



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200

DALLAS, TEXAS 75202-2733

SEP 25 2013

CERTIFIED MAIL: RETURN RECEIPT REQUESTED (7010 2780 0002 4353 8802)

REPLY TO: 6WQ-NP

The Honorable Danny J. Cruz, Mayor  
City of Springer Water Treatment Plant  
P.O. Box 488  
Springer, NM 87747

Re: Application to Discharge to Waters of the United States Permit No. NM0030627  
City of Springer Water Treatment Plant

Dear Mayor Cruz:

This package constitutes EPA's final permit decision for the above referenced facility. Enclosed are the responses to comments received during the public comment period and the final permit. According to EPA regulations at 40 CFR 124.19, within 30 days after a final permit decision has been issued, any person who filed comments on that draft permit or participated in the public hearing may petition the Environmental Appeals Board to review any condition of the permit decision.

Should you have any questions regarding the final permit, please feel free to contact Suzanna M. Perea of the NPDES Permits Branch at the above address, or by telephone: (214) 665-7217, by fax: (214) 665-2191, or by E-mail: [perea.suzanna@epa.gov](mailto:perea.suzanna@epa.gov). Should you have any questions regarding compliance with the conditions of this permit, please contact the Water Enforcement Branch at the above address or by telephone: 214-665-6468.

Sincerely yours,

A handwritten signature in black ink, appearing to read "W.K. Honker".

William K. Honker, P.E.

Director

Water Quality Protection Division

Enclosures

cc (w/enclosures):

New Mexico Environment Department

10/10/10

# NPDES PERMIT NO. NM0030627

## RESPONSE TO COMMENTS

RECEIVED ON THE SUBJECT DRAFT NATIONAL POLLUTANT DISCHARGE  
ELIMINATION SYSTEM (NPDES) PERMIT IN ACCORDANCE WITH REGULATIONS  
LISTED AT [40 CFR 124.17]

APPLICANT: City of Springer Water Treatment Plant  
P.O. Box 488  
Springer, NM 87747

ISSUING OFFICE: U.S. Environmental Protection Agency  
Region 6  
1445 Ross Avenue  
Dallas, TX 75202-2733

PREPARED BY: Suzanna M. Perea  
Environmental Scientist  
NPDES Permits & Technical Branch (6WQ-PP)  
Water Quality Protection Division  
VOICE: 214-665-7217  
FAX: 214-665-2191  
EMAIL: perea.suzanna@epa.gov

PERMIT ACTION: Final permit decision and response to comments received on the draft  
reissued NPDES permit publicly noticed on June 9, 2013.

DATE PREPARED: September 20, 2013

Unless otherwise stated, citations to [40 CFR] refer to promulgated regulations listed at Title 40,  
Code of Federal Regulations, revised as of September 18, 2013.

### SUBSTANTIAL CHANGES FROM DRAFT PERMIT

The substantial changes from the draft NPDES permit publicly noticed on March 30, 2013 are:

1. Change Total Dissolved Solids effluent limitation as follows:

PROPOSED LIMITS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	mg/l (unless noted)		MEASUREMENT FREQUENCY	SAMPLE TYPE
POLLUTANT	30-DAY AVG	DAILY MAX		
Total Dissolved Solids	NA	3500	1/Week	Grab

FINAL LIMITS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	mg/l (unless noted)		MEASUREMENT FREQUENCY	SAMPLE TYPE
POLLUTANT	30-DAY AVG	DAILY MAX		
Total Dissolved Solids	NA	Report	Once/Quarterly	Grab

Rationale for this change can be found in the following response to comments.

### STATE CERTIFICATION

Letter from James Hogan, New Mexico Environment Department (NMED) to Ron Curry, (EPA) dated August 28, 2013.

### CONDITIONS OF CERTIFICATION

Condition 1: Under Part II – Other Conditions, page 1 of Part II.B: 24-Hour Oral Reporting: Daily Maximum Limitation Violations, the permit requires no 24-hour reporting. The permit requires Daily Maximum reporting for:

1. Total Aluminum
2. Total Copper
3. Total Nickel
4. Total Zinc
5. Total Residual Chlorine

NMED requires that the above list be included in the 24-hour oral reporting requirements Part II.B of the proposed permit.

### RESPONSE TO CONDITIONS OF CERTIFICATION

Response 1: Based on 40 CFR 122.44(g), Part II.B: 24-Hour Oral Reporting: Daily Maximum Limitation Violations of the final permit will include 24-hour reporting requirements for total copper, total nickel, and total zinc. However, 40 CFR 122 Appendix D, Tables II, III, or V do not list total aluminum or total residual chlorine as toxic pollutants; therefore, 24-hour oral reporting for aluminum and total residual chlorine will be required to be reported to NMED only in the final permit.

### COMMENTS RECEIVED ON DRAFT PERMIT

Letter from James Hogan, New Mexico Environment Department (NMED) to Ron Curry, (EPA) dated August 28, 2013.

Letter from Mayor Danny Cruz, Town of Springer, to Diane Smith (EPA), dated July 23, 2013.

### RESPONSE TO COMMENTS

Comment 1: Draft Permit: SWQB believes EPA intended to place Appendix A in the permit as suggested in Part II-Other Conditions, Minimum Quantification Level (MQL).

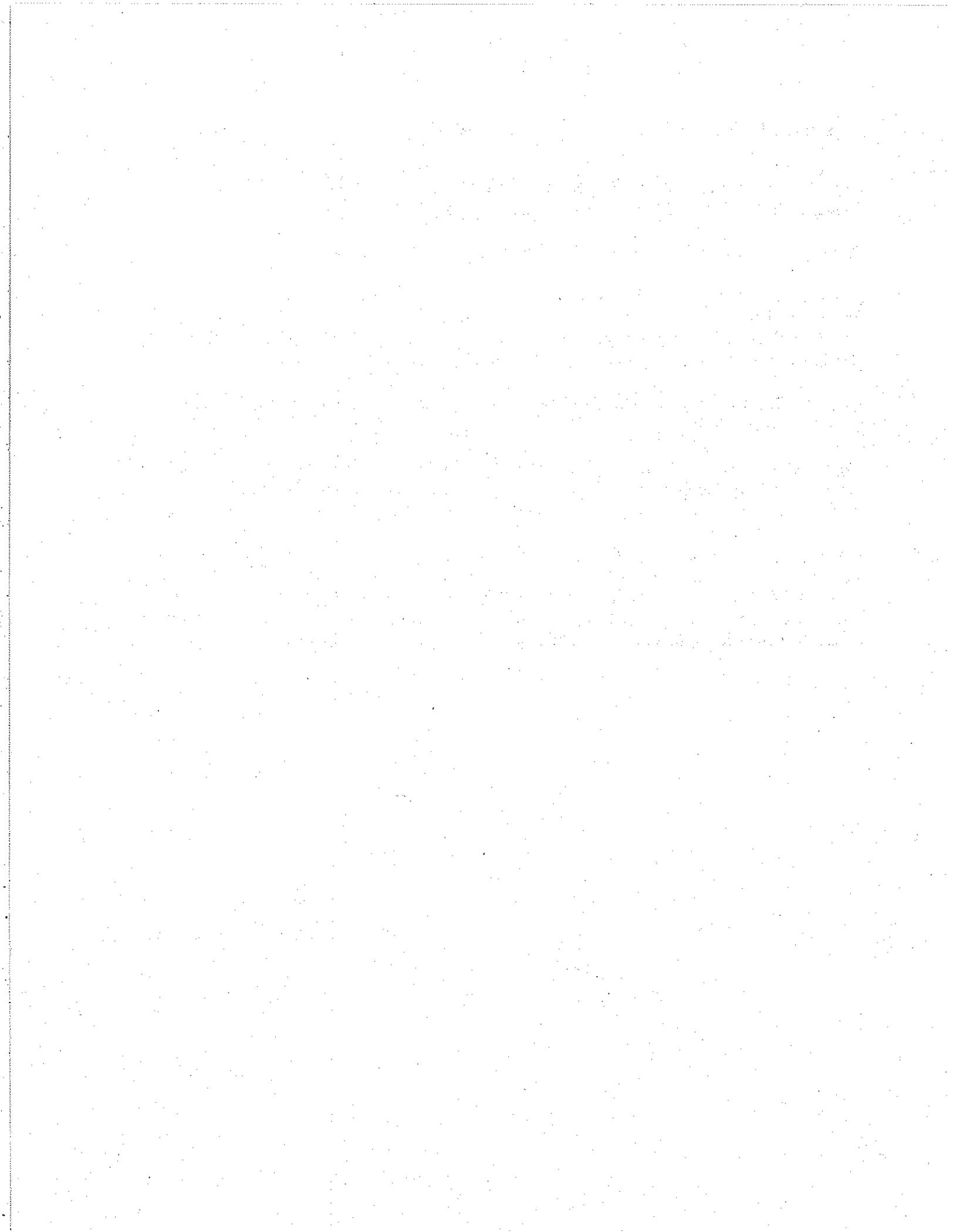
Response 1: EPA concurs. The final permit will include Appendix A.

Comment 2: Request to eliminate footnote 2. The Town backwashes as required by Drinking Water Standards, this can be any time of the day. A Backwash discharge lasts only about 2 hours, so if the backwash is at anytime except between 8 am to 2 pm the discharge will not fall in the time period in required by foot note 2 (10 am to 2 pm).

Response 2: EPA concurs. The final permit will omit the monitoring time period language from Footnote 2, Page 2 of Part I.

Comment 3: Request that the requirement for Total Dissolved Solids be removed. Springer is a small community that has to send its samples out for testing and this would be an added expense. The discharge point is a dry arroyo, so testing for Total Suspended Solids should be enough.

Response 3: Under Section 301 (b)(1)(C) of the CWA, discharges are subject to effluent limitations based on federal or state water quality standards (WQS) to assure that the receiving waters are protected and maintained, or attained. However, EPA has determined that additional data is necessary, therefore; the final permit will include a quarterly TDS monitoring requirement rather than an effluent limitation to evaluate water quality impacts to the receiving stream.





REGION 6  
1445 ROSS AVENUE  
DALLAS, TEXAS 75202-2733

NPDES Permit No. NM0030627

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**AUTHORIZATION TO DISCHARGE UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. 1251 et. seq; the "Act"),

City of Springer Water Treatment Plant  
P.O. Box 488  
Springer, New Mexico 87747

is authorized to discharge to a non-classified arroyo, thence to Agua Chiquita Creek, thence to Cimarron River in Waterbody Segment Code No. 20.6.4.306 of the Canadian River Basin from a facility located at 128 Highway 468, Springer, Colfax County, New Mexico.

The discharge is located on that water at the following coordinates:

Outfall 001: Latitude 36° 22' 42" North and Longitude 104° 37' 06" West

in accordance with this cover page and the effluent limitations, monitoring requirements, and other conditions set forth in Part I, Part II, Part III hereof.

This permit supersedes and replaces NPDES Permit No. NM0030627 issued August 28, 2007.

This permit shall become effective on **NOVEMBER 1, 2013**

This permit and the authorization to discharge shall expire at midnight, **OCTOBER 31, 2018**

Issued on **SEPTEMBER 25, 2013**

Prepared by

William K. Honker, P.E.  
Division Director  
Water Quality Protection Division (6WQ)

Suzanna M. Perea  
Environmental Scientist  
Permits & Technical Section (6WQ-PP)

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William J. Davis

October 8, 1912

Dear Mr. Davis

Very truly yours,  
W. J. Davis

**PART I – REQUIREMENTS FOR NPDES PERMITS****SECTION A. LIMITATIONS AND MONITORING REQUIREMENTS**

## 1. Final Effluent Limits – 0.28 MGD Design Flow

During the period beginning the effective date of the permit and lasting until the expiration date of the permit (unless otherwise noted), the permittee is authorized to discharge treated backwash water to the non-classified arroyo, thence to Cimarron River in Waterbody Segment No. 20.6.4.306 of the Canadian River Basin from Outfall 001. Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	Standard Units		MEASUREMENT FREQUENCY	SAMPLE TYPE
POLLUTANT	MINIMUM	MAXIMUM		
pH	6.6	9.0	Once/Week	Grab

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	mg/L, unless noted <sup>(4)</sup>		MEASUREMENT FREQUENCY	SAMPLE TYPE
POLLUTANT	30-DAY AVG	DAILY MAX		
Flow	Report MGD	Report MGD	2/Week	Estimate
Total Suspended Solids	20	30	1/Week	Grab
Total Dissolved Solids	NA	Report	Once/Quarter	Grab
Total Aluminum	1.7	2.6	Once/Month <sup>(1)</sup>	Grab
Total Copper	0.3	0.5	Once/Month <sup>(1)</sup>	Grab
Total Nickel	3.07	4.6	Once/Month <sup>(1)</sup>	Grab
Total Zinc	17.3	26	Once/Month <sup>(1)</sup>	Grab
Dissolved Oxygen	NA	5.0 <sup>(2)</sup>	Daily	Instantaneous Grab <sup>(2)</sup>
Temperature	NA	32.2°C <sup>(2)</sup>	Daily	Instantaneous Grab <sup>(2)</sup>
Total Residual Chlorine	N/A	11 µg/l <sup>(3)</sup>	Daily	Instantaneous Grab <sup>(3)</sup>

EFFLUENT CHARACTERISTICS	DISCHARGE MONITORING		MONITORING REQUIREMENTS	
	30-DAY AVG MINIMUM	7-DAY MINIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
WHOLE EFFLUENT TOXICITY TESTING <sup>(4)</sup> (7-Day Static Renewal)				
<i>Ceriodaphnia dubia</i>	Report	Report	Once /Permit Term <sup>(5)</sup>	24-hr Composite
<i>Pimephales promelas</i>	Report	Report	Once /Permit Term <sup>(5)</sup>	24-hr Composite

Footnotes:

- 1 For any reporting period, samples shall be taken at least ten (10) days from the first sample of the previous reporting period.
- 2 Minimum value.
- 3 The effluent limitation for TRC is the instantaneous maximum grab sample taken during periods of chlorine use and can not be averaged for reporting purposes. Instantaneous maximum is defined in 40 CFR Part 136 as being measured within 15 minutes of sampling.
- 4 See Part II. Section A. Minimum Quantification Level (MQL) of permit.
- 5 Once per permit-term. The test shall take place between November 1 and April 30 during the first year of the permit term. This permit does not establish requirements to automatically increase the WET testing frequency after a test failure, or to begin a toxicity reduction evaluation (TRE) in the event of multiple failures. However, upon failure of any WET test, the permittee must report the results to EPA and NMED, Surface Water Quality Bureau, in writing, within 5 business days of notification of the test failure. EPA and NMED will review the test results and determine the appropriate action necessary, if any.

**FLOATING SOLIDS, VISIBLE FOAM AND/OR OILS**

There shall be no discharge of floating solids or visible foam in other than trace amounts. There shall be no discharge of visible films of oil, globules of oil, grease or solids in or on the water, or coatings on stream banks.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the discharge from the final treatment unit prior to the receiving stream.

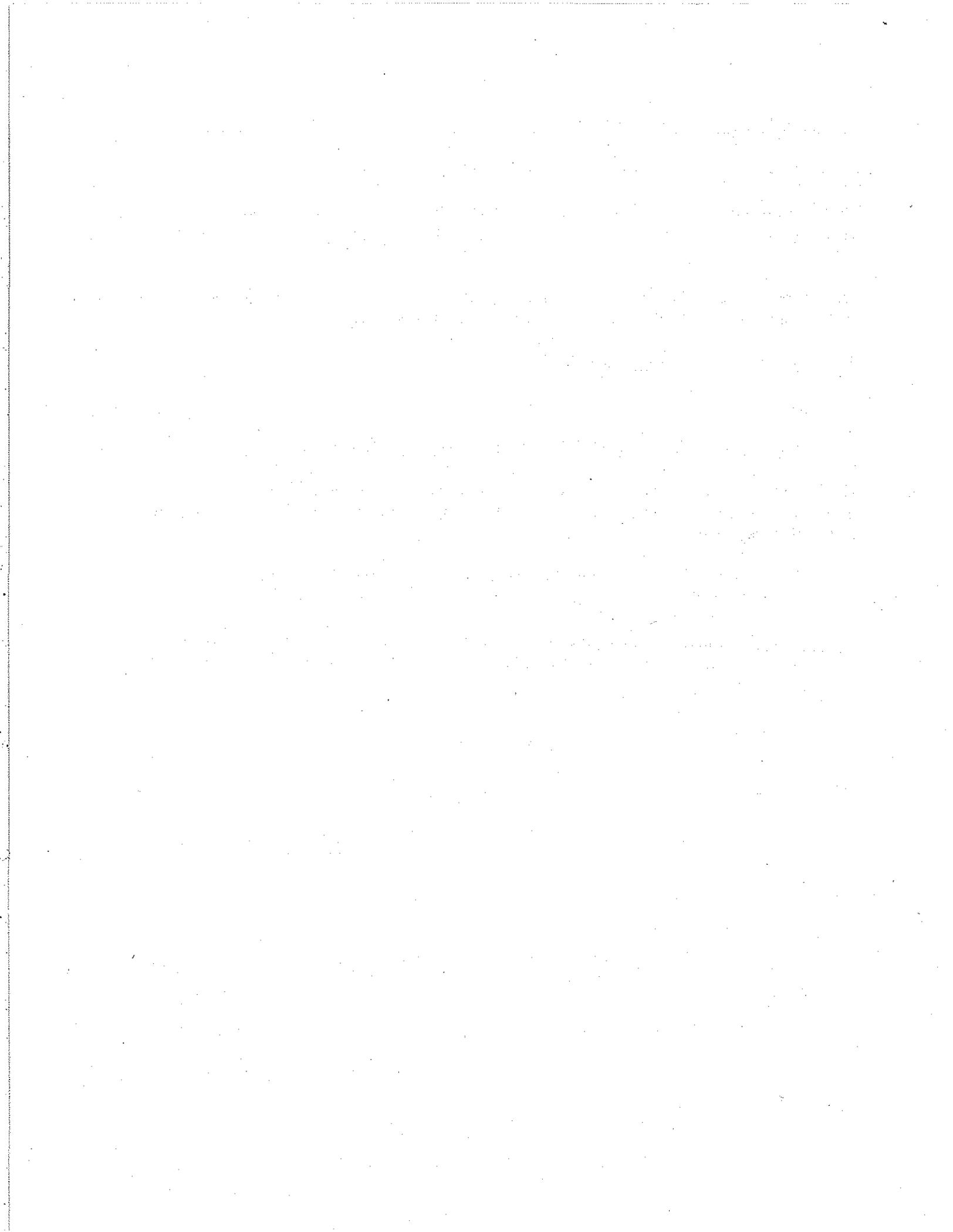
**B. SCHEDULE OF COMPLIANCE**

None

**C. MONITORING AND REPORTING (MINOR DISCHARGERS)**

Monitoring information shall be on Discharge Monitoring Report Form(s) EPA 3320-1 as specified in Part III.D.4 of this permit and shall be submitted quarterly. Each quarterly submittal shall include separate forms for each month of the reporting period.

1. Reporting periods shall end on the last day of the months March, June, September, and December.
2. The permittee is required to submit regular quarterly reports as described above postmarked no later than the 28th day of the month following each reporting period.



## **PART II - OTHER CONDITIONS**

### **A. MINIMUM QUANTIFICATION LEVEL (MQL)**

See list of MQL's at Appendix A of Part II below. For pollutants listed on Appendix A of Part II below with MQL's, analyses must be performed to the listed MQL. If any individual analytical test result is less than the MQL listed, a value of zero (0) may be used for that pollutant result for the Discharge Monitoring Report (DMR) calculations and reporting requirements.

In addition, any additional pollutant sampling for purposes of this permit, including renewal applications or any other reporting, shall be tested to the MQL shown on the attached Appendix A of Part II. Results of analyses that are less than the listed MQL may be reported as "non detect" (ND).

### **B. 24-HOUR ORAL REPORTING: DAILY MAXIMUM LIMITATION VIOLATIONS**

1. Under the provisions of Part III.D.7.b.(3) of this permit, violations of daily maximum limitations for the following pollutants shall be reported orally to EPA Region 6, Compliance and Assurance Division, Water Enforcement Branch (6EN-W), Dallas, Texas, and concurrently to NMED within 24 hours from the time the permittee becomes aware of the violation followed by a written report in five days.

Total Copper  
Total Nickel  
Total Zinc

2. Violations of daily maximum limitations for the following pollutants shall be reported orally to NMED only, within 24 hours from the time the permittee becomes aware of the violation followed by a written report in five days.

Total Aluminum  
Total Residual Chlorine

### **C. UNAUTHORIZED DISCHARGE OVERFLOW REPORTING**

The permittee shall report all overflows with the Discharge Monitoring Report submittal. These reports shall be summarized and reported in tabular format. The summaries shall include: the date, time, duration, location, estimated volume, and cause of the overflow; observed environmental impacts from the overflow; actions taken to address the overflow; and ultimate discharge location if not contained (e.g., storm sewer system, ditch, tributary). Any noncompliance which may endanger health or the environment shall be made to the EPA at the following e-mail address: R6\_NPDES\_Reporting@epa.gov, as soon as possible, but within 24-

hours from the time the permittee becomes aware of the circumstance. This language supersedes that contained in Part III.D.7 of the Permit. Additionally, oral notification shall also be to the New Mexico Environment Department at (505) 827-0187 as soon as possible, but within 24 hours from the time the permittee becomes aware of the circumstance. A written report of overflows which endanger health or the environment shall be provided to EPA and the New Mexico Environment Department, within 5 days of the time the permittee becomes aware of the circumstance.

#### **D. PERMIT MODIFICATION AND REOPENER**

In accordance with 40 CFR Part 122.44(d), the permit may be reopened and modified during the life of the permit if relevant portions of New Mexico's Water Quality Standards for Interstate and Intrastate Streams are revised, or new State of New Mexico water quality standards are established and/or remanded.

In accordance with 40 CFR Part 122.62(s)(2), the permit may be reopened and modified if new information is received that was not available at the time of permit issuance that would have justified the application of different permit conditions at the time of permit issuance. Permit modifications shall reflect the results of any of these actions and shall follow regulations listed at 40 CFR Part 124.5.

**E. WHOLE EFFLUENT TOXICITY TESTING (7-DAY CHRONIC NOEC FRESHWATER)**

*It is unlawful and a violation of this permit for a permittee or his designated agent, to manipulate test samples in any manner, to delay sample shipment, or to terminate or to cause to terminate a toxicity test. Once initiated, all toxicity tests must be completed unless specific authority has been granted by EPA Region 6 or the State NPDES permitting authority.*

**1. SCOPE AND METHODOLOGY**

- a. The permittee shall test the effluent for toxicity in accordance with the provisions in this section.

APPLICABLE TO FINAL OUTFALL(S): 001

REPORTED AS FINAL OUTFALL: 001

CRITICAL DILUTION (%): 100%

EFFLUENT DILUTION SERIES (%): 32%, 42%, 56%, 75%, 100%

COMPOSITE SAMPLE TYPE: Defined at PART I

TEST SPECIES/METHODS: 40 CFR Part 136

*Ceriodaphnia dubia* chronic static renewal survival and reproduction test, Method 1002.0, EPA 821 R 02 013, or the most recent update thereof. This test should be terminated when 60% of the surviving females in the control produce three broods or at the end of eight days, whichever comes first.

*Pimephales promelas* (Fathead minnow) chronic static renewal 7-day larval survival and growth test, Method 1000.0, EPA 821 R 02 013, or the most recent update thereof. A minimum of five (5) replicates with eight (8) organisms per replicate must be used in the control and in each effluent dilution of this test.

- b. The NOEC (No Observed Lethal Effect Concentration) is herein defined as the greatest effluent dilution at and below which lethality that is statistically different from the control (0% effluent) at the 95% confidence level does not occur. Chronic lethal test failure is defined as a

demonstration of a statistically significant lethal effect at test completion to a test species at or below the critical dilution. Chronic sub-lethal test failure is defined as a demonstration of a statistically significant sub-lethal effect (i.e., growth or reproduction) at test completion to a test species at or below the critical dilution.

- c. This permit may be reopened to require whole effluent toxicity limits, chemical specific effluent limits, additional testing, and/or other appropriate actions to address toxicity.
- d. This permit does not establish requirements to automatically increase the WET testing frequency after a test failure, or to begin a toxicity reduction evaluation (TRE) in the event of multiple test failures. However, upon failure of any WET test, the permittee must report the test results to NMED, Surface Water Quality Bureau, in writing, within 5 business days of notification the test failure. NMED will review the test results and determine the appropriate action necessary, if any.

## 2. REQUIRED TOXICITY TESTING CONDITIONS

### a. Test Acceptance

The permittee shall repeat a test, including the control and all effluent dilutions, if the procedures and quality assurance requirements defined in the test methods or in this permit are not satisfied, including the following additional criteria:

- i. The toxicity test control (0% effluent) must have survival equal to or greater than 80%.
- ii. The mean number of *Ceriodaphnia dubia* neonates produced per surviving female in the control (0% effluent) must be 15 or more.
- iii. 60% of the surviving control females must produce three broods.
- iv. The mean dry weight of surviving Fathead minnow larvae at the end of the 7 days in the control (0% effluent) must be 0.25 mg per larva or greater.
- v. The percent coefficient of variation between replicates shall be 40% or less in the control (0% effluent) for: the young of surviving

females in the *Ceriodaphnia dubia* reproduction test; the growth and survival endpoints of the Fathead minnow test.

- vi. The percent coefficient of variation between replicates shall be 40% or less in the critical dilution, unless significant lethal or nonlethal effects are exhibited for: the young of surviving females in the *Ceriodaphnia dubia* reproduction test; the growth and survival endpoints of the Fathead minnow test.
- vii. a PMSD range of 13 - 47 for *Ceriodaphnia dubia* reproduction;
- viii. a PMSD range of 12 - 30 for Fathead minnow growth.

Test failure may not be construed or reported as invalid due to a coefficient of variation value of greater than 40%. A repeat test shall be conducted within the required reporting period of any test determined to be invalid.

b. Statistical Interpretation

- i. For the *Ceriodaphnia dubia* survival test, the statistical analyses used to determine if there is a significant difference between the control and the critical dilution shall be Fisher's Exact Test as described in EPA/821/R-02-013 or the most recent update thereof.
- ii. For the *Ceriodaphnia dubia* reproduction test and the Fathead minnow larval survival and growth test, the statistical analyses used to determine if there is a significant difference between the control and the critical dilution shall be in accordance with the methods for determining the No Observed Effect Concentration (NOEC) as described in EPA/821/R-02-013 or the most recent update thereof.
- iii. If the conditions of Test Acceptability are met in Item 2.a above and the percent survival of the test organism is equal to or greater than 80% in the critical dilution concentration and all lower dilution concentrations, the test shall be considered to be a passing test, and the permittee shall report a survival NOEC of not less than the critical dilution for the DMR reporting requirements found in Item 3 below.

c. Dilution Water

- i. Dilution water used in the toxicity tests will be receiving water collected as close to the point of discharge as possible but unaffected by the discharge. The permittee shall substitute synthetic dilution water of similar pH, hardness, and alkalinity to the closest downstream perennial water for;
  - (A) toxicity tests conducted on effluent discharges to receiving water classified as intermittent streams; and
  - (B) toxicity tests conducted on effluent discharges where no receiving water is available due to zero flow conditions.
- ii. If the receiving water is unsatisfactory as a result of instream toxicity (fails to fulfill the test acceptance criteria of Item 3.a), the permittee may substitute synthetic dilution water for the receiving water in all subsequent tests provided the unacceptable receiving water test met the following stipulations:
  - (A) a synthetic dilution water control which fulfills the test acceptance requirements of Item 3.a was run concurrently with the receiving water control;
  - (B) the test indicating receiving water toxicity has been carried out to completion (i.e., 7 days);
  - (C) the permittee includes all test results indicating receiving water toxicity with the full report and information required by Item 4 below; and
  - (D) the synthetic dilution water shall have a pH, hardness, and alkalinity similar to that of the receiving water or closest downstream perennial water not adversely affected by the discharge, provided the magnitude of these parameters will not cause toxicity in the synthetic dilution water.
- d. Samples and Composites
  - i. The permittee shall collect a minimum of three flow-weighted composite samples from the outfall(s) listed at Item 1.a above.

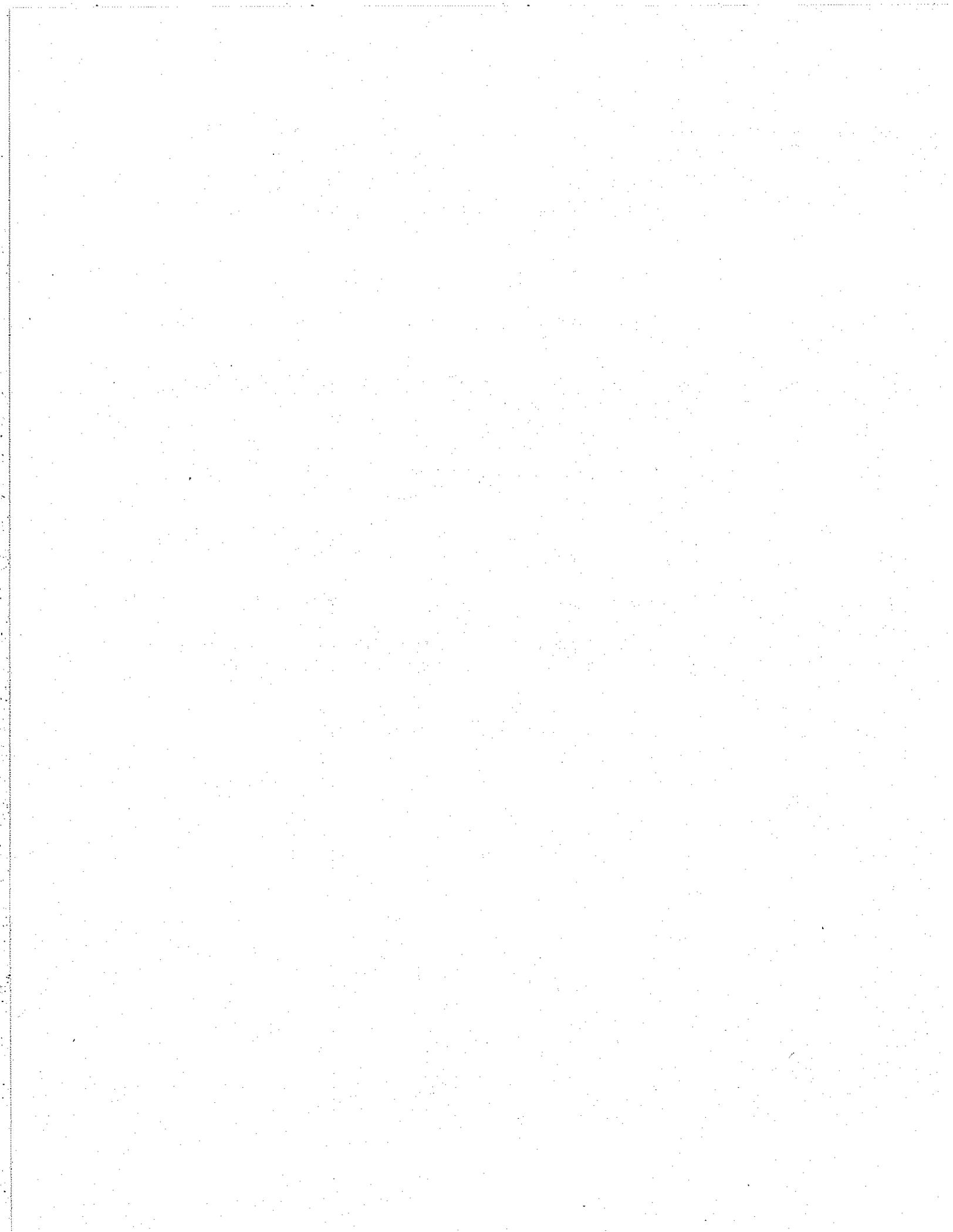
- ii. The permittee shall collect second and third composite samples for use during 24-hour renewals of each dilution concentration for each test. The permittee must collect the composite samples such that the effluent samples are representative of any periodic episode of chlorination, biocide usage or other potentially toxic substance discharged on an intermittent basis.
- iii. The permittee must collect the composite samples so that the maximum holding time for any effluent sample shall not exceed 72 hours. The permittee must have initiated the toxicity test within 36 hours after the collection of the last portion of the first composite sample. Samples shall be chilled to 6 degrees Centigrade during collection, shipping, and/or storage.
- iv. If the flow from the outfall(s) being tested ceases during the collection of effluent samples, the requirements for the minimum number of effluent samples, the minimum number of effluent portions and the sample holding time are waived during that sampling period. However, the permittee must collect an effluent composite sample volume during the period of discharge that is sufficient to complete the required toxicity tests with daily renewal of effluent. When possible, the effluent samples used for the toxicity tests shall be collected on separate days if the discharge occurs over multiple days. The effluent composite sample collection duration and the static renewal protocol associated with the abbreviated sample collection must be documented in the full report required in Item 4 of this section.

### 3. REPORTING

- a. The permittee shall prepare a full report of the results of all tests conducted pursuant to this section in accordance with the Report Preparation Section of EPA/821/R-02-013, or the most current publication, for every valid or invalid toxicity test initiated whether carried to completion or not. The permittee shall retain each full report pursuant to the provisions of PART III.C.3 of this permit. The permittee shall submit full reports upon the specific request of the Agency. For any test which fails, is considered invalid or which is terminated early for any reason, the full report must be submitted for agency review.

- b. A valid test for each species must be reported during each reporting period specified in PART I of this permit unless the permittee is performing a TRE which may increase the frequency of testing and reporting. Only ONE set of biomonitoring data for each species is to be recorded for each reporting period. The data submitted should reflect the LOWEST lethal and sub-lethal effects results for each species during the reporting period. All invalid tests, repeat tests (for invalid tests), and retests (for tests previously failed) performed during the reporting period must be attached for EPA review.
- c. The permittee shall submit the results of each valid toxicity test as follows below. Submit retest information, if required, clearly marked as such. Only results of valid tests are to be reported.
- i. *Pimephales promelas* (Fathead Minnow)
- (A) If the No Observed Effect Concentration (NOEC) for survival is less than the critical dilution, enter a '1'; otherwise, enter a '0' for Parameter No. TLP6C
  - (B) Report the NOEC value for survival, Parameter No. TOP6C
  - (C) Report the LOEC value for survival, Parameter No. TXP6C
  - (D) Report the NOEC value for growth, Parameter No. TPP6C
  - (E) Report the LOEC value for growth, Parameter No. TYP6C
  - (F) If the No Observed Effect Concentration (NOEC) for growth is less than the critical dilution, enter a '1'; otherwise, enter a '0' for Parameter No. TGP6C
  - (G) Report the highest (critical dilution or control) Coefficient of Variation, Parameter No. TQP6C
- ii. *Ceriodaphnia dubia*
- (A) If the NOEC for survival is less than the critical dilution, enter a '1'; otherwise, enter a '0' for Parameter No. TLP3B

- (B) Report the NOEC value for survival, Parameter No. TOP3B
  - (C) Report the LOEC value for survival, Parameter No. TXP3B
  - (D) Report the NOEC value for reproduction, Parameter No. TPP3B
  - (E) Report the LOEC value for reproduction, Parameter No. TYP3B
  - (F) If the No Observed Effect Concentration (NOEC) for reproduction is less than the critical dilution, enter a '1'; otherwise, enter a '0' for Parameter No. TGP3B
  - (G) Report the higher (critical dilution or control) Coefficient of Variation, Parameter No. TQP3B
- d. If retests are required by NMED, enter the following codes:
- i. For retest number 1, Parameter 22415, enter a '1' if the NOEC for survival is less than the critical dilution; otherwise, enter a '0'
  - ii. For retest number 2, Parameter 22416, enter a '1' if the NOEC for survival is less than the critical dilution; otherwise, enter a '0'



## APPENDIX A of PART II

The following Minimum Quantification Levels (MQL's) are to be used for reporting pollutant data for NPDES permit applications and/or compliance reporting.

POLLUTANTS	MQL µg/l	POLLUTANTS	MQL µg/l
<b>METALS, RADIOACTIVITY, CYANIDE and CHLORINE</b>			
Aluminum	2.5	Molybdenum	10
Antimony	60	Nickel	0.5
Arsenic	0.5	Selenium	5
Barium	100	Silver	0.5
Beryllium	0.5	Thallium	0.5
Boron	100	Uranium	0.1
Cadmium	1	Vanadium	50
Chromium	10	Zinc	20
Cobalt	50	Cyanide	10
Copper	0.5	Cyanide, weak acid dissociable	10
Lead	0.5	Total Residual Chlorine	33
Mercury *1	0.0005 0.005		
<b>DIOXIN</b>			
2,3,7,8-TCDD	0.00001		
<b>VOLATILE COMPOUNDS</b>			
Acrolein	50	1,3-Dichloropropylene	10
Acrylonitrile	20	Ethylbenzene	10
Benzene	10	Methyl Bromide	50
Bromoform	10	Methylene Chloride	20
Carbon Tetrachloride	2	1,1,2,2-Tetrachloroethane	10
Chlorobenzene	10	Tetrachloroethylene	10
Clorodibromomethane	10	Toluene	10
Chloroform	50	1,2-trans-Dichloroethylene	10
Dichlorobromomethane	10	1,1,2-Trichloroethane	10
1,2-Dichloroethane	10	Trichloroethylene	10
1,1-Dichloroethylene	10	Vinyl Chloride	10
1,2-Dichloropropane	10		
<b>ACID COMPOUNDS</b>			
2-Chlorophenol	10	2,4-Dinitrophenol	50
2,4-Dichlorophenol	10	Pentachlorophenol	5
2,4-Dimethylphenol	10	Phenol	10
4,6-Dinitro-o-Cresol	50	2,4,6-Trichlorophenol	10

POLLUTANTS	MQL µg/l	POLLUTANTS	MQL µg/l
<b>BASE/NEUTRAL</b>			
Acenaphthene	10	Dimethyl Phthalate	10
Anthracene	10	Di-n-Butyl Phthalate	10
Benzidine	50	2,4-Dinitrotoluene	10
Benzo(a)anthracene	5	1,2-Diphenylhydrazine	20
Benzo(a)pyrene	5	Fluoranthene	10
3,4-Benzofluoranthene	10	Fluorene	10
Benzo(k)fluoranthene	5	Hexachlorobenzene	5
Bis(2-chloroethyl)Ether	10	Hexachlorobutadiene	10
Bis(2-chloroisopropyl)Ether	10	Hexachlorocyclopentadiene	10
Bis(2-ethylhexyl)Phthalate	10	Hexachloroethane	20
Butyl Benzyl Phthalate	10	Indeno(1,2,3-cd)Pyrene	5
2-Chloronaphthalene	10	Isophorone	10
Chrysene	5	Nitrobenzene	10
Dibenzo(a,h)anthracene	5	n-Nitrosodimethylamine	50
1,2-Dichlorobenzene	10	n-Nitrosodi-n-Propylamine	20
1,3-Dichlorobenzene	10	n-Nitrosodiphenylamine	20
1,4-Dichlorobenzene	10	Pyrene	10
3,3'-Dichlorobenzidine	5	1,2,4-Trichlorobenzene	10
Diethyl Phthalate	10		
<b>PESTICIDES AND PCBS</b>			
Aldrin	0.01	Beta-Endosulfan	0.02
Alpha-BHC	0.05	Endosulfan sulfate	0.02
Beta-BHC	0.05	Endrin	0.02
Gamma-BHC	0.05	Endrin Aldehyde	0.1
Chlordane	0.2	Heptachlor	0.01
4,4'-DDT and derivatives	0.02	Heptachlor Epoxide	0.01
Dieldrin	0.02	PCBs	0.2
Alpha-Endosulfan	0.01	Toxaphene	0.3

(MQL's Revised November 1, 2007)

**Footnotes:**

\*1 Default MQL for Mercury is 0.005 unless Part I of your permit requires the more sensitive Method 1631 (Oxidation / Purge and Trap / Cold vapor Atomic Fluorescence Spectrometry), then the MQL shall be 0.0005.

**PART III - STANDARD CONDITIONS FOR NPDES PERMITS****A. GENERAL CONDITIONS****1. INTRODUCTION**

In accordance with the provisions of 40 CFR Part 122.41, et. seq., this permit incorporates by reference ALL conditions and requirements applicable to NPDES Permits set forth in the Clean Water Act, as amended, (hereinafter known as the "Act") as well as ALL applicable regulations.

**2. DUTY TO COMPLY**

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

**3. TOXIC POLLUTANTS**

- a. Notwithstanding Part III.A.5, if any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under Section 307(a) of the Act for a toxic pollutant which is present in the discharge and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition.
- b. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Act for toxic pollutants within the time provided in the regulations that established those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

**4. DUTY TO REAPPLY**

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The application shall be submitted at least 180 days before the expiration date of this permit. The Director may grant permission to submit an application less than 180 days in advance but no later than the permit expiration date. Continuation of expiring permits shall be governed by regulations promulgated at 40 CFR Part 122.6 and any subsequent amendments.

**5. PERMIT FLEXIBILITY**

This permit may be modified, revoked and reissued, or terminated for cause in accordance with 40 CFR 122.62-64. The filing of a request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

**6. PROPERTY RIGHTS**

This permit does not convey any property rights of any sort, or any exclusive privilege.

**7. DUTY TO PROVIDE INFORMATION**

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

**8. CRIMINAL AND CIVIL LIABILITY**

Except as provided in permit conditions on "Bypassing" and "Upsets", nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. Any false or materially misleading representation or concealment of information required to be reported by the provisions of the permit, the Act, or applicable regulations, which avoids or effectively defeats the regulatory purpose of the Permit may subject the Permittee to criminal enforcement pursuant to 18 U.S.C. Section 1001.

**9. OIL AND HAZARDOUS SUBSTANCE LIABILITY**

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act.

**10. STATE LAWS**

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Act.

11. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

B. PROPER OPERATION AND MAINTENANCE

1. NEED TO HALT OR REDUCE NOT A DEFENSE

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. The permittee is responsible for maintaining adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failure either by means of alternate power sources, standby generators or retention of inadequately treated effluent.

2. DUTY TO MITIGATE

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

3. PROPER OPERATION AND MAINTENANCE

- a. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by permittee as efficiently as possible and in a manner which will minimize upsets and discharges of excessive pollutants and will achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of this permit.
- b. The permittee shall provide an adequate operating staff which is duly qualified to carry out operation, maintenance and testing functions required to insure compliance with the conditions of this permit.

4. BYPASS OF TREATMENT FACILITIES

a. BYPASS NOT EXCEEDING LIMITATIONS

The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts III.B.4.b. and 4.c.

b. NOTICE

(1) ANTICIPATED BYPASS

If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.

(2) UNANTICIPATED BYPASS

The permittee shall, within 24 hours, submit notice of an unanticipated bypass as required in Part III.D.7.

c. PROHIBITION OF BYPASS

(1) Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:

(a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and,

(c) The permittee submitted notices as required by Part III.B.4.b.

(2) The Director may allow an anticipated bypass after considering its adverse effects, if the Director determines that it will meet the three conditions listed at Part III.B.4.c(1).

## 5. UPSET CONDITIONS

### a. EFFECT OF AN UPSET

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Part III.B.5.b. are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

### b. CONDITIONS NECESSARY FOR A DEMONSTRATION OF UPSET

A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (1) An upset occurred and that the permittee can identify the cause(s) of the upset;
- (2) The permitted facility was at the time being properly operated;
- (3) The permittee submitted notice of the upset as required by Part III.D.7; and,
- (4) The permittee complied with any remedial measures required by Part III.B.2.

### c. BURDEN OF PROOF

In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

## 6. REMOVED SUBSTANCES

Unless otherwise authorized, solids, sewage sludges, filter backwash, or other pollutants removed in the course of treatment or wastewater control shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters.

## 7. PERCENT REMOVAL (PUBLICLY OWNED TREATMENT WORKS)

For publicly owned treatment works, the 30-day average (or Monthly Average) percent removal for Biochemical Oxygen Demand and Total Suspended Solids shall not be less than 85 percent unless otherwise authorized by the permitting authority in accordance with 40 CFR 133.103.

## C. MONITORING AND RECORDS

### 1. INSPECTION AND ENTRY

The permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by the law to:

- a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this permit; and
- d. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the Act, any substances or parameters at any location.

### 2. REPRESENTATIVE SAMPLING

Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

### 3. RETENTION OF RECORDS

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, or application. This period may be extended by request of the Director at any time.

### 4. RECORD CONTENTS

Records of monitoring information shall include:

- a. The date, exact place, and time of sampling or measurements;

- b. The individual(s) who performed the sampling or measurements;
- c. The date(s) and time(s) analyses were performed;
- d. The individual(s) who performed the analyses;
- e. The analytical techniques or methods used; and
- f. The results of such analyses.

5. MONITORING PROCEDURES

- a. Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit or approved by the Regional Administrator.
- b. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instruments at intervals frequent enough to insure accuracy of measurements and shall maintain appropriate records of such activities.
- c. An adequate analytical quality control program, including the analyses of sufficient standards, spikes, and duplicate samples to insure the accuracy of all required analytical results shall be maintained by the permittee or designated commercial laboratory.

6. FLOW MEASUREMENTS

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to insure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10% from true discharge rates throughout the range of expected discharge volumes.

D. REPORTING REQUIREMENTS

1. PLANNED CHANGES

a. INDUSTRIAL PERMITS

The permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

- (1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR Part 122.29(b); or,
- (2) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements listed at Part III.D.10.a.

b. MUNICIPAL PERMITS

Any change in the facility discharge (including the introduction of any new source or significant discharge or significant changes in the quantity or quality of existing discharges of pollutants) must be reported to the permitting authority. In no case are any new connections, increased flows, or significant changes in influent quality permitted that will cause violation of the effluent limitations specified herein.

2. ANTICIPATED NONCOMPLIANCE

The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

3. TRANSFERS

This permit is not transferable to any person except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Act.

4. DISCHARGE MONITORING REPORTS AND OTHER REPORTS

Monitoring results must be reported to EPA on either the electronic or paper Discharge Monitoring Report (DMR) approved formats. Monitoring results can be submitted electronically in lieu of the paper DMR Form. To submit electronically, access the NetDMR website at [www.epa.gov/netdmr](http://www.epa.gov/netdmr) and contact the [R6NetDMR@epa.gov](mailto:R6NetDMR@epa.gov) in-box for further instructions. Until you

are approved for Net DMR, you must report on the Discharge Monitoring Report (DMR) Form EPA No. 3320-1 in accordance with the "General Instructions" provided on the form. No additional copies are needed if reporting electronically, however when submitting paper form EPA No. 3320-1, the permittee shall submit the original DMR signed and certified as required by Part III.D.11 and all other reports required by Part III.D. to the EPA at the address below. Duplicate copies of paper DMR's and all other reports shall be submitted to the appropriate State agency (ies) at the following address (es):

EPA:

Compliance Assurance and Enforcement Division  
Water Enforcement Branch (6EN-W)  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Avenue  
Dallas, TX 75202-2733

New Mexico:

Program Manager  
Surface Water Quality Bureau  
New Mexico Environment Department  
P.O. Box 5469  
1190 Saint Francis Drive  
Santa Fe, NM 87502-5469

5. ADDITIONAL MONITORING BY THE PERMITTEE

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report (DMR). Such increased monitoring frequency shall also be indicated on the DMR.

6. AVERAGING OF MEASUREMENTS

Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Director in the permit.

7. TWENTY-FOUR HOUR REPORTING

a. The permittee shall report any noncompliance which may endanger health or the environment. Notification shall be made to the EPA at the following e-mail address: R6\_NPDES\_Reporting@epa.gov, as soon as possible, but within 24 hours from the time the permittee becomes aware of the circumstance. Oral notification shall also be to the New Mexico Environment Department at (505) 827-0187 as soon as possible, but within 24 hours from the time the permittee becomes aware of the circumstance. A written submission shall be provided within 5 days of the time the permittee becomes aware of the circumstances. The report shall contain the following information:

- (1) A description of the noncompliance and its cause;
- (2) The period of noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and,
- (3) Steps being taken to reduce, eliminate, and prevent recurrence of the noncomplying discharge.

b. The following shall be included as information which must be reported within 24 hours:

- (1) Any unanticipated bypass which exceeds any effluent limitation in the permit;
- (2) Any upset which exceeds any effluent limitation in the permit; and,
- (3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in Part II (industrial permits only) of the permit to be reported within 24 hours.

c. The Director may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

8. OTHER NONCOMPLIANCE

The permittee shall report all instances of noncompliance not reported under Parts III.D.4 and D.7 and Part I.B (for industrial permits only) at the time monitoring reports are submitted. The reports shall contain the information listed at Part III.D.7.

9. OTHER INFORMATION

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.

10. CHANGES IN DISCHARGES OF TOXIC SUBSTANCES

All existing manufacturing, commercial, mining, and silvacultural permittees shall notify the Director as soon as it knows or has reason to believe:

- a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant listed at 40 CFR Part 122, Appendix D, Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
- (1) One hundred micrograms per liter (100 µg/L);
  - (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2, 4-dinitro-phenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
  - (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application; or
  - (4) The level established by the Director.
- b. That any activity has occurred or will occur which would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
- (1) Five hundred micrograms per liter (500 µg/L);
  - (2) One milligram per liter (1 mg/L) for antimony;
  - (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application; or
  - (4) The level established by the Director.

#### 11. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Director shall be signed and certified.

- a. ALL PERMIT APPLICATIONS shall be signed as follows:

- (1) FOR A CORPORATION - by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

(a) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

(b) The manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

- (2) FOR A PARTNERSHIP OR SOLE PROPRIETORSHIP - by a general partner or the proprietor, respectively.

- (3) FOR A MUNICIPALITY, STATE, FEDERAL, OR OTHER PUBLIC AGENCY - by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:

(a) The chief executive officer of the agency, or

(b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

- b. ALL REPORTS required by the permit and other information requested by the Director shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
- (1) The authorization is made in writing by a person described above;
  - (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, or position of equivalent responsibility, or an individual or position having overall responsibility for environmental

matters for the company. A duly authorized representative may thus be either a named individual or an individual occupying a named position; and,

(3) The written authorization is submitted to the Director.

c. CERTIFICATION

Any person signing a document under this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

12. AVAILABILITY OF REPORTS

Except for applications, effluent data permits, and other data specified in 40 CFR 122.7, any information submitted pursuant to this permit may be claimed as confidential by the submitter. If no claim is made at the time of submission, information may be made available to the public without further notice.

E. PENALTIES FOR VIOLATIONS OF PERMIT CONDITIONS

1. CRIMINAL

a. NEGLIGENT VIOLATIONS

The Act provides that any person who negligently violates permit conditions implementing Section 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than 1 year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than \$50,000 per day of violation, or by imprisonment of not more than 2 years, or both.

b. KNOWING VIOLATIONS

The Act provides that any person who knowingly violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a fine of not less than \$5,000 nor more than \$50,000 per day of violation, or by imprisonment for not more than 3 years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than \$100,000 per day of violation, or imprisonment of not more than 6 years, or both.

c. KNOWING ENDANGERMENT

The Act provides that any person who knowingly violates permit conditions implementing Sections 301, 302, 303, 306, 307, 308, 318, or 405 of the Act and who knows at that time that he is placing another person in imminent danger of death or serious bodily injury is subject to a fine of not more than \$250,000, or by imprisonment for not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than \$500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the CWA, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than \$1,000,000 and can be fined up to \$2,000,000 for second or subsequent convictions.

d. FALSE STATEMENTS

The Act provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Act or who knowingly falsifies, tampers with, or renders inaccurate, any monitoring device or method required to be maintained under the Act, shall upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment shall be by a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or by both. (See Section 309.c.4 of the Clean Water Act)

2. CIVIL PENALTIES

The Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a civil penalty not to exceed \$37,500 per day for each violation.

3. ADMINISTRATIVE PENALTIES

The Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to an administrative penalty, as follows:

a. CLASS I PENALTY

Not to exceed \$16,000 per violation nor shall the maximum amount exceed \$37,500.

b. CLASS II PENALTY

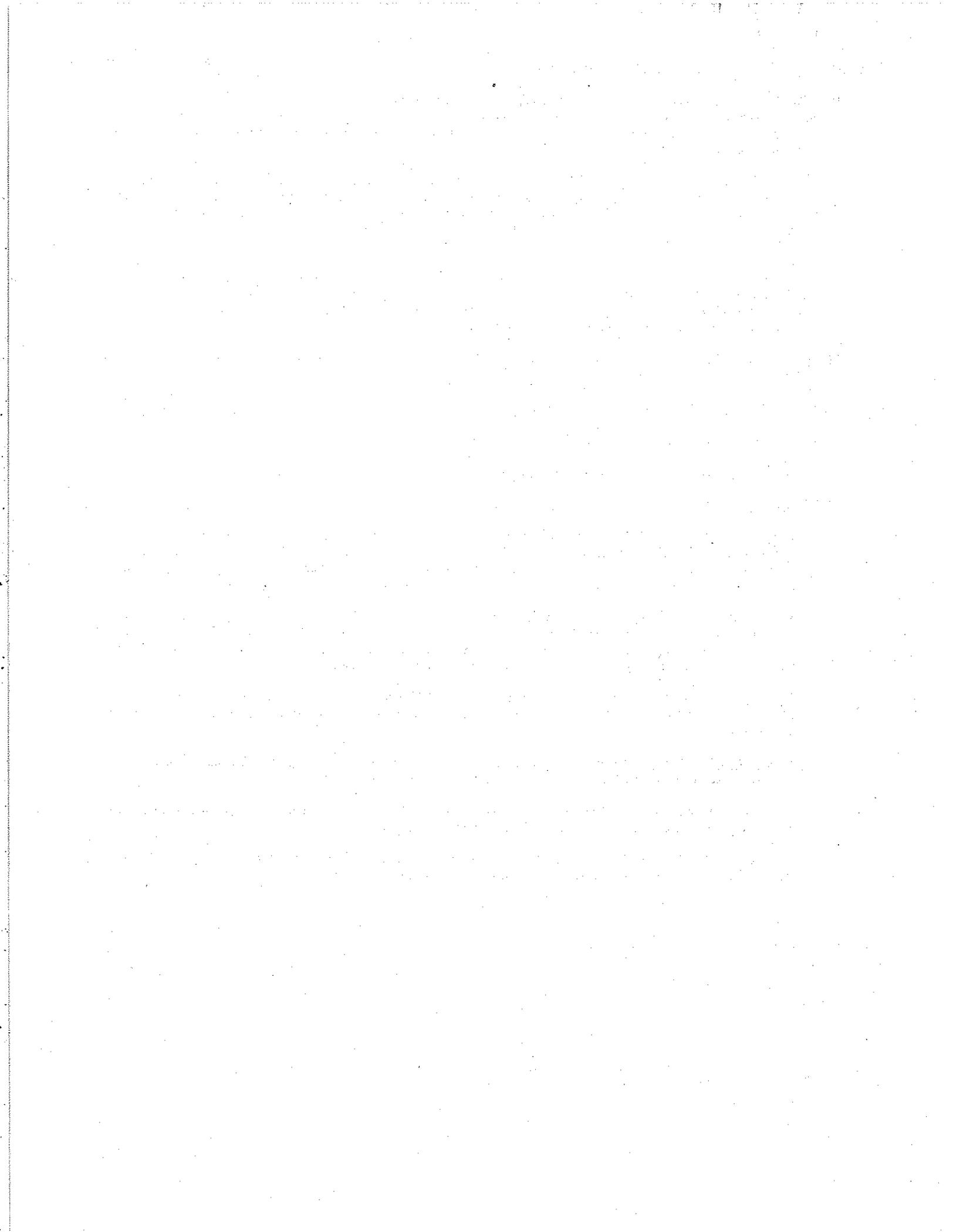
Not to exceed \$16,000 per day for each day during which the violation continues nor shall the maximum amount exceed \$177,500.

F. DEFINITIONS

All definitions contained in Section 502 of the Act shall apply to this permit and are incorporated herein by reference. Unless otherwise specified in this permit, additional definitions of words or phrases used in this permit are as follows:

1. ACT means the Clean Water Act (33 U.S.C. 1251 et. seq.), as amended.
2. ADMINISTRATOR means the Administrator of the U.S. Environmental Protection Agency.
3. APPLICABLE EFFLUENT STANDARDS AND LIMITATIONS means all state and Federal effluent standards and limitations to which a discharge is subject under the Act, including, but not limited to, effluent limitations, standards or performance, toxic effluent standards and prohibitions, and pretreatment standards.
4. APPLICABLE WATER QUALITY STANDARDS means all water quality standards to which a discharge is subject under the Act.
5. BYPASS means the intentional diversion of waste streams from any portion of a treatment facility.
6. DAILY DISCHARGE means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the sampling day. "Daily discharge" determination of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the "daily discharge" determination of concentration shall be arithmetic average (weighted by flow value) of all samples collected during that sampling day.
7. DAILY MAXIMUM discharge limitation means the highest allowable "daily discharge" during the calendar month.
8. DIRECTOR means the U.S. Environmental Protection Agency Regional Administrator or an authorized representative.
9. ENVIRONMENTAL PROTECTION AGENCY means the U.S. Environmental Protection Agency.
10. GRAB SAMPLE means an individual sample collected in less than 15 minutes.
11. INDUSTRIAL USER means a non-domestic discharger, as identified in 40 CFR 403, introducing pollutants to a publicly owned treatment works.
12. MONTHLY AVERAGE (also known as DAILY AVERAGE) discharge limitations means the highest allowable average of "daily discharge(s)" over a calendar month, calculated as the sum of all "daily discharge(s)" measured during a calendar month divided by the number of "daily discharge(s)" measured during that month. When the permit establishes daily average concentration effluent limitations or conditions, the daily average concentration means the arithmetic average (weighted by flow) of all "daily discharge(s)" of concentration determined during the calendar month where C = daily concentration, F = daily flow, and n = number of daily samples; daily average discharge =
 
$$\frac{C_1F_1 + C_2F_2 + \dots + C_nF_n}{F_1 + F_2 + \dots + F_n}$$
13. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 318, 402, and 405 of the Act.
14. SEVERE PROPERTY DAMAGE means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

15. SEWAGE SLUDGE means the solids, residues, and precipitates separated from or created in sewage by the unit processes of a publicly owned treatment works. Sewage as used in this definition means any wastes, including wastes from humans, households, commercial establishments, industries, and storm water runoff that are discharged to or otherwise enter a publicly owned treatment works.
16. TREATMENT WORKS means any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage and industrial wastes of a liquid nature to implement Section 201 of the Act, or necessary to recycle or reuse water at the most economical cost over the estimated life of the works, including intercepting sewers, sewage collection systems, pumping, power and other equipment, and their appurtenances, extension, improvement, remodeling, additions, and alterations thereof.
17. UPSET means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
18. FOR FECAL COLIFORM BACTERIA, a sample consists of one effluent grab portion collected during a 24-hour period at peak loads.
19. The term "MGD" shall mean million gallons per day.
20. The term "mg/L" shall mean milligrams per liter or parts per million (ppm).
21. The term "µg/L" shall mean micrograms per liter or parts per billion (ppb).
22. MUNICIPAL TERMS
  - a. 7-DAY AVERAGE or WEEKLY AVERAGE, other than for fecal coliform bacteria, is the arithmetic mean of the daily values for all effluent samples collected during a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week. The 7-day average for fecal coliform bacteria is the geometric mean of the values for all effluent samples collected during a calendar week.
  - b. 30-DAY AVERAGE or MONTHLY AVERAGE, other than for fecal coliform bacteria, is the arithmetic mean of the daily values for all effluent samples collected during a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. The 30-day average for fecal coliform bacteria is the geometric mean of the values for all effluent samples collected during a calendar month.
  - c. 24-HOUR COMPOSITE SAMPLE consists of a minimum of 12 effluent portions collected at equal time intervals over the 24-hour period and combined proportional to flow or a sample collected at frequent intervals proportional to flow over the 24-hour period.
  - d. 12-HOUR COMPOSITE SAMPLE consists of 12 effluent portions collected no closer together than one hour and composited according to flow. The daily sampling intervals shall include the highest flow periods.
  - e. 6-HOUR COMPOSITE SAMPLE consists of six effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) and composited according to flow.
  - f. 3-HOUR COMPOSITE SAMPLE consists of three effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) and composited according to flow.



**CALCULATIONS OF NEW MEXICO WATER QUALITY-BASED EFFLUENT LIMITATIONS**

NMAC 20.6.4. **NMWQS as of January 14, 2011**

(EPA approved site-specific criteria for aluminum, cadmium, and zinc on April 30, 2012)

Calculations Specifications:

Excel **Revised as of May 18, 2012**

Prepared By:

Suzanna M/Pr 11 Apr 13 1:42 PM

**STEP 1:** REFERENCE IMPLEMENTATION PROCEDURES  
INPUT FACILITY AND RECEIVING STREAM DATA  
LIST SOURCE OF DATA INPUT

**APPENDIX A**  
**of FACT SHEET**

**IMPLEMENTATION PROCEDURES**

The State of New Mexico Standards for Interstate and Intrastate Surface Waters are implemented in this spread sheet by using procedures established in the current "Procedures for Implementing NPDES Permits in New Mexico"

**FACILITY**

**DATA INPUT**

Permittee  
NPDES Permit No.  
Outfall No.(s)  
Plant Effluent Flow (MGD)  
Plant Effluent Flow (cfs)

Springer Water Treatment Plant  
NM0030627  
1  
0.229  
0.35495

For industrial and federal facility, use the highest monthly average flow for the past 24 months. For POTWs, use the design flow.

**RECEIVING STREAM**

**DATA INPUT**

Receiving Stream Name  
Basin Name  
Waterbody Segment Code No.  
Is a publicly owned lake or reservoir (enter "1" if it's a lake, "0" if not)  
Are acute aquatic life criteria considered (1= yes, 0= no) (MUST enter "1" for 2005 Standards)  
Are chronic aquatic life criteria considered (1= yes, 0=no)  
Are domestic water supply criteria considered (1= yes, 0=no)  
Are irrigation water supply criteria considered (1= yes, 0=no)  
Livestock watering and wildlife habitat criteria applied to all streams

non-classified arroyo to Cimmaron River  
Canadian River Basin  
20.6.4.306  
0  
1  
1  
0  
1

USGS Flow Station  
WQ Monitoring Station No.  
Receiving Stream TSS (mg/l)  
Receiving Stream Hardness (mg/l as CaCO<sub>3</sub>) RANGE: 0 - 300  
Receiving Stream Critical Low Flow (4Q3) (cfs)  
Receiving Stream Harmonic Mean Flow (cfs)  
Avg. Receiving Water Temperature (C)  
pH (Avg), Receiving Stream  
Fraction of stream allowed for mixing (F)  
Fraction of Critical Low Flow

NA  
NA  
20.9  
160  
0  
0.001  
6  
not reported  
1  
0

For intermittent stream, enter effluent TSS  
For intermittent stream, enter effluent Hardness (If no data, 20 mg/l is used)  
Enter "0" for intermittent stream and lake.  
Enter harmonic mean or modified harmonic mean flow data or 0.001 if no data is available  
Enter 1, if stream morphology data is not available or for intermittent streams.

**STEP 2: INPUT AMBIENT AND EFFLUENT DATA**

**CALCULATE IN-STREAM WASTE CONCENTRATIONS**

**DATA INPUT**

Input pollutant geometric mean concentration as micro-gram per liter (ug/l or ppb) unless other unit is specified for the parameter.  
 Effluent value reported as "< detection level" (DL) but the DL is greater than MQL, input "1/2 DL" for calculation.  
 Effluent value reported as "< detection level" (DL) and the DL is smaller than MQL, no data is inputted.  
 If a less than MQL value is reported, input either the reported value or "0" for calculation.

The following formular is used to calculate the Instream Waste Concentration (Cd)

See the current "Procedures for Implementing NPDES Permits in New Mexico"

$$Cd = [(F*Qa*Ca) + (Qe*2.13*Ce)] / (F*Qa + Qe)$$

Where:

Cd = Instream Waste Concentration

F = Fraction of stream allowed for mixing (see "Procedures for Implementing NPDES Permits in New Mexico")

Ce = Reported concentration in effluent

Ca = Ambient stream concentration upstream of discharge

Qe = Plant effluent flow

Qa = Critical low flow of stream at discharge point expressed as the 4Q3 or harmonic mean flow for human health criteria

The following formular convert metals reported in total form to dissolved form if criteria are in dissolved form

See the current "Procedures for Implementing NPDES Permits in New Mexico"

$$Kp = Kpo * (TSS**a)$$

Kp = Linear partition coefficient; Kpo and a can be found in table below

$$C/Ct = 1 / (1 + Kp*TSS* 10^-6)$$

TSS = Total suspended solids concentration found in receiving stream (or in effluent for intermittent stream)

$$\text{Total Metal Criteria (Ct)} = Cr / (C/Ct)$$

C/Ct = Fraction of metal dissolved; and Cr = Dissolved criteria value

Total Metals	Total Value	Stream Linear Partition Coefficient					Lake Linear Partition Coefficient				
		Kpo	alpha (a)	Kp	C/Ct	Dissolved Value in Stream	Kpo	alpha (a)	Kp	C/Ct	Dissolved Value in Lake
Arsenic		480000	-0.73	52183.6495	0.478322822	0	480000	-0.73	52183.6495	0.478322822	0
Chromium III		3360000	-0.93	198885.5503	0.193922169	0	2170000	-0.27	955037.0864	0.047709297	0
Copper		1040000	-0.74	109679.4055	0.303739067	0	2850000	-0.9	184804.781	0.205658914	0
Lead		2600000	-0.8	246059.9902	0.162796087	0	2040000	-0.53	407335.8513	0.105115782	0
Nickel	0	490000	-0.57	86638.85357	0.35577667	0	2210000	-0.76	219321.4438	0.179088926	0
Silver		2390000	-1.03	104387.1946	0.314298142	0	2390000	-1.03	104387.1946	0.314298142	0
Zinc	2.2	1250000	-0.7	148870.1455	0.243226978	0.53509935	3340000	-0.68	422714.351	0.101680474	0.22369704

The following formular is used to calculate hardness dependent criteria

(Please refer to State Water Quality Standards for details)

			Dissolved WQC (ug/l)	
Aluminum (T)	Acute	$e^{(1.3695[\ln(\text{hardness})]+1.8308)}$	6511.014368	If Stream pH < 6.5, enter 750 in cell O113
	Chronic	$e^{(1.3695[\ln(\text{hardness})]+0.9161)}$	2608.551955	If Stream pH < 6.5, enter 87 in cell P113
Cadmium (D)	Acute	$e^{(0.8968[\ln(\text{hardness})]-3.5699)*CF1}$	2.466591382	CF1 = 1.136672 - 0.041838*ln(hardness)
	Chronic	$e^{(0.7647[\ln(\text{hardness})]-4.2180)*CF2}$	0.6348962	CF2 = 1.101672 - 0.041838*ln(hardness)

			Dissolved WQC (ug/l)	
Chromium III (D)	Acute	0.316 e(0.819[ln(hardness)]+3.7256)	837.2764388	
	Chronic	0.860 e(0.819[ln(hardness)]+0.6848)	108.9124627	
Copper (D)	Acute	0.960 e(0.9422[ln(hardness)]-1.700)	20.92630069	
	Chronic	0.960 e(0.8545[ln(hardness)]-1.702)	13.38204697	
Lead (D)	Acute	e(1.273[ln(hardness)]-1.46)*CF3	107.3056099	CF3 = 1.46203 - 0.145712*ln(hardness)
	Chronic	e(1.273[ln(hardness)]-4.705)*CF4	4.181545566	CF4 = 1.46203 - 0.145712*ln(hardness)
Manganese (D)	Acute	e(0.3331[ln(hardness)]+6.4676)	3491.687413	
	Chronic	e(0.3331[ln(hardness)]+5.8743)	1929.160856	
Nickel (D)	Acute	0.998 e(0.846[ln(hardness)]+2.255)	696.8673277	
	Chronic	0.997 e(0.846[ln(hardness)]+0.0584)	77.40044568	
Silver (D)	Acute	0.85 e(1.72[ln(hardness)]-6.59)	7.219459096	
Zinc (D)	Acute	0.978 e(0.9094[ln(hardness)]+0.9095)	245.3332422	
	Chronic	0.986 e(0.90947[ln(hardness)]+0.6235)	185.8833647	

POLLUTANTS	CAS No.	MQL	Instream Waste Concentration						Irrigation Criteria ug/l	Livestock & Wildlife Criteria ug/l	Acute Aquatic Criteria ug/l	Chronic Aquatic Criteria ug/l	Human Health Criteria ug/l	Need TMDL	
			Ambient Conc. Ca (ug/l)	Effluent Conc. Ce (ug/l)	Acute Aquatic 2.13*Ce	Domestic Supply Cd,dom (ug/l)	Chronic Aquatic Cd (ug/l)	Human Health Cd,hh (ug/l)							Domestic Criteria ug/l
<b>Radioactivity, Nutrients, and Chlorine</b>															
Aluminum, total	7429-90-5	2.5		2100	0	4473	4473	4460.43363	1E+100	5000	1E+100	6511.014368	2608.55196	1E+100	N/A
Barium, dissolved	7440-39-3	100			0	0	0	0	2000	1E+100	1E+100	1E+100	1E+100	1E+100	N/A
Boron, dissolved	7440-42-8	100			0	0	0	0	1E+100	750	5000	1E+100	1E+100	1E+100	N/A
Cobalt, dissolved	7440-48-4	50			0	0	0	0	1E+100	50	1000	1E+100	1E+100	1E+100	N/A
Uranium, dissolved	7440-61-1	0.1			0	0	0	0	30	1E+100	1E+100	1E+100	1E+100	1E+100	N/A
Vanadium, dissolved	7440-62-2	50			0	0	0	0	1E+100	100	100	1E+100	1E+100	1E+100	N/A
Ra-226 and Ra-228 (pCi/l)					0	0	0	0	5	1E+100	30	1E+100	1E+100	1E+100	N/A
Strontium (pCi/l)					0	0	0	0	8	1E+100	1E+100	1E+100	1E+100	1E+100	N/A
Tritium (pCi/l)					0	0	0	0	20000	1E+100	20000	1E+100	1E+100	1E+100	N/A
Gross Alpha (pCi/l)					0	0	0	0	15	1E+100	15	1E+100	1E+100	1E+100	N/A
Asbestos (fibers/l)					0	0	0	0	7000000	1E+100	1E+100	1E+100	1E+100	1E+100	N/A
Total Residual Chlorine	7782-50-5	33			0	0	0	0	1E+100	1E+100	11	19	11	1E+100	N/A
Nitrate as N (mg/l)					0	0	0	0	10	1E+100	1E+100	1E+100	1E+100	1E+100	N/A
Nitrite + Nitrate (mg/l)					0	0	0	0	1E+100	1E+100	132	1E+100	1E+100	1E+100	N/A
<b>METALS AND CYANIDE</b>															
Antimony, dissolved (P)	7440-36-0	60			0	0	0	0	6	1E+100	1E+100	1E+100	1E+100	640	N/A
Arsenic, dissolved (P)	7440-38-2	0.5		0	0	0	0	0	10	100	200	340	150	9	N/A
Beryllium, dissolved	7440-41-7	0.5			0	0	0	0	4	1E+100	1E+100	1E+100	1E+100	1E+100	N/A
Cadmium, dissolved	7440-43-9	1			0	0	0	0	5	10	50	2.466591382	0.6348962	1E+100	N/A
Chromium (III), dissolved	16065-83-1	10			0	0	0	0	1E+100	1E+100	1E+100	837.2764388	108.912463	1E+100	N/A
Chromium (VI), dissolved	18540-29-9	10			0	0	0	0	1E+100	1E+100	1E+100	16	11	1E+100	N/A
Chromium, dissolved	7440-47-3				0	0	0	0	100	100	1000	1E+100	1E+100	1E+100	N/A
Copper, dissolved	7440-50-8	0.5		0	0	0	0	0	1300	200	500	20.92630069	13.382047	1E+100	N/A
Lead, dissolved	7439-92-1	0.5		0	0	0	0	0	15	5000	100	107.3056099	4.18154557	1E+100	N/A
Manganese, dissolved	7439-96-5				0	0	0	0	1E+100	1E+100	1E+100	3491.687413	1929.16086	1E+100	N/A

POLLUTANTS	CAS No.	MQL	Instream Waste Concentration					Livestock& Domestic Criteria	Acute Irrigation Criteria	Chronic Wildlife Criteria	Human Aquatic Criteria	Need Aquatic Criteria	Health Criteria	TMDL	
			Ambient Conc	Effluent Conc.	Acute Aquatic	Domestic Supply	Chronic Aquatic								Human Health
			Ca (ug/l)	Ce (ug/l)	2.13*Ce	Cd,dom (ug/l)	Cd (ug/l)								Cd,hh (ug/l)
Mercury, dissolved	7439-97-6	0.005			0	0	0	0	1E+100	1E+100	1E+100	1.4	0.77	1E+100	N/A
Mercury, total	7439-97-6	0.005			0	0	0	0	2	1E+100	0.77	1E+100	1E+100	1E+100	N/A
Molybdenum, dissolved	7439-98-7				0	0	0	0	1E+100	1000	1E+100	1E+100	1E+100	1E+100	N/A
Molybdenum, total recoverable	7439-98-7				0	0	0	0	1E+100	1E+100	1E+100	7920	1895	1E+100	N/A
Nickel, dissolved (P)	7440-02-0	0.5		0	0	0	0	0	700	1E+100	1E+100	696.8673277	77.4004457	4600	N/A
Selenium, dissolved (P)	7782-49-2	5			0	0	0	0	50	130	50	1E+100	1E+100	4200	N/A
Selenium, dis (SO4 >500 mg/l)		5			0	0	0	0	50	250	50	1E+100	1E+100	4200	N/A
Selenium, total recoverable	7782-49-2	5			0	0	0	0	1E+100	1E+100	5	20	5	1E+100	N/A
Silver, dissolved	7440-22-4	0.5		0	0	0	0	0	1E+100	1E+100	1E+100	7.219459096	1E+100	1E+100	N/A
Thallium, dissolved (P)	7440-28-0	0.5			0	0	0	0	2	1E+100	1E+100	1E+100	1E+100	0.47	N/A
Zinc, dissolved	7440-66-6	20		0.535099351	0	1.13976162	1.13976162	1.13655959	10500	2000	25000	245.3332422	185.883365	26000	N/A
Cyanide, total recoverable	57-12-5	10			0	0	0	0	200	1E+100	5.2	22	5.2	140	N/A
Dioxin	1764-01-6	0.00001			0	0	0	0	3.00E-05	1E+100	1E+100	1E+100	1E+100	5.1E-08	N/A
<b>VOLATILE COMPOUNDS</b>															
Acrolein	107-02-8	50			0	0	0	0	18	1E+100	1E+100	1E+100	1E+100	9	N/A
Acrylonitrile	107-13-0	20			0	0	0	0	0.65	1E+100	1E+100	1E+100	1E+100	2.5	N/A
Benzene	71-43-2	10			0	0	0	0	5	1E+100	1E+100	1E+100	1E+100	510	N/A
Bromoform	75-25-2	10			0	0	0	0	44	1E+100	1E+100	1E+100	1E+100	1400	N/A
Carbon Tetrachloride	56-23-5	2			0	0	0	0	5	1E+100	1E+100	1E+100	1E+100	16	N/A
Chlorobenzene	108-90-7	10			0	0	0	0	100	1E+100	1E+100	1E+100	1E+100	1600	N/A
Chlorodibromomethane	124-48-1	10			0	0	0	0	4.2	1E+100	1E+100	1E+100	1E+100	130	N/A
Chloroform	67-66-3	50			0	0	0	0	57	1E+100	1E+100	1E+100	1E+100	4700	N/A
Dichlorobromomethane	75-27-4	10			0	0	0	0	5.6	1E+100	1E+100	1E+100	1E+100	170	N/A
1,2-Dichloroethane	107-06-2	10			0	0	0	0	5	1E+100	1E+100	1E+100	1E+100	370	N/A
1,1-Dichloroethylene	75-35-4	10			0	0	0	0	7	1E+100	1E+100	1E+100	1E+100	7100	N/A
1,2-Dichloropropane	78-87-5	10			0	0	0	0	5	1E+100	1E+100	1E+100	1E+100	150	N/A
1,3-Dichloropropylene	542-75-6	10			0	0	0	0	3.5	1E+100	1E+100	1E+100	1E+100	210	N/A
Ethylbenzene	100-41-4	10			0	0	0	0	700	1E+100	1E+100	1E+100	1E+100	2100	N/A
Methyl Bromide	74-83-9	50			0	0	0	0	49	1E+100	1E+100	1E+100	1E+100	1500	N/A
Methylene Chloride	75-09-2	20			0	0	0	0	5	1E+100	1E+100	1E+100	1E+100	5900	N/A
1,1,2,2-Tetrachloroethane	79-34-5	10			0	0	0	0	1.8	1E+100	1E+100	1E+100	1E+100	40	N/A
Tetrachloroethylene	127-18-4	10			0	0	0	0	5	1E+100	1E+100	1E+100	1E+100	33	N/A
Toluene	108-88-3	10			0	0	0	0	1000	1E+100	1E+100	1E+100	1E+100	15000	N/A
1,2-trans-Dichloroethylene	156-60-5	10			0	0	0	0	100	1E+100	1E+100	1E+100	1E+100	10000	N/A
1,1,1-Trichloroethane	71-55-6				0	0	0	0	200	1E+100	1E+100	1E+100	1E+100	1E+100	N/A
1,1,2-Trichloroethane	79-00-5	10			0	0	0	0	5	1E+100	1E+100	1E+100	1E+100	160	N/A
Trichloroethylene	79-01-6	10			0	0	0	0	5	1E+100	1E+100	1E+100	1E+100	300	N/A
Vinyl Chloride	75-01-4	10			0	0	0	0	2	1E+100	1E+100	1E+100	1E+100	24	N/A
<b>ACID COMPOUNDS</b>															
2-Chlorophenol	95-57-8	10			0	0	0	0	175	1E+100	1E+100	1E+100	1E+100	150	N/A
2,4-Dichlorophenol	120-83-2	10			0	0	0	0	105	1E+100	1E+100	1E+100	1E+100	290	N/A
2,4-Dimethylphenol	105-67-9	10			0	0	0	0	700	1E+100	1E+100	1E+100	1E+100	850	N/A
4,6-Dinitro-o-Cresol	534-52-1	50			0	0	0	0	14	1E+100	1E+100	1E+100	1E+100	280	N/A

POLLUTANTS	CAS No.	MQL	Instream Waste Concentration							Livestock & Wildlife Criteria	Acute Aquatic Criteria	Chronic Aquatic Criteria	Human Health Criteria	Need TMDL	
			Ambient Conc	Effluent Conc.	Acute Aquatic	Domestic Supply	Chronic Aquatic	Human Health	Domestic Criteria						Irrigation Criteria
			Ca (ug/l)	Ce (ug/l)	2.13*Ce	Cd <sub>dom</sub> (ug/l)	Cd (ug/l)	Cd <sub>hh</sub> (ug/l)	ug/l						ug/l
2,4-Dinitrophenol	51-28-5	50			0	0	0	0	70	1E+100	1E+100	1E+100	1E+100	5300	N/A
Pentachlorophenol	87-86-5	50			0	0	0	0	1	1E+100	1E+100	19	15	30	N/A
Phenol	108-95-2	10			0	0	0	0	10500	1E+100	1E+100	1E+100	1E+100	860000	N/A
2,4,6-Trichlorophenol	88-06-2	10			0	0	0	0	32	1E+100	1E+100	1E+100	1E+100	24	N/A
<b>BASE/NEUTRAL</b>															
Acenaphthene	83-32-9	10			0	0	0	0	2100	1E+100	1E+100	1E+100	1E+100	990	N/A
Anthracene	120-12-7	10			0	0	0	0	10500	1E+100	1E+100	1E+100	1E+100	40000	N/A
Benzidine	92-87-5	50			0	0	0	0	0.0015	1E+100	1E+100	1E+100	1E+100	0.002	N/A
Benzo(a)anthracene	56-55-3	5			0	0	0	0	0.048	1E+100	1E+100	1E+100	1E+100	0.18	N/A
Benzo(a)pyrene	50-32-8	5			0	0	0	0	0.2	1E+100	1E+100	1E+100	1E+100	0.18	N/A
3,4-Benzofluoranthene	205-99-2	10			0	0	0	0	0.048	1E+100	1E+100	1E+100	1E+100	0.18	N/A
Benzo(k)fluoranthene	207-08-9	5			0	0	0	0	0.048	1E+100	1E+100	1E+100	1E+100	0.18	N/A
Bis(2-chloroethyl)Ether	111-44-4	10			0	0	0	0	0.3	1E+100	1E+100	1E+100	1E+100	5.3	N/A
Bis(2-chloroisopropyl)Ether	108-60-1	10			0	0	0	0	1400	1E+100	1E+100	1E+100	1E+100	65000	N/A
Bis(2-ethylhexyl)Phthalate	117-81-7	10			0	0	0	0	6	1E+100	1E+100	1E+100	1E+100	22	N/A
Butyl Benzyl Phthalate	85-68-7	10			0	0	0	0	7000	1E+100	1E+100	1E+100	1E+100	1900	N/A
2-Chloronaphthalene	91-58-7	10			0	0	0	0	2800	1E+100	1E+100	1E+100	1E+100	1600	N/A
Chrysene	218-01-9	5			0	0	0	0	0.048	1E+100	1E+100	1E+100	1E+100	0.18	N/A
Dibenzo(a,h)anthracene	53-70-3	5			0	0	0	0	0.048	1E+100	1E+100	1E+100	1E+100	0.18	N/A
1,2-Dichlorobenzene	95-50-1	10			0	0	0	0	600	1E+100	1E+100	1E+100	1E+100	1300	N/A
1,3-Dichlorobenzene	541-73-1	10			0	0	0	0	469	1E+100	1E+100	1E+100	1E+100	960	N/A
1,4-Dichlorobenzene	106-46-7	10			0	0	0	0	75	1E+100	1E+100	1E+100	1E+100	190	N/A
3,3'-Dichlorobenzidine	91-94-1	5			0	0	0	0	0.78	1E+100	1E+100	1E+100	1E+100	0.28	N/A
Diethyl Phthalate	84-66-2	10			0	0	0	0	28000	1E+100	1E+100	1E+100	1E+100	44000	N/A
Dimethyl Phthalate	131-11-3	10			0	0	0	0	350000	1E+100	1E+100	1E+100	1E+100	1100000	N/A
Di-n-Butyl Phthalate	84-74-2	10			0	0	0	0	3500	1E+100	1E+100	1E+100	1E+100	4500	N/A
2,4-Dinitrotoluene	121-14-2	10			0	0	0	0	1.1	1E+100	1E+100	1E+100	1E+100	34	N/A
1,2-Diphenylhydrazine	122-66-7	20			0	0	0	0	0.44	1E+100	1E+100	1E+100	1E+100	2	N/A
Fluoranthene	206-44-0	10			0	0	0	0	1400	1E+100	1E+100	1E+100	1E+100	140	N/A
Fluorene	86-73-7	10			0	0	0	0	1400	1E+100	1E+100	1E+100	1E+100	5300	N/A
Hexachlorobenzene	118-74-1	5			0	0	0	0	1	1E+100	1E+100	1E+100	1E+100	0.0029	N/A
Hexachlorobutadiene	87-68-3	10			0	0	0	0	4.5	1E+100	1E+100	1E+100	1E+100	180	N/A
Hexachlorocyclopentadiene	77-47-4	10			0	0	0	0	50	1E+100	1E+100	1E+100	1E+100	1100	N/A
Hexachloroethane	67-72-1	20			0	0	0	0	25	1E+100	1E+100	1E+100	1E+100	33	N/A
Indeno(1,2,3-cd)Pyrene	193-39-5	5			0	0	0	0	0.048	1E+100	1E+100	1E+100	1E+100	0.18	N/A
Isophorone	78-59-1	10			0	0	0	0	368	1E+100	1E+100	1E+100	1E+100	9600	N/A
Nitrobenzene	98-95-3	10			0	0	0	0	18	1E+100	1E+100	1E+100	1E+100	690	N/A
n-Nitrosodimethylamine	62-75-9	50			0	0	0	0	0.0069	1E+100	1E+100	1E+100	1E+100	30	N/A
n-Nitrosodi-n-Propylamine	621-64-7	20			0	0	0	0	0.05	1E+100	1E+100	1E+100	1E+100	5.1	N/A
n-Nitrosodiphenylamine	86-30-6	20			0	0	0	0	71	1E+100	1E+100	1E+100	1E+100	60	N/A
Nonylphenol	84852-15-3				0	0	0	0	1E+100	1E+100	1E+100	28	6.6	1E+100	N/A
Pyrene	129-00-0	10			0	0	0	0	1050	1E+100	1E+100	1E+100	1E+100	4000	N/A
1,2,4-Trichlorobenzene	120-82-1	10			0	0	0	0	70	1E+100	1E+100	1E+100	1E+100	70	N/A

POLLUTANTS	CAS No.	MQL	Instream Waste Concentration							Livestock & Wildlife Criteria	Acute Aquatic Criteria	Chronic Aquatic Criteria	Human Health Criteria	Need TMDL	
			Ambient Conc	Effluent Conc.	Acute Aquatic	Domestic Supply	Chronic Aquatic	Human Health	Domestic Criteria						
			Ca (ug/l)	Ce (ug/l)	2.13*Ce	Cd_dom (ug/l)	Cd (ug/l)	Cd,hh (ug/l)	ug/l						
<b>PESTICIDES AND PCBS</b>															
Aldrin	309-00-2	0.01			0	0	0	0	0.021	1E+100	1E+100	3	1E+100	0.0005	N/A
Alpha-BHC	319-84-6	0.05			0	0	0	0	0.056	1E+100	1E+100	1E+100	1E+100	0.049	N/A
Beta-BHC	319-85-7	0.05			0	0	0	0	0.091	1E+100	1E+100	1E+100	1E+100	0.17	N/A
Gamma-BHC	58-89-9	0.05			0	0	0	0	0.2	1E+100	1E+100	0.95	1E+100	1.8	N/A
Chlordane	57-74-9	0.2			0	0	0	0	2	1E+100	1E+100	2.4	0.0043	0.0081	N/A
4,4'-DDT and derivatives	50-29-3	0.02			0	0	0	0	1	1E+100	0.001	1.1	0.001	0.0022	N/A
Dieldrin	60-57-1	0.02			0	0	0	0	0.022	1E+100	1E+100	0.24	0.056	0.00054	N/A
Diazinon	333-41-5				0	0	0	0	1E+100	1E+100	1E+100	0.17	0.17	1E+100	N/A
Alpha-Endosulfan	959-98-8	0.01			0	0	0	0	62	1E+100	1E+100	0.22	0.056	89	N/A
Beta-Endosulfan	33213-65-9	0.02			0	0	0	0	62	1E+100	1E+100	0.22	0.056	89	N/A
Endosulfan sulfate	1031-7-8	0.1			0	0	0	0	62	1E+100	1E+100	1E+100	1E+100	89	N/A
Endrin	72-20-8	0.02			0	0	0	0	2	1E+100	1E+100	0.086	0.036	0.06	N/A
Endrin Aldehyde	7421-93-4	0.1			0	0	0	0	10.5	1E+100	1E+100	1E+100	1E+100	0.3	N/A
Heptachlor	76-44-8	0.01			0	0	0	0	0.4	1E+100	1E+100	0.52	0.0038	0.00079	N/A
Heptachlor Epoxide	1024-57-3	0.01			0	0	0	0	0.2	1E+100	1E+100	0.52	0.0038	0.00039	N/A
PCBs	1336-36-3	0.2			0	0	0	0	0.5	1E+100	0.014	2	0.014	0.00064	N/A
Toxaphene	8001-35-2	0.3			0	0	0	0	3	1E+100	1E+100	0.73	0.0002	0.0028	N/A

Note: SCORRET CODE for reference only. Codes for total form are used except for parameters which have criteria in both total and dissolved forms.

**STEP 3:** SCAN POTENTIAL INSTREAM WASTE CONCENTRATIONS AGAINST WATER QUALITY CRITERIA AND ESTABLISH EFFLUENT LIMITATIONS FOR ALL APPLICABLE PARAMETERS

No limits are established if the receiving stream is not designated for the particular uses.

No limits are established if the potential instream waste concentrations are less than the chronic water quality criteria.

The most applicable stringent criteria are used to establish effluent limitations for a given parameter.

Water quality criteria apply at the end-of-pipe for acute aquatic life criteria and discharges to public lakes.

If background concentration exceeds the water quality criteria, water quality criteria apply. And "Need TMDL" shown to the next column of Avg. Mass

Monthly avg concentration = daily max. / 1.5.

**APPLICABLE WATER QUALITY-BASED LIMITS**

The following formula is used to calculate the allowable daily maximum effluent concentration

See the current "Procedures for Implementing NPDES Permits in New Mexico"

Daily Max. Conc. =  $C_s + (C_s - C_a)(F \cdot Q_a / Q_e)$

Monthly Avg. Conc. = Daily Max. Conc. / 1.5

Where:  $C_s$  = Applicable water quality standard

$C_a$  = Ambient stream concentration

$F$  = Fraction of stream allowed for mixing (1.0 is assigned to domestic water supply and human health uses)

$Q_e$  = Plant effluent flow

$Q_a$  = Criteria Low flow (4Q3) or Harmonic Mean flow for Human Health Criteria





