



REGION 6
 1445 ROSS AVENUE
 DALLAS, TEXAS 75202-2733

NPDES Permit No NM0028746

**AUTHORIZATION TO DISCHARGE UNDER THE
 NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. 1251 et. seq; the "Act"),

San Juan Coal Company – San Juan Mine
 P.O. Box 561
 Waterflow, NM 87421

is authorized to discharge from a facility located 16 miles west of Farmington, New Mexico, in Waterflow, San Juan County, New Mexico. The discharges from multiple outfalls will be to receiving waters named Westwater Arroyo, Shumway Arroyo, or directly to the San Juan River in Segment No. 20.6.4.401 of the San Juan River Basin. The discharges are located at the following coordinates:

Outfall No.	Latitude	Longitude	Receiving Water
001	36°48'51"	108°25'49"	Westwater Arroyo
002	36°48'33"	108°25'42"	Westwater Arroyo
006	36°47'58"	108°25'42"	Shumway Arroyo
007	36°47'49"	108°25'44"	Shumway Arroyo
008	36°47'32"	108°25'50"	Shumway Arroyo
009	36°47'29"	108°25'50"	Shumway Arroyo
010	36°47'15"	108°25'43"	Shumway Arroyo
011	36°46'43"	108°25'28"	Shumway Arroyo
012	36°45'23"	108°24'50"	Shumway Arroyo

in accordance with this cover page and the effluent limitations, monitoring requirements, and other conditions set forth in Part I, Part II, and Part III hereof.

This permit supersedes and replaces NPDES Permit No. NM0028746 issued June 30, 2006, and expired December 31, 2010.

This permit shall become effective on

This permit and the authorization to discharge shall expire at midnight,

Issued on

William B. Honker
 Division Director
 Water Quality Protection Division (6WQ)

Isaac Chen
 Environmental Engineer
 Permits & Technical Section (6WQ-PP)

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PART I – REQUIREMENTS FOR NPDES PERMITS

SECTION A. LIMITATIONS AND MONITORING REQUIREMENTS

1. Outfall 001, 002, 010, and 011

Beginning the effective date of the permit and lasting through the expiration date of the permit (unless otherwise noted), the permittee is authorized to discharge wastewater associated with western alkaline mining reclamation to Westwater Arroyo from Outfalls 001 and 002, and to Shumway Arroyo from Outfalls 010 and 011. Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	Standard Units			
POLLUTANT	MINIMUM	MAXIMUM	MONITORING FREQUENCY	SAMPLE TYPE
pH	6	9	1/Day	Grab

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS	
	lbs/day, unless noted		mg/l, unless noted			
POLLUTANT	30-DAY AVG	DAILY MAX	30-DAY AVG	DAILY MAX	SAMPLE FREQUENCY	SAMPLE TYPE
Flow	Report MGD	Report MGD	N/A	N/A	1/Day	Estimate *1
COD	N/A	N/A	125	125	1/Day	Grab
Gross Alpha	N/A	N/A	15 pCi/L	15 pCi/L	1/Day	Grab
Aluminum	N/A	N/A	7.07	7.07	1/Day	Grab
Total Dissolved Solids	N/A	2000 (*2)	N/A	N/A	1/Day	Grab

EFFLUENT CHARACTERISTICS	DISCHARGE MONITORING		MONITORING REQUIREMENTS	
	30-DAY AVG	48-HR	MONITORING	SAMPLE TYPE
WHOLE EFFLUENT TOXICITY TESTING (*3) (48-Hour Static Renewal)	MINIMUM	MINIMUM	FREQUENCY	
Daphnia pulex	Report	Report	1/ Year	Grab

Footnotes:

- *1 “Estimate” flow measurements shall not be subject to the accuracy provisions established at Part III.C.6. the daily flow value may be estimated using best engineering judgment.
- *2 Total limitation from all discharge sources
- *3 Test should be taken when the first discharge occurs. The WET test should be taken as soon as possible. Also see Part II, Section F. Whole Effluent Toxicity (48-hour Acute Testing).

2. Outfall 006, 007, and 008

Beginning the effective date of the permit and lasting through the expiration date of the permit (unless otherwise noted), the permittee is authorized to discharge run-offs from coal storage and ready line areas from Outfalls 006 and 007, and run-offs from maintenance yard, administration and maintenance buildings, and parking lot areas from Outfall 008, to Shumway Arroyo. Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	Standard Units			
POLLUTANT	MINIMUM	MAXIMUM	MONITORING FREQUENCY	SAMPLE TYPE
pH	6	9	1/Day	Grab

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS	
	lbs/day, unless noted		mg/l, unless noted			
POLLUTANT	30-DAY AVG	DAILY MAX	30-DAY AVG	DAILY MAX	SAMPLE FREQUENCY	SAMPLE TYPE
Flow	Report MGD	Report MGD	N/A	N/A	1/Day	Estimate (*1)
COD	N/A	N/A	125	125	1/Day	Grab
Total Settleable Solids	N/A	N/A	N/A	0.5 ml/l	1/Day	Grab
Total Dissolved Solids	N/A	2000 (*2)	N/A	N/A	1/Day	Grab

EFFLUENT CHARACTERISTICS	DISCHARGE MONITORING		MONITORING REQUIREMENTS	
	30-DAY AVG MINIMUM	48-HR MINIMUM	MONITORING FREQUENCY	SAMPLE TYPE
WHOLE EFFLUENT TOXICITY TESTING (*3) (48-Hour Static Renewal)	Report	Report	1/ Year	Grab

Footnotes:

- *1 “Estimate” flow measurements shall not be subject to the accuracy provisions established at Part III.C.6. the daily flow value may be estimated using best engineering judgment.
- *2 Total limitation from all discharge sources.
- *3 Test should be taken when the first discharge occurs. The WET test should be taken as soon as possible. Also see Part II, Section F. Whole Effluent Toxicity (48-hour Acute Testing).

3. Outfall 009

Beginning the effective date of the permit and lasting through the expiration date of the permit (unless otherwise noted), the permittee is authorized to discharge treated sanitary waste to Shumway Arroyo from Outfall 009. Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	Standard Units			
POLLUTANT	MINIMUM	MAXIMUM	MONITORING FREQUENCY	SAMPLE TYPE
pH	6	9	1/Day	Grab

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS	
	lbs/day, unless noted		mg/l, unless noted			
POLLUTANT	30-DAY AVG	DAILY MAX	30-DAY AVG	DAILY MAX	SAMPLE FREQUENCY	SAMPLE TYPE
Flow	Report MGD	Report MGD	N/A	N/A	1/Day	Estimate (*1)
BOD	N/A	N/A	30	45	1/Day	Grab
TSS	N/A	N/A	20	45	1/Day	Grab
E. coli (*2)	N/A	N/A	206 cfu/100 ml	940 cfu/100 ml	1/Day	Grab
Total Dissolved Solids	N/A	2000 (*3)	N/A	N/A	1/Day	Grab

EFFLUENT CHARACTERISTICS	DISCHARGE MONITORING		MONITORING REQUIREMENTS	
	30-DAY AVG MINIMUM	48-HR MINIMUM	MONITORING FREQUENCY	SAMPLE TYPE
WHOLE EFFLUENT TOXICITY TESTING (*4) (48-Hour Static Renewal)	Report	Report	1/ Year	Grab

Footnotes:

- *1 “Estimate” flow measurements shall not be subject to the accuracy provisions established at Part III.C.6. the daily flow value may be estimated using best engineering judgment.
- *2 The discharge shall comply with E. coli limitations no later than 6 months from the effective date of the permit.
- *3 Total limitation from all discharge sources.
- *4 Test should be taken when the first discharge occurs. The WET test should be taken as soon as possible. Also see Part II, Section F. Whole Effluent Toxicity (48-hour Acute Testing).

4. Outfall 012

Beginning the effective date of the permit and lasting through the expiration date of the permit (unless otherwise noted), the permittee is authorized to discharge wastewater associated with western alkaline mining reclamation to the San Juan River from Outfall 012. Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	Standard Units			
POLLUTANT	MINIMUM	MAXIMUM	MONITORING FREQUENCY	SAMPLE TYPE
pH	6.6	9	1/Day	Grab

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS	
	lbs/day, unless noted		mg/l, unless noted			
POLLUTANT STORET CODE	30-DAY AVG	DAILY MAX	30-DAY AVG	DAILY MAX	SAMPLE FREQUENCY	SAMPLE TYPE
Flow	Report MGD	Report MGD	N/A	N/A	1/Day	Estimate (*1)
COD	N/A	N/A	125	125	1/Day	Grab
Total Aluminum	N/A	N/A	6.11	6.11	1/Day	Grab
Total Copper	N/A	N/A	0.115	0.115	1/Day	Grab
Total Dissolved Solids	N/A	2000 (*2)	N/A	N/A	1/Day	Grab

EFFLUENT CHARACTERISTICS	DISCHARGE MONITORING		MONITORING REQUIREMENTS	
	30-DAY AVG MINIMUM	48-HR MINIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
WHOLE EFFLUENT TOXICITY LIMITs (48-Hour Static Renewal)	100%	100 %		
Daphnia pulex	Report	Report	1/6 Months (*3)	Grab
Pimephales promelas	Report	Report	1/6 Months (*3)	Grab

Footnotes:

- *1 “Estimate” flow measurements shall not be subject to the accuracy provisions established at Part III.C.6. the daily flow value may be estimated using best engineering judgment.
- *2 Total limitation from all discharge sources.
- *3 Test should be taken when the first discharge occurs. Also see Part II, Section G. Whole Effluent Toxicity (48-hour Acute Testing).

FLOATING SOLIDS, VISIBLE FOAM AND/OR OILS

There shall be no discharge of floating solids or visible foam in other than trace amounts.

There shall be no discharge of visible films of oil, globules of oil, grease or solids in or on the water, or coatings on stream banks.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the points of discharge from the associate sediment ponds prior to the receiving stream.

TOTAL DISSOLVED SOLIDS

Total daily discharge from the facility shall not contribute more than 2,000 pounds of TDS.

TOXICS

No discharge shall contain any substance, including but not limited to selenium, DDT, PCB's and dioxin, at a level which, when added to background concentration, can lead to bioaccumulation to toxic levels in any animal species.

B. MONITORING AND REPORTING (MINOR DISCHARGERS)

Monthly monitoring information shall be submitted as specified in Part III.D.4 of this permit.

Reporting periods shall end on the last day of the months March, June, September, and December.

The permittee is required to submit regular quarterly reports as described above no later than the 28th day of the month following each reporting period.

The permittee shall report all overflows with the Discharge Monitoring Report submittal. These reports shall be summarized and reported in tabular format. The summaries shall include: the date, time, duration, location, estimated volume, and cause of the overflow; observed environmental impacts from the overflow; actions taken to address the overflow; and ultimate discharge location if not contained (e.g., storm sewer system, ditch, tributary). Any noncompliance which may endanger health or the environment shall be made to the EPA at the following e-mail address: R6_NPDES_Reporting@epa.gov, as soon as possible, but within 24-hours from the time the permittee becomes aware of the circumstance. This language supersedes that contained in Part III.D.7 of the Permit. Additionally, oral notification shall also be to the New Mexico Environment Department at (505) 827-0187 as soon as possible, but within 24 hours from the time the permittee becomes aware of the circumstance. A written report of overflows which endanger health or the environment shall be provided to EPA and the New Mexico Environment Department, within 5 days of the time the permittee becomes aware of the circumstance.

C. APPLICATION

Application for permit renewal sent to EPA shall be pursuant to Part III of this permit. A copy of application for permit renewal shall be sent to New Mexico Environment Department (NMED) at the mailing address listed in Part III.D.4 of this permit.