

State of New Mexico ENVIRONMENT DEPARTMENT

Ground Water Quality Bureau
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www.nmenv.state.nm.us



RON CURRY SECRETARY

DERRITH WATCHMAN-MOOREDEPUTY SECRETARY

GROUND WATER DISCHARGE PERMIT APPLICATION

Enclosed is a Ground Water Discharge Permit Application Form (Form) and checklist. Section 20.6.2.3104 NMAC of the NM Water Quality Control Commission Regulations (20.6.2 NMAC) requires that any person proposing to discharge effluent or leachate so that it may move directly or indirectly into ground water must have an approved discharge permit, unless a specific exemption is provided for in the Regulations. The enclosed Form is a general guideline for use by applicants to ensure that an application is complete and provides all of the information required by sections 20.6.2.3106, 20.6.2.3107, 20.6.2.3108, and 20.6.2.3109 NMAC.

Mail <u>three complete copies</u> of your application with a <u>\$100 filing fee</u> check made payable to the New Mexico Environment Department (NMED) at the address below:

George Schuman, Program Manager
Ground Water Pollution Prevention Section
NM Environment Department
P. O. Box 26110
Santa Fe, NM 87502

Pursuant to Regulation 20.6.2.3108 NMAC, NMED will, within thirty (30) days of deeming the application administratively complete, publish a public notice and allow 30 days for public comment before taking final action on a discharge permit. A public hearing will be held if NMED determines that there is significant public interest. It takes approximately180 days to process a complete application and issue a discharge permit if no public hearing is held.

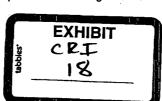
All applications must be accompanied by a filing fee of \$100. An additional fee will be assessed prior to permit issuance to cover the estimated cost to the NMED for investigation, and, issuance of the permit. Permit fees are listed in the Regulation 20.6.2.3114 NMAC.

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If you have any questions about this discharge permit application, call the Ground Water Pollution Prevention Section at 505-827-2900

COMPLETION CHECKLIST

All portions of the Ground Water Discharge Permit Application Form have been addressed. (The application will not be considered complete if there are omissions, which will delay publication of the public notice and issuance of the permit.)
Submitter has included operational, monitoring, contingency, and closure plans that are appropriate for the proposed treatment and disposal system, and meet the site-specific conditions for the proposed facility.
Plans and specifications for the entire effluent or leachate conveyance, collection, treatment, distribution, and disposal system have been included as required by Regulation 20.6.2.1202 NMAC. For septic tank/leachfield systems, designs should be consistent with NMED's guidelines for Plans and Specifications for Discharge Permit Applications Using Septic Tank/Leachfields.
The application has been signed and dated by the responsible party, generally the owner or lessee.
If your facility site includes an archeological site on the State Register of Cultural Properties or National Register of Historic Places, the State Historic Preservation Office has the authority to require an archeological or historical study prior to NMED taking final action on your discharge permit.
Four maps have been included: 1) area United States Geological Survey (USGS) topographic map that includes the location of the facility and all of the information required in the application item 7.b, 2) local road map clearly defining the location of the facility and the route to get to the facility, 3) detailed site map that includes all discharge locations (lagoons, leachfields, land application areas, outfalls), all water supply and monitoring wells, all water courses on the property and all buildings and 4) United States Department of Agriculture (USDA) soils map.
Three copies of all required information have been enclosed.
A filing fee check in the amount of \$100, has been enclosed, made payable to the NM Environment Department at the address on page 1.
The SUMMARY OF APPLICANT'S PUBLIC NOTICE REQUIREMENTS has been reviewed and the option for Public Notice Has been selected on the application page 3.

ADMINISTRATIVE COMPLETENESS

To be deemed administratively complete for publication of a public notice, the following information

must be provided.	[20.6.2.3106, 20.6.2.	.3108 NMAC]	•	·	•	•
Review the SUMMAR	Y OF APPLICANT'S	S PUBLIC NOTICE REC	UIREMENTS	(attached) to	select a	n option below.
Public Notice	Option 1 🔲 Public	c Notice Option 2	Public Notice C	Option 3		
1. Name of the	ne proposed dis	charger and facility	<u>/</u> [20.6.2.3106,	20.6.2.3108	.C.1 NMA	\C]:
Type of facility o	or operation (dair	y, municipal wwtp, n	nining, scho	ol, etc.):		
	Name	Address*	City	State	Zip	Telephone & Fax
Facility*		·		NM		
Owner						
Responsible Party	<u> </u>		***************************************			

2. Locations of the Discharges [20.6.2.3106.C.2 and 20.6.3108.C.2 NMAC]:

List the locations of the discharges covered by this permit. Add rows as necessary to include all discharge locations. Sections should be described to the nearest ¼ of a ¼ of a ¼ section (please see attachment).

Discharge Location (lagoons, leachfields, land application areas, outfalls, etc.)	County	Township	Range	Section	Latitude	Longitude

Facility

Other (specify)

Representative Consultant

^{*}For the facility address, enter physical address- not mailing address.

3.	Brief Description of Discharge [20.6.2.3108	B.C.3 NMAC]:	
	y describe the activities which produce the di ods. Attach additional pages as necessary.	scharge(s) including the tr	eatment and disposal
	•			
4.	Discharge Characteristics [20.6.2.3106.C.1	and 20.6.2.3	108.C.4 NMAC]:	
			•	
4.a.	Quantity:			•
	design discharge rate* in gallons per day (gr			
	gn capacity of the treatment and disposal sys			
	ige discharge rate on annual basis in gpd (ac	ctual		
flow):	ods used to meter or calculate discharge volu	Imo:		
Metric	ous used to meter of calculate discharge void	aine.		
	design discharge rate is the maximum volume of was			
This is	generally based on the capacity of the different comp	onents of th	e system (size of la	goons, volume of tanks, etc.)
4.b.	Quality: Add rows as necessary to inc	lude all co	ntaminants and	toxic pollutants.
Conta	aminant(s) or Toxic Pollutant(s) generally		nfluent	Effluent
ass	sociated with facility type (contaminants of	Concer	tration (mg/L)	Concentration (mg/L)
	cern are listed in 20.6.2.7. and 20.6.2.3103 NMAC)			
lotai	Dissolved Solids (TDS)	 		
<u> </u>				
		 		
		1		
4.c.	Flow Characteristics:			
Numh	per of days per week discharge occurs:			
	per of months per year discharge occurs (spe	cify month	ns):	
Is flow	v continuous or intermittent:			

5. Ground Water Conditions [20.6.2.3106.C.3 and 20.6.2.3108.C.5 NMAC]:

Sources for this information may be the New Mexico State Engineers Office, NMED, GWPPS web site (www.nmenv.state.nm.us), and USGS reports. If you do not have a TDS value, take a sample from the nearest well to the discharge location and submit the results from the analysis.

Depth to ground water below the discharge site:	
Flow direction of ground water below the site:	
Flow gradient of ground water below the site:	
Reference* or source for depth, direction and	
gradient:	

* If determined from well logs, please provide photocopies of well logs with application. If depth is derived from a report include copies of appropriate pages and complete reference to report including author, title, and publication date.

Total Dissolved Solids (TDS) concentration (mg/L)		,.
of ground water below the site:		
Reference or source for TDS:		

TECHNICAL ADEQUACY

- To be deemed technically adequate, for purposes of issuing the discharge permit, the following information must be provided. [20.6.2.3106, 20.6.2.3107, 20.6.2.3109 NMAC]. Operational, monitoring, contingency, and closure plans must be submitted and must be appropriate for the proposed treatment and disposal type and meet the site specific conditions for the proposed facility.
 - 6. Permit Plans [20.6.2.3106.C.7, 20.6.2.3107.A, and 20.6.2.3109.C NMAC]:
 - **6.a.** Operational Plan [20.6.2.3106.C.7 and 20.6.2.3109.C NMAC]:

The operational plan must describe how the system(s) for conveyance, collection, treatment, distribution, and disposal of wastewaters or other discharges will be constructed, operated, inspected, and maintained. The operational plan must demonstrate that ground water standards will not be exceeded.

6.a.i. In the following table, identify all proposed conveyance, collection, treatment distribution, and disposal units included in the operational plan. Add rows as necessary to include all units.

Treatment/Storage/ or Disposal Unit Treatment units (lagoon, mechanical treatment plant, manure separator, clarifier, etc.) Disposal Units (land application area, leachfield, evaporation lagoon, leachstockpile, etc.)	Construction Material ve	Volumetric Capacity*/Area (gallons or cubic yards/ acres)
*Volumetric Capacity must be provided for all tanks, chamber. *Area must be provided for all land application areas, leachfie 6.a.ii. Describe in detail the operational plan, include	elds or other area features. ding all conveyance, collection, t	
distribution and disposal systems. Attach ad	Iditional pages as necessary:	
6.a.iii. Describe the operations and maintenance pl maintained as described. At a minimum the wastewater treatment and disposal units. At	plan must include monthly inspe	ections of all
		27.90
6.b. Monitoring Plan [20.6.2.3106.C.5 and 20.6.2.310)7.A.1-9 NMAC]:	
The monitoring plan must describe how the facility adversely impact ground water quality. The plan meaning, monitoring wells, lagoons, soil sampling, must be included on the facility map.	nust include all monitoring location	ons (effluent

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6.b.i. Monitoring Locations. In the following tables, identify all monitoring locations. Add additional rows as necessary to include all monitoring locations.

Flow, Effluent and Ground Water Monitoring

Monitoring Location	Lat	Long	Northing	Easting	Elevation (also specify at what point in well casing)	Sampling Frequency per year	Reporting Frequency per year	Water or Soil Contaminant Type (please refer to 20.6.2.7.uu, and 20.6.3103 NMAC)
flow meter 1								(volume measurement)
flow meter 2					7			(volume measurement)
effluent quality*					·			
monitoring well 1*							·	
monitoring well 2*								
monitoring well 3*								

^{*}Identify the sampling locations as designated or named by the facility.

Soil, Plant Tissue and Other Sampling

Monitoring Location*	Lat	Long	Sampling Frequency per year	Reporting Frequency per year	Water or Soil Contaminant Type
land application area soil sampling				-	
land application area plant tissue analysis					
Other					
Other					

	Describe in detail the sampling protocols that will be used for sample collection at all pring locations. Attach additional pages as necessary.
	Standard Monitoring Requirements: The following paragraphs are standard permit conditions. e read the condition and check the boxes that you will comply with as a condition of your permit
	All monitoring wells will be installed according to NMED Monitoring Well Construction and Abandonment Guidelines (copy enclosed).
	All monitoring wells (if 3 or more monitoring wells are on site) will be surveyed to a common permanent benchmark and that the survey will be submitted to the NMED, GWQB within 60 days of installation of all monitoring wells. Survey data will include northing, easting, and elevation to the nearest hundredth of a foot. One of the wells may be used as the benchmark.
	This facility will measure the depth to ground water in each monitoring well to the nearest hundredth of a foot prior to purging and sampling, and that three well volumes will be purged from each monitoring well prior to sample collection.
	This facility will complete land application data sheets (LADS, copy enclosed) documenting the amount of nitrogen applied to each land application area if applicable. The LADS will incorporate the wastewater volume and analytical results of the wastewater testing to determine total nitrogen applied to each field.
6.c.	Contingency Plan [20.6.2.3107.A.10 NMAC]:
water	ontingency plan must describe the actions to be taken if Regulation 20.6.2.3103 NMAC ground standards are exceeded or if toxic pollutants are present (20.6.2.7.uu) as a result of discharges ated under the proposed permit, and to cope with failure of the discharge permit or system.
6.c.i.	Standard Contingency Requirements: The following paragraphs are standard permit conditions. Please read the condition and check the boxes that you will comply with as a condition of your permit.
	This Facility will comply with the following contingency language:
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	In the event that monitoring indicates ground water standards are violated or may be violated during the term of the discharge permit or upon post closure monitoring, this facility will collect a confirmation sample from the monitoring wells within 15 days to confirm the initial sampling results. Upon confirmation of contamination, all ground water monitoring will be conducted monthly and a corrective action plan will be submitted to the NMED. The corrective action plan will include a site investigation to define the source, nature and extent of ground water contamination and a proposed abatement option; and a schedule for implementation. The site investigation and abatement option must be consistent with the requirements and provisions of Regulations 20.6.2.4101, 20.6.2.4103, 20.6.2.4106.E, 20.6.2.4107, and 20.6.2.4112 NMAC. The corrective action plan will be submitted to NMED for approval within 30 days of confirmation of ground water contamination, and will be initiated within 30 days of NMED approval.
	This facility will comply with the following contingency language:
l	In the event of a spill or release that is not as prescribed in the approved discharge permit, this facility will take immediate corrective action to contain or mitigate the damage caused by the discharge and will initiate the notifications and corrective actions as required by Regulation 20.6.2.1203 NMAC. Within 24 hours discovery of the incident, this facility will verbally notify NMED and provide the information outlined in Regulation 20.6.2.1203.A.1. NMAC. Within 7 days of discovering the incident, this facility will submit a written verifying the oral notification and providing any additional pertinent information or changes. Within 15 days of the incident, this facility will submit a corrective action plan describing actions taken and/or to be taken to remedy the impact of the unauthorized discharge.
6.c.ii.	Specific Contingency Plan:
	ibe any additional specific corrective actions or contingencies that will be taken to cope with of the discharge system: Attach additional pages as necessary.
6.d.	Closure Plan [20.6.2.3107.A.11 NMAC]:
NMAC water	losure plan must describe the closure actions to be taken to prevent Regulation 20.6.2.3103 C ground water standards from being exceeded, or the introduction of a toxic pollutant in ground after cessation of operations. At a minimum, the closure plan must include a description of the measures, post closure monitoring plans, and financial assurance (if required by NMED).

6.d.i.	Specific Closure Plan: Describe the specific closure activities to ensure that ground water quality will be protected after cessation of operations. The plan shall include plugging, removal, and/or filling of all conveyance, collection, treatment, distribution and disposal features in order to prevent future discharges at the facility. The plan must also describe how all liquid and solid wastes will be removed and disposed of according to local, state, and federal laws. The plan must also describe how disturbed areas will be backfilled to blend with the original surface topography to prevent future ponding and to prevent a discharge at the facility from occurring after the cessation of operations. Attach additional pages as necessary.
6.d.ii.	Standard Closure Requirements: The following paragraphs are standard permit conditions. Please read the condition and check the boxes that you will comply with as a condition of your permit.
	This facility will comply with the following closure requirements:
	The discharger will notify NMED at least 30 days prior to cessation of operations and will provide a schedule for implementation of the closure plan.
	This facility will conduct post closure monitoring at the frequency and locations prescribed under the active permit for a period approved by NMED. If Regulation 20.6.2.3103 NMAC ground water standards are violated or toxic pollutants are present during post closure monitoring, this facility will implement the contingency plan required in the active permit.
	All monitoring wells will be plugged and abandoned in accordance with NMED Monitoring Well Construction and Abandonment Guidelines once NMED has agreed in writing that post closure ground water monitoring may cease.
	Once NMED has approved all closure activities, this facility will submit a letter requesting termination of the discharge permit.
	TECHNICAL SUPPORT
The fo	ollowing information must be submitted as required by Regulation 20.6.2.3106, and 20.6.2.3109
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7. Other Discharge Locations [20.6.2.3106.C.2 NMAC]]:
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7.a. List the locations of any other discharges at this facility not covered by this permit but permitted under the New Mexico Liquid Waste Disposal Regulations, Hazardous Waste Management Regulations, Federal Clean Water Act (NPDES), and any un-permitted discharges. Add rows as necessary to include all other discharge locations.

Discharge Type (septic tank/leachfields, surface water discharges, etc.)	Permit Identification	Discharge Location Description	

- **7.b.** Area Map: On the appropriate United States Geological Survey (USGS) 7.5 minute topographic quadrangle map, identify the location of all water supply wells, injections wells, seeps, springs, bodies of water, and watercourses within one mile of the outside perimeter of the discharge site.
- **8. Flooding Potential** [20.6.2.3106.C.4 NMAC]:

8.a.	Describe the flooding potential of the discharge site based on the latest Federal Emergency Management Agency flood plain map or site specific analysis:			
!				
Sour	ce for Information:			
8 . b.	Describe the methods used to control flooding, run-on and run-off at the discharge site (berms, diversion channels, etc.):			

U	nit Description		Thickness	(feet)	Water Bearing (Y/N)
Source for I	nformation:				
Reso	Map: Attach a copy of ources Conservation Server) associated with the disc	rice (NRCS	s) soil survey map		
10. <u>Sign</u>	atures:				
Owner:	I certify that I am the leg certify that I am knowled believe the information	dgeable ab	out the information	on contained in th	
Print Name:					
Signature:			·	Date	· ·
Responsib	le Party* (if property is lease	ed or operate	d by someone other	than the owner):	
	I certify that I am knowled				this application, and
Print Name:					
Signature:				Date	
propos	e a signed copy of the lease agre led discharge will occur. Lease a rge permit is modified to reflect a	greement shou	n the responsible party ald be valid for the dura	and the owner of the partion of the discharge p	roperty on which the ermit or until the

Geologic and Soil Information [20.6.2.3106.5 NMAC]:

SUMMARY OF APPLICANT'S PUBLIC NOTICE REQUIREMENTS FOR GROUND WATER DISCHARGE PERMITS

The New Mexico Water Quality Control Commission Regulations (20.6.2 NMAC) public notice requirements of 20.6.2.3108 NMAC were revised **effective September 15, 2002** to require the applicant to provide notice to neighboring properties during the discharge permit application process. This document summarizes the applicant's public notice requirements and provides answers to frequently asked questions.

The Water Quality Control Commission Regulations are available on the New Mexico Environment Department's (NMED) internet web site. The web site address is:

www.nmenv.state.nm.us

Click on the heading "Environmental Protection Regulations", then "Water Quality-- Ground and Surface Water Protection". The public notice regulations are in Section 20.6.2.3108 NMAC. You can also call the Ground Water Quality Bureau at (505) 827-2900 and we will mail you a copy of the regulations.

STEP 1 – SELECTING AND IMPLEMENTING A PUBLIC NOTICE OPTION

Anyone applying for a new permit or renewing or modifying an existing permit must provide public notice to neighboring properties (See FAQs). The applicant must select one of three public notice options by checking the selected box on page 3 of the Ground Water Discharge Permit Application. When the NMED receives the application and deems it administratively complete, we will send the applicant the instructions and materials necessary to implement the selected public notice option. The applicant must implement the public notice option within 30 days of submitting their application to the NMED. The applicant's public notice options are:

Public Notice Option 1

<u>Posting a sign</u>: The sign must be prominently posted in a conspicuous public location at or near the existing or proposed facility for 30 days. The sign should be visible so that passersby are likely to see it. The sign will be a synopsis of the full public notice prepared by NMED.

and

<u>Sending direct notice to adjacent property owners</u>: The public notice prepared by NMED must be sent to all "adjacent property" "owners of record" by certified mail, return receipt requested.

and

<u>Sending direct notice to the owner of the discharge site</u>: If the applicant is not the owner of the discharge site, the applicant must send the public notice prepared by NMED to the owner, by certified mail, return receipt requested.

Public Notice Option 2

<u>Posting a sign</u>: The sign must be prominently posted in a conspicuous public location at or near the existing or proposed facility for 30 days. The sign should be visible so that passersby are likely to see it. The sign will be a synopsis of the full public notice prepared by NMED.

and

Placing a display advertisement: The display ad must be at least two inches by three inches in size and must be published in a newspaper of general circulation in the location of the proposed discharge. The display ad will be a synopsis of the full public notice prepared by NMED.

and

<u>Sending direct notice to the owner of the discharge site</u>: If the applicant is not the owner of the discharge site, the applicant must send the public notice prepared by NMED to the owner, by certified mail, return receipt requested.

Public Notice Option 3

Sending direct notice to property owners within 1/2 mile of the discharge site: The public notice prepared by NMED must be sent to all property "owners of record" within ½ mile of the discharge site by certified mail, return receipt requested.

and

<u>Sending direct notice to the owner of the discharge site</u>: If the applicant is not the owner of the discharge site, the applicant must send the public notice prepared by NMED to the owner, by certified mail, return receipt requested.

Step 2 - Providing Proof that the Applicant Completed Public Notice

Proof of Notice

Within 15 days of completion of the public notice requirements above, the applicant must submit proof of notice to NMED. Depending on the option selected, proof of notice may include list of property owners' names and addresses, copies of certified mail return receipts, a copy of the published display ad indicating the newspaper and date of publication, and an affidavit of sign posting. If the department determines that the notice provided is inadequate, the department may require additional notice in accordance with the requirements above.

Important Definitions

The following definitions are excerpted from the Water Quality Control Commission regulations, 20.6.2 NMAC.

"adjacent properties" means properties that are contiguous to the discharge site or property that would be contiguous to the discharge site but for being separated by a public or private right of way, including roads and highways.

"discharge site" means the entire site where the discharge and associated activities will take place.

"owner of record" means an owner of property according to the property records of the tax assessor in the county in which the discharge site is located.

Frequently Asked Questions

Where can I get a copy of the new public notice regulations?

The Water Quality Control Commission Regulations are available on the New Mexico Environment Department's (NMED) internet web site. The web site address is:

www.nmenv.state.nm.us

Click on the heading "Environmental Protection Regulations", then "Water Quality-- Ground and Surface Water Protection". The public notice regulations are in Section 20.6.2.3108 NMAC.

You can also call the Ground Water Quality Bureau at (505) 827-2900 and we will mail you a copy of the regulations.

When do the new public notice regulations go into effect? September 15, 2002

Do the new public notice regulations apply to me?

The regulations apply to all applications for new permits, renewals, and modifications that are submitted to NMED on or after September 15, 2002. Page 3 of the application has a section for the applicant to select one of three public notice options. If you submitted an application for a new discharge permit, renewal or modification before September 15, 2002, then the regulations will not apply to you until you renew or modify your permit, even if your permit has not yet been issued.

Where at my facility should the sign be posted?

In many cases the sign should be posted in a location near the front entrance to the facility where it is likely to be seen by passersby. Other conspicuous public locations can be approved in advance by the Ground Water Quality Bureau if they are more likely to provide notice to the public. You can contact the Ground Quality Bureau at the number below to obtain approval for an alternate sign posting location.

Where do I get the sign that will be posted at my facility?

When the NMED receives the application and deems it administratively complete, we will send the applicant the instructions and a laminated poster with an invoice for \$15.00.

How long do I have to keep the sign up at my facility?

The sign must be posted for 30 days.

What properties are considered to be "adjacent" to my property?

"Adjacent properties" are those properties that are contiguous to the discharge site or that would be contiguous to the discharge site except for being separated by a public or private right of way, including roads and highways.

Who are property "owners of record" and where can I find their names and addresses? An "owner of record" is an owner of property according to the property records of the tax assessor in the county in which the discharge site is located. You can call your county tax assessor and they can, in most cases, provide names and addresses of owners of record within 24 hours. You will need to provide the tax assessor with the location of your discharge site and ask for names and addresses of adjacent properties.

Is there a letter format I should use for the direct notice to property owners?

When the NMED receives the application and deems it administratively complete, we will send the applicant the instructions and materials necessary to provide direct notice to property owners.

What if there are no adjacent properties other than properties I own?

If the applicant owns the adjacent properties, then they must implement Option 2 by posting a sign, placing a display ad and notifying the property owner if the owner is different from the applicant.

Is there a required format for the display advertisement?

When the NMED receives the application and deems it administratively complete, we will send the applicant the instructions and materials necessary to place a display advertisement.

What proof must I provide to the NMED to demonstrate that I provided public notice in accordance with the new regulations?

Within 15 days of completion of the public notice requirements, the applicant must submit proof of notice to NMED. Depending on the option selected, proof of notice may include a list of property owners' names and addresses, copies of certified mail return receipts, a copy of the published display ad indicating the newspaper and date of publication, and a signed affidavit that the sign was posted. If the department determines that the notice provided is inadequate, the department may require additional notice in accordance with the new regulations.

Who do I contact if I have additional guestions?

You may contact Jerry Schoeppner, Chief of the Ground Water Quality Bureau or Maura Hanning, Manager of the Ground Water Pollution Prevention Section at (505) 827-2900.