



CERTIFIED MAIL – RETURN RECEIPT REQUESTED

March 6, 2023

Nehemiah Vasquez, Utility Operator
Chamisal Septic Service
P.O. Box 264
Chamisal, New Mexico 87521

RE: Draft Discharge Permit Renewal and Modification, DP-748, Chamisal Septic Service

Dear Nehemiah Vasquez:

The New Mexico Environment Department (NMED) hereby provides notice to you of the proposed approval of Ground Water Discharge Permit Renewal and Modification, DP-748, (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 sara.arthur@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) 660-7887.

Sincerely,

Sara Arthur, Geoscientist

Encl: Draft Discharge Permit Renewal and Modification, DP-748



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



Draft: March 6, 2023

GROUND WATER QUALITY BUREAU

DISCHARGE PERMIT

Issued under 20.6.2 NMAC

Facility Name:	Chamisal Septic Service
Discharge Permit Number:	DP-748
Facility Location:	Evaporative impoundments 4 miles NW of Chamisal, Section 21, Township 23 North, Range 11 East Surface Disposal Area 5 miles NW of Chamisal, Section 17, Township 23 North, Range 11 East
County:	Taos
Permittee:	Chamisal Septic Service
Mailing Address:	P.O. Box 264 Chamisal, NM 87521
Facility Contact:	Nehemiah Vasquez, Utility Operator
Telephone Number/Email:	575-613-0846 / ifitnv@icloud.com
Permitting Action:	Renewal and Modification
Permit Issuance Date:	DATE
Permit Expiration Date:	DATE
NMED Permit Contact:	Sara Arthur
Telephone Number/Email:	505-660-7887/sara.arthur@env.nm.gov or 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
Surface Disposal Data Sheet (SDDS-Septage <https://www.env.nm.gov/gwb/forms.htm>)

I. INTRODUCTION

The New Mexico Environment Department (NMED) issues this groundwater discharge permit Renewal and Modification (Discharge Permit or DP-748) to Chamisal Septic Service (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 Chamisal Septic Service (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 Permittee collects and discharges domestic septage at a volume up to 2,001 gallons per day (gpd) to three approximately one-acre cells of land surface disposal area. When rain/snow make the surface disposal area inaccessible, the Permittee disposes of septage at a licensed disposal facility in accordance with all local, state, and federal regulations. The modification consists of discontinuing and permanently closing three clay lined impoundments which were formerly used for dewatering/evaporation of domestic septage prior to transfer to the surface disposal area.

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 evaporative impoundments are approximately 4 miles NW of Chamisal in Section 21 of Township 23N, Range 11E and the surface disposal area is approximately 5 miles NW of Chamisal in Section 17, Township 23N, Range 11E, Taos County. A discharge at the Facility is most likely to affect groundwater at a depth greater than 400 feet with an unknown total dissolved solids (TDS) concentration.

NMED issued the original Discharge Permit to the Permittee on November 20, 1990, and subsequently renewed the Permit on December 13, 1996 and October 9, 2003, and renewed and modified the Permit on October 11, 2011. The application (i.e., discharge plan) associated with this Discharge Permit consists of the materials submitted by Jerry Sanchez on behalf of the

Permittee dated October 23, 2017, 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 NMED that proposed disposal methods, structural controls or operations and 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
CFR	Code of Federal Regulations	NMED	New Mexico Environment Department
CFU	colony forming unit	NMSA	New Mexico Statutes Annotated
Cl	chloride	NO ₃ -N	nitrate-nitrogen
EPA	United States Environmental Protection Agency	QA/QC	Quality Assurance/Quality Control
gpd	gallons per day	SDDS	Surface Disposal Data Sheet
LAA	land application area	TDS	total dissolved solids
LADS	Land Application Data Sheet(s)	TKN	total Kjeldahl nitrogen
lbs N/acre	pounds of nitrogen per acre	total nitrogen	= TKN + NO ₃ -N
mg/L	milligrams per liter	TS	total solids
mg/kg	milligram per kilogram	WQA	New Mexico Water Quality Act
mL	milliliters	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 discharge up to 2,001 gpd of domestic septage to three approximately one-acre cells of surface disposal area. When rain/snow make the surface disposal area inaccessible, the Permittee is authorized to dispose of septage at a licensed disposal facility in accordance with all local, state, and federal regulations. The modification consists of discontinuing and permanently closing three clay-lined evaporative impoundments that were formerly used to dewater/dry domestic septage prior to transfer to the surface disposal area.

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

IV. CONDITIONS

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

A. OPERATIONAL PLAN

#	Terms and Conditions
1.	The Permittee shall implement the following operational plan to ensure compliance with Title 20, Chapter 6, Parts 2 and 4 NMAC. [Subsection C of 20.6.2.3109 NMAC]

#	Terms and Conditions
2.	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.	Within 30 days of the issuance date of this Discharge Permit (by DATE), the Permittee shall install 18 to 24-inch berms around each individual cell at the surface disposal area to prevent surface water run-on and run-off. Documentation of berm installation shall consist of a narrative statement describing the berm locations and date-stamped photographs. The Permittee shall submit the documentation to NMED in the next required periodic monitoring report. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]

Operational Actions

#	Terms and Conditions
4.	To prevent surface water run-on and run-off at the surface disposal area, the Permittee shall maintain earthen berms surrounding the perimeter of the surface disposal area and in between disposal cells that are a minimum of 24 inches above natural grade. In place of a berm across the surface disposal area entrances, the Permittee shall construct and maintain shallow (minimum depth of six inches) stormwater diversion trenches parallel to and on each side of the entrance gates. The Permittee shall maintain all berms and trenches until termination of this Discharge Permit and the Permittee has completed all closure actions. The Permittee shall inspect the berms on a regular basis and after any major rainfall event and repair as necessary. The Permittee shall keep a log of the inspection findings and repairs that includes a date of the inspection and the name of the person responsible for the inspection and shall make the log available to NMED upon request. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]

#	Terms and Conditions
5.	<p>The Permittee shall maintain fences around the entire surface disposal area and impoundment Facility (prior to closure) to restrict access by the general public and animals. A minimum of a three-strand barbed wire fence including a locked gate shall surround the impoundment Facility (prior to closure) and the surface disposal area. 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>
6.	<p>The Permittee shall maintain the following signs at the following locations:</p> <ul style="list-style-type: none"> • Signs posted at the surface disposal area entrances and every 500 feet along the Facility boundary that state: "Notice: Waste Disposal Area - KEEP OUT" and "Aviso: Área de Disposición - NO ENTRAR". • A sign posted at the entrance gates for the impoundments (prior to closure) and the surface disposal area with the name of the Facility's contact person, office phone number of the contact person, emergency contact phone number for the Facility, and physical location of the Facility including township, range, and sections. • A sign at the boundary of each cell at the surface disposal area to identify the cell number and the waste type the Permittee is authorized to discharge in the cell. <p>All signs shall be weatherproof and legible for the term of this Discharge Permit.</p> <p>[NMSA 1978, § 74-6-5.D, Subsections B and C of 20.6.2.3109 NMAC]</p>
7.	<p>This Discharge Permit authorizes the Permittee to accept domestic septage. The Permittee may not receive any other waste types at the Facility surface disposal area.</p> <p>The Permittee shall not combine different waste types. The Permittee shall dispose of waste in separate cells that receive only a single designated waste type.</p> <p>[Subsection C of 20.6.2.3109 NMAC]</p>
8.	<p>The Permittee shall inspect the surface disposal area weekly and collect any residual solid waste (trash). The Permittee shall dispose of the collected materials in a manner consistent with all local, state, and federal regulations.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections B and C of 20.6.2.3109 NMAC]</p>
9.	<p>The Permittee shall not discharge liquid wastes at the surface disposal area during periods of precipitation or when surface soils are frozen or saturated. The Permittee may store wastes on-site in tanker trucks during these periods.</p>

#	Terms and Conditions
	[Subsection C of 20.6.2.3109 NMAC]

Operational Actions – Domestic Septage – Surface Disposal Area

#	Terms and Conditions
10.	<p>The Permittee shall achieve a manner of vector attraction reduction (VAR) pursuant to 40 CFR Part 503. The Permittee shall select a VAR option from 40 CFR Part 503.33(b).</p> <p>The Permittee shall minimize ponding of septage at the surface disposal area.</p> <p>The Permittee shall keep records describing the date and time of septage surface disposal and the date, time, and VAR method utilized.</p> <p>[Subsections B and C 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D, 40 CFR 503]</p>
11.	<p>The Permittee shall discharge domestic septage to the disposal cells such that the amount of total nitrogen discharged does not exceed 200 pounds per acre in any 12-month period. The Permittee shall distribute septage evenly throughout the entire disposal area.</p> <p>[Subsection C of 20.6.2.3109 NMAC]</p>

B. MONITORING AND REPORTING

#	Terms and Conditions
12.	<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>
13.	<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>

#	Terms and Conditions
14.	<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>
15.	<p>The Permittee shall retain on-site a manifest for each load of waste received. The manifest shall record the following information:</p> <ul style="list-style-type: none"> • date of receipt; • name of the hauling company; • name and address of the waste origin; • type of waste or description of contamination (differentiate between soil and water); • volume of waste; • confirmation of inspection for acceptable waste type; • signature of person conducting the inspection; and • cell identification and location within the cell where the Permittee discharged the waste. <p>The Permittee shall make the manifests available for inspection by NMED upon request. The Permittee shall submit a summary listing the information from each manifest for wastes received during the reporting period to NMED in the semi-annual monitoring reports.</p> <p>When the surface disposal area is not accessible due to rain/snow, the Permittee shall request and retain a copy of the invoice/receipt from each alternate septage disposal facility that receives septage pumped by the Permittee. The Permittee shall submit copies of the invoices/receipts from these facilities to NMED in the semi-annual monitoring reports.</p> <p>[NMSA 1978, § 74-6-5.D, Subsection A 20.6.2.3107 NMAC]</p>

Monitoring and Reporting - Domestic Septage

#	Terms and Conditions
16.	<p>The Permittee shall, on a monthly basis, complete a Surface Disposal Data Sheet for Septage (SDDS-Septage, attached) to document the amount of nitrogen in dried septage discharged to each surface disposal cell. The Permittee shall complete a SDDS for each cell and shall reflect the volume and total nitrogen concentration of waste discharged to the disposal cells for each month. To determine the amount of nitrogen in septage applied, the Permittee may assume a total nitrogen concentration of 600 mg/L, based on average characteristics of septage (Guide to Septage Treatment and Disposal, EPA/625/R-94-002), or may use a total nitrogen value from the laboratory analysis of a composite sample from a minimum of six waste loads semi-annually using a sampling protocol approved by NMED prior to sample collection.</p> <p>The Permittee shall not adjust the nitrogen content to account for volatilization or mineralization processes. If the Permittee derives the total nitrogen value from laboratory analysis, the Permittee shall submit the analytical results, including the laboratory QA/QC summary report and Chain of Custody, to NMED in the semi-annual monitoring reports.</p> <p>The Permittee shall submit the SDDSs, or a statement that no surface disposal occurred within the cell(s), to NMED in the semi-annual monitoring reports.</p> <p>[Subsection A of 20.6.2.3107 and Subsection H of 20.6.2.3109 NMAC]</p>

C. CONTINGENCY PLAN

#	Terms and Conditions
17.	<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 during the term of this Discharge Permit, upon closure of the Facility or during the implementation of post-closure requirements, 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>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>[Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]</p>

#	Terms and Conditions
18.	<p>In the event that a SDDS for any surface disposal cell shows that the amount of nitrogen applied in any rolling 12-month period exceeds 200 pounds per acre, the Permittee shall propose the reduction of nitrogen loading to the affected cell by submitting a CAP to NMED for approval. The Permittee shall submit the CAP, including a schedule for completion of corrective actions, within 90 days following the end of the monitoring period in which the exceedance occurred. 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>
19.	<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.</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> <ol 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. e) A description of the unauthorized discharge, including its estimated chemical composition. f) The estimated volume of the unauthorized discharge. g) Any actions taken to mitigate immediate damage from the unauthorized discharge. <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> <ol style="list-style-type: none"> a) A description of proposed actions to mitigate damage from the unauthorized discharge. b) A description of proposed actions to prevent future unauthorized discharges of this nature. c) A schedule for completion of proposed actions.

#	Terms and Conditions
	<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>
20.	<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 Corrective Action Plan 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
21.	<p>Within 180 days of the issuance date of this Discharge Permit (by DATE), the Permittee shall commence the following closure measures on the three evaporative impoundments.</p> <ul style="list-style-type: none"> a) Cease discharging to the impoundments. b) Drain wastewater from the impoundments and dispose of it in accordance with all local, state and federal regulations, or evaporate remaining wastewater from the impoundments. The Permittee may transfer the accumulated dewatered septage solids from the impoundments to the surface disposal area as authorized by this Discharge Permit. c) Complete transfer of septage solids from the impoundments to the surface disposal area within two years from the date discharge to the impoundments ceased. <p>Within <u>one year</u> following completion of solids and wastewater removal and disposal, the Permittee shall complete the following closure measures for the impoundments.</p> <ul style="list-style-type: none"> a) Fill the impoundments with suitable fill.

#	Terms and Conditions
	<p>b) Re-grade the impoundment site to blend with surface topography, promote positive drainage and prevent ponding.</p> <p>c) Re-vegetate the closed impoundments and disturbed areas by establishing a vegetative cover equal to 70% of the native perennial vegetative cover consisting of at least three native plant species including at least one grass, but not including noxious weeds. The permittee shall maintain the vegetative cover through two consecutive growing seasons.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection D of 20.6.2.4103 NMAC, 40 CFR Part 503]</p>

Permanent Facility Closure Conditions

#	Terms and Conditions
22.	<p>The Permittee shall complete the following closure measures in the event they are proposing to permanently close the septage disposal portion of the Facility, or a surface disposal cell:</p> <p>a) Notify NMED of the closure of the Facility or surface disposal cell(s).</p> <p>b) Within 60 days of ceasing to discharge to a disposal cell(s), backfill the disposal cell(s) with clean fill (as necessary) and re-grade to allow for positive storm water drainage.</p> <p>c) Re-vegetate the closed disposal cell(s) and disturbed areas at the Facility by establishing a vegetative cover equal to 70% of the native perennial vegetative cover consisting of at least three native plant species including at least one grass, but not including noxious weeds. The permittee shall maintain the vegetative cover through two consecutive growing seasons.</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]</p>

E. GENERAL TERMS AND CONDITIONS

#	Terms and Conditions
23.	RECORD KEEPING - The Permittee shall maintain a written record of the following:

#	Terms and Conditions
	<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;• 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">a. the dates, location and times of sampling or field measurements;b. the name and job title of the individuals who performed each sample collection or field measurement;c. the sample analysis date of each sampled. the name and address of the laboratory, and the name of the signatory authority for the laboratory analysis;e. the analytical technique or method used to analyze each sample or collect each field measurement;f. the results of each analysis or field measurement, including raw data;g. the results of any split, spiked, duplicate or repeat sample; andh. 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 a 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>

#	Terms and Conditions
24.	<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 paper and electronic documents shall be submitted to the NMED Permit Contact identified on the Permit cover page.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
25.	<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> <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>
26.	<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>
27.	<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>

#	Terms and Conditions
28.	<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>
29.	<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>
30.	<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.

#	Terms and Conditions
	<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>
31.	<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>
32.	<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>
33.	<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>

#	Terms and Conditions
	[20.6.2.3111 NMAC]
34.	<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 Chamisal Septic Service
Discharge Permit Number DP-748
Legally Responsible Party Nehemiah Vasquez, Utility Operator
 Chamisal Septic Service
 P.O. Box 264
 Chamisal, NM 87521
 (575) 613-0846

Treatment, Disposal and Site Information

Primary Waste Type Domestic Septage
Facility Type Surface Disposal

Discharge Locations

Type	Designation	Description & Comments
Impoundment	Evaporation Lagoon 1	Clay-lined impoundment, 16,068-gallon capacity, dimensions: 50 ft X 50 ft X 4 ft deep (required to be permanently closed by this Discharge Permit)
Impoundment	Evaporation Lagoon 2	Clay-lined impoundment, 16,068-gallon capacity, dimensions: 50 ft X 50 ft X 4 ft deep (required to be permanently closed by this Discharge Permit)
Impoundment	Evaporation Lagoon 3	Clay-lined impoundment, 16,068-gallon capacity, dimensions: 50 ft X 50 ft X 4 ft deep (required to be permanently closed by this Discharge Permit)
Surface Disposal Area	Surface Disposal Area	Three approximately one-acre cells of cleared forest land

Depth-to-Ground Water Greater than 400 feet
Total Dissolved Solids (TDS) Unknown

Permit Information

Original Permit Issued	November 20, 1990
Permit Renewal	December 13, 1996
Permit Renewal	October 9, 2003
Permit Renewal and Modification	October 11, 2011
Current Action	Permit Renewal and Modification
Application Received	October 23, 2017
Public Notice Published	April 2023
Permit Issued (Issuance Date)	[issuance date]
Permitted Discharge Volume	2,001 gallons per day



New Mexico Environment Department Ground Water Quality Bureau Discharge Permit Summary

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

Sara Arthur

Lead Staff Telephone Number

(505) 660-7887

Lead Staff Email

sara.arthur@env.nm.gov or pps.general@env.nm.gov

draft

**Surface Disposal Data Sheet (SDDS)
Septage**

**New Mexico Environment Department
Ground Water Quality Bureau**



DATE: MONITORING REPORT DUE DATE:

FACILITY NAME: REPORTING PERIOD (i.e., from ___ to ___):

DP#: SEPTAGE TOTAL NITROGEN CONCENTRATION (mg/L):²

DISCHARGE CELL DESIGNATION:¹ # ACRES IN CELL:

MONTH & YEAR OF DISCHARGE ³	A VOLUME OF SEPTAGE DISCHARGED gallons	B SEPTAGE DISCHARGED (A ÷ 1,000,000) million gallons (MG)	C TOTAL NITROGEN DISCHARGED (TN concentration x B x 8.34 lb/gal) lbs N	D NITROGEN LOADING (C ÷ # acres) lbs N/acre	NOTES ⁴
<i>example assuming a 10-acre cell and a TN of 600 mg/L: MM - YY</i>	30,000 gallons	30,000 gal ÷ 1,000,000 = 0.03 MG	600 mg/L x 0.03 MG x 8.34 lb/gal = 150 lbs N	150 lbs ÷ 10 acres = 15 lb N/acre	
		0.00	0		
		0.00	0		
		0.00	0		
		0.00	0		
		0.00	0		
		0.00	0		
		0.00	0		
		0.00	0		
		0.00	0		
		0.00	0		
		0.00	0		
		0.00	0		
		0.00	0		
		TOTALS	0		

¹One SDDS form should be used for each cell designation.
²Assume 600 mg/L or report analytical results of a composite septage sample (refer to the Discharge Permit for details).
³Each form must reflect the most recent 12 months of septage discharge.
⁴In the event discharge did not occur, please report "no discharge" in the NOTES column.