

**NPDES PERMIT NO. NM0029505**  
**STATEMENT OF BASIS**

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

APPLICANT: San Juan Coal Company  
La Plata Mine  
300 West Arrington, Suite 101  
Farmington, NM 87401

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

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DATE PREPARED: June 2, 2014

PERMIT ACTION: Proposed reissuance of the current National Pollutant Discharge Elimination System (NPDES) permit issued January 26, 2009, with an effective date of March 1, 2009, and an expiration date of February 28, 2014.

40 CFR CITATIONS: Unless otherwise stated, citations to 40 CFR refer to promulgated regulations listed at Title 40, Code of Federal Regulations, revised as of May 30, 2014.

**RECEIVING WATER – BASIN**

The facility discharges into an unnamed intermittent stream in Waterbody Segment 20.6.4.98.

## DOCUMENT ABBREVIATIONS:

In the document that follows, various abbreviations are used. They are as follows:

BAT - best available technology economically achievable  
BMP – best management plan  
BOD – five-day biochemical oxygen demand  
BPJ - best professional judgment  
CD – critical dilution  
CFR – Code of Federal Regulations  
cfs – cubic feet per second  
CIU - Categorical Industrial User's  
COD – chemical oxygen demand  
COE – United States Corp of Engineers  
CWA – Clean Water Act  
DMR – discharge monitoring report  
EPA – United States Environmental Protection Agency  
ESA - Endangered Species Act  
FC- fecal coliform  
FWS – United States Fish and Wildlife Service  
MGD – million gallons per day  
NMAC – New Mexico Administrative Code  
NMED – New Mexico Environment Department  
NMIP – New Mexico NPDES Permit Implementation Procedures  
NMWQS - New Mexico State Standards for Interstate and Intrastate Surface Waters  
NPDES – National Pollutant Discharge Elimination System  
MQL - minimum quantification level  
O&G – oil and grease  
POTW – Publicly Owned Treatment Works  
RP – reasonable potential  
SIC - standard industrial classification  
SIU - Significant Industrial User's  
su – standard units  
SWQB – Surface Water Quality Bureau  
TDS – total dissolved solids  
TMDL – total maximum daily load  
TOC – total organic carbon  
TRC – total residual chlorine  
TSS – total suspended solids  
UAA – use attainability analysis  
WET - whole effluent toxicity  
WQCC – New Mexico Water Quality Control Commission  
WWTP – wastewater treatment plant

## I. PROPOSED CHANGES FROM PREVIOUS PERMIT

The changes from the current permit issued June 26, 2009, with an effective date of March 1, 2009, and an expiration date of February 28, 2014 are:

1. Limitations and monitoring requirements as well as a compliance schedule for total mercury and total recoverable selenium have been included in the draft permit based on data for Outfall 028.
2. Additional Outfalls A-P have been included in the draft permit due to the slight shift from original outfalls as a result of recontouring and other reclamation work.

## II. APPLICANT ACTIVITY

Under the Standard Industrial Classification (SIC) Code 1221, the applicant operates coal mining. Based on information provided in the application, the facility is engaged in the reclamation of previous western alkaline surface coal mining operation. La Plata mine is a remote, inactive, unstaffed, and fully reclaimed mine site. The requirements found in 40 CFR 434, Subpart H (reclamation activities in western alkaline coal mining) have been applied to discharges from reclamation areas.

## III. DISCHARGE LOCATION

As described in the application, the facility is located 15 miles north of Farmington, New Mexico. Discharges are into unnamed intermittent stream in Stream Segment 20.6.4.98. Outfall locations and names of receiving stream are listed below:

Outfalls	Latitude	Longitude	Receiving Water
003	36°59'21.563"	108°8'13.257"W	La Plata River
004	36°59'22.001"	108°8'15.863"W	La Plata River
005	36°59'36.597"	108°7'23.443"W	La Plata River
006	36°58'33.398"	108°9'43.997"W	La Plata River
012	36°58'25.620"	108°9'38.902"W	La Plata River
015	36°58'51.649"	108°10'45.338"W	La Plata River
016	36°59'5.556"	108°10'57.047"W	La Plata River
018	36°59'16.475"	108°10'33.078"W	La Plata River
019	36°58'40.658"	108° 9'28.277"W	La Plata River
020	36°58'45.650"	108° 8'47.398"W	La Plata River
021	36°58'59.567"	108° 8'7.206"W	La Plata River
022	36°59'6.159"	108° 7'49.621"W	La Plata River
023	36°59'12.373"	108° 7'50.035"W	La Plata River
026	36°59'35.364"	108° 7'22.572"	La Plata River
027	36°59'29.701"	108° 7'27.480"W	La Plata River
028	36°59'16.994"	108° 7'48.777"W	La Plata River
029	36°59'14.435"	108° 7'50.956"W	La Plata River
030	36°59'33.990"	108° 8'19.309"W	La Plata River
031	36°59'27.484"	108° 8'17.103"W	La Plata River
032	36°58'59.074"	108° 8'1.737"W	La Plata River
A	36°59'7.384"	108° 10'48.290"W	La Plata River

B	36°58'34.100"	108° 9'51.643"W	La Plata River
C	36°59'14.532"	108° 8'4.797"W	La Plata River
D	36°59'3.538"	108° 8'22.027"W	La Plata River
E	36°59'4.520"	108° 8'6.783"W	La Plata River
F	36°59'22.310"	108° 7'43.208"W	La Plata River
G	36°59'28.220"	108° 7'36.560"W	La Plata River
H	36°59'33.970"	108° 7'28.911"W	La Plata River
I	36°59'11.073"	108° 8'4.290"W	La Plata River
J	36°59'10.711"	108° 8'2.491"W	La Plata River
K	36°59'16.185"	108° 8'7.657"W	La Plata River
M	36°59'44.398"	108° 8'19.134"W	La Plata River
N	36°59'16.193"	108° 7'49.543"W	La Plata River
O	36°59'15.310"	108° 7'50.153"W	La Plata River
P	36°59'13.583"	108° 7'49.825"W	La Plata River

#### IV. RECEIVING WATER USES

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 June 5, 2013). The designated uses of intermittent waters under 20.6.4.98 NMAC are livestock watering, wildlife habitat, marginal warmwater aquatic life and primary contact.

#### V. DISCHARGE DESCRIPTION AND OPERATIONS

The facility submitted information in its application Form 2C received by EPA on September 3 2013, and additional information was received by the EPA on January 21, 2014, that describe the nature of the potential discharges from the facility. The entire La Plata Mine site has been reclaimed, but the site remains subject to the Sediment Control Plan. The sole activities that currently take place on the mine are on-going monitoring of the completed revegetation and reclamation and research regarding geomorphic reclamation practices. The permittee requested that consistent with 40 CFR §434.82 and the current NPDES Permit, this permit renewal should not require sampling for discharges from reclamation areas as long as the facility's sediment control plan is in place. The facility stated that the exemption from effluent limitations is essential for the application of geomorphic reclamation practices to improve landform stability and restore the hydrologic balance at the mine and associated watersheds. In geomorphic reclamation, drainages in reclaimed areas are designed to mimic the hydrologic function of naturally occurring drainages in proximate undisturbed areas.

The permittee stated that during the course of recontouring and other reclamation work, the final location of certain outfalls shifted slightly from their planned location and changes in topography necessitated creation of 15 additional outfalls. The table above reflects these outfalls.

When the reclamation or performance bond under the Surface Mining Control and Reclamation Act (SMCRA) has been released, discharges from that area are no longer regulated under the NPDES program. The permittee may request to terminate the corresponding NPDES discharge points to that specific drainage area.

## VI. TENTATIVE DETERMINATION

On the basis of preliminary staff review and after consultation with the State of New Mexico, the EPA has made a tentative determination to reissue the permit for the discharges described in the application.

## VII. PROPOSED PERMIT CONDITIONS

The specific effluent limitations and/or conditions will be found in the proposed permit.

## VIII. DRAFT PERMIT RATIONALE

The following section sets forth the principal facts and the significant factual, legal, methodological, and policy questions considered in preparing the draft permit. Also set forth are any calculations or other necessary explanations of the derivation of specific effluent limitations and conditions, including a citation to the applicable effluent limitation guideline or performance standard provisions as required under 40 CFR 122.44 and reasons why they are applicable or an explanation of how the alternate effluent limitations were developed.

### A. REASON FOR PERMIT ACTION

The current permit was issued June 26, 2009, with an effective date of March 1, 2009, and an expiration date of February 28, 2014. The permit renewal application was received September 3, 2013, and additional material was submitted January 21, 2014, April 22, 2014 and May 21, 2014. It is proposed that the current permit be reissued for a 5-year term following regulations promulgated at 40 CFR 122.46(a).

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

Following regulations promulgated at 40 CFR 122.44(l)(2)(ii), the draft permit limits are based on either technology-based effluent limits pursuant to 40 CFR 122.44(a) or on State water quality standards and requirements pursuant to 40 CFR 122.44(d), whichever are more stringent.

### C. TECHNOLOGY-BASED EFFLUENT LIMITATIONS/CONDITIONS

#### 1. General Comments

Regulations promulgated at 40 CFR §122.44 (a) require technology-based effluent limitations to be placed in NPDES permits based on ELGs where applicable, on BPJ in the absence of guidelines, or on a combination of the two. In the absence of promulgated guidelines for the discharge, permit conditions may be established using BPJ procedures. EPA establishes limitations based on the following technology-based controls: BPT, BCT, and BAT. These levels of treatment are:

BPT - The first level of technology-based standards generally based on the average of the best existing performance facilities within an industrial category or subcategory.

BCT - Technology-based standard for the discharge from existing industrial point sources of

conventional pollutants which may include BOD, TSS, pH, and O&G.

BAT - The most appropriate means available on a national basis for controlling the direct discharge of toxic and non-conventional pollutants to navigable waters. BAT effluent limits represent the best existing performance of treatment technologies that are economically achievable within an industrial point source category or subcategory.

## 2. Permit Requirements

The Western Alkaline Coal Mining Subcategory addresses drainage from coal mining operations from reclamation areas, brushing and grabbing areas, topsoil stockpiling areas, and regraded areas in the arid and semiarid western United States. Because the permittee has ceased surface mining and the above ground areas previously surface mined have been reclaimed, effluent guidelines in 40 CFR Part 434, subpart H are incorporated into the proposed permit. In accordance with the provision in 40 CFR 434.82 (BPT) and 434.83 (BAT), the permittee is required to submit a site-specific Sediment Control Plan (SCP) that is designed to prevent an increase in the average annual sediment yield from pre-mined, undisturbed conditions. Because SCP requirements were developed and submitted in the La Plata Mine Surface Mining Control and Reclamation Act (SMCRA) permit issued by the New Mexico Mining & Mineral Division (MMD), on June 24, 2009, and to both the USEPA and NMED concurrently, the permittee is not required to resubmit another copy of SCP, rather the permittee shall keep a copy and continue to comply with the requirements of its SCP for La Plata Mine.

## D. WATER QUALITY-BASED EFFLUENT LIMITATIONS/CONDITIONS

### 1. General Comments

Water quality based requirements are necessary where effluent limits more stringent than technology-based limits are necessary to maintain or achieve federal or state water quality limits. Under Section 301(b)(1)(C) of the CWA, discharges are subject to effluent limitations based on federal or state WQS. Effluent limitations and/or conditions established in the draft permit are in compliance with applicable State WQS and applicable State water quality management plans to assure that surface WQS of the receiving waters are protected and maintained, or attained.

### 2. Implementation

The NPDES permits contain technology-based effluent limitations reflecting the best controls available. Where these technology-based permit limits 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 limits and the need for additional water quality-based controls.

### 3. State Water Quality 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 June 5, 2013).

## 4. Permit Action - Water Quality-Based Limits

Regulations promulgated at 40 CFR §122.44(d) require limits in addition to, or more stringent than effluent limitation guidelines (technology based). State WQS that are more stringent than effluent limitation guidelines are as follows:

## (a) Toxics

There have been no continuous discharges. The analytical results for samples found in the application and for the samples collected during the year 2013 and 2005 were used to screen against the WQS. For discharges into an unnamed intermittent stream in Waterbody Segment 20.6.4.98, applicable water quality criteria apply at end-of-pipe with a default 4Q3 low flow at 0.0 cubic feet per second (cfs). In order to implement this WQS, the end-of-pipe discharge will have to meet applicable standards.

The following data were reported in the application and supplemental application information:

TABLE 1: OUTFALLS 002, 004, &amp; 028 POLLUTANTS

Parameter	Max, Outfall 002	Max, Outfall 004	Max, Outfall 028
	mg/l unless noted		
Flow, million gallons/day (MGD)	0.375	0.0072*	0.0216*
pH, minimum, standard units (SU)	6.94		
pH, maximum, standard units (SU)	8.09	8.3	8.8
Total Suspended Solids (TSS)	771	1780	4180
Total Dissolved Solids (TDS)		262	150
Chloride		15	8
Sulfate		130	31
Nitrogen, Nitrate as N		0.08	ND
Nitrogen, Nitrate +Nitrite as N		0.53	0.92
Nitrogen, Nitrite as N		0.45	1.06
Aluminum, Total	41.6	40.5	321
Arsenic, Total, µg/l	3.6	15.3	65
Arsenic, Dissolved, µg/l		0.6	1.0
Cadmium, Dissolved		0.00007	ND
Calcium, Dissolved		44.2	9.5
Chromium, Total, µg/l	10.0	28	154
Chromium, Dissolved, µg/l		ND	1
Iron, Dissolved		0.27	1.14
Iron, Total	29	42.4	359
Lead, Dissolved		0.0003	0.0010
Magnesium, Dissolved		9.1	1.7
Manganese, Dissolved		0.023	0.015
Manganese, Total	506	0.863	15.8
Potassium, Dissolved		18.9	2.7
Selenium, Total, µg/l	4.0	2	7
Sodium, Dissolved		7.5	24.3

Uranium, Dissolved		0.0005	0.0008
Mercury, Total, µg/l		0.11	0.8
Radium 226, pCi/L		0.8	2
Radium 228, pCi/L		1.1	2
Radium 226 +Radium 228, pCi/L		2	4

\* Based on email from Warren Rider (La Plata Mine) to Maria Okpala (EPA) dated April 22, 2014

Supplemental information received by EPA on January 21, 2014, includes effluent data from Outfalls 004 and 028 as shown above. The sampling date for Outfall 004 and 028 was on October 10, 2013, while the sampling date for Outfall 002 was in 2005.

The RP screenings demonstrated that discharges exceeded NMWQS for total recoverable selenium and total mercury at Outfall 028. As a result, the draft permit includes limitations and monitoring requirements as well as a three-year compliance schedule for total mercury and total recoverable selenium.

The analytical results from Outfall 002 and 004 demonstrated no RP, no WQ-based effluent limitations for toxic pollutants are proposed.

#### (e) Monitoring Frequencies for Limited Parameters

The monitoring frequency for total mercury and total recoverable selenium shall be 1/month when discharging. Flow shall also be estimated once per month, when discharging.

#### 5. Aquatic Toxicity Testing

This draft permit does not propose the Whole Effluent Toxicity (WET) testing because discharges from coal mine classified as "reclamation area" operations will not be required to have WET testing per page 44 of the NMIP.

#### IX. PERMIT REOPENER

The permit may be reopened and modified during the life of the permit if relevant portions of the State WQS are revised or remanded. 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 State. This permit may be reopened to establish effluent limitations for the parameter(s) to be consistent with that approved State standards in accordance with 40 CFR 122.44(d). Modification of the permit is subject to the provisions of 40 CFR 124.5.

#### X. IMPAIRED WATER- 303(D) LIST

The site discharges into an unnamed intermittent stream in Waterbody Segment 20.6.4.98 which is not listed in State 2012-2014 303(d) impaired water list. Therefore, no additional requirements to what has been addressed in Section VIII above are proposed. The facility is also required to continue to implement a sediment control plan to reduce discharge of sediment.

#### XI. ANTIDegradation

The New Mexico 20.6.4.8 NMAC "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 are protective of the assimilative capacity of the receiving waters, and are protective of the designated uses of that water.

## XII. ANTIBACKSLIDING

The proposed permit is consistent with the requirements to meet Antibacksliding provisions of the Clean Water Act, Section 402(o) and 40CFR122.44(l)(2)(i)(B), which state in part that interim or final effluent limitations must be as stringent as those in the previous permit, unless information is available which was not available at the time of permit issuance.

## XIII. ENDANGERED SPECIES

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. According to the most recent county listing of species, for the State of New Mexico as listed on the IPAC website <https://ecos.fws.gov/ipac/wizard/trustResourceList!prepare.action>, the following species may be present in the county where the proposed NPDES discharge occurs: Southwestern willow flycatcher, Colorado pikeminnow, Razorback sucker, Knowlton cactus, Mancos milkvetch, Mesa Verde cactus, Zuni Bluehead Sucker, and Yellow-Billed Cuckoo.

During the reissuance of this permit in 2009, EPA determined that the reissuance of Permit No. NM0029505 will have “no effect” on listed threatened and endangered species nor will adversely modify designated critical habitat. The Zuni Bluehead sucker is a proposed endangered while the Yellow-Billed Cuckoo is a proposed threatened and were not among the species considered during the last permit issuance.

The Zuni bluehead sucker is a small, slender fish with a bluish head, silvery tan to dark green back, and yellowish to silvery white sides and abdomen. The fish grows between 3.5 to 8 inches. The Zuni bluehead sucker has a slender fusiform body with a subterminal mouth. The fish’s mouth contains fleshy lips and protuberances, mainly on the lower lips. Young Zuni bluehead suckers are dark gray-green dorsally and cream-white ventrally; while adults are slate-gray, being almost black dorsally and cream-white ventrally. Males develop a distinct coloration during spawning season; instead of being slate-gray, they become intense black with a bright red lateral band. Zuni bluehead suckers are found in stream habitats with shade and lots of substrates like bedrock, boulders, and cobble. Pools are often edged by emergent aquatic vascular plants. Zuni bluehead suckers eat algae and invertebrates off of rocks with the cartilaginous scraper in their mouths. Zuni bluehead suckers spawn in April through late May, when water temperature reaches 10-15°C (50-59° F). Females are usually larger than males, and produce about 200-300 eggs (larger females can produce more than 450). Due to poor watershed management, the populations of the Zuni bluehead sucker decreased 90% in the last 20 years. These fish are now only found in fragmented, semi-isolated stretches of their historic range.

The Yellow-Billed Cuckoo is a slender, long-tailed bird, brown above and white below, with large white spots on underside of tail and a flash of rufous in wings. Bill slightly curved, with yellow lower mandible. Their breeding habitat is deciduous woods from southern Canada to

Mexico.

These birds forage in dense shrubs and trees, also may catch insects in flight. They mainly eat insects, especially tent caterpillars and cicadas, but also some lizards, eggs of other birds and berries. They nest in a tree or shrub, usually up to 2–12 feet (1–4 meters) above the ground. The nest is a flimsy platform of short twigs placed on a horizontal branch. The 3-4 eggs are incubated for 14 days or less. The chicks are able to climb about with agility at 7–9 days of age. At about this same time, the feathers of the chicks burst out of their sheaths and the young are able to fly. The entire time from egg-laying to fledging may be as little as 17 days.

Yellow-billed cuckoos are common in parts of their range, but populations have been declining in recent years throughout much of the range. This decline is most likely due to habitat loss and fragmentation. Other threats to cuckoo populations include poisoning from pesticides and other environmental contaminants and collision with towers and tall buildings during their nocturnal migration. (Hughes, 1999).

Although the proposed permit does not have effluent limitations and monitoring requirements for those pollutants which the discharges have no reasonable potential to contribute to a violation of State water quality standards, such changes will unlikely increase waste loads to receiving streams because the facility has ceased surface mining and has undergone surface reclamation process. The reissuance of the NPDES permit will not measurably alter stream morphology, flow pattern, temperatures, water chemistry, or silt loads of the receiving stream. Therefore, the permit will not adversely affect the Zuni Bluehead sucker or the Yellow-Billed Cuckoo or their critical habitats. Zuni Bluehead sucker and the Yellow-Billed Cuckoo are also unlikely present in the discharge area, which makes it unlikely that these species would adversely be affected by the effluents. Based on information available, EPA concludes that the reissuance of the NPDES permit will have no effect on these species.

#### XIV. VARIANCE REQUESTS

No variance requests have been received.

XV. 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; to the Regional Director of the U.S. Fish and Wildlife Service; and to the National Marine Fisheries Service prior to the publication of that notice.

XVI. FINAL DETERMINATION: The public notice describes the procedures for the formulation of final determinations.

#### XVI. ADMINISTRATIVE RECORD

The following section is a list of the fact sheet citations to applicable statutory or regulatory provisions and appropriate supporting references to the administrative record required by 40 CFR 124.9:

## A. PERMIT(S)

NPDES Permit No. NM0029505 issued June 26, 2009, with an effective date of March 1, 2009, and an expiration date of February 28, 2014.

## B. APPLICATION(S)

EPA Application Form 1 and Form 2C received by EPA on September 3, 2013, and additional material was submitted January 21, 2014, April 22, 2014, and May 21, 2014.

## C. STATE WATER QUALITY REFERENCES

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 June 5, 2013).

Procedures for Implementing National Pollutant Discharge Elimination System Permits in New Mexico, March 15, 2012.

State of New Mexico 303(d) List for Assessed Stream and River Reaches, 2012 - 2014.

D. 40 CFR CITATION(S) - 40 CFR Part 434 for Coal Mining Point Source Category.

## E. MISCELLANEOUS REFERENCES

<http://ecos.fws.gov/ipac/wizard/trustResourceList!prepare.action>

[http://www.wildlife.state.nm.us/conservation/threatened\\_endangered\\_species/documents/ZuniBlueheadSuckerRecoveryPlan.pdf](http://www.wildlife.state.nm.us/conservation/threatened_endangered_species/documents/ZuniBlueheadSuckerRecoveryPlan.pdf)

[http://www.wildearthguardians.org/site/DocServer/Factsheet\\_Zuni\\_bluehead\\_sucker.pdf?docID=2142&AddInterest=1103](http://www.wildearthguardians.org/site/DocServer/Factsheet_Zuni_bluehead_sucker.pdf?docID=2142&AddInterest=1103)

Hughes, J. 1999. Yellow-billed cuckoo (*Coccyzus americanus*). Pp. 1-28 in A Poole, F Gill, eds. *The Birds of North America*, Vol. 418. Philadelphia, PA: The Birds of North America.

[http://animaldiversity.ummz.umich.edu/accounts/Coccyzus\\_americanus/](http://animaldiversity.ummz.umich.edu/accounts/Coccyzus_americanus/)

Letter from Steve Perkins, Superintendent, Permitting and Technical Services, San Juan Coal Company, to Maria Okpala, EPA, dated April 29, 2014, on additional permit application information.

Letter from Dorothy Brown, EPA, to Mr. Steve Clarke, San Juan Coal Company, dated April 21, 2014, informing the applicant that its NPDES application received on September 3, 2013, is administratively complete.

Email from Mr. Warren Rider, La Plata Mine, to Maria Okpala, EPA, dated May 21, 2014, April 22, 2014, April 3, 2014, and March 21, 2014, on additional facility information.

Email from Mr. Daniel Valenta, NMED, to Maria Okpala, EPA, dated April 09, 2014, on critical condition information.