CERTIFIED MAIL – RETURN RECEIPT REQUESTED

September 28, 2026

Jacquelynn Bowens, Administrator
Eastern New Mexico Water Utility Authority
5140 North Prince Street
Clovis, New Mexico 88101

RE: Draft Discharge Permit, DP-1999, Eastern New Mexico Rural Water System – Water Treatment Plant

Dear Jacquelynn Bowens:

The New Mexico Environment Department (NMED) hereby provides notice to you of the proposed approval of Ground Water Discharge Permit, DP-1999, (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 shivanna.moriarty@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) 795-3473.

Sincerely,

Shivanna Moriarty

Digitally signed by Shivanna Moriarty
Date: 2026.09.28 13:26:51 -06'00'

Shivanna Moriarty, Acting UIC/Industrial Waste Team Lead

Encl: Draft Discharge Permit, DP-1999

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Draft: September 28, 2026

GROUND WATER QUALITY BUREAU
DISCHARGE PERMIT
Issued under 20.6.2 NMAC

Facility Name:	Eastern New Mexico Rural Water System – Water Treatment Plant
Discharge Permit Number:	DP-1999
Facility Location:	Northwest of the intersection of NM Highway 288 and Curry County Road R Clovis, New Mexico
County:	Curry
Permittee: Mailing Address:	Eastern New Mexico Water Utility Authority 5140 North Prince Street Clovis, New Mexico 88101
Facility Contact: Telephone Number/Email:	Jacquelynn Bowens, Administrator (575) 935-4262 / jbowens@enmua.com
Permitting Action:	**New**
Permit Issuance Date:	DATE
Permit Expiration Date:	7 years from issuance date or 5 years from commencement of discharge [20.6.23109.H(4) NMAC]
NMED Permit Contact: Telephone Number/Email:	Shivanna Moriarty (505) 795-3473 / shivanna.moriarty@env.nm.gov or (505) 827-2900 / pps.general@env.nm.gov

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

draft

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Discharge Permit Summary
New Mexico Environment Department Ground Water Quality Bureau Monitoring Well Construction and Abandonment Guidelines, Revision 1.1, March 2011 (Monitoring Well Guidance)

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I. INTRODUCTION

The New Mexico Environment Department (NMED) issues this groundwater discharge permit (Discharge Permit or DP-1999) to the Eastern New Mexico Water Utility Authority (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 Eastern New Mexico Rural Water System – Water Treatment Plant (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 and the requirements of 20.6.2.5102 NMAC. The Permittee is responsible for complying with the terms and conditions of this Discharge Permit pursuant to Section 20.6.2.3104 NMAC; failure to do so may result in enforcement action by NMED (20.6.2.1220 NMAC).

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

The Facility pumps water sourced from the Ute Reservoir into a water treatment plant using water strainers, micro-filtration, and reverse osmosis. The Facility discharges (injects) up to 367,200 gallons per day (gpd) of reverse osmosis concentrate into the Wolfcamp and Pennsylvanian formations at a depth of approximately 6,270 – 7,200 feet below ground level using a deep Class I Non-Hazardous Waste Underground Injection Control (UIC) Well for disposal.

Discharge Permit Location Information:

Physical Address	Northwest of the intersection of NM Highway 288 and Curry County Road R
Nearest Town/City	Clovis
Section, Township, Range	Section 21, Township 05 North, Range 34 East
County	Curry
Depth to Groundwater	440
Pre-Discharge TDS	300

The application (i.e., discharge plan) consists of the materials submitted by the Permittee dated October 7, 2025, and materials contained in the administrative record prior to issuance of this Discharge Permit. The Permittee shall manage this discharge in accordance with all conditions and requirements of this Discharge Permit.

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

This Discharge Permit requires an associated Closure Plan, the intent of which it is to prevent the exceedance of the groundwater protection standards of 20.6.2.3103 NMAC after the Facility, or a portion of the Facility, cease to operate. The Closure Plan shall include a detailed description of all closure and post-closure maintenance and inspection procedures. The Permittee's obligation to implement the Closure Plan and associated permit requirements survives the termination or expiration of this Discharge Permit. The Permittee may implement and complete portions of the Closure Plan prior to the cessation of the operation of the Facility.

This Discharge Permit requires financial assurance requirements associated with closure of the structures associated with the Permit, including a requirement to produce a closure cost estimate intended to sufficiently identify the cost of implementing all aspects of closure as described in the Closure Plan. This Discharge Permit requires establishment of a financial assurance instrument intended to cover all closure costs as identified in the closure cost estimate. This Discharge Permit requires the maintenance of financial assurance during the term of this Discharge Permit and until successful accomplishment of all closure activities.

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

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Abbreviation	Explanation		Abbreviation	Explanation
EPA	United States Environmental Protection Agency		TDS	total dissolved solids
Gpd	gallons per day		TKN	total Kjeldahl nitrogen
LAA	land application area		total nitrogen	= TKN + NO_3-N
LADS	Land Application Data Sheet(s)		TRC	total residual chlorine
mg/L	milligrams per liter		TSS	total suspended solids
mL	milliliters		WQA	New Mexico Water Quality Act
MPN	most probable number		WQCC	Water Quality Control Commission
NMAC	New Mexico Administrative Code		WWTF	Wastewater Treatment Facility

II. FINDINGS

In issuing this Discharge Permit, NMED finds the following.

1. The Permittee is discharging effluent or leachate from the Facility so that such effluent or leachate may move into groundwater of the State of New Mexico that has an existing concentration of 10,000 mg/L or less of TDS, within the meaning of Subsection A of 20.6.2.3101 NMAC, without exceeding standards of 20.6.2.3103 NMAC for any water contaminant.

2. The Permittee is discharging effluent or leachate from the Facility directly or indirectly into groundwater pursuant to this Discharge Permit, Sections 20.6.2.3000 through 20.6.2.3114 NMAC and Sections 20.6.2.5000 through 20.6.2.5399 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 and Subsection D of 20.6.2.5101 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 (inject) up to 367,200 gpd of reverse osmosis concentrate into the Wolfcamp and Pennsylvanian formations at a depth of approximately 6,270 – 7,200 feet below ground level using a deep Class I Non-Hazardous Waste UIC Well for disposal. The Permittee shall construct the UIC well in accordance with the Class I

Non-Hazardous Waste UIC Well standards. The Permittee will target the highest injection rate feasible while limiting surface injection pressure to 1,254 pounds per square inch (psi) gauge.

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

IV. CONDITIONS

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

A. OPERATIONAL PLAN

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

Operational Actions with Implementation Deadlines

#	Terms and Conditions
3.	Prior to discharging to the Class I Non-Hazardous Waste UIC Well, the Permittee shall submit an up-to-date diagram of the layout of the entire Facility to NMED. The diagram shall include the following elements: • a north arrow; • the issuance date of the diagram; • all components of the treatment and disposal system; • all groundwater monitoring wells; • all backflow prevention methods/devices; • all flow measurement devices; and • all wastewater sampling locations.

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#	Terms and Conditions
	The Permittee shall ensure that any element that cannot be directly shown due to its location inside existing structures, or because it is buried without surface identification, shall be on the diagram in a schematic format and identified as such. [Subsection C of 20.6.2.3106 NMAC, Subsection A of 20.6.2.3107 NMAC]
4.	Prior to discharging to the Class I Non-Hazardous Waste UIC Well, the Permittee shall demonstrate the injection well is properly constructed by submitting to NMED a completion report certifying the well's construction details, including a surveyor's plat and a notation on the property deed. Within 30 days of completing construction of the Class I Non-Hazardous Waste UIC Well the Permittee shall submit geophysical logs 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) or that bear the seal and signature of a licensed New Mexico professional geologist for the constructed Class I Non-Hazardous Waste UIC Well. [20.6.2.5201 NMAC, 20.6.2.5205 NMAC]
5.	Prior to discharging to the Class I Non-Hazardous Waste UIC Well, the Permittee shall submit logs from the installation and construction of the injection well to NMED for review and approval. The construction logs shall include the following: a) Depth to the injection zone; b) Injection pressure, external pressure, annular pressure, axial loading, and other stresses that may cause well failure; c) Hole size in both diameter and overall depth; d) Size and grade of all casing strings, including wall thickness, diameter, nominal weight, length, joint specification, and construction material; e) Type and grade of cement; f) Rate, temperature, and volume of injected fluid; g) Chemical and physical characteristics of the injected fluid, including corrosiveness, density, and temperature; h) Chemical and physical characteristics of the formation fluids including pressure and temperature; i) Chemical and physical characteristics of the receiving formation and confining zones including lithology and stratigraphy, and fracture pressure; and j) Depth, thickness and chemical characteristics of penetrated formations which may contain ground water. The Permittee shall demonstrate that the injection well is properly constructed prior to operation. As part of the demonstration, the Permittee shall submit appropriate logs and other tests conducted during the drilling and construction of the Class I Non-Hazardous

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#	Terms and Conditions
	Waste UIC Well to NMED. The Permittee shall submit to NMED, for review prior to well injection, a descriptive report interpreting the results of such logs and tests prepared by a knowledgeable log analyst. The logs and tests appropriate to each type of injection well shall be based on the intended function, depth, construction and other characteristics of the well, availability of similar data in the area of the drilling site and the need for additional information that may arise from time to time as the construction of the well progresses. The Permittee shall submit geophysical logs 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) or that bear the seal and signature of a licensed New Mexico professional geologist for the constructed Class I Non-Hazardous Waste UIC Well. The Permittee shall demonstrate through use of sufficiently frequent deviation checks, or another equivalent method, that the Class I Non-Hazardous Waste UIC Well using a pilot hole then enlarged by reaming or another method, does not allow a vertical avenue for fluid migration in the form of diverging holes created during drilling. The Permittee shall submit to NMED the following logs to assist in characterizing the formations penetrated and to demonstrate the integrity of the confining zones and the lack of vertical avenues for fluid migration: i. for casing intended to protect groundwater resistivity, spontaneous potential, and caliper logs before the casing is installed; and a cement bond, or temperature log after the casing is set and cemented. ii. for intermediate and long strings of casing intended to facilitate injection: resistivity, spontaneous potential, porosity, and gamma ray logs before the casing is installed; and fracture finder or spectral logs; and a cement bond or temperature log after the casing is set and cemented. The Permittee shall demonstrate the following additional construction requirements for the Class I Non-Hazardous Waste UIC Well: a. Sited in such a manner that it injects into a formation which is beneath the lowermost formation containing, within one quarter mile of the well bore, groundwater having 10,000 mg/l TDS or less except as approved pursuant to Section 20.6.2.5103 NMAC. b. Cased and cemented by circulating cement to the surface. c. Inject fluids through tubing with a packer set in the annulus immediately above the injection zone, or tubing with an approved fluid seal as an alternative. The tubing, packer, and fluid seal shall be designed for the expected length of service. d. The use of other alternatives to a packer may be allowed with the written approval of NMED. To obtain approval, the Permittee shall submit a written request to

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#	Terms and Conditions
	NMED which shall set forth the proposed alternative and all technical data supporting its use. NMED may approve the request if the alternative method will provide a comparable level of protection to groundwater. NMED may approve an alternative method solely for an individual well or for general use. e. In determining the adequacy of the specifications proposed by the Permittee for tubing and packer, or a packer alternative, NMED will consider depth of setting; characteristics of injection fluid (chemical nature or characteristics, corrosiveness, and density); injection pressure; annular pressure; rate, temperature and volume of injected fluid; and size of casing. [20.6.2.5205 NMAC]
6.	The Permittee shall perform a well stimulation test following completion of the Class I Non-Hazardous Waste UIC Well installation and prior to injection. The Permittee shall submit to NMED the proposed maximum allowable surface injection pressure of the well which will prevent the initiation of fractures in the proposed disposal zone or the extension of any previously existing joints or natural fractures. The Permittee shall not exceed the approved maximum allowable surface injection pressure except for during well stimulation. Within 60 days of testing, the Permittee shall provide to NMED the results of the well stimulation for review and approval. The Permittee shall demonstrate the maximum allowable surface injection pressure for the proposed well. [Subsection B of 20.6.2.5206 NMAC]
7.	Prior to discharging to the Class I Non-Hazardous Waste UIC Well, the Permittee shall conduct a mechanical integrity demonstration. The Permittee shall notify NMED within 30 days prior to the mechanical integrity demonstration. The Permittee shall perform and maintain mechanical integrity consistent with 40 C.F.R. § 146.8(a)(1) and (2). **Periodic Mechanical Integrity Testing** - The Permittee shall conduct the mechanical integrity testing as follows: (a) Long string casing, injection tubing and annular seal shall be tested by means of an approved pressure test in accordance with 40 C.F.R. § 146.8(b)(2). This test shall be performed upon completion of this well, and at least once every twelfth month beginning with the date of the last approved demonstration and whenever there has been a well workover in which tubing is removed from the well, the packer is reset, or when loss of mechanical integrity becomes suspected during operation. (b) An approved temperature, noise, oxygen activation, or other approved log shall be run upon completion of this well and at least once every 60 months

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#	Terms and Conditions
	from the date of the last approved demonstration to test for movement of fluid along the bore hole. NMED may require such tests whenever the well is worked over. (c) The Permittee shall calibrate all gauges used in mechanical integrity demonstrations to an accuracy of not less than one-half percent of full scale, prior to each required test of mechanical integrity. A copy of the calibration certificate shall be submitted to NMED at the time of demonstration and every time the gauge is calibrated. The gauge shall be marked in no greater than five psi increments. (d) The Permittee may request from NMED to use any other test approved by the NMED in accordance with the procedures in 40 C.F.R §146.8(d). The Permittee shall complete a report of mechanical integrity demonstrations which include logs and an interpretation of results by a knowledgeable log analyst. The Permittee shall report to NMED the results of a mechanical integrity demonstration within 45 calendar days after completion thereof. If the Permittee or NMED finds that the well fails to demonstrate mechanical integrity during a test, or fails to maintain mechanical integrity during operation, or that a loss of mechanical integrity as defined by 40 C.F.R. §§ 146.8(a)(1) and (2) is suspected during operation, the Permittee shall halt the operation immediately. The Permittee shall submit a written submission to NMED within five working days of the time the Permittee becomes aware of the circumstances. The written submission shall contain a description of the failure and its cause; the timeframe the failure occurred, including exact dates and times, and, if the failure has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent recurrence of the failure. The Permittee shall not resume operation until mechanical integrity is demonstrated and NMED gives approval to recommence injection. [20.6.2.5204 NMAC]
8.	Prior to discharging to the Class I Non-Hazardous Waste UIC Well, the Permittee shall install fences around the Facility to control access by the general public and animals. The fences shall consist of a minimum of six-foot chain link or field fencing and locking gates. Documentation of fence installation shall consist of a narrative statement describing the fences and gates and date-stamped photographs. The Permittee shall submit the documentation to NMED in the next required periodic monitoring report. [Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]

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#	Terms and Conditions
9.	Prior to discharging to the Class I Non-Hazardous Waste UIC Well, the Permittee shall post signs indicating that the wastewater at the Facility is not potable. The Permittee shall post signs at the Facility entrance and other areas where there is potential for public contact with wastewater. Posted signs shall be in English and Spanish and shall be legible during the term of this Discharge Permit. The Permittee shall submit documentation demonstrating sign installation that consists of date stamped photographs to NMED in the next required periodic monitoring report. [Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]
10.	Two weeks prior to discharging to the Class I Non-Hazardous Waste UIC Well, the Permittee shall submit written notification to NMED stating the date the discharge is to commence. [20.6.2.3107, Subsection A of 20.6.2.5205 NMAC]
11.	Within one year following the first injection to the Class I Non-Hazardous Waste UIC Well and every five years following or if the tubing is pulled or the packer is reseated in the injection well, the Permittee shall conduct a mechanical integrity test of the distribution piping and injection well. For pulling tubing or reseating the packer, the test shall demonstrate mechanical integrity prior to commencing discharges. Prior to testing, the Permittee shall submit to NMED the test method to be used. The Permittee shall perform the demonstration using the following tests: (1) for evaluation of leaks: a) monitoring of annulus pressure (after an initial pressure test with liquid or gas before operation commences); or b) pressure test with liquid or gas; (2) for determination of conduits for fluid movement: the results of a temperature or noise log (3) other appropriate tests as NMED may require. The Permittee may request the use of alternative test methods of equivalent nature to determine mechanical integrity, pending NMED approval. In order to propose an alternative test method, the Permittee shall submit information on the proposed test and all technical data supporting its use. In conducting and evaluating the mechanical integrity tests, the Permittee shall apply methods and standards generally accepted in the affected industry.

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#	Terms and Conditions
	The Permittee shall submit the results of the mechanical integrity testing including a description of the test(s), the method(s) used and the test results to NMED within 60 days of test completion. [20.6.2.5204 NMAC]

Operating Conditions

#	Terms and Conditions
12.	The Permittee shall maintain fences around the Facility to restrict unauthorized 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. [Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]
13.	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. [Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]

B. MONITORING AND REPORTING

#	Terms and Conditions
14.	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]
15.	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]

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Due Dates for Monitoring Reports

#	Terms and Conditions
16.	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: • 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]

Monitoring Actions with Implementation Deadlines

#	Terms and Conditions
17.	Prior to discharging to the Class I Non-Hazardous Waste UIC Well, the Permittee shall install the following monitoring plan to monitor system performance: a) One meter (i.e., totalizing flow meter; primary measurement device, hours recorder) installed on the injection line to measure the volume of wastewater injected into the Class I Non-Hazardous Waste UIC Well. b) A sample collection and data acquisition (SCADA)/control system to communicate the volume of wastewater injected into the Class I Non-Hazardous Waste UIC Well. The Permittee shall submit confirmation of meter installation, type, calibration, control system and locations to NMED within 30 days of completed installations. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
18.	Prior to discharging to the Class I Non-Hazardous Waste UIC Well, the Permittee shall submit a written groundwater monitoring well location proposal for NMED review and approval. The proposal shall designate the installation locations of the monitoring wells required by this Discharge Permit. The proposal shall include, at a minimum, the following information. a) A map showing the proposed location of the monitoring wells in relation to the boundary of the source it is intended to monitor. b) A written description of the specific location proposed for the monitoring wells including the distance (in feet) and direction of the monitoring wells from the edge of the source it is intended to monitor and the latitude and longitude coordinates for each well in decimal format. Examples include: 35 feet north-northwest of the

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#	Terms and Conditions
	northern berm of the synthetically lined impoundment and 35.898306 and -107.281519; 45 feet due south of the leachfield and 35.898306 and -107.281519; and 30 feet southeast of the reuse area and 35.898306 and -107.281519. c) A statement describing the groundwater flow direction beneath the Facility, and documentation and/or data supporting the determination. The Permittee must have NMED's approval of all monitoring well locations prior to their installation. [Subsection A of 20.6.2.3107 NMAC]
19.	Prior to discharging to the Class I Non-Hazardous Waste UIC Well, the Permittee shall install the following new monitoring wells. a) One monitoring well (MW-1a) located hydrologically upgradient of the Facility and screened within first water and the vadose zone. b) One monitoring well (MW-1b) located hydrologically upgradient of the Facility and screened within the regional aquifer. c) One monitoring well (MW-2a) located 20 to 50 feet hydrologically downgradient of the deep Class I Non-Hazardous Waste UIC Well and screened within first water and the vadose zone. d) One monitoring well (MW-2b) located 20 to 50 feet hydrologically downgradient of the deep Class I Non-Hazardous Waste UIC Well and screened within the regional aquifer. e) One monitoring well (MW-3a) located at an alternate location from MW-2a and 20 to 50 feet hydrologically downgradient of the deep Class I Non-Hazardous Waste UIC Well and screened within first water and the vadose zone. f) One monitoring well (MW-3b) located at an alternate location from MW-2b and 20 to 50 feet hydrologically downgradient of the deep Class I Non-Hazardous Waste UIC Well and screened within the regional aquifer. The Permittee shall complete the wells in accordance with the attached Monitoring Well Guidance. The Permittee shall affix a permanent label with the well identification number above. Unless otherwise noted in this Discharge Permit, the requirement to install a monitoring well downgradient of a source is <u>not</u> contingent upon construction of the Facility, or discharge of wastewater from the Facility. [Subsection A of 20.6.2.3107 NMAC]

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#	Terms and Conditions
20.	Prior to discharging to the Class I Non-Hazardous Waste UIC Well and following the installation of the monitoring wells required by this Discharge Permit, the Permittee shall sample groundwater in the wells and analyze the samples for conductivity, TDS, and for the presence of perfluorinated chemicals (PFCs). The Permittee shall analyze the sample for the following PFCs: • perfluorohexane sulfonic acid (PFHxS) (CAS 355-46-4) • perfluorooctane sulfonate (PFOS) (CAS 1763-23-1) • perfluorooctanoic acid (PFOA) (CAS 335-67-1) The Permittee shall properly collect, prepare, preserve, transport, and analyze the samples in accordance with EPA Method 1633, or an equivalent method that uses liquid chromatography and tandem mass spectrometry (LC/MS/MS). The reporting limit shall be low enough to identify whether the combined concentration of the perfluorinated chemicals is less than the Tap Water Screening Level identified in the *NMED Risk Assessment Guidance for Site Assessments and Investigations*, Table A-1 available on the NMED Hazardous Waste Bureau's website under Guidance Documents. The Permittee shall take appropriate measures to avoid cross-contamination while collecting and transporting the sample. The selected laboratory should be able to provide guidance that ensures sample integrity. The Permittee shall submit a copy of the laboratory report, including analytical results, the QA/QC summary, and the Chain of Custody to NMED in the quarterly monitoring reports. Within 45 days of the installation of the monitoring wells the Permittee shall submit a well completion report to NMED. A well completion report shall at a minimum include: the Office of the State Engineer permit, well construction and lithologic logs, latitude and longitude coordinates for each well in decimal format, depth-to-most-shallow groundwater measurements, analytical results including the laboratory QA/QC summary report, and a facility layout map showing the location and number of each well. The Permittee shall ensure the well completion report addresses each numbered item in the General Drilling and Well Specifications in the attached Monitoring Well Guidelines. [Subsection A of 20.6.2.3107 NMAC]
21.	Within 150 days following installation of the monitoring wells, the Permittee shall perform a professional survey of all groundwater monitoring wells approved by NMED for Discharge Permit monitoring purposes. The survey shall be tied or referenced to a U.S. Geological Survey (USGS) or other permanent benchmark. Survey data shall include northing, easting and elevation to the nearest one-hundredth of a foot or shall be in accordance with the "Minimum Standards for Surveying in New Mexico" (12.8.2 NMAC).

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	The survey shall bear the seal and signature of a licensed New Mexico professional surveyor (pursuant to the New Mexico Engineering and Surveying Practice Act and the rules promulgated under that authority). The Permittee shall utilize the survey to establish an elevation at the top-of-casing, with a permanent marking indicating the point of elevation. The Permittee shall measure the depth-to-most-shallow groundwater to the nearest one-hundredth of a foot in all surveyed wells and referenced to mean sea level, and the data shall be used to develop a groundwater elevation contour, i.e., potentiometric surface, map showing the location of all monitoring wells and the direction and gradient of groundwater flow in the uppermost aquifer below the Facility. The Permittee shall submit the survey, data and groundwater elevation contour map] to NMED within 30 days of survey completion. [Subsection A of 20.6.2.3107 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]

Groundwater Monitoring Conditions

#	Terms and Conditions
22.	The Permittee shall perform quarterly groundwater sampling and analyze the samples for conductivity, TDS, and for the presence of perfluorinated chemicals (PFCs). The Permittee shall analyze the sample for the following PFCs: • perfluorohexane sulfonic acid (PFHxS) (CAS 355-46-4) • perfluorooctane sulfonate (PFOS) (CAS 1763-23-1) • perfluorooctanoic acid (PFOA) (CAS 335-67-1) The Permittee shall properly collect, prepare, preserve, transport, and analyze the samples in accordance with EPA Method 1633, or an equivalent method that uses liquid chromatography and tandem mass spectrometry (LC/MS/MS). The reporting limit shall be low enough to identify whether the combined concentration of the perfluorinated chemicals is less than the Tap Water Screening Level identified in the NMED Risk Assessment Guidance for Site Assessments and Investigations, Table A-1 available on the NMED Hazardous Waste Bureau's website under Guidance Documents. The Permittee shall take appropriate measures to avoid cross-contamination while collecting and transporting the sample. The selected laboratory should be able to provide guidance that ensures sample integrity.

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#	Terms and Conditions
	The Permittee shall perform quarterly groundwater sampling in the following groundwater monitoring wells: a) MW-1a located hydrologically upgradient of the Facility and screened within first water and the vadose zone. b) MW-1b located hydrologically upgradient of the Facility and screened within the regional aquifer. c) MW-2a located 20 to 50 feet hydrologically downgradient of the deep Class I Non-Hazardous Waste UIC Well and screened within first water and the vadose zone. d) MW-2b located 20 to 50 feet hydrologically downgradient of the deep Class I Non-Hazardous Waste UIC Well and screened within the regional aquifer. e) MW-3a located at an alternate location from MW-2a and 20 to 50 feet hydrologically downgradient of the deep Class I Non-Hazardous Waste UIC Well and screened within first water and the vadose zone. f) MW-3b located at an alternate location from MW-2b and 20 to 50 feet hydrologically downgradient of the deep Class I Non-Hazardous Waste UIC Well and screened within the regional aquifer. The Permittee shall perform groundwater sample collection, preservation, transport, and analysis according to the following procedures. a) Measure the depth-to-most-shallow groundwater from the top of the well casing to the nearest one-hundredth of a foot. b) Purge three well volumes of water from the well prior to sample collection. c) Obtain samples from the well for analysis. d) Properly prepare, preserve, and transport samples. e) Analyze samples in accordance with the methods authorized in this Discharge Permit. The Permittee shall submit the depth-to-most-shallow groundwater measurements and the laboratory analytical data results including the laboratory QA/QC summary report and Chain of Custody for each well, and a Facility layout map showing the location and number of each well to NMED in the quarterly monitoring reports. [Subsection A of 20.6.2.3107 NMAC]
23.	The Permittee shall develop a groundwater elevation contour map, i.e., potentiometric surface map, on a quarterly basis using the top of casing elevation data from the monitoring well survey and the most recent depth-to-most-shallow groundwater measurements, referenced to mean sea level, obtained during the groundwater sampling required by this Discharge Permit. The groundwater elevation contour map shall depict the groundwater flow direction based on the groundwater elevation contours. The Permittee shall estimate

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	groundwater elevations between monitoring well locations using common interpolation methods. The Permittee shall use a contour interval appropriate to the data but shall not be greater than two feet. Groundwater elevation contour maps shall use arrows to depict the groundwater flow direction based on the orientation of the groundwater elevation contours, shall include a north arrow as a reference, and shall locate and identify each monitoring well and contaminant source. The Permittee shall submit to NMED a groundwater elevation contour map in the quarterly monitoring reports. [Subsection A of 20.6.2.3107 NMAC]
24.	NMED shall have the option to perform downhole inspections of all groundwater monitoring wells identified in this Discharge Permit. NMED shall establish the inspection date and notify the Permittee. The Permittee shall remove any existing dedicated pumps at least 48 hours prior to NMED inspection to allow adequate settling time of sediment agitated from pump removal. Should the Permittee decide to install a pump in a monitoring well without a dedicated pump, the Permittee shall notify NMED at least 90 days prior to pump installation so that NMED can schedule a downhole well inspection(s) prior to pump placement. [Subsections A and D of 20.6.2.3107 NMAC]

Facility Monitoring Conditions

#	Terms and Conditions
25.	The Permittee shall measure the total monthly volume, calculate the daily average volume, and record the daily peak volume of wastewater injected into the Class I Non-Hazardous Waste UIC Well each month using a primary measuring device (equipped with head sensing, totalizing and chart recording/data logging mechanisms) OR totalizing flow meter. The Permittee shall submit the totalized, average daily, and peak daily injection 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]
26.	The Permittee shall maintain a pipeline leak detection system consisting of a magnetic flow meter at the injection well. The Permittee shall monitor and compare the total concentrate flow at the treatment system with the flow at the injection well by the SCADA. The Permittee shall cease injection in the event the SCADA triggers a system

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	alarm indicating a detection of discrepancies. The Permittee shall not restart injections until the Permittee has identified and corrected the problem. In the event the system alarm indicates discrepancies, the Permittee shall submit a written report identifying the problem and the corrections made to NMED within 60 days following the system restart date. [Subsection A of 20.6.2.3107 NMAC]
27.	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. 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. 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. The Permittee shall maintain records of flow meter calibration(s) at a location accessible for review by NMED during Facility inspections. [Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]
28.	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

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	the inspection, findings and repairs, and the name of the inspector. The Permittee shall make the log available to NMED upon request. If a visual inspection indicates a flow meter is not functioning as required by this Discharge Permit, the Permittee shall repair or replace the meter within 30 days of discovery. For *repaired* meters, the Permittee shall submit a report to NMED with the next monitoring report following the repair that includes a description of the malfunction; a statement verifying the repair; and a flow meter field calibration report completed in accordance with the requirements of this Discharge Permit. For *replacement* meters, the Permittee shall submit a report to NMED with the next monitoring report following the replacement that includes a design schematic for the device and a flow meter field calibration report completed in accordance with the requirements of this Discharge Permit. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
29.	The Permittee shall include the following additional information in each monitoring report: a) Physical and chemical or other relevant characteristics of the injection fluids; b) Monthly average, maximum and minimum values for injection pressure, flow rate and volume, and annular pressure; c) Any periodic test of mechanical integrity; d) Calibration and maintenance records and all original chart recordings for continuous monitoring instrumentation and copies of all reports; e) Any well work-over; and f) Any changes within the area of review which may have the potential to impact subsurface conditions. The Permittee shall submit additional information to NMED in the quarterly monitoring reports. [20.6.2.5208 NMAC]

30.	The Permittee shall collect samples of injected wastewater on a quarterly basis and analyze the samples for:
	• Conductivity,
	• TDS, and
	• For the presence of the following PFCs:
	  • perfluorohexane sulfonic acid (PFHxS) (CAS 355-46-4)
	  • perfluorooctane sulfonate (PFOS) (CAS 1763-23-1)
	  • perfluorooctanoic acid (PFOA) (CAS 335-67-1)

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	The Permittee shall properly collect, prepare, preserve, transport, and analyze the samples in accordance with EPA Method 1633, or an equivalent method that uses liquid chromatography and tandem mass spectrometry (LC/MS/MS). The reporting limit shall be low enough to identify whether the combined concentration of the perfluorinated chemicals is less than the Tap Water Screening Level identified in the NMED Risk Assessment Guidance for Site Assessments and Investigations, Table A-1 available on the NMED Hazardous Waste Bureau's website under Guidance Documents. The Permittee shall take appropriate measures to avoid cross-contamination while collecting and transporting the sample. The selected laboratory should be able to provide guidance that ensures sample integrity. The Permittee shall ensure the samples are properly prepared, preserved, transported, and analyzed in accordance with the methods authorized in this Discharge Permit. The Permittee shall submit the laboratory analytical data results, including the QA/QC summary and Chain of Custody, to NMED in the subsequent quarterly monitoring report. [Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC, Subsection B of 20.6.2.5207]
31.	On an annual basis, the Permittee shall collect a 24-hour flow weighted composite sample (except as noted for pH) of injected wastewater and analyze the sample for the following inorganic contaminants (dissolved fraction, except as noted): • aluminum (CAS 7429-90-5) • antimony (CAS 7440-36-0) • arsenic (CAS 7440-38-2) • barium (CAS 7440-39-3) • beryllium (CAS 7440-41-7) • boron (CAS 7440-42-8) • cadmium (CAS 7440-43-9) • chromium (CAS 7440-47-3) • cobalt (CAS 7440-48-4) • copper (CAS 7440-50-8) • cyanide CAS 57-12-5) • fluoride (CAS 16984-48-8) • iron (CAS 7439-89-6) • lead (CAS 7439-92-1) • manganese (CAS 7439-96-5) • molybdenum (CAS 7439-98-7) • total mercury (nonfiltered) (CAS 7439-97-6) • pH (instantaneous) • nickel (CAS 7440-02-0) • radioactivity: combined radium-226 & radium-228 (CAS 15262-20-1) • selenium (CAS 7782-49-2) • silver (CAS 7440-224) • sulfate (CAS 14808-79-8) • thallium (CAS 7440-28-0) • uranium (CAS 7440-61-1) • zinc (CAS 7440-66-6)

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	The Permittee shall properly collect, prepare, preserve, transport and analyzed the samples in accordance with the methods authorized in this Discharge Permit. The Permittee shall analyze the sample using methods with reporting limits that are less than the corresponding numerical groundwater standards identified in 20.6.2.3103 NMAC. The Permittee shall submit a summary of measured concentrations compared with the corresponding groundwater standards, a copy of the laboratory report including the laboratory analytical data results, the QA/QC summary and the Chain of Custody, to NMED in the monitoring reports due by August 1st each year. [Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]
32.	On an annual basis, the Permittee shall collect a grab sample of injected wastewater and analyze the non-filtered sample for the following organic contaminants: • atrazine (CAS 1912-24-9) • benzene (CAS 71-43-2) • benzo-a-pyrene (CAS 50-32-8) • carbon tetrachloride (CAS 56-23-5) • chloroform (CAS 67-66-3) • 1,2-dichlorobenzene (CAS 95-50-1) • 1,4-dichlorobenzene (CAS 106-46-7) • 1,1-dichloroethane (CAS 75-34-3) • 1,2-dichloroethane (EDC, CAS 107-06-2) • 1,1-dichloroethene (1,1-DCE, CAS 75-35-4) • cis-1,2-dichloroethene (CAS 156-59-2) • trans-1,2-dichloroethene (CAS 156-60-5) • 1,2-dichloropropane (PDC, CAS 78-87-5) • ethylene dibromide (EDB, CAS 106-93-4) • methylene chloride (CAS 75-09-2) • PAHs: total naphthalene (CAS 91-20-3) plus monomethylnaphthalenes • phenols • polychlorinated biphenyls (PCBs, CAS 1336-36-3) • pentachlorophenol (CAS 87-86-5) • styrene (CAS 100-42-5) • 1,1,2,2-tetrachloroethane (CAS 79-34-5) • tetrachloroethene (PCE, CAS 127-18-4) • 1,2,4-trichlorobenzene (CAS 120-82-1) • 1,1,1-trichloroethane (1,1,1-TCA, CAS 71-55-6) • 1,1,2-trichloroethane (CAS 79-00-5) • trichloroethene (TCE, CAS 79-01-6) • vinyl chloride (CAS 75-01-4)

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	• 1,4-dioxane (CAS 123-91-1) (using EPA Method 8270D-SIM) • ethylbenzene (CAS 100-41-4) • total xylenes (CAS 1330-20-7) The Permittee shall properly collect, prepare, preserve, transport, and analyze the samples in accordance with the methods authorized in this Discharge Permit. The Permittee shall analyze samples using methods with reporting limits that are less than the corresponding numerical groundwater standards identified in 20.6.2.3103 NMAC. The reporting limit for 1,4-dioxane shall be less than the Tap Water Screening Level for 1,4-dioxane identified in the *NMED Risk Assessment Guidance for Site Assessments and Investigations*, Table A-1 (available on the NMED Hazardous Waste Bureau's website under Guidance Documents). If the results of two consecutive sampling events indicate no detection of 1,4-dioxane above the reporting limit, the Permittee may request to reduce the sampling frequency. The Permittee shall submit a summary of measured concentrations compared with the corresponding groundwater standards, and a copy of the laboratory report including the laboratory analytical data results, the QA/QC summary and the Chain of Custody to NMED in the monitoring reports due by August 1st each year. [Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]

C. CONTINGENCY PLAN

#	Terms and Conditions
33.	In the event that groundwater monitoring indicates that groundwater exceeds a standard identified in Section 20.6.2.3103 NMAC in a monitoring well with no previous exceedances of the chemical constituent at the date of issuance of this Discharge Permit, the Permittee shall collect a confirmatory sample from the monitoring well within 15 days of receipt of the initial sampling results to confirm the initial sampling results. Within 60 days of confirmation of groundwater contamination, the Permittee shall submit to NMED a Corrective Action Plan (CAP) that proposes, at a minimum, contaminant source control measures and an implementation schedule. The Permittee shall implement the CAP as approved by NMED.

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	This condition shall apply until the Permittee completes groundwater monitoring for a minimum of eight (8) consecutive quarterly samples demonstrating groundwater does not exceed the standards of Section 20.6.2.3103 NMAC. Violation of the groundwater standard beyond 180 days after the confirmation of groundwater contamination may cause NMED to require the Permittee to abate water pollution consistent with the requirements and provisions of Section 20.6.2.4101, Section 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. [20.6.2.3103 NMAC, Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]
34.	The Permittee shall implement the following contingency plan in the event of a spill, discharge to an unauthorized zone (other than the injection zone), or if groundwater standards are approached or exceed standards as a result of the discharge for the following circumstances. a) In the event of a spill or unauthorized discharge. • Shut down the wastewater distribution system and the injection well, determine the quantity, extent and impact of the spill or discharge, and implement corrective action as required under this Discharge Permit and 20.6.2.1203 NMAC. • Injection pressure is to be limited so that pressure in the injection zone does not cause fluid movement through any well or other conduit within the area of review into ground water; this pressure limitation may be removed after all required corrective action has been taken. • Spilled injection water shall be recovered in the containment system and injected into the subsurface via the injection well. b) In the event conductivity increases significantly in groundwater in any of the monitoring wells. An immediate assessment shall be conducted to determine if the project operations are the cause of the increase. If it is determined by NMED that project operations are increasing the conductivity of groundwater outside of the Wolfcamp and Pennsylvanian formations, production and injection well pumping shall be discontinued, and the Permittee shall implement corrective action as required under this Discharge Permit. Full-time injection shall not be resumed until it can be shown that the increase in conductivity is not the result of the injection operation. c) Equipment failure. If the SCADA system triggers a system alarm, the Permittee shall cease discharges and implement corrective action as required under this Discharge Permit. The system shall not be restarted until the problem is identified and corrected. In addition, the Permittee shall set the SCADA system to alarm and

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	shut off injection should there be a project malfunction such as drop in annulus pressure in the injection well. Injection shall not be resumed until the problem is corrected. The Permittee shall not resume discharges until the equipment is operating properly. The Permittee shall inform NMED verbally within 24 hours of any event triggering this condition and shall provide written notification and a corrective action plan to NMED within 15 days thereafter. [Subsection A of 20.6.2.3107 NMAC; Subsection B of 20.6.2.5203 NMAC]
35.	In the event that information available to NMED indicates that a well is not constructed in a manner consistent with the attached Monitoring Well Guidance, contains insufficient water to effectively monitor groundwater quality, or is otherwise not completed in a manner that is protective of groundwater quality, the Permittee shall install a replacement well(s) within 120 days following notification from NMED. The Permittee shall survey the replacement monitoring well(s) within 30 days following well completion. The Permittee shall install replacement well(s) at locations approved by NMED prior to installation and shall complete replacement well(s) in accordance with the attached Monitoring Well Guidance. The Permittee shall submit well construction and lithologic logs, survey data and a groundwater elevation contour map to NMED within 60 days following well completion. The Permittee shall properly plug and abandon monitoring well(s) requiring replacement upon completion of the replacement monitoring well(s). The Permittee shall complete the well plugging and abandonment, and shall document the abandonment procedures, in accordance with the attached Monitoring Well Guidance and all applicable local, state, and federal regulations. The Permittee shall submit a copy of the well abandonment documentation to NMED within 60 days following the replacement well(s) completion. [Subsection A of 20.6.2.3107 NMAC]
36.	In the event that groundwater flow information obtained pursuant to this Discharge Permit indicates that a monitoring well is not appropriately located, e.g., hydrologically downgradient of the discharge location it is intended to monitor, the Permittee shall install a replacement well within 120 days following notification from NMED. The Permittee shall survey the replacement monitoring well within 30 days following well completion.

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	The Permittee shall install the replacement well at the location approved by NMED prior to installation and shall complete the replacement well in accordance with the attached Monitoring Well Guidance. The Permittee shall submit construction and lithologic logs, survey data and a groundwater elevation contour map within 60 days following well completion. The Permittee shall properly plug and abandon a monitoring well requiring replacement upon completion of the replacement monitoring well. The Permittee shall complete the well plugging and abandonment, and shall document the abandonment procedures, in accordance with the attached Monitoring Well Guidance and all applicable local, state, and federal regulations. The Permittee shall submit a copy of the well abandonment documentation to NMED within 60 days following the replacement well completion. [Subsection A of 20.6.2.3107 NMAC]
37.	In the event that the Facility exceeds the authorized discharge volume set in this Discharge Permit, the Permittee shall initiate the following Contingency Plan. <u>Contingency Plan</u> a) Notify NMED within seven days of the discovery of the discharge volume exceedance that the Facility exceeded the authorized discharge volume. b) The Permittee shall conduct a physical inspection of the discharge system, i.e., inflow and infiltration issues, collection system failures, etc., and the discharge meter(s)/volume measuring device/method to detect abnormalities and report the findings to NMED within 30 days of the discovery of the discharge volume exceedance. The Permittee shall correct any abnormalities detected with NMED's concurrence. 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. [Subsection A of 20.6.2.3107 NMAC]
38.	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

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	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. Within 24 hours following discovery of the unauthorized discharge, the Permittee shall verbally notify NMED and provide the following information. 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. Within one week following discovery of the unauthorized discharge, the Permittee shall submit written notification to NMED providing the information listed above and any pertinent updates. Within 15 days 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. 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. 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. 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.

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	[20.6.2.1203 NMAC]
39.	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. [Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]

D. CLOSURE PLAN

Permanent Facility Closure Conditions

#	Terms and Conditions
40.	If the Permittee is proposing to close the Class I Non-Hazardous Waste UIC Well, the Permittee must submit pre-closure notification to the NMED at least 30 days prior to closure. The Permittee must submit to NMED the following information: 1. Name of facility. 2. Address of facility. 3. Name of Owner/Operator. 4. Address of Owner/Operator. 5. Contact Person. 6. Phone Number. 7. Type of Well(s). 8. Number of Well(s). 9. Well Construction (e.g. drywell, improved sinkhole, other…). 10. Type of Discharge. 11. Average Flow (gallons per day). 12. Year of Well Construction. 13. Proposed Well Closure Activities (e.g. sample fluids/sediment, appropriate disposal of remaining fluids/sediments, remove well and any contaminated soil, clean out well, install permanent plug, conversion to other type well, ground water and vadose zone investigation, other). 14. Proposed Date of Well Closure. 15. Name of Preparer. 16. Date. 17. Well plugging plan as submitted to the Office of the State Engineer pursuant to 19.27.4 NMAC.

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	Proposed well closure activities must be approved by NMED prior to implementation. [20.6.2.5005 NMAC]
41.	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. Within 120 days of ceasing to discharge to the Class I Non-Hazardous Waste UIC Well, the Permittee shall complete the following closure measures. a) Remove or plug all lines between the water treatment system and the injection well so that a discharge can no longer occur. b) Drain and or evaporate all wastewater from the system components and dispose of in accordance with all local, state, and federal regulations. c) Remove or demolish all tanks, and re-grade the area with suitable fill to blend with surface topography, promote positive drainage and prevent ponding. d) Abandon the injection well in accordance with the Office of the State Engineer requirements pursuant to 19.27.4 NMAC and in accordance with 20.6.2.5209 NMAC. Within 180 days of ceasing to discharge to the Class I Non-Hazardous Waste UIC Well, the Permittee shall abandon the injection well in accordance with the Office of the State Engineer requirements and in accordance with the following closure measures of 20.6.2.5209 NMAC. a) The well shall be plugged in a manner which will not allow the movement of fluids through the well bore out of the injection zone or between other zones of groundwater. b) Prior to placement of the plugs, the well to be abandoned shall be in a state of static equilibrium with the mud weight equalized top to bottom, either by circulating the mud in the well at least once or by a comparable method approved by NMED. c) Placement of the plugs shall be accomplished by one of the following: (1) the balance method. (2) the dump bailer method. (3) the two-plug method. (4) an equivalent method with the approval of NMED. d) The following shall be considered by the secretary in determining the adequacy of a plugging and abandonment plan: (1) the type and number of plugs to be used; (2) the placement of each plug, including the elevation of the top and bottom; (3) the type, grade and quantity of cementing slurry to be used; (4) the method of placement of the plugs; (5) the procedure to be used to plug and abandon the well; and (6) such other factors that may affect the adequacy of the plan.

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	e) The Permittee shall retain all records concerning the nature and composition of injected fluids until five years after completion of any plugging and abandonment procedures. The Permittee shall continue groundwater monitoring until the Permittee meets the requirements of this condition and groundwater monitoring confirms for a minimum of eight consecutive quarterly groundwater sampling events that groundwater does not exceed the standards of Section 20.6.2.3103 NMAC. This period is referred to as "post-closure." If at any time monitoring results show an exceedance of a groundwater quality standard in Section 20.6.2.3103 NMAC, the Permittee shall implement the Contingency Plan required by this Discharge Permit. Following notification from NMED that the Permittee may cease post-closure monitoring, the Permittee shall plug and abandon the monitoring wells in accordance with the attached Monitoring Well Guidance. 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. [Subsections B, C and D of 20.6.2.5209 NMAC]
42.	Within nine (9) months of the issuance date of this Discharge Permit (**by DATE**), the Permittee shall submit a detailed closure plan for NMED's approval to prevent the exceedance of standards of 20.6.2.3103 NMAC in groundwater after the cessation of operation. The closure plan shall include at least a 30% level of design, a description of closure measures, maintenance and monitoring plans, post-closure maintenance and monitoring plans, and other measures necessary to prevent or abate such contamination, e.g., a corrective action plan. The Permittee shall ensure that the closure plan is sufficiently detailed to address the steps necessary to close the Class I Non-Hazardous Waste UIC Well, and any other wastewater-related infrastructure. Further, the detailed closure plan shall address sludge de-watering (as necessary), characterization of wastes to be disposed on-site and off-site, restoration of vegetation, the plugging and abandonment of monitoring wells, all post-closure activities, and ongoing maintenance for all impoundments, irrigation infrastructure, and any other wastewater related infrastructure.

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	The Permittee shall ensure, as necessary, that the closure plan addresses all necessary corrective actions, that at a minimum addresses actions to delineate the nature and extent of any groundwater contamination, contaminant source control measures, and any actions to abate water pollution consistent with the requirements and provisions of Section 20.6.2.4101 as approved by NMED. The Permittee shall ensure that the closure plan addresses post-closure care, including the continued groundwater monitoring required under the Discharge Permit. NMED considers all closure and post-closure activities to constitute "complete closure." The Permittee shall ensure the closure plan has sufficient detail to estimate the cost of complete closure of all wastewater related infrastructure, post-closure monitoring, and all necessary corrective actions for the purpose of establishing and maintaining financial assurance. The detailed closure plan shall provide sufficient detail to estimate the cost of operation and maintenance of the groundwater monitoring system. Inherent in this detail is an estimate of the time (after the cessation of Facility operation) that the groundwater monitoring system will have to remain in place and in operation, i.e., until WQCC groundwater standards have been met for at least eight consecutive quarters. [Subsection A of 20.6.2.3107]
43.	Within 90 days from the date of NMED's approval of the closure plan, the Permittee shall submit a detailed cost estimate (Estimate) for NMED's approval based on the detailed closure plan for complete closure required by Condition 42. The Estimate shall be based on the cost of hiring a third party to conduct complete closure. The Estimate shall include direct costs associated with third-party implementation of the closure plan, contingency costs in the amount of 15 percent of the direct costs, the cost of an independent project manager and contract administration, and NMED oversight and administration costs, including indirect costs. The Estimate shall forecast the worst-case scenario for complete closure over the five-year period of this Discharge Permit; if a new permit is not issued after five years, the Estimate for the worst-case scenario shall be updated annually each year after five years and any financial assurance shall be adjusted accordingly. The Permittee shall adjust the Estimate for inflation over the five-year period for complete closure and shall project the amount needed for each of the five years for the worst-case scenario for all activities included in complete closure. [Subsection A of 20.6.2.3107]

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#	Terms and Conditions
44.	Within 90 days from the date of NMED's approval of the closure cost estimate (Estimate), the Permittee shall submit to NMED for approval its proposed financial assurance instrument(s) that meets the requirements below. a) The amount of financial assurance shall be sufficient to cover the cost of implementing complete closure as described in the closure plan and the Estimate required by Conditions 42 and 43 of this Discharge Permit. The Permittee shall not propose any form of self-guarantee. The financial assurance instrument(s) shall ensure that funds will be available to implement complete closure if at any time the Permittee is unable, unwilling, or otherwise fails to implement any portion of the closure plan as required by this Discharge Permit. If the financial assurance instrument(s) entails incremental costs of maintaining the instrument(s), i.e., costs for a trustee, the Permittee shall increase the amount of the financial assurance to include all such costs. b) The Permittee shall name NMED as the sole beneficiary in each financial assurance instrument(s). c) The financial assurance instrument(s) shall include a method for adjustments due to changes in inflation, new technologies, and NMED approved revisions to the closure plan based on continued investigations or other information and shall be adjusted no less frequently than every five years such that, at all times, the amount of financial assurance provided by the Permittee shall be sufficient to perform complete closure at any time during the following five years from the update. d) Within 30 days after NMED approves the draft financial assurance instrument(s) the Permittee shall execute the financial assurance instrument and submit it to NMED for final acceptance. e) Within 30 days of the implementation of the financial assurance instrument(s), the Permittee shall establish a trust to receive and disburse funds, which may arise as the result of forfeiture of financial assurance. The trust shall name NMED as the beneficiary. The trust agreement shall be in a form satisfactory to the State Board of Finance and shall be subject to approval by the Governor pursuant to NMSA 1978, § 46-4-1 through 9. The Permittee shall maintain the trust until complete closure has occurred and NMED terminates any existing discharge permit in effect at the time. Upon forfeiture of financial assurance, the forfeited amount shall transfer from the financial assurance instrument into the trust for use by NMED or a third-party for any activities or costs related to complete closure. f) The Permittee may propose alternative financial assurance instrument(s) from time to time subject to NMED's written approval and acceptance. The Permittee shall not replace any approved financial assurance instrument(s) without NMED's written approval.

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#	Terms and Conditions
	g) Unless released by NMED in writing, the financial assurance instrument(s) shall remain in effect until complete closure and final termination of this Discharge Permit and shall remain in place at all times, including lapses in Discharge Permit coverage, late Discharge Permit renewal, or temporary shutdown of facilities covered under this Discharge Permit. h) Should circumstances warrant more frequent adjustments than provided for in the approved financial assurance instrument(s), NMED may require them in writing and the Permittee shall make the adjustment within 180 days. i) No more frequently than once every 12 months, the Permittee may request that NMED review remaining activities required for complete closure, including alternate closure activities that NMED has approved. The Permittee's request for review shall describe the activities that have been completed and shall contain an updated Estimate for all remaining complete closure activities. If NMED approves the Permittee's description of activities that have been completed, the remaining activities of complete closure, and the Estimate for remaining complete closure activities, NMED will notify the Permittee of appropriate adjustments that the Permittee may make to the amount of financial assurance. When the WQCC revises the financial assurance regulations and those regulations become effective, the Permittee shall evaluate and, if necessary, revise the financial assurance instrument to comply with the revised WQCC regulations. [Subsection A of 20.6.2.3107]
45.	The Permittee shall adhere to the following stipulations for cancellation, non-renewal, forfeiture, or release of the financial assurance instrument(s). a) Cancellation or Non-renewal: Each financial assurance instrument shall require the financial assurance provider to give at least 120 days written notice to NMED and the Permittee prior to cancellation or non-renewal of the financial assurance instrument. If NMED receives notice of cancellation or non-renewal from a financial assurance provider, the Permittee shall propose an alternate financial assurance mechanism to NMED within 30 days of the notice. If NMED approves the alternate financial assurance mechanism, the Permittee shall execute it and submit it to NMED for final acceptance within 30 days of NMED approval. If the Permittee fails to obtain alternate financial assurance acceptable to NMED within 30 days of NMED approval, the current financial assurance shall be subject to forfeiture. b) Forfeiture: If NMED determines that implementation of all or any part of

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	complete closure is required and that the Permittee is unable or unwilling or will otherwise fail to conduct all or any part of complete closure as required by this Discharge Permit, then NMED may proceed with forfeiture of all or part of the financial assurance. Prior to beginning a forfeiture proceeding, NMED will provide written notice by certified mail to the Permittee and to all financial assurance providers, if applicable. NMED's notice will inform the parties of the determination to forfeit all or a portion of the financial assurance. If NMED's access to the financial assurance is threatened due to time constraints, NMED may begin a forfeiture proceeding and provide written notice contemporaneously with that proceeding. NMED's written notice will state the reasons for the forfeiture and the amount to be forfeited. The forfeited amount shall be based on the total cost of performing complete closure in accordance with this Discharge Permit and all applicable laws and regulations. NMED will also advise the Permittee and all financial assurance providers, if applicable, of the conditions under which forfeiture may be avoided. Such conditions may include an agreement that the Permittee, a financial assurance provider, or an NMED-approved third party, will perform complete closure in accordance with this Discharge Permit and all applicable laws and regulations, and the entity has demonstrated it has the financial ability and technical qualifications to do so. All financial assurance forfeited shall become immediately payable to the trust or as otherwise provided in the NMED-approved instrument. NMED or a third-party will utilize forfeited funds to perform complete closure. If the forfeited amount is insufficient, the Permittee shall be liable for the remaining costs. If the amount forfeited is more than necessary to complete closure, NMED will refund the excess amount to the entity from whom it was collected. c) Release: NMED will release or modify the financial assurance instrument when NMED determines that all activities of complete closure have been performed according to the closure plan requirements of this Discharge Permit and the Discharge Permit has been terminated. [Subsection A of 20.6.2.3107]

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E. GENERAL TERMS AND CONDITIONS

#	Terms and Conditions
46.	RECORD KEEPING - The Permittee shall maintain a written record of the following: • 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: o the dates, location and times of sampling or field measurements; o the name and job title of the individuals who performed each sample collection or field measurement; o the sample analysis date of each sample; o the name and address of the laboratory, and the name of the signatory authority for the laboratory analysis; o the analytical technique or method used to analyze each sample or collect each field measurement; o the results of each analysis or field measurement, including raw data; o the results of any split, spiked, duplicate or repeat sample; and o a copy of the laboratory analysis chain-of-custody as well as a description of the quality assurance and quality control procedures used.

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#	Terms and Conditions
	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. [Subsections A and D of 20.6.2.3107 NMAC]
47.	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. [Subsection A of 20.6.2.3107 NMAC]
48.	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. 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. 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. [Subsection D of 20.6.2.3107 NMAC, NMSA 1978, §§ 74-6-9.B and 74-6-9.E]
49.	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. [Subsection D of 20.6.2.3107 NMAC]
50.	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

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#	Terms and Conditions
	(which may require modification of this Discharge Permit) prior to implementing such changes. [Subsection C of 20.6.2.3107 NMAC, Subsections E and G of 20.6.2.3109 NMAC]
51.	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. 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. [Subsections A and C of 20.6.2.1202 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]
52.	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. [20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10 and 74-6-10.1]
53.	CRIMINAL PENALTIES – No person shall: • 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

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#	Terms and Conditions
	• Fail to monitor, sample or report as required by a permit issued pursuant to a state or federal law or regulation. 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. [20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10.2.A through 74-6-10.2.F]
54.	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. [NMSA 1978, § 74-6-5.L]
55.	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. [20.6.2.3112 NMAC, NMSA 1978, § 74-6-5.O]
56.	TRANSFER of DISCHARGE PERMIT - A Class I Non- Hazardous Waste UIC Well or Class III UIC Well discharge permit may be transferred if: a) The secretary receives written notice 30 days prior to the transfer date; and b) The secretary does not object prior to the proposed transfer date; the secretary may require modification of the Discharge Permit as a condition of transfer, and may require demonstration of adequate financial responsibility. The written notice required by Subparagraph (a) of Paragraph (2) of Subsection H above shall:

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#	Terms and Conditions
	a) Have been signed by the Permittee and the succeeding Permittee, including an acknowledgement that the succeeding Permittee shall be responsible for compliance with the discharge permit upon taking possession of the facility; and b) set a specific date for transfer of Discharge Permit responsibility, coverage and liability; and c) include information relating to the succeeding Permittee's financial responsibility required by Paragraph (17) of Subsection B of 20.6.2.5210 NMAC. [Subsection H of 20.6.2.5101 NMAC]
57.	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. Permit fees are associated with issuance 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. [Subsection F of 20.6.2.3114 NMAC, NMSA 1978, § 74-6-5.K]

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New Mexico Environment Department Ground Water Quality Bureau

Discharge Permit Summary

Facility Information

Facility Name Eastern New Mexico Rural Water System – Water Treatment Plant
Discharge Permit Number DP-1999

Legally Responsible Party

Eastern New Mexico Water Utility Authority
Jacquelynn Bowens, Administrator
5140 North Prince Street
Clovis, New Mexico 88101
(575) 935-4262

Treatment, Disposal and Site Information

Primary Waste Type Industrial
Facility Type Municipal Water Supply

Discharge Locations

Type	Designation	Description & Comments
Class I Non-Hazardous Underground Injection Control Well	Injection Well #1	Wolfcamp and Pennsylvanian formations at a depth of approximately 6,270 – 7,200 feet below ground level using a deep Class I Non-Hazardous Underground Injection Control Well for disposal

Flow Metering Locations

Type	Designation	Description & Comments
Totalizing Flow Meter	Flow Meter	One meter (i.e., totalizing flow meter; primary measurement device, hours recorder) to be installed on the influent line to measure the volume of wastewater injected into the Class I Non-Hazardous UIC Well

Ground Water Monitoring Locations

Type	Designation	Description & Comments
Monitoring Well	MW-1	Upgradient of the Facility
Monitoring Well	MW-2a	20 to 50 feet hydrologically downgradient of the deep Class I Non-Hazardous UIC Well and screened within first water and the vadose zone
Monitoring Well	MW-2b	20 to 50 feet hydrologically downgradient of the deep Class I Non-Hazardous UIC Well and screened within the regional aquifer
Monitoring Well	MW-3a	Alternate location from MW-2a and 20 to 50 feet hydrologically downgradient of the deep Class I Non-Hazardous UIC Well and screened within first water and the vadose zone
Monitoring Well	MW-3b	Alternate location from MW-2b and 20 to 50 feet hydrologically downgradient of the deep Class I Non-Hazardous UIC Well and screened within the regional aquifer

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Depth-to-Ground Water	440 feet
Total Dissolved Solids (TDS)	300 mg/L

Permit Information

Current Action	Original Permit Issuance
Application Received	October 7, 2025
Public Notice Published	[not yet published]
Permit Issued (Issuance Date)	[issuance date]
Permitted Discharge Volume	367,200 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	Shivanna Moriarty
Lead Staff Telephone Number	(505) 795-3473
Lead Staff Email	shivanna.moriarty@env.nm.gov or pps.general@env.nm.gov

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NEW MEXICO ENVIRONMENT DEPARTMENT
GROUND WATER QUALITY BUREAU
MONITORING WELL CONSTRUCTION AND ABANDONMENT GUIDELINES

Purpose: These guidelines identify minimum construction and abandonment details for installation of water table monitoring wells under groundwater Discharge Permits issued by the NMED's Ground Water Quality Bureau (GWQB) and Abatement Plans approved by the GWQB. Proposed locations of monitoring wells required under Discharge Permits and Abatement Plans and requests to use alternate installation and/or construction methods for water table monitoring wells or other types of monitoring wells (e.g., deep monitoring wells for delineation of vertical extent of contaminants) must be submitted to the GWQB for approval prior to drilling and construction.

General Drilling Specifications:

1. All well drilling activities must be performed by an individual with a current and valid well driller license issued by the State of New Mexico in accordance with 19.27.4 NMAC. Use of drillers with environmental well drilling experience and expertise is highly recommended.
2. Drilling methods that allow for accurate determinations of water table locations must be employed. All drill bits, drill rods, and down-hole tools must be thoroughly cleaned immediately prior to the start of drilling. The borehole diameter must be drilled a minimum of 4 inches larger than the casing diameter to allow for the emplacement of sand and sealant.
3. After completion, the well should be allowed to stabilize for a minimum of 12 hours before development is initiated.
4. The well must be developed so that formation water flows freely through the screen and is not turbid, and all sediment and drilling disturbances are removed from the well.

Well Specifications (see attached monitoring well schematic):

5. Schedule 40 (or heavier) polyvinyl chloride (PVC) pipe, stainless steel pipe, carbon steel pipe, or pipe of an alternate appropriate material that has been approved for use by NMED must be used as casing. The casing must have an inside diameter not less than 2 inches. The casing material selected for use must be compatible with the anticipated chemistry of the groundwater and appropriate for the contaminants of interest at the facility. The casing material and thickness selected for use must have sufficient collapse strength to withstand the pressure exerted by grouts used as annular seals and thermal properties sufficient to withstand the heat generated by the hydration of cement-based grouts. Casing sections may be joined using welded, threaded, or mechanically locking joints; the method selected must provide sufficient joint strength for the specific well installation. The casing must extend from the top of the screen to at least one foot above ground surface. The top of the casing must be fitted with a removable cap, and the exposed casing must be protected by a locking steel well shroud. The shroud must be large enough in diameter to allow easy access for removal of the cap. Alternatively, monitoring wells may be completed below grade. In this case, the casing must extend from the top of the screen to 6 to 12 inches below the ground surface; the monitoring wells must be sealed with locking, expandable well plugs; a flush-mount, watertight well vault that is rated to withstand traffic loads must be emplaced around the wellhead; and the cover must be secured with at least one bolt. The vault cover must indicate that the wellhead of a monitoring well is contained within the vault.
6. A 20-foot section (maximum) of continuous-slot, machine slotted, or other manufactured PVC or stainless steel well screen or well screen of an alternate appropriate material that has been approved for use by NMED must be installed across the water table. Screens created by cutting slots into solid casing with saws or other tools must not be used. The screen material selected for use must be compatible with the anticipated chemistry of the ground water and appropriate for the contaminants of interest at the facility. Screen sections may be joined using welded, threaded, or mechanically

locking joints; the method selected must provide sufficient joint strength for the specific well installation and must not introduce constituents that may reasonably be considered contaminants of interest at the facility. A cap must be attached to the bottom of the well screen; sumps (i.e., casing attached to the bottom of a well screen) should not be installed. The bottom of the screen must be installed no more than 15 feet below the water table; the top of the well screen must be positioned not less than 5 feet above the water table. The well screen slots must be appropriately sized for the formation materials and should be selected to retain 90 percent of the filter pack. A slot size of 0.010 inches is generally adequate for most installations.

7. Casing and well screen must be centered in the borehole by placing centralizers near the top and bottom of the well screen.
8. A filter pack must be installed around the screen by filling the annular space from the bottom of the screen to 2 feet above the top of the screen with clean silica sand. The filter pack must be properly sized to prevent fine particles in the formation from entering the well; clean medium to coarse silica sand is generally adequate as filter pack material for 0.010-inch slotted well screen. For wells deeper than 30 feet, the sand must be emplaced by a tremmie pipe. The well should be surged or bailed to settle the filter pack and additional sand added, if necessary, before the bentonite seal is emplaced.
9. A bentonite seal must be constructed immediately above the filter pack by emplacing bentonite chips or pellets (3/8-inch in size or smaller) in a manner that prevents bridging of the chips/pellets in the annular space. The bentonite seal must be 3 feet in thickness and hydrated with clean water. Adequate time should be allowed for expansion of the bentonite seal before installation of the annular space seal.
10. The annular space above the bentonite seal must be sealed with cement grout or a bentonite-based sealing material acceptable to the State Engineer pursuant to 19.27.4 NMAC. A tremmie pipe must be used when placing sealing materials at depths greater than 20 feet below the ground surface. Annular space seals must extend from the top of the bentonite seal to the ground surface (for wells completed above grade) or to a level 3 to 6 inches below the top of casing (for wells completed below grade).
11. For monitoring wells finished above grade, a concrete pad (2-foot minimum radius, 4-inch minimum thickness) must be poured around the shroud and wellhead. The concrete and surrounding soil must be sloped to direct rainfall and runoff away from the wellhead. The installation of steel posts around the well shroud and wellhead is recommended for monitoring wells finished above grade to protect the wellhead from damage by vehicles or equipment. For monitoring wells finished below grade, a concrete pad (2-foot minimum radius, 4-inch minimum thickness) must be poured around the well vault and wellhead. The concrete and surrounding soil must be sloped to direct rainfall and runoff away from the well vault.

Abandonment:

12. Approval for abandonment of monitoring wells used for ground water monitoring in accordance with Discharge Permit and Abatement Plan requirements must be obtained from NMED prior to abandonment.
13. Well abandonment must be accomplished by removing the well casing and placing neat cement grout, bentonite-based plugging material, or other sealing material approved by the State Engineer for wells that encounter water pursuant to 19.27.4 NMAC from the bottom of the borehole to the ground surface using a tremmie pipe. If the casing cannot be removed, neat cement grout, bentonite-based plugging material, or other sealing material approved by the State Engineer must be placed in the well using a tremmie pipe from the bottom of the well to the ground surface.
14. After abandonment, written notification describing the well abandonment must be submitted to the NMED. Written notification of well abandonment must consist of a copy of the well plugging record submitted to the State Engineer in accordance with 19.27.4 NMAC, or alternate documentation containing the information to be provided in a well plugging record required by the State Engineer as specified in 19.27.4 NMAC.

Deviation from Monitoring Well Construction and Abandonment Requirements: Requests to construct water table monitoring wells or other types of monitoring wells for groundwater monitoring under groundwater Discharge Permits or Abatement Plans in a manner that deviates from the specified requirements must be submitted in writing to the GWQB. Each request must state the rationale for the proposed deviation from these requirements and provide detailed evidence supporting the request. The GWQB will approve or deny requests to deviate from these requirements in writing.

MONITORING WELL SCHEMATIC
(Not to Scale)

