REGION 6
1445 ROSS AVENUE
DALLAS, TEXAS 75202-2733

NPDES Permit No NM0031046

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"),

Santa Fe County Judicial Complex
901 West Alameda, Suite C-20
Santa Fe, NM 87501

is authorized to discharge to receiving waters named stormwater/drainage ditch thence to the Santa Fe River thence to the Rio Grande in Segment No. 20.6.4.98 of the Rio Grande Basin in Santa Fe County, NM

from a facility located at 333 Sandoval Street in Santa Fe, New Mexico

the discharges are located on that water at the following coordinates:

Outfall 001: Latitude 35° 41' 05" North and Longitude 105° 56' 37" West

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

This is a first-time issuance

This permit shall become effective on

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

Issued on

Miguel I. Flores
Director
Water Quality Protection Division (6WQ)

Prepared by

Laurence E. Giglio
Environmental Engineer
Permits & Technical Section (6WQ-PP)

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PART I – REQUIREMENTS FOR NPDES PERMITS

SECTION A. LIMITATIONS AND MONITORING REQUIREMENTS

1. FINAL Effluent Limits – Outfall 001 – Intermittent Flow

During the period beginning the effective date of the permit and lasting to the permit expiration date (unless otherwise noted), the permittee is authorized to discharge treated groundwater to the storm ditch thence to the Santa Fe River from Outfall 001. Such discharges shall be limited and monitored by the permittee as specified below.

EFFLUENT CHARACTERISTICS		DISCHARGE LIMITATIONS Standard Units		MONITORING REQUIREMENTS	
POLLUTANT	STORET CODE	MINIMUM	MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
pH	00400	6.6	9.0	1/Week	Grab

EFFLUENT CHARACTERISTICS		DISCHARGE LIMITATIONS lbs/day, unless noted		DISCHARGE LIMITATIONS mg/l, unless noted		MONITORING REQUIREMENTS	
POLLUTANT	STORET CODE	MONTHLY AVG	DAILY MAX	MONTHLY AVG	DAILY MAX	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow	50050	Report MGD	Report MGD	***	***	Daily	Estimate (*1)
Benzene	34030	Report	Report	5 ug/l	Report	2/Month (*2)	Grab
BETX (*3)	30383	Report	Report	100 ug/l	Report	2/Month (*2)	Grab
Arsenic	01000	Report	Report	13.6 ug/l	20.4 ug/l	2/Month (*2)	Grab
Cadmium	01025	Report	Report	0.05 ug/l	0.08 ug/l	2/Month (*2)	Grab
Copper	01042	Report	Report	4.9 ug/l	7.4 ug/l	2/Month (*2)	Grab
Lead	01049	Report	Report	1.7 ug/l	2.6 ug/l	2/Month (*2)	Grab
Selenium	01145	Report	Report	3.3 ug/l	5.0 ug/l	2/Month (*2)	Grab
Silver	01077	Report	Report	0.13 ug/l	0.20 ug/l	2/Month (*2)	Grab
Zinc	01080	Report	Report	81.3 ug/l	122.0 ug/l	2/Month (*2)	Grab
Chemical Oxygen Demand	00340	Report	Report	125	Report	2/Month (*2)	Grab
TSS	00530	Report	Report	30	Report	2/Month (*2)	Grab
Visible Oil Sheen	49498	N/A	N/A	0 Days (*7)	0 Days (*7)	Daily	Visual (*8)
Cyanide, weak acid dissociable	00718	N/A	N/A	Report	Report	Once (*4)	Grab

Aluminum	01106	N/A	N/A	Report	Report	Once (*4)	Grab
Antimony	01097	N/A	N/A	Report	Report	Once (*4)	Grab
Cyanide	00720	N/A	N/A	Report	Report	Once (*4)	Grab
Mercury	71900	N/A	N/A	Report	Report	Once (*4)	Grab
Thallium	01059	N/A	N/A	Report	Report	Once (*4)	Grab
2,3,7,8-TCDD (Dioxin)	34675	N/A	N/A	Report	Report	Once (*4)	Grab
Acrolein	34210	N/A	N/A	Report	Report	Once (*4)	Grab
Acrylonitrile	34215	N/A	N/A	Report	Report	Once (*4)	Grab
Bromoform	32104	N/A	N/A	Report	Report	Once (*4)	Grab
Carbon Tetrachloride	32102	N/A	N/A	Report	Report	Once (*4)	Grab
Chlorobenzene	34301	N/A	N/A	Report	Report	Once (*4)	Grab
Clorodibromomethane	32105	N/A	N/A	Report	Report	Once (*4)	Grab
Chloroform	32106	N/A	N/A	Report	Report	Once (*4)	Grab
Dichlorobromomethane	32101	N/A	N/A	Report	Report	Once (*4)	Grab
1,2-Dichloroethane	34531	N/A	N/A	Report	Report	Once (*4)	Grab
1,1-Dichloroethylene	34501	N/A	N/A	Report	Report	Once (*4)	Grab
1,2-Dichloropropane	34541	N/A	N/A	Report	Report	Once (*4)	Grab
1,3-Dichloropropene	34561	N/A	N/A	Report	Report	Once (*4)	Grab
Methyl Bromide	34413	N/A	N/A	Report	Report	Once (*4)	Grab
Methylene Chloride	34423	N/A	N/A	Report	Report	Once (*4)	Grab
1,1,2,2-Tetrachloroethane	34516	N/A	N/A	Report	Report	Once (*4)	Grab
Tetrachloroethylene	34475	N/A	N/A	Report	Report	Once (*4)	Grab
1,2--trans-Dichloroethylene	34546	N/A	N/A	Report	Report	Once (*4)	Grab
1,1,2-Trichloroethane	34511	N/A	N/A	Report	Report	Once (*4)	Grab
Trichloroethylene	39180	N/A	N/A	Report	Report	Once (*4)	Grab
Vinyl Chloride	39175	N/A	N/A	Report	Report	Once (*4)	Grab
2-Chlorophenol	34586	N/A	N/A	Report	Report	Once (*4)	Grab
2,4-Dichlorophenol	34601	N/A	N/A	Report	Report	Once (*4)	Grab
2,4-Dimethylphenol	34606	N/A	N/A	Report	Report	Once (*4)	Grab
4,6-Dinitro-o-Cresol	34657	N/A	N/A	Report	Report	Once (*4)	Grab
2,4-Dinitrophenol	34616	N/A	N/A	Report	Report	Once (*4)	Grab
Pentachlorophenol	39032	N/A	N/A	Report	Report	Once (*4)	Grab
Phenol	34694	N/A	N/A	Report	Report	Once (*4)	Grab
2,4,6-Trichlorophenol	34621	N/A	N/A	Report	Report	Once (*4)	Grab
Acenaphthene	34205	N/A	N/A	Report	Report	Once (*4)	Grab
Anthracene	34220	N/A	N/A	Report	Report	Once (*4)	Grab
Benzidine	39120	N/A	N/A	Report	Report	Once (*4)	Grab

Benzo(a)anthracene	34526	N/A	N/A	Report	Report	Once (*4)	Grab
Benzo(a)pyrene	34247	N/A	N/A	Report	Report	Once (*4)	Grab
Benzo(b)fluoranthene	34230	N/A	N/A	Report	Report	Once (*4)	Grab
Benzo(k)fluoranthene	34242	N/A	N/A	Report	Report	Once (*4)	Grab
Bis (2-chloroethyl) Ether	34273	N/A	N/A	Report	Report	Once (*4)	Grab
Bis (2-chloroisopropyl) Ether	34283	N/A	N/A	Report	Report	Once (*4)	Grab
Bis (2-ethylhexyl) Phthalate	39100	N/A	N/A	Report	Report	Once (*4)	Grab
Butyl Benzyl Phthalate	34292	N/A	N/A	Report	Report	Once (*4)	Grab
2-Chloronapthalene	34581	N/A	N/A	Report	Report	Once (*4)	Grab
Chrysene	34320	N/A	N/A	Report	Report	Once (*4)	Grab
Dibenzo(a,h)anthracene	34556	N/A	N/A	Report	Report	Once (*4)	Grab
1,2-Dichlorobenzene	34536	N/A	N/A	Report	Report	Once (*4)	Grab
1,3-Dichlorobenzene	34566	N/A	N/A	Report	Report	Once (*4)	Grab
1,4-Dichlorobenzene	34571	N/A	N/A	Report	Report	Once (*4)	Grab
3,3-Dichlorobenzidine	34631	N/A	N/A	Report	Report	Once (*4)	Grab
Diethyl Phthalate	34336	N/A	N/A	Report	Report	Once (*4)	Grab
Dimethyl Phthalate	34341	N/A	N/A	Report	Report	Once (*4)	Grab
Dibutyl Phthalate	39110	N/A	N/A	Report	Report	Once (*4)	Grab
2,4-Dinitrotoluene	34611	N/A	N/A	Report	Report	Once (*4)	Grab
1,2-Diphenylhydrazine	34346	N/A	N/A	Report	Report	Once (*4)	Grab
Fluoranthene	34376	N/A	N/A	Report	Report	Once (*4)	Grab
Fluorene	34381	N/A	N/A	Report	Report	Once (*4)	Grab
Hexachlorobenzene	39700	N/A	N/A	Report	Report	Once (*4)	Grab
Hexachlorobutadiene	34391	N/A	N/A	Report	Report	Once (*4)	Grab
Hexachlorocyclopentadiene	34386	N/A	N/A	Report	Report	Once (*4)	Grab
Hexachloroethane	34396	N/A	N/A	Report	Report	Once (*4)	Grab
Indeno (1,2,3-cd)Pyrene	34403	N/A	N/A	Report	Report	Once (*4)	Grab
Isophorone	34408	N/A	N/A	Report	Report	Once (*4)	Grab
Nitrobenzene	34447	N/A	N/A	Report	Report	Once (*4)	Grab
n-Nitrodimethylamine	34438	N/A	N/A	Report	Report	Once (*4)	Grab
n-Nitrosodi-n-Propylamine	34428	N/A	N/A	Report	Report	Once (*4)	Grab
n-Nitrosodiphenylamine	34433	N/A	N/A	Report	Report	Once (*4)	Grab
Pyrene	34469	N/A	N/A	Report	Report	Once (*4)	Grab
1,2,4-Trichlorobenzene	34551	N/A	N/A	Report	Report	Once (*4)	Grab
Aldrin	39330	N/A	N/A	Report	Report	Once (*4)	Grab
Alpha-BHC	39337	N/A	N/A	Report	Report	Once (*4)	Grab
Beta-BHC	39338	N/A	N/A	Report	Report	Once (*4)	Grab

Gamma-BHC	39340	N/A	N/A	Report	Report	Once (*4)	Grab
Chlordane	39350	N/A	N/A	Report	Report	Once (*4)	Grab
4, 4'-DDT and derivatives	39300	N/A	N/A	Report	Report	Once (*4)	Grab
Dieldrin	39380	N/A	N/A	Report	Report	Once (*4)	Grab
Alpha-Endosulfan	34361	N/A	N/A	Report	Report	Once (*4)	Grab
Beta-Endosulfan	34356	N/A	N/A	Report	Report	Once (*4)	Grab
Endosulfan sulfate	35351	N/A	N/A	Report	Report	Once (*4)	Grab
Endrin	39390	N/A	N/A	Report	Report	Once (*4)	Grab
Endrin Aldehyde	34366	N/A	N/A	Report	Report	Once (*4)	Grab
Heptachlor	39410	N/A	N/A	Report	Report	Once (*4)	Grab
Heptachlor Epoxide	39420	N/A	N/A	Report	Report	Once (*4)	Grab
PCBs	39516	N/A	N/A	Report	Report	Once (*4)	Grab
Toxaphene	39400	N/A	N/A	Report	Report	Once (*4)	Grab

EFFLUENT CHARACTERISTICS	DISCHARGE MONITORING		MONITORING REQUIREMENTS	
WHOLE EFFLUENT TOXICITY (7-Day Static Renewal) (*5)	30-DAY AVG MINIMUM	7-DAY MINIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Daphnia pulex	Report	Report	Once/Term (*6)	24-Hr Composite
Pimephales promelas	Report	Report	Once/Term (*6)	24-Hr Composite

Footnotes:

*1 "Estimate" flow measurements shall not be subject to the accuracy provisions established at Part III.C.6. Flow may be estimated using sound analytical techniques.

*2 Samples shall be at least ten (10) days apart.

*3 BETX is the sum of benzene, ethylbenzene, toluene and xylene.

*4 One-time sample to be taken on the first discharge.

*5 Monitoring and reporting requirements begin on the effective date of this permit. Compliance with the Whole Effluent Toxicity limitations is required on Permit Effective Date. See PART II, Whole Effluent Toxicity Testing Requirements for additional WET monitoring and reporting conditions.

*6 Once per permit term. Sample shall be taken during the winter – spring period of the first year of the permit. This permit does not establish requirements to automatically increase the WET testing frequency after a test failure, or to begin a toxicity reduction evaluation (TRE) in the event of multiple test failures. However, upon failure of any WET test, the permittee must report the test results to EPA and NMED, Surface Water Quality Bureau, in writing, within 5 business days of notification the test failure. EPA and NMED will review the test results and determine the appropriate action necessary, if any.

*7 Record the total number of days where oil sheen is visible at the outfall. See Part II, Visible Oil Sheen, of the permit.

*8 Sample of the effluent shall be collected in a wide mouth glass container of at least 500 ml capacity.

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 after the treatment system and prior to the receiving stream.

B. SCHEDULE OF COMPLIANCE

NONE

C. MONITORING AND REPORTING (MINOR 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 quarterly. 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.

3. NO DISCHARGE REPORTING

   If there is no discharge from any outfall during the sampling month, place an "X" in the NO DISCHARGE box located in the upper right corner of the Discharge Monitoring Report.

PART II - OTHER CONDITIONS

A. MINIMUM QUANTIFICATION LEVEL (MQL)

See list of MQL's at Appendix A of Part II below. For pollutants listed on Appendix A of Part II below with MQL's, analyses must be performed to the listed MQL. If any individual analytical test result is less than the MQL listed, a value of zero (0) may be used for that pollutant result for the Discharge Monitoring Report (DMR) calculations and reporting requirements.

In addition, any additional pollutant sampling for purposes of this permit, including renewal applications or any other reporting, shall be tested to the MQL shown on the attached Appendix A of Part II. Results of analyses that are less than the listed MQL maybe reported as "non detect" (ND).

B. 24-HOUR ORAL REPORTING: DAILY MAXIMUM LIMITATION VIOLATIONS

Under the provisions of Part III.D.7.b.(3) of this permit, violations of daily maximum limitations for the following pollutants shall be reported orally to EPA Region 6, Compliance and Assurance Division, Water Enforcement Branch (6EN-W), Dallas, Texas, and concurrently to NMED within 24 hours from the time the permittee becomes aware of the violation followed by a written report in five days.

Arsenic
Cadmium
Copper
Lead
Selenium
Silver
Zinc
Benzene

C. PERMIT MODIFICATION AND REOPENER

In accordance with 40 CFR Part 122.44(d), the permit may be reopened and modified during the life of the permit if relevant portions of New Mexico's Water Quality Standards for Interstate and Intrastate Streams are revised, or State of New Mexico water quality standards are established and/or remanded.

In accordance with 40 CFR Part 122.62(a)(2), the permit may be reopened and modified if new information is received that was not available at the time of permit issuance that would have justified the application of different permit conditions at the time of permit issuance. Permit modifications shall reflect the results of any of these actions and shall follow regulations listed at 40 CFR Part 124.5.

D. WHOLE EFFLUENT TOXICITY TESTING (7-DAY CHRONIC NOEC FRESHWATER)

It is unlawful and a violation of this permit for a permittee or his designated agent, to manipulate test samples in any manner, to delay sample shipment, or to terminate or to cause to terminate a toxicity test. Once initiated, all toxicity tests must be completed unless specific authority has been granted by EPA Region 6 or the State NPDES permitting authority.

1. SCOPE AND METHODOLOGY

a. The permittee shall test the effluent for toxicity in accordance with the provisions in this section.

APPLICABLE TO FINAL OUTFALL(S): 001

REPORTED ON DMR AS FINAL OUTFALL: 001

CRITICAL DILUTION (%): 100

EFFLUENT DILUTION SERIES (%): 32, 42, 56, 75, 100

COMPOSITE SAMPLE TYPE: Defined at PART I

TEST SPECIES/METHODS: 40 CFR Part 136

Ceriodaphnia dubia chronic static renewal survival and reproduction test, Method 1002.0, EPA-821/R/02/013, or the most recent update thereof. This test should be terminated when 60% of the surviving females in the control produce three broods or at the end of eight days, whichever comes first.

Pimephales promelas (Fathead minnow) chronic static renewal 7-day larval survival and growth test, Method 1000.0, EPA-821/R/02/013, or the most recent update thereof. A minimum of five (5) replicates with eight (8) organisms per replicate must be used in the control and in each effluent dilution of this test.

b. The NOEC (No Observed Lethal Effect Concentration) is herein defined as the greatest effluent dilution at and below which toxicity that is statistically different from the control (0% effluent) at the 95% confidence level does not occur. Chronic lethal test failure is defined as a demonstration of a statistically significant lethal effect at test completion to a test species at or below the critical dilution. Chronic sub-lethal test failure is defined as a demonstration of a statistically significant sub-lethal effect (i.e., growth or reproduction) at test completion to a test species at or below the critical dilution.

c. This permit may be reopened to require whole effluent toxicity limits, chemical specific effluent limits, additional testing, and/or other appropriate actions to address toxicity.

d. This permit does not establish requirements to automatically increase the WET testing frequency after a test failure, or to begin a toxicity reduction evaluation (TRE) in the event of multiple test failures. However, upon failure of any WET test, the permittee must report the test results to EPA and NMED, in writing within 5 business days of notification the test failure. EPA and NMED will review the test results and determine the appropriate action necessary, if any.

2. REQUIRED TOXICITY TESTING CONDITIONS

a. Test Acceptance

The permittee shall repeat a test, including the control and all effluent dilutions, if the procedures and quality assurance requirements defined in the test methods or in this permit are not satisfied, including the following additional criteria:

i. Each toxicity test control (0% effluent) must have a survival equal to or greater than 90%.

ii. The percent coefficient of variation between replicates shall be 40% or less in the control (0% effluent) for: Daphnia pulex survival test; and Fathead minnow survival test.

iii. The percent coefficient of variation between replicates shall be 40% or less in the critical dilution, unless significant lethal effects are exhibited for: Daphnia pulex survival test; and Fathead minnow survival test.

Test failure may not be construed or reported as invalid due to a coefficient of variation value of greater than 40%. A repeat test shall be conducted within the required reporting period of any test determined to be invalid.

b. Statistical Interpretation

For the Daphnia pulex survival test and the Fathead minnow survival test, the statistical analyses used to determine if there is a statistically significant difference between the control and the critical dilution shall be in accordance with the methods for determining the No Observed Effect Concentration (NOEC) as described in EPA-821-R-02-012 or the most recent update thereof.

If the conditions of Test Acceptability are met in Item 3.a above and the percent survival of the test organism is equal to or greater than 90% in the critical dilution concentration and all lower dilution concentrations, the test shall be considered to be a passing test, and the permittee shall report an NOEC of not less than the critical dilution for the DMR reporting requirements found in Item 4 below.

c. Dilution Water

i. Dilution water used in the toxicity tests will be receiving water collected as

close to the point of discharge as possible but unaffected by the discharge. The permittee shall substitute synthetic dilution water of similar pH, hardness, and alkalinity to the closest downstream perennial water for;

(A) toxicity tests conducted on effluent discharges to receiving water classified as intermittent streams; and

(B) toxicity tests conducted on effluent discharges where no receiving water is available due to zero flow conditions.

ii. If the receiving water is unsatisfactory as a result of instream toxicity (fails to fulfill the test acceptance criteria of Item 3.a), the permittee may substitute synthetic dilution water for the receiving water in all subsequent tests provided the unacceptable receiving water test met the following stipulations:

(A) a synthetic dilution water control which fulfills the test acceptance requirements of Item 3.a was run concurrently with the receiving water control;

(B) the test indicating receiving water toxicity has been carried out to completion (i.e., 48 hours);

(C) the permittee includes all test results indicating receiving water toxicity with the full report and information required by Item 4 below; and

(D) the synthetic dilution water shall have a pH, hardness, and alkalinity similar to that of the receiving water or closest downstream perennial water not adversely affected by the discharge, provided the magnitude of these parameters will not cause toxicity in the synthetic dilution water.

d. Samples and Composites

i. The permittee shall collect two flow weighted composite samples from the outfall(s) listed at Item 1.a above.

ii. The permittee shall collect a second composite sample for use during the 24 hour renewal of each dilution concentration for both tests. The permittee must collect the composite samples so that the maximum holding time for any effluent sample shall not exceed 36 hours. The permittee must have initiated the toxicity test within 36 hours after the collection of the last portion of the first composite sample. Samples shall be chilled to 4 degrees Centigrade during collection, shipping, and/or storage.

iii. The permittee must collect the composite samples such that the effluent samples are representative of any periodic episode of chlorination, biocide usage or other potentially toxic substance discharged on an intermittent basis.

iv. If the flow from the outfall(s) being tested ceases during the collection of effluent samples, the requirements for the minimum number of effluent samples, the minimum number of effluent portions and the sample holding time are waived during that sampling period. However, the permittee must collect an effluent composite sample volume during the period of discharge that is sufficient to complete the required toxicity tests with daily renewal of effluent. When possible, the effluent samples used for the toxicity tests shall be collected on separate days. The effluent composite sample collection duration and the static renewal protocol associated with the abbreviated sample collection must be documented in the full report required in Item 4 of this section.

3. REPORTING

a. The permittee shall prepare a full report of the results of all tests conducted pursuant to this Part in accordance with the Report Preparation Section of EPA-821-R-02-012, for every valid or invalid toxicity test initiated, whether carried to completion or not. The permittee shall retain each full report pursuant to the provisions of PART III.C.3 of this permit. The permittee shall submit full reports upon the specific request of the Agency. For any test which fails, is considered invalid or which is terminated early for any reason, the full report must be submitted for agency review.

b. A valid test for each species must be reported on the DMR during each reporting period specified in PART I of this permit unless the permittee is performing a TRE which may increase the frequency of testing and reporting. Only ONE set of biomonitoring data for each species is to be recorded on the DMR for each reporting period. The data submitted should reflect the LOWEST Survival results for each species during the reporting period. All invalid tests, repeat tests (for invalid tests), and retests (for tests previously failed) performed during the reporting period must be attached to the DMR for EPA review.

c. The permittee shall report the following results of each valid toxicity test on the subsequent monthly DMR for that reporting period in accordance with PART III.D.4 of this permit. Submit retest information clearly marked as such with the following month's DMR. Only results of valid tests are to be reported on the DMR.

E. VISIBLE OIL SHEEN

The visual oil sheen test is used to detect free oil by observing the surface of the receiving water for the presence of a sheen while discharging. The operator must conduct a visual sheen test.

The observer must sample the effluent collected in a wide mouth glass container of at least 500 ml capacity for discharges that have been occurring for at least 15 minutes for any day. Observations may be made any time thereafter.

The observation shall be made on a daily log, maintained at the site, and be made available to EPA inspectors or their designees. At the end of each DMR reporting period, sum the number of days a visible sheen was observed, and record this value on the DMR.