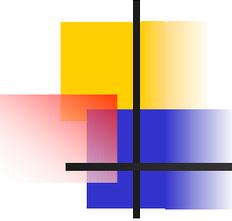




NEW MEXICO
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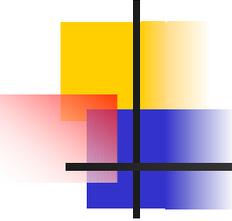
New Mexico NPDES Authorization Briefing

May 24, 2004



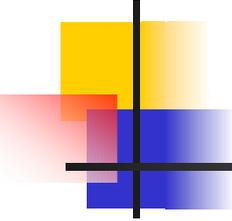
What is the NPDES Program?

- **N**ational **P**ollutant **D**ischarge **E**limination **S**ystem (NPDES) permit program
- Created by the federal Clean Water Act to control water pollution.
- Regulates point sources that discharge pollutants into Waters of the United States.
- Since its introduction in 1972, the NPDES permit program has been responsible for significant improvements to the Nation's and our State's water quality.



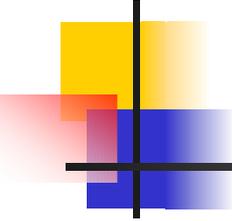
What is a 'point source' ?

- Point sources are discrete conveyances such as pipes or man-made ditches.
- Individual homes connected to a municipal system, use a septic system, or do not have a surface discharge to a Water of the United States do not need an NPDES permit.
- Industrial, municipal, and other facilities must obtain permits if they discharge into Waters of the United States.



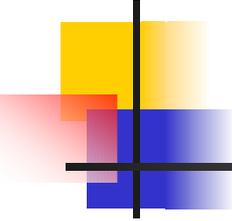
What does it mean to be an NPDES “Authorized” State?

- The federal Clean Water Act states that it is the policy of Congress that the States implement the NPDES permit program.
- Once a State is “authorized” it administers its own permitting / pollutant discharge control program in lieu of the federally administered NPDES permit program.



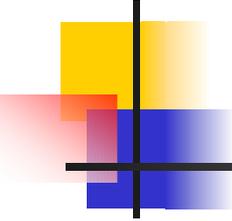
How does NM compare to other States and Tribes Nationally and Regionally

- Only 5 states are not authorized to administer the NPDES program: NM, AK, ID, NH, MA
- All southwestern states have been authorized
- No tribes located within NM are authorized, but the Navajo Nation is currently working toward authorization.



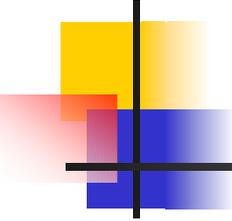
How do NPDES permits improve water quality?

- NPDES permits generally specify an acceptable level of a pollutant in a discharge (for example, a certain level of bacteria). The permittee may choose which technologies to use to achieve that level.
- Some permits contain requirements for 'best management practices' (such as installing a screen over the pipe to keep debris out of the waterway).
- NPDES permits make sure that a State's mandatory standards for clean water are being met.



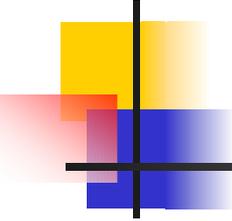
Who will be affected by NPDES program authorization?

- Approximately 120 individual NPDES permits have been issued by the federal EPA in New Mexico. The list of facilities with individual permits is available at www.nmenv.state.nm.us/swqb/psrs/NPDES_Permits
- Approximately 2,500 facilities operate under general NPDES permits issued by EPA.
- Three general permits have been issued in New Mexico; CAFO, MSGP, Storm Water Construction Permit.



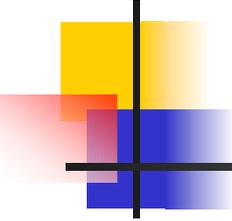
What are the benefits of NPDES program authorization for New Mexico?

- New Mexico will be able to take charge of the quality of its water resources.
- New Mexico can tailor its NPDES program to meet State specific needs, while still meeting the broader requirements of the federal Clean Water Act.
- Ultimately, NMED plans to merge the State's ground water and surface water quality protection permitting programs. Will reduce the administrative burden associated with separate, and sometimes redundant, permitting programs.



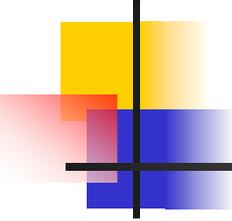
What are the projected costs of NPDES program authorization?

- NMED estimates that it would cost the State more than \$1,000,000 annually to run a successful NPDES program.
- Based on this estimate, NMED anticipates that it must generate more than \$550,000 in additional funds each year (in addition to current federal grant dollars).



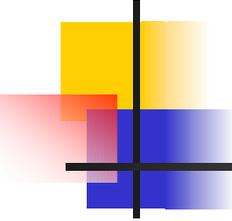
How will the State fund the program?

- No additional federal money available to support the program.
- Long-term funding sources for the program have yet to be determined.
- Additional federal monies are not expected to run the program.
- NMED anticipates that a permit fee structure will need to be implemented.



What is the timeline for completing the program authorization process?

- Goal is to have a completed program authorization package by the end of 2006.
- This goal requires:
 - Propose and gain approval for statute changes during the 2005 legislative session
 - Develop and promulgate implementation regulations by the end of 2005



Contact Information

- For more information on New Mexico's primacy initiative, please contact:

Marcy Leavitt

Bureau Chief

Surface Water Quality Bureau

P.O. Box 26110

Santa Fe, NM 87502

(505)827-2795

marcy_leavitt@nmenv.state.nm.us