



**REGION 6**  
**1445 ROSS AVENUE**  
**DALLAS, TEXAS 75202-2733**

**NPDES Permit No NM0029165**

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## **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"),

City of Ruidoso Downs and Village of Ruidoso WWTP  
313 Cree Meadows Drive  
Ruidoso, NM 88345

is authorized to discharge to receiving waters of the Rio Ruidoso, thence to the Rio Hondo, thence to the Pecos River of the Pecos River Basin in the Waterbody Segment Code No. 20.6.4.208, from a facility located at 26675 U.S. Highway 70, Ruidoso Downs, in Lincoln County, New Mexico.

The discharge is located on that water at the following coordinates:

Outfall 001: Latitude 33° 21' 38" North and Longitude 105° 32' 35" West

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

This permit supersedes and replaces NPDES Permit No. NM0029165 issued July 18, 2007.

This permit shall become effective on

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

Issued on

Prepared by

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William K. Honker, P.E.  
Acting Division Director  
Water Quality Protection Division (6WQ)

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**PART I – REQUIREMENTS FOR NPDES PERMITS**

**SECTION A. LIMITATIONS AND MONITORING REQUIREMENTS**

1. Effluent Limits – 2.7 MGD Design Flow

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 municipal wastewater to the Rio Ruidoso, thence to the Rio Hondo, thence to the Pecos River in Segment Number 20.6.4.208 of the Pecos River Basin, from Outfall 001. Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	Standard Units			
POLLUTANT	MINIMUM	MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
pH	6.6	8.8	Daily	Grab

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS						MONITORING REQUIREMENTS	
	lbs/day, unless noted			mg/L, unless noted (*1)				
POLLUTANT	30-DAY AVG	DAILY MAX	7-DAY AVG	30-DAY AVG	DAILY MAX	7-DAY AVG	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow	Report MGD	Report MGD	Report MGD	N/A	N/A	N/A	Continuous	Totalizing Meter
Biochemical Oxygen Demand, 5-day	676	N/A	1014	30	N/A	45	Once/Week	6-Hour Composite
Biochemical Oxygen Demand, 5-day, % removal, minimum	≥ 85% (*2)	N/A	N/A	N/A	N/A	N/A	Once/Week	Calculation (*2)
Total Suspended Solids	676	N/A	1014	30	N/A	45	Once/Week	6-Hour Composite

Total Suspended Solids, % removal, minimum	≥ 85% (*2)	N/A	N/A	N/A	N/A	N/A	Once/Week	Calculation (*2)
<i>E. coli</i> Bacteria	N/A	N/A	N/A	126 (*3)	410 (*3)	N/A	Once/Week	Grab
Total Residual Chlorine	N/A	N/A	N/A	N/A	11 µg/l	N/A	Daily	Instantaneous Grab (*4)
Phosphorus, Total	2.16	Report	N/A	0.1	0.15	N/A	Once/Month	24-Hr Composite
Nitrogen, Total, Ti ≥ 13°C (*5, *6, *7)	90.1	Report	N/A	4	4	N/A	Once/2 Weeks	24-Hr Composite
Nitrogen, Total, Ti < 13°C (*5, *6, *8)	135.2	Report	N/A	6	6	N/A	Once/2 Weeks	24-Hr Composite
Nitrogen, Total (*5, *9)	18.9	Report	N/A	1	1.5	N/A	Once/Month	24-Hr Composite
Thallium, Total (*10)	0.37	Report	N/A	10.87 µg/l	16.30 µg/l	N/A	Three/Week	24-Hr Composite
Thallium, Total (*11)	0.02	0.03	N/A	0.89 µg/l	1.33 µg/l	N/A	Three/Week	24-Hr Composite
Cyanide, weak acid dissociable	N/A	N/A	N/A	Report	Report	N/A	Once/Month (*12 *13, *14)	24-Hr Composite
Acrylonitrile	N/A	N/A	N/A	Report	Report	N/A	Once/Month (*12 *13, *14)	24-Hr Composite
Aldrin	N/A	N/A	N/A	Report	Report	N/A	Once/Month (*12 *13, *14)	24-Hr Composite
Heptachlor	N/A	N/A	N/A	Report	Report	N/A	Once/Month (*12 *13, *14)	24-Hr Composite
Heptachlor Epoxide	N/A	N/A	N/A	Report	Report	N/A	Once/Month (*12 *13, *14)	24-Hr Composite
Polychlorinated Biphenyls	N/A	N/A	N/A	Report	Report	N/A	Once (*13, *15)	24-Hr Composite

EFFLUENT CHARACTERISTICS	DISCHARGE MONITORING		MONITORING REQUIREMENTS	
	30-DAY AVG MINIMUM	7-DAY MINIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
WHOLE EFFLUENT TOXICITY TESTING (*16) (7-Day Static Renewal)	30-DAY AVG MINIMUM	7-DAY MINIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
<i>Ceriodaphnia dubia</i>	Report	Report	Once/Quarter (*17)	24-Hr Composite

EFFLUENT CHARACTERISTICS	DISCHARGE MONITORING		MONITORING REQUIREMENTS	
	30-DAY AVG MINIMUM	7-DAY MINIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
WHOLE EFFLUENT TOXICITY LIMITS (PCS 22414) (*18) (7-Day NOEC)	30-DAY AVG MINIMUM	7-DAY MINIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
<i>Pimephales promelas</i>	61%	61%	Once/Quarter	24-Hr Composite

EFFLUENT CHARACTERISTICS	DISCHARGE MONITORING	MONITORING REQUIREMENTS	
		MEASUREMENT FREQUENCY	SAMPLE TYPE
Expanded Effluent Testing (*19)	Report	1 each in 2 <sup>nd</sup> , 3 <sup>rd</sup> , & 4 <sup>th</sup> year of the permit (*19)	24-Hr Composite (*20)

EFFLUENT CHARACTERISTICS	DISCHARGE MONITORING	MONITORING REQUIREMENTS	
	14-DAY AVG	MEASUREMENT FREQUENCY	SAMPLE TYPE
Influent temperature, °C (*6)	Report	Once/2 Weeks	Grab

Footnotes:

- \*1 See Part II. Section A. Minimum Quantification Level (MQL) of permit.
- \*2 Percent removal is calculated using the following equation: (average monthly influent concentration – average monthly effluent concentration) ÷ average monthly influent concentration.
- \*3 Colony forming units (cfu) per 100 ml.
- \*4 The effluent limitation for Total Residual Chlorine is the instantaneous maximum grab sample taken during periods of chlorine use and can not be averaged for reporting purposes. Instantaneous maximum is defined in 40 CFR Part 136 as being measured within 15 minutes of sampling.

- \*5 Total Nitrogen is defined as the sum of Total Kjeldahl Nitrogen (as N) and Nitrate-Nitrite (as N). See EPA methods 351 and 353.
- \*6  $T_i$  is the “influent temperature,” and shall be defined as the 14-day arithmetic average of the influent temperature measured by grab sample at the inlet channel preceding the barscreen of the headworks of the wastewater treatment plant.  $T_i$  shall be measured at the frequency of once per day for the 13 preceding days and the day of collection (14 total days) of the Total Nitrogen sample(s) for analysis.
- \*7 Interim effluent limitation for Total Nitrogen when  $T_i$  is greater than or equal to 13°C effective for the period beginning the permit effective date and lasting through one (1) day prior to the expiration date of this permit.
- \*8 Interim effluent limitation for Total Nitrogen when  $T_i$  is less than 13°C effective for the period beginning the permit effective date and lasting through one (1) day prior to the expiration date of this permit.
- \*9 Final effluent limitation for Total Nitrogen effective on the last day of the permit term.
- \*10 Interim effluent limitation for Total Thallium for the period beginning the permit effective date and lasting until three (3) years after the permit effective date.
- \*11 Final effluent limitation for Total Thallium effective (3) years after the permit effective date.
- \*12 In addition to being reported on DMRs, monthly test results shall be submitted in writing to the Section Chief, NPDES Permits & Technical Section (6WQ-PP), Water Quality Protection Division, U.S. Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, TX 75202-2733 within 30 days of receipt of lab analysis. Test results shall be copied to the EPA Region 6 Water Enforcement Branch and NMED at the addresses specified in Part III.D.4 of this permit.
- \*13 The permit will be reopened to establish effluent limitations if the pollutant has a reasonable potential to cause or contribute to an excursion above State Water Quality Standards, or if the permittee does not provide the required sampling results within the allotted time frame.
- \*14 For the period beginning the permit effective date and lasting until one (1) year after the permit effective date.
- \*15 Samples shall be taken within 30 days of the effective date of this permit. Test results shall be submitted in writing to the NPDES Permits & Technical Section (6WQ-PP), Water Quality Protection Division, U.S. Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, TX 75202-2733 within 90 days of the effective date of the permit. Test results shall be copied to the EPA Region 6 Water Enforcement Branch and NMED at the addresses specified in Part III.D.4 of this permit.
- \*16 Monitoring and reporting requirements begin on the effective date of this permit. See PART II, Whole Effluent Toxicity Testing Requirements for additional WET monitoring and reporting conditions.
- \*17 Once per quarter. If the first full year of testing, four (4) quarterly tests pass, then the frequency may be reduced to once per six (6) months for *Ceriodaphnia dubia* only. Any failure shall re-establish all tests for the *Ceriodaphnia dubia* test species to once per quarter for the remainder of the permit. The *Ceriodaphnia dubia* test species shall resume monitoring at a once per quarter frequency on the last day of the permit.
- \*18 Monitoring and reporting requirements begin on the effective date of this permit. Compliance with the Whole Effluent Toxicity limitations is required as soon as the permit is made effective. See PART II, Whole Effluent Toxicity Testing Requirements for additional WET monitoring and reporting conditions.
- \*19 See NPDES Permit Application Form 2A; Tables A.12, B.6, and Part D for the list of pollutants to include in this testing. Samples are to be taken on the same day as the WET test event for that year. The permittee shall report the results as a separate attachment in tabular form sent to the Permits and Technical Assistance Section Chief (6WQ-PP) of the Water Quality Protection Division within 60 days of receipt of the lab analysis.
- \*20 Except if required by bacteria, pH, TRC, DO and sulfite, which are grab samples.

**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 discharge from the final treatment unit prior to the receiving stream.

**B. SCHEDULE OF COMPLIANCE**

The permittee shall comply with the following schedule of activities for the attainment of water quality standards-based final effluent limitations for Total Nitrogen and Total Thallium at Outfall 001:

1. Collect **Total Nitrogen** data from the Rio Ruidoso once per month through November 2012.
2. Develop control options for **Total Thallium** no later than one (1) year from the effective date of the permit;
3. Develop control options for **Total Nitrogen**, if needed, no later than 3 (three) years from the effective date of the permit.
4. Implement control action and attain final effluent limitations for **Total Thallium** no later than three (3) years from the effective date of the permit.
5. Evaluate and select control mechanisms for **Total Nitrogen**, if needed, no later than 4 (four) years from the effective date of the permit.
6. Attain final effluent limitations for **Total Nitrogen** on the last day of the permit term.

The permittee shall submit quarterly progress reports by January 1, April 1, July 1, and October

1. The requirement to submit quarterly progress reports for **Total Thallium** shall expire three (3) years from the effective date of the permit. The requirement to submit quarterly progress reports for **Total Nitrogen** shall expire on the last day of the permit term.

The quarterly progress reports shall include a discussion of the interim requirements that have been completed at the time of the report and shall address the progress towards attaining the water quality standards-based final effluent limitations for **Total Thallium** no later than three (3) years from the effective date of the permit.

If needed, beginning two years from the effective date of the permit the quarterly progress reports shall include a discussion of the interim requirements that have been completed at the time of the report and shall address the progress towards attaining the water quality standards-based final effluent limitations for **Total Nitrogen** no later than the last day of the permit term.

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than fourteen (14) days following each schedule date. Any reports of noncompliance shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

Written notices and reports shall be submitted to the EPA and NMED at the addresses specified in Part III.D.4 of this permit.

**C. MONITORING AND REPORTING (MAJOR DISCHARGERS)**

Monitoring information shall be on Discharge Monitoring Report Form(s) EPA 3320-1 as specified in Part III.D.4 of this permit and shall be submitted monthly.

1. The permittee shall effectively monitor the operations and efficiency of all treatment and control facilities and the quantity and quality of the treated discharge.
2. Monitoring results must be reported either using the electronic or paper Discharge Monitoring Report (DMR) approved formats to EPA. If using DMR forms, the report shall be also sent to NMED. See Part III, D.4 of the permit.
  - a. Reporting periods shall end on the last day of the month.
  - b. The permittee is required to submit regular monthly reports as described above postmarked no later than the 15th day of the month following each reporting period.

- c. The annual sludge report required in Part IV of the permit is due on February 19 of each year and covers the previous calendar year from January 1 through December 31.
3. If any 30 day average, monthly average or daily maximum value exceeds the effluent limitations specified in Part I.A, the permittee shall report the excursion in accordance with the requirements of Part III.D.
4. Any 30-day average, monthly average, or daily maximum value reported in the required Discharge Monitoring Report which is in excess of the effluent limitation specified in Part I.A shall constitute evidence of violation of such effluent limitation and of this permit.
5. Other measurements of oxygen demand (e.g., TOC and COD) may be substituted for five-day Biochemical Oxygen Demand (BOD<sub>5</sub>) or for five-day Carbonaceous Biochemical Oxygen Demand (CBOD<sub>5</sub>), as applicable, where the permittee can demonstrate long-term correlation of the method with BOD<sub>5</sub> or CBOD<sub>5</sub> values, as applicable. Details of the correlation procedures used must be submitted and prior approval granted by the permitting authority for this procedure to be acceptable. Data reported must also include evidence to show that the proper correlation continues to exist after approval.
6. 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 also be orally reported to the EPA at (214) 665-6595 and 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 New Mexico Environment Department within 5 days of the time the permittee becomes aware of the circumstance.
7. The permittee shall submit a copy of an annual summary of the data that results from whole effluent toxicity testing to:

Field Supervisor  
U.S. Fish and Wildlife Service  
New Mexico Ecological Services Field Office  
2105 Osuna NE  
Albuquerque, NM 87113

And

EPA:  
Compliance Assurance and Enforcement Division  
Water Enforcement Branch (6EN-W)  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Avenue  
Dallas, TX 75202-2733

And

New Mexico:  
Program Manager  
Surface Water Quality Bureau  
New Mexico Environment Department  
P.O. Box 5469  
1190 Saint Francis Drive  
Santa Fe, NM 87502-5469

**D. OVERFLOW REPORTING**

The permittee shall report all overflows with the DMR submittal. These reports shall be summarized and reported in tabular format. The summaries shall include: date, time, duration, location, estimated volume, and cause of the overflow. They shall also include observed environmental impacts from the overflow; actions taken to address the overflow; and, the ultimate discharge location if not contained (e.g., storm sewer system, ditch, tributary).

Overflows that endanger health or the environment shall be orally reported to EPA at (214) 665-6595 and NMED Surface Water Quality Bureau at (505) 827-0187, within 24 hours from the time the permittee becomes aware of the circumstance. A written report of overflows that endanger health or the environment shall be provided to EPA and NMED Surface Water Quality Bureau within 5 days of the time the permittee becomes aware of the circumstance.

**E. POLLUTION PREVENTION REQUIREMENTS**

The permittee shall institute a program within 12 months of the effective date of the permit (or continue an existing one) directed towards optimizing the efficiency and extending the useful life of the facility. The permittee shall consider the following items in the program:

- a. The influent loadings, flow and design capacity;
- b. The effluent quality and plant performance;
- c. The age and expected life of the wastewater treatment facility's equipment;
- d. Bypasses and overflows of the tributary sewerage system and treatment works;
- e. New developments at the facility;
- f. Operator certification and training plans and status;
- g. The financial status of the facility;
- h. Preventative maintenance programs and equipment conditions and;
- i. An overall evaluation of conditions at the facility.  
permit is re-issued.