



MICHELLE LUJAN GRISHAM
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CABINET SECRETARY

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

January 27, 2025

Robert Herrera, Facilities & Park Director
Doña Ana County Utilities
845 N. Motel Blvd.
Las Cruces, New Mexico 88007

RE: Draft Discharge Permit Renewal and Modification, DP-1602, Chaparral WWTP

Dear Robert Herrera:

The New Mexico Environment Department (NMED) hereby provides notice to Doña Ana County Utilities of the proposed approval of Ground Water Discharge Permit Renewal and Modification, DP-1602, (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 kambray.townsend@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) 538-0497.

Sincerely,

Kambray Townsend, Water Resource Professional

Encl: Draft Discharge Permit Renewal and Modification, DP-1602
cc: Mireya Rascon, Assistant Utilities Manager, Doña Ana County Utilities
(mireyar@donaanacounty.org)

SCIENCE | INNOVATION | COLLABORATION | COMPLIANCE

Ground Water Quality Bureau | 1190 Saint Francis Drive, PO Box 5469, Santa Fe, New Mexico 87502-5469
Telephone (505) 827-2900 | www.env.nm.gov/gwqb/



NEW MEXICO
ENVIRONMENT DEPARTMENT
 Ground Water Quality Bureau
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 Phone (505) 827-2900 Fax (505) 827-2965
www.env.nm.gov



Draft: January 27, 2025

GROUND WATER QUALITY BUREAU
DISCHARGE PERMIT
Issued under 20.6.2 NMAC

Facility Name: Chaparral Wastewater Treatment Plant
Discharge Permit Number: DP-1602
Facility Location: 190 Chaparral Drive
 Chaparral, NM 88081

County: Doña Ana

Permittee: Doña Ana County Utilities
 Robert Herrera, Facilities & Parks Director

Mailing Address: 845 N. Motel Boulevard
 Las Cruces, NM 88007

Facility Contact: Robert Herrera, Facility & Parks Director
Telephone Number/Email: 575-525-6182 / roberthe@donaanacounty.org

Permitting Action: Renewal and Modification
Permit Issuance Date: DATE
Permit Expiration Date: DATE

NMED Permit Contact: Kambray Townsend
Telephone Number/Email: 505-538-0497 / kambray.townsend@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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ATTACHMENTS

- Discharge Permit Summary
- Groundwater Discharge Permit Guidance for Synthetically Lined Lagoons – Liner Material and Site Preparation, Revision 0.0, May 2007
- Land Application Data Sheet (LADS – <https://www.env.nm.gov/forms/>)

I. INTRODUCTION

The New Mexico Environment Department (NMED) issues this groundwater discharge permit Renewal and Modification (Discharge Permit or DP-1602) to Doña Ana County Utilities (Permittee) pursuant to the New Mexico Water Quality Act (WQA), NMSA 1978 §§74-6-1 through 74-6-17, and the New Mexico Water Quality Control Commission (WQCC) Ground and Surface Water Protection Regulations, 20.6.2 NMAC.

NMED's purpose in issuing this Discharge Permit and in imposing the requirements and conditions specified herein is to control the discharge of water contaminants from the Chaparral Wastewater Treatment Plant (Facility or WWTP) 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.

Chaparral WWTP receives and treats domestic wastewater at a volume of up to 300,000 gallons per day (gpd). The Facility stores treated wastewater in two synthetically lined impoundments (one of which the Permittee will construct during this permit term) and then discharges to approximately 206 acres of disposal area, which the Permittee plans to replace with a new 91-acre disposal area. The discharge occurs via sprinkler irrigation.

The Discharge Permit modification consists of a change in discharge location from approximately 206 acres west and southwest of the Facility to a new location consisting of approximately 91 acres east and north of the Facility.

Discharge Permit Location Information:

Physical Address	190 Chaparral Drive
Nearest Town/City	Chaparral
Section, Township, Range	Sections 27 and 34, Township 26 South, Range 3 East
County	Doña Ana
Depth to Groundwater	390 feet
Pre-Discharge TDS	613 milligrams per liter

Discharge Permit Issuance History:

Original Permit Issuance	June 12, 2007
Permit Renewal	November 21, 2013

Permit Modification	February 8, 2019
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The application (i.e., discharge plan) associated with this Discharge Permit consists of the materials submitted by Bohannon Huston Inc. on behalf of the Permittee dated August 7, 2024, and materials contained in the administrative record prior to issuance of this Discharge Permit.

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

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

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

This Discharge Permit may use the following acronyms and abbreviations.

Abbreviation	Explanation	Abbreviation	Explanation
BOD 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

Abbreviation	Explanation		Abbreviation	Explanation
NMAC	New Mexico Administrative Code		WWTF	Wastewater Treatment Facility

II. FINDINGS

In issuing this Discharge Permit, NMED finds the following.

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

III. AUTHORIZATION TO DISCHARGE

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

This Discharge Permit authorizes the Permittee to receive and treat domestic wastewater up to 300,000 gpd using a sequencing batch reactor (SBR) WWTP and authorizes the Permittee to discharge treated wastewater to one synthetically lined storage impoundment and a second synthetically lined storage impoundment once constructed. This Discharge Permit authorizes the Permittee to discharge treated wastewater from the impoundments to 206 acres of disposal area which the Permittee will replace with a 91-acre disposal area during this permit term. This Discharge Permit also authorizes the Permittee to temporarily store solids on four concrete-lined sludge drying beds prior to disposal offsite.

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

IV. CONDITIONS

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

A. OPERATIONAL PLAN

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

Operational Actions with Implementation Deadlines

#	Terms and Conditions
3.	If the Permittee develops a Preliminary Engineering Report (PER) for the proposed Storage Impoundment 2 and Disposal Area 2, the Permittee shall submit the draft PER to NMED for review for Discharge Permit compliance determination and comment. During the development of construction plans and specifications for the proposed Storage Impoundment 2 and Disposal Area 2, the Permittee shall submit construction plans and specifications at 50% and 95%, or equivalent, level of design to NMED for review for Discharge Permit compliance and comment. [Subsections A and C of 20.6.2.1202 NMAC, Subsection C of 20.6.2.3106 NMAC, Subsection C of 20.6.2.3107 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]
4.	A minimum of 90 days prior to construction of Storage Impoundment 2 and Disposal Area 2, the Permittee shall submit final construction plans and specifications for NMED's review of the proposed Storage Impoundment 2 and Disposal Area 2. The construction plans and specifications shall bear the seal and signature of a licensed New Mexico professional engineer (pursuant to New Mexico Engineering and Surveying Practice Act and the rules promulgated under that authority) and shall include the supporting design calculations. The submitted documentation shall include the following elements.

#	Terms and Conditions
	<p>a) Details for the construction of Storage Impoundment 2 and a liner consistent with the attachment titled <i>Groundwater Discharge Permit Guidance for Synthetically Lined Lagoons – Liner Material and Site Preparation</i>, Revision 0.0, May 2007.</p> <p>b) Wastewater system component(s) design, e.g., lift stations, valves, transfer lines, process units, and associated details whether new for the new system, retrofitted for the new system, or proposed for abandonment.</p> <p>c) Flow meter design detail - Flow meters to measure the volume of wastewater discharged from Storage Impoundment 2 to Disposal Area 2.</p> <p>d) Specifications for all equipment, materials, and installation procedures the Permittee will use in the construction of the wastewater system.</p> <p>e) Fences design detail around Storage Impoundment 2 and Disposal Area 2.</p> <p>f) Infrastructure necessary to transfer, distribute and apply treated domestic wastewater to the disposal area.</p> <p>Prior to constructing Storage Impoundment 2 and Disposal Area 2 and the associated components, the Permittee shall obtain written verification from NMED that the plans and specifications meet the requirements of this Discharge Permit.</p> <p>[Subsections A and C of 20.6.2.1202 NMAC, Subsection C of 20.6.2.3106 NMAC, Subsection C of 20.6.2.3107 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]</p>
5.	<p>Prior to discharging to Storage Impoundment 2 and Disposal Area 2, the Permittee shall complete construction in accordance with the final construction plans and specifications required by this Discharge Permit. The Permittee shall notify NMED at least five working days prior to commencement of construction to allow NMED personnel to be onsite for inspection.</p> <p>[Subsections A and C of 20.6.2.1202 NMAC, Subsection C of 20.6.2.3109 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]</p>
6.	<p>Within 30 days of completing construction of Storage Impoundment 2 and Disposal Area 2, the Permittee shall submit record drawings to NMED that bear the seal and signature of a licensed New Mexico professional engineer (pursuant to the New Mexico Engineering and Surveying Practice Act and the rules promulgated under that authority) for the constructed Storage Impoundment 2 and Disposal Area 2.</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>
7.	<p>Prior to discharging from the Facility to Disposal Area 2, the Permittee shall post signs in English and Spanish at all disposal areas. The Permittee shall post signs at the entrance to disposal areas and at other locations where public exposure to treated domestic</p>

#	Terms and Conditions
	<p>wastewater may occur. The signs shall state: NOTICE: THIS AREA IS IRRIGATED WITH RECLAIMED WASTEWATER - DO NOT DRINK. AVISO: ESTA ÁREA ESTÁ REGADA CON AGUAS NEGRAS RECOBRADAS - NO TOMAR. The Permittee may submit alternate wording and/or graphics to NMED for approval.</p> <p>Documentation of sign installation shall consist of a narrative statement describing the number and location of the signs and date-stamped photographs. The Permittee shall submit the documentation to NMED in the next required periodic monitoring report.</p> <p>[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]</p>
8.	<p>Within 180 days following the issuance date of this Discharge Permit (by DATE), the Permittee shall measure the thickness of the settled solids in Storage Impoundment 1. The Permittee shall report the results of the solids thickness measurements to NMED in the next required periodic monitoring report.</p> <p>The Permittee shall measure the thickness of settled solids in accordance with the following procedure.</p> <ol style="list-style-type: none"> a) The division of the total surface area of the treatment impoundment into nine equal sub-areas. b) One measurement (to the nearest half foot) using a settled solids measurement device (e.g., core sampler) per sub-area. c) Calculation of the average of the nine measurements. <p>In the event that the measured settled solids exceed one-third of the maximum liquid depth in the impoundment, the Permittee shall implement the Contingency Plan set forth in this Discharge Permit.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>

Operating Conditions

#	Terms and Conditions						
9.	<p>The Permittee shall ensure that treated domestic wastewater discharged from the chlorine contact chamber does not exceed the following discharge limits.</p> <table border="1" data-bbox="414 1724 1307 1816"> <thead> <tr> <th data-bbox="414 1724 711 1766">Test</th> <th data-bbox="711 1724 1008 1766">30-day Average</th> <th data-bbox="1008 1724 1307 1766">Maximum</th> </tr> </thead> <tbody> <tr> <td data-bbox="414 1766 711 1816">Total Nitrogen</td> <td data-bbox="711 1766 1008 1816">N/A</td> <td data-bbox="1008 1766 1307 1816">20 mg/L</td> </tr> </tbody> </table>	Test	30-day Average	Maximum	Total Nitrogen	N/A	20 mg/L
Test	30-day Average	Maximum					
Total Nitrogen	N/A	20 mg/L					

#	Terms and Conditions						
	<table border="1" data-bbox="414 317 1307 436"> <tr> <td data-bbox="414 317 711 394">E. coli bacteria</td> <td data-bbox="711 317 1008 394">63 CFU or MPN/100 mL</td> <td data-bbox="1008 317 1307 394">126 CFU or MPN/100 mL</td> </tr> <tr> <td data-bbox="414 394 711 436">TRC</td> <td data-bbox="711 394 1008 436">Monitor Only</td> <td data-bbox="1008 394 1307 436">Monitor Only</td> </tr> </table> <p data-bbox="293 468 1170 499">[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]</p>	E. coli bacteria	63 CFU or MPN/100 mL	126 CFU or MPN/100 mL	TRC	Monitor Only	Monitor Only
E. coli bacteria	63 CFU or MPN/100 mL	126 CFU or MPN/100 mL					
TRC	Monitor Only	Monitor Only					
10.	<p data-bbox="293 527 1443 716">The Permittee shall apply treated domestic wastewater evenly throughout the entire disposal area such that the amount of total nitrogen applied does not exceed 200 pounds per acre in any rolling 12-month period. The Permittee shall not adjust nitrogen content to account for volatilization or mineralization processes. The Permittee shall prevent excessive ponding from occurring due to the discharge.</p> <p data-bbox="293 758 764 789">[Subsection C of 20.6.2.3109 NMAC]</p>						
11.	<p data-bbox="293 821 1443 894">The Permittee shall ensure adherence to the following general requirements for above-ground use of treated domestic wastewater.</p> <ul style="list-style-type: none"> <li data-bbox="293 898 1443 1203">a) The Permittee shall install and maintain signs in English and Spanish at all disposal areas such that they are visible and legible for the term of this Discharge Permit. The Permittee shall post signs at the entrance to disposal areas and at other locations where public exposure to treated domestic wastewater may occur. The signs shall state: NOTICE: THIS AREA IS IRRIGATED WITH RECLAIMED WASTEWATER - DO NOT DRINK. AVISO: ESTA ÁREA ESTÁ REGADA CON AGUAS NEGRAS RECOBRADAS - NO TOMAR. The Permittee may submit alternate wording and/or graphics to NMED for approval. <li data-bbox="293 1207 1443 1356">b) Treated domestic wastewater systems shall have no direct or indirect cross connections with public water systems or irrigation wells pursuant to the latest revision of the New Mexico Plumbing Code (14.8.2 NMAC) and New Mexico Mechanical Code (14.9.2 NMAC). <li data-bbox="293 1360 1443 1476">c) Above-ground use of treated domestic wastewater shall not result in excessive ponding of wastewater. The Permittee shall not discharge treated domestic wastewater at times when the disposal area is saturated or frozen. <li data-bbox="293 1480 1443 1554">d) The Permittee shall confine discharge of treated domestic wastewater to the disposal area. <li data-bbox="293 1558 1443 1631">e) The Permittee shall not discharge treated domestic wastewater to crops used for human consumption. <li data-bbox="293 1635 1443 1709">f) Water supply wells within 200 feet of a disposal area shall have adequate wellhead construction pursuant to 19.27.4 NMAC. <li data-bbox="293 1713 1443 1787">g) Valves, outlets, and sprinkler heads used in treated wastewater systems shall be accessible only to authorized personnel. 						

#	Terms and Conditions
	<p>The Permittee shall demonstrate adherence to these requirements by submitting documentation consisting of narrative statements and date-stamped photographs as appropriate. The Permittee shall submit the documentation to NMED once during the term of this Discharge Permit in the next required periodic monitoring report after the issuance of the Discharge Permit.</p> <p>[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1–78, § 74-6–5.D]</p>
12.	<p>The Permittee shall meet the following setbacks, access restrictions and equipment requirements for spray irrigation using treated domestic wastewater.</p> <ul style="list-style-type: none">a) Maintain a minimum 100-foot setback between any dwellings or occupied establishments and the edge of the reuse area.b) Postpone irrigation using treated domestic wastewater at times when windy conditions may result in drift of reclaimed wastewater outside the disposal area.c) Apply treated domestic wastewater at times and in a manner that minimizes public contact.d) Limit spray irrigation system to low trajectory spray nozzles. <p>[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1–78, § 74–5.D]</p>
13.	<p>The Permittee shall institute a backflow prevention method to protect wells and public water supply systems from contamination by treated domestic wastewater prior to discharging to the disposal area. Backflow prevention shall be achieved by a total disconnect (physical air gap separation between the discharge pipe and the liquid surface at least twice the diameter of the discharge pipe), or by a reduced pressure principal backflow prevention assembly (RP) installed on the line between the fresh water supply wells or public water supply and the reclaimed domestic wastewater delivery system. The Permittee shall maintain backflow prevention at all times.</p> <p>The Permittee shall have RP devices inspected and tested by a certified backflow prevention assembly tester at the time of installation, repair or relocation and at least on an annual basis thereafter. The backflow prevention assembly tester shall have successfully completed a 40-hour backflow prevention course based on the University of Southern California’s Backflow Prevention Standards and Test Procedures and obtained certification demonstrating completion. The Permittee shall have all malfunctioning RP devices repaired or replaced within 30 days of discovery. The Permittee shall cease using supply lines associated with the RP device until repair or replacement is complete.</p> <p>The Permittee shall maintain copies of the inspection and maintenance records and test results for each RP device associated with the backflow prevention program at a location available for inspection by NMED.</p>

#	Terms and Conditions
	[Subsection C of 20.6.2.3109 NMAC]
14.	<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>
15.	<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>
16.	<p>The Permittee shall maintain the impoundment liners to avoid conditions that could affect the liner or the structural integrity of the impoundments. Characterization of such conditions may include the following:</p> <ul style="list-style-type: none"> • erosion damage; • animal burrows or other damage; • the presence of vegetation including aquatic plants, weeds, woody shrubs or trees growing within five feet of the top inside edge of a sub-grade impoundment, within five feet of the toe of the outside berm of an above-grade impoundment, or within the impoundment itself; • the presence of large debris or large quantities of debris in the impoundment; • evidence of seepage; or • evidence of berm subsidence. <p>The Permittee shall routinely control vegetation growing around the impoundments by mechanical removal that is protective of the impoundment liner.</p> <p>The Permittee shall visually inspect the impoundments and surrounding berms on a monthly basis to ensure proper maintenance. In the event that an inspection reveals any evidence of damage that threatens the structural integrity of an impoundment berm or liner, or that may result in an unauthorized discharge, the Permittee shall implement the Contingency Plan set forth in this Discharge Permit.</p> <p>The Permittee shall create and maintain a log of all impoundment inspections which describes the date of the inspection, any findings and repairs and the name of the person</p>

#	Terms and Conditions
	<p>responsible for the inspection. The Permittee shall make the log available to NMED upon request.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
17.	<p>The Permittee shall preserve a minimum of two feet of freeboard, i.e., the distance between the highest calculated liquid level in the impoundments and the liquid level which would result in the release of stored liquid from the impoundments.</p> <p>In the event that the Permittee determines that it cannot preserve two feet of freeboard in the impoundment, the Permittee shall implement the Contingency Plan set forth in this Discharge Permit.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
18.	<p>The Permittee shall maintain the concrete-lined sludge drying beds to avoid conditions that could affect the concrete-lined sludge drying beds or the structural integrity of the concrete-lined sludge drying beds. Characterization of such conditions may include the following:</p> <ul style="list-style-type: none"> • erosion damage; • cracking and fractures in the concrete; • animal burrows or other damage of the surrounding area; • the presence of vegetation including aquatic plants, weeds, woody shrubs or trees growing within five feet of the top inside edge of a sub-grade bed or within the bed itself; • the presence of large debris or large quantities of debris in the concrete-lined sludge drying beds; • evidence of seepage; or • evidence of subsidence. <p>The Permittee shall routinely control vegetation growing around the concrete-lined sludge drying beds by mechanical removal that is protective of the sub-surface concrete.</p> <p>The Permittee shall visually inspect the concrete-lined sludge drying beds and the surrounding area on a monthly basis to ensure proper maintenance. In the event that inspection reveals any evidence of damage that threatens the structural integrity of the concrete-lined sludge drying beds, or that may result in an unauthorized discharge, the Permittee shall implement the Contingency Plan set forth in this Discharge Permit.</p> <p>The Permittee shall create and maintain a log of all concrete-lined sludge drying bed inspections which describes the date of the inspection, any findings and repairs and the</p>

#	Terms and Conditions
	<p>name of the person responsible for the inspection. The Permittee shall make the log available to NMED upon request.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
19.	<p>The Permittee shall temporarily store sludge and solids on the concrete-lined sludge drying beds prior to offsite disposal. The Permittee shall dispose of sludge and solids at a minimum when the sludge and solids has accumulated to 50% of the storage capacity of the structure or as necessary. The Permittee shall contain, transport, and dispose of solids and sludge removed from the concrete-lined sludge drying beds in accordance with all local, state, and federal regulations.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.3.3109 NMAC]</p>
20.	<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 solids removed from the treatment process in accordance with all local, state, and federal regulations.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
21.	<p>The Permittee shall inspect and clean the lift station(s) as needed to prevent pump failure.</p> <p>The Permittee shall maintain a record of lift station inspections, repairs, and cleanings. The Permittee shall make the record available to NMED upon request.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
22.	<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> <p>The Permittee shall notify the 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
23.	The Permittee shall conduct the monitoring, reporting, and other requirements listed below in accordance with the monitoring requirements of this Discharge Permit. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
24.	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. [Subsection B of 20.6.2.3107 NMAC]

Due Dates for Monitoring Reports

#	Terms and Conditions
25.	Quarterly monitoring - The Permittee shall perform monitoring and other Permit required actions during the following periods and shall submit quarterly reports to NMED by the following due dates: <ul style="list-style-type: none"> • January 1st through March 31st – due by May 1st; • April 1st through June 30th – due by August 1st; • July 1st through September 30th – due by November 1st; and • October 1st through December 31st – due by February 1st. [Subsection A of 20.6.2.3107 NMAC]

Facility Monitoring Conditions

#	Terms and Conditions
26.	The Permittee shall measure the total monthly volume, calculate the daily average volume, and record the daily peak volume of wastewater received by the treatment facility each month using a totalizing flow meter located at the headworks. The Permittee shall submit the totalized average daily and peak daily influent volumes for each calendar month to NMED in the quarterly monitoring reports. [Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]

#	Terms and Conditions
27.	<p>The Permittee shall, on a monthly basis, measure the volume of treated domestic wastewater discharged from the synthetically lined impoundments to Disposal Area 1 during the period. Upon completion of the construction of Disposal Area 2, the Permittee shall, on a monthly basis, measure the volume of treated domestic wastewater discharged from the synthetically lined impoundments to Disposal Area 2 during the period.</p> <p>To determine the discharge volume, the Permittee shall obtain readings from a totalizing flow meter located after the storage impoundments on a monthly basis and calculate the monthly and average daily discharge volume. The Permittee shall use the monthly volume discharged on the LADS (copy enclosed) to calculate nitrogen loading.</p> <p>The Permittee shall submit the calendar monthly meter readings, calculated monthly discharge volumes, and average daily discharge volumes to NMED in the quarterly monitoring reports.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]</p>
28.	<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, on an annual basis. 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> <ol 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.

#	Terms and Conditions
	<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>
29.	<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>
30.	<p>The Permittee shall collect grab samples of reclaimed domestic wastewater from the manhole located between the chlorine contact chamber and Storage Impoundment 1 on a quarterly basis and analyze the samples for:</p> <ul style="list-style-type: none"> • TKN; • NO₃-N; • TDS; and • Cl. <p>In the event that no effluent discharge occurs during the entire quarterly period, the Permittee shall collect a composite wastewater sample from Storage Impoundment 1 and analyze the sample for TKN, NO₃-N, TDS, and Cl. The composite sample shall consist of a minimum of six equal aliquots collected equidistantly around the entire perimeter of the impoundment and thoroughly mixed.</p> <p>The Permittee shall ensure the sample is properly prepared, preserved, transported, and analyzed in accordance with the methods authorized in this Discharge Permit. The</p>

#	Terms and Conditions
	<p>Permittee shall submit the laboratory analytical data results, including the QA/QC summary and Chain of Custody, to NMED in the quarterly monitoring reports.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]</p>
31.	<p>Upon completion of the construction of Disposal Area 2, the Permittee shall collect grab samples of reclaimed domestic wastewater from the effluent discharge line between the synthetically lined storage impoundments to Disposal Area 2 on a quarterly basis and analyze the samples for:</p> <ul style="list-style-type: none"> • TKN; • NO₃-N; • TDS; and • Cl. <p>In the event that no effluent discharge occurs during the entire quarterly period, the Permittee shall collect a composite wastewater sample from each storage impoundment and analyze the samples for TKN, NO₃-N, TDS, and Cl. The composite sample shall consist of a minimum of six equal aliquots collected equidistantly around the entire perimeter of the impoundment and thoroughly mixed.</p> <p>The Permittee shall ensure the sample is properly prepared, preserved, transported, and analyzed in accordance with the methods authorized in this Discharge Permit. The Permittee shall submit the laboratory analytical data results, including the QA/QC summary and Chain of Custody, to NMED in the quarterly monitoring reports.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]</p>
32.	<p>The Permittee shall perform the following analyses on the wastewater samples collected from the manhole located between the chlorine contact chamber and Impoundment 1 using the following sampling method and frequency:</p> <ul style="list-style-type: none"> • E. coli bacteria: grab sample during SBR decant cycle once per week. • TRC concentrations: record whenever collecting bacteria samples. <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, and a copy of the log of TRC concentrations to NMED in the subsequent quarterly monitoring report.</p>

#	Terms and Conditions
	[Subsection A of 20.6.2.3107 NMAC, Subsections B, C and H of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]
33.	<p>The Permittee shall complete LADS (copy enclosed) on a monthly basis that document the amount of nitrogen applied to the disposal area during the most recent 12 months. The LADS shall reflect the total nitrogen concentration from the most recent wastewater analysis and the measured discharge volumes to the disposal area for each month. The Permittee shall complete the LADS with the information above or include a statement that application of wastewater did not occur. The Permittee shall submit the LADS to NMED in the subsequent quarterly monitoring report.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
34.	<p>The Permittee shall submit records of solids disposal, including a copy of all Discharge Monitoring Reports (i.e., DMRs) required by the EPA pursuant to 40 CFR Part 503, 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
35.	<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>
36.	<p>In the event that the Facility exceeds the authorized discharge volume set in this Discharge Permit, the Permittee shall initiate the following Contingency Plan.</p> <p><u>Contingency Plan</u></p>

#	Terms and Conditions
	<p>a) Notify NMED within seven days of the discovery of the discharge volume exceedance that the Facility exceeded the authorized discharge volume.</p> <p>b) The Permittee shall conduct a physical inspection of the discharge system, i.e., inflow and infiltration issues, collection system failures, etc., and the discharge meters to detect abnormalities and report the findings to NMED within 30 days of the discovery of the discharge volume exceedance. The Permittee shall correct any abnormalities detected with NMED's concurrence.</p> <p>c) If the Permittee does not detect any abnormalities and with NMED's concurrence, the Permittee shall submit a discharge permit modification for the increase in discharge quantity to NMED within 90 days of the discovery of the discharge volume exceedance. The discharge permit modification must include demonstration that the volume increase is sufficient for the design capacity or plans and specifications to upgrade the system to accommodate the discharge volume increase.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
37.	<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> <p>a) Within 7 days of the second sample analysis date indicating exceedance of the discharge limit, the Permittee shall:</p> <ul style="list-style-type: none"> i) notify NMED that the Permittee is implementing the Contingency Plan; and ii) submit a copy of the first and second analytical results indicating an exceedance to NMED. <p>b) The Permittee shall increase the frequency of total nitrogen wastewater sampling and analysis of treated wastewater to once per month.</p> <p>c) The Permittee shall examine the operation and maintenance log, required by the Record Keeping conditions of this Discharge Permit, for improper operational procedures.</p> <p>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.</p> <p>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</p>

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	<p>the CAP including a schedule for completion of corrective actions and within 90 days of receipt of the analytical results of the second sample indicating that the discharge continues to exceed the limit. 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>
38.	<p>In the event that analytical results of a treated domestic wastewater sample exceed the maximum discharge limits for E. coli bacteria set by this Discharge Permit, the Permittee shall collect and submit for analysis a second sample within 24 hours after becoming aware of the exceedance. In the event, the second sample results confirm the exceedance of the maximum discharge limits, the Permittee shall implement the Contingency Plan below.</p> <p>In the event that analytical results of a treated domestic wastewater sample exceed the 30-day average discharge limit for E. coli bacteria set by this Discharge Permit (i.e., confirmed exceedance), the Permittee shall implement the Contingency Plan below.</p> <p><u>Contingency Plan</u></p> <ol style="list-style-type: none"> a) Within 24 hours of becoming aware of a confirmed exceedance (as identified above), the Permittee shall: <ol style="list-style-type: none"> i) notify NMED that the Permittee is implementing the Contingency Plan; and ii) submit copies of the recent analytical results indicating the exceedance(s) to NMED. b) The Permittee shall immediately cease discharging reclaimed domestic wastewater to the reuse area if the E. coli bacteria maximum limit is exceeded. 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 and shall correct any abnormalities discovered. The Permittee shall submit a report detailing the corrections made to NMED within 30 days following correction. <p>When the analytical results from samples of treated domestic wastewater, sampled as required by this Discharge Permit, no longer indicate an exceedance of the maximum</p>

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	<p>discharge limits for E. coli bacteria, the Permittee may resume discharging treated domestic wastewater to the disposal area(s) with NMED approval.</p> <p>If a Facility is required to implement the Contingency Plan more than two times in a 12-month period, the Permittee shall propose to modify operational procedures and upgrade the treatment process to achieve consistent compliance with the maximum and 30-day average discharge limits by submitting a Corrective Action Plan (CAP) for NMED approval within 60 days following receipt of the analytical results confirming the exceedance. The Permittee shall ensure the CAP includes a schedule for completion of corrective actions and identification of alternative disposal locations/methods. The Permittee shall initiate implementation of the CAP following approval by NMED. NMED may require the Permittee to complete approved corrective actions prior to recommencing discharge to the disposal area(s).</p> <p>NMED may require, prior to recommencing discharge to the disposal area(s), additional sampling of any stored reclaimed domestic wastewater.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
39.	<p>In the event that the LADS (copy enclosed) show that the amount of nitrogen in wastewater applied in any 12-month period exceeds 200 pounds per acre, the Permittee shall propose the reduction of nitrogen loading to the disposal area by submitting a CAP to NMED for approval. The Permittee shall ensure the CAP includes a schedule for completion of corrective actions and submit the CAP within 90 days following the end of the monitoring period in which the exceedance occurred. The Permittee shall implement 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>
40.	<p>In the event that an inspection reveals significant damage has occurred or is likely to affect the structural integrity of an impoundment or liner or their ability to contain contaminants, the Permittee shall propose the repair or replacement by submitting a CAP to NMED for approval. The Permittee shall submit the CAP to NMED within 30 days after discovery of the damage or following notification from NMED that significant damage is evident. The Permittee shall ensure the CAP includes a schedule for completion of corrective actions. The Permittee shall initiate implementation of the CAP following approval by NMED.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>

#	Terms and Conditions
41.	<p>In the event that an impoundment cannot preserve a minimum of two feet of freeboard, the Permittee shall take actions to restore the required freeboard as authorized by this Discharge Permit and all applicable local, state, and federal regulations.</p> <p>In the event that two feet of freeboard cannot be restored within a period of 72 hours following discovery, the Permittee shall propose actions to restore two feet of freeboard by submitting a short-term CAP to NMED for approval. Examples of short-term corrective actions include the pumping and hauling of excess wastewater from the impoundment or reducing the volume of wastewater discharged to the impoundment. The Permittee shall ensure the CAP includes a schedule for completion of corrective actions. The Permittee shall submit the CAP within 15 days following the date the Permittee or the NMED discover the exceedance. The Permittee shall implement the CAP following NMED approval.</p> <p>In the event that the short-term corrective actions fail to restore two feet of freeboard, the Permittee shall submit to NMED a proposal for permanent corrective actions in a long-term CAP. The Permittee shall submit the long-term CAP within 90 days following failure of the short-term CAP. Examples of corrective actions include the installation of an additional storage impoundment or a significant and permanent reduction in the volume of wastewater discharged to the impoundment. The Permittee shall ensure the long-term CAP includes a schedule for completion of corrective actions. The Permittee shall implement the CAP following NMED approval.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
42.	<p>In the event the average solids accumulation exceeds one-third of the maximum liquid depth in the impoundments, the Permittee shall propose a plan for the removal and disposal of the solids. The Permittee shall submit the solids removal and disposal plan to NMED for approval within 120 days following discovery and include the following information.</p> <ul style="list-style-type: none">a) A method for removal of the solids to a depth of less than six inches throughout the treatment impoundment in a manner that is protective of the impoundment liner.b) A description of how the Permittee will contain, transport, and dispose of the solids in accordance with all local, state, and federal regulations, including 40 CFR Part 503.c) A schedule for completion of the solids removal and disposal project. <p>The Permittee shall initiate implementation of the plan following approval by NMED.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>

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43.	<p>In the event that an inspection reveals significant damage has occurred or is likely to affect the structural integrity of the concrete-lined sludge drying beds or their ability to contain contaminants, the Permittee shall propose the repair or replacement by submitting a CAP to NMED for approval. The Permittee shall submit the CAP to NMED within 30 days after discovery of the damage or following notification from NMED that significant damage is evident. The Permittee shall ensure the CAP includes a schedule for completion of corrective actions. The Permittee shall initiate implementation of the CAP following approval by NMED.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
44.	<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> <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.

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

D. CLOSURE PLAN

Closure Actions with Implementation Deadlines

#	Terms and Conditions
46.	<p>The Permittee shall perform the following closure measures on Disposal Area 1.</p> <p>Within <u>90 days</u> of ceasing discharge to Disposal Area 1, the Permittee shall complete the following closure measures:</p> <p>a) Plug all lines leading to and from Disposal Area 1 so that a discharge can no longer occur.</p> <p>b) Wastewater, septage, and grease interceptor waste shall be pumped from the system components (e.g., septic tanks, grease trap/interceptors, lift stations, dosing chambers, and distribution boxes), and it shall be contained, transported, and disposed of in accordance with all local, state, and federal regulations, including 40 CFR Part 503. The Permittee shall maintain a record of all wastes transported for off-</p>

#	Terms and Conditions
	<p>site disposal.</p> <p>Within <u>180 days</u> of ceasing discharge to Disposal Area 1, the Permittee shall complete the following closure measures:</p> <ul style="list-style-type: none"> a) Remove all lines leading to and from Disposal Area 1 or permanently plug them and abandon them in place. b) Remove or demolish all closed septic tanks, grease trap/interceptors, lift stations, dosing chambers, distribution boxes, or other system(s) components (with the exception of leachfields) and re-grade the area with suitable fill to blend with surface topography to promote positive drainage and prevent ponding. <p>The Permittee shall submit documentation of all closure and post-closure requirements with date-stamped photographic evidence for the closure of Disposal Area 1, in the next required periodic monitoring report.</p> <p>[Subsection A of 20.6.2.3107 NMAC, 40 CFR Part 503]</p>

Permanent Facility Closure Conditions

#	Terms and Conditions
47.	<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> <ul style="list-style-type: none"> a) Plug the line leading to the system so that a discharge can no longer occur. b) Evaporate wastewater in the system components and storage impoundments or drain and dispose of in accordance with all local, state, and federal regulations, or discharged from the system to the reuse area as authorized by this Discharge Permit. The discharge of accumulated solids (sludge) to the reuse area is prohibited. 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>Within <u>180 days</u> of ceasing to discharge to the treatment system (or unit), the Permittee shall complete the following closure measures.</p> <ul style="list-style-type: none"> a) Remove all lines leading to and from the treatment system, or permanently plug and abandon them in place. b) Remove or demolish all treatment system components, and re-grade the area with

#	Terms and Conditions
	<p>suitable fill to blend with surface topography, promote positive drainage and prevent ponding.</p> <p>c) Perforate or remove the storage impoundment liners; fill the impoundments with suitable fill; and re-grade the impoundment sites to blend with surface topography, promote positive drainage and prevent ponding.</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
48.	<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; • 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:

#	Terms and Conditions
	<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 a minimum of five years. The Permittee shall make the record available to NMED upon request.</p> <p>[Subsections A and D of 20.6.2.3107 NMAC]</p>
49.	<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 the NMED Permit Contact identified on the Permit cover page.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
50.	<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>

#	Terms and Conditions
	[Subsection D of 20.6.2.3107 NMAC, NMSA 1978, §§ 74-6-9.B and 74-6-9.E]
51.	<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>
52.	<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>
53.	<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>
54.	<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-</p>

#	Terms and Conditions
	<p>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>
55.	<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>
56.	<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>
57.	<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</p>

#	Terms and Conditions
	<p>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>
58.	<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>
59.	<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 Chaparral Wastewater Treatment Plant
Discharge Permit Number DP-1602

Legally Responsible Party Robert Herrera, Facilities & Parks Director
Doña Ana County Utilities
845 N. Motel Blvd
Las Cruces, NM 88007
(575) 525-6182

Treatment, Disposal, and Site Information

Primary Waste Type Domestic Wastewater
Facility Type Municipal

Treatment Methods

Type	Designation	Description & Comments
Wastewater Treatment Plant	SBR 1 & 2	Two sequencing batch reactors followed by a chlorine contact chamber.

Discharge Locations

Type	Designation	Description & Comments
Impoundment	Storage Impoundment 1	3,00,000-gallon HDPE-lined storage impoundment south of the Wastewater Treatment Plant.
Impoundment	Storage Impoundment 2	1,500,000-gallon HDPE lined storage impoundment, to be constructed north of the Wastewater Treatment Plant.
Sludge Drying Beds	Sludge Drying Beds	Four concrete-lined sludge drying beds.
Disposal Area	Disposal Area 1	206-acre sprinkler irrigated rangeland west of the Wastewater Treatment System to be closed during the term of this Discharge Permit.
Disposal Area	Disposal Area 2	91-acre of sprinkler irrigated native grasses west and north of the Wastewater Treatment System, to be constructed during the term of this Discharge Permit.

Flow Metering Locations

Type	Designation	Description & Comments
Totalizing Flow Meter	Influent flow meter	Siemens clamp-on ultrasonic flow meter located before the bar screen.
Totalizing Flow Meter	Effluent flow meter	Siemens clamp-on ultrasonic flow meter located after the Impoundments.

Depth-to-Ground Water 390 feet
Total Dissolved Solids (TDS) 613 mg/L



New Mexico Environment Department Ground Water Quality Bureau Discharge Permit Summary

Permit Information

Original Permit Issued	June 12, 2007
Permit Renewal	November 21, 2013
Permit Renewal	February 8, 2019

Current Action	Renewal and Modification
Application Received	August 7, 2024
Public Notice Published	[not yet published]
Permit Issued (Issuance Date)	[issuance date]
Permitted Discharge Volume	300,000 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	Kambray Townsend
Lead Staff Telephone Number	(505) 538-0497
Lead Staff Email	kambray.townsend@env.nm.gov or pps.general@env.nm.gov

Groundwater Discharge Permit Guidance for Synthetically Lined Lagoons – Liner Material and Site Preparation

This guidance document represents minimum liner material and site preparation requirements for wastewater treatment, storage and evaporation lagoons. These requirements do not apply to lagoons storing hazardous wastes or high strength waste. The Ground Water Quality Bureau may impose additional requirements (e.g., double-lined lagoons with leak detection) for facilities discharging hazardous or high strength waste to lagoons through the development of specific Discharge Permit conditions for such facilities.

Liner Material Requirements:

1. The liner shall be chemically compatible with any material that will contact the liner.
2. The liner material shall be resistant to deterioration by sunlight if any portion of the liner will be exposed.
3. Synthetic liner material shall be of sufficient thickness to have adequate tensile strength and tear and puncture resistance. Under no circumstances shall a synthetic liner material less than 40 mils in thickness be accepted. Any liner material shall be certified by a licensed New Mexico professional engineer and approved by the New Mexico Environment Department (NMED) prior to its installation.

Lagoon Design and Site Preparation Requirements:

1. The system shall be certified by a licensed New Mexico professional engineer and approved by NMED prior to installation.
2. Inside slopes shall be a maximum of 3 (horizontal): 1 (vertical), and a minimum of 4 (horizontal); 1 (vertical).
3. Lagoon volume shall be designed to allow for a minimum of 24 inches of freeboard.
4. The liner shall be installed with sufficient liner material to accommodate shrinkage due to temperature changes. Folds in the liner are not acceptable.
5. To a depth of at least six inches below the liner, the sub-grade shall be free of sharp rocks, vegetation and stubble. In addition, liners shall be placed on a sub-grade of sand or fine soil. The surface in contact with the liner shall be smooth to allow for good contact between liner and sub-grade. The surface shall be dry during liner installation.
6. Sub-grade shall be compacted to a minimum of 90% of standard proctor density.
7. The minimum dike width shall be eight feet to allow vehicle traffic for maintenance.
8. The base of the pond shall be as uniform as possible and shall not vary more than three inches from the average finished elevation.
9. Synthetic liners shall be anchored in an anchor trench in the top of the berm. The trench shall be a minimum of 12 inches wide, 12 inches deep and shall be set back at least 24 inches from the inside edge of the berm.
10. If the lagoon is installed over areas of decomposing organic materials or shallow groundwater, a liner vent system shall be installed.
11. Any opening in the liner through which a pipe or other fixture protrudes shall be properly sealed. Liner penetrations shall be detailed in the construction plans and record drawings.
12. A synthetic liner shall not be installed in temperatures below freezing.
13. The liner shall be installed or supervised by an individual that has the necessary training and experience as required by the liner manufacturer.
14. All manufacturer's installation and field seaming guidelines shall be followed.
15. All synthetic liner seams shall be field tested by the installer and verification of the adequacy of the seams shall be submitted to NMED along with the record drawings.
16. Concrete slabs installed on top of the synthetic liner for operational purposes shall be completed in accordance with manufacturer and installer recommendations to ensure liner integrity.

