



Region 6
1445 Ross Avenue
Dallas, Texas 75202-2733

NPDES Permit No. NM0029581

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"),

Lee Ranch Coal Company
P.O. Box 757
Grants, NM 87020

is authorized to discharge mine drainage from a mining facility located at 35 miles north of Milan, near Grants, McKinley County, New Mexico, to receiving waters named Mulatto Canyon Arroyo in Segment No. 20.6.4.97 of the Ephemeral Waters, in accordance with this cover page and effluent limitations, monitoring requirements, and other conditions set forth in Parts I [Requirements for NPDES Permits], II [Other Conditions], and III [Standard Conditions for NPDES Permits] hereof.

This permit supersedes and replaces NPDES Permit No. NM0029581 issued on September 8, 2010.

This permit shall become effective on

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

Issued on

Prepared by

William K. Honker
Director
Water Division (6WQ)

Isaac Chen
Environmental Engineer
Permitting Section (6WQ-PP)

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PART I – REQUIREMENTS FOR NPDES PERMITS

SECTION A. LIMITATIONS AND MONITORING REQUIREMENTS

(a) MINE DRAINAGE DISCHARGES FROM PROCESS PLANT AREAS

During the period beginning on the effective date of this permit and lasting through the expiration date of the permit (unless otherwise noted), the permittee is authorized to discharge wastewater from:

Process plant areas (Outfalls 002, 003, 004, 006, and any designated new outfalls from process plant area during the permit term)

to receiving waters named Mulatto Canyon Arroyo or other tributaries.

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	6.0	9.0	1/Day	Grab
pH (if receiving waters are designated as 20.6.4.98 NMAC)	6.6	9.0	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	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow	Report MGD	Report MGD	N/A	N/A	1/Day	Estimate
Total Suspended Solids (*1) (*2)	N/A	N/A	35	70	1/Week	Grab
Iron (*1) (*2)	N/A	N/A	3.5	7.0	1/Week	Grab

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

Footnote:

(*1) If a discharge occurs caused by a precipitation which is less than the 1-year, 24-hour precipitation event (or snow melt of equivalent volume), the discharge must comply with both TSS and Total Iron limitations.

(*2) If a discharge occurs during dry weather or caused by a precipitation which is equivalent to or greater than the 1-year, 24-hour precipitation event (or snow melt of equivalent volume), the discharge need to comply with TSS limitation. a discharge occurs during dry weather or caused by a precipitation which is equivalent to or greater than the 10-year, 24-hour precipitation event (or snow melt of equivalent volume), the discharge is required to comply with pH limitation only.

(b) MINE DRAINAGE DISCHARGES FROM ACTIVE MINING AREAS

During the period beginning on the effective date of this permit and lasting through the expiration date of the permit (unless otherwise noted), the permittee is authorized to discharge wastewater from:

Mine drainage areas (Outfalls 027, 028, 042, 044, 049, 050, 061, 062, 067, 080, 085, 087, 090, 091, 092, 093, 094, 095, 096, 097, 098, 099, 101, 102, 103, or any new designated outfalls from coal mine drainage areas)

to receiving waters named Mulatto Canyon Arroyo or other tributaries.

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	6.0	9.0	1/Day	Grab
pH (if receiving waters are designated as 20.6.4.98 NMAC)	6.6	9.0	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	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow	Report MGD	Report MGD	N/A	N/A	1/Day	Estimate
Total Suspended Solids (*1) (*2)	N/A	N/A	35	70	1/Week	Grab
Iron (*1) (*2)	N/A	N/A	3.5	7.0	1/Week	Grab

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

Footnote:

(*1) If a discharge occurs during dry weather or caused by a precipitation which is less than the 10-year, 24-hour precipitation event (or snow melt of equivalent volume), the discharge must comply with both TSS and Total Iron limitations.

(*2) If a discharge is caused by a precipitation which is equivalent to or greater than the 10-year, 24-hour precipitation event (or snow melt of equivalent volume), the discharge is required to comply with pH limitation only.

SAMPLING LOCATION(S)

Samples taken in compliance with the monitoring requirements specified at (a) and (b) above shall be taken when discharges occur at the following location(s): See Part I.B.

FLOATING SOLIDS OR VISIBLE FOAM

There shall be no discharge of oils, scum, grease and other floating materials that would cause the formation of a visible sheen or visible deposits on the bottom or shoreline, or would damage or impair the normal growth, function or reproduction of human, animal, plant or aquatic life.

NO DISCHARGE REPORTING

If there is no discharge event at this outfall during the sampling month, report NO DISCHARGE in the Discharge Monitoring Report.

(c) DISCHARGES FROM RECLAMATION AREAS, BRUSHING AND GRUBBING AREAS, TOPSOIL STOCKPILING AREAS, AND REGRADED AREAS

During the period beginning on the effective date of this permit and lasting through the expiration date of the permit (unless otherwise noted), the permittee is authorized to discharge wastewater from reclamation areas, brushing and grubbing areas, topsoil stockpiling areas, and regraded areas:

The permittee shall either utilize sediment ponds or develop a site-specific Sediment Control Plan as described in Part II.E. SEDIMENT CONTROL PLAN of this permit prior to any expected or planned discharge from these areas. The permittee shall comply with the Non-numeric Best Management Practices (BMPs) described in the Sediment Control Plan.

Prior to obtaining an approved Sediment Control Plan, discharges must comply with the following numeric limitations:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	Standard Units			
POLLUTANT	MINIMUM	MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
pH	6.0	9.0	1/Day	Grab
pH (if receiving waters are designated as 20.6.4.98 NMAC)	6.6	9.0	1/Day	Grab

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS	
	lbs/day, unless noted		ml/l, unless noted			
POLLUTANT	30-Day Avg	Daily Max	30-Day Avg	Daily Max	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow	Report MGD	Report MGD	N/A	N/A	1/Day	Estimate
Settleable Solids	N/A	N/A	N/A	0.5	1/Week	Grab

B. Sampling Locations.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the point of discharge prior to mixing with other flows.

Outfall No.	Latitude	Longitude	Outfall No.	Latitude	Longitude
002	35°29'29.6"	107°40'20.6"	080	35°32'08.2"	107°33'06.6"
003	35°29'14.5"	107°40'22.9"	085	35°30'36.2"	107°36'03.7"
004	35°29'17.7"	107°40'25.2"	087	35°30'41.2"	107°36'05.1"
006	35°29'21.7"	107°39'58.8"	090	35°31'38.1"	107°35'53.9"
027	35°25'20.2"	107°34'59.1"	091	35°31'42.6"	107°36'15.6"
028	35°25'28.8"	107°35'04"	092	35°31'45.9"	107°35'50.8"
020	35°29'24"	107°39'22"	093	35°32'07.1"	107°35'42.1"
021	35°29'33"	107°30'16"	094	35°30'42.5"	107°35'49.5"
024	35°30'10"	107°39'33"	095	35°31'37.9"	107°33'07.5"
027	35°25'22"	107°35'00"	096	35°30'28.2"	107°35'35.1"
028	35°25'29"	107°35'02"	097	35°30'21"	107°33'42.4"
042	35°24'48.2"	107°34'55.2"	098	35°31'42"	107°32'47.9"
044	35°29'14.3"	107°40'16.8"	099	35°32'03.8"	107°32'40.7"
049	35°31'39.3"	107°35'41.8"	101	35°29'41.3"	107°40'10.3"
050	35°31'41.8"	107°35'36.6"	102	35°30'38"	107°39'48.4"
061	35°31'21.1"	107°34'46.4"	101	35°30'09"	107°39'14.7"
062	35°31'15.9"	107°34'49.3"			
067	35°31'12.6"	107°34'39.1"			

Locations may be revised by the permittee if it becomes necessary to eliminate or establish new holding ponds. For any revision, the permittee shall submit appropriate maps showing the holding pond locations.

Any revised pond or outfall locations shall be consistent with, and fall within, the mining area boundary as defined in the applicant's State Mining Plan.

Any revised pond or outfall location shall be limited to discharging to the same receiving body of water.

Discharges from any revised pond or outfall location shall be subject to monitoring requirements and effluent limitations listed in Part A. **EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS** of this permit.

C. REPORTING OF MONITORING RESULTS

Monitoring results shall be reported to EPA on either the electronic or paper Discharge Monitoring Report (DMR) approved formats. Monitoring results can be submitted electronically in lieu of the paper DMR Form. All DMRs shall be electronically reported effective December 21, 2016. To submit electronically, access the NetDMR website at www.epa.gov/netdmr and contact the R6NetDMR@epa.gov in-box for further instructions. Until you are approved for Net DMR, you must report on the Discharge Monitoring Report (DMR) Form EPA. No. 3320-1 in accordance with the "General Instructions" provided on the form. No additional copies are needed if reporting electronically, however when submitting paper form EPA No. 3320-1, the permittee shall submit the original DMR signed and certified as required by Part III.D.11 and all other reports required by Part III.D. to the EPA and copies to NMED. Each quarterly submittal shall include separate forms for each month of the reporting period.

1. Reporting periods shall end on the last day of the months March, June, September, and December.
2. The permittee is required to submit regular quarterly reports as described above postmarked no later than the 28th day of the month following each reporting period.

D. EFFLUENT CHARACTERISTICS

The permittee is required to conduct analyses of constituents listed in Application Form 2-C, section V. Part A-C. The sample shall also be analyzed for dissolved hardness as CaCO₃. Samples shall be taken as soon as practical when the first discharge occurs. If the permittee can demonstrate that discharges from particular areas (i.e., process plant areas or mine drainage areas) are substantially identical, based on the similarities of the general industrial activities and control measures, exposed materials that may significantly contribute pollutants to stormwater, and runoff coefficients of their drainage areas, the permittee may take one representative sample for all associated outfalls in the substantial identical areas and report the results for all outfalls in those areas. Analytical results shall be reported with the Application for the next permit renewal. A copy of analytical results shall also be sent to the following address whenever such results become available:

Water Quality Protection Division
NPDES Permits & TMDL Branch
U.S. Environmental Protection Agency, Region 6
Dallas, TX 75202-2733

A copy of analytical results shall also be sent to NMED in address listed in Part III of the permit.