#### CERTIFIED MAIL – RETURN RECEIPT REQUESTED

September 3, 2022

David Weyandt, Wastewater Reclamation Supervisor Alamogordo Wastewater Reclamation Facility 42 Valley View Drive La Luz, New Mexico 88337

### RE: Draft Discharge Permit Renewal, DP-806, City of Alamogordo Sludge Disposal Site

Dear David Weyandt:

The New Mexico Environment Department (NMED) hereby provides notice to the City of Alamogordo of the proposed approval of Ground Water Discharge Permit Renewal, DP-806, (copy enclosed), pursuant to Subsection H of 20.6.2.3108 NMAC. NMED will publish notice of the availability of the draft Discharge Permit in the near future for public review and comment and will forward a copy of that notice to you.

Prior to making a final ruling on the proposed Discharge Permit, NMED will allow 30 days from the date the public notice is published in the newspaper for any interested party, including the Discharge Permit applicant, i.e., yourself, to submit written comments or a request a public hearing. A hearing request shall set forth the reasons why a hearing is requested. NMED will hold a hearing in response to a timely hearing request if the NMED Secretary determines there is substantial public interest in the proposed Discharge Permit.

Please review the enclosed draft Discharge Permit carefully. Please be aware that this Discharge Permit may contain conditions that require the permittee to implement operational, monitoring or closure actions by a specified deadline.

Please submit written comments or a request for hearing to my attention at the address below, via email to andrewc.romero@state.nm.us or to pps.general@state.nm.us, or directly into the NMED Public Comment Portal at <u>https://nmed.commentinput.com/comment/search</u>. If NMED does not receive written comments or a request for hearing during the public comment period, the draft Discharge Permit will become final.

Thank you for your cooperation during the review process. Feel free to contact me with any questions at (505) 660-8624.

David Weyandt, DP-806 September 3, 2022 Page 2 of 2

Sincerely,

Andrew Romero, Environmental Scientist

- Encl: Draft Discharge Permit Renewal, DP-806
- cc: David Nunnelley, Utilities Director, dnunnelley@ci.alamogrodo.nm.us



**NEW MEXICO** 

# ENVIRONMENT DEPARTMENT

Ground Water Quality Bureau

1190 Saint Francis Drive / PO Box 5469 Santa Fe, NM 87502-5469 Phone (505) 827-2900 Fax (505) 827-2965 www.env.nm.gov



# Draft: September 3, 2022

# GROUND WATER QUALITY BUREAU DISCHARGE PERMIT Issued under 20.6.2 NMAC

Facility Name: Discharge Permit Number: Facility Location:

County:

Permittee: Mailing Address:

**Facility Contact:** Telephone Number/Email:

Permitting Action:

Permit Issuance Date: Permit Expiration Date:

**NMED Permit Contact:** Telephone Number/Email: City of Alamogordo Sludge Disposal Site DP-806 3290 Airport Road Alamogordo, NM

Otero

David Weyandt 42 Valley View Drive La Luz, NM 88337

David Weyandt 575-439-1606/dweyandt@ci.alamogordo.nm.us

Renewal

DATE DATE

Andrew Romero 505-660-8624/andrewc.romero@state.nm.us 505-827-2900/pps.general@state.nm.us

JUSTIN D. BALL Chief, Ground Water Quality Bureau New Mexico Environment Department

Date

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Discharge Permit Summary

New Mexico Environment Department Ground Water Quality Bureau Monitoring Well Construction and Abandonment Guidelines, Revision 1.1, March 2011 Surface Disposal Data Sheet (SDDS-Sludge - <u>https://www.env.nm.gov/gwb/forms.htm</u>)

#### I. INTRODUCTION

The New Mexico Environment Department (NMED) issues this groundwater discharge permit Renewal (Discharge Permit or DP-806) to the City of Alamogordo (Permittee) pursuant to the New Mexico Water Quality Act (WQA), NMSA 1978 §§74-6-1 through 74-6-17, and the New Mexico Water Quality Control Commission (WQCC) Ground and Surface Water Protection Regulations, 20.6.2 NMAC.

NMED's purpose in issuing this Discharge Permit, and in imposing the requirements and conditions specified herein, is to control the discharge of water contaminants from the City of Alamogordo Sludge Disposal Site (Facility) in order to protect groundwater and those segments of surface water gaining from groundwater inflow for present and potential future use as domestic and agricultural water supply and other uses, and to protect public health. It is NMED's determination in issuing this Discharge Permit that the Permittee has met the requirements of Subsection C of 20.6.2.3109 NMAC. The Permittee is responsible for complying with the terms and conditions of this Discharge Permit pursuant to Section 20.6.2.3104 NMAC; failure to do so may result in enforcement action by NMED (20.6.2.1220 NMAC).

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

The Permittee processes and discharges domestic wastewater treatment facility sludge at the Facility at a volume of up to 49,000 gallons per day (gpd) or up to 243 cubic yards (cy) to five sludge surface disposal sites totaling 480-acres.

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

The Facility is located at 3290 Airport Road, Alamogordo, in Sections 15 and 16, Township 17S, Range 9E, Otero County. A discharge at the Facility is mostly likely to affect groundwater at a depth of approximately 90 feet and having a total dissolved solids (TDS) concentration of approximately 2,000 – 70,000 milligrams per liter.

NMED issued the original Discharge Permit to the Permittee on May 24, 1982, and subsequently renewed and/or modified the Permit on December 20, 1985, March 27, 1987, June 26, 1987, December 23, 1991, March 17, 1992, January 5, 1998, September 12, 2003, June 1, 2009, and July 24, 2015. The application (i.e., discharge plan) associated with this Discharge Permit consists of the materials submitted by the Permittee dated July 27, 2020, and materials contained in the administrative record prior to issuance of this Discharge Permit. The Permittee shall manage the discharge in accordance with all conditions and requirements of this Discharge Permit.

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

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

Abbreviation	Explanation	Abbreviation	Explanation
CFR	Code of Federal Regulations	NMED	New Mexico Environment
			Department
CFU	colony forming unit	NMSA	New Mexico Statutes
			Annotated
Cl	chloride	NO <sub>3</sub> -N	nitrate-nitrogen
EPA	United States Environmental	QA/QC	Quality Assurance/Quality
	Protection Agency		Control
gpd	gallons per day	SDDS	Surface Disposal Data Sheet
LAA	land application area	TDS	total dissolved solids
LADS	Land Application Data Sheet(s)	TKN	total Kjeldahl nitrogen
lbs N/acre	pounds of nitrogen per acre	total nitrogen	= TKN + NO <sub>3</sub> -N
mg/L	milligrams per liter	TS	total solids
mg/kg	milligram per kilogram	WQA	New Mexico Water Quality
			Act
mL	milliliters	WQCC	Water Quality Control
			Commission
NMAC	New Mexico Administrative	WWTF	Wastewater Treatment
	Code		Facility

This Discharge Permit may use the following acronyms and abbreviations.

### II. FINDINGS

In issuing this Discharge Permit, NMED finds the following.

1. The Permittee is discharging effluent or leachate from the Facility so that such effluent or leachate may move into groundwater of the State of New Mexico that has an existing concentration of 10,000 mg/L or less of TDS, within the meaning of Subsection A of

20.6.2.3101 NMAC, without exceeding standards of 20.6.2.3103 NMAC for any water contaminant.

- 2. The Permittee is discharging effluent or leachate from the Facility directly or indirectly into groundwater pursuant to this Discharge Permit and Sections 20.6.2.3000 through 20.6.2.3114 NMAC.
- 3. The discharge from the Facility is not subject to any of the exemptions of Section 20.6.2.3105 NMAC.

### III. AUTHORIZATION TO DISCHARGE

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

 Wastewater Treatment Facility Sludge – This Discharge Permit authorizes the Permittee to receive and discharge up to 49,000 gpd or up to 243 cubic yards of liquid, semi-solid, and solid domestic wastewater treatment facility sludge to five surface disposal cells totaling 480-acres on a rotational basis.

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

### IV. CONDITIONS

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

### A. OPERATIONAL PLAN

#	Terms and Conditions
1.	The Permittee shall implement the following operational plan to ensure compliance with Title 20, Chapter 6, Parts 2 and 4 NMAC.
	[Subsection C of 20.6.2.3109 NMAC]
2.	The Permittee shall operate in a manner that does not violate standards and requirements of Sections 20.6.2.3101 and 20.6.2.3103 NMAC.
	[20.6.2.3101 NMAC, 20.6.2.3103 NMAC, Subsection C of 20.6.2.3109 NMAC]

## **Operational Actions with Implementation Deadlines**

#	Terms and Conditions	
3.	Within 180 days following the issuance date of this Discharge Permit ( <b>by DATE</b> ), th Permittee shall submit an up-to-date diagram of the layout of the entire Facility t NMED. The diagram shall include the following elements:	
	<ul> <li>a north arrow;</li> <li>the issuance date of the diagram;</li> <li>all components of the disposal facility and components;</li> <li>all groundwater monitoring wells; and</li> <li>all sampling locations.</li> </ul>	
	The Permittee shall ensure that any element that cannot be directly shown due to its location inside of existing structures, or because it is buried without surface identification, shall be on the diagram in a schematic format and identified as such. [Subsection C of 20.6.2.3106 NMAC, Subsection A of 20.6.2.3107 NMAC]	
Operational Actions – All Facility Types		

# **Operational Actions – All Facility Types**

#	Terms and Conditions
4.	To prevent surface water run-on and run-off at the Facility, the Permittee shall maintain earthen berms surrounding the perimeter of the Facility and in between disposal cells that are a minimum of 24 inches above natural grade.
	In place of a berm across the Facility entrance, the Permittee shall construct and maintain shallow (minimum depth of six inches) stormwater diversion trenches parallel to and on each side of the Facility entrance gate. The Permittee shall maintain all berms and trenches until termination of this Discharge Permit.
	The Permittee shall inspect the berms on a regular basis and after any major rainfall event and repair as necessary.
	The Permittee shall keep a log of the inspection findings and repairs that includes a date of the inspection and the name of the person responsible for the inspection and shall make the log available to NMED upon request.
	[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]

#	Terms and Conditions	
5.	The Permittee shall maintain fences around the entire disposal Facility to restrict access by the general public and animals. A minimum of a three-strand barbed wire fence including a locked gate shall surround the Facility. The Permittee shall maintain the fences to serve the stated purpose throughout the term of this Discharge Permit.	
	[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]	
6.	<ul> <li>The Permittee shall maintain the following signs at the following locations:</li> <li>Signs posted at the Facility entrance and every 500 feet along the Facility boundary that state: "Notice: Waste Disposal Area - KEEP OUT" and "Aviso: Área de Disposición - NO ENTRAR".</li> <li>A sign posted at the entrance gate with the name of the Facility's contact person, office phone number of the contact person, emergency contact phone number for the Facility, and physical location of the Facility including township, range, and sections.</li> <li>A sign on each tank identifying its contents. Signs on tanks containing contaminated water shall indicate in English and Spanish that the water is not potable.</li> <li>A sign at the boundary of each cell to identify the cell number and the waste type the Permittee is authorized to discharge in the cell.</li> </ul>	
7.	This Discharge Permit authorizes the Permittee to accept domestic wastewater treatment facility sludge. The Permittee may not receive or remediate any other waste types at the Facility.The Permittee shall not combine different waste types. The Permittee shall dispose of waste in separate cells that receive only a single designated waste type.[Subsection C of 20.6.2.3109 NMAC]	
8.	The Permittee shall inspect the Facility weekly and collect any residual solid waste (trash) at the Facility. The Permittee shall dispose of the collected materials in a manner consistent with all local, state, and federal regulations. [Subsection A of 20.6.2.3107 NMAC, Subsections B and C of 20.6.2.3109 NMAC]	
9.	The Permittee shall not discharge liquid wastes during periods of precipitation or when surface soils are frozen or saturated. The Permittee may store wastes on-site in tanker trucks during these periods.	

#	Terms and Conditions
	[Subsection C of 20.6.2.3109 NMAC]

# **Operational Actions – Domestic Wastewater Treatment Facility Sludge**

#	Terms and Conditions	
10.	<ul> <li>The Permittee shall apply liquid, semi-solid and solid domestic wastewater treatmen facility sludge to 5 surface disposal cells totaling 480-acres. The Permittee shall minimize ponding of liquid sludge. The Permittee shall achieve a manner of pathogen reduction requirements and vector attraction reduction (VAR) pursuant to 40 CFR Part 503. The Permittee shall select a VAR option from 40 CFR Part 503.33(b).</li> <li>The Permittee shall record on the manifest the date and time surface disposal occurred and the date, time, and pathogen reduction and VAR method utilized.</li> <li>The Permittee shall keep a file of all manifests and shall make the manifests available to NMED upon request.</li> </ul>	
	[Subsection C of 20.6.2.3109 NMAC]	
11.	The Permittee shall discharge domestic wastewater treatment facility sludge to the disposal cells such that the amount of total nitrogen discharged does not exceed 200 pounds per acre in any 12-month period. The Permittee shall distribute domestic wastewater treatment facility sludge evenly throughout the entire disposal area.	
	[Subsection C of 20.6.2.3109 NMAC]	

## B. MONITORING AND REPORTING

#	Terms and Conditions
12.	The Permittee shall conduct the monitoring, reporting, and other requirements listed below in accordance with the monitoring requirements of this Discharge Permit.
	[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
13.	METHODOLOGY – Unless otherwise specified by this Discharge Permit, or approved in writing by NMED, the Permittee shall use sampling and analytical techniques that conform with the references listed in Subsection B of 20.6.2.3107 NMAC.

#	Terms and Conditions
	[Subsection B of 20.6.2.3107 NMAC]
14.	<ul> <li>Semi-annual monitoring - The Permittee shall perform monitoring and other Permit required actions during the following periods and shall submit semi-annual reports to NMED by the following due dates:</li> <li>January 1<sup>st</sup> through June 30<sup>th</sup> - due by August 1<sup>st</sup>; and</li> <li>July 1<sup>st</sup> through December 31<sup>st</sup> - due by February 1<sup>st</sup>.</li> </ul>
15.	<ul> <li>The Permittee shall retain on-site a manifest for each load of waste received. The manifest shall record the following information:</li> <li>date of receipt;</li> <li>name of the hauling company;</li> <li>name and address of the waste origin;</li> <li>type of waste or description of contamination (differentiate between soil and water);</li> <li>volume of waste;</li> <li>confirmation of inspection for acceptable waste type;</li> <li>signature of person conducting the inspection; and</li> <li>cell identification and location within the cell where the Permittee discharged the waste.</li> <li>The Permittee shall make the manifests available for inspection by NMED upon request. The Permittee shall submit a summary listing the information from each manifest for wastes received during the reporting period to NMED in the semi-annual monitoring</li> </ul>

[NMSA 1978, § 74-6-5.D, Subsection A 20.6.2.3107 NMAC]

### Monitoring Actions with Implementation Deadlines

reports.

16. Within 60 days following the issuance date of this Discharge Permit (by DATE, the Permittee shall submit a written groundwater monitoring well location proposal for NMED review and approval. The proposal shall designate the installation locations of the monitoring wells required by Condition 17 of this Discharge Permit. The proposal shall include, at a minimum, the following information.

a) A map showing the proposed location of the monitoring wells in relation to the boundary of the source it is intended to monitor.

<ul> <li>b) A written description of the specific location proposed for the monitoring wells including the distance (in feet) and direction of the monitoring wells from the edge of the source it is intended to monitor. Examples include: 35 feet north-northwest of the northern berm of the synthetically lined impoundment; 45 feet due south of the surface disposal area; and 30 feet southeast of grease separator.</li> <li>c) A statement describing the groundwater flow direction beneath the Facility, and documentation and/or data supporting the determination.</li> <li>The Permittee must have NMED's approval of all monitoring well locations prior to their installation.</li> <li>[Subsection A of 20.6.2.3107 NMAC]</li> </ul>		
Within 120 days of the issuance date of this Discharge Dermit (he DATE) the Dermittee		
Within 120 days of the issuance date of this Discharge Permit ( <b>by DATE</b> ), the Permittee shall install the following new monitoring wells.		
a) One monitoring well (MW-14) located 20 to 50 feet hydrologically downgradient of		
SDDS-3.		
b) One monitoring well (MW-15) located 20 to 50 feet hydrologically downgradient of		
SDDS-4.		
c) One monitoring well (MW-16) located 20 to 50 feet hydrologically downgradient of		
SDDS-5.		
The Permittee shall complete the wells in accordance with the attachment titled		
(Monitoring Well Guidance) or alternative methods submitted for approval.		
Unless otherwise noted in this Discharge Permit, the requirement to install a monitoring well downgradient of a source is not contingent upon construction of the Eacility, or		
well downgradient of a source is <u>not</u> contingent upon construction of the Facility, or discharge of wastewater from the Facility.		
uscharge of wastewater from the Facility.		
[Subsection A of 20.6.2.3107 NMAC]		
Following the installation of the monitoring wells required by this Discharge Permit, the		
Permittee shall sample groundwater in the wells and analyze the samples for the		
following constituents:		
aluminum     manganese		
arsenic     molybdenum		
barium         • mercury (total unfiltered)		
• boron • NO <sub>3</sub> -N		
• cadmium • pH		
chloride		
chromium         eslenium		

	• cobalt	• silver
	<ul> <li>copper</li> </ul>	• sulfate
	<ul> <li>cyanide</li> </ul>	• TDS
	• flouride	• TKN
	• iron	• Zinc
	• lead	<ul> <li>Polychlorinated biphenyls (PCBs)</li> </ul>
	<ul> <li>according to the following proceduta) Measure the depth-to-most-shitthe nearest one-hundredth of a</li> <li>b) Purge three well volumes of wat</li> <li>c) Obtain samples from the well f</li> <li>d) Properly prepare, preserve, and</li> <li>e) Analyze samples in accordance</li> <li>Within 45 days of the installation of the Vithin 45 days of the installation of the Office of the State Engineer permost-shallow groundwater measures</li> <li>the QA/QC summary report and Chilocation and number of each well.</li> </ul>	allow groundwater from the top of the well casing to a foot. ater from the well prior to sample collection. or analysis. d transport samples. with the methods authorized in this Discharge Permit. of the monitoring wells, the Permittee shall submit a A well completion report shall at a minimum include, ermit, well construction and lithologic logs, depth-to- rements, laboratory analytical data results, including hain of Custody, and a Facility layout map showing the The Permittee shall insure the well completion report in the General Drilling and Well Specifications in the
	[Subsection A of 20.6.2.3107 NMA	C]
19.	Permittee shall perform a profest approved by NMED for Discharge F or referenced to a U.S. Geological S data shall include northing, easting or shall be in accordance with the (12.8.2 NMAC). The survey shall b	uance date of this Discharge Permit ( <b>by DATE</b> ), the ssional survey of all groundwater monitoring wells Permit monitoring purposes. The survey shall be tied survey (USGS) or other permanent benchmark. Survey and elevation to the nearest one-hundredth of a foot "Minimum Standards for Surveying in New Mexico" bear the seal and signature of a licensed New Mexico the New Mexico Engineering and Surveying Practice ler that authority).
	The Permittee shall utilize the surv a permanent marking indicating th	ey to establish an elevation at the top-of-casing, with e point of elevation.
		er shall be measured to the nearest one-hundredth of erenced to mean sea level, and the data shall be used

to develop a groundwater elevation contour, i.e., potentiometric surface, map showing the location of all monitoring wells and the direction and gradient of groundwater flow in the uppermost aquifer below the Facility. The Permittee shall submit the data and groundwater elevation contour map to NMED within 30 days of survey completion.

[Subsection A of 20.6.2.3107 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]

20. Within 150 days following the issuance date of this Discharge Permit (**by DATE**), the Permittee shall verify the construction and condition of the existing groundwater monitoring wells MW-14, MW-15 and MW-16 by conducting downhole video inspections of the wells. The Permittee shall employ a third party to conduct the downhole video inspection. The Permittee shall notify NMED at least seven days prior to the scheduled video inspection to allow NMED personnel the opportunity to be on-site for the inspection.

The third party shall make a video recording of each monitoring well inspection using a downhole camera and perform the inspection in accordance with the following requirements.

- a) Prior to well inspection with a downhole camera, depth-to-most-shallow groundwater shall be measured from the top of well casing to the nearest 0.01 feet using an electronic water level indicator consisting of dual conductor wire encased in a cable or tape graduated to 0.01 feet, a probe attached to the end of the conductor wire, and a visual or audible indicator. Care shall be taken when obtaining this measurement so as to not disturb sediments in the well.
- b) If the Permittee plans to collect a groundwater sample during the inspection event, the third party shall inspect the monitoring well using a downhole camera prior to sampling the well to maximize visibility.
- c) The third party shall zero the totalizing depth reading or record a value other than zero as an initial reading prior to well inspection with a downhole camera, at the top of the well casing.
- d) All measurements and totalizing readings (with the exception of depth-to-mostshallow groundwater) shall be obtained to the nearest 0.1 feet. The Permittee is authorized to use downhole cameras that use a measurement system other than 0.1-foot increments; however, the Permittee shall report the direct measurement/reading obtained and the calculated conversion in 0.1 feet on the written log.
- e) All measurements and totalizing readings shall be obtained at the top of the well casing.
- f) The downhole camera shall be lowered into the monitoring well at a consistent speed that allows for clear video capture and does not disturb sediments in the well.
- g) Lowering of the downhole camera shall be paused long enough to clearly identify totalizing readings at the following points: depth-to-most-shallow groundwater;

depth of the top of the screened interval; depth of the bottom of screened interval; and the bottom of the well.

Within 60 days following the date of the well inspections, the Permittee shall submit written and video monitoring well camera logs for every monitoring well viewed with a downhole camera. The logs shall include the following information.

- a) The written monitoring well camera log shall include the following general information: Facility name; Discharge Permit identification number; Permittee's name; monitoring well identification; date and time of the monitoring well camera inspection; location of the monitoring well relative to a source or Facility landmark; camera manufacturer and model; names of camera operator and any technical assistants; diameter of the casing (in inches); and a description of the physical condition of the well's concrete pad, shroud, casing and screened interval. The written log shall include measurements of distance from top of the well casing to the surface of the concrete pad; height from ground surface to the top of the concrete pad; and depth-to-most-shallow groundwater. The written log shall also include totalizing readings obtained from the downhole camera including the initial reading at the top of the well casing; depth-to-most-shallow groundwater using the borehole camera; depth of the top of the screened interval; depth of the bottom of screened interval; and the bottom of the well (total depth). The length of the screened interval shall be calculated by subtracting the depth of the top of the screened interval from the depth of the bottom of screened interval and recorded on the log.
- b) The video monitoring well camera log shall display the Facility name; Discharge Permit identification number; Permittee's name; monitoring well identification; date and time of the monitoring well camera inspection; and the totalizing readings required in item "g)", above. The Permittee shall submit the video to NMED in Motion Picture Experts Group (MPEG) video format on a compact disc (CD) or digital versatile disc (DVD).

[Subsection A of 20.6.2.3107 NMAC]

### Groundwater Monitoring Conditions

#	Terms and Conditions	
21.	-	form semi-annual groundwater sampling in the following wells and analyze the samples for the following constituents <ul> <li>manganese</li> <li>molybdenum</li> <li>mercury (total unfiltered)</li> </ul>

#	Terms and Conditions	
	boron	• NO <sub>3</sub> -N
	• cadmium	• pH
	chloride	• nickel
	chromium	• selenium
	• cobalt	• silver
	• copper	• sulfate
	• cyanide	• TDS
	• flouride	• TKN
	• iron	• Zinc
	• lead	<ul> <li>Polychlorinated biphenyls (PCBs)</li> </ul>
	a) MW-5, located hydrologica southwest corner of SDDS-1	ally downgradient of SDDS-1 and 1/8 mile east of the
		ally downgradient of SDDS-1 and near the southwest
		ally downgradient of SDDS-2 and near the southwest
	d) MW-14, located hydrologica	ally downgradient of SDDS-3
	e) MW-15, located hydrologica	
		ally downgradient of SDDS-5.
	The Permittee shall perform g and analysis according to the fo	roundwater sample collection, preservation, transport,
	_	s-shallow groundwater from the top of the well casing to
		f water from the well prior to sample collection.
	j) Properly prepare, preserve a	
		nce with the methods authorized in this Discharge Permit.
	the laboratory analytical data re	depth-to-most-shallow groundwater measurements and esults including the QA/QC summary report and Chain of acility layout map showing the location and number of annual monitoring reports.
	[Subsection A of 20.6.2.3107 N	MAC]
22.		groundwater elevation contour map, i.e., potentiometric I basis using the top of casing elevation data from the

#	Terms and Conditions
	monitoring well survey and semi-annual the most recent depth-to-most-shallow groundwater measurements, referenced to mean sea level, obtained during the groundwater sampling required by this Discharge Permit.
	The groundwater elevation contour map shall depict the groundwater flow direction based on the groundwater elevation contours. The Permittee shall estimate groundwater elevations between monitoring well locations using common interpolation methods. The Permittee shall use a contour interval appropriate to the data but shall not be greater than two feet. Groundwater elevation contour maps shall use arrows to depict the groundwater flow direction based on the orientation of the groundwater elevation contours and shall locate and identify each monitoring well and contaminant source. The Permittee shall submit to NMED a groundwater elevation contour map in the semi- annual monitoring reports.
23.	[Subsection A of 20.6.2.3107 NMAC] NMED shall have the option to perform downhole inspections of all groundwater monitoring wells identified in this Discharge Permit. NMED shall establish the inspection date and notify the Permittee. The Permittee shall remove any existing dedicated pumps at least 48 hours prior to NMED inspection to allow adequate settling time of sediment agitated from pump removal. Should the Permittee decide to install a pump in a monitoring well without a dedicated pump, the Permittee shall notify NMED at least 90 days prior to pump installation so that NMED can schedule a downhole well inspection(s) prior to pump placement.
	[Subsections A and D of 20.6.2.3107 NMAC]

# Monitoring and Reporting - Domestic Wastewater Treatment Facility Sludge

#	Terms and Conditions
24. The Permittee shall analyze domestic wastewater treatment facility sludge accepted the Facility in the following manner:	
	<ul> <li>Record the volume of domestic wastewater treatment facility sludge discharged to each surface disposal cell during the reporting period.</li> <li>Sample each domestic wastewater sludge type (solid, semi-solid, and liquid) transported to the surface disposal facility on a semi-annual basis and analyze the</li> </ul>

#	Terms and Conditions
	<ul> <li>sample(s) for percent total solids (%TS).</li> <li>Sample each domestic wastewater sludge type (solid, semi-solid, and liquid) transported to the surface disposal Facility on a semi-annual basis and analyze the samples for TKN and NO<sub>3</sub>-N. The Permittee shall report the analytical results as mg/kg for TKN and NO<sub>3</sub>-N (dry weight basis).</li> </ul>
	The Permittee shall ensure the samples are properly prepared, preserved, transported, and analyzed in accordance with the methods authorized in this Discharge Permit. The Permittee shall submit records of the volume of the sludge discharged, percent total solids, and analytical results, including the laboratory QA/QC summary, to NMED in the semi-annual monitoring reports.
	[Subsection A of 20.6.2.3107 NMAC and Subsection H of 20.6.2.3109]
25.	The Permittee shall complete a Surface Disposal Data Sheet for Sludge (SDDS-Sludge, attached) on a monthly basis to document the amount of nitrogen in domestic wastewater treatment facility sludge discharged to the surface disposal cells. The Permittee shall complete a SDDS for each cell designation and for each sludge type (solid, semi-solid, and liquid) disposed of in each cell. The SDDS shall reflect the most recent nitrogen analysis results and the average percent total solids for each sludge type for each cell. The Permittee shall not adjust the nitrogen content to account for volatilization or mineralization processes.
	The Permittee shall submit the SDDSs, or a statement that no surface disposal occurred within the cells, to NMED in the semi-annual monitoring reports.
	[Subsection A of 20.6.2.3107 NMAC and Subsection H of 20.6.2.3109]

# C. CONTINGENCY PLAN

#	Terms and Conditions
26.	In the event that groundwater monitoring indicates that groundwater exceeds a standard identified in Section 20.6.2.3103 NMAC in a monitoring well with no previous exceedances of the chemical constituent at the date of issuance of this Discharge Permit, the Permittee shall collect a confirmatory sample from the monitoring well within 15 days of receipt of the initial sampling results to confirm the initial analytical results to confirm those results.
	Within 60 days of confirmation of groundwater contamination, the Permittee shall submit to NMED a Corrective Action Plan (CAP) that proposes, at a minimum,

#	Terms and Conditions
	contaminant source control measures and an implementation schedule. The Permittee shall the CAP as approved by NMED.
	Once this groundwater exceedance response condition is invoked, whether during the term of this Discharge Permit, or after the term of this Discharge Permit and prior to the completion of the Discharge Permit closure plan requirements, this condition shall apply until the Permittee has fulfilled the requirements of this condition and groundwater monitoring confirms for a minimum of eight (8) consecutive quarterly samples that groundwater does not exceed the standards of Section 20.6.2.3103 NMAC.
	Violation of the groundwater standard beyond 180 days after the confirmation of groundwater contamination, may cause NMED to require the Permittee to abate water pollution consistent with the requirements and provisions of Section 20.6.2.4101, Section 20.6.2.4103, Subsections C and E of 20.6.2.4106, Section 20.6.2.4107, Section 20.6.2.4108 and Section 20.6.2.4112 NMAC.
	[Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]
27.	In the event that information available to NMED indicates that a well is not constructed in a manner consistent with the attachment titled (Monitoring Well Guidance); contains insufficient water to effectively monitor groundwater quality; or is otherwise not completed in a manner that is protective of groundwater quality, the Permittee shall install a replacement well(s) within 120 days following notification from NMED.
	The Permittee shall survey the replacement monitoring well(s) within 30 days following well completion.
	The Permittee shall install replacement wells at locations approved by NMED prior to installation and shall complete replacement wells in accordance with the attachment Monitoring Well Guidance. The Permittee shall submit well construction and lithologic logs [survey data and a groundwater elevation contour map] to NMED within 60 days following well completion.
	The Permittee shall properly plug and abandon a monitoring well requiring replacement upon completion of the replacement monitoring well. The Permittee shall complete the well plugging and abandonment, and shall document the abandonment procedures, in accordance with the attachment Monitoring Well Guidance and all applicable local, state, and federal regulations. The Permittee shall submit a copy of the well abandonment documentation to NMED within 60 days following the replacement well completion.

#	Terms and Conditions
	[Subsection A of 20.6.2.3107 NMAC]
28.	In the event that groundwater flow information obtained pursuant to this Discharge Permit indicates that a monitoring well is not appropriately located, e.g., hydrologically downgradient of the discharge location it is intended to monitor, the Permittee shall install a replacement well within 120 days following notification from NMED. The Permittee shall survey the replacement monitoring well within 30 days following well completion.
	In the event that groundwater flow information obtained pursuant to this Discharge Permit indicates that a monitoring well is not appropriately located, e.g., hydrologically downgradient of the discharge location it is intended to monitor, the Permittee shall install a replacement well within 120 days following notification from NMED. The Permittee shall survey the replacement monitoring well within 30 days following well completion.
	The Permittee shall install replacement wells at locations approved by NMED prior to installation and shall complete replacement wells in accordance with the attachment Monitoring Well Guidance. The Permittee shall submit construction and lithologic logs, survey data and a groundwater elevation contour map within 60 days following well completion.
	[Subsection A of 20.6.2.3107 NMAC]
29.	In the event that a SDDS for any cell shows that the amount of nitrogen applied in any 12-month period exceeds 200 pounds per acre, the Permittee shall propose the reduction of nitrogen loading to the affected cell by submitting a Corrective Action Plan (CAP) to NMED for approval. The Permittee shall submit the CAP, including a schedule for completion of corrective actions, within 90 days following the end of the monitoring period in which the exceedance occurred. The Permittee shall initiate implementation of the CAP following approval by NMED.
	[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
30.	In the event that a release occurs that is not authorized under this Discharge Permit (commonly known as a "spill"), the Permittee shall take measures to mitigate damage from the unauthorized discharge and initiate the notifications and corrective actions required in Section 20.6.2.1203 NMAC and summarized below.
	Within <u>24 hours</u> following discovery of the unauthorized discharge, the Permittee shall verbally notify NMED and provide the following information.

#	Terms and Conditions
	<ul> <li>a) The name, address, and telephone number of the person or persons in charge of the Facility, as well as of the owner and/or operator of the Facility.</li> <li>b) The name and address of the Facility.</li> <li>c) The date, time, location, and duration of the unauthorized discharge.</li> <li>d) The source and cause of unauthorized discharge.</li> <li>e) A description of the unauthorized discharge, including its estimated chemical composition.</li> <li>f) The estimated volume of the unauthorized discharge.</li> <li>g) Any actions taken to mitigate immediate damage from the unauthorized discharge.</li> <li>Within <u>one week</u> following discovery of the unauthorized discharge, the Permittee shall submit written notification to NMED providing the information listed above and any pertinent updates.</li> </ul>
	<ul> <li>Within <u>15 days</u> following discovery of the unauthorized discharge, the Permittee shall submit a CAP to NMED describing any corrective actions previously taken and corrective actions to be taken relative to the unauthorized discharge. The CAP shall include the following information.</li> <li>a) A description of proposed actions to mitigate damage from the unauthorized discharge.</li> </ul>
	<ul> <li>b) A description of proposed actions to prevent future unauthorized discharges of this nature.</li> <li>c) A schedule for completion of proposed actions.</li> </ul>
	In the event that the unauthorized discharge causes or may with reasonable probability cause water pollution in excess of the standards and requirements of Section 20.6.2.4103 NMAC, and the water pollution will not be abated within 180 days after notice is required to be given pursuant to Paragraph (1) of Subsection A of 20.6.2.1203 NMAC, NMED may require the Permittee to abate water pollution pursuant to Sections 20.6.2.4000 through 20.6.2.4115 NMAC.
	The Permittee shall not construe anything in this condition as relieving them of the obligation to comply with all requirements of Section 20.6.2.1203 NMAC.
	[20.6.2.1203 NMAC]
31.	In the event that NMED or the Permittee identifies any failures of the discharge plan, i.e., the application, or this Discharge Permit not specifically noted herein, NMED may require the Permittee to submit a CAP and a schedule for completion of corrective actions to address the failure(s). Additionally, NMED may require a discharge permit modification to achieve compliance with 20.6.2 NMAC.

### D. CLOSURE PLAN

# Permanent Facility Closure Conditions

#	Terms and Conditions
32.	The Permittee shall complete the following closure measures in the event they are proposing to permanently close the sludge disposal portion of the Facility or a surface disposal cell:
	<ul> <li>a) Notify NMED of any waste types the Permittee will no longer be accepting at the Facility or the closure of a surface disposal cell.</li> </ul>
	<ul> <li>b) Within 60 days of ceasing to discharge to a disposal cell, backfill the disposal cell(s) with clean fill (as necessary) and re-grade to allow for positive storm water drainage.</li> <li>c)</li> </ul>
	<ul> <li>d) Re-vegetate the cells and disturbed areas at the Facility by establishing a vegetative cover equal to 70% of the native perennial vegetative cover consisting of at least three native plant species including at least one grass, but not including noxious weeds. The permittee shall maintain the vegetative cover through two consecutive growing seasons.</li> </ul>
	The Permittee shall continue groundwater monitoring until the Permittee meets the requirements of this condition and groundwater monitoring confirms for a minimum of eight consecutive quarterly groundwater sampling events that groundwater does not exceed the standards of Section 20.6.2.3103 NMAC. This period is referred to as "post-closure."
	If at any time monitoring results show an exceedance of a groundwater quality standard in Section 20.6.2.3103 NMAC, the Permittee shall implement the Contingency Plan required by this Discharge Permit.
	Following notification from NMED that the Permittee may cease post-closure monitoring, the Permittee shall plug and abandon the monitoring well(s) in accordance with the attachment Monitoring Well Guidance.
	When the Permittee has met all closure and post-closure requirements and verified appropriate actions with date stamped photographic evidence or an associated NMED

#	Terms and Conditions
	inspection, the Permittee may submit to NMED a written request, including photographic evidence, for termination of the Discharge Permit.
	[Subsection A of 20.6.2.3107 NMAC]

### E. GENERAL TERMS AND CONDITIONS

#	Terms and Conditions
#	<ul> <li>RECORD KEEPING - The Permittee shall maintain a written record of the following:</li> <li>Information and data used to complete the application for this Discharge Permit;</li> <li>Information, data, and documents demonstrating completion of closure activities;</li> <li>Any releases (commonly known as "spills") not authorized under this Discharge Permit and reports submitted pursuant to 20.6.2.1203 NMAC;</li> <li>The operation, maintenance, and repair of all facilities/equipment used to treat, store or dispose of wastewater;</li> </ul>
	<ul> <li>Facility record drawings (plans and specifications) showing the actual construction of the Facility and bear the seal and signature of a licensed New Mexico professional engineer;</li> </ul>
	<ul> <li>Copies of logs, inspection reports, and monitoring reports completed and/or submitted to NMED pursuant to this Discharge Permit;</li> <li>The volume of wastewater or other wastes discharged pursuant to this Discharge Permit;</li> </ul>
	• Groundwater quality and wastewater quality data collected pursuant to this Discharge Permit;
	<ul> <li>Copies of construction records (well log) for all sampled groundwater monitoring wells pursuant to this Discharge Permit;</li> </ul>
	<ul> <li>The maintenance, repair, replacement or calibration of any monitoring equipment or flow measurement devices required by this Discharge Permit; and</li> <li>Data and information related to field measurements, sampling, and analysis conducted pursuant to this Discharge Permit, including:</li> </ul>
	<ul> <li>a. the dates, location and times of sampling or field measurements;</li> <li>b. the name and job title of the individuals who performed each sample collection or field measurement;</li> <li>c. the sample analysis date of each sample</li> </ul>
	<ul> <li>d. the sample analysis date of each sample</li> <li>d. the name and address of the laboratory, and the name of the signatory authority for the laboratory analysis;</li> <li>e. the analytical technique or method used to analyze each sample or collect</li> </ul>
	each field measurement;

#	Terms and Conditions			
	<ul> <li>f. the results of each analysis or field measurement, including raw data;</li> <li>g. the results of any split, spiked, duplicate or repeat sample; and</li> <li>h. a copy of the laboratory analysis chain-of-custody as well as a description of the quality assurance and quality control procedures used.</li> </ul>			
	The Permittee shall maintain the written record at a location accessible to NMED during a Facility inspection for a lifetime of the Discharge Permit. The Permittee shall make the record available to the department upon request.			
	[Subsections A and D of 20.6.2.3107 NMAC]			
34.	SUBMITTALS – The Permittee shall submit both a paper copy and an electronic copy of all notification and reporting documents required by this Discharge Permit, e.g., monitoring reports. The paper and electronic documents shall be submitted to the NMED Permit Contact identified on the Permit cover page.			
	[Subsection A of 20.6.2.3107 NMAC]			
35.	INSPECTION and ENTRY – The Permittee shall allow NMED to inspect the Facility and its operations that are subject to this Discharge Permit and the WQCC regulations. NMED may upon presentation of proper credentials, enter at reasonable times upon or through any premises in which a water contaminant source is located or in which any maintained records required by this Discharge Permit, the regulations of the federal government, or the WQCC are located.			
	The Permittee shall allow NMED to have access to and reproduce for their use any copy of the records, and to perform assessments, sampling or monitoring during an inspection for the purpose of evaluating compliance with this Discharge Permit and the WQCC regulations.			
	No person shall construe anything in this Discharge Permit as limiting in any way the inspection and entry authority of NMED under the WQA, the WQCC Regulations, or any other local, state or federal regulations.			
	[Subsection D of 20.6.2.3107 NMAC, NMSA 1978, §§ 74-6-9.B and 74-6-9.E]			
36.	DUTY to PROVIDE INFORMATION - The Permittee shall, upon NMED's request, allow for NMED's inspection/duplication of records required by this Discharge Permit and/or furnish to NMED copies of such records.			
	[Subsection D of 20.6.2.3107 NMAC]			

#	Terms and Conditions
37.	MODIFICATIONS and/or AMENDMENTS – In the event the Permittee proposes a change to the Facility or the Facility's discharge that would result in a change in the volume discharged; the location of the discharge; or in the amount or character of water contaminants received, treated or discharged by the Facility, the Permittee shall notify NMED prior to implementing such changes. The Permittee shall obtain NMED's approval (which may require modification of this Discharge Permit) prior to implementing such changes. [Subsection C of 20.6.2.3107 NMAC, Subsections E and G of 20.6.2.3109 NMAC]
38.	<ul> <li>PLANS and SPECIFICATIONS – In the event the Permittee proposes to construct a wastewater system or change a process unit of an existing system such that the quantity or quality of the discharge will change substantially from that authorized by this Discharge Permit, the Permittee shall submit construction plans and specifications of the proposed system or process unit to NMED for approval prior to the commencement of construction.</li> <li>In the event the Permittee implements changes to the wastewater system authorized by this Discharge Permit that result in only a minor effect on the character of the discharge, the Permittee shall report such changes (including the submission of record drawings where applicable) to NMED prior to implementation.</li> <li>[Subsections A and C of 20.6.2.1202 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]</li> </ul>
39.	CIVIL PENALTIES - Any violation of the requirements and conditions of this Discharge Permit, including any failure to allow NMED staff to enter and inspect records or facilities, or any refusal or failure to provide NMED with records or information, may subject the Permittee to a civil enforcement action. Pursuant to WQA 74-6-10(A) and (B), such action may include a compliance order requiring compliance immediately or in a specified time, assessing a civil penalty, modifying or terminating the Discharge Permit, or any combination of the foregoing; or an action in district court seeking injunctive relief, civil penalties, or both. Pursuant to WQA 74-6-10(C) and 74-6-10.1, civil penalties of up to \$15,000 per day of noncompliance may be assessed for each violation of the WQA 74-6- 5, the WQCC Regulations, or this Discharge Permit, and civil penalties of up to \$10,000 per day of noncompliance may be assessed for each violation of any other provision of the WQA, or any regulation, standard, or order adopted pursuant to such other provision. In any action to enforce this Discharge Permit, the Permittee waives any objection to the admissibility as evidence of any data generated pursuant to this Discharge Permit. [20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10 and 74-6-10.1]

<ul> <li>material fact in an application, record, report, plan or other document filed submitted or maintained under the WQA;</li> <li>Falsify, tamper with or render inaccurate any monitoring device, method or record maintained under the WQA; or</li> <li>Fail to monitor, sample or report as required by a permit issued pursuant to state or federal law or regulation.</li> <li>Any person who knowingly violates or knowingly causes or allows another person t violate the requirements of this condition is guilty of a fourth-degree felony and shall b sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person whi is convicted of a second or subsequent violation of the requirements of this condition of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of thi condition or knowingly causes another person to violate the requirements of thi condition on knowingly causes another person to violate the requirements of thi condition and thereby causes a substantial adverse environmental impact is guilty of third-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition and thereby causes a substantial adverse environmental impact is guilty of third-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15.</li> <li>1978, § 31-18-15. Any person who knowingly violates the requirements of this conditio and knows at the time of the violation that he is creating a substantial danger of deat or serious bodily injury to any other person is guilty of a second degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15.</li> <li>120.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10.2. A through 74-6-10.2.F]</li> <li>41. COMPLIANCE with OTHER LAWS - Nothing in this Discharge Permit shall be construed i any way as relieving the Permittee of the obligation to comply with any other applicabl federal, st</li></ul>	#	Terms and Conditions		
<ul> <li>violate the requirements of this condition is guilty of a fourth-degree felony and shall b sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person wh is convicted of a second or subsequent violation of the requirements of this condition of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of thi condition or knowingly causes another person to violate the requirements of thir condition and thereby causes a substantial adverse environmental impact is guilty of third-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of thi condition and thereby causes a substantial adverse environmental impact is guilty of third-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition and knows at the time of the violation that he is creating a substantial danger of deat or serious bodily injury to any other person is guilty of a second degree felony and sha be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15.</li> <li>[20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10.2.A through 74-6-10.2.F]</li> <li>41. COMPLIANCE with OTHER LAWS - Nothing in this Discharge Permit shall be construed i any way as relieving the Permittee of the obligation to comply with any other applicabl federal, state, and/or local laws, regulations, zoning requirements, nuisance ordinances permits or orders.</li> <li>[NMSA 1978, § 74-6-5.L]</li> <li>42. RIGHT to APPEAL - The Permittee may file a petition for review before the WQCC on thi Discharge Permit. Such petition shall be in writing to the WQCC within thirty days of th receipt of postal notice of this Discharge Permit and shall include a statement of th issues raised and the relief sought. Unless the Permittee files a timely petition for review</li> </ul>	40.	<ul> <li>Make any false material statement, representation, certification or omission of material fact in an application, record, report, plan or other document filed, submitted or maintained under the WQA;</li> <li>Falsify, tamper with or render inaccurate any monitoring device, method or record maintained under the WQA; or</li> <li>Fail to monitor, sample or report as required by a permit issued pursuant to a</li> </ul>		
<ul> <li>41. COMPLIANCE with OTHER LAWS - Nothing in this Discharge Permit shall be construed i any way as relieving the Permittee of the obligation to comply with any other applicabl federal, state, and/or local laws, regulations, zoning requirements, nuisance ordinances permits or orders.</li> <li>[NMSA 1978, § 74-6-5.L]</li> <li>42. RIGHT to APPEAL - The Permittee may file a petition for review before the WQCC on this Discharge Permit. Such petition shall be in writing to the WQCC within thirty days of th receipt of postal notice of this Discharge Permit and shall include a statement of th issues raised and the relief sought. Unless the Permittee files a timely petition for review</li> </ul>		Any person who knowingly violates or knowingly causes or allows another person to violate the requirements of this condition is guilty of a fourth-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who is convicted of a second or subsequent violation of the requirements of this condition is guilty of a third-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition or knowingly causes another person to violate the requirements of this condition and thereby causes a substantial adverse environmental impact is guilty of a third-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition and thereby causes a substantial adverse environmental impact is guilty of a third-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition and thereby causes a substantial adverse environmental impact is guilty of a third-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition and knows at the time of the violation that he is creating a substantial danger of death or serious bodily injury to any other person is guilty of a second degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15.		
<ul> <li>any way as relieving the Permittee of the obligation to comply with any other applicabl federal, state, and/or local laws, regulations, zoning requirements, nuisance ordinances permits or orders.</li> <li>[NMSA 1978, § 74-6-5.L]</li> <li>42. RIGHT to APPEAL - The Permittee may file a petition for review before the WQCC on thi Discharge Permit. Such petition shall be in writing to the WQCC within thirty days of th receipt of postal notice of this Discharge Permit and shall include a statement of th issues raised and the relief sought. Unless the Permittee files a timely petition for review</li> </ul>		[20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10.2.A through 74-6-10.2.F]		
42. RIGHT to APPEAL - The Permittee may file a petition for review before the WQCC on thi Discharge Permit. Such petition shall be in writing to the WQCC within thirty days of th receipt of postal notice of this Discharge Permit and shall include a statement of th issues raised and the relief sought. Unless the Permittee files a timely petition for review	41.	COMPLIANCE with OTHER LAWS - Nothing in this Discharge Permit shall be construed in any way as relieving the Permittee of the obligation to comply with any other applicable federal, state, and/or local laws, regulations, zoning requirements, nuisance ordinances, permits or orders.		
Discharge Permit. Such petition shall be in writing to the WQCC within thirty days of th receipt of postal notice of this Discharge Permit and shall include a statement of th issues raised and the relief sought. Unless the Permittee files a timely petition for review		[NMSA 1978, § 74-6-5.L]		
	42.	RIGHT to APPEAL - The Permittee may file a petition for review before the WQCC on this Discharge Permit. Such petition shall be in writing to the WQCC within thirty days of the receipt of postal notice of this Discharge Permit and shall include a statement of the issues raised and the relief sought. Unless the Permittee files a timely petition for review, the decision of NMED shall be final and not subject to judicial review.		
[20.6.2.3112 NMAC, NMSA 1978, § 74-6-5.0]		[20.6.2.3112 NMAC, NMSA 1978, § 74-6-5.0]		
43. TRANSFER of DISCHARGE PERMIT - Prior to the transfer of any ownership, control, o possession of this Facility or any portion thereof, the Permittee shall:	43.	TRANSFER of DISCHARGE PERMIT - Prior to the transfer of any ownership, control, or possession of this Facility or any portion thereof, the Permittee shall:		

#	Terms and Conditions		
	<ul> <li>Notify the proposed transferee in writing of the existence of this Discharge Permit;</li> <li>Include a copy of this Discharge Permit with the notice; and</li> <li>Deliver or send by certified mail to NMED a copy of the notification and proof that the proposed transferee has received such notification.</li> <li>The Permittee shall continue to be responsible for any discharge from the Facility, until both ownership and possession of the Facility have been transferred to the transferee.</li> <li>[20.6.2.3111 NMAC]</li> </ul>		
44.	PERMIT FEES – The Permittee shall be aware that the payment of permit fees is due at the time of Discharge Permit approval. The Permittee may pay the permit fees in a single payment or they may pay the fee in equal installments on a yearly basis over the term of the Discharge Permit. The Permittee shall remit single payments to NMED no later than 30 days after the Discharge Permit issuance date. The Permittee shall remit initia installment payments to NMED no later than 30 days after the Discharge Permit issuance date; with subsequent installment payments remitted to NMED no later than the anniversary of the Discharge Permit issuance date.		
	Permit fees are associated with <u>issuance</u> of this Discharge Permit. No person shall construe anything in this Discharge Permit as relieving the Permittee of the obligation to pay all permit fees assessed by NMED. A Permittee that ceases discharging or does not commence discharging from the Facility during the term of the Discharge Permit shall pay all permit fees assessed by NMED. NMED shall suspend or terminate an approved Discharge Permit if the Permittee fails to remit an installment payment by its due date.		
	[Subsection F of 20.6.2.3114 NMAC, NMSA 1978, § 74-6-5.K]		



# New Mexico Environment Department Ground Water Quality Bureau Discharge Permit Summary

#### **Facility Information**

Facility Name Discharge Permit Number

Legally Responsible Party

City of Alamogordo Sludge Disposal Site DP-806

David Weyandt, Wastewater Reclamation Supervisor City of Alamogordo 42 Valley View Drive La Luz, New Mexico 88337 (575) 439-1606

#### Treatment, Disposal and Site Information

Primary Waste Type Facility Type Domestic Wastewater Sludge Sludge Disposal Site

	Discha	arge Locations
Туре	Designation	Description & Comments
Sludge Surface Disposal	SSDS-1	North half of the northwest quarter of Section 15, T17S, R9E; no longer in use
Sludge Surface Disposal	SSDS-2	North half of the northeast quarter of Section 16, T17S, R9E; currently in use
Sludge Surface Disposal	SSDS-3	Northwest quarter of Section 16, T17S, R9E
Sludge Surface Disposal	SSDS-4	South half of the southeast quarter of Section 15, T17S, R9E
Sludge Surface Disposal	SSDS-5	North half of the northwest quarter of Section 22, T17S, R9E

#### Ground Water Monitoring Locations

Туре	Designation	Description & Comments
Monitoring Well	MW-5	Located hydrologically downgradient of SSDS-1 and 1/8 mile east of the southwest corner of SSDS-1.
Monitoring Well	MW-6	Located hydrologically downgradient of SSDS-1 and near the southwest corner of SSDS-1.
Monitoring Well	MW-7	Located hydrologically downgradient of SSDS-2 and near the southwest corner of SSDS-2.
Monitoring Well	MW-14	Intended to be located 20 to 50 feet hydrologically downgradient of SDDS-3. Required to be installed.
Monitoring Well	MW-15	Intended to be located 20 to 50 feet hydrologically downgradient of SDDS-4. Required to be installed.
Monitoring Well	MW-16	Intended to be located 20 to 50 feet hydrologically downgradient of SDDS-5. Required to be installed.



Depth-to-Ground Water Total Dissolved Solids (TDS) 90 feet 2,000-70,000 mg/L

May 4, 1982

#### **Permit Information**

Original Permit Issued Permit Modification Permit Modification Permit Modification Permit Renewal and Modification Permit Renewal and Modification Permit Renewal and Modification Permit Modification Permit Modification Permit Modification Permit Renewal

#### **Current Action**

Application Received Public Notice Published Permit Issued (Issuance Date) Permitted Discharge Volume

**Mailing Address** 

#### **GWQB** Telephone Number

NMED Lead Staff Lead Staff Telephone Number Lead Staff Email December 20, 1985 March 27, 1987 June 26, 1987 December 23, 1991 March 10, 1995 April 21, 2000 January 31, 2007 June 1, 2009 March 31, 2011 July 24, 2015

#### Renewal

July 27, 2020 [not yet published] [issuance date] 49,000 gallons per day

### **NMED Contact Information**

Ground Water Quality Bureau P.O. Box 5469 Santa Fe, New Mexico 87502-5469

(505) 827-2900

Andrew Romero (505) 660-8624 andrewc.romero@state.nm.us / pps.general@state.nm.us