UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TEXAS 75202 – 2733

0 8 NOV 2018

CERTIFIED MAIL: RETURN RECEIPT REQUESTED (7014 0150 0000 2406 3834)

Mr. Andres Ramirez
El Paso Electric Company- Rio Grande Power Plant
P.O. Box 982
El Paso, TX 79960

Re: NPDES Permit No. NM0000108
Final Permit Decision

Dear Mr. Ramirez:

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 CFR124.19, 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 Isaac Chen of the NPDES Permits & TMDLs Branch at the above address or VOICE:214-665-7364, FAX:214-665-2191, or EMAIL:chen.isaac@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 VOICE: 214-665-6468.

Sincerely yours,

Charles W. Maguire
Director
Water Division

Enclosures

cc (w/enclosures): New Mexico Environment Department

NPDES PERMIT NO. NM0000108
RESPONSE TO COMMENTS

RECEIVED ON THE SUBJECT DRAFT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES) PERMIT IN ACCORDANCE WITH REGULATIONS LISTED AT 40CFR124.17

APPLICANT:	El Paso Electric Company- Rio Grande Power Plant P.O. Box 982 El Paso, TX 79960
ISSUING OFFICE:	U.S. Environmental Protection Agency Region 6 1445 Ross Avenue Dallas, Texas 75202-2733
PREPARED BY:	Isaac Chen Environmental Engineer Permits & Technical Section (6WQ-PP) NPDES Permits Branch Water Quality Protection Division VOICE: 214-665-7364 FAX: 214-665-2191 EMAIL: chen.isaac@epa.gov
PERMIT ACTION:	Final permit decision and response to comments received on the draft reissued NPDES permit publicly noticed on July 28, 2018.
DATE PREPARED:	October 2, 2018

Unless otherwise stated, citations to 40CFR refer to promulgated regulations listed at Title 40, Code of Federal Regulations, revised as of September 7, 2018.

SUBSTANTIAL CHANGES FROM DRAFT PERMIT

There are changes, pursuant to State conditions of Certification, from the draft reissued permit publicly noticed on July 28, 2018. All other changes and their rationale for changes can be found in the following response to certification or response to comments.

1. Add reduction evaluation requirement for alpha-BHC.

State Certification

Ms. Shelly Lemon (NMED) letter to Mr. Charles Maguire (EPA 6), dated September 24, 2018, certifies that the discharge will comply with the applicable provisions of the Clean Water Act and with appropriate requirements of State law upon inclusion of conditions specified in the letter.

Response to Conditions of Certification

Conditions on Alpha-BHC: The NMED set three conditions regarding alpha-BHC as below: (1) If USEPA determines that the authorized discharge would cause, have the reasonable potential to cause, or contribute to an excursion of applicable NMWQS for alpha-BHC, then Part I.A of the Final Permit must control alpha-BHC concentration in the discharge with an effluent limitation of 0.1639386 µg/L or less for Outfall 001 to ensure that Permittee activities authorized in the NPDES permit are protective of NMWQS uses in 20.6.4.101 NMAC and HH-OO criteria for alpha-BHC in 20.6.4.900.J(l) NMAC per Antidegradation Policy and Implementation Plan in 20.6.4.8 NMAC consistent with the Statewide WQMP/CPP, including Appendix A at a monitoring frequency no less than once a year per 40 CFR 122.44(i)(2) consistent with CWA Section 401 (d). USEPA may incorporate further conditions (e.g., reporting of loading, reporting of monthly average, monitoring frequency and sample type), as needed or as appropriate, consistent with the WQMP and NMIP.

(2) If USEPA determines that the authorized discharge would cause, have the reasonable potential to cause, or contribute to an excursion of applicable NMWQS for alpha-BHC, then Part I.A of the Final Permit must control alpha-BHC concentration in the discharge with an effluent limitation of 0.1639386 µg/L or less for Outfall 002 to ensure that Permittee activities authorized in the NPDES permit are protective of NMWQS uses in 20.6.4.101 NMAC and HH-OO criteria for alpha-BHC in 20.6.4.900.J(l) NMAC per Antidegradation Policy and Implementation Plan in 20.6.4.8 NMAC consistent with the Statewide WQMP/CPP, including Appendix A at a monitoring frequency no less than once a year per 40 CFR 122.44(i)(2) consistent with CWA Section 401 (d). USEPA may incorporate further conditions (e.g., reporting of loading, reporting of monthly average, monitoring frequency and sample type), as needed or as appropriate, consistent with the WQMP and NMIP. And,

(3) If USEPA determines that the authorized discharge would not cause, have the reasonable potential to cause, or contribute to an excursion of NMWQS for alpha-BHC, then the Final Permit must include additional effluent characteristic testing and/or study for alpha-BHC for Outfall 002 and Outfall 001, should a discharge at Outfall 001 occur, with a reopener clause condition to ensure that Permittee activities authorized in the NPDES permit are protective of

NMWQS uses in 20.6.4.98 or 20.6.4.99 NMAC, 20.6.4.101 NMAC and HH-OO criteria for alpha-BHC in 20.6.4.900.J(1) NMAC consistent with CWA Section 401(d). USEPA may incorporate further conditions (e.g., reporting of loading and monthly average, monitoring frequency and sample type), as needed or as appropriate, consistent with the WQMP and NMIP.

NMED gave additional references and justification to issue the condition of certification and it stated "EPE's revised application and comments submitted within the comment period for the Draft Permit, which included additional information on flow and data on alpha-BHC concentration were considered by NMED in supplemental analyses for Outfall 001 to Rio Grande, Outfall 002 to the Rio Grande, Outfall 002 to Montoya Drain, and combined or "taken together" Outfall 001 and Outfall 002 discharges conducted by NMED SWQB. The supplemental analyses indicated that there is a reasonable potential to exceed NMWQS for alpha-BBC. The supplemental analyses used an average alpha-BHC concentration of 4.14 µg/L, highest monthly average flow reported for the past 24 months prior to the application being submitted of 0.59 million gallons per day (MGD) for Outfall 002, annualized or long-term estimated average flow provided on EPE's revised application of 0.001 MGD for Outfall 001, calculated in-stream harmonic mean critical low flows applicable to the alpha-BHC Human Health HH-OO criteria per 20.6.4.11.B(l) NMAC. The results of the supplemental analyses using EPE's revised and additional data were considered and used in a quantitative Tier 2 Antidegradation Screens conducted by NMED SWQB to determine an allowable alpha-BHC concentration for this renewal of a permit for an existing discharge by an industrial activity taken together with all other activities allowed of 0.1639386 µg/L or less would be considered "de minimis. Otherwise, a Antidegradation Tier 2 review would need to be conducted per the Antidegradation Policy Implementation Procedure and approved by the WQCC."

EPA Response: EPA stated in the fact sheet dated June 25, 2018, to the proposed permit that "EPE has two outfalls (001 and 002) that are permitted to discharge cooling tower blowdown and storm water. Outfall 001 is designed to discharge directly into the Rio Grande Segment No. 20.6.4.101 of the Rio Grande Basin. However, Outfall 001 has not discharged since 2010. EPE maintains this outfall in their permit for emergency purposes only, such as times of extreme flooding conditions within the plant. EPE claims that the overall quality of the Outfall 001 discharge would be similar to the cooling tower blowdown and/or storm water discharged through Outfall 002. Outfall 002 discharges to an unclassified receiving water named Montoya Drain thence to receiving water named Rio Grande in Segment No. 20.6.4.101 of the Rio Grande Basin." Because Outfall 001 has been designated for emergency discharge and has not had discharges for years, EPA has no flow information to demonstrate a Reasonable Potential (RP). Discharges at Outfall 002 are to an unclassified Montoya Drain prior to reaching the Rio Grande, therefore, the historical low flow of Rio Grande could not be applied at calculations of RP and effluent limitation. However, effluent data from Outfall 002 indicated that alpha-BHC has not been detected and the detection level of 0.0000240 mg/l (or 0.0240 µg/l) is below NMED suggested 0.1639386 µg/l, EPA determines that discharges from EPA have no RP to cause or contribute to exceedance of state applicable water quality standards. To satisfy State's conditions of CWA 401 certification, EPA requires EPE to conduct a Reduction Evaluation. If alpha-BHC is detected above 0.1639386 µg/l, EPE must identify the sources of alpha-BHC, to take proper actions to reduce or prevent the pollutant from entering into the discharge, and submit a final report by 180 days prior the expiration date of the final permit. EPA will determine, based on the

findings of the report, whether or not to establish effluent limitation for alpha-BHC when EPA reissues the permit in 2023.

Condition on Dissolved Boron Monitoring: The NMED also conditioned that Part I.A of the Final Permit must retain the dissolved boron monitoring for both Outfall 001 and Outfall 002 in the Draft Permit no less than once a year per 40 CFR § 122.44(i)(2) with a reopener clause condition to ensure that Permittee activities authorized in the NPDES permit are protective of NMWQS 20.6.4.98 or 20.6.4.99, and 20.6.4.101 NMAC, and irrigation use-specific numeric criteria for dissolved boron in 20.6.4.900 NMAC consistent with CWA Section 401(d).

EPA Response: Monitoring requirement for dissolved boron is retained in the final permit.

NMED Comments on Boron and alpha-BHC: NMED made comments in response to EPE's comments on boron and alpha-BHC. NMED's comment on boron stated "EPE's request to remove quarterly dissolved boron monitoring and additional data was considered as well as other factors including in-stream data, effluent data and that no TMDL/WLA has been developed. In this case, observed effluent pollutant concentrations are not only reportable, but exceed the target numeric criterion. Also, the listed impairment was due to observed in-stream boron concentrations downstream of the facility's discharge. Therefore, NMED has decided that a condition is required to retain monitoring with a re-opener clause in the Final Permit to ensure protection of NMWQS as discussed above." NMED's comment on alpha-BHC stated "EPE Comment 2 discusses and submitted additional analytical results from sample collection on July 31, 2018 from Outfall 002 discharge, intake well water, duplicates for metals, Gross Alpha, and alpha-BHC. The data was used in supplemental analyses, including antidegradation screens, to determine which pollutants, if any, required protective limitations to protect applicable NMWQS in 20.6.4.900.J(l) NMAC. As the result of the supplemental analyses conducted by NMED SWQB, only effluent concentrations for alpha-BHC were shown to be required as addressed in Conditions of Certification 1, 2 and 3."

EPA Response: NMED's Comments have been noted. The final permit contains the monitoring requirement for dissolved boron as required by NMED. In terms of alpha-BHC, NMED averaged the previously reported 8.28 µg/l and a new non-detectable value (0.00) and determined that alpha-BHC needs to be further addressed in the State certification letter. But, EPA determined, based on non-detectable values from four samples (i.e., two in-take and two effluent samples), that new information has demonstrated no RP for alpha-BHC. Therefore, Condition 3 is incorporated into the final permit.

NMED Comment on Other Possible Pollutants: NMED stated that "EPE provided information on maximum pump rate should a discharge occur at Outfall 001 of 0.36 MGD. Based on supplemental analyses conducted by NMED SWQB, over approximately 30% of the maximum pumping rate (e.g., greater than 0.108 MGD) may have reasonable potential to exceed applicable alpha-BHC criteria in the Rio Grande." NMED requested that EPA consider adding additional planned or 24-hour reporting, proper maintenance and operation, and/or emergency discharge conditions in the Final Permit. Reporting conditions should include examples of information to be provided (e.g., date, time, duration, pumping rate of

the discharge from Outfall 001, estimated discharge flow from Outfall 002, and estimated flow rate of the Rio Grande).

EPA Response: Additional effluent data have shown that alpha-BHC were not detected. It is unlikely the facility will contribute alpha-BHC. The possible sources of alpha-BHC could be pesticides or storm runoffs. EPE has provided product material safety data sheet (MSDS) which shows pesticides used in the property do not contain alpha-BHC. Additional data submitted by EPE also indicated alpha-BHC were not detected in the intake. Based on the most recent information available, EPA does not consider any additional monitoring or reporting requirements are necessary.

NMED Comment on Downstream Water Quality: NMED stated that "Downstream water quality standards were not discussed in the USEPA Fact Sheet dated June 25, 2018 for the Draft Permit. NMED requests that EPA discuss in the Response to Comments for this Final Permit the applicability of 33 U.S. Code § 1341, Subsection (a)(2), and if required, results of notification to downstream affected States."

EPA Response: The NM/TX border is approximately 600 feet downstream of Outfall 001. NMED SWQB MASS has a station below the EPE discharge points:

AU ID: NM-2101_00
AU NAME: Rio Grande (International Mexico bnd to Anthony Bridge)
WQS CITATION NUMBER: 20.6.4.101
MLOC ID: 42RGrand002.7
MLOC NAME: RIO GRANDE AT CORCHESNE BRIDGE- 42RGrand002.7
MLOC LATITUDE: 31.8028
MLOC LONGITUDE: -106.541

Field measurements and chemical ambient data from NMED SWQB MASS station 42RGrand002.7 approximately 600 feet downstream of El Paso Electric Company collected in December 2010 through April 2012 were used in the analysis. Using NMED SWQB MASS hardness calculator spreadsheet, the geometric average concentrations for dissolved Calcium and dissolved Magnesium had a calculated hardness as $CaCO3 = 320$ mg/L. Calculated geometric means for Total Suspended Solids (TSS) = 94 mg/L, pH = 8.2 su, and Temperature range 8 - 25 °C.

NMED had a concern that if a discharge occurs at Outfall 001, the upstream ambient water quality data may not represent ambient water quality at Outfall 002. To address NMED's concern, EPA had evaluated the downstream ambient water data. EPA knew that other potential sources, other than discharges from El Paso, may contribute pollutants to the downstream RIO GRANDE AT CORCHESNE BRIDGE- 42RGrand002.7 monitoring station. But, because the downstream station is only about 600 feet from El Paso discharges, pollutants contributed from other sources may be limited.

Information available to EPA has shown:

Ambient Data Below EPE vs NMWQS

Pollutants Detected	Ambient Value	Applicable NMWQS	Exceedance of WQS
Total (T-) Aluminum	0.2096 mg/l	6.7268	N
T- Arsenic	0.0064 mg/l	0.009	N
Dissolved (D-) Barium	0.0919	Not Applicable-NA	N
D- Baron	0.3552 mg/l	0.750	N
T- Bromide	0.3120 mg/l	NA	N
T- Chloride	211.01 mg/l	400	N
T- Chloromethane	0.5197 µg/l	NA	N
T- Di(2-ethylhexyl) phthalate	0.2511 µg/l	22	N
E. coli	111.13 cfu/100 ml	NA	N
T- Gross Alpha	6.2 pCi/L	15	N
T- Gross Beta	11.4 pCi/L	NA	N
D- Manganese	0.0250 mg/l	2.429	N
T- Phosphorus	0.332 mg/l	NA	N
T- Sulfate	282.08 mg/l	500	N
Total Dissolved Solid	1022 mg/l	2000	N
Temperature	17 °C	34 °C	N
D- Uranium	0.006 mg/l	NA	N
D- Vanadium	0.0045 mg/l	0.100	N

Because Outfall 001 has not discharged for years, EPA does not have effluent characteristics to determine impacts caused by Outfall 001 discharges. The permit has established monitoring requirements for Outfall 001 when a discharge occurs that will provide data for future "RP" analysis that would account for Outfall 001 contributions.

EPA has also used TEXTOX MENU #3 - PERENNIAL STREAM OR RIVER to run a "RP" scanning against Texas WQS assuming the discharge is directly to the water of Texas at a 4Q3, instead of 7Q10, low flow rate and found that discharges from EPE has no RP to cause to exceedance of Texas WQS.

EPE Effluent Data vs. Texas WQS (Unit: µg/l)

Pollutants Detected	Instream Concentration	Applicable Texas WQS	Exceedance of WQS
Aluminum	84.4	991 AAL	N
Barium	13	NA	N
Baron	376	NA	N
Cobat	1.21	NA	N
Ra-126&128	0.02	NA	N
Gross Alpha	7.04	NA	N
Nitrite-Nitrate	0.22	NA	N
Antimony	0.107	1071 HH	N
Arsenic	7.17	150 CAL	N
Beryllium	0.017	NA	N

Cadmium	0.012	0.447 CAL	N
Chromium	1.08	10 CAL	N
Copper	0.55	19.8 CAL	N
Lead	0.008	6.34 CAL/3.83 HH	N
Mercury	0.01	1.3 CAL/0.0122 HH	N
Molybdenum	8.29	NA	N
Nickel	0.305	107.9 CAL/1.14 HH	N
Selenium	0.005	5 CAL	N
Silver	0.005	0.8 AAL	N
Thallium	0.02	0.23 HH	N
Zinc	0.866	245.4 CAL	N
Clorodibromomethane	0.22	239 HH	N
Chloroform	0.89	7697 HH	N
Dichlorobromomethane	0.035	NA	N

Note: AAL- Acute Aquatic Life; CAL- Chronic Aquatic Life; HH- Human Health-Fish

Comments from El Paso Electric Company

The El Paso Electric Company letter, dated August 21, 2018, received by EPA on August 27, 2018.

Comment 1: The El Paso Electric Company (EPE) requested that the proposed monitoring requirement for dissolved boron be removed from the final permit because the Total Maximum Daily Load (TMDL) for boron has not been established. EPE suggested that the permit may be reopened for modification when the TMDL is developed in 2019.

EPA Response: Monitoring requirement for dissolved boron is retained in the final permit as required by the NMED's condition of certification.

Comment 2: The EPE provided additional analytical intake well water and effluent data for Outfall 002. Pollutants of concern raised by NMED are Alpha-BHC, dissolved boron, dissolved arsenic, dissolved copper, total recoverable selenium, and adjusted gross alpha.

EPA Response: EPA has addressed alpha-BHC in response to NMED's Condition of Certification above. Below is the summary of analytical results:

Pollutant	Outfall, mg/l	Outfall, mg/l	Intake, mg/l	Intake, mg/l
Alpha-BHC	< 0.0000240	< 0.0000240	< 0.0000240	< 0.0000240
Dis. Arsenic	0.0535	0.0540	0.00917	0.01
Dis. Boron	1.42	1.41	0.288	0.315
Dis. Copper	0.0142	0.0137	0.00221	0.00245
Tot. Selenium	0.00583	0.00606	0.0011	0.000996
Gross Alpha	10.1 pCi/L	15.2 pCi/L	NA	NA

Region 6
1445 Ross Avenue
Dallas, Texas 75202-2733

NPDES Permit No. **NM0000108**

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"),

El Paso Electric Company
Rio Grande Power Station
P.O. Box 982
El Paso, TX 79960-0982

is authorized to discharge from Rio Grande Power Station located at 3501 Doniphan, in Sunland Park, Dona Ana County, New Mexico

to receiving water named Rio Grande in Segment No. 20.6.4.101 of the Rio Grande Basin, from

Outfall 001:	Latitude: 31° 48' 13"	Longitude: 106° 32' 47"
Outfall 002:	Latitude: 31° 48' 16"	Longitude: 106° 32' 59"
Internal Outfall 106:	Latitude: 31° 48' 16"	Longitude: 106° 32' 52.5"
Internal Outfall 107:	Latitude: 31° 48' 50"	Longitude: 106° 32' 53.5"
Internal Outfall 108:	Latitude: 31° 48' 17.4"	Longitude: 106° 32' 55.4"
Internal Outfall 109:	Latitude: 31° 48' 17.9"	Longitude: 106° 32' 56.5"

in accordance with this cover page and effluent limitations, monitoring requirements, and other conditions set forth in Parts I [Requirements for NPDES Permits], II [Other Conditions], and III [Standard Conditions for NPDES Permits] hereof.

This permit supersedes and replaces NPDES Permit No. NM0000108 issued June 28, 2013.

This permit shall become effective on January 1, 2019

This permit and the authorization to discharge shall expire at midnight, December 31, 2023

Issued on 08 NOV 2018

Charles Maguire
Director
Water Division

Prepared by

Isaac Chen
Environmental Engineer
Permitting Section (6WQ-PP)

PART I – REQUIREMENTS FOR NPDES PERMITS

SECTION A. LIMITATIONS AND MONITORING REQUIREMENTS

1. Outfalls 001

During the period beginning the effective date of the permit and lasting through the expiration date of the permit (unless otherwise noted), the permittee is authorized to discharge from Outfall 001 (*1). Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS Standard Units		MONITORING REQUIREMENTS	
POLLUTANT	MINIMUM	MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
pH	6.6	9.0	1/Week	Grab

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS lbs/day, unless noted		mg/l, unless noted (*2)		MONITORING REQUIREMENTS	
POLLUTANT	30-Day Avg	Daily Max	30-Day Avg	Daily Max	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow	Report MGD	Report MGD	***	***	Continuous	Totalizing Meter
Total Suspended Solids	N/A	N/A	30	100	1/Week	Grab
Oil and Grease	N/A	N/A	15	20	1/Week	Grab
Total Residual Chlorine	N/A	N/A	N/A	0.019 (*3)	1/Week	Instantaneous Grab
Total Copper	N/A	N/A	0.0753	0.113	1/Week	Grab
Total Dissolved Solids	N/A	N/A	Report	Report	1/Quarter (*4)	Grab
Chloride	N/A	N/A	Report	Report	1/Quarter (*4)	Grab
Dissolved Boron	N/A	N/A	Report	Report	1/Quarter	Grab

EFFLUENT CHARACTERISTICS	DISCHARGE MONITORING	MONITORING REQUIREMENTS	
WHOLE EFFLUENT TOXICITY TESTING (*5) (48-Hour Acute Static Renewal)	VALUE	MEASUREMENT FREQUENCY	SAMPLE TYPE
Daphnia pulex	Report	1/6 Months	24-Hr Composite
Pimephales promelas	Report	1/6 Months	24-Hr Composite

Footnotes:
*1 Monitoring from each outfall discharging is required. If an outfall is not discharging during the month, note on the DMR form No Discharge.
*2 See **Appendix A of Part II** of the permit for minimum quantification limits.
*3 Regulations at 40 CFR Part 136 define "instantaneous grab" as analyzed within 15 minutes of collection. The effluent limitation for TRC is the instantaneous
maximum and cannot be averaged for reporting purposes.
*4 Monitoring of total dissolved solids, and chloride shall be year round at once per quarter.
*5 WET testing is required from only one outfall for each reporting period. If both Outfalls 001 and 002 are discharging process wastewater, then testing from Outfall 002 shall be required. Only when Outfall 002 is not discharging process wastewater and Outfall 001 is shall WET samples be obtained from Outfall 001.

SAMPLING LOCATION(S)

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): Outfalls 001.

1. Outfall 002

During the period beginning the effective date of the permit and lasting through the expiration date of the permit (unless otherwise noted), the permittee is authorized to discharge from Outfall 002 (*1). Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS		DISCHARGE LIMITATIONS Standard Units		MONITORING REQUIREMENTS	
POLLUTANT	STORET CODE	MINIMUM	MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
pH	00400	6.6	9.0	1/Week	Grab

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS lbs/day, unless noted		mg/l, unless noted (*2)		MONITORING REQUIREMENTS	
POLLUTANT	30-Day Avg	Daily Max	30-Day Avg	Daily Max	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow	Report MGD	Report MGD	***	***	Continuous	Totalizing Meter
Total Suspended Solids	N/A	N/A	30	100	1/Week	Grab
Oil and Grease	N/A	N/A	15	20	1/Week	Grab
Total Residual Chlorine	N/A	N/A	N/A	0.019 (*3)	1/Week	Instantaneous Grab
Total Dissolved Solids	N/A	N/A	Report	Report	1/Quarter (*4)	Grab
Chloride	N/A	N/A	Report	Report	1/Quarter (*4)	Grab
Dissolved Boron	N/A	N/A	Report	Report	1/Quarter	Grab

EFFLUENT CHARACTERISTICS	DISCHARGE MONITORING	MONITORING REQUIREMENTS	
WHOLE EFFLUENT TOXICITY TESTING (*5) (48-Hour Acute Static Renewal)	VALUE	MEASUREMENT FREQUENCY	SAMPLE TYPE
Daphnia pulex	Report	1/6 Months	24-Hr Composite
Pimephales promelas	Report	1/6 Months	24-Hr Composite

Footnotes:
*1 Monitoring from each outfall discharging is required. If an outfall is not discharging during the month, note on the DMR form No Discharge.
*2 See **Appendix A of Part II** of the permit for minimum quantification limits.
*3 Regulations at 40 CFR Part 136 define "instantaneous grab" as analyzed within 15 minutes of collection. The effluent limitation for TRC is the instantaneous
maximum and cannot be averaged for reporting purposes.
*4 Monitoring of total dissolved solids, and chloride shall be year round at once per quarter.
*5 WET testing is required from only one outfall for each reporting period. If both Outfalls 001 and 002 are discharging process wastewater, then testing from Outfall 002 shall be required. Only when Outfall 002 is not discharging process wastewater and Outfall 001 is shall WET samples be obtained from Outfall 001.

SAMPLING LOCATION(S)

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): Outfall 002.

2. Internal Outfalls 106, 107, 108 & 109

During the period beginning the effective date of the permit and lasting through the expiration date of the permit (unless otherwise noted), the permittee is authorized to discharge metal cleaning wastewater from Internal Outfalls 106, 107, 108 and 109. Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS		DISCHARGE LIMITATIONS Standard Units		MONITORING REQUIREMENTS	
POLLUTANT	STORET CODE	MINIMUM	MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
pH	00400	6.0	9.0	1/Day	Grab

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS lbs/day, unless noted		DISCHARGE LIMITATIONS mg/l, unless noted (*2)		MONITORING REQUIREMENTS	
POLLUTANT	30-Day Avg	Daily Max	30-Day Avg	Daily Max	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow	Report MGD	Report MGD	***	***	1/Day	Estimate (*1)
Total Suspended Solids	N/A	N/A	30	100	1/Day	Grab
Oil and Grease	N/A	N/A	15	20	1/Day	Grab
Total Copper	N/A	N/A	1.0	1.0	1/Day	Grab
Total Iron	N/A	N/A	1.0	1.0	1/Day	Grab

Footnote:

*1 "Estimate" flow measurements shall not be subject to the accuracy provisions established at Part III.C.6. Flow may be estimated using sound analytical techniques.

*2 See **Appendix A of Part II** of the permit for minimum quantification limits.

SAMPLING LOCATION(S)

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): Internal Outfalls 106, 107, 108 and 109 prior to co-mingling with other waste sources.

BLANK PAGE

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.

ALTERNATE TEST PROCEDURE

Test method approved or accepted by the USEPA Alternate Test Procedure Program may be used as an alternate method for the above regulated parameters.

B. SCHEDULE OF COMPLIANCE

The El Paso Electric Company is required to conduct, at least, one effluent test for alpha-BHC at Outfall 001 (if a discharge occurs) and Outfall 002 between January 2020 and December 2021. If alpha-BHC is detected above 0.1639386 µg/l, EPE must identify the sources of alpha-BHC, to take proper actions to reduce or prevent the pollutant from entering into the discharge, and submit a final report by 180 days prior the expiration date of the final permit.

C. MONITORING AND REPORTING (MINOR DISCHARGERS)

Discharge Monitoring Report (DMR) results shall be electronically reported to EPA per 40 CFR 127.16. To submit electronically, access the NetDMR website at https://netdmr.epa.gov. Until approved for Net DMR, the permittee shall request temporary or emergency waivers from electronic reporting. To obtain the waiver, please contact: U.S. EPA - Region 6, Water Enforcement Branch, New Mexico State Coordinator (6EN-WC), (214) 665-6468. If paper reporting is granted temporarily, 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 and copies to NMED as required (See Part III.D.IV of the permit).

Monitoring information 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.

3. NO DISCHARGE REPORTING

If there is no discharge from any outfall during the sampling month, place an "X" in the NO DISCHARGE box located in the upper right corner of the Discharge Monitoring Report.

PART II - OTHER CONDITIONS

A. REOPENER CLAUSE

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 State of New Mexico water quality standards are established and/or remanded or/and if any changes are made to the Texas surface water quality standards applicable to the stream segment.

In accordance with 40 CFR Part 122.62(a)(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.

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

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.

None.

C. MINIMUM QUANTIFICATION LEVEL (MQL)

EPA-approved test procedures (methods) for the analysis and quantification of pollutants or pollutant parameters, including for the purposes of compliance monitoring/DMR reporting, permit renewal applications, or any other reporting that may be required as a condition of this permit, shall be sufficiently sensitive. A method is "sufficiently sensitive" when (1) the method minimum level (ML) of quantification is at or below the level of the applicable effluent limit for the measured pollutant or pollutant parameter; or (2) if there is no EPA-approved analytical method with a published ML at or below the effluent limit (see table below), then the method has the lowest published ML (is the most sensitive) of the analytical methods approved under 40 CFR Part 136 or required under 40 CFR Chapter I, Subchapters N or O, for the measured pollutant or pollutant parameter; or (3) the method is specified in this permit or has been otherwise approved in writing by the permitting authority (EPA Region 6) for the measured pollutant or pollutant parameter. The Permittee has the option of developing and submitting a report to justify the use of matrix or sample-specific MLs rather than the published levels. Upon written approval by EPA Region 6 the matrix or sample-specific MLs may be utilized by the Permittee for all future Discharge Monitoring Report (DMR) reporting requirements.

Current EPA Region 6 minimum quantification levels (MQLs) for reporting and compliance are provided in Appendix A of Part II of this permit. The following pollutants may not have EPA approved methods with a published ML at or below the effluent limit, if specified:

POLLUTANT	CAS Number	STORET Code
Total Residual Chlorine	7782-50-5	50060
Cadmium	7440-43-9	01027
Silver	7440-22-4	01077
Thallium	7440-28-0	01059
Cyanide	57-12-5	78248
Dioxin (2,3,7,8-TCDD)	1764-01-6	34675
4, 6-Dinitro-0-Cresol	534-52-1	34657
Pentachlorophenol	87-86-5	39032
Benzidine	92-87-5	39120
Chrysene	218-01-9	34320
Hexachlorobenzene	118-74-1	39700
N-Nitrosodimethylamine	62-75-9	34438
Aldrin	309-00-2	39330
Chlordane	57-74-9	39350
Dieldrin	60-57-1	39380
Heptachlor	76-44-8	39410
Heptachlor epoxide	1024-57-3	39420
Toxaphene	8001-35-2	39400

Unless otherwise indicated in this permit, if the EPA Region 6 MQL for a pollutant or pollutant parameter is sufficiently sensitive (as defined above) and the analytical test result is less than the MQL, then a value of zero (0) may be used for reporting purposes on DMRs. Furthermore, if the EPA Region 6 MQL for a pollutant or parameter is not sufficiently sensitive, but the analytical test result is less than the published ML from a sufficiently sensitive method, then a value of zero (0) may be used for reporting purposes on DMRs."

Similar to the MQL, ML is defined as "The term ''minimum level'' refers to either the sample concentration equivalent to the lowest calibration point in a method or a multiple of the method detection limit (MDL). Minimum levels may be obtained in several ways: They may be published in a method; they may be sample concentrations equivalent to the lowest acceptable calibration point used by a laboratory; or they may be calculated by multiplying the MDL in a method, or the MDL determined by a lab, by a factor." The factor and the MDL determined by a lab should be documented properly with QA/QC.

D. TRANSFORMER FLUID DISCHARGE

There shall be no discharge of transformer fluid containing polychlorinated biphenyl (PCB) compounds.

E. LOW-VOLUME WASTE SOURCES

The term "low-volume wastesources" means, taken collectively as if from one source, wastewater from all sources except those for which specific limitations are otherwise established. Low volume waste sources include, but are not limited to: wastewaters from wet scrubber air pollution control systems, ion exchange water treatment systems, water treatment evaporator blowdown, laboratory and sampling streams, boiler blowdown, floor drains, cooling tower basin cleaning wastes, and recirculating house service water systems. Sanitary and air conditioning wastes are not included.

F. COOLING TOWER MAINTENANCE CHEMICALS

If cooling tower maintenance chemicals are required, the permittee must not use chemicals that contain the 126 priority pollutants (listed at 40CFR423, Appendix A).

The use of chemical additives which may contain any of the 126 priority pollutants or may adversely impact aquatic lives is not authorized unless approval is obtained and limitations are established on a case-by-case basis.

G. OPERATION OF COOLING TOWER

The facility shall operate the cooling tower properly pursuant to the manufacturer's operating manual.

H. WHOLE EFFLUENT TOXICITY TESTING (48-HOUR ACUTE 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 and 002

REPORTED AS FINAL OUTFALL: 001 and 002

CRITICAL DILUTION (%): 50%

EFFLUENT DILUTION SERIES (%): 21%, 28%, 38%, 50%, and 67%

COMPOSITE SAMPLE TYPE: Defined at PART I

TEST SPECIES/METHODS: 40 CFR Part 136

Daphnia pulex acute static renewal 48-hour definitive toxicity test using EPA-821-R-02-012, or the latest 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.

Pimephales promelas (Fathead minnow) acute static renewal 48-hour definitive toxicity test using EPA-821-R-02-012, or the latest 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 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. Acute 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.

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. Test failure is defined as a demonstration of statistically significant lethal effects to a test species at or below the effluent critical dilution.

e. 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 to the WET Coordinator at EPA R6 (6WQ-PO), and 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. Each toxicity test control (0% effluent) must have a survival equal to or greater than 90%.

ii. The percent coefficient of variation between replicates shall be 40% or less in the control (0% effluent) for: Daphnia pulex survival test; and Fathead minnow survival test.

iii. The percent coefficient of variation between replicates shall be 40% or less in the critical dilution, unless significant lethal effects are exhibited for: Daphnia pulex survival test; and Fathead minnow survival test.

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

For the Daphnia pulex survival test and the Fathead minnow survival test, the statistical analyses used to determine if there is a statistically 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-02-012 or the most recent update thereof.

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 90% 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 an NOEC of not less than the critical dilution for the 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., 48 hours);

(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 two flow-weighted composite samples from the outfall(s) listed at Item 1.a above.

ii. The permittee shall collect a second composite sample for use during the 24-hour renewal of each dilution concentration for both tests. The permittee must collect the composite samples so that the maximum holding time for any effluent sample shall not exceed 36 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.

iii. 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.

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. 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 3 of this section.

3. REPORTING

a. The permittee shall prepare a full report of the results of all tests conducted pursuant to this Part in accordance with the Report Preparation Section of EPA-821-R-02-012, 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. 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 report the following results of each valid toxicity test. 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. TEM6C.

(B) Report the NOEC value for survival, Parameter No. TOM6C.

(C) Report the highest (critical dilution or control) Coefficient of Variation, Parameter No. TQM6C.

ii. Daphnia pulex

(A) If the NOEC for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TEM3D.

(B) Report the NOEC value for survival, Parameter No. TOM3D.

(C) Report the highest (critical dilution or control) Coefficient of Variation, Parameter No. TQM3D.

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
METALS, RADIOACTIVITY, CYANIDE and CHLORINE			
Aluminum	2.5	Molybdenum	10
Antimony	60	Nickel	0.5
Arsenic	0.5	Selenium	5
Barium	100	Silver	0.5
Beryllium	0.5	Thalllium	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		
DIOXIN			
2,3,7,8-TCDD	0.00001		
VOLATILE COMPOUNDS			
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		
ACID COMPOUNDS			
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
	BASE/NEUTRAL		
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-Chloronapthalene	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		
	PESTICIDES AND PCBS		
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

Discharge Monitoring Report (DMR) results shall be electronically reported to EPA per 40 CFR 127.16. To submit electronically, access the NetDMR website at https://netdmr.epa.gov. Until approved for Net DMR, the permittee shall request temporary or emergency waivers from electronic reporting. To obtain the waiver, please contact: U.S. EPA - Region 6, Water

Enforcement Branch, New Mexico State Coordinator (6EN-WC), (214) 665-6468. If paper reporting is granted temporarily, 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 and copies to NMED as required. Duplicate copies of all other reports shall be submitted to NMED 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 gathered and evaluated 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 have no personal knowledge that the information submitted is other than 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 =

$$\frac{C_1F_1 + C_2F_2 + \ldots + C_nF_n}{F_1 + F_2 + \ldots + F_n}$$

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.