



April 26, 2022

Ed DeRuyter, Chairman  
Doña Ana Dairies  
P.O. Box 10  
Mesquite, NM 88048

*Transmitted via email on the date of this letter to Ed DeRuyter at [brightstar@zianet.com](mailto:brightstar@zianet.com)*

**RE: Stage 2 Abatement Plan Modification Approval for Doña Ana Dairies**

Dear Ed DeRuyter:

The New Mexico Environment Department (NMED) Ground Water Quality Bureau (GWQB) has reviewed the Stage 2 Abatement Plan Modification for Doña Ana Dairies (the Sites), in Doña Ana County and the accompanying Stage 2 Abatement Plan Addendum for Reuse of Pumped Groundwater at Del Oro Dairy, and the Stage 2 Abatement Plan Modification Performance Plan (Proposals), submitted on behalf of Doña Ana Dairies (DAD) by EA Engineering, Science, & Technology, Inc., PBC on July 26, 2019, July 13, 2021, and February 15, 2022, respectively. GWQB approves the Stage 2 Abatement Plan (S2AP) Modification Proposals pursuant to 20.6.2.4109.C NMAC, subject to the conditions listed below. The Sites are located along the west side of I-10 from Mesquite, New Mexico to Anthony, New Mexico.

#### Abatement Plan Components

The Proposal contains the complete elements of the S2AP, but as summary, the primary components of the approved Proposal are:

1. Groundwater extraction with reuse as milking parlor wash water and then disposal through evaporation consistent with the requirements of Discharge Permit #692 (DP-692).
2. Groundwater monitoring.
3. Redevelopment and replacement of a dry abatement monitoring well.

#### Conditions for Approval

NMED approval of the Proposal is subject to the following conditions:

1. Tracking and reporting of extracted groundwater volume through a totalizing meter will be recorded monthly and reported in quarterly monitoring reports and weekly depth measurements of the impoundments will be recorded and submitted with the quarterly monitoring reports.
2. Collection of groundwater samples from each of the minimum five extraction wells and the extracted water storage tank immediately after installation of the extraction system and then quarterly thereafter.
3. A capture analysis will be performed within 60 days of the installation of the extraction system. Capture analysis will include potentiometric surface maps, gradient analysis between select well

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pairs, contaminant concentration trends and 4) analytical solution calculations of the capture zone. If the capture analysis indicates that the plume is not captured by the five installed extraction wells, additional well(s) will be incorporated into the system.

Please be advised that DAD shall conduct all investigation, abatement, monitoring, and reporting activity according to the terms and schedules contained in the approved Abatement Plan pursuant to 20.6.2.4110 NMAC. DAD is also subject to 20.6.2.4107 NMAC concerning advance notice for sampling, well plugging and abandonment, and NMED rights for entry, inspection, and sampling. NMED approval of this Proposal does not relieve DAD of its responsibility to obtain third-party access and to comply with any and all other applicable federal, state and/or local laws and regulations, including zoning requirements and nuisance ordinances.

Pursuant to the NMED Delegation Order dated May 24, 2021, the Cabinet Secretary has delegated the authority to sign abatement plan approvals to the Chief of the GWQB.

For questions regarding this approval, please contact Jaben Richards at 505-660-8376 or [Jaben.richards@state.nm.us](mailto:Jaben.richards@state.nm.us).

Sincerely,

Justin Ball, Chief  
Groundwater Quality Bureau

JDB:NM/jr

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