



MICHELLE LUJAN GRISHAM  
GOVERNOR

JAMES C. KENNEY  
CABINET SECRETARY

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

September 5, 2024

Sylvia Baca, Director of Facilities Services  
New Mexico Highlands University  
P.O. Box 9000  
Las Vegas, NM 87701

**RE: Draft Discharge Permit Renewal, DP-1784, New Mexico Highlands University**

Dear Sylvia Baca:

The New Mexico Environment Department (NMED) hereby provides notice to New Mexico Highlands University of the proposed approval of Ground Water Discharge Permit Renewal, DP-1784, (copy enclosed), pursuant to Subsection H of 20.6.2.3108 NMAC. NMED will publish notice of the availability of the draft Discharge Permit in the near future for public review and comment and will forward a copy of that notice to you.

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

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

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

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

SCIENCE | INNOVATION | COLLABORATION | COMPLIANCE

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

Sylvia Baca, DP-1784

September 5, 2024

Page 2 of 2

Sincerely,

Andrew Romero, Water Resources Professional III

Encl: Draft Discharge Permit Renewal, DP-1784

Greg Martinez, Preventative Maintenance Manager, [martinezg@nmhu.edu](mailto:martinezg@nmhu.edu)

Denise Gallegos, [gldenise@flash.net](mailto:gldenise@flash.net)



**NEW MEXICO**  
**ENVIRONMENT DEPARTMENT**  
Ground Water Quality Bureau  
1190 Saint Francis Drive / PO Box 5469  
Santa Fe, NM 87502-5469  
Phone (505) 827-2900 Fax (505) 827-2965  
[www.env.nm.gov](http://www.env.nm.gov)



***Draft: September 5, 2024***

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

**Facility Name:** New Mexico Highlands University  
**Discharge Permit Number:** DP-1784  
**Facility Location:** 800 West National Avenue  
Las Vegas, NM

**County:** San Miguel

**Permittee:** New Mexico Highlands University  
Sylvia Baca, Director of Facilities Services  
**Mailing Address:** P.O. Box 9000  
Las Vegas, NM 87701

**Facility Contact:** Denise Gallegos  
**Telephone Number/Email:** 505-259-3004 / [gdenise@flash.net](mailto:gdenise@flash.net)

**Permitting Action:** Renewal  
**Permit Issuance Date:** DATE  
**Permit Expiration Date:** DATE

**NMED Permit Contact:** Andrew Romero, Water Resources Professional III  
**Telephone Number/Email:** 505-660-8624 / [andrewc.romero@env.nm.gov](mailto:andrewc.romero@env.nm.gov) or  
505-827-2900 / [pps.general@env.nm.gov](mailto:pps.general@env.nm.gov)

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

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Date

**TABLE OF CONTENTS**

**I. INTRODUCTION ..... 1**

**II. FINDINGS ..... 2**

**III. AUTHORIZATION TO DISCHARGE ..... 3**

**IV. CONDITIONS ..... 3**

**A. OPERATIONAL PLAN ..... 3**

    Operational Actions with Implementation Deadlines ..... 4

    Operating Conditions ..... 4

**B. MONITORING AND REPORTING ..... 7**

    Due Dates for Monitoring Reports ..... 7

    Facility Monitoring Conditions ..... 7

**C. CONTINGENCY PLAN ..... 8**

**D. CLOSURE PLAN ..... 10**

    Closure Actions with Implementation Deadlines ..... 10

    Permanent Facility Closure Conditions ..... 10

**E. GENERAL TERMS AND CONDITIONS ..... 11**

**ATTACHMENTS**

Discharge Permit Summary  
Fertilizer Log

## I. INTRODUCTION

The New Mexico Environment Department (NMED) issues this groundwater discharge permit Renewal (Discharge Permit or DP-1784) to New Mexico Highlands University (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 New Mexico Highlands University (Facility) in order to protect groundwater and those segments of surface water gaining from groundwater inflow for present and potential future use as domestic and agricultural water supply and other uses, and to protect public health. It is NMED's determination in issuing this Discharge Permit that the Permittee has met the requirements of Subsection C of 20.6.2.3109 NMAC. The Permittee is responsible for complying with the terms and conditions of this Discharge Permit pursuant to Section 20.6.2.3104 NMAC; failure to do so may result in enforcement action by NMED (20.6.2.1220 NMAC).

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

The Facility receives Class 1A reclaimed domestic wastewater at a volume of up to 35,000 gallons per day (gpd) from the City of Las Vegas Wastewater Treatment Facility. The Facility discharges reclaimed wastewater via spray irrigation to reuse areas on campus, including athletic fields, parks and landscaped areas.

### Discharge Permit Location Information:

|                          |   |
|--------------------------|---|
| Physical Address         | 800 West National Avenue                    |
| Nearest Town/City        | Las Vegas, New Mexico                       |
| Section, Township, Range | Sections 22 and 23, Township 16N, Range 16E |
| County                   | San Miguel                                  |
| Depth to Groundwater     | 7 ft  |
| Pre-Discharge TDS        | 1,400 to 6,200 mg/L                         |

### Discharge Permit Issuance History:

|                          |                  |
|--------------------------|------------------|
| Original Permit Issuance | November 8, 2012 |
| Permit Renewal           | October 7, 2019  |

The application (i.e., discharge plan) associated with this Discharge Permit consists of the materials submitted by the Permittee dated April 16, 2024, and materials contained in the administrative record prior to issuance of this Discharge Permit.

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

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

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

This Discharge Permit may use the following acronyms and abbreviations.

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

## II. FINDINGS

In issuing this Discharge Permit, NMED finds the following.

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

### III. AUTHORIZATION TO DISCHARGE

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

This Discharge Permit authorizes the Permittee to receive Class 1A reclaimed domestic wastewater from the City of Las Vegas Wastewater Treatment Facility at a volume up to 35,000 gpd. This Discharge Permit authorizes the Permittee to discharge reclaimed wastewater via spray irrigation to reuse areas on campus, including athletic fields, parks and landscaped areas, collectively reuse areas, totaling 5.5 acres.

[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.<br><br>[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.                                    |

| # | Terms and Conditions   |
|---|--|
|   | [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. | <p>Prior to discharging reclaimed domestic wastewater to a new reuse area on campus, the Permittee shall install the infrastructure necessary to transfer, distribute and apply reclaimed domestic wastewater. The Permittee shall ensure documentation confirming installation of the distribution system consists of a narrative statement including the system type and location, and the method of backflow prevention employed (if applicable). The Permittee shall provide this documentation to NMED prior to discharging to the reuse area.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>  |
| 4. | <p>Prior to discharging to a new reuse area on campus, the Permittee shall post signs in English and Spanish at the new reuse area. The Permittee shall post signs at the entrance to reuse areas and at other locations where public exposure to reclaimed domestic wastewater may occur. The signs shall state: <b>NOTICE: THIS AREA IS IRRIGATED WITH RECLAIMED WASTEWATER - DO NOT DRINK. AVISO: ESTA ÁREA ESTÁ REGADA CON AGUAS NEGRAS RECOBRADAS - NO TOMAR.</b> The Permittee may submit alternate wording and/or graphics to NMED for approval.</p> <p>Documentation of sign installation shall consist of a narrative statement describing the number and location of the signs and date-stamped photographs. The Permittee shall submit the documentation to NMED in the next required periodic monitoring report.</p> <p>[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]</p> |

***Operating Conditions***

| #  | Terms and Conditions  |
|----|---|
| 5. | <p>The Permittee shall ensure that Class 1A reclaimed domestic wastewater received from the City of Las Vegas Wastewater Treatment Facility does not exceed the following discharge limits.</p> |



| #  | Terms and Conditions   |                                      |                |         |                |     |         |  |                                    |                                      |                  |         |         |           |       |       |                   |              |              |  |  |
|--|--|--------------------------------------|----------------|---------|----------------|-----|---------|--|------------------------------------|--------------------------------------|------------------|---------|---------|-----------|-------|-------|-------------------|--------------|--------------|--|--|
|  | <table border="1"> <thead> <tr> <th data-bbox="415 310 711 359">Test</th> <th data-bbox="711 310 1008 359">30-day Average</th> <th data-bbox="1008 310 1305 359">Maximum</th> </tr> </thead> <tbody> <tr> <td data-bbox="415 359 711 407">Total Nitrogen</td> <td data-bbox="711 359 1008 407">N/A</td> <td data-bbox="1008 359 1305 407">10 mg/L</td> </tr> <tr> <td data-bbox="415 407 711 527">Fecal coliform<br/>OR<br/>E. coli bacteria</td> <td data-bbox="711 407 1008 527">5 CFU/100 mL<br/>OR<br/>3 CFU/100 mL</td> <td data-bbox="1008 407 1305 527">23 CFU/100 mL<br/>OR<br/>15 CFU/100 mL</td> </tr> <tr> <td data-bbox="415 527 711 575">BOD<sub>5</sub></td> <td data-bbox="711 527 1008 575">10 mg/L</td> <td data-bbox="1008 527 1305 575">15 mg/L</td> </tr> <tr> <td data-bbox="415 575 711 623">Turbidity</td> <td data-bbox="711 575 1008 623">3 NTU</td> <td data-bbox="1008 575 1305 623">5 NTU</td> </tr> <tr> <td data-bbox="415 623 711 659">UV Transmissivity</td> <td data-bbox="711 623 1008 659">Monitor Only</td> <td data-bbox="1008 623 1305 659">Monitor Only</td> </tr> </tbody> </table>  | Test                                 | 30-day Average | Maximum | Total Nitrogen | N/A | 10 mg/L | Fecal coliform<br>OR<br>E. coli bacteria | 5 CFU/100 mL<br>OR<br>3 CFU/100 mL | 23 CFU/100 mL<br>OR<br>15 CFU/100 mL | BOD <sub>5</sub> | 10 mg/L | 15 mg/L | Turbidity | 3 NTU | 5 NTU | UV Transmissivity | Monitor Only | Monitor Only |  |  |
| Test                                     | 30-day Average   | Maximum                              |                |         |                |     |         |  |                                    |                                      |                  |         |         |           |       |       |                   |              |              |  |  |
| Total Nitrogen                           | N/A  | 10 mg/L                              |                |         |                |     |         |  |                                    |                                      |                  |         |         |           |       |       |                   |              |              |  |  |
| Fecal coliform<br>OR<br>E. coli bacteria | 5 CFU/100 mL<br>OR<br>3 CFU/100 mL   | 23 CFU/100 mL<br>OR<br>15 CFU/100 mL |                |         |                |     |         |  |                                    |                                      |                  |         |         |           |       |       |                   |              |              |  |  |
| BOD <sub>5</sub>                         | 10 mg/L  | 15 mg/L                              |                |         |                |     |         |  |                                    |                                      |                  |         |         |           |       |       |                   |              |              |  |  |
| Turbidity                                | 3 NTU  | 5 NTU                                |                |         |                |     |         |  |                                    |                                      |                  |         |         |           |       |       |                   |              |              |  |  |
| UV Transmissivity                        | Monitor Only   | Monitor Only                         |                |         |                |     |         |  |                                    |                                      |                  |         |         |           |       |       |                   |              |              |  |  |
|  | [Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]   |                                      |                |         |                |     |         |  |                                    |                                      |                  |         |         |           |       |       |                   |              |              |  |  |
| 6.                                       | <p>The Permittee shall ensure adherence to the following general requirements for above-ground use of reclaimed domestic wastewater.</p> <ol style="list-style-type: none"> <li>a) The Permittee shall install and maintain signs in English and Spanish at all reuse areas such that they are visible and legible for the term of this Discharge Permit. The Permittee shall post signs at the entrance to reuse areas and at other locations where public exposure to reclaimed domestic wastewater may occur. The signs shall state: <b>NOTICE: THIS AREA IS IRRIGATED WITH RECLAIMED WASTEWATER - DO NOT DRINK. AVISO: ESTA ÁREA ESTÁ REGADA CON AGUAS NEGRAS RECOBRADAS - NO TOMAR.</b> The Permittee may submit alternate wording and/or graphics to NMED for approval.</li> <li>b) Reclaimed domestic wastewater systems shall have no direct or indirect cross connections with public water systems or irrigation wells pursuant to the latest revision of the New Mexico Plumbing Code (14.8.2 NMAC) and New Mexico Mechanical Code (14.9.2 NMAC).</li> <li>c) Above-ground use of reclaimed domestic wastewater shall not result in excessive ponding of wastewater and shall not exceed the water consumptive needs of the crop. The Permittee shall not discharge reclaimed domestic wastewater at times when the reuse area is saturated or frozen.</li> <li>d) The Permittee shall confine discharge of reclaimed domestic wastewater to the reuse area.</li> <li>e) Water supply wells within 200 feet of a reuse area shall have adequate wellhead construction pursuant to 19.27.4 NMAC.</li> <li>f) Existing and accessible portions of the reclaimed domestic wastewater distribution system (with the exception of application equipment such as sprinklers or pivots) shall be colored purple or clearly labeled as being part of a reclaimed domestic wastewater distribution system. Piping, valves, outlets, and other plumbing fixtures shall be purple pursuant to the latest revision of the New Mexico Plumbing Code (14.8.2 NMAC) and New Mexico Mechanical Code (14.9.2 NMAC) to differentiate</li> </ol> |                                      |                |         |                |     |         |  |                                    |                                      |                  |         |         |           |       |       |                   |              |              |  |  |

| #  | Terms and Conditions   |
|----|--|
|    | <p>piping or fixtures used to convey reclaimed wastewater from those intended for potable or other uses.</p> <p>g) Valves, outlets, and sprinkler heads used in reclaimed wastewater systems shall be accessible only to authorized personnel.</p> <p>The Permittee shall demonstrate adherence to these requirements by submitting documentation consisting of narrative statements and date-stamped photographs as appropriate. The Permittee shall submit the documentation to NMED once during the term of this Discharge Permit in the next required periodic monitoring report after the issuance of the Discharge Permit.</p> <p>[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1-78, § 74-6-5.D]</p>   |
| 7. | <p>The Permittee shall meet the following setbacks, access restrictions and equipment requirements for spray irrigation using Class 1A reclaimed domestic wastewater.</p> <p>a) No required setback between any dwellings or occupied establishments and the edge of the reuse area.</p> <p>b) Postpone irrigation using reclaimed domestic wastewater at times when windy conditions may result in drift of reclaimed wastewater outside the reuse area.</p> <p>c) No required access control.</p> <p>d) Limit spray irrigation system to low trajectory spray nozzles.</p> <p>[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1-78, § 74-5.D]</p>   |
| 8. | <p>The Permittee shall institute a backflow prevention method to protect wells and public water supply systems from contamination by reclaimed domestic wastewater prior to discharging to the reuse area. Backflow prevention shall be achieved by a total disconnect (physical air gap separation between the discharge pipe and the liquid surface at least twice the diameter of the discharge pipe), or by a reduced pressure principal backflow prevention assembly (RP) installed on the line between the fresh water supply wells or public water supply and the reclaimed domestic wastewater delivery system. The Permittee shall maintain backflow prevention at all times.</p> <p>The Permittee shall have RP devices inspected and tested by a certified backflow prevention assembly tester at the time of installation, repair or relocation and at least on an annual basis thereafter. The backflow prevention assembly tester shall have successfully completed a 40-hour backflow prevention course based on the University of Southern California's Backflow Prevention Standards and Test Procedures, and obtained certification demonstrating completion. The Permittee shall have all malfunctioning RP devices repaired or replaced within 30 days of discovery. The Permittee shall cease using supply lines associated with the RP device until repair or replacement is complete.</p> |

| # | Terms and Conditions   |
|---|--|
|   | <p>The Permittee shall maintain copies of the inspection and maintenance records and test results for each RP device associated with the backflow prevention program at a location available for inspection by NMED.</p> <p>[Subsection C of 20.6.2.3109 NMAC]</p> |

**B. MONITORING AND REPORTING**

| #   | Terms and Conditions   |
|-----|--|
| 9.  | <p>The Permittee shall conduct the monitoring, reporting, and other requirements listed below in accordance with the monitoring requirements of this Discharge Permit.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>   |
| 10. | <p><b>METHODOLOGY</b> – Unless otherwise specified by this Discharge Permit, or approved in writing by NMED, the Permittee shall use sampling and analytical techniques that conform with the references listed in Subsection B of 20.6.2.3107 NMAC.</p> <p>[Subsection B of 20.6.2.3107 NMAC]</p> |

***Due Dates for Monitoring Reports***

| #   | Terms and Conditions   |
|-----|--|
| 11. | <p>Semi-annual monitoring - The Permittee shall perform monitoring and other Permit required actions during the following periods and shall submit semi-annual reports to NMED by the following due dates:</p> <ul style="list-style-type: none"> <li>• January 1<sup>st</sup> through June 30<sup>th</sup> – <b>due by August 1<sup>st</sup></b>; and</li> <li>• July 1<sup>st</sup> through December 31<sup>st</sup> – <b>due by February 1<sup>st</sup></b>.</li> </ul> <p>[Subsection A of 20.6.2.3107 NMAC]</p> |

***Facility Monitoring Conditions***

| #   | Terms and Conditions  |
|-----|---|
| 12. | <p>The Permittee shall on a monthly basis estimate the volume of wastewater received by the Facility by submitting water bills from the City of Las Vegas Wastewater Treatment Facility showing the amount of water received by the Facility.</p> |

| #   | Terms and Conditions   |
|-----|--|
|     | <p>The Permittee shall submit the monthly water bills and notes and estimated volume of significant uses to NMED in the quarterly monitoring reports.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]</p>   |
| 13. | <p>The Permittee shall keep a Fertilizer Log (copy enclosed) of all additional nitrogenous fertilizer applied to <i>each</i> location within the reuse area. The Log shall contain the date of fertilizer application, the type (organic or inorganic) and form (granular or liquid), nitrogen concentration (in percent), the amount of fertilizer applied (in pounds per acre), and the amount of nitrogen applied (in pounds per acre) for each location. The Permittee shall submit the log, or a statement that application of fertilizer did not occur, to NMED in the subsequent quarterly monitoring report.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p> |

**C. CONTINGENCY PLAN**

| #   | Terms and Conditions   |
|-----|--|
| 14. | <p>In the event that groundwater exceeds a groundwater protection standard identified in Section 20.6.2.3103 NMAC as a result of this discharge, the Permittee shall submit to NMED a Corrective Action Plan (CAP) that proposes, at a minimum, contaminant source control measures and an implementation schedule. The Permittee shall implement the CAP following approval by NMED.</p> <p>The NMED may require the Permittee to abate water pollution consistent with the requirements and provisions of Section 20.6.2.4101, Section 20.6.2.4103, Subsections C and E of 20.6.2.4106, Section 20.6.2.4107, Section 20.6.2.4108 and Section 20.6.2.4112 NMAC.</p> <p>[20.6.2.3103 NMAC, Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]</p> |
| 15. | <p>In the event that a release occurs that is not authorized under this Discharge Permit (commonly known as a “spill”), the Permittee shall take measures to mitigate damage from the unauthorized discharge and initiate the notifications and corrective actions required in Section 20.6.2.1203 NMAC and summarized below. A release is defined as such quantity as may with reasonable probability injure or be detrimental to human health, animal or plant life, or property, or unreasonably interfere with the public welfare or the use of property.</p>  |

| #   | Terms and Conditions  |
|-----|---|
|     | <p>Within <u>24 hours</u> following discovery of the unauthorized discharge, the Permittee shall verbally notify NMED and provide the following information.</p> <ul style="list-style-type: none"><li>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.</li><li>b) The name and address of the Facility.</li><li>c) The date, time, location, and duration of the unauthorized discharge.</li><li>d) The source and cause of unauthorized discharge.</li><li>e) A description of the unauthorized discharge, including its estimated chemical composition.</li><li>f) The estimated volume of the unauthorized discharge.</li><li>g) Any actions taken to mitigate immediate damage from the unauthorized discharge.</li></ul> <p>Within <u>one week</u> following discovery of the unauthorized discharge, the Permittee shall submit written notification to NMED providing the information listed above and any pertinent updates.</p> <p>Within <u>15 days</u> following discovery of the unauthorized discharge, the Permittee shall submit a CAP to NMED describing any corrective actions previously taken and corrective actions to be taken relative to the unauthorized discharge. The CAP shall include the following information.</p> <ul style="list-style-type: none"><li>a) A description of proposed actions to mitigate damage from the unauthorized discharge.</li><li>b) A description of proposed actions to prevent future unauthorized discharges of this nature.</li><li>c) A schedule for completion of proposed actions.</li></ul> <p>In the event that the unauthorized discharge causes or may with reasonable probability cause water pollution in excess of the standards and requirements of Section 20.6.2.4103 NMAC, and the water pollution will not be abated within 180 days after notice is required to be given pursuant to Paragraph (1) of Subsection A of 20.6.2.1203 NMAC, NMED may require the Permittee to abate water pollution pursuant to Sections 20.6.2.4000 through 20.6.2.4115 NMAC.</p> <p>The Permittee shall not construe anything in this condition as relieving them of the obligation to comply with all requirements of Section 20.6.2.1203 NMAC.</p> <p>[20.6.2.1203 NMAC]</p> |
| 16. | 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  |

| # | Terms and Conditions   |
|---|--|
|   | <p>the Permittee to submit a CAP and a schedule for completion of corrective actions to address the failure(s). Additionally, NMED may require a discharge permit modification to achieve compliance with 20.6.2 NMAC.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]</p> |

**D. CLOSURE PLAN**

***Closure Actions with Implementation Deadlines***

| #   | Terms and Conditions  |
|-----|---|
| 17. | <p>Within 90 days of the issuance date of this Discharge Permit (<b>by DATE</b>), the Permittee shall commence the following closure measures on the 12,000-gallon above-ground re-use storage tank that leaks and is no longer in use.</p> <ul style="list-style-type: none"> <li>a) Wastewater in the 12,000-gallon above-ground re-use storage tank and in any associated re-use system components that are no longer in use shall be drained and disposed of in accordance with all local, state, and federal regulations, or discharged from the 12,000-gallon above-ground re-use storage tank to the re-use area as authorized by this Discharge Permit.</li> <li>b) Solids removed from the 12,000-gallon above-ground re-use storage tank and in any associated re-use system components that are no longer in use shall be contained, transported, and disposed of in accordance with all local, state, and federal regulations, including 40 CFR Part 503. The Permittee shall maintain a record of all solids transported for off-site disposal.</li> <li>c) Remove all lines leading to and from the 12,000-gallon above-ground re-use storage tank or permanently plug and abandon them in place so that a discharge can no longer occur.</li> </ul> <p>The Permittee shall submit a report documenting completion of all closure requirements within one year of the issuance date of this Discharge Permit, (<b>by DATE</b>).</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p> |

***Permanent Facility Closure Conditions***

| #   | Terms and Conditions  |
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| 18. | <p>In the event the Permittee elects to no longer receive reclaimed wastewater, the Permittee shall perform the following closure measures.</p> |

| # | Terms and Conditions  |
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|   | <p>Within <u>90 days</u> of ceasing to discharge reclaimed domestic wastewater, the Permittee shall complete the following closure measures.</p> <ol style="list-style-type: none"> <li>a) The reclaimed wastewater transfer lines leading to the re-use infrastructure shall be plugged so that a transfer can no longer occur.</li> <li>b) Wastewater in the re-use infrastructure system components shall be evaporated, or drained and disposed of in accordance with all local, state, and federal regulations, or discharged from the system to the re-use areas as authorized by this Discharge Permit.</li> </ol> <p>Within <u>180 days</u> of ceasing to discharge reclaimed domestic wastewater, the Permittee shall complete the following closure measures.</p> <ol style="list-style-type: none"> <li>a) Remove all lines leading to and from the re-use infrastructure, or permanently plug them and abandon them in place.</li> <li>b) Remove or demolish all re-use infrastructure system components, and re-grade area with suitable fill to blend with surface topography, promote positive drainage and prevent ponding.</li> </ol> <p>When all closure and requirements have been met, the Permittee may submit a written request for termination of the Discharge Permit to NMED.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection D of 20.6.2.4103 NMAC, 40 CFR Part 503]</p> |

**E. GENERAL TERMS AND CONDITIONS**

| #   | Terms and Conditions   |
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| 19. | <p>RECORD KEEPING - The Permittee shall maintain a written record of the following:</p> <ul style="list-style-type: none"> <li>• Information and data used to complete the application for this Discharge Permit;</li> <li>• Information, data, and documents demonstrating completion of closure activities;</li> <li>• Any releases (commonly known as “spills”) not authorized under this Discharge Permit and reports submitted pursuant to 20.6.2.1203 NMAC;</li> <li>• The operation, maintenance, and repair of all facilities/equipment used to treat, store or dispose of wastewater;</li> <li>• 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;</li> <li>• Copies of logs, inspection reports, and monitoring reports completed and/or submitted to NMED pursuant to this Discharge Permit;</li> </ul> |

| #   | Terms and Conditions  |
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|     | <ul style="list-style-type: none"> <li>• The volume of wastewater or other wastes discharged pursuant to this Discharge Permit;</li> <li>• Groundwater quality and wastewater quality data collected pursuant to this Discharge Permit;</li> <li>• Copies of construction records (well log) for all sampled groundwater monitoring wells pursuant to this Discharge Permit;</li> <li>• The maintenance, repair, replacement or calibration of any monitoring equipment or flow measurement devices required by this Discharge Permit; and</li> <li>• Data and information related to field measurements, sampling, and analysis conducted pursuant to this Discharge Permit, including:               <ul style="list-style-type: none"> <li>○ the dates, location and times of sampling or field measurements;</li> <li>○ the name and job title of the individuals who performed each sample collection or field measurement;</li> <li>○ the sample analysis date of each sample;</li> <li>○ the name and address of the laboratory, and the name of the signatory authority for the laboratory analysis;</li> <li>○ the analytical technique or method used to analyze each sample or collect each field measurement;</li> <li>○ the results of each analysis or field measurement, including raw data;</li> <li>○ the results of any split, spiked, duplicate or repeat sample; and</li> <li>○ a copy of the laboratory analysis chain-of-custody as well as a description of the quality assurance and quality control procedures used.</li> </ul> </li> </ul> <p>The Permittee shall maintain the written record at a location accessible to NMED during a Facility inspection for a minimum of five years. The Permittee shall make the record available to NMED upon request.</p> <p>[Subsections A and D of 20.6.2.3107 NMAC]</p> |
| 20. | <p>SUBMITTALS – The Permittee shall submit both a paper copy and an electronic copy of all notification and reporting documents required by this Discharge Permit, e.g., monitoring reports. The Permittee shall submit paper and electronic documents to the NMED Permit Contact identified on the Permit cover page.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>  |
| 21. | <p>INSPECTION and ENTRY – The Permittee shall allow NMED to inspect the Facility and its operations that are subject to this Discharge Permit and the WQCC regulations. NMED may upon presentation of proper credentials, enter at reasonable times upon or through any premises in which a water contaminant source is located or in which any maintained</p>  |



| #   | Terms and Conditions   |
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|     | <p>records required by this Discharge Permit, the regulations of the federal government, or the WQCC are located.</p> <p>The Permittee shall allow NMED to have access to and reproduce for their use any copy of the records, and to perform assessments, sampling or monitoring during an inspection for the purpose of evaluating compliance with this Discharge Permit and the WQCC regulations.</p> <p>No person shall construe anything in this Discharge Permit as limiting in any way the inspection and entry authority of NMED under the WQA, the WQCC Regulations, or any other local, state or federal regulations.</p> <p>[Subsection D of 20.6.2.3107 NMAC, NMSA 1978, §§ 74-6-9.B and 74-6-9.E]</p>   |
| 22. | <p><b>DUTY to PROVIDE INFORMATION</b> - The Permittee shall, upon NMED's request, allow for NMED's inspection/duplication of records required by this Discharge Permit and/or furnish to NMED copies of such records.</p> <p>[Subsection D of 20.6.2.3107 NMAC]</p>  |
| 23. | <p><b>MODIFICATIONS and/or AMENDMENTS</b> – In the event the Permittee proposes a change to the Facility or the Facility's discharge that would result in a change in the volume discharged; the location of the discharge; or in the amount or character of water contaminants received, treated or discharged by the Facility, the Permittee shall notify NMED prior to implementing such changes. The Permittee shall obtain NMED's approval (which may require modification of this Discharge Permit) prior to implementing such changes.</p> <p>[Subsection C of 20.6.2.3107 NMAC, Subsections E and G of 20.6.2.3109 NMAC]</p>   |
| 24. | <p><b>PLANS and SPECIFICATIONS</b> – In the event the Permittee proposes to construct a wastewater system or change a process unit of an existing system such that the quantity or quality of the discharge will change substantially from that authorized by this Discharge Permit, the Permittee shall submit construction plans and specifications of the proposed system or process unit to NMED for approval prior to the commencement of construction.</p> <p>In the event the Permittee implements changes to the wastewater system authorized by this Discharge Permit that result in only a minor effect on the character of the discharge, the Permittee shall report such changes (including the submission of record drawings where applicable) to NMED prior to implementation.</p> |

| #   | Terms and Conditions  |
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|     | [Subsections A and C of 20.6.2.1202 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]   |
| 25. | <p>CIVIL PENALTIES - Any violation of the requirements and conditions of this Discharge Permit, including any failure to allow NMED staff to enter and inspect records or facilities, or any refusal or failure to provide NMED with records or information, may subject the Permittee to a civil enforcement action. Pursuant to WQA 74-6-10(A) and (B), such action may include a compliance order requiring compliance immediately or in a specified time, assessing a civil penalty, modifying or terminating the Discharge Permit, or any combination of the foregoing; or an action in district court seeking injunctive relief, civil penalties, or both. Pursuant to WQA 74-6-10(C) and 74-6-10.1, civil penalties of up to \$15,000 per day of noncompliance may be assessed for each violation of the WQA 74-6-5, the WQCC Regulations, or this Discharge Permit, and civil penalties of up to \$10,000 per day of noncompliance may be assessed for each violation of any other provision of the WQA, or any regulation, standard, or order adopted pursuant to such other provision. In any action to enforce this Discharge Permit, the Permittee waives any objection to the admissibility as evidence of any data generated pursuant to this Discharge Permit.</p> <p>[20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10 and 74-6-10.1]</p>  |
| 26. | <p>CRIMINAL PENALTIES – No person shall:</p> <ul style="list-style-type: none"> <li>• 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;</li> <li>• Falsify, tamper with or render inaccurate any monitoring device, method or record maintained under the WQA; or</li> <li>• Fail to monitor, sample or report as required by a permit issued pursuant to a state or federal law or regulation.</li> </ul> <p>Any person who knowingly violates or knowingly causes or allows another person to violate the requirements of this condition is guilty of a fourth-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who is convicted of a second or subsequent violation of the requirements of this condition is guilty of a third-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition or knowingly causes another person to violate the requirements of this condition and thereby causes a substantial adverse environmental impact is guilty of a third-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition and knows at the time of the violation that he is creating a substantial danger of death or serious bodily injury to any other person is guilty of a second degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15.</p> |

| #   | Terms and Conditions  |
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|     | <p>[20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10.2.A through 74-6-10.2.F]</p>  |
| 27. | <p>COMPLIANCE with OTHER LAWS - Nothing in this Discharge Permit shall be construed in any way as relieving the Permittee of the obligation to comply with any other applicable federal, state, and/or local laws, regulations, zoning requirements, nuisance ordinances, permits or orders.</p> <p>[NMSA 1978, § 74-6-5.L]</p>   |
| 28. | <p>RIGHT to APPEAL - The Permittee may file a petition for review before the WQCC on this Discharge Permit. Such petition shall be in writing to the WQCC within thirty days of the receipt of postal notice of this Discharge Permit and shall include a statement of the issues raised and the relief sought. Unless the Permittee files a timely petition for review, the decision of NMED shall be final and not subject to judicial review.</p> <p>[20.6.2.3112 NMAC, NMSA 1978, § 74-6-5.O]</p>   |
| 29. | <p>TRANSFER of DISCHARGE PERMIT - Prior to the transfer of any ownership, control, or possession of this Facility or any portion thereof, the Permittee shall:</p> <ul style="list-style-type: none"> <li>• Notify the proposed transferee in writing of the existence of this Discharge Permit;</li> <li>• Include a copy of this Discharge Permit with the notice; and</li> <li>• Deliver or send by certified mail to NMED a copy of the notification and proof that the proposed transferee has received such notification.</li> </ul> <p>The Permittee shall continue to be responsible for any discharge from the Facility, until both ownership and possession of the Facility have been transferred to the transferee.</p> <p>[20.6.2.3111 NMAC]</p>  |
| 30. | <p>PERMIT FEES – The Permittee shall be aware that the payment of permit fees is due at the time of Discharge Permit approval. The Permittee may pay the permit fees in a single payment or they may pay the fee in equal installments on a yearly basis over the term of the Discharge Permit. The Permittee shall remit single payments to NMED no later than 30 days after the Discharge Permit issuance date. The Permittee shall remit initial installment payments to NMED no later than 30 days after the Discharge Permit issuance date; with subsequent installment payments remitted to NMED no later than the anniversary of the Discharge Permit issuance date.</p> <p>Permit fees are associated with <u>issuance</u> of this Discharge Permit. No person shall construe anything in this Discharge Permit as relieving the Permittee of the obligation to</p> |

| # | Terms and Conditions  |
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|   | <p>pay all permit fees assessed by NMED. A Permittee that ceases discharging or does not commence discharging from the Facility during the term of the Discharge Permit shall pay all permit fees assessed by NMED. NMED shall suspend or terminate an approved Discharge Permit if the Permittee fails to remit an installment payment by its due date.</p> <p>[Subsection F of 20.6.2.3114 NMAC, NMSA 1978, § 74-6-5.K]</p> |

draft



**New Mexico Environment Department Ground Water Quality Bureau  
Discharge Permit Summary**

**Facility Information**

**Facility Name** New Mexico Highlands University  
**Discharge Permit Number** DP-1784  
**Legally Responsible Party** Sylvia Baca, Director of Facilities Services  
 New Mexico Highlands University  
 P.O. Box 9000  
 Las Vegas, NM 87701  
 (505) 454-3260

**Treatment, Disposal and Site Information**

**Primary Waste Type** Domestic  
**Facility Type** Educational Institution

**Discharge Locations**

| Type        | Designation      | Description & Comments   |
|-------------|------------------|--|
| Re-use Area | TK-12K           | 12,000-gallon above-ground polyethylene tank on concrete pad, formerly received reclaimed domestic wastewater from City of Las Vegas (CLV) WWTF re-use line, required to be disconnected by this Discharge Permit. |
| Re-use Area | RUA-BB           | 106,631-square foot baseball field by sprinkler irrigation system connected to CLV WWTF re-use line.   |
| Re-use Area | RUA-MP           | Melody Park by sprinkler irrigation system connected to CLV WWTF re-use line.  |
| Re-use Area | RUA-SFPF         | Softball Field and Practice Field by sprinkler irrigation system connected to CLV WWTF re-use line.  |
| Re-use Area | To be determined | Other landscaped areas on campus that may be connected to the re-use system.   |

**Flow Metering Locations**

| Type                  | Designation | Description & Comments  |
|-----------------------|-------------|---|
| Totalizing Flow Meter | TFM-1       | Located between CLV WWTF re-use line and RUA-BB (Baseball Field).                     |
| Totalizing Flow Meter | TFM-2       | Located between CLV WWTF re-use line and RUA-MP (Melody Park).                        |
| Totalizing Flow Meter | TFM-3       | Located between CLV WWTF re-use line and RUA-SPPF-01 (Softball Field-Practice Field). |

**Depth-to-Ground Water** 7 feet  
**Total Dissolved Solids (TDS)** 1,400 to 6,200 mg/L

**Permit Information**

**Original Permit Issued** November 8, 2012  
**Permit Renewal** October 7, 2019



## New Mexico Environment Department Ground Water Quality Bureau Discharge Permit Summary

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### Current Action

Application Received  
Public Notice Published  
Permit Issued (Issuance Date)  
Permitted Discharge Volume

### Permit Renewal

April 16, 2024  
[not yet published]  
[issuance date]  
35,000 gallons per day

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### NMED Contact Information

#### Mailing Address

Ground Water Quality Bureau  
P.O. Box 5469  
Santa Fe, New Mexico 87502-5469

#### GWQB Telephone Number

(505) 827-2900

#### NMED Lead Staff

Andrew Romero

#### Lead Staff Telephone Number

(505) 660-8624

#### Lead Staff Email

[andrewc.romero@env.nm.gov](mailto:andrewc.romero@env.nm.gov) or [pps.general@env.nm.gov](mailto:pps.general@env.nm.gov)