



MICHELLE LUJAN GRISHAM
GOVERNOR

JAMES C. KENNEY
CABINET SECRETARY

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

May 9, 2022

Steve Bell, Owner/Manager
Cedar Cove, LLC
P.O. Box 898
Elephant Butte, New Mexico 87935

RE: Draft Discharge Permit Renewal, DP-1253, Cedar Cove Mobile Home and RV Park

Dear Steve Bell:

The New Mexico Environment Department (NMED) hereby provides notice to you of the proposed approval of Ground Water Discharge Permit Renewal, DP-1253, (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 and/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 above or via email to gerald.knutson@state.nm.us. If NMED does not receive written comments or a request for hearing during the public comment period, the draft Discharge Permit will become final.

SCIENCE | INNOVATION | COLLABORATION | COMPLIANCE

Ground Water Quality Bureau | 1190 Saint Francis Drive, PO Box 5469, Santa Fe, New Mexico 87502-5469

Telephone (505) 827-2900 | www.env.nm.gov/gwqb/

Steve Bell
May 9, 2022
Page 2 of 2

Thank you for your cooperation during the review process. Feel free to contact me with any questions at (505) 660-7189.

Sincerely,

Gerald Knutson
Environmental Scientist & Specialist A

enc: Draft Discharge Permit Renewal, DP-1253

cc: Marvin Magee, P.E., Magee and Associates, Inc., mmagee@totacc.com



NEW MEXICO
ENVIRONMENT DEPARTMENT
Ground Water Quality Bureau

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Santa Fe, NM 87502-5469
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www.env.nm.gov



Draft: May 9, 2022

GROUND WATER QUALITY BUREAU
DISCHARGE PERMIT
Issued under 20.6.2 NMAC

Facility Name: Cedar Cove Mobile Home and RV Park
Discharge Permit Number: DP-1253
Facility Location: Highway 195 and Yapple Canyon Road, 48 Cedar Cove Road
Elephant Butte, New Mexico

County: Sierra

Permittee: Steve Bell, Owner/Manager
Mailing Address: Cedar Cove, LLC
P.O. Box 898
Elephant Butte, New Mexico 87935

Facility Contact: Steve Bell, Owner/Manager
Telephone Number: (575) 744-4472

Permitting Action: Renewal
Permit Issuance Date: DATE
Permit Expiration Date: DATE

NMED Permit Contact: Gerald Knutson
Telephone Number/Email: (505) 660-7189 / gerald.knutson@state.nm.us

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

Date

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ATTACHMENTS

Discharge Permit Summary
Ground Water Quality Bureau-Monitoring Report Septic Tanks/Leachfield Systems

I. INTRODUCTION

The New Mexico Environment Department (NMED) issues this groundwater discharge permit renewal (Discharge Permit or DP-1253) to Cedar Cove, LLC (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 Cedar Cove Mobile Home and RV Park (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 Facility discharges up to 15,050 gallons per day of domestic wastewater to three septic tank/leachfield disposal systems.

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 Highway 195 and Yapple Canyon Road, 48 Cedar Cove Road, in Elephant Butte, in Section 10, Township 13S, Range 04W, in Sierra County. A discharge at the Facility is most likely to affect groundwater at a depth of approximately 313 feet and having a pre-discharge total dissolved solids concentration of approximately 449 milligrams per liter.

NMED issued the original Discharge Permit to the Permittee on April 8, 1999, and subsequently modified the Permit on October 5, 2001, renewed and modified the Permit on April 8, 2011, and last renewed the Permit on January 20, 2017. The application (i.e., discharge plan) associated with this Discharge Permit consists of the materials submitted by the Permittee dated October 19, 2021, and materials contained in the administrative record prior to issuance of this Discharge Permit.

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

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

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

This Discharge Permit may use the following acronyms and abbreviations.

Abbreviation	Explanation	Abbreviation	Explanation
CAP	Corrective Action Plan	NMED	New Mexico Environment Department
CFR	Code of Federal Regulations	NMSA	New Mexico Statutes Annotated
Cl	chloride	NO ₃ -N	nitrate-nitrogen
EPA	United States Environmental Protection Agency	QA/QC	Quality Assurance/Quality Control
gpd	gallons per day	TDS	total dissolved solids
mg/L	milligrams per liter	TKN	total Kjeldahl nitrogen
mL	milliliters	WQA	New Mexico Water Quality Act
NMAC	New Mexico Administrative Code	WQCC	Water Quality Control Commission

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.

This Discharge Permit authorizes the Permittee to receive and discharge up to 15,050 gpd of domestic wastewater using three septic tank/leachfield disposal systems as described below.

- 1) The North System consists of six 1,200-gallon septic tanks arranged in two groups of three septic tanks. The two groups are in parallel. The septic tanks within each group are in series. Clarified wastewater discharges to a leachfield.
- 2) The West System consists of a 10,000-gallon septic tank. Clarified wastewater discharges to a leachfield.
- 3) The South System consists of five 1,200-gallon septic tanks arranged in two groups of two septic tanks (east) and three septic tanks (west). The two groups are in parallel. The septic tanks within each group are in series. Clarified wastewater discharges to a leachfield and/or a relief leach pipe.

[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]

Operating Conditions

#	Terms and Conditions
3.	<p>The Permittee shall visually inspect the area above the each leachfield (disposal system) and the South System relief leach pipe semi-annually to ensure proper maintenance. The Permittee shall correct any conditions that indicate damage to any disposal system. The Permittee shall ensure conditions corrected include erosion damage, animal activity/damage, woody shrubs, evidence of seepage, or any other condition indicating damage.</p> <p>The Permittee shall keep a log of the inspections that includes a date of the inspection, any findings and repairs, and the name of the inspector. The Permittee shall make the log available to NMED upon request.</p> <p>In the event of a failure of a disposal system or the South System relief leach pipe, the Permittee shall implement the Contingency Plan set forth in this Discharge Permit.</p> <p>[Subsections A and D of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
4.	<p>The Permittee shall inspect all septic tanks in the North System, West System, and South System annually for the accumulation of scum and solids. In the event that the scum layer exceeds three inches or the settled solids occupy 30% or more of the tank volume, the contents of the tank(s) shall be pumped by a septage pumper meeting the qualification requirements identified in Subsection D of 20.7.3.904 NMAC, Liquid Waste Disposal and Treatment Regulations.</p> <p>The Permittee shall create and maintain a log of all septic tank inspections which describes the findings, repairs, and removals, the date of the inspection, and the name of the person responsible for the inspection. The Permittee shall make the log available to NMED upon request.</p> <p>The Permittee shall maintain a record of solids removal and disposal, including the name of the septage hauler, date of off-site shipment, volume of solids removed, disposal method, and disposal location.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>

B. MONITORING AND REPORTING

#	Terms and Conditions
5.	<p>The Permittee shall conduct the monitoring, reporting, and other requirements listed below in accordance with the monitoring requirements of this Discharge Permit.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>

#	Terms and Conditions
6.	<p>METHODOLOGY - Unless otherwise specified by this Discharge Permit, or approved in writing by NMED, the Permittee shall use sampling and analytical techniques that conform with the references listed in Subsection B of 20.6.2.3107 NMAC.</p> <p>[Subsection B of 20.6.2.3107 NMAC]</p>

Due Dates for Monitoring Reports

7.	<p>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:</p> <ul style="list-style-type: none">• January 1st through June 30th – due by August 1st; and• July 1st through December 31st – due by February 1st. <p>[Subsection A of 20.6.2.3107 NMAC]</p>
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Groundwater Monitoring Conditions

#	Terms and Conditions
8.	<p>The Permittee shall perform semi-annual groundwater sampling in the following water supply wells and analyze the samples for TKN, NO₃-N, TDS, and Cl.</p> <ul style="list-style-type: none">a) Supply Well RG-70180, located hydrologically upgradient of all septic tank/leachfield disposal systems.b) Supply Well RG-77013, located hydrologically downgradient of the North System and the West System. <p>The Permittee shall perform groundwater sample collection, preservation, transportation, and analysis according to the following procedures.</p> <ul style="list-style-type: none">a) Measure the depth-to-most-shallow groundwater from the top of the well casing to the nearest one-hundredth of a foot.b) Obtain samples from the well for analysis.c) Properly prepare, preserve, and transport samples.d) Analyze samples in accordance with the methods authorized in this Discharge Permit. <p>The Permittee shall submit the depth-to-most-shallow groundwater measurements and the laboratory analytical data results including the laboratory QA/QC summary report for each well, and a Facility layout map showing the location and number of each well to NMED in the semi-annual monitoring reports.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>

Facility Monitoring Conditions

#	Terms and Conditions
9.	<p>The Permittee shall on a monthly basis estimate the volume of wastewater received by the Facility's three septic tank/leachfield systems by recording meter readings for the Facility's two water supply wells on a monthly basis and calculating the monthly and average daily usage volumes.</p> <p>To determine the discharge volume, the Permittee shall use the estimated monthly usage volume* (based upon meter readings) to calculate the average daily volume by the formula below.</p> <p style="text-align: center;">*estimated monthly volume ÷ number of days in the month = average daily volume</p> <p>Each month, the Permittee shall make note of any significant uses of the water (e.g., irrigation, evaporative cooling, or leaks) that do not contribute to the volume of wastewater discharged.</p> <p>The Permittee shall submit the monthly meter readings, estimated monthly and average daily usage volumes, and notes and estimated volume of significant uses to NMED in the semi-annual monitoring reports.</p> <p>* Should more than one flow meter exist for the Facility's water supply, the Permittee shall calculate the estimated monthly volume for the Facility by adding the estimated monthly volume for each meter. This summation should be completed prior to calculating the average daily volume for the Facility.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]</p>
10.	<p>The Permittee shall collect a wastewater sample from the North System final septic tank(s) on a rotational basis, the West System septic tank, and the South System final septic tank(s) on a rotational basis, on an annual basis and analyze the samples for TKN, TDS, and Cl. Samples shall be properly prepared, preserved, transported, and analyzed in accordance with the methods authorized in this Discharge Permit. Analytical results shall be submitted to NMED in the monitoring report due by February 1st of each year.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C and H of 20.6.2.3109 NMAC]</p>
11.	<p>The Permittee shall submit all records of solids removal and disposal (e.g., pumping invoices from a septic hauler) to NMED in the monitoring report due by February 1st of each year.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>

#	Terms and Conditions
12.	<p>The Permittee shall log the number of occupied RV sites at the Facility on a daily basis (one occupied site is equivalent to one “site-day”). Using the log, the Permittee shall calculate the total number of “site-days” for each month. The Permittee shall submit the total monthly “site-day” values in the semi-annual monitoring reports.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>

C. CONTINGENCY PLAN

#	Terms and Conditions
13.	<p>In the event that groundwater monitoring indicates that groundwater exceeds a standard identified in Section 20.6.2.3103 NMAC, the Permittee shall collect a confirmatory sample from the monitoring well within 15 days of receipt of the initial sampling results to confirm the initial sampling results.</p> <p>Within 60 days of confirmation of groundwater contamination, the Permittee shall submit to NMED a Corrective Action Plan (CAP) that proposes, at a minimum, contaminant source control measures and an implementation schedule. The Permittee shall implement the CAP as approved by NMED.</p> <p>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.</p> <p>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.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]</p>
14.	<p>In the event that the Permittee identifies failure of any leachfield or the relief leach pipe, such as surfacing wastewater, the Permittee shall implement the following Contingency Plan.</p> <p>a) Within 24 hours following the discovered failure, the Permittee shall:</p> <p>i) Notify NMED of the failure in accordance with the notification requirements</p>

#	Terms and Conditions
	<p>described in the Contingency Plan for unauthorized discharges; and</p> <p>ii) Restrict public access to the area.</p> <p>b) The Permittee shall conduct a physical inspection of the disposal system to identify additional potential failures and record them in the inspection log.</p> <p>c) The Permittee shall propose actions to address the failure and methods of correction by submitting a CAP to NMED for approval within 15 days following the discovered failure. The Permittee shall ensure the CAP includes a schedule for completion of corrective actions. The Permittee shall initiate implementation of the CAP following NMED approval.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
15.	<p>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.</p> <p>Within <u>24 hours</u> following discovery of the unauthorized discharge, the Permittee shall verbally notify NMED and provide the following information.</p> <p>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.</p> <p>b) The name and address of the Facility.</p> <p>c) The date, time, location, and duration of the unauthorized discharge.</p> <p>d) The source and cause of unauthorized discharge.</p> <p>e) A description of the unauthorized discharge, including its estimated chemical composition.</p> <p>f) The estimated volume of the unauthorized discharge.</p> <p>g) Any actions taken to mitigate immediate damage from the unauthorized discharge.</p> <p>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.</p> <p>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.</p> <p>a) A description of proposed actions to mitigate damage from the unauthorized discharge.</p> <p>b) A description of proposed actions to prevent future unauthorized discharges of this nature.</p>

#	Terms and Conditions
	<p>c) A schedule for completion of proposed actions.</p> <p>In the event that the unauthorized discharge causes or may with reasonable probability cause water pollution in excess of the standards and requirements of Section 20.6.2.4103 NMAC, and the water pollution will not be abated within 180 days after notice is required to be given pursuant to Paragraph (1) of Subsection A of 20.6.2.1203 NMAC, NMED may require the Permittee to abate water pollution pursuant to Sections 20.6.2.4000 through 20.6.2.4115 NMAC.</p> <p>The Permittee shall not construe anything in this condition as relieving them of the obligation to comply with all requirements of Section 20.6.2.1203 NMAC.</p> <p>[20.6.2.1203 NMAC]</p>
16.	<p>In the event that NMED or the Permittee identifies any failures of the discharge plan, i.e., the application, or this Discharge Permit not specifically noted herein, NMED may require the Permittee to submit a 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.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]</p>

D. CLOSURE PLAN

Permanent Facility Closure Conditions

#	Terms and Conditions
17.	<p>The Permittee shall perform the following closure measures in the event the Facility, or a component of the Facility, is proposed to be permanently closed, and upon ceasing discharge.</p> <p>Within <u>90 days</u> of ceasing discharge to the septic tank/leachfield disposal system(s) (or closed system components), the Permittee shall complete the following closure measures:</p> <ul style="list-style-type: none">a) Plug all lines leading to and from the closed system(s) so that a discharge can no longer occur.b) Wastewater and septage shall be pumped from the system components (e.g., septic tanks, distribution boxes) and it shall be contained, transported, and disposed of in accordance with all local, state, and federal regulations, including 40 CFR Part 503. The Permittee shall maintain a record of all wastes transported for off-site disposal.

#	Terms and Conditions
	<p>Within <u>180 days</u> of ceasing discharge to the septic tank/leachfield disposal system(s) (or closed system components), the Permittee shall complete the following closure measures:</p> <ol style="list-style-type: none">Remove all lines leading to and from the closed system(s) or permanently plug them and abandon them in place.Remove or demolish all closed septic tanks, or other system(s) components (with the exception of leachfields) and re-grade the area with suitable fill to blend with surface topography to promote positive drainage and prevent ponding. <p>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."</p> <p>If at any time monitoring results show an exceedance of a groundwater quality standard in Section 20.6.2.3103 NMAC in groundwater, the Permittee shall implement the Contingency Plan required by this Discharge Permit.</p> <p>When the Permittee has met all closure and post-closure requirements and verified appropriate actions with date stamped photographic evidence or an associated NMED inspection, the Permittee may submit to NMED a written request, including photographic evidence, for termination of the Discharge Permit.</p> <p>[Subsection A of 20.6.2.3107 NMAC, 40 CFR Part 503</p>

E. GENERAL TERMS AND CONDITIONS

#	Terms and Conditions
18.	<p>RECORD KEEPING - The Permittee shall maintain a written record of the following:</p> <ul style="list-style-type: none">Information and data used to complete the application for this Discharge Permit;Information, data, and documents demonstrating completion of closure activities;Any releases (commonly known as "spills") not authorized under this Discharge Permit and reports submitted pursuant to 20.6.2.1203 NMAC;The operation, maintenance, and repair of all septic tank/leachfields used to treat or dispose of wastewater;Copies of logs, inspection reports, and monitoring reports completed and/or submitted to NMED pursuant to this Discharge Permit;

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

#	Terms and Conditions
	<p>for the purpose of evaluating compliance with this Discharge Permit and the WQCC regulations.</p> <p>No person shall construe anything in this Discharge Permit as limiting in any way the inspection and entry authority of NMED under the WQA, the WQCC Regulations, or any other local, state, or federal regulations.</p> <p>[Subsection D of 20.6.2.3107 NMAC, NMSA 1978, §§ 74-6-9.B and 74-6-9.E]</p>
21.	<p>DUTY to PROVIDE INFORMATION - The Permittee shall, upon NMED's request, allow for NMED's inspection/duplication of records required by this Discharge Permit and/or furnish to NMED copies of such records.</p> <p>[Subsection D of 20.6.2.3107 NMAC]</p>
22.	<p>MODIFICATIONS and/or AMENDMENTS - In the event the Permittee proposes a change to the Facility or the Facility's discharge that would result in a change in the volume discharged; the location of the discharge; or in the amount or character of water contaminants received, treated, or discharged by the Facility, the Permittee shall notify NMED prior to implementing such changes. The Permittee shall obtain NMED's approval (which may require modification of this Discharge Permit) prior to implementing such changes.</p> <p>[Subsection C of 20.6.2.3107 NMAC, Subsections E and G of 20.6.2.3109 NMAC]</p>
23.	<p>PLANS and SPECIFICATIONS - In the event the Permittee proposes to construct a wastewater system or change a process unit of an existing system such that the quantity or quality of the discharge will change substantially from that authorized by this Discharge Permit, the Permittee shall submit construction plans and specifications of the proposed system or process unit to NMED for approval prior to the commencement of construction.</p> <p>In the event the Permittee implements changes to the wastewater system authorized by this Discharge Permit that result in only a minor effect on the character of the discharge, the Permittee shall report such changes (including the submission of record drawings where applicable) to NMED prior to implementation.</p> <p>[Subsections A and C of 20.6.2.1202 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]</p>
24.	<p>CIVIL PENALTIES - Any violation of the requirements and conditions of this Discharge Permit, including any failure to allow NMED staff to enter and inspect records or facilities, or any refusal or failure to provide NMED with records or information, may subject the Permittee to a civil enforcement action. Pursuant to WQA 74-6-10(A) and (B), such action may include a compliance order requiring compliance immediately or in a specified time, assessing a civil penalty, modifying or terminating the Discharge Permit, or any</p>

#	Terms and Conditions
	<p>combination of the foregoing; or an action in district court seeking injunctive relief, civil penalties, or both. Pursuant to WQA 74-6-10(C) and 74-6-10.1, civil penalties of up to \$15,000 per day of noncompliance may be assessed for each violation of the WQA 74-6-5, the WQCC Regulations, or this Discharge Permit, and civil penalties of up to \$10,000 per day of noncompliance may be assessed for each violation of any other provision of the WQA, or any regulation, standard, or order adopted pursuant to such other provision. In any action to enforce this Discharge Permit, the Permittee waives any objection to the admissibility as evidence of any data generated pursuant to this Discharge Permit.</p> <p>[20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10 and 74-6-10.1]</p>
25.	<p>CRIMINAL PENALTIES - No person shall:</p> <ul style="list-style-type: none">• Make any false material statement, representation, certification, or omission of material fact in an application, record, report, plan, or other document filed, submitted, or maintained under the WQA;• Falsify, tamper with, or render inaccurate any monitoring device, method, or record maintained under the WQA; or• Fail to monitor, sample, or report as required by a permit issued pursuant to a state or federal law or regulation. <p>Any person who knowingly violates or knowingly causes or allows another person to violate the requirements of this condition is guilty of a fourth-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who is convicted of a second or subsequent violation of the requirements of this condition is guilty of a third-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition or knowingly causes another person to violate the requirements of this condition and thereby causes a substantial adverse environmental impact is guilty of a third-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition and knows at the time of the violation that he is creating a substantial danger of death or serious bodily injury to any other person is guilty of a second degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15.</p> <p>[20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10.2.A through 74-6-10.2.F]</p>
26.	<p>COMPLIANCE with OTHER LAWS - Nothing in this Discharge Permit shall be construed in any way as relieving the Permittee of the obligation to comply with any other applicable federal, state, and/or local laws, regulations, zoning requirements, nuisance ordinances, permits, or orders.</p> <p>[NMSA 1978, § 74-6-5.L]</p>

#	Terms and Conditions
27.	<p>RIGHT to APPEAL - The Permittee may file a petition for review before the WQCC on this Discharge Permit. Such petition shall be in writing to the WQCC within thirty days of the receipt of postal notice of this Discharge Permit and shall include a statement of the issues raised and the relief sought. Unless the Permittee files a timely petition for review, the decision of NMED shall be final and not subject to judicial review.</p> <p>[20.6.2.3112 NMAC, NMSA 1978, § 74-6-5.O]</p>
28.	<p>TRANSFER of DISCHARGE PERMIT - Prior to the transfer of any ownership, control, or possession of this Facility or any portion thereof, the Permittee shall:</p> <ul style="list-style-type: none">• Notify the proposed transferee in writing of the existence of this Discharge Permit;• Include a copy of this Discharge Permit with the notice; and• Deliver or send by certified mail to NMED a copy of the notification and proof that the proposed transferee has received such notification. <p>The Permittee shall continue to be responsible for any discharge from the Facility, until both ownership and possession of the Facility have been transferred to the transferee.</p> <p>[20.6.2.3111 NMAC]</p>
29.	<p>PERMIT FEES - The Permittee shall be aware that the payment of permit fees is due at the time of Discharge Permit approval. The Permittee may pay the permit fees in a single payment or they may pay the fee in equal installments on a yearly basis over the term of the Discharge Permit. The Permittee shall remit single payments to NMED no later than 30 days after the Discharge Permit issuance date. The Permittee shall remit initial installment payments to NMED no later than 30 days after the Discharge Permit issuance date; with subsequent installment payments remitted to NMED no later than the anniversary of the Discharge Permit issuance date.</p> <p>Permit fees are associated with <u>issuance</u> of this Discharge Permit. No person shall construe anything in this Discharge Permit as relieving the Permittee of the obligation to pay all permit fees assessed by NMED. A Permittee that ceases discharging or does not commence discharging from the Facility during the term of the Discharge Permit shall pay all permit fees assessed by NMED. NMED shall suspend or terminate an approved Discharge Permit if the Permittee fails to remit an installment payment by its due date.</p> <p>[Subsection F of 20.6.2.3114 NMAC, NMSA 1978, § 74-6-5.K]</p>



New Mexico Environment Department Ground Water Quality Bureau Discharge Permit Summary

Facility Information

Facility Name Cedar Cove Mobile Home and RV Park
Discharge Permit Number DP-1253
Legally Responsible Party Steve Bell, Owner/Manager
Cedar Cove, LLC
P.O. Box 898
Elephant Butte, New Mexico 87935
(575) 744-4472

Treatment, Disposal and Site Information

Primary Waste Type Domestic
Facility Type Mobile Home Park/Recreation Service

Treatment Methods

Type	Designation	Description & Comments
Septic Tank	North System	Six-1,200-gallon septic tanks arranged in two groups of three septic tanks, east and west. The septic tanks in each group are connected in series.
Septic Tank	West System	One-10,000-gallon septic tank.
Septic Tank	South System	Five-1,200-gallon septic tanks arranged in two groups. The east group consists of two septic tanks connected in series. The west group consists of three septic tanks connected in series.

Discharge Locations

Type	Designation	Description & Comments
Leachfield	North System	A 5,000 square foot leachfield servicing six-1,200-gallon septic tanks.
Leachfield	West System	A 5,000 square foot leachfield servicing a 10,000-gallon septic tank.
Leachfield	South System	A 5,000 square foot leachfield servicing five-1,200-gallon septic tanks.
Leach Pipe	South System Relief Pipe	A 200-foot, four inch, perforated PVC pipe to be used to relieve the South System's leachfield during times of heavier discharges.

Flow Metering Locations

Type	Designation	Description & Comments
Water Supply Meter	RG-70180	Totalizing flow meter for water supply well RG-70180.
Water Supply Meter	RG-77013	Totalizing flow meter for water supply well RG-77013.



New Mexico Environment Department Ground Water Quality Bureau Discharge Permit Summary

Ground Water Monitoring Locations

Type	Designation	Description & Comments
Supply Well	RG-70180	Located hydrologically upgradient of all septic tank/leachfield disposal systems.
Supply Well	RG-77013	Located hydrologically downgradient of the North System and West System.

Depth-to-Ground Water 313 feet
Total Dissolved Solids (TDS) 449 mg/L

Permit Information

Original Permit Issued April 8, 1999
Permit Modification October 5, 2001
Permit Renewal and Modification April 8, 2011
Permit Renewal January 20, 2017

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

Permit Renewal
October 19, 2021
[not yet published]
[issuance date]
15,050 gallons per day

NMED Contact Information

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

GWQB Telephone Number (505) 827-2900

NMED Lead Staff Gerald Knutson
Lead Staff Telephone Number (505) 660-7189
Lead Staff Email gerald.knutson@state.nm.us



New Mexico Environment Department
Ground Water Quality Bureau - Monitoring Report
Septic Tank/Leachfield Systems

DP #: 1253

Facility Name: Cedar Cove Mobile Home and RV Park

Today's Date: _____ This report is due (circle date): Feb 1 Aug 1 Year: _____

Name and phone number of GWQB Reviewer: Gerald Knutson / (505) 660-7189

The following page is provided to assist you in reporting your monitoring data. Retain a copy of all monitoring reports for your records. **Keep this original so that copies can be made for future submittals.**

Meter readings for RG-70180 Meter units (and multiplying factor): _____
Please fill in the first line with the previous reading for ease of calculation

Date read	Meter reading	Monthly water use (gal)	Volume of water used for irrigation (gal)	Monthly discharge volumes (gal)	Gallons per day

Meter readings for RG-77013 Meter units (and multiplying factor): _____
Please fill in the first line with the previous reading for ease of calculation

Date read	Meter reading	Monthly water use (gal)	Volume of water used for irrigation (gal)	Monthly discharge volumes (gal)	Gallons per day



New Mexico Environment Department
Ground Water Quality Bureau - Monitoring Report
Septic Tank/Leachfield Systems

DP #: 1253

Facility Name: Cedar Cove Mobile Home and RV Park

Today's Date: _____ This report is due (circle date): Feb 1 Aug 1 Year: _____

Monitoring well sample: Please compile results on this sheet *and* attach copies of lab reports.

Designation	Date Sampled	Depth to water	TKN (mg/L)	NO ₃ -N (mg/L)	Cl (mg/L)	TDS (mg/L)
RG-70180						
RG-77013						

Wastewater sample: Please compile results on this sheet *and* attach copies of lab reports.

Designation of sampling location	Date Sampled	TKN (mg/L)	Cl (mg/L)	TDS (mg/L)
North System NW Group-South Septic Tank				
North System NE Group-West Septic Tank				
West System Septic Tank				
South System SE Group-South Septic Tank				
South System SW Group-South Septic Tank				

Septic tank maintenance: Please attach copies of pumping invoices

Designation	Date checked	Scum depth (ft/in)	Water Depth (ft/in)	Solids Depth (ft/in)	Date pumped	Gallons pumped
North System NW Group-North Septic Tank						
North System NW Group-Middle Septic Tank						
North System NW Group-South Septic Tank						



New Mexico Environment Department
Ground Water Quality Bureau - Monitoring Report
Septic Tank/Leachfield Systems

DP #: 1253

Facility Name: Cedar Cove Mobile Home and RV Park

Today's Date: _____ This report is due (circle date): Feb 1 Aug 1 Year: _____

Designation	Date checked	Scum depth (ft/in)	Water Depth (ft/in)	Solids Depth (ft/in)	Date pumped	Gallons pumped
North System NE Group-East Septic Tank						
North System NE Group-Middle Septic Tank						
North System NE Group-West Septic Tank						
West System Septic Tank						
South System SE Group-North Septic Tank						
South System SE Group-South Septic Tank						
South System SW Group-South Septic Tank						
South System SW Group-South Septic Tank						
South System SW Group-South Septic Tank						



New Mexico Environment Department
Ground Water Quality Bureau - Monitoring Report
Septic Tank/Leachfield Systems

DP #: 1253

Facility Name: Cedar Cove Mobile Home and RV Park

Today's Date: _____ This report is due (circle date): Feb 1 Aug 1 Year: _____

Leachfield maintenance

Designation	Date checked	Maintenance performed and/or problems fixed
North System		
West System		
South System		
South System Relief Pipe		

RV usage: summary data. Do not include RV dump station.

Month	Total number of sites rented	Month	Total number of sites rented
January		July	
February		August	
March		September	
April		October	
May		November	
June		December	