



CERTIFIED MAIL – RETURN RECEIPT REQUESTED

August 3, 2023

Jim Long, Managing Member
Coronado Investment, LLC, Sandia Investment LLC, Jemez Investment LLC and Sandoval Investment LLC
as Tenant in Common
201 3rd St. NW, Suite 1150
Albuquerque, New Mexico 87109

RE: Draft Discharge Permit Renewal, DP-937, Traditions: A Cultural Marketplace

Dear Jim Long:

The New Mexico Environment Department (NMED) hereby provides notice to you of the proposed approval of Ground Water Discharge Permit Renewal, DP-937, (copy enclosed), pursuant to Subsection H of 20.6.2.3108 NMAC. NMED will publish notice of the availability of the draft Discharge Permit in the near future for public review and comment and will forward a copy of that notice to you.

Prior to making a final ruling on the proposed Discharge Permit, NMED will allow 30 days from the date the public notice is published in the newspaper for any interested party, including the Discharge Permit applicant, i.e., yourself, to submit written comments and/or a request a public hearing. A hearing request shall set forth the reasons why a hearing is requested. NMED will hold a hearing in response to a timely hearing request if the NMED Secretary determines there is substantial public interest in the proposed Discharge Permit.

Please review the enclosed draft Discharge Permit carefully. Please be aware that this Discharge Permit may contain conditions that require the permittee to implement operational, monitoring or closure actions by a specified deadline.

Please submit written comments or a request for hearing to my attention at the address below, via email to andrewc.romero@env.nm.gov or to pps.general@env.nm.gov, or directly into the NMED Public Comment Portal at <https://nmed.commentinput.com/comment/search>. If NMED does not receive written comments or a request for hearing during the public comment period, the draft Discharge Permit will become final.

Thank you for your cooperation during the review process. Feel free to contact me with any questions at (505) 660-8624.

Jim Long
August 3, 2023
Page 2 of 2

Sincerely,

Andrew Romero, Water Resource Professional

Encl: Draft Discharge Permit Renewal, DP-937

cc: Connor Schmidt, Property Manager, 201 3rd St. NW, Suite 1150, Albuquerque, NM 87109



**NEW MEXICO
ENVIRONMENT DEPARTMENT**

Ground Water Quality Bureau

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Draft: August 3, 2023

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

Facility Name:	Traditions: A Cultural Marketplace
Discharge Permit Number:	DP-937
Facility Location:	601 W Frontage Rd., Suite 660 Budaghers, NM
County:	Sandoval
Permittee:	Coronado Investment, LLC, Sandia Investment LLC, Jemez Investment LLC and Sandoval Investment LLC as Tenant in Common
Mailing Address:	Jim Long, Managing Member 201 3 rd St. NW, Suite 1150 Albuquerque, NM 87109
Facility Contact:	Connor Schmidt, Property Manager
Telephone Number/Email:	505-615-9732 / cschmidt@heritagerec.com
Permitting Action:	Renewal
Permit Issuance Date:	DATE
Permit Expiration Date:	DATE
NMED Permit Contact:	Andrew Romero
Telephone Number/Email:	505-660-8624 / andrewc.romero@env.nm.gov or 505-827-2900 / pps.general@env.nm.gov

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

Date

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Discharge Permit Summary
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 Renewal (Discharge Permit or DP-937) to the Coronado Investment, LLC, Sandia Investment LLC, Jemez Investment LLC and Sandoval Investment LLC as Tenants in Common (Permittees) 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 Traditions: A Cultural Marketplace (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.

A Sequencing Batch Reactor wastewater treatment system receives and treats domestic wastewater at a volume of up to 29,500 gallons per day (gpd). Treated wastewater discharges to two leachfields for disposal. As of issuance of this permit, there are no services at the Facility and treatment and disposal are not occurring.

The discharge may contain water contaminants or toxic pollutants elevated above the standards of Section 20.6.2.3103 NMAC and is not subject to the exemption at Subsection 20.6.2.3105.A NMAC.

The Facility is located at 601 W Frontage Rd., Suite 660, approximately 15 miles northeast of Bernalillo, in Section 7, Township 14 N, Range 06 E, in Sandoval County. A discharge at the Facility is most likely to affect groundwater at a depth of approximately 350 feet and having a pre-discharge total dissolved solids (TDS) concentration of approximately 270 milligrams per liter.

NMED issued the original Discharge Permit to the Permittee on July 1, 1993, and subsequently renewed the Permit on August 10, 2006. The application (i.e., discharge plan) associated with this Discharge Permit consists of the materials submitted by the Permittee dated April 23, 2021, and materials contained in the administrative record prior to issuance of this Discharge Permit.

The Permittee shall manage the discharge in accordance with all conditions and requirements of this Discharge Permit.

NMED reserves the right to require a Discharge Permit modification in the event NMED determines that the Permittee is or may be violating, or is likely to violate in the future, the requirements of 20.6.2 NMAC or the standards of Section 20.6.2.3103 NMAC. NMED reserves this right pursuant to Section 20.6.2.3109 NMAC. An NMED requirement to modify the Discharge Permit may result from a determination by the department that structural controls and/or management practices approved under this Discharge Permit are insufficiently protective of groundwater quality and human health. NMED reserves the right to require the Permittee implement abatement of water pollution and remediate groundwater quality.

NMED issuance of this Discharge Permit does not relieve the Permittee of the responsibility to comply with the WQA, WQCC Regulations, and any other applicable federal, state and/or local laws and regulations, such as zoning requirements and nuisance ordinances.

This Discharge Permit may use the following acronyms and abbreviations.

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

II. FINDINGS

In issuing this Discharge Permit, NMED finds the following.

1. The Permittee is discharging effluent or leachate from the Facility so that such effluent or leachate may move into groundwater of the State of New Mexico that has an existing concentration of 10,000 mg/L or less of TDS, within the meaning of Subsection A of 20.6.2.3101 NMAC, without exceeding standards of 20.6.2.3103 NMAC for any water contaminant.
2. The Permittee is discharging effluent or leachate from the Facility directly or indirectly into groundwater pursuant to this Discharge Permit and Sections 20.6.2.3000 through 20.6.2.3114 NMAC.
3. The discharge from the Facility is not subject to any of the exemptions of Section 20.6.2.3105 NMAC.

III. AUTHORIZATION TO DISCHARGE

The Permittee is responsible for ensuring that discharges authorized by this Discharge Permit are consistent with the terms and conditions herein pursuant to 20.6.2.3104 NMAC.

This Discharge Permit authorizes the Permittee to receive and treat up to 25,900 gpd of domestic wastewater using a sequencing batch reactor wastewater treatment facility (WWTF). This Discharge Permit also authorizes the Permittee to discharge treated wastewater to two leachfields. The vacant Facility is currently not in use and the WWTF is not operational.

[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]

#	Terms and Conditions
3.	<p>As of August 11, 2009, the Facility has been closed and discharge to the WWTF and leachfields has ceased. Until the Facility notifies NMED, pursuant to Condition 4 of this Discharge Permit, that the Permittee plans on resuming discharges to the treatment system, the Permittee is not required to implement Conditions 9 through 14 in Subsection A-OPERATIONAL PLAN and Conditions 15 through 22 in Subsection B-MONITORING AND REPORTING. The Permittee shall comply with all other conditions of this Discharge Permit. Once the Permittee has notified NMED, all conditions in this Discharge Permit are applicable.</p> <p>[Subsection C of 20.6.2.3109 NMAC]</p>

Operational Actions with Implementation Deadlines

#	Terms and Conditions
4.	<p>The Permittee shall notify NMED in writing 60 days prior to discharging to the WWTF.</p> <p>[Subsection C of 20.6.2.3109 NMAC]</p>
5.	<p>Within 60 days following written notification to NMED and pursuant to Condition 4 of this Discharge Permit, the Permittee shall submit an up-to-date diagram of the layout of the entire Facility to NMED. The diagram shall include the following elements:</p> <ul style="list-style-type: none"> • a north arrow; • the issuance date of the diagram; • all components of the wastewater treatment [and disposal] system; • all flow measurement devices; and • all wastewater sampling locations. <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>
6.	<p>Within 90 days following written notification to NMED pursuant to Condition 4 of this Discharge Permit, the Permittee shall have the sequencing batch reactor and leachfields evaluated and inspected by a licensed New Mexico professional engineer (pursuant to the New Mexico Engineering and Surveying Practice Act and the rules promulgated under that authority) and shall submit a report with the findings and/or recommendations to NMED.</p>

#	Terms and Conditions
	[Subsection A of 20.6.2.3107 NMAC]
7.	<p>Within 120 days following the submission of the licensed New Mexico professional engineer’s report, the Permittee shall submit a plan to NMED for approval for repair or replacement of the sequencing batch reactor if deemed necessary.</p> <p>[Subsections A of 20.6.2.3107 NMAC]</p>
8.	<p>The Permittee shall submit an application for the modification of this Discharge Permit should upgrades or replacement of the Facility result in a change in the location of the discharge, a significant increase in the quantity of the discharge, or a significant change in the quality of the discharge.</p> <p>If required, the Permittee shall submit an application for modification to NMED within 18 months of the issuance date of this Discharge Permit (by DATE). The application shall include the preliminary design phase plans and specifications for the proposed construction project and shall include all information needed to determine the necessary permit terms and conditions for the modification discharge permit.</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>

Operating Conditions

#	Terms and Conditions
9.	<p>The Permittee shall ensure that treated wastewater discharged from the WWTF does not exceed the following discharge limit.</p> <p>Total Nitrogen: 25 mg/L</p> <p>[Subsection C of 20.6.2.3109 NMAC]</p>
10.	<p>The Permittee shall maintain fences around the Facility to restrict access by the general public and animals. The fences shall consist of a minimum of six-foot chain link or field fencing and locking gates. The Permittee shall maintain the fences to serve the stated purpose throughout the term of this Discharge Permit.</p> <p>[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]</p>

#	Terms and Conditions
11.	<p>The Permittee shall maintain signs indicating that the wastewater at the Facility is not potable. The Permittee shall post signs at the Facility entrance and other areas where there is potential for public contact with wastewater. The Permittee shall print signs in English and Spanish and shall ensure the signs remain visible and legible for the term of this Discharge Permit.</p> <p>[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]</p>
12.	<p>The Permittee shall visually inspect the area above the leachfield (disposal system) semi-annually to ensure proper maintenance. The Permittee shall correct any conditions that indicate damage to the disposal system. The Permittee shall ensure conditions corrected include erosion damage, animal activity/damage, woody shrubs, evidence of seepage, or any other condition indicating damage.</p> <p>The Permittee shall keep a log of the inspections that includes a date of the inspection, any findings and repairs, and the name of the inspector. The Permittee shall make the log available to NMED upon request.</p> <p>In the event of a failure of the disposal system, the Permittee shall implement the Contingency Plan set forth in this Discharge Permit.</p> <p>[Subsections A and D of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
13.	<p>The Permittee shall properly manage all solids generated by the treatment system to maintain effective operation of the system by removing solids as necessary and in accordance with associated equipment manufacturer's specifications. The Permittee shall contain, transport, and dispose of all solids removed from the treatment process in accordance with all local, state, and federal regulations.</p> <p>The Permittee shall maintain manifests for all solids transported from the treatment Facility for off-site disposal. The manifests shall identify the name of the hauler, the date of off-site shipment, the volume of solids removed, the disposal method, and disposal location.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
14.	<p>The Permittee shall utilize operators, certified by the State of New Mexico at the appropriate level pursuant to 20.7.4 NMAC, to operate the wastewater collection, treatment, and disposal systems. A certified operator or a direct supervisee of a certified operator shall perform the operations and maintenance of all or any part of the wastewater system.</p>

#	Terms and Conditions
	<p>The Permittee shall notify NMED within 24 hours if at any time the Permittee no longer has a certified operator maintaining the system.</p> <p>[Subsection C of 20.6.2.3109 NMAC, 20.7.4 NMAC]</p>

B. MONITORING AND REPORTING

#	Terms and Conditions
15.	<p>The Permittee shall conduct the monitoring, reporting, and other requirements listed below in accordance with the monitoring requirements of this Discharge Permit.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
16.	<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
17.	<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"> • January 1st through June 30th – due by August 1st; and • July 1st through December 31st – due by February 1st. <p>[Subsection A of 20.6.2.3107 NMAC]</p>

Facility Monitoring Conditions

#	Terms and Conditions
18.	<p>The Permittee shall on a monthly basis measure the volume of treated wastewater discharged from the treatment system to the two leachfields during the period.</p>

#	Terms and Conditions
	<p>To determine the discharge volume, the Permittee shall obtain readings from a totalizing flow meter located in the pump house on a monthly basis and calculate the monthly and average daily discharge volume.</p> <p>The Permittee shall submit the 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>
19.	<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, once within 90 days following written notification to NMED pursuant to Condition 4 of this Discharge Permit. 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">a) The location and meter identification.b) The method of flow meter field calibration employed.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.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.e) Any flow meter repairs made during the previous year or during field calibration.f) The name of the individual performing the calibration and the date of the calibration. <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>

#	Terms and Conditions
20.	<p>The Permittee shall visually inspect flow meters on a monthly basis for evidence of malfunction. The Permittee shall maintain a log of the inspections that includes a date of the inspection, findings and repairs, and the name of the inspector. The Permittee shall make the log available to NMED upon request.</p> <p>If a visual inspection indicates a flow meter is not functioning as required by this Discharge Permit, the Permittee shall repair or replace the meter within 30 days of discovery. For <i>repaired</i> meters, the Permittee shall submit a report to NMED with the next monitoring report following the repair that includes a description of the malfunction; a statement verifying the repair; and a flow meter field calibration report completed in accordance with the requirements of this Discharge Permit. For <i>replacement</i> meters, the Permittee shall submit a report to NMED with the next 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>
21.	<p>The Permittee shall collect samples of treated wastewater from the WWTF on a semi-annual basis and analyze the samples for:</p> <ul style="list-style-type: none">• TKN;• NO₃-N;• TDS; and• Cl. <p>The Permittee shall ensure the samples are properly prepared, preserved, transported, and analyzed in accordance with the methods authorized in this Discharge Permit. The Permittee shall submit the laboratory analytical data results, including the QA/QC summary and Chain of Custody, to NMED in the subsequent quarterly monitoring report.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]</p>
22.	<p>The Permittee shall submit records of solids disposal, including the volume of solids removed and copies of all manifests for the previous calendar year, to NMED annually in the monitoring report due by August 1st each year.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>

C. CONTINGENCY PLAN

#	Terms and Conditions
23.	<p>In the event that groundwater exceeds a groundwater protection standard identified in Section 20.6.2.3103 NMAC as a result of this discharge, the Permittee shall submit to NMED a Corrective Action Plan (CAP) that proposes, at a minimum, contaminant source control measures and an implementation schedule. The Permittee shall implement the CAP following approval by NMED.</p> <p>The NMED may require the Permittee to abate water pollution consistent with the requirements and provisions of Section 20.6.2.4101, Section 20.6.2.4103, Subsections C and E of 20.6.2.4106, Section 20.6.2.4107, Section 20.6.2.4108 and Section 20.6.2.4112 NMAC.</p> <p>[20.6.2.3103 NMAC, Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]</p>
24.	<p>In the event that analytical results of a treated wastewater sample indicate an exceedance of the total nitrogen discharge limit set in this Discharge Permit, the Permittee shall collect and submit for analysis a second sample within 48 hours of the receipt of the initial sampling results. In the event the second sample results indicate an exceedance of the discharge limit, the Permittee shall implement the following contingencies.</p> <ul style="list-style-type: none">a) Within 7 days of the second sample analysis date indicating exceedance of the discharge limit, the Permittee shall:<ul style="list-style-type: none">i) notify NMED that the Permittee is implementing the Contingency Plan; andii) submit a copy of the first and second analytical results indicating an exceedance to NMED.b) The Permittee shall increase the frequency of total nitrogen wastewater sampling and analysis of treated wastewater to once per month.c) The Permittee shall examine the operation and maintenance log, required by the Record Keeping conditions of this Discharge Permit, for improper operational procedures.d) The Permittee shall conduct a physical inspection of the treatment system to detect abnormalities. The Permittee shall correct any abnormalities discovered. The Permittee shall submit a report to NMED detailing the corrections within 30 days of correction.e) In the event that any analytical results from monthly wastewater sampling indicate an exceedance of the total nitrogen discharge limit, the Permittee shall submit a CAP to NMED for approval proposing to modify operational procedures and/or upgrade the treatment process to achieve the total nitrogen limit. The Permittee shall submit the CAP including a schedule for completion of corrective actions and within 90 days

#	Terms and Conditions
	<p>of receipt of the analytical results of the second sample indicating that the discharge limit is continuing to be exceeded. The Permittee shall initiate implementation of the CAP following approval by NMED.</p> <p>When analytical results from three consecutive months of wastewater sampling do not exceed the discharge limit, the Permittee may request NMED authorize a return to a quarterly monitoring frequency.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
25.	<p>In the event that the Permittee identifies failure of the two leachfields, such as surfacing wastewater, the Permittee shall implement the following Contingency Plan.</p> <p>a) Within 24 hours following the discovered failure, the Permittee shall:</p> <ul style="list-style-type: none"> i) Notify NMED of the failure in accordance with the notification requirements described in the Contingency Plan for unauthorized discharges; and ii) Restrict public access to the area. <p>b) The Permittee shall conduct a physical inspection of the treatment and disposal system to identify additional potential failures and record them in the inspection log.</p> <p>c) The Permittee shall propose actions to address the failure and methods of correction by submitting a Corrective Action Plan (CAP) to NMED for approval within 15 days following the discovered failure. The Permittee shall ensure the CAP includes a schedule for completion of corrective actions. The Permittee shall initiate implementation of the CAP following NMED approval.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
26.	<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> <ul style="list-style-type: none"> a) The name, address, and telephone number of the person or persons in charge of the Facility, as well as of the owner and/or operator of the Facility. b) The name and address of the Facility. c) The date, time, location, and duration of the unauthorized discharge. d) The source and cause of unauthorized discharge.

#	Terms and Conditions
	<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 Corrective Action Plan (CAP) to NMED describing any corrective actions previously taken and corrective actions to be taken relative to the unauthorized discharge. The CAP shall include the following information.</p> <p>a) A description of proposed actions to mitigate damage from the unauthorized discharge.</p> <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>
27.	<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

28.	<p>Within 120 days following the issuance date of this Discharge Permit (by DATE), the Permittee shall properly plug and abandon the following monitoring well.</p> <p>a) MW-2, located hydrologically downgradient of the two leachfields.</p> <p>The Permittee shall abandon monitoring wells in accordance with the attached Monitoring Well Guidance and all applicable local, state, and federal regulations, including 19.27.4 NMAC.</p> <p>The Permittee shall submit documentation describing the well abandonment procedures in accordance with the above-mentioned Guidelines. The Permittee shall submit the well abandonment documentation to NMED within 60 days of completion of well plugging activities.</p> <p>[Subsection A of 20.6.2.3107 NMAC, 19.27.4 NMAC]</p>
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Permanent Facility Closure Conditions

#	Terms and Conditions
29.	<p>The Permittee shall perform the following closure measures in the event the Facility, or a component of the Facility, is proposed to be permanently closed.</p> <p>Within <u>90 days</u> of ceasing to discharge to the treatment system, the Permittee shall complete the following closure measures.</p> <p>a) Plug the line leading to the system so that a discharge can no longer occur.</p> <p>b) Evaporate wastewater in the system components or drain and dispose of in accordance with all local, state, and federal regulations.</p> <p>c) Contain, transport, and dispose of solids removed from the treatment system in accordance with all local, state, and federal regulations, including 40 CFR Part 503. The Permittee shall maintain a record of all solids transported for off-site disposal.</p> <p>Within <u>180 days</u> of ceasing to discharge to the treatment system (or unit), the Permittee shall complete the following closure measures.</p> <p>a) Remove all lines leading to and from the treatment system, or permanently plug and abandon them in place.</p> <p>b) Remove or demolish all treatment system components, and re-grade the area with suitable fill to blend with surface topography, promote positive drainage and prevent ponding.</p>

#	Terms and Conditions
	<p>The Permittee shall continue groundwater monitoring until the Permittee meets the requirements of this condition 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
30.	<p>RECORD KEEPING - The Permittee shall maintain a written record of the following:</p> <ul style="list-style-type: none"> • Information and data used to complete the application for this Discharge Permit; • Information, data, and documents demonstrating completion of closure activities; • Any releases (commonly known as “spills”) not authorized under this Discharge Permit and reports submitted pursuant to 20.6.2.1203 NMAC; • The operation, maintenance, and repair of all facilities/equipment used to treat, store or dispose of wastewater; • Facility record drawings (plans and specifications) showing the actual construction of the Facility and bear the seal and signature of a licensed New Mexico professional engineer; • Copies of logs, inspection reports, and monitoring reports completed and/or submitted to NMED pursuant to this Discharge Permit; • The volume of wastewater or other wastes discharged pursuant to this Discharge Permit;

#	Terms and Conditions
	<ul style="list-style-type: none"> • Groundwater quality and wastewater quality data collected pursuant to this Discharge Permit; • Copies of construction records (well log) for all sampled groundwater monitoring wells pursuant to this Discharge Permit; • The maintenance, repair, replacement or calibration of any monitoring equipment or flow measurement devices required by this Discharge Permit; and • Data and information related to field measurements, sampling, and analysis conducted pursuant to this Discharge Permit, including: <ul style="list-style-type: none"> ○ the dates, location and times of sampling or field measurements; ○ the name and job title of the individuals who performed each sample collection or field measurement; ○ the sample analysis date of each sample ○ the name and address of the laboratory, and the name of the signatory authority for the laboratory analysis; ○ the analytical technique or method used to analyze each sample or collect each field measurement; ○ the results of each analysis or field measurement, including raw data; ○ the results of any split, spiked, duplicate or repeat sample; and ○ a copy of the laboratory analysis chain-of-custody as well as a description of the quality assurance and quality control procedures used. <p>The Permittee shall maintain the written record at a location accessible to NMED during a Facility inspection for the lifetime of the Discharge Permit. The Permittee shall make the record available to the department upon request.</p> <p>[Subsections A and D of 20.6.2.3107 NMAC]</p>
31.	<p>SUBMITTALS – The Permittee shall submit both a paper copy and an electronic copy of all notification and reporting documents required by this Discharge Permit, e.g., monitoring reports. The Permittee shall submit paper and electronic documents to NMED Permit Contact identified on the Permit cover page.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
32.	<p>INSPECTION and ENTRY – The Permittee shall allow NMED to inspect the Facility and its operations that are subject to this Discharge Permit and the WQCC regulations. NMED may upon presentation of proper credentials, enter at reasonable times upon or through any premises in which a water contaminant source is located or in which any maintained records required by this Discharge Permit, the regulations of the federal government, or the WQCC are located.</p>

#	Terms and Conditions
	<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>
33.	<p>DUTY to PROVIDE INFORMATION - The Permittee shall, upon NMED's request, allow for NMED's inspection/duplication of records required by this Discharge Permit and/or furnish to NMED copies of such records.</p> <p>[Subsection D of 20.6.2.3107 NMAC]</p>
34.	<p>MODIFICATIONS and/or AMENDMENTS – In the event the Permittee proposes a change to the Facility or the Facility's discharge that would result in a change in the volume discharged; the location of the discharge; or in the amount or character of water contaminants received, treated or discharged by the Facility, the Permittee shall notify NMED prior to implementing such changes. The Permittee shall obtain NMED's approval (which may require modification of this Discharge Permit) prior to implementing such changes.</p> <p>[Subsection C of 20.6.2.3107 NMAC, Subsections E and G of 20.6.2.3109 NMAC]</p>
35.	<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>

#	Terms and Conditions
36.	<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>
37.	<p>CRIMINAL PENALTIES – No person shall:</p> <ul style="list-style-type: none">• Make any false material statement, representation, certification or omission of material fact in an application, record, report, plan or other document filed, submitted or maintained under the WQA;• Falsify, tamper with or render inaccurate any monitoring device, method or record maintained under the WQA; or• Fail to monitor, sample or report as required by a permit issued pursuant to a state or federal law or regulation. <p>Any person who knowingly violates or knowingly causes or allows another person to violate the requirements of this condition is guilty of a fourth-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who is convicted of a second or subsequent violation of the requirements of this condition is guilty of a third-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition or knowingly causes another person to violate the requirements of this condition and thereby causes a substantial adverse environmental impact is guilty of a third-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition and knows at the time of the violation that he is creating a substantial danger of death or serious bodily injury to any other person is guilty of a second degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15.</p> <p>[20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10.2.A through 74-6-10.2.F]</p>

#	Terms and Conditions
38.	<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>
39.	<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>
40.	<p>TRANSFER of DISCHARGE PERMIT - Prior to the transfer of any ownership, control, or possession of this Facility or any portion thereof, the Permittee shall:</p> <ul style="list-style-type: none"> • Notify the proposed transferee in writing of the existence of this Discharge Permit; • Include a copy of this Discharge Permit with the notice; and • Deliver or send by certified mail to NMED a copy of the notification and proof that the proposed transferee has received such notification. <p>The Permittee shall continue to be responsible for any discharge from the Facility, until both ownership and possession of the Facility have been transferred to the transferee.</p> <p>[20.6.2.3111 NMAC]</p>
41.	<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</p>

#	Terms and Conditions
	<p>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>

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New Mexico Environment Department Ground Water Quality Bureau Discharge Permit Summary

Facility Information

Facility Name Traditions: A Cultural Marketplace
Discharge Permit Number DP-937

Legally Responsible Party Jim Long, Managing Member
Coronado Investment, LLC, Sandia Investment LLC, Jemez Investment LLC and Sandoval Investment LLC as Tenant in Common
201 3rd St. NW, Suite 1150
Albuquerque, New Mexico 87109
(505) 998-5450

Treatment, Disposal and Site Information

Primary Waste Type Domestic
Facility Type Retail / Commercial

Treatment Methods

Type	Designation	Description & Comments
Wastewater Treatment System	Sequencing Batch Reactor	150,000-gallon concrete SBR

Discharge Locations

Type	Designation	Description & Comments
Injection Well / UIC	Leachfield 1	Perforated pipe in gravel trenches
Injection Well / UIC	Leachfield 2	Perforated pipe in gravel trenches

Flow Metering Locations

Type	Designation	Description & Comments
Totalizing Flow Meter	Totalizing Flow Meter	Located on inlet of SBR

Depth-to-Ground Water 350 feet
Total Dissolved Solids (TDS) 270 mg/L

Permit Information

Original Permit Issued July 1, 1993
Permit Renewal August 10, 2006

Current Action Application Received
Public Notice Published

Renewal April 23, 2021
[not yet published]



New Mexico Environment Department Ground Water Quality Bureau Discharge Permit Summary

Permit Issued (Issuance Date)
Permitted Discharge Volume

[issuance date]
25,900 gallons per day

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

Andrew Romero

Lead Staff Telephone Number

(505) 660-8624

Lead Staff Email

andrewc.romero@env.nm.gov or pps.general@env.nm.gov

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