

AUTHORIZATION TO DISCHARGE TO WATERS OF THE UNITED STATES,  
NPDES PERMIT NO. NM0028746.

The applicant's mailing address is:

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

Under the Standard Industrial Classification (SIC) Code 1221, the applicant operates coal mining. Based on information provided in the application, the facility is no longer mining surface coal, but continues underground coal mining operations. Wastewater generated in the underground coal mining process exists within a closed loop system, therefore is not discharged. The previously surface mined areas are undergoing reclamation and mine drainage discharges are into either Westwater Arroyo, Shumway Arroyo in Stream Segment 20.6.4.98, or San Juan River in Stream Segment 20.6.4.401 of the San Juan River Basin.

The changes from the current permit issued June 30, 2006, with an effective date of August 1, 2006 and an expiration date of December 31, 2010 are:

1. Remove TSS, arsenic, copper, selenium, and zinc limitations and monitoring requirements from Outfall(s) 001, 002, 010, 011, and 012;
2. Remove monitoring requirements for lindane, alpha-endosulfan, beta-endosulfan, endrin, heptachlor, heptachlor epoxide, pentachlorophenol, and toxaphene from Outfall(s) 001, 002, 010, 011, and 012;
3. Change aluminum effluent limitations at Outfalls(s) 001, 002, 010, 011, and 012;
4. Categorize Outfall 006 with Outfalls 007 and 008, and remove monitoring requirements or effluent limitations for aluminum, arsenic, copper, selenium, and zinc from Outfalls 006, 007, and 008;
5. Replace TSS limitations with settleable solids at Outfalls 006, 007, and 008;
6. Remove monitoring requirements for fecal coliform and change effluent limitations for E. coli at Outfall 009;
7. Remove monitoring requirements for zinc and change effluent limitations for aluminum and copper at Outfall 012; and
8. Remove one-time monitoring requirements for human health pollutants at Outfall 012.

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  
james.hogan@state.nm.us