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Revised Draft: April 15, 2021

GROUND WATER QUALITY BUREAU
DISCHARGE PERMIT
Issued under 20.6.2 NMAC

Facility Name: American Waste Removal
Discharge Permit Number: DP-1879

Facility Location: 280 Road 3160
Aztec, NM

County: San Juan

Permittee: Gregory Jarvies, President
Mailing Address: American Waste Removal, Inc.
2568 W. Horseshoe Circle
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Facility Contact: Brenda Boone
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Permitting Action: New

Permit Issuance Date: DATE
Permit Expiration Date: DATE

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JUSTIN BALL
Acting Chief, Ground Water Quality Bureau
New Mexico Environment Department

Date

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Groundwater Discharge Permit Guidance for Synthetically Lined Lagoons – Liner
Material and Site Preparation, Revision 0.0, May 2007

I. INTRODUCTION

The New Mexico Environment Department (NMED) issues this groundwater discharge permit (Discharge Permit or DP-1879) to American Waste Removal, Inc. (Permittee) pursuant to the New Mexico Water Quality Act (WQA), NMSA 1978 §§74-6-1 through 74-6-17, and the New Mexico Water Quality Control Commission (WQCC) Ground and Surface Water Protection Regulations, 20.6.2 NMAC.

NMED's purpose in issuing this Discharge Permit, and in imposing the requirements and conditions specified herein, is to control the discharge of water contaminants from the American Waste Removal Facility (Facility) in order to protect groundwater and those segments of surface water gaining from groundwater inflow for present and potential future use as domestic and agricultural water supply and other uses, and to protect public health. It is NMED's determination in issuing this Discharge Permit that the Permittee has met the requirements of Subsection C of 20.6.2.3109 NMAC. The Permittee is responsible for complying with the terms and conditions of this Discharge Permit pursuant to Section 20.6.2.3104 NMAC; failure to do so may result in enforcement action by NMED (20.6.2.1220 NMAC).

Described below are the activities that produce the discharge, the location of the discharge, and the quantity, quality, and flow characteristics.

The Permittee receives food-related grease trap/interceptor waste and domestic septage waste at a volume up to 2,000 gallons per day (gpd) which discharges to a dewatering system and then discharges to a synthetically lined impoundment(s) for disposal by evaporation. The Permittee hauls dewatered portion of the grease trap/interceptor and septage waste off-site for disposal.

The discharge may contain water contaminants or toxic pollutants elevated above the standards of Section 20.6.2.3103 NMAC and is not subject to the exemption at Subsection 20.6.2.3105.A NMAC.

The Facility is located at 280 Road 3160, approximately 4.5 miles northwest of Aztec, in Section 35, Township 31N, Range 12W, in San Juan County. A discharge at the Facility is most likely to affect groundwater at a depth of approximately 250 feet and having a total dissolved solids (TDS) concentration of approximately 365 milligrams per liter.

The application (i.e., discharge plan) consists of the materials submitted by the Permittee dated December 18, 2018 and materials contained in the administrative record prior to issuance of this Discharge Permit. The Permittee shall manage this discharge in accordance with all conditions and requirements of this Discharge Permit.

The Permittee shall manage the discharge in accordance with all conditions and requirements of this Discharge Permit.

This Discharge Permit requires submittal of a detailed Closure Plan, the intent of which it is to prevent the exceedance of the groundwater protection standards of 20.6.2.3103 NMAC after the Facility ceases to operate. The Permittee’s obligation to implement the Closure Plan and associated Permit requirements survives the termination or expiration of this Discharge Permit. Portions of the Closure Plan may be implemented and completed prior to the cessation of the operation of the Facility.

This Discharge Permit has financial assurance requirements associated with the closure of the waste management units addressed in this Discharge Permit, including a requirement to produce a closure cost estimate intended to sufficiently identify the cost of implementing all aspects of closure and corrective action as described in the Closure Plan. This Discharge Permit requires establishment and maintenance of a financial assurance instrument intended to cover all closure costs identified in the closure cost estimate. This Discharge Permit requires the maintenance of financial assurance during the term of this Discharge Permit and until all closure activities are successfully accomplished.

NMED reserves the right to require a Discharge Permit modification in the event NMED determines that the Permittee is or may be violating, or is likely to violate in the future, the requirements of 20.6.2 NMAC or the standards of Section 20.6.2.3103 NMAC. NMED reserves this right pursuant to Section 20.6.2.3109 NMAC. An NMED requirement to modify the Discharge Permit may result from a determination by the department that structural controls and/or management practices approved under this Discharge Permit are insufficiently protective of groundwater quality and human health. NMED reserves the right to require the Permittee implement abatement of water pollution and remediate groundwater quality.

NMED issuance of this Discharge Permit does not relieve the Permittee of the responsibility to comply with the WQA, WQCC Regulations, and any other applicable federal, state and/or local laws, and regulations, such as zoning requirements and nuisance ordinances.

This Discharge Permit may use the following acronyms and abbreviations.

Abbreviation	Explanation	Abbreviation	Explanation
CFR	Code of Federal Regulations	NMSA	New Mexico Statutes Annotated
CAP	Corrective Action Plan	NO ₃ -N	nitrate-nitrogen
Cl	chloride	QA/QC	Quality Assurance/Quality Control
EPA	United States Environmental Protection Agency	TDS	total dissolved solids
gpd	gallons per day	TKN	total Kjeldahl nitrogen
mg/L	milligrams per liter	total nitrogen	= TKN + NO ₃ -N
mL	milliliters	WQA	New Mexico Water Quality Act

Abbreviation	Explanation		Abbreviation	Explanation
NMAC	New Mexico Administrative Code		WQCC	Water Quality Control Commission
NMED	New Mexico Environment Department			

II. FINDINGS

In issuing this Discharge Permit, NMED finds the following.

1. The Permittee is discharging effluent or leachate from the Facility so that such effluent or leachate may move into groundwater of the State of New Mexico that has an existing concentration of 10,000 mg/L or less of TDS, within the meaning of Subsection A of 20.6.2.3101 NMAC, without exceeding standards of 20.6.2.3103 NMAC for any water contaminant.
2. This Discharge Permit allows the Permittee to discharge effluent or leachate from the Facility directly or indirectly into groundwater pursuant to this Discharge Permit and Sections 20.6.2.3000 through 20.6.2.3114 NMAC.
3. The discharge from the Facility is not subject to any of the exemptions of Section 20.6.2.3105 NMAC.

III. AUTHORIZATION TO DISCHARGE

The Permittee is responsible for ensuring that discharges authorized by this Discharge Permit are consistent with the terms and conditions herein pursuant to 20.6.2.3104 NMAC.

This Discharge Permit authorizes the Permittee to receive and dewater up to 730,000 gallons per year, a total of 2,000 gpd, of food-related grease trap/interceptor waste and domestic septage waste using a screw press. The Permittee shall discharge the aqueous portion of the grease trap/interceptor and septage waste to a settling tank prior to discharging to a synthetically lined impoundment system for disposal by evaporation. The Permittee shall haul the dewatered portion of the grease trap/interceptor and septage waste off-site for disposal.

This Discharge Permit prohibits waste types other than food-related grease trap/interceptor waste and domestic septage waste at this Facility.

[20.6.2.3104 NMAC, Subsection C of 20.6.2.3106 NMAC, Subsection D of 20.6.2.3109 NMAC]

IV. CONDITIONS

NMED issues this Discharge Permit for the discharge of water contaminants subject to the following conditions.

A. OPERATIONAL PLAN

#	Terms and Conditions
1.	The Permittee shall implement the following operational plan to ensure compliance with Title 20, Chapter 6, Parts 2 and 4 NMAC. [Subsection C of 20.6.2.3109 NMAC]
2.	The Permittee shall operate in a manner that does not violate standards and requirements of Sections 20.6.2.3101 and 20.6.2.3103 NMAC. [20.6.2.3101 NMAC, 20.6.2.3103 NMAC, Subsection C of 20.6.2.3109 NMAC]

Operational Actions with Implementation Deadlines

#	Terms and Conditions
3.	Within 180 days following the issuance date of this Discharge Permit (by DATE), the Permittee shall submit an up-to-date diagram of the layout of the entire Facility to NMED. The diagram shall include the following elements: <ul style="list-style-type: none"> • a north arrow; • the issuance date of the diagram; • all components of the storage, dewatering, and evaporation units; and • all associated pipelines. The Permittee shall ensure that any element that cannot be directly shown due to its location inside of existing structures, or because it is buried without surface identification, shall be on the diagram in a schematic format and identified as such. [Subsection C of 20.6.2.3106 NMAC, Subsection A of 20.6.2.3107 NMAC]
4.	Within 60 days following the effective date of this Discharge Permit (by DATE), the Permittee shall submit construction plans and specifications for a concrete pad with secondary containment and sump for <u>the roll-off container receiving the dewatered solids after the screw press from the food-related grease trap/interceptor and domestic septage wastes</u> . The Permittee shall include the following elements. <ol style="list-style-type: none"> a) Details for the constructions of the concrete pad with secondary containment and sump. b) Specifications for all equipment, materials, and installation procedures to be used in the construction of the concrete pad and its associated components.

#	Terms and Conditions
	<p>c) A schedule for completion of roll-off concrete pad installation within 120 days following the effective date of this Discharge Permit (by DATE).</p> <p>Prior to constructing the concrete pad with and its associated components, the Permittee shall obtain written verification from NMED that the plans and specifications meet the requirements of this Discharge Permit.</p> <p>[Subsections A and C 20.6.2.1202 NMAC, Subsection C of 20.6.2.3106 NMAC, Subsection C of 20.6.2.3107 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]</p>
5.	<p>Within 60 days following the effective date of this Discharge Permit (by DATE), the Permittee shall submit construction plans and specifications for a concrete pad with secondary containment and sump for <u>the roll-off container used for temporary storage of screened solids from the food-related grease trap/interceptor waste and domestic septage waste</u>. The Permittee shall include the following elements.</p> <ol style="list-style-type: none"> a) Details for the constructions of the concrete pad with secondary containment and sump. b) Specifications for all equipment, materials, and installation procedures to be used in the construction of the concrete pad and its associated components. c) A schedule for completion of roll-off concrete pad installation within 120 days following the effective date of this Discharge Permit (by DATE). <p>Prior to constructing the concrete pad and its associated components, the Permittee shall obtain written verification from NMED that the plans and specifications meet the requirements of this Discharge Permit.</p> <p>[Subsections A and C 20.6.2.1202 NMAC, Subsection C of 20.6.2.3106 NMAC, Subsection C of 20.6.2.3107 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]</p>
6.	<p>Within 60 days following the effective date of this Discharge Permit (by DATE), the Permittee shall submit construction plans and specifications for a concrete pad with secondary containment and sump for emergency/temporary storage of screened and dewatered solids from the food-related grease trap/interceptor and domestic septage wastes. The Permittee shall include the following elements.</p> <ol style="list-style-type: none"> a) Details for the constructions of the concrete pad with secondary containment and sump. b) Specifications for all equipment, materials, and installation procedures to be used in the construction of the concrete pad and its associated components. c) A schedule for completion of concrete pad installation within 120 days following the effective date of this Discharge Permit (by DATE).

#	Terms and Conditions
	<p>Prior to constructing the concrete pad its associated components, the Permittee shall obtain written verification from NMED that the plans and specifications meet the requirements of this Discharge Permit.</p> <p>[Subsections A and C 20.6.2.1202 NMAC, Subsection C of 20.6.2.3106 NMAC, Subsection C of 20.6.2.3107 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]</p>
7.	<p>A minimum of 90 days prior to construction of an additional synthetically lined evaporative impoundment for the disposal of the aqueous portion of the food-related grease trap/interceptor and domestic septage wastes, the Permittee shall submit final construction plans and specifications for the proposed evaporative impoundment. The Permittee shall submit to NMED construction plans and specifications that bear the seal and signature of a licensed New Mexico professional engineer (pursuant to New Mexico Engineering and Surveying Practice Act and the rules promulgated under that authority) and supporting design calculations for review by NMED. The Permittee shall include the following elements.</p> <ul style="list-style-type: none"> a) Details for the construction of the evaporative impoundment and a liner consistent with the attachment titled <i>Ground Water Discharge Permit Conditions for Synthetically Lined Lagoons – Liner Material and Site Preparation</i>, Revision 0.0, May 2007. b) Design calculations for the capacity and evaporative potential of the evaporative impoundment. The impoundment shall be designed to dispose of the permitted discharge volume by evaporation such that two feet of freeboard is preserved at all times. Seasonal discharge patterns may be considered in the design calculations. <p>Prior to constructing an additional synthetically lined evaporative impoundment and its associated components, the Permittee shall obtain written verification from NMED that the plans and specifications meet the requirements of this Discharge Permit.</p> <p>[Subsections A and C 20.6.2.1202 NMAC, Subsection C of 20.6.2.3106 NMAC, Subsection C of 20.6.2.3107 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]</p>

Operating Conditions

#	Terms and Conditions
8.	<p>The Permittee shall install and maintain fences around the Facility to restrict access by the general public and animals. The fences shall consist of a minimum of six-foot chain link or field fencing and locking gates. The Permittee shall maintain the fences to serve the stated purpose throughout the term of this Discharge Permit.</p> <p>[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]</p>

#	Terms and Conditions
9.	<p>The Permittee shall maintain the following signs at the following locations:</p> <ul style="list-style-type: none">• Signs posted at the Facility entrance and every 500 feet along the Facility boundary that state: "Notice: Waste Disposal Area - KEEP OUT" and "Aviso: Área de Disposición - NO ENTRAR".• A sign posted at the entrance gate with the following information:<ul style="list-style-type: none">○ the name of the Facility,○ the name of a Facility contact person,○ the office phone number of the contact person,○ the emergency contact phone number for the Facility, and○ New Mexico Environment Department, Discharge Permit #1879 – dial 505-827-2900. <p>These signs shall be weatherproof. The Permittee shall maintain signs to serve their purpose for the term of this Discharge Permit.</p> <p>[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]</p>
10.	<p>The Permittee shall discharge food-related grease trap/interceptor and domestic septage waste to an above-ground receiving tank, mix lime into the waste, and screen the waste to remove solids/debris prior to dewatering. The Permittee shall temporarily place solids/debris retained by screening in a concrete lined pit. When the solids/debris exceeds 80% of the capacity of the pit, the Permittee shall transfer the solids/debris to a lined container (e.g., roll-off container) located on a concrete pad with secondary containment and a sump for temporarily storage at the Facility.</p> <p>The Permittee shall cover and secure the roll-off container with a tarp at the end of each workday to prevent rainwater entry.</p> <p>The Permittee shall pump all fluids accumulated in the sump to the evaporative impoundment, as necessary, to prevent overflow of the sump.</p> <p>When the containerized debris exceeds 75% of the capacity of the roll-off container, the Permittee shall dispose of the debris at a permitted off-site location.</p> <p>[20.6.2.3109 NMAC]</p>
11.	<p>After screening, the Permittee shall inject the food-related grease trap/interceptor and domestic septage wastes with a polymer prior to separating the aqueous portion of the waste from the non-aqueous portion (i.e., grease/oil and solids) using dewatering equipment (e.g., screw press) designed to achieve at least 90% separation of grease, oil, and solids from the aqueous portion. The Permittee shall discharge the aqueous portion</p>

#	Terms and Conditions
	<p>to a settling tank prior to discharging the clarified wastewater to a synthetically lined impoundment(s) for disposal by evaporation.</p> <p>[20.6.2.3109 NMAC]</p>
12.	<p>The Permittee shall discharge the dewatered food-related grease trap/interceptor and domestic septage wastes to a watertight container (e.g., a roll-off container) located on a concrete pad with secondary containment and a sump for temporarily storage at the Facility.</p> <p>The Permittee shall cover and secure the roll-off container with a tarp at the end of each workday to prevent rainwater entry.</p> <p>The Permittee shall pump all fluids accumulated in the sump to the evaporative impoundment, as necessary, to prevent overflow of the sump.</p> <p>When the separated solids exceed 75% of the capacity of the roll-off container, the Permittee shall dispose of the solids at a permitted off-site location.</p> <p>[20.6.2.3109 NMAC]</p>
13.	<p>When in use, the Permittee shall maintain the emergency-use concrete pad with secondary containment and a sump for the temporarily storage of screened and dewatered solids/debris from the food-related grease trap/interceptor and domestic septage wastes.</p> <p>The Permittee shall cover and secure the emergency-use concrete pad with a tarp at the end of each workday to prevent rainwater entry.</p> <p>The Permittee shall pump all fluids accumulated in the sump to the evaporative impoundment, as necessary, to prevent overflow of the sump.</p> <p>As soon as a watertight container (e.g., a roll-off container) is available, the Permittee shall dispose of the solids at a permitted off-site location.</p> <p>[20.6.2.3109 NMAC]</p>
14.	<p>The Permittee shall visually inspect the concrete screening pit and <i>each</i> concrete pad with secondary containment and a sump on a monthly basis to ensure proper maintenance and that the pit, pads, and associated structures properly contain all waste material(s). In the event that inspection reveals any evidence of damage that threatens the structural integrity of the screening pit, any concert pad, or associated structures that may result in an unauthorized discharge, the Permittee shall implement the</p>

#	Terms and Conditions
	<p>Contingency Plan set forth in this Discharge Permit. Such conditions include but are not limited to erosion damage, cracks, animal activity/damage, or evidence of seepage.</p> <p>The Permittee shall create and maintain an inspection log for the screening pit, and each concrete pad and associated structure which describes the date of the inspection, any findings and repairs, and the name of the person responsible for the inspection. The Permittee shall make the log available to NMED upon request.</p> <p>[20.6.2.3107 NMAC]</p>
15.	<p>The Permittee shall maintain the evaporative impoundment liner to avoid conditions that could affect the liner(s) or the structural integrity of the impoundment(s). Characterization of such conditions may include the following:</p> <ul style="list-style-type: none">• erosion damage;• animal burrows or other damage;• the presence of vegetation including aquatic plants, weeds, woody shrubs, or trees growing within five feet of the top inside edge of a sub-grade impoundment, within five feet of the toe of the outside berm of an above-grade impoundment, or within the impoundment itself;• the presence of large debris or large quantities of debris in the impoundment;• evidence of seepage; or• evidence of berm subsidence. <p>The Permittee shall routinely control vegetation growing around the impoundment(s) by mechanical removal that is protective of the impoundment liner.</p> <p>The Permittee shall visually inspect the impoundment(s) and surrounding berms on a monthly basis to ensure proper maintenance. In the event that inspection reveals any evidence of damage that threatens the structural integrity of an impoundment berm or liner, or that may result in an unauthorized discharge, the Permittee shall implement the Contingency Plan set forth in this Discharge Permit.</p> <p>The Permittee shall create and maintain a log of all impoundment inspections which describes the date of the inspection, any findings and repairs and the name of the person responsible for the inspection. The Permittee shall make the log available to NMED upon request.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
16.	<p>The Permittee shall preserve a minimum of two feet of freeboard, i.e., the liquid level in the impoundment(s) and the elevation of the lowest-most top of the impoundment liner.</p>

#	Terms and Conditions
	<p>In the event that the Permittee determines that it cannot preserve two feet of freeboard in the impoundment, the Permittee shall implement the Contingency Plan set forth in this Discharge Permit.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
17.	<p>The Permittee shall ensure each load of waste received at the Facility is accompanied with a manifest. The Permittee shall ensure each manifest includes the following information:</p> <ul style="list-style-type: none"> • name of the driver; • date of waste shipment receipt; • name and address of the waste origin; • type of waste (food-related grease trap/interceptor waste or domestic septage); • volume of waste shipment; • confirmation of inspection for acceptable waste type; and • signature of person conducting the inspection. <p>The Permittee shall maintain the manifests at the Facility. The Permittee shall make the manifests available for inspection by NMED upon request. The Permittee shall submit a summary listing the information from each manifest for wastes received during the reporting period to NMED in the semi-annual monitoring reports.</p> <p>[20.6.2.3107 NMAC]</p>

B. MONITORING AND REPORTING

#	Terms and Conditions
18.	<p>The Permittee shall conduct the monitoring, reporting, and other requirements listed below in accordance with the monitoring requirements of this Discharge Permit.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
19.	<p>METHODOLOGY - Unless otherwise specified by this Discharge Permit, or approved in writing by NMED, the Permittee shall use sampling and analytical techniques that conform with the references listed in Subsection B of 20.6.2.3107 NMAC.</p> <p>[Subsection B of 20.6.2.3107 NMAC]</p>
20.	<p>Semi-annual monitoring - The Permittee shall perform monitoring and other Permit required actions during the following periods and shall submit semi-annual reports to NMED by the following due dates:</p>

#	Terms and Conditions
	<ul style="list-style-type: none"> • January 1st through June 30th – due by August 1st; and • July 1st through December 31st – due by February 1st. <p>[Subsection A of 20.6.2.3107 NMAC]</p>

Facility Monitoring Conditions

#	Terms and Conditions
21.	<p>The Permittee shall maintain a monthly log detailing wastes received by the Facility. The Permittee shall ensure the log includes the following information:</p> <ul style="list-style-type: none"> • date of receipt; • origin of waste; • waste type (food-related grease trap/interceptor waste or domestic septage); and • volume of waste. <p>The Permittee shall submit copies of the monthly logs to NMED in the semi-annual monitoring reports.</p> <p>[20.6.2.3107 NMAC]</p>
22.	<p>The Permittee shall collect on a semi-annual basis (once every six months) a composite wastewater sample of the aqueous portion of the combined food-related grease trap/interceptor and domestic septage wastes from the synthetically lined evaporative impoundment. The composite sample shall consist of a minimum of six equal aliquots collected equidistantly around the entire perimeter of the impoundment and thoroughly mixed. The Permittee shall analyze the composite sample for:</p> <ul style="list-style-type: none"> • total Kjeldahl nitrogen (TKN); • nitrate-nitrogen (NO₃-N); • total dissolved solids (TDS); • chloride (Cl); • pH; and • fats, oil, and grease (using EPA Method 1664A). <p>The Permittee shall properly prepare, preserve, transport, and analyze the samples in accordance with the methods authorized in this Discharge Permit. The Permittee shall submit the laboratory analytical data results, including the QA/QC summary and Chain of Custody, to NMED in the semi-annual monitoring reports.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]</p>

#	Terms and Conditions
23.	<p>The Permittee shall maintain a monthly log detailing the removal of the non-aqueous portion of the food-related grease trap/interceptor and domestic septage waste (i.e., screened and dewatered solids/debris) from the Facility. The Permittee shall ensure the log includes the following information:</p> <ul style="list-style-type: none"> • date(s) of removal of the non-aqueous waste material; • type of waste material removed (screened solids/debris or dewatered solids); • volume of waste material removed in each shipment (cubic yards); and • address and contact information of the disposal facility that received the waste material for disposal. <p>The permittee shall dispose of non-aqueous food-related grease trap/interceptor and domestic septage waste in accordance with all local, state, and federal waste disposal regulations.</p> <p>The Permittee shall submit copies of the monthly logs to NMED in the semi-annual monitoring reports.</p> <p>[20.6.2.3107 NMAC]</p>
24.	<p>The Permittee shall inspect the settling tank annually for the accumulation of scum and solids. In the event that the scum layer exceeds three inches, or the settled solids occupy 30% or more of the tank volume, the contents of the tank shall be pumped.</p> <p>The Permittee shall maintain a record of scum/solids removal and disposal, including date(s) and volume removed.</p> <p>The Permittee shall submit the records of scum/solids removal to NMED in the monitoring report due February 1st of each year.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>

C. CONTINGENCY PLAN

#	Terms and Conditions
25.	<p>In the event that groundwater exceeds a groundwater protection standard identified in Section 20.6.2.3103 NMAC as a result of this discharge during the term of this Discharge Permit, upon closure of the Facility or during the implementation of post-closure requirements, the Permittee shall submit to NMED a Corrective Action Plan (CAP) that proposes, at a minimum, contaminant source control measures and an implementation schedule. The Permittee shall implement the CAP as approved by NMED.</p>

#	Terms and Conditions
	<p>The NMED may require the Permittee to abate water pollution consistent with the requirements and provisions of Section 20.6.2.4101, Section 20.6.2.4103, Subsections C and E of 20.6.2.4106, Section 20.6.2.4107, Section 20.6.2.4108, and Section 20.6.2.4112 NMAC.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]</p>
26.	<p>In the event that an inspection reveals significant damage has occurred or is likely to affect the structural integrity of the concrete lined screening pit or <i>any</i> concrete lined pad with secondary containment and sump, or their ability to contain contaminants, the Permittee shall propose the repair or replacement of the structure by submitting a CAP to NMED for approval. The Permittee shall submit the CAP to NMED within 30 days after discovery of the damage or following notification from NMED that significant damage is evident. The Permittee shall ensure the CAP includes a schedule for completion of corrective actions. The Permittee shall initiate implementation of the CAP following approval by NMED.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
27.	<p>In the event that an inspection reveals significant damage has occurred or is likely to affect the structural integrity of an impoundment or an associated liner, or their ability to contain contaminants, the Permittee shall propose the repair or replacement by submitting a CAP to NMED for approval. The Permittee shall submit the CAP to NMED within 30 days after discovery of the damage or following notification from NMED that significant damage is evident. The Permittee shall ensure the CAP includes a schedule for completion of corrective actions. The Permittee shall initiate implementation of the CAP following approval by NMED.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
28.	<p>In the event that an impoundment cannot preserve a minimum of two feet of freeboard, the Permittee shall take actions to restore the required freeboard as authorized by this Discharge Permit and all applicable local, state, and federal regulations.</p> <p>In the event that two feet of freeboard cannot be restored within a period of 72 hours following discovery, the Permittee shall propose actions to restore two feet of freeboard by submitting a short-term CAP to NMED for approval. Examples of short-term corrective actions include the pumping and hauling of excess wastewater from the impoundment or reducing the volume of wastewater discharged to the impoundment. The Permittee shall ensure the CAP includes a schedule for completion of corrective actions. The Permittee shall submit the CAP within 15 days following the date the</p>

#	Terms and Conditions
	<p>Permittee or the NMED discover the exceedance. The Permittee shall implement the CAP following NMED approval.</p> <p>In the event that the short-term corrective actions fail to restore two feet of freeboard, the Permittee shall submit to NMED a proposal for permanent corrective actions in a long-term CAP. The Permittee shall submit the long-term CAP within 90 days following failure of the short-term CAP. Examples corrective actions include the installation of an additional storage impoundment or a significant and permanent reduction in the volume of wastewater discharged to the impoundment. The Permittee shall ensure the long-term CAP includes a schedule for completion of corrective actions. The Permittee shall implement the CAP following NMED approval.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
29.	<p>In the event that a release occurs that is not authorized under this Discharge Permit (commonly known as a “spill”), the Permittee shall take measures to mitigate damage from the unauthorized discharge and initiate the notifications and corrective actions required in Section 20.6.2.1203 NMAC and summarized below.</p> <p>Within <u>24 hours</u> following discovery of the unauthorized discharge, the Permittee shall verbally notify NMED and provide the following information.</p> <ul style="list-style-type: none">a) The name, address, and telephone number of the person or persons in charge of the Facility, as well as of the owner and/or operator of the Facility.b) The name and address of the Facility.c) The date, time, location, and duration of the unauthorized discharge.d) The source and cause of unauthorized discharge.e) A description of the unauthorized discharge, including its estimated chemical composition.f) The estimated volume of the unauthorized discharge.g) Any actions taken to mitigate immediate damage from the unauthorized discharge. <p>Within <u>one week</u> following discovery of the unauthorized discharge, the Permittee shall submit written notification to NMED providing the information listed above and any pertinent updates.</p> <p>Within <u>15 days</u> following discovery of the unauthorized discharge, the Permittee shall submit a CAP to NMED describing any corrective actions previously taken and corrective actions to be taken relative to the unauthorized discharge. The CAP shall include the following information.</p> <ul style="list-style-type: none">a) A description of proposed actions to mitigate damage from the unauthorized discharge.

#	Terms and Conditions
	<p>b) A description of proposed actions to prevent future unauthorized discharges of this nature.</p> <p>c) A schedule for completion of proposed actions.</p> <p>In the event that the unauthorized discharge causes or may with reasonable probability cause groundwater pollution in excess of the standards and requirements of Section 20.6.2.4103 NMAC, and the water pollution will not be abated within 180 days after notice is required to be given pursuant to Paragraph (1) of Subsection A of 20.6.2.1203 NMAC, NMED may require the Permittee to abate water pollution pursuant to Sections 20.6.2.4000 through 20.6.2.4115 NMAC.</p> <p>The Permittee shall not construe anything in this condition as relieving them of the obligation to comply with all requirements of Section 20.6.2.1203 NMAC.</p> <p>[20.6.2.1203 NMAC]</p>
30.	<p>In the event that NMED or the Permittee identifies any failures of the discharge plan, i.e., the application, or this Discharge Permit not specifically noted herein, NMED may require the Permittee to submit a CAP and a schedule for completion of corrective actions to address the failure(s). Additionally, NMED may require a discharge permit modification to achieve compliance with 20.6.2 NMAC.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]</p>

D. CLOSURE PLAN

Closure Actions with Implementation Deadlines

#	Terms and Conditions
31.	<p>Within nine (9) months of the issuance date of this Discharge Permit (by DATE), the Permittee shall submit a detailed closure plan for NMED's approval to prevent the exceedance of standards of 20.6.2.3103 NMAC in groundwater after the cessation of operation. The closure plan shall include: a description of closure measures, maintenance and monitoring plans, post-closure maintenance and monitoring plans, and other measures necessary to prevent or abate such contamination, e.g., a corrective action plan.</p> <p>The Permittee shall ensure that the closure plan is sufficiently detailed to address the steps necessary to close the double synthetically lined evaporation impoundment(s) and any other waste/wastewater related infrastructure. Further, the detailed closure plan shall address solid de-watering (as necessary), characterization of wastes to be disposed</p>

#	Terms and Conditions
	<p>off-site and ongoing maintenance for all impoundments, any other waste/wastewater related infrastructure, and all post-closure activities.</p> <p>The Permittee shall ensure that the closure plan addresses all necessary corrective action, that at a minimum addresses actions to delineate the nature and extent of any groundwater contamination, contaminant source control measures, and any actions to abate water pollution consistent with the requirements and provisions of Section 20.6.2.4101 as approved by NMED.</p> <p>The Permittee shall ensure that the closure plan addresses post-closure care. All closure and post-closure activities are considered “complete closure.”</p> <p>The Permittee shall ensure the closure plan has sufficient detail to estimate the cost of complete closure of all waste/wastewater related infrastructure, post-closure monitoring, and all necessary corrective actions for the purpose of establishing and maintaining financial assurance.</p> <p>[Subsection A of 20.6.2.3107]</p>
32.	<p>Within 90 days from the date of NMED’s approval of the closure plan, the Permittee shall submit a detailed cost estimate (Estimate) for NMED’s approval based on the detailed closure plan for complete closure required by Condition #31. The Estimate shall be based on the cost of hiring a third party to conduct complete closure. The Estimate shall include direct costs associated with third-party implementation of the closure plan, contingency costs in the amount of 15 percent of the direct costs, the cost of an independent project manager and contract administration, and NMED oversight and administration costs, including indirect costs. The Estimate shall forecast the worst-case scenario for complete closure over the five-year period of this Discharge Permit; if a new permit is not issued after five years, the Estimate for the worst-case scenario shall be updated annually each year after five years and any financial assurance shall be adjusted accordingly.</p> <p>The Permittee shall adjust the Estimate for inflation over the five-year period for complete closure and shall project the amount needed for each of the five years for the worst-case scenario for all activities included in complete closure.</p> <p>[Subsection A of 20.6.2.3107]</p>
33.	<p>Within 90 days from the date of NMED’s approval of the closure cost estimate (Estimate), the Permittee shall submit to NMED for approval its proposed financial assurance instrument(s) that meets the requirements below.</p> <p>a) The amount of financial assurance shall be sufficient to cover the cost of implementing complete closure as described in the closure plan and the Estimate</p>

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	<p>required by Conditions #31 and #32 of this Discharge Permit. The Permittee shall not propose any form of self-guarantee. The financial assurance instrument(s) shall ensure that funds will be available to implement complete closure if at any time the Permittee is unable, unwilling, or otherwise fails to implement any portion of the closure plan as required by this Discharge Permit. If the financial assurance instrument(s) entails incremental costs of maintaining the instrument(s), i.e., costs for a trustee, the amount of the financial assurance shall be increased to include all such costs.</p> <p>b) NMED shall be named as the sole beneficiary in each financial assurance instrument(s).</p> <p>c) The financial assurance instrument(s) shall include a method for adjustments due to changes in inflation, new technologies, and NMED approved revisions to the closure plan based on continued investigations or other information and shall be adjusted no less frequently than every five years such that, at all times, the amount of financial assurance provided by the Permittee shall be sufficient to perform complete closure at any time during the following five years from the update.</p> <p>d) Within 30 days after NMED approves the draft financial assurance instrument(s), the Permittee shall execute the financial assurance instrument and submit it to NMED for final acceptance.</p> <p>e) Within 30 days of the implementation of the financial assurance instrument(s), the Permittee shall establish a trust to receive and disburse funds, which may arise as the result of forfeiture of financial assurance. The trust shall name NMED as the beneficiary. The trust agreement shall be in a form satisfactory to the State Board of Finance and shall be subject to approval by the Governor pursuant to NMSA 1978, § 46-4-1 through 9. The trust shall be maintained until complete closure has occurred and NMED terminates any existing discharge permit in effect at the time. Upon forfeiture of financial assurance, the forfeited amount shall be deposited directly into the trust and shall be used for any activities or costs related to complete closure.</p> <p>f) The Permittee may propose alternative financial assurance instrument(s) from time to time subject to NMED's written approval and acceptance. The Permittee shall not replace any approved financial assurance instrument(s) without NMED's written approval.</p> <p>g) Unless released by NMED in writing, the financial assurance instrument(s) shall remain in effect until complete closure and final termination of this Discharge Permit and shall remain in place at all times, including lapses in Discharge Permit coverage, late Discharge Permit renewal, or temporary shutdown of facilities covered under this Discharge Permit.</p> <p>h) Should circumstances warrant more frequent adjustments than provided for in the approved financial assurance instrument(s), NMED may require them in writing and the Permittee shall make the adjustment within 180 days.</p>

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	<p>i) No more frequently than once every 12 months, the Permittee may request that NMED review remaining activities required for complete closure, including alternate closure activities that NMED has approved. The request for review shall describe the activities that have been completed and shall contain an updated Estimate for remaining complete closure activities.</p> <p>If NMED approves the description of activities that have been completed, the remaining activities of complete closure, and the Estimate for remaining complete closure activities, NMED will notify the Permittee of appropriate adjustments that the Permittee may make to the amount of financial assurance.</p> <p>The Permittee shall evaluate and, if necessary, revise the financial assurance instrument to comply with applicable WQCC financial assurance regulations when such regulations are promulgated and become effective.</p> <p>[Subsection A of 20.6.2.3107]</p>
34.	<p>The Permittee shall adhere to the following stipulations for cancellation, non-renewal, forfeiture, or release of the financial assurance instrument(s).</p> <p>a) Cancellation or Non-renewal: Each financial assurance instrument shall require the financial assurance provider to give at least 120 days written notice to NMED and the Permittee prior to cancellation or non-renewal of the financial assurance instrument. If NMED receives notice of cancellation or non-renewal from a financial assurance provider, the Permittee shall propose an alternate financial assurance mechanism to NMED within 30 days of the notice. If NMED approves the alternate financial assurance mechanism, the Permittee shall execute it and submit it to NMED for final acceptance within 30 days of NMED approval. If the Permittee fails to obtain alternate financial assurance acceptable to NMED within 30 days of NMED approval, the current financial assurance shall be subject to forfeiture.</p> <p>b) Forfeiture: If NMED determines that implementation of all or any part of complete closure is required and that the Permittee is unable or unwilling or will otherwise fail to conduct all or any part of complete closure as required by this Discharge Permit, then NMED may proceed with forfeiture of all or part of the financial assurance.</p> <p>Prior to beginning a forfeiture proceeding, NMED will provide written notice by certified mail to the Permittee and to all financial assurance providers, if applicable. The notice will inform the parties of the determination to forfeit all or a portion of the financial assurance. If NMED's access to the financial assurance is threatened due to time constraints, NMED may begin a forfeiture proceeding and provide written notice contemporaneously with that proceeding. The written notice will</p>

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	<p>state the reasons for the forfeiture and the amount to be forfeited.</p> <p>The amount to be forfeited shall be based on the total cost of performing complete closure in accordance with this Discharge Permit and all applicable laws and regulations. NMED will also advise the Permittee and all financial assurance providers, if applicable, of the conditions under which forfeiture may be avoided. Such conditions may include an agreement that the Permittee, a financial assurance provider, or an NMED-approved third party, will perform complete closure in accordance with this Discharge Permit and all applicable laws and regulations, and the entity has demonstrated it has the financial ability and technical qualifications to do so.</p> <p>All financial assurance forfeited shall become immediately payable to the trust or as otherwise provided in the NMED-approved instrument. Forfeited funds shall be used to perform complete closure. If the forfeited amount is insufficient, the Permittee shall be liable for the remaining costs. If the amount forfeited is more than necessary, the excess amount shall be refunded to the entity from whom it was collected.</p> <p>c) Release: The financial assurance instrument shall be released or modified when NMED determines that all activities of complete closure have been performed according to the closure plan requirements of this Discharge Permit and the Discharge Permit has been terminated.</p> <p>[Subsection A of 20.6.2.3107]</p>

Permanent Facility Closure Conditions

#	Terms and Conditions
35.	<p>The Permittee shall perform the following closure measures in the event the Facility is proposed to be permanently closed.</p> <p>Within <u>60 days</u> of ceasing to discharge to the Facility, the Permittee shall complete the following closure measures.</p> <p>a) Evaporate wastewater in the evaporative impoundment(s), or drained and disposed of in accordance with all local, state, and federal regulations, including 40 CFR Part 503.</p> <p>b) Pump wastewater from the settling tank to the evaporative impoundment(s) or it shall be contained, transported, and disposed of in accordance with all local, state, and federal regulations, including 40 CFR Part 503.</p>

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	<p>c) Contain, transport, and dispose of all solids/debris generated by the screening and dewatering systems in accordance with all local, state, and federal regulations, including 40 CFR Part 503.</p> <p>d) The Permittee shall maintain a record of all wastes transported for off-site disposal.</p> <p>Within <u>90 days</u> of ceasing to discharge to the Facility, the Permittee shall submit an evaporative impoundment(s) solid/sludge removal and disposal plan to NMED for approval. The Permittee shall implement the plan within 30 days following approval by NMED. The solids/sludge removal and disposal plan shall include the following information.</p> <p>a) The method of solids/sludge <i>removal</i> from the impoundment(s).</p> <p>b) The method of <i>disposal</i> for all the solids/sludge removed from the impoundment(s). The method shall comply with all local, state, and federal regulations, including 40 CFR Part 503.</p> <p>c) A schedule for completion of solids/sludge removal and disposal not to exceed one year from the date discharge to the impoundment(s) ceased.</p> <p>Within <u>one year</u> of ceasing to discharge to the Facility, the Permittee shall complete the following closure measures.</p> <p>a) Remove or demolish all screening and dewatering system components, close the settling tank, and re-grade the areas with suitable fill to blend with surface topography, promote positive drainage, and prevent ponding.</p> <p>b) Perforate or remove the evaporative impoundment liner(s); fill the impoundment(s) with suitable fill; and re-grade the impoundment site(s) to blend with surface topography, promote positive drainage, and prevent ponding.</p> <p>c) Remove or demolish the concrete screening pit, all concrete pads, all associated structures, and re-grade <i>each</i> area with suitable fill to blend the surface topography, to promote positive drainage, and prevent ponding.</p> <p>When the Permittee has met all closure and post-closure requirements and verified appropriate actions with date stamped photographic evidence or an associated NMED inspection, the Permittee may submit to NMED a written request, including photographic evidence, for termination of the Discharge Permit.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection D of 20.6.2.4103 NMAC, 40 CFR Part 503]</p>

E. GENERAL TERMS AND CONDITIONS

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36.	<p>RECORD KEEPING - The Permittee shall maintain a written record of the following:</p> <ul style="list-style-type: none"> • Information and data used to complete the application for this Discharge Permit; • Information, data, and documents demonstrating completion of closure activities; • Any releases (commonly known as “spills”) not authorized under this Discharge Permit and reports submitted pursuant to 20.6.2.1203 NMAC; • The operation, maintenance, and repair of all facilities/equipment used to treat, store, or dispose of solids/debris and wastewater; • Facility record drawings (plans and specifications) showing the actual construction of the Facility and bear the seal and signature of a licensed New Mexico professional engineer; • Copies of logs, inspection reports, shipping documents, and monitoring reports completed and/or submitted to NMED pursuant to this Discharge Permit; • The volume of wastewater or other wastes discharged pursuant to this Discharge Permit; • Wastewater quality data collected pursuant to this Discharge Permit; • The maintenance, repair, replacement, or calibration of any monitoring equipment required by this Discharge Permit; and • Data and information related to field measurements, sampling, and analysis conducted pursuant to this Discharge Permit, including the following: <ul style="list-style-type: none"> ○ the dates, locations, and times of sampling or field measurements; ○ the name and job title of the individuals who performed each sample collection or field measurement; ○ the sample analysis date of each sample; ○ the name and address of the laboratory, and the name of the signatory authority for the laboratory analysis; ○ the analytical technique or method used to analyze each sample or collect each field measurement; ○ the results of each analysis or field measurement, including raw data; ○ the results of any split, spiked, duplicate, or repeat sample; and ○ a copy of the laboratory analysis chain-of-custody as well as a description of the quality assurance and quality control procedures used. <p>The Permittee shall maintain the written record at a location accessible to NMED during a Facility inspection for the lifetime of the Discharge Permit. The Permittee shall make the record available to NMED upon request.</p> <p>[Subsections A and D of 20.6.2.3107 NMAC]</p>

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37.	<p>SUBMITTALS - The Permittee shall submit both a paper copy and an electronic copy of all notification and reporting documents required by this Discharge Permit, e.g., monitoring reports. The Permittee shall submit paper and electronic documents to the NMED Permit Contact identified on the Permit cover page.</p> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
38.	<p>INSPECTION and ENTRY - The Permittee shall allow NMED to inspect the Facility and its operations that are subject to this Discharge Permit and the WQCC regulations. NMED may, upon presentation of proper credentials, enter at reasonable times upon or through any premises in which a water contaminant source is located or in which any maintained records required by this Discharge Permit, the regulations of the federal government, or the WQCC are located.</p> <p>The Permittee shall allow NMED to have access to and reproduce for their use any copy of the records, and to perform assessments, sampling or monitoring, during an inspection for the purpose of evaluating compliance with this Discharge Permit and the WQCC regulations.</p> <p>No person shall construe anything in this Discharge Permit as limiting in any way the inspection and entry authority of NMED under the WQA, the WQCC Regulations, or any other local, state, or federal regulations.</p> <p>[Subsection D of 20.6.2.3107 NMAC, NMSA 1978, §§ 74-6-9.B and 74-6-9.E]</p>
39.	<p>DUTY to PROVIDE INFORMATION - The Permittee shall, upon NMED's request, allow for NMED's inspection/duplication of records required by this Discharge Permit and/or furnish to NMED copies of such records.</p> <p>[Subsection D of 20.6.2.3107 NMAC]</p>
40.	<p>MODIFICATIONS and/or AMENDMENTS - In the event the Permittee proposes a change to the Facility or the Facility's discharge that would result in a change in the volume discharged; the location of the discharge; or in the amount or character of water contaminants received, treated, or discharged by the Facility, the Permittee shall notify NMED prior to implementing such changes. The Permittee shall obtain NMED's approval (which may require modification of this Discharge Permit) prior to implementing such changes.</p> <p>[Subsection C of 20.6.2.3107 NMAC, Subsections E and G of 20.6.2.3109 NMAC]</p>
41.	<p>PLANS and SPECIFICATIONS - In the event the Permittee proposes to change a process unit of an existing system such that the quantity or quality of the discharge will change</p>

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	<p>substantially from that authorized by this Discharge Permit, the Permittee shall submit construction plans and specifications of the proposed system or process unit to NMED for approval prior to the commencement of construction.</p> <p>In the event the Permittee implements changes to the treatment system authorized by this Discharge Permit that result in only a minor effect on the character of the discharge, the Permittee shall report such changes (including the submission of record drawings where applicable) to NMED prior to implementation.</p> <p>[Subsections A and C of 20.6.2.1202 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]</p>
42.	<p>CIVIL PENALTIES - Any violation of the requirements and conditions of this Discharge Permit, including any failure to allow NMED staff to enter and inspect records or facilities, or any refusal or failure to provide NMED with records or information, may subject the Permittee to a civil enforcement action. Pursuant to WQA 74-6-10(A) and (B), such action may include a compliance order requiring compliance immediately or in a specified time, assessing a civil penalty, modifying or terminating the Discharge Permit, or any combination of the foregoing; or an action in district court seeking injunctive relief, civil penalties, or both. Pursuant to WQA 74-6-10(C) and 74-6-10.1, civil penalties of up to \$15,000 per day of noncompliance may be assessed for each violation of the WQA 74-6-5, the WQCC Regulations, or this Discharge Permit, and civil penalties of up to \$10,000 per day of noncompliance may be assessed for each violation of any other provision of the WQA, or any regulation, standard, or order adopted pursuant to such other provision. In any action to enforce this Discharge Permit, the Permittee waives any objection to the admissibility as evidence of any data generated pursuant to this Discharge Permit.</p> <p>[20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10 and 74-6-10.1]</p>
43.	<p>CRIMINAL PENALTIES - No person shall:</p> <ul style="list-style-type: none"> • Make any false material statement, representation, certification, or omission of material fact in an application, record, report, plan, or other document filed, submitted, or maintained under the WQA; • Falsify, tamper with, or render inaccurate any monitoring device, method, or record maintained under the WQA; or • Fail to monitor, sample, or report as required by a permit issued pursuant to a state or federal law or regulation. <p>Any person who knowingly violates or knowingly causes or allows another person to violate the requirements of this condition is guilty of a fourth-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who is convicted of a second or subsequent violation of the requirements of this condition is</p>

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	<p>guilty of a third-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition or knowingly causes another person to violate the requirements of this condition and thereby causes a substantial adverse environmental impact is guilty of a third-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition and knows at the time of the violation that he is creating a substantial danger of death or serious bodily injury to any other person is guilty of a second degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15.</p> <p>[20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10.2.A through 74-6-10.2.F]</p>
44.	<p>COMPLIANCE with OTHER LAWS - Nothing in this Discharge Permit shall be construed in any way as relieving the Permittee of the obligation to comply with any other applicable federal, state, and/or local laws, regulations, zoning requirements, nuisance ordinances, permits, or orders.</p> <p>[NMSA 1978, § 74-6-5.L]</p>
45.	<p>RIGHT to APPEAL - The Permittee may file a petition for review before the WQCC on this Discharge Permit. Such petition shall be in writing to the WQCC within thirty days of the receipt of postal notice of this Discharge Permit and shall include a statement of the issues raised and the relief sought. Unless the Permittee files a timely petition for review, the decision of NMED shall be final and not subject to judicial review.</p> <p>[20.6.2.3112 NMAC, NMSA 1978, § 74-6-5.O]</p>
46.	<p>TRANSFER of DISCHARGE PERMIT - Prior to the transfer of any ownership, control, or possession of this Facility or any portion thereof, the Permittee shall:</p> <ul style="list-style-type: none"> • Notify the proposed transferee in writing of the existence of this Discharge Permit; • Include a copy of this Discharge Permit with the notice; and • Deliver or send by certified mail to NMED a copy of the notification and proof that the proposed transferee has received such notification. <p>The Permittee shall continue to be responsible for any discharge from the Facility, until both ownership and possession of the Facility have been transferred to the transferee.</p> <p>[20.6.2.3111 NMAC]</p>
47.	<p>PERMIT FEES - The Permittee shall be aware that the payment of permit fees is due at the time of Discharge Permit approval. The Permittee may pay the permit fees in a single payment or they may pay the fee in equal installments on a yearly basis over the term of the Discharge Permit. The Permittee shall remit single payments to NMED no later than</p>

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	<p>30 days after the Discharge Permit issuance date. The Permittee shall remit initial installment payments to NMED no later than 30 days after the Discharge Permit issuance date; with subsequent installment payments remitted to NMED no later than the anniversary of the Discharge Permit issuance date.</p> <p>Permit fees are associated with <u>issuance</u> of this Discharge Permit. No person shall construe anything in this Discharge Permit as relieving the Permittee of the obligation to pay all permit fees assessed by NMED. A Permittee that ceases discharging or does not commence discharging from the Facility during the term of the Discharge Permit shall pay all permit fees assessed by NMED. NMED shall suspend or terminate an approved Discharge Permit if the Permittee fails to remit an installment payment by its due date.</p> <p>[Subsection F of 20.6.2.3114 NMAC, NMSA 1978, § 74-6-5.K]</p>

draft



New Mexico Environment Department Ground Water Quality Bureau Discharge Permit Summary

Facility Information

Facility Name American Waste Removal
Discharge Permit Number DP-1879

Legally Responsible Party Gregory Jarvies, President
 America Waste Removal, Inc.
 2568 West Horseshoe Circle
 South Jordan, UT 84095
 (505) 334-4018

Treatment, Disposal and Site Information

Primary Waste Type Restaurant Oil & Grease/Domestic Septage
Facility Type Dewatering/Evaporative

Treatment Methods

Type	Designation	Description & Comments
Solids Screening	Receiving Bin/Tank	Food-related grease trap/interceptor and domestic septage waste is discharged to the receiving bin/tank, mixed with lime, and conveyed through a shaker to screen out solids/debris prior to dewatering.
Dewatering	Screw Press	Screened food-related grease trap/interceptor and domestic septage waste is injected with polymer, then dewatered using a screw press.
Settling Tank	Settling Tank	A settling tank on the transfer line between the screw press and the synthetically lined evaporative impoundment system.

Discharge Locations

Type	Designation	Description & Comments
Storage Pit	Screened Solids/Debris Storage Pit	A concrete lined pit approximately four-feet deep to collect and contain screened solids/debris from the receiving bin/tank.
Roll-off Container	Debris Roll-off Container	A roll-off container to temporarily store screened solids/debris prior to being hauled off-site. The container will be located on a concrete pad with secondary containment and sump. The container shall be covered at the end of each workday.
Roll-off Container	Dewatered Solids Roll-off Container	A lined roll-off container to collect and contain dewatered solids from the screw press prior to being hauled off-site. The container will be located on a concrete pad with secondary containment and sump. The container shall be covered at the end of each workday.
Impoundment	Evaporative Impoundment	A synthetically lined impoundment (45-mil) with a capacity of approximately 60,000 gallons that receives the aqueous portion of the food-related grease trap/interceptor and domestic septage waste after dewatering for disposal via evaporation.
Storage Pad	Emergency Storage Pad	A concrete pad with secondary containment and sump to temporarily store screened solids/debris and dewatered solids.



New Mexico Environment Department Ground Water Quality Bureau Discharge Permit Summary

Depth-to-Ground Water 250 feet
Total Dissolved Solids (TDS) 365 mg/L

Permit Information

Current Action	Original Permit Issuance
Application Received	December 18, 2018
Public Notice Published	[not yet published]
Permit Issued (Issuance Date)	[issuance date]
Permitted Discharge Volume	2,000 gallons per day

NMED Contact Information

Mailing Address	Ground Water Quality Bureau P.O. Box 5469 Santa Fe, New Mexico 87502-5469
GWQB Telephone Number	(505) 827-2900
NMED Lead Staff	Gerald Knutson
Lead Staff Telephone Number	(505) 660-1789
Lead Staff Email	gerald.knutson@state.nm.us