i.e., real-time in-the-field) conditions. The Permittee shall develop a field verification method for each flow meter and shall utilize that method to check the accuracy of each respective meter. The Permittee shall perform field calibrations upon repair or replacement of a flow measurement device and, at a minimum, within 90 days of the issuance date of this Discharge Permit (by DATE), and then on an annual basis.</p> <p>The Permittee shall ensure each flow meter is calibrated to its manufacturer's recommended specification which shall be no less accurate than plus or minus 10 percent of actual flow, as measured under field conditions. Field calibrations shall be performed by an individual knowledgeable in flow measurement and in the installation/operation of the particular device in use. The Permittee shall prepare a flow meter calibration report for each flow measurement device calibration event. The flow meter calibration report shall include the following information :</p> <ul style="list-style-type: none"> a) The location and meter identification. b) The method of flow meter field calibration employed. c) The measured accuracy of each flow meter prior to adjustment indicating the positive or negative offset as a percentage of actual flow as determined by an in-field calibration check. d) The measured accuracy of each flow meter following adjustment, if necessary, indicating the positive or negative offset as a percentage of actual flow of the meter. e) Any flow meter repairs made during the previous year or during field calibration. f) The name of the individual performing the calibration and the date of the calibration. <p>The Permittee shall maintain records of flow meter calibration(s) at a location accessible for review by NMED during Facility inspections.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]</p>

#	Terms and Conditions
37.	<p>The Permittee shall visually inspect flow meters on a monthly basis for evidence of malfunction. The Permittee shall maintain a log of the inspections that includes a date of the inspection, findings and repairs, and the name of the inspector. The Permittee shall make the log available to NMED upon request.</p> <p>If a visual inspection indicates a flow meter is not functioning as required by this Discharge Permit, the Permittee shall repair or replace the meter within 30 days of discovery. For <i>repaired</i> meters, the Permittee shall submit a report to NMED with the next monitoring report following the repair that includes a description of the malfunction; a statement verifying the repair; and a flow meter field calibration report completed in accordance with the requirements of this Discharge Permit. For <i>replacement</i> meters, the Permittee shall submit a report to NMED with the next monitoring report following the replacement that includes a design schematic for the device and a flow meter field calibration report completed in accordance with the requirements of this Discharge Permit.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
38.	<p>The Permittee shall collect 6-hour composite samples of treated wastewater after the chlorination system on a quarterly basis and analyze the samples for:</p> <ul style="list-style-type: none"> • TKN; • NO₃-N; • TDS; and • Cl. <p>The Permittee shall ensure the samples are properly prepared, preserved, transported and analyzed in accordance with the methods authorized in this Discharge Permit. The Permittee shall submit the analytical results, including the QA/QC summary and Chain of Custody, to NMED in the subsequent quarterly monitoring report.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]</p>
39.	<p>During any week that the discharge of Class 1A reclaimed domestic wastewater occurs, or treated wastewater is discharged to the alternative disposal area, the Permittee shall perform the following analyses on the wastewater samples collected at after the chlorination system using the following sampling method and frequency:</p> <ul style="list-style-type: none"> • Fecal Coliform; grab sample at peak daily flow once per week; • BOD₅; six-hour composite sample once per two weeks; • Turbidity; continuously monitor reclaimed domestic wastewater for turbidity after

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	<p>the final treatment process and while discharging; record the average and maximum turbidity values for each calendar month; and</p> <ul style="list-style-type: none"> • UV transmissivity values; record whenever collecting bacteria samples. <p>The Permittee shall ensure the samples are properly prepared, preserved, transported and analyzed in accordance with the methods authorized in this Discharge Permit. The Permittee shall submit the analytical results, including the QA/QC summary and Chain of Custody, monthly average and maximum turbidity values, and a copy of the log of UV transmissivity values to NMED in the subsequent quarterly monitoring report.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections B, C and H of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]</p>
40.	<p>The Permittee shall submit records of solids disposal, including a copy of all Discharge Monitoring Reports (i.e., DMRs) required by the EPA pursuant to 40 CFR 503, for the previous calendar year, to NMED annually in the monitoring report due by August 1st each year.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>

C. CONTINGENCY PLAN

#	Terms and Conditions
41.	<p>In the event that groundwater monitoring indicates that groundwater exceeds a standard identified in Section 20.6.2.3103 NMAC, the Permittee shall collect a confirmatory sample from the monitoring well within 15 days of receipt of the initial sampling results to confirm the initial sampling results.</p> <p>Within 60 days of confirmation of groundwater contamination, the Permittee shall submit to NMED a Corrective Action Plan (CAP) that proposes, at a minimum, source control measures and an implementation schedule. The Permittee shall the CAP as approved by NMED.</p> <p>Once invoked (whether during the term of this Discharge Permit, or after the term of this Discharge Permit and prior to the completion of the Discharge Permit closure plan requirements), this condition shall apply until the Permittee has fulfilled the requirements of this condition and groundwater monitoring confirms for a minimum of eight (8) consecutive quarterly samples that groundwater does not exceed the standards of Section 20.6.2.3103 NMAC.</p>

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	<p>If the groundwater standard continues to be exceeded 180 days after the confirmation of groundwater contamination, NMED may require the Permittee to abate water pollution consistent with the requirements and provisions of Section 20.6.2.4101, Section 20.6.2.4103, Subsections C and E of 20.6.2.4106, Section 20.6.2.4107, Section 20.6.2.4108 and Section 20.6.2.4112 NMAC.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]</p>
42.	<p>In the event that information available to NMED indicates that a well is not constructed in a manner consistent with the Monitoring Well Guidance attachment and contains insufficient water to effectively monitor groundwater quality; or is otherwise not completed in a manner that is protective of groundwater quality, the Permittee shall install a replacement well(s) within 120 days following notification from NMED.</p> <p>The Permittee shall install replacement wells at locations approved by NMED and completed in accordance with the Monitoring Well Guidance attachment. The Permittee shall submit construction and lithologic logs to NMED within 60 days following well completion.</p> <p>The Permittee shall properly plug and abandon the monitoring well requiring replacement upon completion of the replacement monitoring well. The Permittee shall complete the well plugging and abandonment, and shall document the abandonment procedures, in accordance with the Monitoring Well Guidance attachment and all applicable local, state, and federal regulations. The Permittee shall submit well abandonment documentation to NMED within 60 days of completion of well plugging activities.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
43.	<p>In the event that analytical results of a treated wastewater sample indicate an exceedance of the total nitrogen discharge limit set in this Discharge Permit, the Permittee shall collect and submit for analysis a second sample within 48 hours of the receipt of the initial sampling results. In the event the second sample results indicate an exceedance of the discharge limit, the Permittee shall implement the following contingencies.</p> <ol style="list-style-type: none"> a) Within 7 days of the second sample analysis date indicating exceedance of the discharge limit, the Permittee shall: <ol style="list-style-type: none"> i) notify NMED that the Permittee is implementing the Contingency Plan; and ii) submit a copy of the first and second analytical results indicating an exceedance to NMED. b) The Permittee shall increase the frequency of total nitrogen wastewater sampling

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	<p>and analysis of treated wastewater to once per month.</p> <p>c) The Permittee shall examine the operation and maintenance log, required by the Record Keeping conditions of this Discharge Permit, for improper operational procedures.</p> <p>d) The Permittee shall conduct a physical inspection of the treatment system to detect abnormalities. The Permittee shall correct any abnormalities discovered. The Permittee shall submit a report to NMED detailing the corrections within 30 days of correction.</p> <p>e) In the event that any analytical results from monthly wastewater sampling indicate an exceedance of the total nitrogen discharge limit, the Permittee shall submit a CAP to NMED for approval proposing to modify operational procedures and/or upgrade the treatment process to achieve the total nitrogen limit. The Permittee shall submit the CAP including a schedule for completion of corrective actions and within 90 days of receipt of the analytical results of the second sample indicating that the discharge limit is continuing to be exceeded. The Permittee shall initiate implementation of the CAP following approval by NMED.</p> <p>When analytical results from three consecutive months of wastewater sampling do not exceed the discharge limit, the Permittee may request NMED authorize a return to a quarterly monitoring frequency.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
44.	<p>In the event that analytical results of a Class 1A reclaimed domestic wastewater sample or a sample of treated wastewater discharged to the alternative disposal area indicate an exceedance of any of the maximum discharge limits for BOD₅, turbidity, E. coli bacteria set by this Discharge Permit, the Permittee shall collect and submit for analysis a second sample within 24 hours after becoming aware of the exceedance. In the event the second sample results confirm the exceedance of the maximum discharge limits, the Permittee shall implement the Contingency Plan below.</p> <p>In the event that analytical results of a Class 1A reclaimed domestic wastewater sample or a sample of treated wastewater discharged to the alternative disposal area indicate an exceedance of any of the 30-day average discharge limits for BOD₅, TSS, or E. coli bacteria set by this Discharge Permit (i.e., confirmed exceedance), the Permittee shall implement the Contingency Plan below.</p> <p><u>Contingency Plan</u></p> <p>a) Within 24 hours of becoming aware of a confirmed exceedance (as identified above), the Permittee shall:</p>

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	<p>i) notify NMED that the Permittee is implementing the Contingency Plan; and II) submit copies of the recent analytical results indicating an exceedance to NMED.</p> <p>b) The Permittee shall immediately cease discharging reclaimed domestic wastewater to the alternative disposal area or reuse areas in and around the Town of Edgewood if the fecal coliform maximum limit is exceeded.</p> <p>c) The Permittee shall examine the operation and maintenance log, required by the Record Keeping conditions of this Discharge Permit, for improper operational procedures.</p> <p>d) The Permittee shall conduct a physical inspection of the treatment system to detect abnormalities and shall correct any abnormalities discovered. The Permittee shall submit a report detailing the corrections made to NMED within 30 days following correction.</p> <p>When the analytical results from samples of Class 1A reclaimed domestic wastewater or treated domestic wastewater, sampled as required by this Discharge Permit, no longer indicate an exceedance of any of the maximum discharge limits, the Permittee may resume discharging Class 1A reclaimed domestic wastewater to the reuse distribution system or treated wastewater to the alternative disposal area.</p> <p>If a Facility is required to implement the Contingency Plan more than two times in a 12-month period, the Permittee shall propose to modify operational procedures and/or upgrade the treatment process to achieve consistent compliance with the maximum and 30-day average discharge limits by submitting a CAP for NMED approval. The Permittee shall ensure the CAP includes a schedule for completion of corrective actions and is submitted within 60 days following receipt of the analytical results confirming the exceedance. The Permittee shall initiate implementation of the CAP following approval by NMED. NMED may require, prior to recommencing discharge to the reuse distribution system or alternative disposal area, additional sampling of any stored Class 1A reclaimed domestic wastewater or treated wastewater.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
45.	<p>In the event that inspection reveals significant damage has occurred or is likely to affect the structural integrity of a impoundment liner or its ability to contain contaminants, the Permittee shall propose the repair or replacement of the impoundment liner by submitting a CAP to NMED for approval. The Permittee shall ensure the CAP is submitted to NMED within 30 days after discovery of the damage or following notification from NMED that significant liner damage is evident. The Permittee shall ensure the CAP includes a schedule for completion of corrective actions. The Permittee shall initiate implementation of the CAP following NMED approval.</p>

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	[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
46.	<p>In the event that a minimum of two feet of freeboard cannot be preserved in an impoundment, the Permittee shall take actions authorized by this Discharge Permit and all applicable local, state, and federal regulations to restore the required freeboard.</p> <p>In the event that two feet of freeboard cannot be restored within a period of 72 hours following discovery, the Permittee shall propose actions to be immediately implemented to restore two feet of freeboard by submitting a short-term CAP to NMED for approval. Examples of short-term corrective actions include the pumping and hauling of excess wastewater from the impoundment or reducing the volume of wastewater discharged to the impoundment. The Permittee shall ensure the CAP includes a schedule for completion of corrective actions and shall submit the CAP within 15 days following the date when the exceedance was discovered. The Permittee shall implement the CAP following NMED approval.</p> <p>In the event that the short-term corrective actions failed to restore two feet of freeboard, the Permittee shall propose permanent corrective actions in a long-term CAP submitted to NMED within 90 days following failure of the short-term CAP. Examples include the installation of an additional storage impoundment or a significant/permanent reduction in the volume of wastewater discharged to the impoundment. The Permittee shall ensure the CAP includes a schedule for completion of corrective actions and that implementation of the CAP is initiated following NMED approval.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
47.	<p>In the event the average solids accumulation exceeds one-third of the maximum liquid depth in the impoundments, the Permittee shall propose a plan for the removal and disposal of the solids. The Permittee shall submit the solids removal and disposal plan to NMED for approval within 120 days following the discovery of the accumulation exceedance and include the following information:</p> <ul style="list-style-type: none"> a) A method for removal of the solids to a depth of less than six inches throughout the treatment impoundment in a manner that is protective of the impoundment liner. b) A description of how the Permittee will contain, transport, and dispose of the solids in accordance with all local, state, and federal regulations, including 40 CFR Part 503. c) A schedule for completion of the solids removal and disposal project. <p>The Permittee shall initiate implementation of the plan following NMED approval.</p>

#	Terms and Conditions
	[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
48.	<p>In the event that a release (commonly known as a “spill”) occurs that is not authorized under this Discharge Permit, the Permittee shall take measures to mitigate damage from the unauthorized discharge and initiate the notifications and corrective actions required in Section 20.6.2.1203 NMAC and summarized below.</p> <p>Within <u>24 hours</u> following discovery of the unauthorized discharge, the Permittee shall verbally notify NMED and provide the following information.</p> <ol style="list-style-type: none"> a) The name, address, and telephone number of the person or persons in charge of the Facility, as well as of the owner and/or operator of the Facility. b) The name and address of the Facility. c) The date, time, location, and duration of the unauthorized discharge. d) The source and cause of unauthorized discharge. e) A description of the unauthorized discharge, including its estimated chemical composition. f) The estimated volume of the unauthorized discharge. g) Any actions taken to mitigate immediate damage from the unauthorized discharge. <p>Within <u>one week</u> following discovery of the unauthorized discharge, the Permittee shall submit written notification to NMED with the information listed above and any pertinent updates.</p> <p>Within <u>15 days</u> following discovery of the unauthorized discharge, the Permittee shall submit a corrective action report/plan to NMED describing any corrective actions taken and/or to be taken relative to the unauthorized discharge that includes the following information.</p> <ol style="list-style-type: none"> a) A description of proposed actions to mitigate damage from the unauthorized discharge. b) A description of proposed actions to prevent future unauthorized discharges of this nature. c) A schedule for completion of proposed actions. <p>In the event that the unauthorized discharge causes or may with reasonable probability cause water pollution in excess of the standards and requirements of Section 20.6.2.4103 NMAC, and the water pollution will not be abated within 180 days after notice is required to be given pursuant to Paragraph (1) of Subsection A of 20.6.2.1203 NMAC, NMED may require the Permittee to abate water pollution pursuant to Sections 20.6.2.4000 through 20.6.2.4115 NMAC.</p>

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	<p>The Permittee shall not construe anything in this condition as relieving them of the obligation to comply with all requirements of Section 20.6.2.1203 NMAC.</p> <p>[20.6.2.1203 NMAC]</p>
49.	<p>In the event that NMED or the Permittee identifies any failures of the discharge plan, i.e., the application, or this Discharge Permit not specifically noted herein, NMED may require the Permittee to submit a Corrective Action Plan and a schedule for completion of corrective actions to address the failure(s). Additionally, NMED may require a discharge permit modification to achieve compliance with 20.6.2 NMAC.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]</p>

CLOSURE PLAN

Permanent Facility Closure Conditions

#	Terms and Conditions
50.	<p>The Permittee shall perform the following closure measures in the event the Facility, or a component of the Facility, is proposed to be permanently closed.</p> <p>Within <u>90 days</u> of ceasing to discharge to the treatment system, the Permittee shall complete the following closure measures.</p> <ul style="list-style-type: none"> a) Plug the line leading to the system so that a discharge can no longer occur. b) Evaporate wastewater in the system components and storage impoundments; or drain and dispose of in accordance with all local, state, and federal regulations; or discharged from the system to the reuse area as authorized by this Discharge Permit. The discharge of accumulated solids (sludge) to the reuse area is prohibited. c) Contain, transport, and dispose of solids removed from the treatment system in accordance with all local, state, and federal regulations, including 40 CFR Part 503. The Permittee shall maintain a record of all solids transported for off-site disposal. <p>Within <u>180 days</u> of ceasing to discharge to the treatment system (or unit), the Permittee shall complete the following closure measures.</p> <ul style="list-style-type: none"> a) Remove all lines leading to and from the treatment system, or permanently plug and abandon them in place. b) Remove or demolish all treatment system components, and re-grade the area with suitable fill to blend with surface topography, promote positive drainage and prevent ponding. c) Perforate or remove the storage impoundment liner; fill the impoundment with

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	<p>suitable fill; and re-grade the impoundment site to blend with surface topography, promote positive drainage and prevent ponding.</p> <p>The Permittee shall continue groundwater monitoring until they meet the requirements of this condition and groundwater monitoring confirms for a minimum of eight consecutive quarterly groundwater sampling events that the standards of Section 20.6.2.3103 NMAC are not exceeded in groundwater. This period is referred to as “post-closure.”</p> <p>If at any time monitoring results show an exceedance of a groundwater quality standard in Section 20.6.2.3103 NMAC, the Permittee shall implement the Contingency Plan required by this Discharge Permit.</p> <p>Following notification from NMED that post-closure monitoring may cease, the Permittee shall plug and abandon the monitoring well(s) in accordance with the Monitoring Well Guidance attachment.</p> <p>When the Permittee has met all closure and post-closure requirements and verified with date stamped photographic evidence or an associated NMED inspection, the Permittee may submit to NMED a written request, including photographic evidence, for termination of the Discharge Permit.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection D of 20.6.2.4103 NMAC, 40 CFR Part 503]</p>

E. GENERAL TERMS AND CONDITIONS

#	Terms and Conditions
51.	<p>RECORD KEEPING - The Permittee shall maintain a written record of the following:</p> <ul style="list-style-type: none"> • Information and data used to complete the application for this Discharge Permit; • Information, data, and documents demonstrating completion of closure activities; • Any releases (commonly known as “spills”) not authorized under this Discharge Permit and reports submitted pursuant to 20.6.2.1203 NMAC; • The operation, maintenance, and repair of all facilities/equipment used to treat, store or dispose of wastewater; • Facility record drawings (plans and specifications) showing the actual construction of the Facility and bear the seal and signature of a licensed New Mexico professional engineer;

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	<ul style="list-style-type: none"> • Copies of logs, inspection reports, and monitoring reports completed and/or submitted to NMED pursuant to this Discharge Permit; • The volume of wastewater or other wastes discharged pursuant to this Discharge Permit; • Groundwater quality and wastewater quality data collected pursuant to this Discharge Permit; • Copies of construction records (well log) for all sampled groundwater monitoring wells pursuant to this Discharge Permit; • The maintenance, repair, replacement or calibration of any monitoring equipment or flow measurement devices required by this Discharge Permit; and • Data and information related to field measurements, sampling, and analysis conducted pursuant to this Discharge Permit, including: <ul style="list-style-type: none"> ○ the dates, location and times of sampling or field measurements; ○ the name and job title of the individuals who performed each sample collection or field measurement; ○ the sample analysis date of each sample ○ the name and address of the laboratory, and the name of the signatory authority for the laboratory analysis; ○ the analytical technique or method used to analyze each sample or collect each field measurement; ○ the results of each analysis or field measurement, including raw data; ○ the results of any split, spiked, duplicate or repeat sample; and ○ a copy of the laboratory analysis chain-of-custody as well as a description of the quality assurance and quality control procedures used. <p>The Permittee shall maintain the written record at a location accessible to NMED during a Facility inspection for the lifetime of the Discharge Permit. The Permittee shall make the record available to the department upon request.</p> <p>[Subsections A and D of 20.6.2.3107 NMAC]</p>
52.	<p>SUBMITTALS – The Permittee shall submit both a paper copy and an electronic copy of all notification and reporting documents required by this Discharge Permit, e.g., monitoring reports. The paper and electronic documents shall be submitted to the NMED Permit Contact identified on the Permit cover page.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
53.	<p>INSPECTION and ENTRY – The Permittee shall allow NMED to inspect the Facility and its operations that are subject to this Discharge Permit and the WQCC regulations. NMED may upon presentation of proper credentials, enter at reasonable times upon or through</p>

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	<p>any premises in which a water contaminant source is located or in which any maintained records required by this Discharge Permit, the regulations of the federal government, or the WQCC are located.</p> <p>The Permittee shall allow NMED to have access to and reproduce for their use any copy of the records, and to perform assessments, sampling or monitoring during an inspection for the purpose of evaluating compliance with this Discharge Permit and the WQCC regulations.</p> <p>No person shall construe anything in this Discharge Permit as limiting in any way the inspection and entry authority of NMED under the WQA, the WQCC Regulations, or any other local, state or federal regulations.</p> <p>[Subsection D of 20.6.2.3107 NMAC, NMSA 1978, §§ 74-6-9.B and 74-6-9.E]</p>
54.	<p>DUTY to PROVIDE INFORMATION - The Permittee shall, upon NMED's request, allow for NMED's inspection/duplication of records required by this Discharge Permit and/or furnish to NMED copies of such records.</p> <p>[Subsection D of 20.6.2.3107 NMAC]</p>
55.	<p>MODIFICATIONS and/or AMENDMENTS – In the event the Permittee proposes a change to the Facility or the Facility's discharge that would result in a change in the volume discharged; the location of the discharge; or in the amount or character of water contaminants received, treated or discharged by the Facility, the Permittee shall notify NMED prior to implementing such changes. The Permittee shall obtain approval (which may require modification of this Discharge Permit) from NMED prior to implementing such changes.</p> <p>[Subsection C of 20.6.2.3107 NMAC, Subsections E and G of 20.6.2.3109 NMAC]</p>
56.	<p>PLANS and SPECIFICATIONS – In the event the Permittee proposes to construct a wastewater system or change a process unit of an existing system such that the quantity or quality of the discharge will change substantially from that authorized by this Discharge Permit, the Permittee shall submit construction plans and specifications of the proposed system or process unit to NMED for approval prior to the commencement of construction.</p> <p>In the event the Permittee implements changes to the wastewater system authorized by this Discharge Permit that result in only a minor effect on the character of the discharge, the Permittee shall report such changes (including the submission of record drawings where applicable) to NMED prior to implementation.</p>

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	[Subsections A and C of 20.6.2.1202 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]
57.	<p>CIVIL PENALTIES - Any violation of the requirements and conditions of this Discharge Permit, including any failure to allow NMED staff to enter and inspect records or facilities, or any refusal or failure to provide NMED with records or information, may subject the Permittee to a civil enforcement action. Pursuant to WQA 74-6-10(A) and (B), such action may include a compliance order requiring compliance immediately or in a specified time, assessing a civil penalty, modifying or terminating the Discharge Permit, or any combination of the foregoing; or an action in district court seeking injunctive relief, civil penalties, or both. Pursuant to WQA 74-6-10(C) and 74-6-10.1, civil penalties of up to \$15,000 per day of noncompliance may be assessed for each violation of the WQA 74-6-5, the WQCC Regulations, or this Discharge Permit, and civil penalties of up to \$10,000 per day of noncompliance may be assessed for each violation of any other provision of the WQA, or any regulation, standard, or order adopted pursuant to such other provision. In any action to enforce this Discharge Permit, the Permittee waives any objection to the admissibility as evidence of any data generated pursuant to this Discharge Permit.</p> <p>[20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10 and 74-6-10.1]</p>
58.	<p>CRIMINAL PENALTIES – No person shall:</p> <ul style="list-style-type: none"> • Make any false material statement, representation, certification or omission of material fact in an application, record, report, plan or other document filed, submitted or maintained under the WQA; • Falsify, tamper with or render inaccurate any monitoring device, method or record maintained under the WQA; or • Fail to monitor, sample or report as required by a permit issued pursuant to a state or federal law or regulation. <p>Any person who knowingly violates or knowingly causes or allows another person to violate the requirements of this condition is guilty of a fourth degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who is convicted of a second or subsequent violation of the requirements of this condition is guilty of a third degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition or knowingly causes another person to violate the requirements of this condition and thereby causes a substantial adverse environmental impact is guilty of a third degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition and knows at the time of the violation that he is creating a substantial danger of death</p>

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	<p>or serious bodily injury to any other person is guilty of a second degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15.</p> <p>[20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10.2.A through 74-6-10.2.F]</p>
59.	<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 any other applicable federal, state, and/or local laws, regulations, zoning requirements, nuisance ordinances, permits or orders.</p> <p>[NMSA 1978, § 74-6-5.L]</p>
60.	<p>RIGHT to APPEAL - The Permittee may file a petition for review before the WQCC on this Discharge Permit. Such petition shall be in writing to the WQCC within thirty days of the receipt of postal notice of this Discharge Permit and shall include a statement of the issues raised and the relief sought. Unless the Permittee files a timely petition for review, the decision of NMED shall be final and not subject to judicial review.</p> <p>[20.6.2.3112 NMAC, NMSA 1978, § 74-6-5.O]</p>
61.	<p>TRANSFER of DISCHARGE PERMIT - Prior to the transfer of any ownership, control, or possession of this Facility or any portion thereof, the Permittee shall:</p> <ul style="list-style-type: none"> • Notify the proposed transferee in writing of the existence of this Discharge Permit; • Include a copy of this Discharge Permit with the notice; and • Deliver or send by certified mail to NMED a copy of the notification and proof that the proposed transferee has received such notification. <p>The Permittee shall continue to be responsible for any discharge from the Facility, until both ownership and possession of the Facility have been transferred to the transferee.</p> <p>[20.6.2.3111 NMAC]</p>
62.	<p>PERMIT FEES – The Permittee shall be aware that the payment of permit fees is due at the time of Discharge Permit approval. The Permittee may pay the permit fees in a single payment or they may pay the fee in equal installments on a yearly basis over the term of the Discharge Permit. The Permittee shall remit single payments to NMED no later than 30 days after the Discharge Permit issuance date. The Permittee shall remit initial installment payments to NMED no later than 30 days after the Discharge Permit issuance date; with subsequent installment payments remitted to NMED no later than the anniversary of the Discharge Permit issuance date.</p>

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	<p>Permit fees are associated with <u>issuance</u> of this Discharge Permit. No person shall construe anything in this Discharge Permit as relieving the Permittee of the obligation to pay all permit fees assessed by NMED. A Permittee that ceases discharging or does not commence discharging from the Facility during the term of the Discharge Permit shall pay all permit fees assessed by NMED. NMED shall suspend or terminate an approved Discharge Permit if the Permittee fails to remit an installment payment by its due date.</p> <p>[Subsection F of 20.6.2.3114 NMAC, NMSA 1978, § 74-6-5.K]</p>

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