



CERTIFIED MAIL – RETURN RECEIPT REQUESTED

July 25, 2024

Joe Stewart
Stewart Site
211 Judy Drive SW
Albuquerque, New Mexico 87105

RE: Draft Discharge Permit, DP-1976, Stewart Site

Dear Joe Stewart:

The New Mexico Environment Department (NMED) hereby provides notice to you of the proposed approval of Ground Water Discharge Permit, DP-1976, (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 melanie.sandoval2@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) 660-7892.

Sincerely,

Melanie Sandoval, Industrial Waste Team Lead

Joe Stewart
July 25, 2024
Page 2 of 2

Encl: Draft Discharge Permit, DP-1976

cc: Tamara Gros, tgros@shomaker.com
Annie McCoy, amccoy@shomaker.com
Jim Gibb, PSTB, jim.gibb@env.nm.gov



NEW MEXICO ENVIRONMENT DEPARTMENT GROUND
WATER QUALITY BUREAU



UNDERGROUND INJECTION CONTROL

GENERAL DISCHARGE PERMIT

Certified Mail- Return Receipt Requested

Facility Name: Stewart site (NMED/PSTB Facility #30784)

Facility Location: 7540 Isleta Blvd SW
Albuquerque, NM 87105
SEI/4 NEI/4 NEI/4 Section 2, T8N, R2E

Legally Responsible Party: Joe Stewart
2115 Judy Dr SW
Albuquerque, NM 87105

Remediation Oversight Agency Contact: NMED Petroleum Storage Tank Bureau
Jim Gibb
505-222-9563
20.5.119.1910 NMAC

Remediation or Injection Plan Identification: calcium peroxide injection pilot testing

Permitting Action: New
DP-1976

PPS Contact: Melanie Sandoval
(SOS) 660-7892/melanie.sandoval2@env.nm.gov

EFFECTIVE DATE: XX/XX/XXXX TERM ENDS: XX/XX/XXXX

Justin D. Ball
Chief, Ground Water Quality Bureau

[Subsection H of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.1]

I. UIC GENERAL DISCHARGE PERMIT

The New Mexico Environment Department (NMED) Ground Water Quality Bureau (GWQB) issues this Underground Injection Control General Discharge Permit (UIC Permit) for the subsurface emplacement of additive fluids through a Class V UIC injection well for the purpose of facilitating vadose zone or groundwater remediation. The GWQB issues this UIC Permit to Joe Stewart (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.

In issuing this UIC Permit, the GWQB has determined that the requirements of Subsection C of 20.6.2.3109 NMAC have been met. The activities authorized by this UIC Permit are principally governed by calcium peroxide injection pilot testing (Injection Plan), under the authority of 20.9.9.16 NMAC, with oversight by the NMED Petroleum Storage Tank Bureau. Compliance with this UIC Permit requires compliance with the terms, requirements, and conditions of the Injection Plan. The term of this UIC Permit shall be no longer than five years from the effective date of this UIC Permit.

The injection activities, the location of the injection site, the type of injection and quantities of additives being used are briefly described as follows:

Injection Activities (summary: including injection well type, number of wells, and injection frequency)

Copy of the Injection Plan Attached (required): [8]

Summary of Injection Plan: One-time injection of calcium peroxide slurry into 38 geoprobe boreholes advanced to depth of 10 ft for enhanced remediation through aerobic oxidation. Objective is to test the potential to enhance remediation of BTEX contamination in groundwater associated with the site. EOx calcium peroxide powder will be provided by Redox Tech. Product will be 1,430 lbs/ 311.5 gal of EOx to be mixed with up to 1,140 gal fresh water to make a calcium peroxide slurry. The slurry will be injected into the boreholes at depths of 5, 7, and 9 ft using a Clean-Inject slurry pump system with injection tooling. The treatment will target a 1,225 sq ft area around existing monitor well SMW-20 and a 5-ft depth interval from 5 to 10 ft (water table at approx 5 ft). Note that the site address in NMED/PSTB records is 7540 Isleta Blvd SW, but the site includes areas on both sides of Isleta Blvd, and the injection pilot testing activities will be performed on part of the site on the west side of Isleta Blvd at 7553 Isleta Blvd SW (parking lot area on north side of building).

Injection Site Information

Depth to most shallow groundwater (required): 5 ft
Existing concentration of total dissolved solids (TDS) in groundwater (required): 1,500 mg/L
Location (required): north side of Jerry's Market at 7553 Isleta Blvd SW
County (required): Bernalillo
Latitude: 34 57 12.0 WGS84
Longitude: 106 4143.7 WGS84
Map Showing Area of Injection Sites Attached (required):

Additives Being Used (including volumes, manufacturer, and mixing ratios)

1,430 lbs EOx calcium peroxide powder, Redox Tech, to be mixed with up to 1,140 gal fresh water

Anticipated Precipitation, Dissolution, Adsorption, and Desorption Products

none

Public Notice Posting Locations

2 inch by 3 inch Newspaper Ad required for Renewal applications.
Newspaper: Selected Newspaper

3 inch by 4 inch Newspaper Ad required for New, Modification, and Renewal/Modification applications.
Newspaper: Albuquerque Journal

2 feet by 3 feet sign posted for 30 days in a location conspicuous to the public at or near the facility required for New, Modification, and Renewal/Modification applications.
Sign Location: on chainlink fence facing Isleta Blvd at 7540 Isleta Blvd SW, directly across Isleta Blvd from Jerry's Market, lat 34 57 11.5, long 106 41 41.4 WGS84

8.5 inch by 11 inch or larger posted off-site location conspicuous to the public (e.g. public library).
Required for New, Modification, and Renewal/Modification applications.
Flyer Location: South Valley Public Library in City of Albuquerque

This UIC Permit consist of the complete and accurate completion of this UIC Permit form as determined by the GWQB.

Issuance of this UIC 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.

Signatures

Signature must be that of the person listed as the legally responsible party on this application.

I, the applicant, attest under penalty of law to the truth of the information and supporting documentation contained in this application for an Underground Injection Control General Discharge Permit.

Applicant's Signature

Signature: _____

Joe Stewart

Date: _____

2/6/24

Printed Name: _____

Joe Stewart

Title: _____

Responsible Party

Applicant Note that Submissions Must Include:

- 1- One electronic copy of the application delivered to the GWQB via email or other format
- 2- Two hard copies of the application delivered to: Ground Water Quality Bureau
Harold Runnels Building
1190 Saint Francis Drive
P.O. Box 5469
Santa Fe, NM 87502-5469
- 3- Payment by check or electronic transfer of one application fee of \$100.00

II. FINDINGS

In issuing this UIC Permit, GWQB finds:

1. The Permittee is injecting fluids so that such injections will move directly or indirectly into groundwater within the meaning of Section 20.6.2.3104 NMAC.
2. The Permittee is injecting fluids so that such fluids will move into groundwater of the State of New Mexico which 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.
3. The Permittee is using a Class V UIC well as described in 20.6.2.S002(B)(S)(d)(ii) NMAC for in situ groundwater remediation by injecting a fluid that facilitates vadose zone or groundwater remediation.
4. The Permittee is injecting fluids into groundwater in order to achieve the remediation goals identified in the Injection Plan.

III. AUTHORIZATION TO DISCHARGE

The Permittee is authorized to inject chemical additives into groundwater in accordance with this UIC Permit and the Injection Plan under the oversight of NMED Petroleum Storage Tank Bureau.

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

IV. CONDITIONS

The conditions of this UIC Permit shall be complied with by the Permittee and are enforceable by GWQB.

1. The Permittee shall perform remediation activities in accordance with the Injection Plan and shall notify GWQB of any changes prior to making them.

[20.6.2.3107 NMAC]

2. The Permittee shall monitor the injection activities and their effects on groundwater quality as required by the Injection Plan and shall provide GWQB with electronic copies of the required reporting and any pertinent documentation of activities at the site.

[20.6.2.3107.A NMAC, 20.6.2.3109.A NMAC]

3. If the GWQB or the Permittee identifies any failure of the Injection Plan or this UIC Permit to comply with 20.6.2 NMAC not specifically noted herein, GWQB may require the Permittee to submit a corrective action plan and a schedule for completion of corrective actions to address the failure.

Additionally, the GWQB may require the Permittee to submit a proposed modification to the Injection Plan, this UIC Permit, or both.

[20.6.2.3107.A NMAC, 20.6.2.3109.E NMAC]

4. **ADDITIONAL MONITORING REQUIREMENTS - (RESERVED)** - Placeholder for any added monitoring and reporting requirements.
5. **TERMINATION** - Within 30 days of completion of activities authorized by this UIC Permit the Permittee shall submit a closure report and a request to terminate the UIC Permit to the GWQB for its approval. The closure report shall identify how the injection well(s) was (were) closed in accordance with the Injection Plan. The Permittee shall provide NMED Petroleum Storage Tank Bureau with a copy of this closure report.

[20.6.2.5005 NMAC, 19.27.4 NMAC]

6. **INSPECTION and ENTRY** - The Permittee shall allow a representative of the NMED to inspect the facility and its operations subject to this UIC Permit and the WQCC regulations. The GWQB representative 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 are located any records required to be maintained by regulations of the federal government or the WQCC. The Permittee shall allow the GWQB representative 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 UIC Permit and the WQCC regulations.

Nothing in this UIC Permit shall be construed as limiting in any way the inspection and entry authority of GWQB under the WQA, the WQCC Regulations, or any other local, state, or federal regulations.

[20.6.2.3107.D NMAC, NMSA 1978, §§ 74-6-9.B and 74-6-9.E]

7. **MODIFICATIONS and/or AMENDMENTS-** In the event the Permittee proposes a change to the injection plan that would result in a change in the volume injected; the location of the injections; or the concentration of the additives being injected by the facility, the Permittee shall notify GWQB prior to implementing such changes. The Permittee shall obtain approval (which may require modification of this UIC Permit) by GWQB prior to implementing such changes.

[20.6.2.3107.C NMAC, 20.6.2.3109.E and G NMAC]

8. **COMPLIANCE with OTHER LAWS -** Nothing in this UIC Permit shall be construed in any way as relieving the Permittee of the obligation to comply with all applicable federal, state, and local laws, regulations, permits, or orders.

[NMSA 1978, § 74-6-5.L]

9. **PERMIT FEES -** Payment of permit fees is due at the time of UIC Permit approval. Permit fees shall be paid in a single payment remitted to GWQB no later than 30 days after the UIC Permit effective date.

Permit fees are associated with issuance of this UIC Permit. Nothing in this UIC Permit shall be construed as relieving the Permittee of the obligation to pay all permit fees assessed by GWQB. A Permittee that ceases injecting or does not commence injecting during the term of the UIC Permit shall pay all permit fees assessed by GWQB. An approved UIC Permit shall be suspended or terminated if the facility fails to remit a payment by its due date.

[20.6.2.3114.F NMAC, NMSA 1978, § 74-6-5.K]