



MICHELLE LUJAN GRISHAM  
GOVERNOR

JAMES C. KENNEY  
CABINET SECRETARY

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

January 3, 2024

Kevin Shafer, Owner  
Kevin's Pro Clean  
506 S. Guadalupe Road  
Carlsbad, New Mexico 88220

**RE: Draft Discharge Permit Modification, DP-1934, Kevin's Pro Clean**

Dear Kevin Shafer:

The New Mexico Environment Department (NMED) hereby provides notice to Kevin's Pro Clean of the proposed approval of Ground Water Discharge Permit Modification, DP-1934, (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 [kambray.townsend@env.nm.gov](mailto:kambray.townsend@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) 538-0497.

Sincerely,

Kambray Townsend, Water Resources Professional

Encl: Draft Discharge Permit Modification, DP-1934  
cc: Robert Perry, [frontporcheng@gmail.com](mailto:frontporcheng@gmail.com)



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



**Draft: DATE**

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

<b>Facility Name</b>	Kevin's Pro Clean
<b>Discharge Permit Number:</b>	DP-1934
<b>Facility Location:</b>	5230-7 Seven Rivers Highway Carlsbad, NM
<b>County:</b>	Eddy
<b>Permittee:</b>	Kevin Shafer
<b>Mailing Address:</b>	506 S. Guadalupe Road Carlsbad, NM 88220
<b>Facility Contact:</b>	Kevin Shafer
<b>Telephone Number/Email:</b>	575-499-9265 / <a href="mailto:kevinsproclean@gmail.com">kevinsproclean@gmail.com</a>
<b>Permitting Action:</b>	Modification
<b>Permit Issuance Date</b>	July 20, 2022
<b>Permit Expiration Date:</b>	July 29, 2027
<b>NMED Permit Contact:</b>	Kambray Townsend
<b>Telephone Number/Email:</b>	505-538-0497 / <a href="mailto:kambray.townsend@env.nm.gov">kambray.townsend@env.nm.gov</a> or 505-827-2900 / <a href="mailto:pps.general@env.nm.gov">pps.general@env.nm.gov</a>

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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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Discharge Permit Summary

draft

## I. INTRODUCTION

The New Mexico Environment Department (NMED) issues this groundwater discharge permit Modification (Discharge Permit or DP-1934) to Kevin Shafer (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 Kevin's Pro Clean (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 domestic septage and receives and treats grease trap/interceptor waste at a volume of up to 9,000 gallons per day (gpd) to a synthetically lined impoundment system, equipped with a leak detection system, for disposal by evaporation. The Facility treats the grease trap/interceptor waste with a grease removal unit, in which the aqueous portion discharges to the synthetically lined impoundment system and the grease trap/interceptor solids are disposed of at an off-site location in accordance with all local, state, and federal regulations.

The Discharge Permit modification consists of an increase in the maximum daily discharge volume from 5,000 to 9,000 gpd and adds authorization for the receipt, processing, and discharge of grease trap/interceptor waste.

### Discharge Permit Location Information:

Physical Address	5230-7 Seven Rivers Highway
Nearest Town/City	Carlsbad
Section, Township, Range	Section 31, Township 19 South, Range 26 East
County	Eddy
Depth to Groundwater	20 feet
Pre-Discharge TDS	2,100 milligrams per liter

### Discharge Permit Issuance History:

Original Permit Issuance	July 20, 2022
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DRAFT: DATE

The application (i.e., discharge plan) associated with this Discharge Permit consists of the materials submitted by Kevin Shafer dated September 28, 2023, 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 discharge up to 9,000 gpd of domestic septage and the aqueous portion of grease trap/interceptor waste to a synthetically lined impoundment system, equipped with a leak detection system, for disposal by evaporation. This Discharge Permit also authorizes the Permittee to process grease trap/interceptor waste using a grease removal unit, in which the aqueous portion discharges to the synthetically lined impoundment system and disposes of the grease trap/interceptor solids at an off-site location in accordance with all local, state, and federal regulations.

[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.

### **B. MONITORING AND REPORTING**

**Facility Monitoring Conditions**

#	Terms and Conditions
23.	<p>The Permittee shall create a manifest for each load of waste received. The manifest shall record the following information:</p> <ul style="list-style-type: none"><li>• Name of the hauling company;</li><li>• Date of receipt;</li><li>• Name and address of the waste origin;</li><li>• Type of waste;</li><li>• Confirmation of inspection for acceptable waste type;</li><li>• Signature of person conducting the inspection; and</li><li>• Impoundment identification where the waste is discharged.</li></ul> <p>The Permittee shall make the manifests available for inspection by NMED upon request. The Permittee shall submit a summary listing the information from each manifest for wastes received during the reporting period to NMED in the semi-annual monitoring reports.</p> <p>[NMSA 1978, § 74-6-5.D, Subsection A 20.6.2.3107 NMAC] [20.6.2.3107 NMAC]</p>
24.	<p>The Permittee shall collect a composite wastewater sample on a semi-annual basis (once every six months) from Impoundment 1. The composite sample shall consist of a minimum of six equal aliquots collected equidistantly around the entire perimeter of the evaporative impoundment and thoroughly mixed. The Permittee shall analyze the composite sample for:</p> <ul style="list-style-type: none"><li>• TKN;</li><li>• NO<sub>3</sub>-N;</li><li>• TDS;</li><li>• Cl; and</li><li>• FOG.</li></ul> <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 semi-annual monitoring reports.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]</p>
45.	<p>The Permittee shall submit all records of grease trap/interceptor solids removal and disposal to NMED in the semi-annual monitoring reports.</p>

#	<b>Terms and Conditions</b>
	[Subsection A of 20.6.2.3107 NMAC]

draft





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

**Facility Information**

**Facility Name** Kevin's Pro Clean  
**Discharge Permit Number** DP-1934  
**Legally Responsible Party** Kevin Shafer, Owner  
 Kevin's Pro Clean  
 506 South Guadalupe Road  
 Carlsbad, New Mexico 88220  
 (575) 499-9265

**Treatment, Disposal, and Site Information**

**Primary Waste Type** Domestic Septage and Grease Trap/Interceptor Waste  
**Facility Type** Septage and Grease Disposal

**Discharge Locations**

Type	Designation	Description & Comments
Synthetically Lined Impoundment	Impoundment 1	Synthetically lined 30,091 ft <sup>2</sup> evaporative impoundment for disposal of domestic septage and grease trap/interceptor waste.
Synthetically Lined Impoundment	Impoundment 2	Synthetically lined 30,091 ft <sup>2</sup> evaporative impoundment for disposal of domestic septage and grease trap/interceptor waste.
Synthetically Lined Impoundment	Impoundment 3	Synthetically lined 30,091 ft <sup>2</sup> evaporative impoundment for disposal of domestic septage and grease trap/interceptor waste.

**Metering Locations**

Type	Designation	Description & Comments
Manifesting	Tanker Truck Volume	Discharge amounts will be calculated using the known volume of each tanker truck load discharged into the impoundments.

**Ground Water Monitoring Locations**

Type	Designation	Description & Comments
Monitoring Well	MW-1	Located hydrologically upgradient of the impoundment system (32.61118664, -104.41396502).
Monitoring Well	MW-2	Located hydrologically downgradient of the impoundment system (32.61104653, -104.41290203).
Monitoring Well	MW-3	Located hydrologically downgradient of the impoundment system (32.61064909, -104.41303636).

**Depth-to-Ground Water** 20 feet  
**Total Dissolved Solids (TDS)** 2,100 mg/L



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

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### Permit Information

<b>Original Permit Issued</b>	July 20, 2022
<b>Current Action</b>	<b>Modification</b>
Application Received	September 28, 2023
Public Notice Published	December 1, 2023
Permit Issued (Issuance Date)	July 20, 2023
Permitted Discharge Volume	9,000 gallons per day

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### NMED Contact Information

<b>Mailing Address</b>	Ground Water Quality Bureau P.O. Box 5469 Santa Fe, New Mexico 87502-5469
<b>GWQB Telephone Number</b>	(505) 827-2900
<b>NMED Lead Staff</b>	Kambray Townsend
<b>Lead Staff Telephone Number</b>	(505) 538-0497
<b>Lead Staff Email</b>	<a href="mailto:kambray.townsend@env.nm.gov">kambray.townsend@env.nm.gov</a> or <a href="mailto:pps.general@env.nm.gov">pps.general@env.nm.gov</a>