

AUTHORIZATION TO DISCHARGE TO WATERS OF THE UNITED STATES,
NPDES PERMIT NO. NM0029581.

The applicant's mailing address is:

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

Under Standard Industrial Classification (SIC) Codes 1221 the applicant currently conducts surface coal and lignite mining activities. The mining site is located near San Mateo, McKinley County, New Mexico. Discharges are to Mulatto Canyon Arroyo which is an ephemeral arroyo. The Mulatto Canyon Arroyo is designated as Segment 20.6.4.97 Ephemeral Waters. Designated uses for the receiving stream are livestock watering, wildlife habitat, limited aquatic life and secondary contact.

Changes from the permit previously issued September 8, 2010, with an effective date of November 1, 2010 and an expiration date of October 31, 2015, are:

1. Reassign outfall numbers in accordance with information provided in the application;
2. Delete internal Outfall 034A as well as associated effluent limitations with discharge of sanitary waste;
3. Revise requirements for Sediment Control Plan.

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:

Sarah Holcomb, Acting Program Manager-PSRS
New Mexico Environment Department
Surface Water Quality Bureau (N2050)
1190 Saint Francis Drive
P.O. Box 5469
Santa Fe, NM 87502-5469
Phone: 505-827-2798
Fax: 505-827-0160
sarah.holcomb@state.nm.us