



MICHELLE LUJAN GRISHAM  
GOVERNOR

JAMES C. KENNEY  
CABINET SECRETARY

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

March 14, 2025

EJ Anderson, Environmental Manager  
Public Service Company of New Mexico  
414 Silver Ave SE  
Albuquerque, NM 87102

**RE: Draft Discharge Permit Modification, DP-1474, Lordsburg Generating Station**

Dear EJ Anderson:

The New Mexico Environment Department (NMED) hereby provides notice to Public Service Company of New Mexico of the proposed approval of Ground Water Discharge Permit Modification, DP-1474, (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 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 [marchell.schuman@env.nm.gov](mailto:marchell.schuman@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) 795-3275.

Sincerely,

Marchell Schuman, Water Resources Specialist III

Encl: Draft Discharge Permit Modification, DP-1474

cc: Greg Cain, Lordsburg Plant Manager, 10100 West Afton Road, La Mesa NM 88044

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/)



**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: March 14, 2025***

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

**Facility Name:** Lordsburg Generating Station  
**Discharge Permit Number:** DP-1474  
**Facility Location:** 2 Power Plant Road  
Lordsburg, NM

**County:** Hidalgo

**Permittee:** Public Service Company of New Mexico  
**Mailing Address:** EJ Anderson, Environmental Manager  
414 Silver Ave SE  
Albuquerque, NM 87102

**Facility Contact:** Greg Cain, Plant Manager  
**Telephone Number/Email:** 575-233-5152/[greg.cain@pnm.com](mailto:greg.cain@pnm.com)

**Permitting Action:** Modification  
**Permit Issuance Date:** **DATE**  
**Permit Expiration Date:** August 16, 2026

**NMED Permit Contact:** Marchell Schuman  
**Telephone Number/Email:** 505-795-3275/[marchell.schuman@env.nm.gov](mailto:marchell.schuman@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
- New Mexico Environment Department Ground Water Quality Bureau Monitoring Well Construction and Abandonment Guidelines, Revision 1.1, March 2011 (Monitoring Well Guidance)

## I. INTRODUCTION

The New Mexico Environment Department (NMED) issues this groundwater discharge permit modification (Discharge Permit or DP-1474) to the Public Service Company of New Mexico (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 Lordsburg Generating Station (Facility) in order to protect groundwater and those segments of surface water gaining from groundwater inflow for present and potential future use as domestic and agricultural water supply and other uses, and to protect public health. It is NMED's determination in issuing this Discharge Permit that the Permittee has met the requirements of Subsection C of 20.6.2.3109 NMAC. The Permittee is responsible for complying with the terms and conditions of this Discharge Permit pursuant to Section 20.6.2.3104 NMAC; failure to do so may result in enforcement action by NMED (20.6.2.1220 NMAC).

Described below are the activities that produce the discharge, the location of the discharge, and the quantity, quality, and flow characteristics.

The Facility discharges industrial wastewater at a volume of up to 30,465 gallons per day (gpd) to two double synthetically lined impoundments with leak detection for disposal by evaporation. The Facility also discharges industrial wastewater to the Town of Lordsburg Wastewater Treatment Plant, which is covered under DP-625.

The Discharge Permit modification consists of an increase in the maximum daily discharge volume from 2,500 gpd to 30,465 gpd, the installation of a new double synthetically lined impoundment with leak detection, and the current waste stream of Reverse Osmosis (RO) reject water and media filter backwash water will be routed to the new east impoundment. Once the east impoundment is installed, the Facility will stop discharging to the Lordsburg Wastewater Treatment Plant.

Data collected from an on-site monitoring well documents groundwater contamination attributed to one or more sources at this Facility. The on-site monitoring well has exceedances of groundwater quality standards for Total Dissolved Solids and Fluoride according to the criteria of Sections 20.6.2.3101 and 20.6.2.3103 NMAC. This Discharge Permit contains requirements, actions and/or contingencies intended to address the source(s) of documented groundwater contamination. The Permittee is subject to the requirements of an NMED approved abatement plan at this site pursuant to 20.6.2.4104.A NMAC.

Discharge Permit Location Information:

Physical Address	2 Power Plant Road
Nearest Town/City	Lordsburg, New Mexico
Section, Township, Range	Sections 33 and 34, Township 22 South, Range 18 West
County	Hidalgo
Depth to Groundwater	115 feet
Pre-Discharge TDS	988 milligrams per liter

Discharge Permit Issuance History:

Original Permit Issuance	December 8, 2004
Permit Renewal	May 3, 2010
Permit Renewal	June 1, 2015
Permit Renewal	August 17, 2021

The application (i.e., discharge plan) associated with this Discharge Permit consists of the materials submitted by Public Service Company of New Mexico dated August 19, 2024 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

Abbreviation	Explanation	Abbreviation	Explanation
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 30,465 gpd of industrial wastewater to two synthetically lined impoundments for disposal by evaporation.

This Discharge Permit authorizes the Permittee to discharge up to 2,500 gpd of industrial wastewater originating from turbine blade washing activities, interior building floor drains, transformer secondary containment basins, and generator/turbine lube oil reservoir to a 1,500-gallon oil/water separator, which then discharges to the 12,000-gallon west double synthetically lined impoundment with leak detection for disposal by evaporation. Currently, the Discharge Permit authorizes the Permittee to discharge the RO reject water and media filter backwash to the Town of Lordsburg Wastewater Treatment Plant under DP-625.

This Discharge Permit also authorizes the Permittee to discharge up to 27,965 gpd of RO reject water from the demineralizer trailer in the water treatment system and media filter backwash to the east double synthetically lined impoundment with leak detection for disposal by evaporation. When the installation of the east impoundment is complete, the Permittee will discontinue discharging industrial wastewater to the Town of Lordsburg Wastewater Treatment Plant, which is covered under DP-625.

[20.6.2.3104 NMAC, Subsection C of 20.6.2.3106 NMAC, Subsection D of 20.6.2.3109 NMAC]

#### IV. CONDITIONS

NMED issues this Discharge Permit for the discharge of water contaminants subject to the following conditions.

##### A. OPERATIONAL PLAN

#	Terms and Conditions
1.	The Permittee shall implement the following operational plan to ensure compliance with Title 20, Chapter 6, Parts 2 and 4 NMAC.  [Subsection C of 20.6.2.3109 NMAC]
2.	The Permittee shall operate in a manner that does not violate standards and requirements of Sections 20.6.2.3101 and 20.6.2.3103 NMAC.  [20.6.2.3101 NMAC, 20.6.2.3103 NMAC, Subsection C of 20.6.2.3109 NMAC]

##### *Operational Actions with Implementation Deadlines*

#	Terms and Conditions
3.	Prior to discharging to the east impoundment, 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:

#	Terms and Conditions
	<ul style="list-style-type: none"><li>• a north arrow;</li><li>• the issuance date of the diagram;</li><li>• all components of the disposal system;</li><li>• all associated distribution pipelines;</li><li>• all groundwater monitoring wells;</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>Prior to discharging to the east impoundment, the Permittee shall complete construction in accordance with the final construction plans and specifications required by this Discharge Permit. The Permittee shall notify NMED at least five working days prior to commencement of construction to allow NMED personnel to be onsite for inspection.</p> <p>[Subsections A and C of 20.6.2.1202 NMAC, Subsection C of 20.6.2.3109 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]</p>
5.	<p>Within 30 days of completing construction of the east impoundment the Permittee shall submit record drawings to NMED that bear the seal and signature of a licensed New Mexico professional engineer (pursuant to the New Mexico Engineering and Surveying Practice Act and the rules promulgated under that authority) for the constructed east impoundment.</p> <p>[Subsections A and C of 20.6.2.1202 NMAC, Subsection C of 20.6.2.3109 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]</p>
6.	<p>Five business days prior to discharging to the east impoundment, the Permittee shall submit written notification to NMED stating the date the discharge is to commence.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection H of 20.6.2.3109 NMAC]</p>
7.	<p>Prior to discharging to the east impoundment, the Permittee shall install fences around the Facility to control 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. Documentation of fence installation shall consist of a narrative statement describing the fences and gates and date-</p>



#	Terms and Conditions
	<p>stamped photographs. The Permittee shall submit the documentation to NMED in the next required periodic monitoring report.</p> <p>[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]</p>
8.	<p>Prior to discharging to the east impoundment, the Permittee shall post 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. Posted signs shall be in English and Spanish and shall be legible during the term of this Discharge Permit.</p> <p>The Permittee shall submit documentation demonstrating sign installation that consists of date stamped photographs to NMED in the next required periodic monitoring report.</p> <p>[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]</p>

**Operating Conditions**

#	Terms and Conditions
9.	<p>The Permittee shall maintain fences around the east impoundment 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>
10.	<p>The Permittee shall maintain signs indicating that the wastewater at the east impoundment 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>
11.	<p>The Permittee shall maintain the east impoundment liner to avoid conditions that could affect the liner or the structural integrity of the impoundment. 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> </ul>

#	Terms and Conditions
	<ul style="list-style-type: none"> <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 impoundment;</li> <li>• evidence of seepage; or</li> <li>• evidence of berm subsidence.</li> </ul> <p>The Permittee shall routinely control vegetation growing around the impoundment by mechanical removal that is protective of the impoundment liner.</p> <p>The Permittee shall visually inspect the impoundment and surrounding berms on a monthly basis to ensure proper maintenance. In the event that an 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>
12.	<p>The Permittee shall preserve a minimum of two feet of freeboard, i.e., the distance between the highest calculated liquid level in the impoundment and the liquid level which would result in the release of stored liquid from the impoundment.</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>

**B. MONITORING AND REPORTING**

#	Terms and Conditions
13.	<p>The Permittee shall conduct the monitoring, reporting, and other requirements listed below in accordance with the monitoring requirements of this Discharge Permit.</p>

#	Terms and Conditions
	[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
14.	<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
15.	<p>Semi-annual monitoring - The Permittee shall perform monitoring and other Permit required actions during the following periods and shall submit semi-annual reports to NMED by the following due dates:</p> <ul style="list-style-type: none"> <li>• January 1<sup>st</sup> through June 30<sup>th</sup> – <b>due by August 1<sup>st</sup></b>; and</li> <li>• July 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>

***Monitoring Actions with Implementation Deadlines***

#	Terms and Conditions
16.	<p>Prior to discharging to the east impoundment, the Permittee shall submit a written groundwater monitoring well location proposal for NMED review and approval. The proposal shall designate the installation locations of the monitoring well(s) required by this Discharge Permit. The proposal shall include, at a minimum, the following information.</p> <ol style="list-style-type: none"> <li>a) A map showing the proposed location of the monitoring well(s) in relation to the boundary of the source it is intended to monitor.</li> <li>b) A written description of the specific location proposed for the monitoring well(s) including the distance (in feet) and direction of the monitoring well(s) from the edge of the source it is intended to monitor and the latitude and longitude coordinates for each well in decimal format. Examples include: 35 feet north-northwest of the northern berm of the synthetically lined impoundment and 35.898306 and -107.281519; 45 feet due south of the leachfield and 35.898306 and -107.281519; and 30 feet southeast of the reuse area and 35.898306 and -107.281519.</li> <li>c) A statement describing the groundwater flow direction beneath the Facility, and documentation and/or data supporting the determination.</li> </ol>

#	Terms and Conditions
	<p>The Permittee must have NMED’s approval of all monitoring well locations prior to their installation.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
17.	<p>Prior to discharging to the east impoundment, the Permittee shall install the following new monitoring wells.</p> <ul style="list-style-type: none"> <li>a) One monitoring well (LP-10) located hydrologically upgradient near the southwest corner of the east impoundment.</li> <li>b) One monitoring well (LP-11) located 20-50 feet hydrologically downgradient of the northeast corner of the east impoundment.</li> </ul> <p>The Permittee shall complete the well in accordance with the attached Monitoring Well Guidance.</p> <p>Unless otherwise noted in this Discharge Permit, the requirement to install a monitoring well downgradient of a source is <u>not</u> contingent upon construction of the Facility, or discharge of wastewater from the Facility.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
18.	<p>Prior to discharging to the east impoundment and following the installation of the monitoring wells required by this Discharge Permit, the Permittee shall sample groundwater in the wells and analyze the samples for TKN, NO<sub>3</sub>-N, TDS, sulfate (SO<sub>4</sub>), Cl, and fluoride (F).</p> <ul style="list-style-type: none"> <li>a) LP-10, located hydrologically upgradient near the southwest corner of the impoundment.</li> <li>b) LP-11, located downgradient near the northeast corner of the impoundment.</li> </ul> <p>The Permittee shall perform groundwater sample collection, preservation, transport, and analysis according to the following procedure.</p> <ul style="list-style-type: none"> <li>a) Measure the depth-to-most-shallow groundwater from the top of the well casing to the nearest one-hundredth of a foot.</li> <li>b) Purge three well volumes of water from the well prior to sample collection.</li> <li>c) Obtain samples from the well for analysis.</li> <li>d) Properly prepare, preserve, and transport samples.</li> <li>e) Analyze samples in accordance with the methods authorized in this Discharge Permit.</li> </ul> <p>Within 45 days of the installation of the monitoring wells the Permittee shall submit a well completion report to NMED. A well completion report shall at a minimum include: the</p>

#	Terms and Conditions
	<p>Office of the State Engineer permit, well construction and lithologic logs, latitude and longitude coordinates for each well in decimal format, depth-to-most-shallow groundwater measurements, analytical results including the laboratory QA/QC summary report, and a facility layout map showing the location and number of each well. The Permittee shall ensure the well completion report addresses each numbered item in the General Drilling and Well Specifications in the attached Monitoring Well Guidelines.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
19.	<p>Prior to discharging to the east impoundment, the Permittee shall perform a professional survey of all groundwater monitoring wells approved by NMED for Discharge Permit monitoring purposes. The survey shall be tied or referenced to a U.S. Geological Survey (USGS) or other permanent benchmark. Survey data shall include northing, easting and elevation to the nearest one-hundredth of a foot or shall be in accordance with the “Minimum Standards for Surveying in New Mexico” (12.8.2 NMAC). The survey shall bear the seal and signature of a licensed New Mexico professional surveyor (pursuant to the New Mexico Engineering and Surveying Practice Act and the rules promulgated under that authority).</p> <p>The Permittee shall utilize the survey to establish an elevation at the top-of-casing, with a permanent marking indicating the point of elevation.</p> <p>The Permittee shall measure the depth-to-most-shallow groundwater to the nearest one-hundredth of a foot in all surveyed wells [and referenced to mean sea level], and the data shall be used to develop a groundwater elevation contour, i.e., potentiometric surface, map showing the location of all monitoring wells and the direction and gradient of groundwater flow in the uppermost aquifer below the Facility. The Permittee shall submit the data and groundwater elevation contour map to NMED within 30 days of survey completion.</p> <p>[Subsection A of 20.6.2.3107 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]</p>

***Groundwater Monitoring Conditions***

#	Terms and Conditions
20.	<p>The Permittee shall perform semi-annually groundwater sampling in the following groundwater monitoring wells and analyze the samples for TKN, NO<sub>3</sub>-N, TDS, SO<sub>4</sub>, Cl, and fluoride (F).</p> <p>a) LP-10, located hydrologically upgradient near the southwest corner of the</p>

#	Terms and Conditions
	<p>impoundment.            b) LP-11, located downgradient near the northeast corner of the impoundment.</p> <p>The Permittee shall perform groundwater sample collection, preservation, transport, and analysis according to the following procedures.</p> <ul style="list-style-type: none"> <li>a) Measure the depth-to-most-shallow groundwater from the top of the well casing to the nearest one-hundredth of a foot.</li> <li>b) Purge three well volumes of water from the well prior to sample collection.</li> <li>c) Obtain samples from the well for analysis.</li> <li>d) Properly prepare, preserve, and transport samples.</li> <li>e) Analyze samples in accordance with the methods authorized in this Discharge Permit.</li> </ul> <p>The Permittee shall submit the depth-to-most-shallow groundwater measurements and the laboratory analytical data results including the laboratory QA/QC summary report and Chain of Custody for each well, and a Facility layout map showing the location and number of each well to NMED in the semi-annual monitoring reports.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
21.	<p>The Permittee shall develop a groundwater elevation contour map, i.e., potentiometric surface map, on a semi-annually basis using the top of casing elevation data from the monitoring well survey and the most recent depth-to-most-shallow groundwater measurements, referenced to mean sea level, obtained during the groundwater sampling required by this Discharge Permit.</p> <p>The groundwater elevation contour map shall depict the groundwater flow direction based on the groundwater elevation contours. The Permittee shall estimate groundwater elevations between monitoring well locations using common interpolation methods. The Permittee shall use a contour interval appropriate to the data but shall not be greater than two feet. Groundwater elevation contour maps shall use arrows to depict the groundwater flow direction based on the orientation of the groundwater elevation contours and shall locate and identify each monitoring well and contaminant source.</p> <p>The Permittee shall submit to NMED a groundwater elevation contour map in the semi-annual monitoring reports.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
22.	<p>NMED shall have the option to perform downhole inspections of all groundwater monitoring wells identified in this Discharge Permit. NMED shall establish the inspection date and notify the Permittee. The Permittee shall remove any existing dedicated pumps</p>

#	Terms and Conditions
	<p>at least 48 hours prior to NMED inspection to allow adequate settling time of sediment agitated from pump removal.</p> <p>Should the Permittee decide to install a pump in a monitoring well without a dedicated pump, the Permittee shall notify NMED at least 90 days prior to pump installation so that NMED can schedule a downhole well inspections prior to pump placement.</p> <p>[Subsections A and D of 20.6.2.3107 NMAC]</p>

**Facility Monitoring Conditions**

23.	<p>The Permittee shall on a monthly basis measure the volume of wastewater discharged to the east impoundment during the permit period.</p> <p>To determine the discharge volume, the Permittee shall obtain readings from a Pulsar measurement weir style flowmeter located on the Glegg Basin on a monthly basis and calculate the monthly and average daily volume discharged to the east impoundment. The Permittee shall submit calendar monthly meter readings, calculated monthly discharge volumes and average daily discharge volumes 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>
24.	<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, [refer to guidance and select one: once within 90 days of the issuance date of this Discharge Permit (<b>by DATE</b>). 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> </ul>

	<p>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.</p> <p>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.</p> <p>e) Any flow meter repairs made during the previous year or during field calibration.</p> <p>f) The name of the individual performing the calibration and the date of the calibration.</p> <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>
25.	<p>The Permittee shall perform monthly inspections of the east impoundment leak detection systems. The Permittee shall submit summaries of inspection reports of the leak detection system in the semi-annual monitoring reports.</p> <p>[20.6.2.3107 NMAC]</p>
26.	<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 repaired 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 replacement meters, the Permittee shall submit a report to NMED with the next 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>
27.	<p>The Permittee shall collect a composite wastewater sample on a semi-annual basis (once every six months) from the east impoundment. 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>• NO3-N;</li></ul>



	<ul style="list-style-type: none"><li>• TDS;</li><li>• pH;</li><li>• Cl;</li><li>• SO<sub>4</sub>; and</li><li>• F</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 OR [monitoring reports due by [dates] each year].</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]</p>
28.	<p>Within 6 months of discharge to the east impoundment, the Permittee shall collect a composite samples (except as noted for pH) from the east impoundment. The composite sample shall consist of a minimum of six equal aliquots collected equidistantly around the perimeter of the impoundment and thoroughly mixed 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>• radioactivity: combined radium-226 &amp; radium-228 (CAS 15262-20-1)</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 analyzed 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 February 1<sup>st</sup>, 2026.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]</p>
<p>29.</p>	<p>Within 6 months of discharge to the east impoundment, the Permittee shall collect a composite wastewater sample from the east impoundment. The composite samples shall consist of a minimum of six equal aliquots collected equidistantly around the perimeter of the impoundment and thoroughly mixed 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>• 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>• 1,4-dioxane (CAS 123-91-1) (using EPA Method 8270D-SIM)</li> <li>• ethylbenzene (CAS 100-41-4)</li> <li>• ethylene dibromide (EDB, CAS 106-93-4)</li> <li>• methylene chloride (CAS 75-09-2)</li> <li>• PAHs: 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>• 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. The reporting limit for 1,4-dioxane shall be less than the Tap Water Screening Level for 1,4-dioxane identified in the NMED Risk Assessment Guidance for Site Assessments and Investigations, Table A-1 (available on the NMED Hazardous Waste Bureau’s website under Guidance Documents).</p> <p>If the results of two consecutive sampling events indicate no detection of 1,4-dioxane above the reporting limit, the Permittee may request to reduce the sampling frequency.</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 February 1, 2026.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]</p>
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**C. CONTINGENCY PLAN**

#	Terms and Conditions
30.	<p>In the event that groundwater monitoring indicates that groundwater exceeds a standard identified in Section 20.6.2.3103 NMAC in a monitoring well with no previous exceedances of the chemical constituent at the date of issuance of this Discharge Permit, the Permittee shall collect a confirmatory sample from the monitoring well within 15 days of receipt of the initial sampling results to confirm the initial sampling results.</p> <p>Within 60 days of confirmation of groundwater contamination, the Permittee shall submit to NMED a Corrective Action Plan (CAP) that proposes, at a minimum, contaminant source control measures and an implementation schedule. The Permittee shall implement the CAP as approved by NMED.</p> <p>This condition shall apply until the Permittee completes groundwater monitoring for a minimum of eight (8) consecutive quarterly samples demonstrating groundwater does not exceed the standards of Section 20.6.2.3103 NMAC.</p> <p>Violation of the groundwater standard beyond 180 days after the confirmation of groundwater contamination may cause NMED to require the Permittee to abate water pollution consistent with the requirements and provisions of Section 20.6.2.4101, Section</p>

#	Terms and Conditions
	<p>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>
31.	<p>In the event that information available to NMED indicates that a well is not constructed in a manner consistent with the attached Monitoring Well Guidance, contains insufficient water to effectively monitor groundwater quality, or is otherwise not completed in a manner that is protective of groundwater quality, the Permittee shall install a replacement well(s) within 120 days following notification from NMED.</p> <p>The Permittee shall survey the replacement monitoring well(s) within 30 days following well completion.</p> <p>The Permittee shall install replacement well(s) at locations approved by NMED prior to installation and shall complete replacement well(s) in accordance with the attached Monitoring Well Guidance. The Permittee shall submit well construction and lithologic logs, survey data and a groundwater elevation contour map to NMED within 60 days following well completion.</p> <p>The Permittee shall properly plug and abandon monitoring well(s) requiring replacement upon completion of the replacement monitoring well(s). The Permittee shall complete the well plugging and abandonment, and shall document the abandonment procedures, in accordance with the attached Monitoring Well Guidance and all applicable local, state, and federal regulations. The Permittee shall submit a copy of the well abandonment documentation to NMED within 60 days following the replacement well(s) completion.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
32.	<p>In the event that groundwater flow information obtained pursuant to this Discharge Permit indicates that a monitoring well is not appropriately located, e.g., hydrologically downgradient of the discharge location it is intended to monitor, the Permittee shall install a replacement well within 120 days following notification from NMED. The Permittee shall survey the replacement monitoring well within 30 days following well completion.</p> <p>The Permittee shall install the replacement well at the location approved by NMED prior to installation and shall complete the replacement well in accordance with the attached Monitoring Well Guidance. The Permittee shall submit construction and lithologic logs, survey data and a groundwater elevation contour map within 60 days following well completion.</p>

#	Terms and Conditions
	<p>The Permittee shall properly plug and abandon a monitoring well requiring replacement upon completion of the replacement monitoring well. The Permittee shall complete the well plugging and abandonment, and shall document the abandonment procedures, in accordance with the attached Monitoring Well Guidance and all applicable local, state, and federal regulations. The Permittee shall submit a copy of the well abandonment documentation to NMED within 60 days following the replacement well completion.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
33.	<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 [discharge meter(s)/volume measuring device/method] 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 volume increase is sufficient for the design capacity or plans and specifications to upgrade the system to accommodate the discharge volume increase.</li></ul> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
34.	<p>In the event that leachate is discovered in the leak detection system of the east impoundment, the Permittee shall sample the leachate and analyze it for: TKN, NO<sub>3</sub>-N, TDS, pH, Cl, SO<sub>4</sub>, and F.</p> <p>If the analytical results demonstrate that the leachate is chemically similar to the wastewater in the impoundment, the Permittee shall submit the analytical results along with a Corrective Action Plan to NMED which evaluates the primary liner leakage rate and proposes options for stopping or reducing leakage. The Permittee shall submit the CAP to NMED for approval within 60 days of the receipt of the analytical results.</p>

#	Terms and Conditions
	[20.6.2.3107 NMAC, 20.6.2.3109 NMAC]
35.	<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>
36.	<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>
37.	<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>

#	Terms and Conditions
	<p>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.</p> <p>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.</p> <p>c) A schedule for completion of the solids removal and disposal project.</p> <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>
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> <p>Within <u>24 hours</u> following discovery of the unauthorized discharge, the Permittee shall verbally notify NMED and provide the following information.</p> <p>a) The name, address, and telephone number of the person or persons in charge of the Facility, as well as of the owner and/or operator of the Facility.</p> <p>b) The name and address of the Facility.</p> <p>c) The date, time, location, and duration of the unauthorized discharge.</p> <p>d) The source and cause of unauthorized discharge.</p> <p>e) A description of the unauthorized discharge, including its estimated chemical composition.</p> <p>f) The estimated volume of the unauthorized discharge.</p> <p>g) Any actions taken to mitigate immediate damage from the unauthorized discharge.</p> <p>Within <u>one week</u> following discovery of the unauthorized discharge, the Permittee shall submit written notification to NMED providing the information listed above and any pertinent updates.</p> <p>Within <u>15 days</u> following discovery of the unauthorized discharge, the Permittee shall submit a CAP to NMED describing any corrective actions previously taken and corrective actions to be taken relative to the unauthorized discharge. The CAP shall include the following information.</p> <p>a) A description of proposed actions to mitigate damage from the unauthorized discharge.</p>

#	Terms and Conditions
	<p>b) A description of proposed actions to prevent future unauthorized discharges of this nature.</p> <p>c) A schedule for completion of proposed actions.</p> <p>In the event that the unauthorized discharge causes or may with reasonable probability cause water pollution in excess of the standards and requirements of Section 20.6.2.4103 NMAC, and the water pollution will not be abated within 180 days after notice is required to be given pursuant to Paragraph (1) of Subsection A of 20.6.2.1203 NMAC, NMED may require the Permittee to abate water pollution pursuant to Sections 20.6.2.4000 through 20.6.2.4115 NMAC.</p> <p>The Permittee shall not construe anything in this condition as relieving them of the obligation to comply with all requirements of Section 20.6.2.1203 NMAC.</p> <p>[20.6.2.1203 NMAC]</p>
39.	<p>In the event that NMED or the Permittee identifies any failures of the discharge plan, i.e., the application, or this Discharge Permit not specifically noted herein, NMED may require the Permittee to submit a CAP and a schedule for completion of corrective actions to address the failure(s). Additionally, NMED may require a discharge permit modification to achieve compliance with 20.6.2 NMAC.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]</p>

**D. CLOSURE PLAN**

***Closure Actions with Implementation Deadlines***

#	Terms and Conditions
40.	<p>Within 30 days after the discharge has started to the new east impoundment, the Permittee shall perform the following closure measure:</p> <p>a) Cap the discharge line leading to the Town of Lordsburg Wastewater Treatment Plant (WWTP) so that a discharge can no longer occur from the Lordsburg Generating Station to the Town of Lordsburg WWTP.</p> <p>The Permittee shall submit date stamped photographic evidence to NMED when the Permittee has met this closure requirement to verify appropriate actions.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection D of 20.6.2.4103 NMAC, 40 CFR Part 503]</p>



#	Terms and Conditions
41.	<p>Within 60 days of the issuance date of this Discharge Permit (<b>DATE</b>), the Permittee shall submit a revised closure plan to include the closure of the East Impoundment for NMED’s approval to prevent the exceedance of standards of 20.6.2.3103 NMAC in groundwater after the cessation of operation. The closure plan shall include: a description of closure measures, maintenance and monitoring plans, post-closure maintenance and monitoring plans, and other measures necessary to prevent or abate such contamination for the east impoundment area including the proposed monitoring wells.</p> <p>The Permittee shall ensure that the closure plan is sufficiently detailed to address the steps necessary to close the wastewater related infrastructure, e.g., the impoundment, and any other wastewater related infrastructure. Further, the detailed closure plan shall address sludge de-watering (as necessary), characterization of wastes to be disposed on-site and off-site, restoration of vegetation, and ongoing maintenance for the impoundment and any other wastewater related infrastructure, and all post-closure activities including the plugging and abandonment of monitoring wells.</p> <p>The Permittee shall ensure that the closure plan addresses post-closure care, including the continued groundwater monitoring required under the Discharge Permit. All closure and post-closure activities are considered “complete closure.”</p> <p>The Permittee shall ensure the closure plan has sufficient detail to estimate the cost of complete closure of all wastewater related infrastructure and post-closure monitoring for the purpose of establishing and maintaining financial assurance. The detailed closure plan shall provide sufficient detail to estimate the cost of operation and maintenance of the groundwater monitoring system. Inherent in this detail is an estimate of the time (after the cessation of Facility operation) that the groundwater monitoring system will remain in place and in operation, i.e., until WQCC groundwater standards or background concentrations have been met for at least eight consecutive quarters.</p> <p>[Subsection A of 20.6.2.3107]</p>
42.	<p>Within 90 days from the date of NMED’s approval of the REVISED closure plan, the Permittee shall submit a detailed REVISED cost estimate (Estimate) for NMED’s approval based on the detailed closure plan for complete closure required by <u>Condition 40</u>. The Estimate shall be based on the cost of hiring a third party to conduct complete closure. The Estimate shall include direct costs associated with third-party implementation of the closure plan, contingency costs in the amount of 15 percent of the direct costs, the cost of an independent project manager and contract administration, and NMED oversight and administration costs, including indirect costs. The Estimate shall forecast the worst-case scenario for complete closure over the five-year period of this Discharge Permit; if a new permit is not issued after five years, the Estimate for the worst-case scenario shall be</p>

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	<p>updated annually each year after five years and any financial assurance shall be adjusted accordingly.</p> <p>The Permittee shall adjust the Estimate for inflation over the five-year period for complete closure and shall project the amount needed for each of the five years for the worst-case scenario for all activities included in complete closure.</p> <p>[Subsection A of 20.6.2.3107]</p>
43.	<p>Within 90 days from the date of NMED's approval of the closure cost estimate (Estimate), the Permittee shall submit to NMED for approval its proposed financial assurance instrument(s) that meets the requirements below.</p> <ul style="list-style-type: none"><li>a) The amount of financial assurance shall be sufficient to cover the cost of implementing complete closure as described in the closure plan and the Estimate required by <u>Conditions 40 and 41</u> of this Discharge Permit. The Permittee shall not propose any form of self-guarantee. The financial assurance instrument(s) shall ensure that funds will be available to implement complete closure if at any time the Permittee is unable, unwilling, or otherwise fails to implement any portion of the closure plan as required by this Discharge Permit. If the financial assurance instrument(s) entails incremental costs of maintaining the instrument(s), i.e., costs for a trustee, the Permittee shall increase the amount of the financial assurance to include all such costs.</li><li>b) The Permittee shall name NMED as the sole beneficiary in each financial assurance instrument(s).</li><li>c) The financial assurance instrument(s) shall include a method for adjustments due to changes in inflation, new technologies, and NMED approved revisions to the closure plan based on continued investigations or other information and shall be adjusted no less frequently than every five years such that, at all times, the amount of financial assurance provided by the Permittee shall be sufficient to perform complete closure at any time during the following five years from the update.</li><li>d) Within 30 days after NMED approves the draft financial assurance instrument(s) the Permittee shall execute the financial assurance instrument and submit it to NMED for final acceptance.</li><li>e) Within 30 days of the implementation of the financial assurance instrument(s), the Permittee shall establish a trust to receive and disburse funds, which may arise as the result of forfeiture of financial assurance. The trust shall name NMED as the beneficiary. The trust agreement shall be in a form satisfactory to the State Board of Finance and shall be subject to approval by the Governor pursuant to NMSA 1978, § 46-4-1 through 9. The Permittee shall maintain the trust until complete closure has occurred and NMED terminates any existing discharge permit in effect at the time. Upon forfeiture of financial assurance, the forfeited amount shall</li></ul>

#	Terms and Conditions
	<p>transfer from the financial assurance instrument into the trust for use by NMED or a third-party for any activities or costs related to complete closure.</p> <ul style="list-style-type: none"> <li>f) The Permittee may propose alternative financial assurance instrument(s) from time to time subject to NMED’s written approval and acceptance. The Permittee shall not replace any approved financial assurance instrument(s) without NMED’s written approval.</li> <li>g) Unless released by NMED in writing, the financial assurance instrument(s) shall remain in effect until complete closure and final termination of this Discharge Permit and shall remain in place at all times, including lapses in Discharge Permit coverage, late Discharge Permit renewal, or temporary shutdown of facilities covered under this Discharge Permit.</li> <li>h) Should circumstances warrant more frequent adjustments than provided for in the approved financial assurance instrument(s), NMED may require them in writing and the Permittee shall make the adjustment within 180 days.</li> <li>i) No more frequently than once every 12 months, the Permittee may request that NMED review remaining activities required for complete closure, including alternate closure activities that NMED has approved. The Permittee’s request for review shall describe the activities that have been completed and shall contain an updated Estimate for all remaining complete closure activities.</li> </ul> <p>If NMED approves the Permittee’s description of activities that have been completed, the remaining activities of complete closure, and the Estimate for remaining complete closure activities, NMED will notify the Permittee of appropriate adjustments that the Permittee may make to the amount of financial assurance.</p> <p>When the WQCC revises the financial assurance regulations and those regulations become effective, the Permittee shall evaluate and, if necessary, revise the financial assurance instrument to comply with the revised WQCC regulations.</p> <p>[Subsection A of 20.6.2.3107]</p>
44.	<p>The Permittee shall adhere to the following stipulations for cancellation, non-renewal, forfeiture, or release of the financial assurance instrument(s).</p> <ul style="list-style-type: none"> <li>a) Cancellation or Non-renewal: Each financial assurance instrument shall require the financial assurance provider to give at least 120 days written notice to NMED and the Permittee prior to cancellation or non-renewal of the financial assurance instrument. If NMED receives notice of cancellation or non-renewal from a financial assurance provider, the Permittee shall propose an alternate financial assurance mechanism to NMED within 30 days of the notice. If NMED approves the alternate financial assurance mechanism, the Permittee shall execute it and</li> </ul>

#	Terms and Conditions
	<p>submit it to NMED for final acceptance within 30 days of NMED approval. If the Permittee fails to obtain alternate financial assurance acceptable to NMED within 30 days of NMED approval, the current financial assurance shall be subject to forfeiture.</p> <p>b) Forfeiture: If NMED determines that implementation of all or any part of complete closure is required and that the Permittee is unable or unwilling or will otherwise fail to conduct all or any part of complete closure as required by this Discharge Permit, then NMED may proceed with forfeiture of all or part of the financial assurance.</p> <p>Prior to beginning a forfeiture proceeding, NMED will provide written notice by certified mail to the Permittee and to all financial assurance providers, if applicable. NMED's notice will inform the parties of the determination to forfeit all or a portion of the financial assurance. If NMED's access to the financial assurance is threatened due to time constraints, NMED may begin a forfeiture proceeding and provide written notice contemporaneously with that proceeding. NMED's written notice will state the reasons for the forfeiture and the amount to be forfeited.</p> <p>The forfeited amount shall be based on the total cost of performing complete closure in accordance with this Discharge Permit and all applicable laws and regulations. NMED will also advise the Permittee and all financial assurance providers, if applicable, of the conditions under which forfeiture may be avoided. Such conditions may include an agreement that the Permittee, a financial assurance provider, or an NMED-approved third party, will perform complete closure in accordance with this Discharge Permit and all applicable laws and regulations, and the entity has demonstrated it has the financial ability and technical qualifications to do so.</p> <p>All financial assurance forfeited shall become immediately payable to the trust or as otherwise provided in the NMED-approved instrument. NMED or a third-party will utilize forfeited funds to perform complete closure. If the forfeited amount is insufficient, the Permittee shall be liable for the remaining costs. If the amount forfeited is more than necessary to complete closure, NMED will refund the excess amount to the entity from whom it was collected.</p> <p>c) Release: NMED will release or modify the financial assurance instrument when NMED determines that all activities of complete closure have been performed according to the closure plan requirements of this Discharge Permit and the</p>

#	Terms and Conditions
	<p style="text-align: center;">Discharge Permit has been terminated.</p> <p>[Subsection A of 20.6.2.3107]</p>

***Permanent Facility Closure Conditions***

#	Terms and Conditions
45.	<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 impoundment(s), 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 impoundment(s), the Permittee shall evaporate or drain all wastewater from the impoundment and any other wastewater system component and dispose of it in accordance with all local, state, and federal regulations.</p> <p>Within <u>90 days</u> of ceasing to discharge to the impoundment(s), 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>a) The estimated volume and dry weight of sludge planned for removal and disposal, including measurements and calculations.</li> <li>b) 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>c) The method of sludge <i>removal</i> from the impoundment(s).</li> <li>d) The method of <i>disposal</i> for all the sludge (and its contents) removed from the impoundment(s). 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>e) A schedule for completion of sludge removal and disposal not to exceed two years from the date discharge to the impoundment(s) ceased.</li> </ol> <p>Within <u>one year</u> following completion of the sludge removal and disposal, the Permittee shall complete the following closure measures.</p>

#	Terms and Conditions
	<ul style="list-style-type: none"><li>a) Remove all lines leading to and from the impoundment(s) or permanently plug and abandon the lines in place.</li><li>b) 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>c) 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>d) 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>e) Fill the impoundment(s) with suitable fill.</li><li>f) 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></ul> <p>The Permittee shall continue groundwater monitoring until the Permittee meets the requirements of this condition met and groundwater monitoring confirms for a minimum of eight consecutive quarterly groundwater sampling events that groundwater does not exceed the standards of Section 20.6.2.3103 NMAC. This period is referred to as “post-closure.”</p> <p>If at any time monitoring results show an exceedance of a groundwater quality standard in Section 20.6.2.3103 NMAC, the Permittee shall implement the Contingency Plan required by this Discharge Permit.</p> <p>Following notification from NMED that the Permittee may cease post-closure monitoring, the Permittee shall plug and abandon the monitoring well(s) in accordance with the attached Monitoring Well Guidance.</p> <p>When the Permittee has met all closure and post-closure requirements and verified appropriate actions with date stamped photographic evidence or an associated NMED inspection, the Permittee may submit to NMED a written request, including photographic evidence, for termination of the Discharge Permit.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection D of 20.6.2.4103 NMAC, 40 CFR Part 503]</p>

**E. GENERAL TERMS AND CONDITIONS**

#	Terms and Conditions
46.	<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><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>

#	Terms and Conditions
	<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>
47.	<p><b>SUBMITTALS</b> – 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>
48.	<p><b>INSPECTION and ENTRY</b> – The Permittee shall allow NMED to inspect the Facility and its operations that are subject to this Discharge Permit and the WQCC regulations. NMED may upon presentation of proper credentials, enter at reasonable times upon or through any premises in which a water contaminant source is located or in which any maintained records required by this Discharge Permit, the regulations of the federal government, or the WQCC are located.</p> <p>The Permittee shall allow NMED to have access to and reproduce for their use any copy of the records, and to perform assessments, sampling or monitoring during an inspection for the purpose of evaluating compliance with this Discharge Permit and the WQCC regulations.</p> <p>No person shall construe anything in this Discharge Permit as limiting in any way the inspection and entry authority of NMED under the WQA, the WQCC Regulations, or any other local, state or federal regulations.</p> <p>[Subsection D of 20.6.2.3107 NMAC, NMSA 1978, §§ 74-6-9.B and 74-6-9.E]</p>
49.	<p><b>DUTY to PROVIDE INFORMATION</b> - The Permittee shall, upon NMED’s request, allow for NMED’s inspection/duplication of records required by this Discharge Permit and/or furnish to NMED copies of such records.</p> <p>[Subsection D of 20.6.2.3107 NMAC]</p>
50.	<p><b>MODIFICATIONS and/or AMENDMENTS</b> – 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</p>



#	Terms and Conditions
	<p>(which may require modification of this Discharge Permit) prior to implementing such changes.</p> <p>[Subsection C of 20.6.2.3107 NMAC, Subsections E and G of 20.6.2.3109 NMAC]</p>
51.	<p>PLANS and SPECIFICATIONS – In the event the Permittee proposes to construct a wastewater system or change a process unit of an existing system such that the quantity or quality of the discharge will change substantially from that authorized by this Discharge Permit, the Permittee shall submit construction plans and specifications of the proposed system or process unit to NMED for approval prior to the commencement of construction.</p> <p>In the event the Permittee implements changes to the wastewater system authorized by this Discharge Permit that result in only a minor effect on the character of the discharge, the Permittee shall report such changes (including the submission of record drawings where applicable) to NMED prior to implementation.</p> <p>[Subsections A and C of 20.6.2.1202 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]</p>
52.	<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>
53.	<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> </ul>

#	Terms and Conditions
	<ul style="list-style-type: none"> <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 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>
54.	<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>
55.	<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>
56.	<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>

#	Terms and Conditions
	<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>
57.	<p>PERMIT FEES – The Permittee shall be aware that the payment of permit fees is due at the time of Discharge Permit approval. The Permittee may pay the permit fees in a single payment or they may pay the fee in equal installments on a yearly basis over the term of the Discharge Permit. The Permittee shall remit single payments to NMED no later than 30 days after the Discharge Permit issuance date. The Permittee shall remit initial installment payments to NMED no later than 30 days after the Discharge Permit issuance date; with subsequent installment payments remitted to NMED no later than the anniversary of the Discharge Permit issuance date.</p> <p>Permit fees are associated with <u>issuance</u> of this Discharge Permit. No person shall construe anything in this Discharge Permit as relieving the Permittee of the obligation to pay all permit fees assessed by NMED. A Permittee that ceases discharging or does not commence discharging from the Facility during the term of the Discharge Permit shall pay all permit fees assessed by NMED. NMED shall suspend or terminate an approved Discharge Permit if the Permittee fails to remit an installment payment by its due date.</p> <p>[Subsection F of 20.6.2.3114 NMAC, NMSA 1978, § 74-6-5.K]</p>



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

### Facility Information

**Facility Name** Lordsburg Generating Station  
**Discharge Permit Number** DP-1474

**Legally Responsible Party** EJ Anderson, Environmental Manager  
Public Service Company of New Mexico  
414 Silver Ave SE  
Albuquerque, NM 87102  
(505) 241-2026

### Treatment, Disposal and Site Information

**Primary Waste Type** Industrial  
**Facility Type** ENRG-Power Plant

#### Treatment Methods

Type	Designation	Description & Comments
Oil/Water Separator	Separator	Located adjacent to a generator, serving two generators

#### Discharge Locations

Type	Designation	Description & Comments
West Impoundment	Evaporative Impoundment	12,000-gallon capacity consisting of an 80-mil HDPE primary liner, a 60-mil secondary liner and a leak detection system; 40 ft x 40 ft x 5 ft dimensions
East Impoundment	Evaporative Impoundment	4,860,580 gallons with 2 feet of free board with a total 7,669,540-gallon capacity consisting of an 80-mil HDPE primary liner, a 80-mil secondary liner and a leak detection system in between the liners

#### Flow Metering Locations

Type	Designation	Description & Comments
Totalizing Flow Meter	Effluent Meter	Located on the transfer line to the west evaporative impoundment
Weir Style Flow Meter	Discharge Meter	Located on the Glegg Basin

#### Groundwater Monitoring Locations

Type	Designation	Description & Comments
Monitoring Well	LP-4	Located hydrologically cross-gradient of the Facility and approximately 150 feet west of the west impoundment



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

Monitoring Well	LP-6	Located hydrologically downgradient of the west impoundment and approximately 30 feet northeast of the west impoundment
Monitoring Well	LP-8	Located hydrologically upgradient of the Facility and in the southwest corner of the Facility
Monitoring Well	LP-9	Located hydrologically upgradient of the west impoundment and approximately 500 feet southwest of the west impoundment
Monitoring Well	LP-10	Located on the southwest corner of the east impoundment.
Monitoring Well	LP-11	Located on the northeast corner of the east impoundment.

**Depth-to-Ground Water** 115 feet  
**Total Dissolved Solids (TDS)** 988 mg/L

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### Permit Information

**Original Permit Issued** December 8, 2004  
**Permit Renewal** May 3, 2010  
**Permit Renewal** June 1, 2015  
**Permit Renewal** August 17, 2021

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

**Modification**  
August 19, 2024  
Date of 2<sup>nd</sup> public notice  
Issuance Date  
30,465 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** Marchell Schuman  
**Lead Staff Telephone Number** (505) 795-3275  
**Lead Staff Email** [marchell.schuman@state.nm.us](mailto:marchell.schuman@state.nm.us)



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

**Summary of Permit Conditions Requiring an Action**

**Lordsburg Generating Station, DP-1474**

Effective Date: **date**

**A. ONE-TIME REQUIRED ACTIONS**

#	Description of Required Action	Due Date
1.	Submit an up-to-date diagram of the layout of the entire facility to NMED.	Prior to discharging to the east Impoundment
2.	Complete construction in accordance with the final construction plans and specifications.	Prior to discharging to the east impoundment and the permittee shall notify NMED at least five working days prior to commencement of construction
3.	Install fences around the east impoundment.	Prior to discharging to the east impoundment
4.	Post signs indicating that the wastewater at the facility is not potable.	Prior to discharging to the east impoundment.
5.	Submit a written groundwater monitoring well location proposal.	Prior to discharging to the east impoundment
6.	Install new monitoring wells: LP-10 and LP-11	Prior to discharging to the east impoundment
7.	Sample groundwater in the new wells and analyze the samples for TKN, NO <sub>3</sub> -N, TDS, SO <sub>4</sub> , Cl, and F.	Following the installation of the monitoring wells and Prior to discharging to the east impoundment
8.	Survey all wells approved by NMED for Discharge Permit monitoring purposes to a U.S. Geological Survey (USGS) or other permanent benchmark.	Prior to discharging to the east impoundment
9.	Submit written notification to NMED stating the date the discharge is to commence.	5 days prior to discharging to the East Impoundment
10.	Submit record drawings to NMED that bear the seal and signature of a licensed New Mexico professional engineer for the constructed east impoundment.	Within 30 days of completing construction of the east impoundment
11.	Collect a composite sample (except as noted for pH) from the east impoundment. The composite sample shall consist of a minimum of six equal aliquots collected equidistantly around the perimeter of the impoundment and thoroughly mixed and analyze the sample for the inorganic contaminants listed in Condition #27.	Within 6 months of discharge to the east impoundment and reported by February 1 <sup>st</sup> , 2026

## Summary of Permit Conditions Requiring an Action

<b>12.</b>	Collect a composite wastewater sample from the impoundment. The composite samples shall consist of a minimum of six equal aliquots collected equidistantly around the perimeter of the impoundment and thoroughly mixed and analyze the non-filtered sample for the organic contaminants in Condition #28.	Within 6 months of discharge to the east impoundment and reported by February 1 <sup>st</sup> , 2026.
<b>13.</b>	Cap the discharge line leading to the Town of Lordsburg Wastewater Treatment Plant (WWTP) so that a discharge can no longer occur from the Lordsburg Generating Station to the Town of Lordsburg WWTP.	30 days after beginning discharge to the east impoundment
<b>14.</b>	Submit a REVISED closure plan to include the closure of the east impoundment.	Within 60 days of the issuance date of this Discharge Permit (DATE)
<b>15.</b>	Submit a detailed REVISED cost estimate (Estimate)	Within 90 days of NMED's approval of the revised closure plan
<b>16.</b>	Submit to NMED for approval its proposed financial assurance instrument(s)	Within 90 days from the date of NMED's approval of the closure cost estimate

### B. RECURRING REQUIRED ACTIONS

#	Description of Required Action	Frequency	Reporting Due Dates
<b>1.</b>	Conduct groundwater sampling in the following new monitoring wells [LP-10, LP-11] and analyze the samples for TKN, NO <sub>3</sub> -N, TDS, SO <sub>4</sub> , Cl, and F.  _____	Semi-annual	1 <sup>st</sup> of February and August
	Depth-to-most-shallow groundwater measurements, analytical results, including the laboratory QA/QC summary report, and a facility layout map showing the location and number of each well.	Semi-annual	1 <sup>st</sup> of February and August
<b>2.</b>	Develop a groundwater elevation contour map.  _____	Semi-annual	1 <sup>st</sup> of February and August
	Depth-to-most-shallow groundwater measurements, referenced to mean sea level, obtained from the groundwater monitoring wells.	Semi-annual	_____ 1 <sup>st</sup> of February and August
<b>3.</b>	Measure the monthly volume of wastewater discharged to the east impoundment.	Monthly	1 <sup>st</sup> of February and August
<b>4.</b>	Verify flow meters for their accuracy under actual working (field) conditions.	Upon repair or replacement of a flow	Once within 90 days of the effective date of this Discharge Permit (by DATE)]

## Summary of Permit Conditions Requiring an Action

		measurement device	
5.	Visually inspect flow meters for evidence of malfunction.	Monthly	Keep a log for NMED inspection
6.	Visually inspect the impoundment leak detection system	Monthly	1 <sup>st</sup> of February and August
7.	Collect a composite wastewater sample from east impoundment and analyze for TKN, NO <sub>3</sub> -N, TDS, SO <sub>4</sub> , Cl, and F.	Semi-annual basis	1 <sup>st</sup> of February and August

**NOTE:** This document is intended as a reminder only. See Discharge Permit for full requirement details.

### Submit reports to:

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

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