

NPDES PERMIT NO. NM0020010

STATEMENT of BASIS

FOR THE DRAFT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
(NPDES) PERMIT TO DISCHARGE TO WATERS OF THE UNITED STATES

I. APPLICANT

Village of Hatch WWTP
P.O. Box 220
Hatch, NM 87937

II. ISSUING OFFICE

U.S. Environmental Protection Agency
Region 6
1445 Ross Avenue
Dallas, Texas 75202-2733

III. PREPARED BY

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IV. DATE PREPARED

March 18, 2009

V. PERMIT ACTION

Proposed reissuance of the current National Pollutant Discharge Elimination System (NPDES) permit issued October 28, 2005, with an effective date of December 1, 2005, and an expiration date of November 30, 2008.

Unless otherwise stated, citations to 40 CFR refer to promulgated regulations listed in Title 40, Code of Federal Regulations, revised as of March 17, 2009.

VI. CHANGES FROM THE PREVIOUS PERMIT

Changes from the permit previously issued October 28, 2005, with an effective date of December 1, 2005, and an expiration date of November 30, 2008 are:

- A. Total aluminum, total arsenic, total copper, total nickel, and total zinc effluent limitations have been removed.
- B. The *E. coli* monthly geometric mean and daily maximum concentration limitations of 548 and 2507 cfu/100 ml have been changed to 126 and 410 cfu/100 ml, respectively.
- C. The pH minimum limitation of 6.0 s.u. changed to 6.6 s.u.

VII. DISCHARGE LOCATION

As described in the application, the wastewater treatment plant is located at 1101 E. Herrera Road, in Dona Ana County, New Mexico. The effluent from the treatment plant is discharged into the Hatch Drain, thence to the Rio Grande River in Segment No. 20.6.4.101 of the Lower Rio Grande Basin. The discharge is located on that water at Latitude 32° 39' 30" North and Longitude 107° 09' 24" West.

VIII. RECEIVING STREAM STANDARDS

The general and specific stream standards are provided in "New Mexico State Standards for Interstate and Intrastate Surface Waters," (20.6.4 NMAC, amended through March 1, 2009). The Hatch Drain is an unclassified intermittent stream of the Rio Grande River and Segment No. 20.6.4.101. The Hatch Drain reaches the Rio Grande River approximately 4000 feet downstream of the facility.

The previous permit identified in a letter, dated June 2, 1995, from Jim Piatt, New Mexico Environment Department (NMED), to Jack V. Ferguson, EPA, that the New Mexico Game and Fish Department designated Hatch Drain as a "limited warmwater fishery" which is populated by several warmwater fish species, primarily sunfish, small bass, bottom feeders and minnows. As a result, the unclassified Hatch Drain has designated uses of livestock watering, wildlife habitat, and limited warmwater aquatic life. The Rio Grande River has designated uses of irrigation, marginal warmwater aquatic life, livestock watering, wildlife habitat, and secondary contact.

IX. APPLICANT ACTIVITY

Under the Standard Industrial Classification (SIC) Code 4952, the applicant operates a municipal wastewater treatment plant with a design capacity of 0.30 million gallons per day (MGD) serving a population of approximately 1,900 in Hatch, 450 in Rodey, and 650 in Milagro and Placitas. As described in the application, the wastewater treatment process consists of entrance works (manual bar screen), two sequencing batch reactor (SBR) basins, a post equalization basin, and a chlorine contact chamber. Sludge pathogen control and vector attraction reduction are met with two aerobic digesters, six sludge drying beds, and a sludge bagging system. Treated sludge is disposed of at the Camino Real Landfill in Sunland Park, NM.

X. EFFLUENT CHARACTERISTICS

A quantitative description of the discharge(s) described in the EPA Permit Application Form 2A dated May 19, 2008, and additional permit application information received on August 13, 2008 and February 24, 2009, are presented below:

POLLUTANT TABLE

Parameter	Avg	Max
	(mg/l unless noted)	
Flow, million gallons/day (MGD)	0.19	0.25
Temperature, winter	4°C	13°C
Temperature, summer	27°C	34°C
pH, minimum, standard units (SU)	---	7.27
pH, maximum, standard units (SU)	---	7.52
Biochemical Oxygen Demand, 5-day (BOD ₅)	6.7	8.6
Fecal Coliform (FCB) (cfu/100 ml)	82.86	98.47
Total Suspended Solids (TSS)	5.09	5.89
Ammonia (NH ₃)	0.50	---
Chlorine, Total Residual (TRC)	0.01	0.01
Dissolved Oxygen	---	---
Total Kjeldahl Nitrogen (TKN)	6.0	---
Nitrate plus Nitrite Nitrogen	---	---
Oil and grease	4.6	---
Phosphorus, Total	0.02	---
Total Dissolved Solids (TDS)	606.0	---
Hardness (as CaCO ₃)	---	51
Nitrate (as N)	1.40	---
Aluminum, T (µg/l)	7.94	0.012
Arsenic, T (µg/l)	4.56	0.006
Copper, T (µg/l)	0.66	0.042
Nickel, T (µg/l)	4.22	0.014
Zinc, T (µg/l)	29.6	0.067

XI. DRAFT PERMIT RATIONALE AND PROPOSED PERMIT CONDITIONS

The proposed effluent limitations for those pollutants proposed to be limited are based on regulations promulgated in [40 CFR 122.44]. The draft permit limitations are based on either technology-based effluent limitations pursuant to [40 CFR 122.44(a)], best professional judgment (BPJ) in the absence of guidelines, NM WQS and/or requirements pursuant to [40 CFR 122.44(d)], whichever are more stringent.

A. REASON FOR PERMIT ISSUANCE

It is proposed that the permit be issued for approximately a 5-year term following regulations promulgated in [40 CFR 122.46(a)]. The proposed permit expiration date will coordinate with the EPA Basin Statewide Management Approach to Permitting in New Mexico, adopted March 2, 2000.

B. TECHNOLOGY-BASED VERSUS WATER QUALITY STANDARDS-BASED EFFLUENT LIMITATIONS AND CONDITIONS

Following regulations promulgated at [40 CFR 122.44], the draft permit limitations are based on either technology-based effluent limitations, pursuant to [40 CFR 122.44(a)], or on State WQS and requirements, pursuant to [40 CFR 122.44(d)], whichever are more stringent.

Technology-based effluent limitations are established in the proposed permit for BOD₅ and TSS.

Water quality-based effluent limitations are established in the proposed permit for pH, TRC, *E. coli* bacteria, total aluminum, total arsenic, total copper, total nickel, and total zinc.

C. TECHNOLOGY-BASED EFFLUENT LIMITATIONS/CONDITIONS

Secondary treatment, established at [40 CFR 133.102(a)] and [40 CFR 133.102(b)], are 30 mg/l for the 30-day average and 45 mg/l for the 7-day average for BOD₅ and TSS each.

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS			
	0.3 MGD Design Flow			
	lbs/Day		mg/l (unless noted)	
Parameter	30-Day Avg.	7-Day Avg.	30-Day Avg.	7-Day Avg.
Flow	N/A	N/A	Measure MGD	Measure MGD
BOD ₅	75	113	30	45
TSS	75	113	30	45

30-Day Avg.: TSS/BOD₅ loading (lbs/day) = 30 mg/L * 8.345 lbs/gal * 0.3 MGD = 75.06 lbs/day

7-Day Avg.: TSS/BOD₅ loading (lbs/day) = 45 mg/L * 8.345 lbs/gal * 0.3 MGD = 112.7 lbs/day

D. MONITORING FREQUENCY FOR LIMITED PARAMETERS

Regulations require permits to establish monitoring requirements to yield data representative of the monitored activity, [40 CFR 122.48(b)], and to assure compliance with permit limitations, [40 CFR 122.44(i)(1)]. Technology based pollutants, BOD₅ and TSS, are proposed to be monitored two times per month. Flow is proposed to be monitored five times per week. These frequencies are consistent with the current permit. The sample type for BOD₅ and TSS shall be by grab, also consistent with the current permit.

E. SEWAGE SLUDGE PRACTICES

The permittee shall use only those sewage sludge disposal or reuse practices that comply with the federal regulations established at [40 CFR Part 503] "Standards for the Use or Disposal of Sewage Sludge." The specific requirements in the permit apply as a result of the design flow of the facility, the type of waste discharged to the collection system, and the sewage sludge disposal or reuse practice utilized by the treatment works.

F. WASTE WATER POLLUTION PREVENTION REQUIREMENTS

The permittee shall institute programs directed towards pollution prevention. The permittee will institute programs to improve the operating efficiency and extend the useful life of the treatment system.

G. INDUSTRIAL WASTEWATER CONTRIBUTIONS

The treatment plant has no non-categorical Significant Industrial User's (SIU) and no Categorical Industrial User's (CIU). The EPA has tentatively determined that the permittee will not be required to develop a full pretreatment program. However, general pretreatment provisions have been required.

H. OPERATION AND REPORTING

The applicant is required to operate the treatment facility at maximum efficiency at all times; monitor the facility's discharge on a regular basis; and, report the results quarterly. The monitoring results will be available to the public.

I. WATER QUALITY-BASED LIMITATIONS

1. General Comments

Effluent limitations and/or conditions established in the draft permit are in compliance with State water quality standards and the applicable water quality management plan.

2. Post Third Round Policy and Strategy

Section 101 of the Clean Water Act (CWA) states that "...it is the national policy that the discharge of toxic pollutants in toxic amounts be prohibited..." To insure that the CWA's prohibitions on toxic discharges are met, EPA has issued a "Policy for the Development of Water Quality-Based Permit Limitations for Toxic Pollutants 49 FR 9016-9019, March 9, 1984." In support of the national policy, Region 6 adopted the "Policy for Post Third Round NPDES Permitting" and the "Post Third Round NPDES Permit Implementation Strategy" on October 1, 1992. The Regional policy and strategy are designed to insure that no source will be allowed to discharge any wastewater which (1) results in instream aquatic toxicity; (2) causes a violation of an applicable narrative or numerical State water quality standard resulting in nonconformance with the provisions of [40 CFR 122.44(d)]; (3) results in the endangerment of a drinking water supply; or, (4) results in aquatic bioaccumulation which threatens human health.

3. Implementation

The Region is currently implementing its post third round policy in conformance with the Regional strategy. The NPDES permits contain technology-based effluent limitations reflecting the best controls available. Where these technology-based permit limitations do not protect water quality or the designated uses, additional water quality-based effluent limitations and/or conditions are included in the NPDES permits. State narrative and numerical water quality standards are used in

conjunction with EPA criteria and other available toxicity information to determine the adequacy of technology-based permit limitations and the need for additional water quality-based controls.

4. State Water Quality Numerical Standards

a. GENERAL COMMENTS

Stated previously, the plant is located in Dona Ana County, New Mexico and discharges into the Hatch Drain, thence to the Rio Grande River in Segment No. 20.6.4.101 of the Lower Rio Grande Basin. The Hatch Drain has a designated use of limited warmwater aquatic life; and, the Rio Grande River has designated uses of irrigation, marginal warmwater aquatic life, livestock watering, wildlife habitat, and secondary contact.

b. WATER QUALITY STANDARDS

The NM WQCC adopted WQS for the State of New Mexico. The WQS are available on the NMED's website at <http://www.nmcpr.state.nm.us/nmac/parts/title20/20.006.0004.pdf>. The WQCC established the WQS in accordance with, and under authority of, the NM Water Quality Act [Chapter 74, Article 6, NMSA 1978 Annotated].

c. PERMIT ACTION - WATER QUALITY-BASED LIMITS

Regulations promulgated at [40 CFR 122.44(d)] require limitations in addition to, or more stringent than effluent limitation guidelines (technology-based). NM WQS that are applicable for this discharge are based on 20.6.4 NMAC.

i. Toxics

The Clean Water Act in Section 301 (b) requires that effluent limitations for point sources include any limitations necessary to meet water quality standards. Federal regulations found at [40 CFR 122.44 (d)] state that if a discharge poses the reasonable potential to cause an in-stream excursion above a water quality criteria, the permit must contain an effluent limitation for that pollutant.

Although the facility is classified as a "minor" discharger, with a design flow less than 1.0 MGD, the permittee was required, during the previous permit development, to complete Part D, "Expanded Effluent Testing Data," of Form 2A. The sampling results provided by the permittee during the previous permit development demonstrated reasonable potential to exceed of the water quality standards (WQS) for total aluminum, arsenic, copper, nickel, and zinc; and, in accordance with 40 CFR 122.445(d), effluent limitations were developed. Consistent with NMAC 20.6.4.12.J, a compliance schedule of three (3) years was granted to achieve compliance with the limitations.

A low-flow, or 4Q3, of (0) ft³/second (cfs) (0.0 MGD) was provided by NMED during the previous permit development. The hardness and pH data used was based on the hardness and pH of the effluent. The pollutant scan performed for the draft permit demonstrated there was not a reasonable potential to exceed WQS for aluminum, arsenic, copper, nickel, and zinc.

ii. Total Residual Chlorine

After dechlorination and prior to final disposal, the effluent shall contain NO MEASURABLE total residual chlorine (TRC) at any time. The WQS for TRC is 11 µg/l for both chronic aquatic life and wildlife habitat, and 19 µg/l for acute aquatic life. State implementation procedures allow for a mixing zone to be used for chronic standards, while acute standards must be met at end-of-pipe. The Hatch Drain has a 4Q3 of 0 MGD; therefore, the critical dilution is 100%. The 11 µg/l would be the most limiting and will be the TRC limit proposed in the draft permit. The maximum dechlorinated TRC shall be monitored daily by “instantaneous grab sample” defined as measured within fifteen (15) minutes of sampling.

iii. Bacteria

Stream segment specific WQS for *E. coli* bacteria do not exist for the unclassified Hatch Drain; however, *E. coli* bacteria limitations of 126 cfu/100 ml monthly geometric mean and 410 cfu/100 ml daily maximum are established at 20.6.4.101.B NMAC for primary contact. These limitations are more stringent than the current permit, and shall be established in the proposed permit.

The previous permit imposed limitations for both *E. coli* and fecal coliform bacteria (FCB). However, the previous permit also allowed for FCB to be discontinued when the State adopted *E. coli* as its bacteria standard. Since the previous permit issuance, *E. coli* has been adopted as the State bacteria standard; therefore, eliminating FCB from this proposed permit does not constitute antibacksliding.

iv. pH

Stream segment specific WQS do not exist for the unclassified Hatch Drain; however, a pH of 6.6 to 9.0 s.u. is established at 20.6.4.101.B NMAC for marginal warmwater aquatic uses. These limitations are more stringent than the technology-based limitations presented earlier, and the current permit. The draft permit shall establish pH limitations of 6.6 to 9.0 s.u.

5. Monitoring Frequency for Limited Parameters

Regulations require permits to establish monitoring requirements to yield data representative of the monitored activity [40 CFR 122.48(b)] and to assure compliance with permit limitations [40 CFR 122.44(i)(1)]. The monitoring frequencies for *E. coli*, pH, TRC, and flow are consistent with the previous permit. *E. coli* and pH shall be monitored two times per month; TRC shall be monitored daily; and, flow shall be monitored five times per week.

6. Whole Effluent Toxicity Limitations

a. GENERAL COMMENTS

The State has established narrative criteria, which in part state that:

“...surface waters of the state shall be free of toxic pollutants from other than natural causes in amounts, concentrations or combinations that affect the propagation of fish or that are toxic to humans, livestock or other animals, fish or other aquatic organisms, wildlife using aquatic

environments for habitation or aquatic organisms for food, or that will or can reasonably be expected to bioaccumulate in tissues of fish, shellfish and other aquatic organisms to levels that will impair the health of aquatic organisms or wildlife or result in unacceptable tastes, odors or health risks to human consumers of aquatic organisms....” (NM WQS Section 20.6.4.13.F.)

In a letter from Marcy Leavitt, NMED, to Claudia Hosch, EPA, December 16, 2005, NMED provided Narrative Toxics Implementation Guidance – Whole Effluent Toxicity, (NTIG-WET), an update to the 1995 Implementation Guidance. The previously issued permit established annual 7-day chronic testing using *Ceriodaphnia dubia* and *Pimephales promelas*. The NTIG-WET for a minor discharger to an intermittent waterbody requires a 7-day chronic test once during the term of the permit (in the first year) using *Ceriodaphnia dubia* and *Pimephales promelas*; however, if the chronic tests pass, the permittee may substitute annual 48-hour acute testing using the *Daphnia pulex* for the remainder of the permit; otherwise, chronic testing must be continued for the remainder of the permit. The Hatch Drain has a 4Q3 of 0 MGD; therefore, the critical dilution is 100%. The draft permit proposes the following tests with a dilution series of 32%, 42%, 56%, 75%, and 100% in addition to the control (0%effluent):

<u>EFFLUENT CHARACTERISTIC</u>	<u>DISCHARGE</u> <u>30-DAY AVG MINIMUM</u>	<u>MONITORING</u> <u>7-DAY MINIMUM</u>
Whole Effluent Toxicity Testing (7-day Static Renewal) (*1,*2,*3)		
<i>Ceriodaphnia dubia</i>	REPORT	REPORT
<i>Pimephales promelas</i>	REPORT	REPORT

<u>EFFLUENT CHARACTERISTIC</u>	<u>DISCHARGE</u> <u>30-DAY AVG MINIMUM</u>	<u>MONITORING</u> <u>48-Hr. MINIMUM</u>
Whole Effluent Toxicity Testing (48-Hr Static Renewal) (*2, *4)		
<i>Daphnia pulex</i>	REPORT	REPORT

<u>EFFLUENT CHARACTERISTIC</u>	<u>MONITORING</u> <u>FREQUENCY</u>	<u>REQUIREMENTS</u> <u>TYPE</u>
Whole Effluent Toxicity Testing (7-day Static Renewal) (*1,*2,*3)		
<i>Ceriodaphnia dubia</i>	Once/Permit Term	24-Hr. Composite
<i>Pimephales promelas</i>	Once/Permit Term	24-Hr. Composite
(48-Hr. Static Renewal) (*2, *4)		
<i>Daphnia pulex</i>	Once/Year	24-Hr. Composite

FOOTNOTES

- (*1) Monitoring and reporting requirements begin on the effective date of this permit and shall be performed during the first year of the permit. See Part II, Section E, Whole Effluent Toxicity Testing Requirements for additional WET monitoring and reporting conditions.
- (*2) If 7-day chronic monitoring passes, 48-Hr. acute monitoring may be substituted for the remainder of the permit. Otherwise, chronic testing must be continued for the remainder of the permit.
- (*3) See Part II, Section E, Whole Effluent Toxicity Testing (7-Day Chronic NOEC Freshwater) 1.d.
- (*4) See Part II, Section F, Whole Effluent Toxicity Testing Requirements for additional WET monitoring and reporting conditions.

XII. 303(d) LIST

Although the unclassified Hatch Drain has not been identified as impaired in the “State of New Mexico Part 303(d) List for Assessed Stream and River Reaches, 2008-2010,” the Rio Grande River from El Paso to Las Cruces has been identified as impaired for *E. coli* bacteria. End-of-pipe effluent limitations for *E. coli* bacteria have been established in this proposed permit. EPA has determined the established limitations do not cause or contribute to further impairment. The Rio Grande River is assessed as Category 4A with irrigation, livestock watering, marginal warmwater aquatic life, and wildlife habitat as fully supporting, yet secondary contact has not been assessed. The monitoring schedule is set for 2013. The standard reopener language in the permit allows additional permit conditions if a future TMDL is established.

XIII. ANTIDegradation

The NMAC, Section 20.6.4.8 “Antidegradation Policy and Implementation Plan” sets forth the requirements to protect designated uses through implementation of the State water quality standards. The limitations and monitoring requirements set forth in the proposed permit are developed from the State water quality standards and are protective of those designated uses. Furthermore, the policy sets forth the intent to protect the existing quality of those waters, whose quality exceeds their designated use. The permit requirements and the limitations are protective of the assimilative capacity of the receiving waters, which is protective of the designated uses of that water, NMAC Section 20.6.4.8.A.2.

XIV. ANTIBACKSLIDING

The proposed permit is consistent with the requirements to meet antibacksliding provisions of the Clean Water Act, Section 402(o) and [40 CFR 122.44(l)(i)(A)], which state in part that interim or final effluent limitations must be as stringent as those in the previous permit, unless material and substantial alterations or additions to the permitted facility occurred after permit issuance which justify the application of a less stringent effluent limitation. The proposed permit maintains the mass loading requirements of the previous permit for BOD₅ and TSS. The WET monitoring frequency has been updated to attain consistency with the NTIG-WET; yet, this action is not subject to antibacksliding provisions. Effluent limitations for total aluminum, arsenic, copper, nickel, and zinc have been eliminated; however, it does not constitute antibacksliding since it was due to contaminated samples and a change in effluent hardness, new information not previously known [40 CFR 122.44(l)(2)(i)(B)(2)]. Fecal coliform bacteria limitations have been eliminated; however, it does not constitute antibacksliding since it is an indicator parameter of bacteria and has been replaced by *E. coli* bacteria. The pH limitations have been made more stringent. All of the changes represent permit requirements that are consistent with the WQS and WQMP.

XV. ENDANGERED SPECIES CONSIDERATIONS

According to the most recent county listing available at US Fish and Wildlife Service (USFWS), Southwest Region 2 website, <http://www.fws.gov/southwest/es/EndangeredSpecies/lists/>, six species in Dona Ana County are listed as endangered (E) or threatened (T). The Rio Grande silvery minnow (E) (*Hybognathus amarus*) is the only fish species. The Sneed pincushion cactus (E) (*Coryphantha sneedii* var. *sneedii*) is the only flowering plant species. Four of the species are avian and include the least tern (E) (*Sterna antillarum*), Mexican spotted owl (T) (*Strix occidentalis*

lucida), northern aplomado falcon (E) (*Falco femoralis septentrionalis*) and southwestern willow flycatcher (E) (*Empidonax traillii extimus*). The American bald eagle (*Haliaeetus leucocephalus*) was previously listed in Dona Ana County, however, in the Federal Register, July 9, 2007, (Volume 72, Number 130), the U.S. Fish and Wildlife Service, removed the American bald eagle in the lower 48 States of the United States from the Federal List of Endangered and Threatened Wildlife.

In accordance with requirements under section 7(a)(2) of the Endangered Species Act, EPA has reviewed this permit for its effect on listed threatened and endangered species and designated critical habitat. After review, EPA has determined that the reissuance of this permit will have “no effect” on listed threatened and endangered species nor will adversely modify designated critical habitat. EPA makes this determination based on the following:

1. Permit limitations have only been made more restrictive from the previously issued permit, October 28, 2005.
2. Removal of the American bald eagle from the US Fish and Wildlife list of threatened and endangered species and critical habitat designation in the area of the discharge since the prior issuance of the permit has been the only change.
3. EPA concluded “no effect” during the previous issuance of the permit on October 28, 2005, and has received no additional information since then which would lead to revision of that “no effect” determination.
4. EPA determines that Items 1, 2, and 3 result in no change to the environmental baseline established by the previous permit; therefore, EPA concludes that reissuance of this permit will have “no effect” on listed species and designated critical habitat.

XVI. HISTORICAL and ARCHEOLOGICAL PRESERVATION CONSIDERATIONS

The reissuance of the permit should have no impact on historical and/or archeological sites since no construction activities are planned in the reissuance.

XVII. PERMIT REOPENER

The permit may be reopened and modified during the life of the permit if relevant portions of New Mexico's Water Quality Standards for Interstate and Intrastate Streams are revised or remanded by the New Mexico Water Quality Control Commission. In addition, the permit may be reopened and modified during the life of the permit if relevant procedures implementing the Water Quality Standards are either revised or promulgated by the New Mexico Environment Department. Should the State adopt a State water quality standard, and/or develop or amend a TMDL, this permit may be reopened to establish effluent limitations for the parameter(s) to be consistent with that approved State standard and/or water quality management plan, in accordance with [40 CFR 122.44(d)]. Modification of the permit is subject to the provisions of [40 CFR 124.5].

XVIII. VARIANCE REQUESTS

No variance requests have been received.

XIX. CERTIFICATION

The permit is in the process of certification by the State agency following regulations promulgated at [40 CFR 124.53]. A draft permit and draft public notice will be sent to the District Engineer, Corps of Engineers, Regional Director of the U.S. Fish and Wildlife Service, and National Marine Fisheries Service prior to the publication of that notice.

XX. FINAL DETERMINATION

The public notice describes the procedures for the formulation of final determinations.

XXI. ADMINISTRATIVE RECORD

The following information was used to develop the proposed permit:

A. APPLICATION(S)

EPA Application Form 2A received May 23, 2008.

Supplemental application information received August 13, 2008 and February 24, 2009.

B. 40 CFR CITATIONS

Sections 122, 124, 125, 133, 136

C. STATE OF NEW MEXICO REFERENCES

New Mexico State Standards for Interstate and Intrastate Surface Water, 20.6.4 NMAC, as amended through March 1, 2009.

Region 6 Implementation Guidance for State of New Mexico Standards for Interstate and Intrastate Stream, May 1995.

Statewide Water Quality Management Plan, December 17, 2002.

State of New Mexico 303(d) List for Assessed Stream and River Reaches, 2008-2010.

D. MISCELLANEOUS REFERENCES

EPA Region 6 "Policy for Post Third Round NPDES Permitting" and "Post Third Round NPDES Permit Implementation Strategy," October 1, 1992.

Letter from Jim Piatt, Chief, Surface Water Quality Bureau, New Mexico Environment Department to Jack V. Ferguson, Chief, Permits Branch, EPA Region 6, June 2, 1995.

Letter from Marcy Leavitt, Chief, Surface Water Quality Bureau, New Mexico Environment Department to Willie Lane, Section Chief, NPDES Permits & Technical Section, Water Quality Protection Division, EPA Region 6, August 15, 2005.