



MICHELLE LUJAN GRISHAM
GOVERNOR

JAMES C. KENNEY
CABINET SECRETARY

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

December 29, 2021

Darrin Burns, Owner
Fort Sumner Processing
26450 US Highway 60
Fort Sumner, NM 88119

RE: Draft Discharge Permit Renewal, DP-1538, Fort Sumner Processing

Dear Darrin Burns:

The New Mexico Environment Department (NMED) hereby provides notice to you of the proposed approval of Ground Water Discharge Permit Renewal, DP-1538, (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 melanie.sandoval2@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.

Thank you for your cooperation during the review process. Feel free to contact me with any questions at (505) 660-7892.

Sincerely,

Melanie Sandoval, Industrial Waste Team Leader

Encl: Draft Discharge Permit Renewal, DP-1538

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/



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: December 29, 2021

GROUND WATER QUALITY BUREAU
DISCHARGE PERMIT
Issued under 20.6.2 NMAC

Facility Name: Fort Sumner Processing
Discharge Permit Number: DP-1538
Facility Location: 26450 U.S. Highway 60
Fort Sumner, NM 88119

County: De Baca

Permittee: Darrin Burns, Owner
Mailing Address: 26450 US Highway 60
Fort Sumner, NM 88119

Facility Contact: Darrin Burns, Owner
Telephone Number/Email: 575-355-2004 / burnsdarrin@hotmail.com

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

NMED Permit Contact: Melanie Sandoval
Telephone Number/Email: 505-660-7892 / melanie.sandoval2@state.nm.us

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

Date

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ATTACHMENTS

Discharge Permit Summary

I. INTRODUCTION

The New Mexico Environment Department (NMED) issues this groundwater discharge permit Renewal (Discharge Permit or DP-1538) to Darrin Burns (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 Fort Sumner Processing (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 515 gallons per day (gpd) of slaughterhouse process wastewater to an underground 1,500-gallon grease interceptor followed by a 4,000-gallon capacity underground holding tank system consisting of three holding tanks connected in series. Wastewater from the final holding tank is pumped into a 2,600-gallon pumper truck on a regular basis and transported to the Village of Fort Sumner Wastewater Treatment Facility for final disposal in accordance with a contract between the Village of Fort Sumner and the Facility, dated September 25, 2006.

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 26450 U.S. Highway 60 - 84, Fort Sumner, in Section 27, T03N, R26E, in De Baca County. A discharge at the Facility is most likely to affect groundwater at a depth of approximately 105 feet and having a pre-discharge total dissolved solids (TDS) concentration of approximately 1,040 milligrams per liter.

NMED issued the original Discharge Permit to the Permittee on January 24, 2007, and subsequently renewed the Permit on May 31, 2012, and renewed the Permit on September 11, 2015. The application (i.e., discharge plan) associated with this Discharge Permit consists of the

materials submitted by the Permittee dated December 17, 2019, 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
BOD ₅	biochemical oxygen demand (5-day)	NMED	New Mexico Environment Department
CAP	Corrective Action Plan	NMSA	New Mexico Statutes Annotated
CFR	Code of Federal Regulations	NO ₃ -N	nitrate-nitrogen
CFU	colony forming unit	NTU	nephelometric turbidity units
Cl	chloride	QA/QC	Quality Assurance/Quality Control
EPA	United States Environmental Protection Agency	TDS	total dissolved solids
gpd	gallons per day	TKN	total Kjeldahl nitrogen
LAA	land application area	total nitrogen	= TKN + NO ₃ -N
LADS	Land Application Data Sheet(s)	TRC	total residual chlorine
mg/L	milligrams per liter	TSS	total suspended solids
mL	milliliters	WQA	New Mexico Water Quality Act
MPN	most probable number	WQCC	Water Quality Control Commission
NMAC	New Mexico Administrative Code	WWTF	Wastewater Treatment Facility

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 discharge up to 515 gpd of slaughterhouse process wastewater through an underground 1,500-gallon grease interceptor followed by a 4,000-gallon capacity underground holding tank system consisting of three holding tanks connected in series. This Discharge Permit also authorizes the Permittee to pump wastewater from the final holding tank into a 2,600-gallon pumper truck on a regular basis and transport the wastewater to the Village of Fort Sumner Wastewater Treatment Facility for final disposal in accordance with a contract between the Village of Fort Sumner and the Facility, dated September 25, 2006.

[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>Within 60 days following the issuance date of this Discharge Permit (by DATE), the Permittee shall conduct an inspection and test for water-tight construction on the 4,000-gallon capacity underground holding tank system. The inspection and test shall be performed by a person meeting the qualification requirements identified in Paragraph (2), Subsection B of 20.7.3.904 NMAC, Liquid Waste Disposal and Treatment Regulations.</p> <p>The Permittee shall perform the water-tightness inspection according to the following procedures:</p> <ul style="list-style-type: none">a) Sampling of the contents of the unit and disposal of the contents in accordance with all local, state, and federal regulations, including 40 CFR Part 503. Inspection of the interior of the unit to determine the construction material, interior dimensions and structural integrity.b) Photographic documentation of the condition of the interior of the unit shall be collected while the unit is empty. <p>Completion of water-tightness testing shall use one of the two following procedures.</p> <ul style="list-style-type: none">a) <u>Conducting hydrostatic testing</u> using the following procedure.<ul style="list-style-type: none">1) Plug the inlet and outlet piping of the unit.2) Fill the unit with water to the normal operating level.3) Measure the water level.4) Allow the water to stand for 60 minutes without the addition of water.5) Measure the water level at the end of 60 minutes. <p>A unit that does not allow a drop-in water level of greater than 0.01 feet in 60 minutes is considered to be watertight.</p>

#	Terms and Conditions
	<p data-bbox="824 321 906 352" style="text-align: center;">- OR -</p> <p data-bbox="302 359 1105 390">b) <u>Conducting vacuum testing</u> using the following procedure.</p> <ol style="list-style-type: none"><li data-bbox="386 399 797 430">1) Seal all openings to the unit.<li data-bbox="386 436 1240 468">2) Apply a vacuum of 50 millimeters (mm) of mercury to the unit.<li data-bbox="386 474 1430 548">3) Allow the unit to stand for two minutes without the application of additional vacuum. <p data-bbox="285 594 1430 667">A unit that maintains at least 90% of the vacuum (i.e., greater than 45 mm of mercury) after two minutes is considered to be watertight.</p> <p data-bbox="285 709 1430 783">A record of all inspection findings and water-tightness testing shall be kept, including but not limited to a narrative description of the processes and date-stamped photographs.</p> <p data-bbox="285 825 1430 1014">The Permittee shall submit a report for each unit inspected/tested to NMED in the next required periodic monitoring report. The report shall include the date of the inspection/test, the name of the individual that conducted the test, written inspection findings, photographic documentation of the unit's interior and water-tightness test results.</p> <p data-bbox="285 1056 1430 1171">In the event that water-tightness testing reveals that a unit is not watertight, or should inspection reveal damage to the unit that could result in structural failure, the Permittee shall notify NMED within 30 days of the inspection/test date.</p> <p data-bbox="285 1213 1430 1287">The Permittee shall implement the following corrective actions upon notification from NMED.</p> <ol style="list-style-type: none"><li data-bbox="302 1293 1430 1556">a) Within 90 days following notification from NMED, repair or replace the unit. If notified to do so by NMED, the Permittee shall submit plans and specifications for the proposed repair or replacement that bear the seal and signature of a licensed New Mexico professional engineer (pursuant to the New Mexico Engineering and Surveying Practice Act and the rules promulgated under that authority). The Permittee shall submit plans and specifications to NMED prior to construction for evaluation of compliance with the requirements of 20.6.2 NMAC.<li data-bbox="302 1562 1430 1873">b) Within 30 days following repair or replacement of the unit, repeat the water-tightness testing to verify the effectiveness of the repair or replacement, and submit a report to NMED. The report shall include the date of the inspection/test, the name of the individual that performed the inspection/test, written inspection findings, photographic documentation of the unit's interior and water tightness test results. If notified to do so by NMED, the Permittee shall also submit record drawings that bear the seal and signature of a licensed New Mexico professional engineer (pursuant to the New Mexico Engineering and Surveying Practice Act and the rules

#	Terms and Conditions
	<p data-bbox="350 321 1430 390">promulgated under that authority) that include the final, construction details of the unit.</p> <p data-bbox="293 436 1227 470">[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
4.	<p data-bbox="293 499 1430 800">The Permittee shall inspect each holding tank weekly for the accumulation of scum and solids to ensure the tanks do not overflow. 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 tanks 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. The Permittee shall contain, transport and dispose of all solids removed from the holding tanks in accordance with all local, state, and federal regulations and in accordance with the Village of Fort Sumner contract.</p> <p data-bbox="293 846 1430 993">The Permittee shall create and maintain a log of all holding 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 data-bbox="293 1039 1430 1150">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 data-bbox="293 1197 1227 1230">[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
5.	<p data-bbox="293 1255 1430 1325">The Permittee shall inspect the grease interceptor on a monthly basis and remove accumulated grease and settled solids as needed to prevent them from exiting the unit.</p> <p data-bbox="293 1371 1430 1518">The Permittee shall create and maintain a log of all grease interceptor inspections which describes all findings, repairs, 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 data-bbox="293 1564 1430 1633">The Permittee shall maintain a record of grease/solids removal and disposal, including date, volume of grease/solids removed, disposal method and disposal location.</p> <p data-bbox="293 1680 1227 1713">[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>

B. MONITORING AND REPORTING

#	Terms and Conditions
6.	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]
7.	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. [Subsection B of 20.6.2.3107 NMAC]

Due Dates for Monitoring Reports

8.	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: <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. [Subsection A of 20.6.2.3107 NMAC]
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Facility Monitoring Conditions

#	Terms and Conditions
9.	<p>The Permittee shall on a monthly basis estimate the volume of wastewater received by recording meter readings for the Facility's water supply 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 influent 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 received.</p>

#	Terms and Conditions
	<p>The Permittee shall submit the monthly meter readings, estimated monthly and average daily influent 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 submit documentation (i.e., invoice, manifest or receipt) of the removal of offal, blood and hides from the facility by an offsite renderer and/or tanner. Should the offal, blood and/or hides be disposed of at an offsite landfill, the Permittee shall submit documentation of proper disposal, including the name of the landfill and copies of disposal receipts. The Permittee shall submit documentation of offal, blood and hide removal and disposal to NMED in the semi-annual monitoring reports.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
11.	<p>The Permittee shall submit all records of solids and grease removal and disposal to NMED in the semi-annual monitoring reports.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>

C. CONTINGENCY PLAN

#	Terms and Conditions
12.	<p>In the event that groundwater exceeds a groundwater protection standard identified in Section 20.6.2.3103 NMAC as a result of this discharge during the term of this Discharge Permit, upon closure of the Facility or during the implementation of post-closure requirements, 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>The NMED may 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>

#	Terms and Conditions
13.	<p data-bbox="293 321 1430 472">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 data-bbox="293 514 1430 588">Within <u>24 hours</u> following discovery of the unauthorized discharge, the Permittee shall verbally notify NMED and provide the following information.</p> <ul data-bbox="293 592 1430 940" style="list-style-type: none">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.b) The name and address of the Facility.c) The date, time, location, and duration of the unauthorized discharge.d) The source and cause of unauthorized discharge.e) A description of the unauthorized discharge, including its estimated chemical composition.f) The estimated volume of the unauthorized discharge.g) Any actions taken to mitigate immediate damage from the unauthorized discharge. <p data-bbox="293 982 1430 1092">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 data-bbox="293 1134 1430 1285">Within <u>15 days</u> following discovery of the unauthorized discharge, the Permittee shall submit a Corrective Action Plan (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> <ul data-bbox="293 1289 1430 1486" style="list-style-type: none">a) A description of proposed actions to mitigate damage from the unauthorized discharge.b) A description of proposed actions to prevent future unauthorized discharges of this nature.c) A schedule for completion of proposed actions. <p data-bbox="293 1528 1430 1755">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 data-bbox="293 1797 1430 1873">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>

#	Terms and Conditions
	[20.6.2.1203 NMAC]
14.	<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 Corrective Action Plan 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
15.	<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 holding tanks (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, septage, and grease interceptor waste shall be pumped from the system components (e.g., septic tanks, grease trap/interceptors, lift stations, dosing chambers, 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. <p>Within <u>180 days</u> of ceasing discharge to the holding tank(s) (or closed system components), the Permittee shall complete the following closure measures:</p> <ul style="list-style-type: none">a) Remove all lines leading to and from the closed system(s) or permanently plug them and abandon them in place.b) Remove or demolish all closed holding tanks, grease trap/interceptors, lift stations, dosing chambers, distribution boxes or other system(s) components and re-grade the area with suitable fill to blend with surface topography to promote positive drainage and prevent ponding. <p>Following notification from NMED that the Permittee may cease post-closure</p>

#	Terms and Conditions
	<p>monitoring, the Permittee shall plug and abandon the monitoring well(s) in accordance with the attached Monitoring Well Guidance.</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
16.	<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 facilities/equipment used to treat, store or dispose of wastewater;• 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;• Copies of logs, inspection reports, and monitoring reports completed and/or submitted to NMED pursuant to this Discharge Permit;• 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;• Copies of construction records (well log) for all sampled groundwater monitoring wells 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:<ul style="list-style-type: none">○ the dates, location and times of sampling or field measurements;○ the name and job title of the individuals who performed each sample collection or field measurement;

#	Terms and Conditions
	<ul style="list-style-type: none">○ 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>
17.	<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>
18.	<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 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>

#	Terms and Conditions
19.	<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>
20.	<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>
21.	<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>
22.	<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 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.</p>

#	Terms and Conditions
	<p>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>
23.	<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>
24.	<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>
25.	<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>

#	Terms and Conditions
	<p>[20.6.2.3112 NMAC, NMSA 1978, § 74-6-5.O]</p>
26.	<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>
27.	<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 Fort Sumner Processing
Discharge Permit Number DP-1538
Legally Responsible Party Darrin Burns, Owner
26450 US Highway 60
Fort Sumner, NM 88119
575-355-2004

Treatment, Disposal and Site Information

Primary Waste Type Slaughterhouse Processing Wastewater
Facility Type Slaughterhouse

Discharge Locations

Type	Designation	Description & Comments
Grease Trap	Grease Trap	1,500-gallon capacity concrete tank.
Holding Tank	#1	1,500-gallon capacity concrete tank; 1 st in series.
Holding Tank	#2	1,500-gallon capacity concrete tank; 2 nd in series.
Holding Tank	#3	1,000-gallon capacity poly vinyl tank; 3 rd in series.

Flow Metering Locations

Type	Designation	Description & Comments
Supply Well Meter	Supply Well Meter	Supply well meter located at the processing facility.

Depth-to-Ground Water 105 feet
Total Dissolved Solids (TDS) 1,040 mg/L

Permit Information

Original Permit Issued January 24, 2007
Permit Renewal May 31, 2012
Permit Renewal September 11, 2015
Current Action Permit Renewal
Application Received December 17, 2019
Public Notice Published [not yet published]
Permit Issued (Effective Date) [effective date]
Permitted Discharge Volume 515 gallons per day



New Mexico Environment Department Ground Water Quality Bureau Discharge Permit Summary

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

Melanie Sandoval

Lead Staff Telephone Number

(505) 660-7892

Lead Staff Email

melanie.sandoval2@state.nm.us