



MICHELLE LUJAN GRISHAM  
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**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

December 1, 2023

Joel Berman, Plant Operations Division Manager  
Albuquerque Bernalillo County Water Utility Authority  
4201 Second Street SW  
Albuquerque, New Mexico 87105

**RE: Draft Discharge Permit Renewal, DP-1329, Bernalillo County Metropolitan Detention Center**

Dear Joel Berman:

The New Mexico Environment Department (NMED) hereby provides notice to the Albuquerque Bernalillo County Water Utility Authority of the proposed approval of Ground Water Discharge Permit Renewal, DP-1329, (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 below, via email to [andrewc.romero@env.nm.gov](mailto:andrewc.romero@env.nm.gov) or to [pps.general@env.nm.gov](mailto:pps.general@env.nm.gov), or directly into the NMED Public Comment Portal at <https://nmed.commentinput.com/comment/search>. 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.

Sincerely,

Andrew Romero, Water Resource Professional

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/](http://www.env.nm.gov/gwqb/)

Joel Berman, DP-1329

December 1, 2023

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Encl: Draft Discharge Permit Renewal, DP-1329

cc: Danielle Shuryn, Compliance Division Manager, [dshuryn@abcwua.org](mailto:dshuryn@abcwua.org)

Gregory Larson, P.E., Chief Engineer – SWRP, [glarson@abcwua.org](mailto:glarson@abcwua.org)



**NEW MEXICO**  
**ENVIRONMENT DEPARTMENT**  
Ground Water Quality Bureau

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***Draft: December 1, 2023***

**GROUND WATER QUALITY BUREAU**  
**DISCHARGE PERMIT**  
**Issued under 20.6.2 NMAC**

**Facility Name:** Bernalillo County Metropolitan Detention Center  
**Discharge Permit Number:** DP-1329  
**Facility Location:** 5800 Shelly Rd SW  
Albuquerque, NM 87105

**County:** Bernalillo

**Permittee:** Albuquerque Bernalillo County Water Utility Authority  
**Mailing Address:** Joel Berman, Plant Operations Division Manager  
4201 Second Street SW  
Albuquerque, NM 87105

**Facility Contact:** Danielle Shuryn  
**Telephone Number/Email:** 505-289-3382 / [dshuryn@abcwua.org](mailto:dshuryn@abcwua.org)

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

**NMED Permit Contact:** Andrew Romero  
**Telephone Number/Email:** 505-660-8624 / [andrewc.romero@env.nm.gov](mailto:andrewc.romero@env.nm.gov) or  
505-827-2900 / [pps.general@env.nm.gov](mailto:pps.general@env.nm.gov)

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

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Date

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## ATTACHMENTS

Discharge Permit Summary  
Groundwater Discharge Permit Guidance for Synthetically Lined Lagoons – Liner  
Material and Site Preparation, Revision 0.0, May 2007  
Land Application Data Sheet (LADS - <https://www.env.nm.gov/forms/>)

## I. INTRODUCTION

The New Mexico Environment Department (NMED) issues this groundwater discharge permit Renewal (Discharge Permit or DP-1329) to the Albuquerque Bernalillo County Water Utility Authority (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 Bernalillo County Metropolitan Detention Center (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 receives and treats domestic wastewater at a volume of up to 212,600 gallons per day (gpd). Treated wastewater (reclaimed domestic wastewater) discharges to a 23-acre subsurface disposal field, a 3.1-acre sod farm via flood irrigation, or is used for dust control and construction purposes at the Cerro Colorado Landfill.

### Discharge Permit Location Information:

Physical Address	5800 Shelly Rd SW, Albuquerque, NM
Nearest Town/City	Approximately 15 miles SW of Albuquerque
Section, Township, Range	Sections 17 and 18, Township 09N, Range 01E
County	Bernalillo
Depth to Groundwater	855 feet
Pre-Discharge TDS	756 mg/L

### Discharge Permit Issuance History:

Original Permit Issuance	June 15, 2001
Permit Renewal	December 22, 2008
Permit Renewal	October 1, 2015

The application (i.e., discharge plan) associated with this Discharge Permit consists of the materials submitted by the Permittee dated July 16, 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 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 to 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 <sub>5</sub>	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 <sub>3</sub> -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 <sub>3</sub> -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 this Facility has the potential to 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 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 treat up to 212,600 gpd of domestic wastewater using an aerated impoundment system. This Discharge Permit also authorizes the Permittee to discharge treated wastewater (reclaimed domestic wastewater) to a 23-acre subsurface, low-pressure dose disposal field, discharge to a 3.1-acre sod farm via flood irrigation for a duration of less than 24 hours at a time, and/or transfer reclaimed domestic wastewater to the Cerro Colorado Landfill for dust control and construction purposes. The 3.1-acre sod farm and the Cerro Colorado Landfill make up the re-use areas.

[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]

#	Terms and Conditions
2.	<p>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.</p> <p>[20.6.2.3101 NMAC, 20.6.2.3103 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>

***Operational Actions with Implementation Deadlines***

#	Terms and Conditions
3.	<p>Within 180 days following the issuance date of this Discharge Permit (<b>by DATE</b>), the Permittee shall submit an up-to-date diagram of the layout of the entire Facility to NMED. The diagram shall include the following elements:</p> <ul style="list-style-type: none"><li>• a north arrow;</li><li>• the issuance date of the diagram;</li><li>• all components of the wastewater treatment [and disposal] system;</li><li>• all reuse areas and associated distribution pipelines;</li><li>• all backflow prevention methods/devices;</li><li>• all flow measurement devices; and</li><li>• all wastewater sampling locations.</li></ul> <p>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.</p> <p>[Subsection C of 20.6.2.3106 NMAC, Subsection A of 20.6.2.3107 NMAC]</p>
4.	<p>Within 180 days following the issuance date of this Discharge Permit (<b>by DATE</b>), the Permittee shall measure the thickness of the settled solids in the aerated impoundment system. The Permittee shall report the results of the solids thickness measurements to NMED in the next required periodic monitoring report.</p> <p>The Permittee shall measure the thickness of settled solids in accordance with the following procedure.</p> <ol style="list-style-type: none"><li>a) The division of the total surface area of the treatment impoundment into nine equal sub-areas.</li><li>b) One measurement (to the nearest half foot) using a settled solids measurement device (e.g., core sampler) per sub-area.</li><li>c) Calculation of the average of the nine measurements.</li></ol>

#	Terms and Conditions
	<p>In the event that the measured settled solids exceed one-third of the maximum liquid depth in the impoundment, the Permittee shall implement the Contingency Plan set forth in this Discharge Permit.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>

**Operating Conditions**

#	Terms and Conditions															
5.	<p>The Permittee shall ensure that treated wastewater discharged from the final treatment process does not exceed the following discharge limit.</p> <p><b>Total Nitrogen: 30 mg/L</b></p> <p>[Subsection C of 20.6.2.3109 NMAC]</p>															
6.	<p>The Permittee shall ensure that Class 2 reclaimed domestic wastewater discharged from the final treatment process to the 3.1-acre sod farm and the Cerro Colorado Landfill does not exceed the following discharge limits.</p> <table><tr><td>Test</td><td>30-day Average</td><td>Maximum</td></tr><tr><td>Fecal coliform</td><td>200 Org/100 mL</td><td>400 Org/100 mL</td></tr><tr><td>BOD<sub>5</sub></td><td>30 mg/L</td><td>45 mg/L</td></tr><tr><td>TSS</td><td>30 mg/L</td><td>45 mg/L</td></tr><tr><td>TRC</td><td>Monitor Only</td><td>Monitor Only</td></tr></table> <p>[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]</p>	Test	30-day Average	Maximum	Fecal coliform	200 Org/100 mL	400 Org/100 mL	BOD <sub>5</sub>	30 mg/L	45 mg/L	TSS	30 mg/L	45 mg/L	TRC	Monitor Only	Monitor Only
Test	30-day Average	Maximum														
Fecal coliform	200 Org/100 mL	400 Org/100 mL														
BOD <sub>5</sub>	30 mg/L	45 mg/L														
TSS	30 mg/L	45 mg/L														
TRC	Monitor Only	Monitor Only														
7.	<p>The Permittee shall apply reclaimed domestic wastewater evenly throughout the 3.1-acre sod farm and treated wastewater to each section of 23-acre subsurface low-pressure dose disposal field such that the amount of total nitrogen applied does not exceed 200 pounds per acre in any rolling 12-month period. The Permittee shall not adjust nitrogen content to account for volatilization or mineralization processes. The Permittee shall prevent excessive ponding from occurring due to the discharge. Discharges to the sod farm shall be of a duration less than 24 hours, and no standing reclaimed wastewater shall remain 24 hours after application.</p> <p>[Subsection C of 20.6.2.3109 NMAC]</p>															
8.	<p>The Permittee shall ensure adherence to the following general requirements for above-ground use of reclaimed domestic wastewater.</p>															

#	Terms and Conditions
	<p>a) The Permittee shall install and maintain signs in English and Spanish at all reuse areas such that they are visible and legible for the term of this Discharge Permit. The Permittee shall post signs at the entrance to reuse areas and at other locations where public exposure to reclaimed domestic wastewater may occur. The signs shall state: <b>NOTICE: THIS AREA IS IRRIGATED WITH RECLAIMED WASTEWATER - DO NOT DRINK. AVISO: ESTA ÁREA ESTÁ REGADA CON AGUAS NEGRAS RECOBRADAS - NO TOMAR.</b> The Permittee may submit alternate wording and/or graphics to NMED for approval.</p> <p>b) Reclaimed domestic wastewater systems shall have no direct or indirect cross connections with public water systems or irrigation wells pursuant to the latest revision of the New Mexico Plumbing Code (14.8.2 NMAC) and New Mexico Mechanical Code (14.9.2 NMAC).</p> <p>c) Above-ground use of reclaimed domestic wastewater shall not result in excessive ponding of wastewater and shall not exceed the water consumptive needs of the crop. The Permittee shall not discharge reclaimed domestic wastewater at times when the reuse area is saturated or frozen.</p> <p>d) The Permittee shall confine discharge of reclaimed domestic wastewater to the reuse area.</p> <p>e) The Permittee shall not discharge reclaimed domestic wastewater to crops used for human consumption.</p> <p>f) Water supply wells within 200 feet of a reuse area shall have adequate wellhead construction pursuant to 19.27.4 NMAC.</p> <p>g) Existing and accessible portions of the reclaimed domestic wastewater distribution system (with the exception of application equipment such as sprinklers or pivots) shall be colored purple or clearly labeled as being part of a reclaimed domestic wastewater distribution system. Piping, valves, outlets, and other plumbing fixtures shall be purple pursuant to the latest revision of the New Mexico Plumbing Code (14.8.2 NMAC) and New Mexico Mechanical Code (14.9.2 NMAC) to differentiate piping or fixtures used to convey reclaimed wastewater from those intended for potable or other uses.</p> <p>h) Valves, outlets, and sprinkler heads used in reclaimed wastewater systems shall be accessible only to authorized personnel.</p> <p>The Permittee shall demonstrate adherence to these requirements by submitting documentation consisting of narrative statements and date-stamped photographs as appropriate. The Permittee shall submit the documentation to NMED once during the term of this Discharge Permit in the next required periodic monitoring report after the issuance of the Discharge Permit.</p> <p>[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1–78, § 74-6–5.D]</p>

#	Terms and Conditions
9.	<p>The Permittee shall meet the following setbacks and access restrictions for flood irrigation at the 3.1-acre sod farm using Class 2 reclaimed domestic wastewater.</p> <ul style="list-style-type: none"><li>a) The irrigation only occurs in a manner that minimizes public contact.</li><li>b) Public access is restricted to the reuse area by perimeter fencing using four-strand barbed wire and a locking gate, or other access controls approved by NMED.</li></ul> <p>[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1–78, § 74-6-5.D]</p>
10.	<p>The Permittee shall institute a backflow prevention method to protect wells and public water supply systems from contamination by reclaimed domestic wastewater prior to discharging to the reuse area. Backflow prevention shall be achieved by a total disconnect (physical air gap separation between the discharge pipe and the liquid surface at least twice the diameter of the discharge pipe), or by a reduced pressure principal backflow prevention assembly (RP) installed on the line between the fresh water supply wells or public water supply and the reclaimed domestic wastewater delivery system. The Permittee shall maintain backflow prevention at all times.</p> <p>The Permittee shall have RP devices inspected and tested by a certified backflow prevention assembly tester at the time of installation, repair or relocation and at least on an annual basis thereafter. The backflow prevention assembly tester shall have successfully completed a 40-hour backflow prevention course based on the University of Southern California’s Backflow Prevention Standards and Test Procedures, and obtained certification demonstrating completion. The Permittee shall have all malfunctioning RP devices repaired or replaced within 30 days of discovery. The Permittee shall cease using supply lines associated with the RP device until repair or replacement is complete.</p> <p>The Permittee shall maintain copies of the inspection and maintenance records and test results for each RP device associated with the backflow prevention program at a location available for inspection by NMED.</p> <p>[Subsection C of 20.6.2.3109 NMAC]</p>
11.	<p>The Permittee shall maintain 18 to 24-inch berms around the 3.1-acre sod farm area to prevent surface water run-on and run-off. The Permittee shall inspect the berms on a monthly basis and after any major precipitation event and repaired as necessary.</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 person responsible for the inspection. The Permittee shall make the log available to NMED upon request.</p> <p>[Subsection C of 20.6.2.3109 NMAC]</p>

#	Terms and Conditions
12.	<p>The Permittee shall maintain fences around the Facility to restrict access by the general public and animals. The fences shall consist of a minimum of six-foot chain link or field fencing and locking gates. The Permittee shall maintain the fences to serve the stated purpose throughout the term of this Discharge Permit.</p> <p>[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]</p>
13.	<p>The Permittee shall maintain signs indicating that the wastewater at the Facility is not potable. The Permittee shall post signs at the Facility entrance and other areas where there is potential for public contact with wastewater. The Permittee shall print signs in English and Spanish and shall ensure the signs remain visible and legible for the term of this Discharge Permit.</p> <p>[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]</p>
14.	<p>The Permittee shall maintain the impoundment liners to avoid conditions that could affect the liner or the structural integrity of the impoundments. Characterization of such conditions may include the following:</p> <ul style="list-style-type: none"><li>• erosion damage;</li><li>• animal burrows or other damage;</li><li>• the presence of vegetation including aquatic plants, weeds, woody shrubs or trees growing within five feet of the top inside edge of a sub-grade impoundment, within five feet of the toe of the outside berm of an above-grade impoundment, or within the impoundment itself;</li><li>• the presence of large debris or large quantities of debris in the impoundments;</li><li>• evidence of seepage; or</li><li>• evidence of berm subsidence.</li></ul> <p>The Permittee shall routinely control vegetation growing around the impoundments by mechanical removal that is protective of the impoundment liner.</p> <p>The Permittee shall visually inspect the impoundments and surrounding berms on a monthly basis to ensure proper maintenance. In the event that inspection reveals any evidence of damage that threatens the structural integrity of an impoundment berm or liner, or that may result in an unauthorized discharge, the Permittee shall implement the Contingency Plan set forth in this Discharge Permit.</p> <p>The Permittee shall create and maintain a log of all impoundment inspections which describes the date of the inspection, any findings and repairs and the name of the person responsible for the inspection. The Permittee shall make the log available to NMED upon request.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>

#	Terms and Conditions
15.	<p>The Permittee shall preserve a minimum of two feet of freeboard, i.e., the distance between the highest calculated liquid level in the impoundments and the liquid level which would result in the release of stored liquid from the impoundments.</p> <p>In the event that the Permittee determines that it cannot preserve two feet of freeboard in the impoundment, the Permittee shall implement the Contingency Plan set forth in this Discharge Permit.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
16.	<p>The Permittee shall visually inspect the area above the 23-acre subsurface low-pressure dose disposal field (disposal system) semi-annually to ensure proper maintenance. The Permittee shall correct any conditions that indicate damage to the 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 the disposal system, 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>
17.	<p>The Permittee shall utilize operators, certified by the State of New Mexico at the appropriate level pursuant to 20.7.4 NMAC, to operate the wastewater collection, treatment, and disposal systems. A certified operator or a direct supervisee of a certified operator shall perform the operations and maintenance of all or any part of the wastewater system.</p> <p>The Permittee shall notify the NMED within 24 hours if at any time the Permittee no longer has a certified operator maintaining the system.</p> <p>[Subsection C of 20.6.2.3109 NMAC, 20.7.4 NMAC]</p>

**B. MONITORING AND REPORTING**

#	Terms and Conditions
18.	<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
19.	<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***

#	Terms and Conditions
20.	<p>Quarterly monitoring - The Permittee shall perform monitoring and other Permit required actions during the following periods and shall submit quarterly reports to NMED by the following due dates:</p> <ul style="list-style-type: none"><li>• January 1<sup>st</sup> through March 31<sup>st</sup> – <b>due by May 1<sup>st</sup></b>;</li><li>• April 1<sup>st</sup> through June 30<sup>th</sup> – <b>due by August 1<sup>st</sup></b>;</li><li>• July 1<sup>st</sup> through September 30<sup>th</sup> – <b>due by November 1<sup>st</sup></b>; and</li><li>• October 1<sup>st</sup> through December 31<sup>st</sup> – <b>due by February 1<sup>st</sup></b>.</li></ul> <p>[Subsection A of 20.6.2.3107 NMAC]</p>

***Facility Monitoring Conditions***

#	Terms and Conditions
21.	<p>The Permittee shall on a monthly basis measure the volume discharged to <i>each</i> disposal area: the 3.1-acre sod farm, each section of the 23-acre subsurface low-pressure dose disposal field, and the Cerro Colorado Landfill using a Parshall flume equipped with totalizing capacity. The meter shall be located on the transfer line between the impoundment system and the disposal areas.</p> <p>The Permittee shall maintain a log that records the date that discharges occur to <i>each</i> location and the monthly totalizing meter readings and units of measurement. The Permittee shall use the log to calculate the total calendar monthly volume of reclaimed domestic wastewater discharged to <i>each</i> disposal area. The Permittee shall also use the monthly volume discharged to <i>each</i> section of the 23-acre subsurface low-pressure dose disposal field and the 3.1-acre sod farm on the LADS (copy enclosed) to calculate nitrogen loading. The Permittee shall submit a copy of the log to NMED in the quarterly monitoring reports.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]</p>

#	Terms and Conditions
22.	<p>All flow meters shall be capable of having their accuracy verified under working (i.e., real-time in-the-field) conditions. The Permittee shall develop a field verification method for each flow meter and shall utilize that method to check the accuracy of each respective meter. The Permittee shall perform field calibrations, at a minimum, on an annual basis. The Permittee shall also perform field calibrations upon repair or replacement of a flow measurement device.</p> <p>The Permittee shall calibrate each flow meter to its manufacturer's recommended specification which shall be no less accurate than plus or minus 10 percent of actual flow, as measured under field conditions. An individual knowledgeable in flow measurement shall perform field calibration and the installation/operation of the device in use. The Permittee shall prepare a flow meter calibration report for each flow measurement device calibration event. The flow meter calibration report shall include the following information.</p> <ul style="list-style-type: none"><li>a) The location and meter identification.</li><li>b) The method of flow meter field calibration employed.</li><li>c) The measured accuracy of each flow meter prior to adjustment indicating the positive or negative offset as a percentage of actual flow as determined by an in-field calibration check.</li><li>d) The measured accuracy of each flow meter following adjustment, if necessary, indicating the positive or negative offset as a percentage of actual flow of the meter.</li><li>e) Any flow meter repairs made during the previous year or during field calibration.</li><li>f) The name of the individual performing the calibration and the date of the calibration.</li></ul> <p>The Permittee shall maintain records of flow meter calibration(s) at a location accessible for review by NMED during Facility inspections.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]</p>
23.	<p>The Permittee shall visually inspect flow meters on a monthly basis for evidence of malfunction. The Permittee shall maintain a log of the inspections that includes a date of the inspection, findings and repairs, and the name of the inspector. The Permittee shall make the log available to NMED upon request.</p> <p>If a visual inspection indicates a flow meter is not functioning as required by this Discharge Permit, the Permittee shall repair or replace the meter within 30 days of discovery. For <i>repaired</i> meters, the Permittee shall submit a report to NMED with the next monitoring report following the repair that includes a description of the malfunction; a statement verifying the repair; and a flow meter field calibration report completed in accordance with the requirements of this Discharge Permit. For <i>replacement</i> meters, the Permittee shall submit a report to NMED with the next</p>

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	<p>monitoring report following the replacement that includes a design schematic for the device and a flow meter field calibration report completed in accordance with the requirements of this Discharge Permit.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
24.	<p>The Permittee shall collect samples of reclaimed domestic wastewater after the final treatment process on a quarterly basis and analyze the samples for:</p> <ul style="list-style-type: none"><li>• TKN;</li><li>• NO<sub>3</sub>-N;</li><li>• TDS; and</li><li>• Cl.</li></ul> <p>In the event that no effluent discharge occurs during the entire quarterly period, the Permittee shall collect a composite wastewater sample from Impoundment 2 and analyze the sample for TKN, NO<sub>3</sub>-N, TDS, and Cl. The composite sample shall consist of a minimum of six equal aliquots collected equidistantly around the entire perimeter of the impoundment and thoroughly mixed.</p> <p>The Permittee shall ensure the sample is properly prepared, preserved, transported, and analyzed in accordance with the methods authorized in this Discharge Permit. The Permittee shall submit the laboratory analytical data results, including the QA/QC summary and Chain of Custody, to NMED in the quarterly monitoring reports.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]</p>
25.	<p>During any week that the discharge of reclaimed domestic wastewater to the 3.1-acre sod farm or the Cerro Colorado Landfill occurs, the Permittee shall perform the following analyses on the wastewater samples collected after the final treatment process using the following sampling method and frequency:</p> <ul style="list-style-type: none"><li>• Fecal coliform: grab sample at peak daily flow once per week;</li><li>• BOD<sub>5</sub>: six-hour composite once per week;</li><li>• TSS: six-hour composite once per week; and</li><li>• TRC concentrations: record whenever collecting bacteria samples.</li></ul> <p>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 the laboratory analytical data results, including the QA/QC summary and Chain of Custody, and a copy of the log of TRC concentrations to NMED in the subsequent quarterly monitoring report.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections B, C and H of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]</p>

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26.	<p>If the Permittee does not connect the Facility to the city sewer system within two years of issuance of this Discharge Permit, the Permittee shall once during the remaining three years of the term of this Discharge Permit, collect a 24-hour flow weighted composite sample (except as noted for pH) of reclaimed domestic wastewater after the final treatment process and analyze the sample for the following inorganic contaminants (dissolved fraction, except as noted):</p> <ul style="list-style-type: none"> <li>• aluminum (CAS 7429-90-5)</li> <li>• antimony (CAS 7440-36-0)</li> <li>• arsenic (CAS 7440-38-2)</li> <li>• barium (CAS 7440-39-3)</li> <li>• beryllium (CAS 7440-41-7)</li> <li>• boron (CAS 7440-42-8)</li> <li>• cadmium (CAS 7440-43-9)</li> <li>• chromium (CAS 7440-47-3)</li> <li>• cobalt (CAS 7440-48-4)</li> <li>• copper (CAS 7440-50-8)</li> <li>• cyanide CAS 57-12-5)</li> <li>• fluoride (CAS 16984-48-8)</li> <li>• iron (CAS 7439-89-6)</li> <li>• lead (CAS 7439-92-1)</li> <li>• manganese (CAS 7439-96-5)</li> <li>• molybdenum (CAS 7439-98-7)</li> <li>• total mercury (nonfiltered) (CAS 7439-97-6)</li> <li>• pH (instantaneous)</li> <li>• nickel (CAS 7440-02-0)</li> <li>• selenium (CAS 7782-49-2)</li> <li>• silver (CAS 7440-224)</li> <li>• sulfate (CAS 14808-79-8)</li> <li>• thallium (CAS 7440-28-0)</li> <li>• uranium (CAS 7440-61-1)</li> <li>• zinc (CAS 7440-66-6)</li> </ul> <p>The Permittee shall properly collect, prepare, preserve, transport and analyze the samples in accordance with the methods authorized in this Discharge Permit. The Permittee shall analyze the sample using methods with reporting limits that are less than the corresponding numerical groundwater standards identified in 20.6.2.3103 NMAC.</p> <p>The Permittee shall submit a summary of measured concentrations compared with the corresponding groundwater standards, a copy of the laboratory report including the laboratory analytical data results, the QA/QC summary and the Chain of Custody, to NMED in the monitoring reports due by August 1<sup>st</sup> of the year sampling is conducted.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]</p>
27.	<p>If the Permittee does not connect the Facility to the city sewer system within two years of issuance of this Discharge Permit, the Permittee shall once during the remaining three years of the term of this Discharge Permit, collect a grab sample of reclaimed domestic wastewater after the final treatment process and analyze the non-filtered sample for the following organic contaminants:</p> <ul style="list-style-type: none"> <li>• atrazine (CAS 1912-24-9)</li> <li>• methylene chloride (CAS 75-09-2)</li> </ul>

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	<ul style="list-style-type: none"> <li>• benzene (CAS 71-43-2)</li> <li>• benzo-a-pyrene (CAS 50-32-8)</li> <li>• carbon tetrachloride (CAS 56-23-5)</li> <li>• chloroform (CAS 67-66-3)</li> <li>• 1,2-dichlorobenzene (CAS 95-50-1)</li> <li>• 1,4-dichlorobenzene (CAS 106-46-7)</li> <li>• 1,1-dichloroethane (CAS 75-34-3)</li> <li>• 1,2-dichloroethane (EDC, CAS 107-06-2)</li> <li>• 1,1-dichloroethene (1,1-DCE, CAS 75-35-4)</li> <li>• cis-1,2-dichloroethene (CAS 156-59-2)</li> <li>• trans-1,2-dichloroethene (CAS 156-60-5)</li> <li>• 1,2-dichloropropane (PDC, CAS 78-87-5)</li> <li>• ethylbenzene (CAS 100-41-4)</li> <li>• ethylene dibromide (EDB, CAS 106-93-4)</li> <li>• <u>PAHs</u>: total naphthalene (CAS 91-20-3) plus monomethylnaphthalenes</li> <li>• phenols</li> <li>• polychlorinated biphenyls (PCBs, CAS 1336-36-3)</li> <li>• pentachlorophenol (CAS 87-86-5)</li> <li>• toluene (CAS 108-88-3)</li> <li>• styrene (CAS 100-42-5)</li> <li>• 1,1,2,2-tetrachloroethane (CAS 79-34-5)</li> <li>• tetrachloroethene (PCE, CAS 127-18-4)</li> <li>• 1,2,4-trichlorobenzene (CAS 120-82-1)</li> <li>• 1,1,1-trichloroethane (1,1,1-TCA, CAS 71-55-6)</li> <li>• 1,1,2-trichloroethane (CAS 79-00-5)</li> <li>• trichloroethene (TCE, CAS 79-01-6)</li> <li>• vinyl chloride (CAS 75-01-4)</li> <li>• total xylenes (CAS 1330-20-7)</li> </ul> <p>The Permittee shall properly collect, prepare, preserve, transport, and analyze the samples in accordance with the methods authorized in this Discharge Permit. The Permittee shall analyze samples using methods with reporting limits that are less than the corresponding numerical groundwater standards identified in 20.6.2.3103 NMAC.</p> <p>The Permittee shall submit a summary of measured concentrations compared with the corresponding groundwater standards, and a copy of the laboratory report including the laboratory analytical data results, the QA/QC summary and the Chain of Custody to NMED in the monitoring reports due by August 1<sup>st</sup> of the year sampling is conducted.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]</p>
28.	<p>The Permittee shall complete LADS (copy enclosed) on a monthly basis that document the amount of nitrogen applied to the 3.1-acre sod farm and each section of the 23-acre subsurface low-pressure dose disposal field during the most recent 12 months. The LADS shall reflect the total nitrogen concentration from the most recent wastewater analysis and the measured discharge volumes to the sod farm and each section of the subsurface low-pressure disposal field for each month. The Permittee shall complete the LADS with</p>

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	<p>the information above or include a statement that application of wastewater did not occur. The Permittee shall submit the LADS to NMED in the subsequent quarterly monitoring report.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>

**C. CONTINGENCY PLAN**

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29.	<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, 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 following approval 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>[20.6.2.3103 NMAC, Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]</p>
30.	<p>In the event that the Facility exceeds the authorized discharge volume set in this Discharge Permit, the Permittee shall initiate the following Contingency Plan.</p> <p><u>Contingency Plan</u></p> <ul style="list-style-type: none"><li>a) Notify NMED within seven days of the discovery of the discharge volume exceedance that the Facility exceeded the authorized discharge volume.</li><li>b) The Permittee shall conduct a physical inspection of the discharge system, i.e., inflow and infiltration issues, collection system failures, etc., and the volume measuring device to detect abnormalities and report the findings to NMED within 30 days of the discovery of the discharge volume exceedance. The Permittee shall correct any abnormalities detected with NMED's concurrence.</li><li>c) If the Permittee does not detect any abnormalities and with NMED's concurrence, the Permittee shall submit a discharge permit modification for the increase in discharge quantity to NMED within 90 days of the discovery of the discharge volume exceedance. The discharge permit modification must include demonstration that the</li></ul>

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	<p>volume increase is sufficient for the design capacity or plans and specifications to upgrade the system to accommodate the discharge volume increase.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
31.	<p>In the event that analytical results of a treated wastewater sample indicate an exceedance of the total nitrogen discharge limit set in this Discharge Permit, the Permittee shall collect and submit for analysis a second sample within 48 hours of the receipt of the initial sampling results. In the event the second sample results indicate an exceedance of the discharge limit, the Permittee shall implement the following contingencies.</p> <ul style="list-style-type: none"><li>a) Within 7 days of the second sample analysis date indicating exceedance of the discharge limit, the Permittee shall:<ul style="list-style-type: none"><li>i) notify NMED that the Permittee is implementing the Contingency Plan; and</li><li>ii) submit a copy of the first and second analytical results indicating an exceedance to NMED.</li></ul></li><li>b) The Permittee shall increase the frequency of total nitrogen wastewater sampling and analysis of treated wastewater to once per month.</li><li>c) The Permittee shall examine the operation and maintenance log, required by the Record Keeping conditions of this Discharge Permit, for improper operational procedures.</li><li>d) The Permittee shall conduct a physical inspection of the treatment system to detect abnormalities. The Permittee shall correct any abnormalities discovered. The Permittee shall submit a report to NMED detailing the corrections within 30 days of correction.</li><li>e) In the event that any analytical results from monthly wastewater sampling indicate an exceedance of the total nitrogen discharge limit, the Permittee shall submit a CAP to NMED for approval proposing to modify operational procedures and/or upgrade the treatment process to achieve the total nitrogen limit. The Permittee shall submit the CAP including a schedule for completion of corrective actions and within 90 days of receipt of the analytical results of the second sample indicating that the discharge continues to exceed the limit. The Permittee shall initiate implementation of the CAP following approval by NMED.</li></ul> <p>When analytical results from three consecutive months of wastewater sampling do not exceed the discharge limit, the Permittee may request NMED authorize a return to a quarterly monitoring frequency.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>

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32.	<p data-bbox="293 321 1430 548">In the event that analytical results of a reclaimed domestic wastewater sample exceed any of the maximum discharge limits for BOD<sub>5</sub>, TSS, or fecal coliform set by this Discharge Permit, the Permittee shall collect and submit for analysis a second sample within 24 hours after becoming aware of the exceedance. In the event the second sample results confirm the exceedance of the maximum discharge limits, the Permittee shall implement the Contingency Plan below.</p> <p data-bbox="293 594 1430 741">In the event that analytical results of a reclaimed domestic wastewater sample indicate an exceedance of any of the 30-day average discharge limits for BOD<sub>5</sub>, TSS, or fecal coliform set by this Discharge Permit (i.e., confirmed exceedance), the Contingency Plan below shall be implemented.</p> <p data-bbox="293 787 516 821"><u>Contingency Plan</u></p> <ul data-bbox="293 867 1430 1287" style="list-style-type: none"><li>a) Within 48 hours of becoming aware of a confirmed exceedance (as identified above), the Permittee shall:<ul style="list-style-type: none"><li>i) notify NMED that the Permittee is implementing the Contingency Plan; and</li><li>ii) submit copies of the recent analytical results indicating an exceedance to NMED.</li></ul></li><li>b) The Permittee shall examine the operation and maintenance log, required by the Record Keeping conditions of this Discharge Permit, for improper operational procedures.</li><li>c) The Permittee shall conduct a physical inspection of the treatment system to detect abnormalities. The Permittee shall correct any abnormalities discovered. The Permittee shall submit a report detailing the corrections made to NMED within 30 days following correction.</li></ul> <p data-bbox="293 1333 1430 1675">If a Facility is required to implement the Contingency Plan more than two times in a 12-month period, the Permittee shall propose to modify operational procedures and upgrade the treatment process to achieve consistent compliance with the maximum and 30-day average discharge limits by submitting a CAP for NMED approval within 60 days following receipt of the analytical results confirming the exceedance. The CAP shall include a schedule for completion of corrective actions. The Permittee shall initiate implementation of the CAP following approval by NMED. NMED may require the Permittee to cease discharging to the reuse area(s) until the Permittee completes the approved corrective actions.</p> <p data-bbox="293 1722 1227 1755">[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
33.	<p data-bbox="293 1778 1430 1885">In the event that the LADS (copy enclosed) show that the amount of nitrogen in wastewater applied in any 12-month period exceeds 200 pounds per acre, the Permittee shall propose the reduction of nitrogen loading to the 3.1-acre sod farm or any section</p>

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	<p>of the 23-acre subsurface low-pressure dose disposal field by submitting a CAP to NMED for approval. The Permittee shall ensure the CAP includes a schedule for completion of corrective actions and submit the CAP within 90 days following the end of the monitoring period in which the exceedance occurred. The Permittee shall implement the CAP following approval by NMED.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
34.	<p>In the event that an inspection reveals significant damage has occurred or is likely to affect the structural integrity of an impoundment or liner or their ability to contain contaminants, the Permittee shall propose the repair or replacement by submitting a CAP to NMED for approval. The Permittee shall submit the CAP to NMED within 30 days after discovery of the damage or following notification from NMED that significant damage is evident. The Permittee shall ensure the CAP includes a schedule for completion of corrective actions. The Permittee shall initiate implementation of the CAP following approval by NMED.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
35.	<p>In the event that an impoundment cannot preserve a minimum of two feet of freeboard, the Permittee shall take actions to restore the required freeboard as authorized by this Discharge Permit and all applicable local, state, and federal regulations.</p> <p>In the event that two feet of freeboard cannot be restored within a period of 72 hours following discovery, the Permittee shall propose actions to restore two feet of freeboard by submitting a short-term CAP to NMED for approval. Examples of short-term corrective actions include the pumping and hauling of excess wastewater from the impoundment or reducing the volume of wastewater discharged to the impoundment. The Permittee shall ensure the CAP includes a schedule for completion of corrective actions. The Permittee shall submit the CAP within 15 days following the date the Permittee or the NMED discover the exceedance. The Permittee shall implement the CAP following NMED approval.</p> <p>In the event that the short-term corrective actions fail to restore two feet of freeboard, the Permittee shall submit to NMED a proposal for permanent corrective actions in a long-term CAP. The Permittee shall submit the long-term CAP within 90 days following failure of the short-term CAP. Examples of corrective actions include the installation of an additional storage impoundment or a significant and permanent reduction in the volume of wastewater discharged to the impoundment. The Permittee shall ensure the long-term CAP includes a schedule for completion of corrective actions. The Permittee shall implement the CAP following NMED approval.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>

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36.	<p>In the event the average solids accumulation exceeds one-third of the maximum liquid depth in the impoundments, the Permittee shall propose a plan for the removal and disposal of the solids. The Permittee shall submit the solids removal and disposal plan to NMED for approval within 120 days following discovery and include the following information.</p> <ul style="list-style-type: none"><li>a) A method for removal of the solids to a depth of less than six inches throughout the treatment impoundment in a manner that is protective of the impoundment liner.</li><li>b) A description of how the Permittee will contain, transport, and dispose of the solids in accordance with all local, state, and federal regulations, including 40 CFR Part 503.</li><li>c) A schedule for completion of the solids removal and disposal project.</li></ul> <p>The Permittee shall initiate implementation of the plan following approval by NMED.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
37.	<p>In the event that the Permittee identifies failure of the low-pressure dose disposal field, such as surfacing wastewater, the Permittee shall implement the following Contingency Plan.</p> <ul style="list-style-type: none"><li>a) Within 24 hours following the discovered failure, the Permittee shall:<ul style="list-style-type: none"><li>i) Notify NMED of the failure in accordance with the notification requirements described in the Contingency Plan for unauthorized discharges; and</li><li>ii) Restrict public access to the area.</li></ul></li><li>b) The Permittee shall conduct a physical inspection of the treatment and disposal system to identify additional potential failures and record them in the inspection log.</li><li>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.</li></ul> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
38.	<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. A release is defined as such quantity as may with reasonable probability injure or be detrimental to human health, animal or plant life, or property, or unreasonably interfere with the public welfare or the use of property.</p>

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	<p>Within <u>24 hours</u> following discovery of the unauthorized discharge, the Permittee shall verbally notify NMED and provide the following information.</p> <ul style="list-style-type: none"><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></ul> <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> <ul style="list-style-type: none"><li>a) A description of proposed actions to mitigate damage from the unauthorized discharge.</li><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> <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>
39.	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

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	<p>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>

***Permanent Facility Closure Conditions***

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40.	<p>The Permittee shall perform the following closure measures in the event the Facility, or a component thereof, is proposed to be permanently closed.</p> <p>Within <u>60 days</u> of ceasing to discharge to the impoundments, the Permittee shall plug the impoundment influent lines so that a discharge can no longer occur.</p> <p>Within <u>60 days</u> of ceasing to discharge to the impoundments, the Permittee shall evaporate or drain all wastewater from the impoundments and any other wastewater system component and disposed of it in accordance with all local, state, and federal regulations OR discharge wastewater from the impoundments and any other wastewater system component to the reuse area. The Permittee shall not discharge accumulated solids (sludge) from the impoundments to the reuse area.</p> <p>Within <u>90 days</u> of ceasing to discharge to the impoundments, the Permittee shall submit a sludge removal and disposal plan to NMED for approval. The Permittee shall implement the plan within 30 days following approval by NMED. The sludge removal and disposal plan shall include the following information.</p> <ol style="list-style-type: none"><li>The estimated volume and dry weight of sludge planned for removal and disposal, including measurements and calculations.</li><li>Analytical results for samples of the sludge taken from the impoundment for TKN, NO<sub>3</sub>-N, percent total solids, and any other parameters tested (reported in mg/kg, dry weight basis).</li><li>The method of sludge <i>removal</i> from the impoundments.</li><li>The method of <i>disposal</i> for all the sludge (and its contents) removed from the impoundments. The method shall comply with all local, state and federal regulations, including 40 CFR Part 503. <i>Note: A proposal that includes the surface disposal of sludge may be subject to Groundwater Discharge Permitting requirements pursuant to 20.6.2.3104 NMAC that are separate from the requirements of this Discharge Permit.</i></li><li>A schedule for completion of sludge removal and disposal not to exceed two years from the date discharge to the impoundments ceased.</li></ol>

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	<p>Within <u>one year</u> following completion of the sludge removal and disposal, the Permittee shall complete the following closure measures.</p> <ol style="list-style-type: none"><li>Remove all lines leading to and from the impoundments, or permanently plug and abandon the lines in place.</li><li>Remove or demolish any other wastewater system components and re-grade area with suitable fill to blend with surface topography, promote positive drainage and prevent ponding.</li><li>Characterize, remove, and dispose of all solids from the impoundments in accordance with local, state, and federal regulations, and maintain a record of solids transported for off-site disposal, including the volume of solids transported and the disposal location.</li><li>Remove and dispose of the impoundment liners at a solid waste facility. If there is evidence of contaminated soil below the liners, assess the impact, report that assessment to NMED, and mitigate the impacts following NMED approval.</li><li>Fill the impoundment(s) with suitable fill.</li><li>Re-grade the impoundment site and the locations of ancillary equipment, e.g., influent piping, to blend with surface topography, promote positive drainage and prevent ponding.</li></ol> <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, Subsection D of 20.6.2.4103 NMAC, 40 CFR Part 503]</p>

**D. GENERAL TERMS AND CONDITIONS**

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41.	<p>RECORD KEEPING - The Permittee shall maintain a written record of the following:</p> <ul style="list-style-type: none"><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>

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	<ul style="list-style-type: none"> <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> <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> <li>• Groundwater quality and wastewater quality data collected pursuant to this Discharge Permit;</li> <li>• Copies of construction records (well log) for all sampled groundwater monitoring wells pursuant to this Discharge Permit;</li> <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: <ul style="list-style-type: none"> <li>○ the dates, location and times of sampling or field measurements;</li> <li>○ the name and job title of the individuals who performed each sample collection or field measurement;</li> <li>○ the sample analysis date of each sample;</li> <li>○ the name and address of the laboratory, and the name of the signatory authority for the laboratory analysis;</li> <li>○ the analytical technique or method used to analyze each sample or collect each field measurement;</li> <li>○ the results of each analysis or field measurement, including raw data;</li> <li>○ the results of any split, spiked, duplicate or repeat sample; and</li> <li>○ 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> </li> </ul> <p>The Permittee shall maintain the written record at a location accessible to NMED during a Facility inspection for a minimum of five years. The Permittee shall make the record available to NMED upon request.</p> <p>[Subsections A and D of 20.6.2.3107 NMAC]</p>
42.	<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>

#	Terms and Conditions
43.	<p data-bbox="293 323 1430 548">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 data-bbox="293 596 1430 743">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 data-bbox="293 791 1430 896">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 data-bbox="293 945 1430 976">[Subsection D of 20.6.2.3107 NMAC, NMSA 1978, §§ 74-6-9.B and 74-6-9.E]</p>
44.	<p data-bbox="293 1010 1430 1115">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 data-bbox="293 1163 1430 1194">[Subsection D of 20.6.2.3107 NMAC]</p>
45.	<p data-bbox="293 1220 1430 1482">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 data-bbox="293 1530 1430 1562">[Subsection C of 20.6.2.3107 NMAC, Subsections E and G of 20.6.2.3109 NMAC]</p>
46.	<p data-bbox="293 1587 1430 1808">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>

#	Terms and Conditions
	<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>
47.	<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. 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>
48.	<p>CRIMINAL PENALTIES – No person shall:</p> <ul style="list-style-type: none"> <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 state or federal law or regulation.</li> </ul> <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</p>

#	Terms and Conditions
	<p>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>
49.	<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>
50.	<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>
51.	<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"><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></ul> <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>
52.	<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</p>

#	Terms and Conditions
	<p>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** Bernalillo County Metropolitan Detention Center  
**Discharge Permit Number** DP-1329

**Legally Responsible Party** Albuquerque Bernalillo County Water Utility Authority  
Joel Berman, Plant Operations Division Manager  
4201 2<sup>nd</sup> Street SW  
Albuquerque, New Mexico 87105  
(505) 289-3524

### Treatment, Disposal and Site Information

**Primary Waste Type** Domestic  
**Facility Type** Detention Center

#### Treatment Methods

Type	Designation	Description & Comments
Wastewater Treatment System	Aerated Impoundment	1,300,000-gallon HDPE lined basin; 10-feet deep constructed with 3:1 side slopes, equipped with four 15 HP floating aerators and one 15 HP surface mixer.
Wastewater Treatment System	Settling Impoundment	700,000-gallon HDPE lined basin; 10-feet deep constructed with 3:1 slopes and a 16-feet deep settling pocket for sludge.

#### Discharge Locations

Type	Designation	Description & Comments
Subsurface Disposal	LPDSS	23-acres of rangeland subdivided into 9 parcels and receiving treated wastewater via a low-pressure dosed sub-surface disposal system.
Re-use Area	Sod Farm	3.1-acres bermed sod area watered via flood irrigation.
Re-use Area	Cerro Colorado Landfill	Reclaimed wastewater used for dust control and construction purposes. Reclaimed wastewater stored in 100,000-gallon steel effluent storage tank and truck fill station riser pipe.

#### Flow Metering Locations

Type	Designation	Description & Comments
Totalizing Flow Meter	Flow Meter	Located on the transfer line between the impoundment system and the disposal areas.

**Depth-to-Ground Water** 855 feet  
**Total Dissolved Solids (TDS)** 756 mg/L

### Permit Information

**Original Permit Issued** June 15, 2001



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

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**Permit Renewal**  
**Permit Renewal**

December 22, 2008  
October 1, 2015

**Current Action**

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

**Renewal**

July 16, 2020  
[not yet published]  
[issuance date]  
212,600 gallons per day

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### 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**

**Lead Staff Telephone Number**

**Lead Staff Email**

Andrew Romero  
(505) 660-8624  
[andrewc.romero@env.nm.gov](mailto:andrewc.romero@env.nm.gov) or [pps.general@env.nm.gov](mailto:pps.general@env.nm.gov)

## **Groundwater Discharge Permit Guidance for Synthetically Lined Lagoons – Liner Material and Site Preparation**

This guidance document represents minimum liner material and site preparation requirements for wastewater treatment, storage and evaporation lagoons. These requirements do not apply to lagoons storing hazardous wastes or high strength waste. The Ground Water Quality Bureau may impose additional requirements (e.g., double-lined lagoons with leak detection) for facilities discharging hazardous or high strength waste to lagoons through the development of specific Discharge Permit conditions for such facilities.

### **Liner Material Requirements:**

1. The liner shall be chemically compatible with any material that will contact the liner.
2. The liner material shall be resistant to deterioration by sunlight if any portion of the liner will be exposed.
3. Synthetic liner material shall be of sufficient thickness to have adequate tensile strength and tear and puncture resistance. Under no circumstances shall a synthetic liner material less than 40 mils in thickness be accepted. Any liner material shall be certified by a licensed New Mexico professional engineer and approved by the New Mexico Environment Department (NMED) prior to its installation.

### **Lagoon Design and Site Preparation Requirements:**

1. The system shall be certified by a licensed New Mexico professional engineer and approved by NMED prior to installation.
2. Inside slopes shall be a maximum of 3 (horizontal): 1 (vertical), and a minimum of 4 (horizontal); 1 (vertical).
3. Lagoon volume shall be designed to allow for a minimum of 24 inches of freeboard.
4. The liner shall be installed with sufficient liner material to accommodate shrinkage due to temperature changes. Folds in the liner are not acceptable.
5. To a depth of at least six inches below the liner, the sub-grade shall be free of sharp rocks, vegetation and stubble. In addition, liners shall be placed on a sub-grade of sand or fine soil. The surface in contact with the liner shall be smooth to allow for good contact between liner and sub-grade. The surface shall be dry during liner installation.
6. Sub-grade shall be compacted to a minimum of 90% of standard proctor density.
7. The minimum dike width shall be eight feet to allow vehicle traffic for maintenance.
8. The base of the pond shall be as uniform as possible and shall not vary more than three inches from the average finished elevation.
9. Synthetic liners shall be anchored in an anchor trench in the top of the berm. The trench shall be a minimum of 12 inches wide, 12 inches deep and shall be set back at least 24 inches from the inside edge of the berm.
10. If the lagoon is installed over areas of decomposing organic materials or shallow groundwater, a liner vent system shall be installed.
11. Any opening in the liner through which a pipe or other fixture protrudes shall be properly sealed. Liner penetrations shall be detailed in the construction plans and record drawings.
12. A synthetic liner shall not be installed in temperatures below freezing.
13. The liner shall be installed or supervised by an individual that has the necessary training and experience as required by the liner manufacturer.
14. All manufacturer's installation and field seaming guidelines shall be followed.
15. All synthetic liner seams shall be field tested by the installer and verification of the adequacy of the seams shall be submitted to NMED along with the record drawings.
16. Concrete slabs installed on top of the synthetic liner for operational purposes shall be completed in accordance with manufacturer and installer recommendations to ensure liner integrity.



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**TOTALS**

Last Updated: September 22, 2011