

AUTHORIZATION TO DISCHARGE TO WATERS OF THE UNITED STATES,
NPDES PERMIT NO. NM0000205.

The applicant's mailing address is:

Chevron Mining Inc.
116 Inverness Drive East
Suite 207
Englewood, CO 80112

Under the Standard Industrial Classification (SIC) Code(s) 1221, the applicant operates a post-operative coal mine area. The York Canyon Mine is located in York Canyon, at the end of N.M. Highway 555, Colfax County, New Mexico. Discharges of mine drainage are to York Canyon Creek. The York Canyon Complex is currently in the reclamation mode. There is no longer any active mining in regards to disturbance and removal of overburden. The facility has received a Phase II Bond release and some areas have received a Phase III Bond release. Areas which received the Phase III Bond release are no longer subject to the NPDES permit program. The requirements found in 40 CFR 434, Subpart H (reclamation activities in western alkaline coal mining) have been applied to discharges from reclamation areas.

Changes from the current permit issued October 30, 2008, with an effective date of December 1, 2008, and an expiration date of November 30, 2013, are:

- A. Remove Outfall 006;
- B. Delete effluent limitation for total aluminum and monitoring requirement for dissolved aluminum; and
- C. Add a one-time monitoring requirement for toxic pollutants at Outfalls 001, 005 and 007, respectively.

This Notice also serves as Public Notice of the intent of the New Mexico Environment Department, Surface Water Quality Bureau to consider issuing Clean Water Act (CWA) Section 401 Certification. The purpose of such certification is to reasonably ensure that the permitted activities will be conducted in a manner that will comply with applicable New Mexico water quality standards, including the antidegradation policy, and the statewide water quality management plan. The NPDES permit will not be issued until the certification requirements of Section 401 have been met.

If you want to comment on State Certification submit written comments within the 30 day period to:

Bureau Chief
Surface Water Quality Bureau
New Mexico Environment Department
P.O. Box 5469
1190 Saint Francis Drive
Santa Fe, NM 87502-5469
Phone (505) 827-2795
Fax (505) 827-0160
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