EPA United States Environmental Protection Agency

Region 6 Compliance Assurance and Enforcement Division

INSPECTION REPORT

Inspection Date(s):	08/22/2017		
Media:	Water		
Regulatory Program(s)	Clean Water Act / NPDES		
Company Name:	**Village of Los Lunas**		
Facility Name:	***Los Lunas Wastewater Treatment Plant***		
Facility Physical Location:	1960 Heaton Loop SE		
(city, state, zip code)	Los Lunas, New Mexico		
Mailing address:	P.O. Box 1209		
(city, state, zip code)	Los Lunas, New Mexico		
County/Parish:	Valencia County		
Facility Contact:	Michael Jaramillo	Public Works Director	
	jaramillom@loslunasnm.gov		
FRS Number:	110011027511		
Identification/Permit Number:	NM0020303		
Media Number:			
NAICS:	221320		
SIC:	4952		

Personnel participating in inspection:			
Amy Andrews	USEPA/6EN-WMH	Environmental Engineer	214-907-0638
David Esparza	USEPA/6EN-WMH	Environmental Engineer	505-366-8402
Jennifer Foote	NMED	Municipal Inspector	505-827-0596
Craig Byers	Los Lunas, Village of	WWTP Supervisor	505-352-7675
Ruben Moreno	Los Lunas, Village of	WWTP Assistant Plant Operator	505-866-2114

EPA Lead Inspector Signature/Date	AMY ANDREWS Digitally signed by AMY ANDREWS DN: c=US, o=U.S. Government, ou=USEPA, ou=Staff, cn=AMY ANDREWS, dnQualifier=0000131170 Date: 2018.02.08 14:48:02 -07'00'	
	Amy Andrews	Date
Supervisor Signature/Date	CAROL PETERS-WAGNON Digitally signed by CAROL PETERS-WAGNON DN: c=US, o=U.S. Government, ou=USEPA, ou=Staff, cn=CAROL PETERS-WAGNON, dnQualifier=0000009981 Date: 2018.02.08 15:55:36 -06'00'	
	Carol Peters	Date

Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

EPA Region 6 inspectors Amy Andrews and David Esparza and New Mexico Environment Department (NMED) inspector Jennifer Foote arrived at the Village of Los Lunas, Wastewater Treatment Plant (WWTP) at 9:15am on August 22, 2017 for an unannounced Compliance Evaluation Inspection (CEI). We first met with Mr. Ruben Moreno, WWTP Assistant Plant Operator, and shortly thereafter were joined by Mr. Craig Byers, WWTP Supervisor for the Opening Conference. Mr. Esparza presented his credentials to Mr. Moreno and Mr. Byers and informed them that this was an EPA inspection to determine the WWTP's compliance under the Clean Water Act (CWA). This CEI was conducted under the authority of the National Pollutant Discharge Elimination System (NPDES) permit program, in accordance with the CWA. The generation of this report is based on information supplied by Village of Los Lunas representatives, observations made by the EPA inspectors, and records and reports maintained by the permittee (Village of Los Lunas), and the EPA. Ms. Foote of the NMED conducted a concurrent inspection of the facility's stormwater multi-sector general permit (MSGP) which will be detailed in a separate report.

FACILITY DESCRIPTION

The Los Lunas WWTP is located on Heaton Loop in Los Lunas, Valencia County, New Mexico. The facility is a non-pretreatment facility classified as a major municipal discharger, permitted for 2.7 million gallons per day (MGD) of discharge with an actual average flow maintained around 1.2 to 1.3 MGD. Discharge is into the Rio Grande River located at Latitude 34° 46' 48" North and Longitude 106° 43' 50" West. The facility is operated from 7:00am to 4:00pm Monday through Friday with a total of 9 full-time staff and the occasional summer interns. An on-call rotating staff system is maintained on the weekends.

The previous NPDES permit, which expired in 2013, was for an activated sludge (AS) treatment plant with a capacity of 0.9 MGD; this plant is still in operation, and a new membrane bioreactor (MBR) plant with an additional capacity of 1.8 MGD has also been built and put into service, which brings the total capacity of the facility to the permitted 2.7 MGD. Each of the two plants service different geographical portions of the village, with approximately 20 lift stations feeding each plant. Lift stations are maintained by the Village Water Department, not the Wastewater Department. Waste from all of the Village's industrial facilities (including Walmart, and Niagara Bottling) go to the MBR plant. The activated sludge plant is usually run at 50 percent capacity and the MBR plant is usually run at 70 percent capacity. The facility plans to phase out the activated sludge plant in the next 5 to 7 years with eventual plans to build three additional MBR plants.

Even though the WWTP is a non-pretreatment facility, the WWTP does have a fairly thorough program for keeping track of industrial facilities that discharge to the plant (including the state prison, car washes, and hotels). They conduct inspections and assist with maintenance of grease and lint traps and oil/water separators at these industrial facilities.

Section II - OBSERVATIONS

We began the inspection with a tour of both the old AS plant and the new MBR plant. At the time of the inspection, the facility was planning to begin maintenance on the steel grit rotors and entrance works basin at the new MBR plant which were having problems with pitting caused by hydrogen sulfide degradation of the steel. This maintenance would require closure of the entire entrance works basin, requiring all influent flow to be handled by the old AS plant. This shut-down was expected to last around a week. As stated above, the old AS plant design capacity is rated for 0.9 MGD, while the average actual influent flow is around 1.2 to 1.3 MGD, which means that the AS plant will be over capacity during this maintenance process. Facility personnel stated that there is little to no contingency, other than manpower, if components in the AS plant go down during this maintenance. During the 8/28/2017 follow-up phone call, Mr. Byers stated that they had come up with a plan to possibly reduce shut-down time of the MBR plant to only two (2) days.

A records review was conducted after the WWTP tour. Mr. Byers stated that the in-facility laboratory runs their own testing for pH, dissolved oxygen, biochemical oxygen demand (BOD), total suspended solids (TSS), total residual chlorine (TRC) and E. Coli (by Quanti-Tray analysis). Other analysis, including total metals, Total Kjeldahl Nitrogen (TKN), and sludge are sent out to Hall Environmental Laboratory in Albuquerque, NM. A recent BOD test failure at the in-facility lab was due to Glucose plus Glutamic Acid (GGA) failure, therefore recent BOD samples have been sent to Hall Environmental.

Wastewater disinfection at both plants has been fully converted to ultraviolet (UV) disinfection, which means that chlorine is no longer used for disinfection, and is no longer sampled for regularly, however the MBR plant is disinfected quarterly using 12 percent bleach. Samples for TRC are only collected during this disinfection period. During previous years, E. coli excursions (recorded on the DMRs) have occurred due to maintenance issues with the changing of UV bulbs as well as employees forgetting to turn on the UV disinfection system after maintenance. The facility states that operation and maintenance procedures have since been put into place to ensure that these issues are not repeated, and E. coli excursions have not been seen in 2017.

Section III – AREAS OF CONCERN

Requirement 1

40 Code of Federal Regulations (CFR) 136.3, Table IB - List of Approved Inorganic Test Procedures; Item 9. Biochemical oxygen demand (BOD_5): *Approved method is Standard Method 5210 B-2011*. Standard Method 5210 B-2011 states in Section B.4.a. Sampling and storage: *Samples for BOD analysis may degrade significantly during storage between collection and analysis, resulting in low BOD values.* 1) Grab samples—*If analysis is begun within 2 h of collection, cold storage is unnecessary. If analysis is not started within 2 h of sample collection, keep sample at or below 4°C from the time of collection. Begin analysis within 6 h of collection; when this is not possible because the sampling site is distant from the laboratory, store at or below 4°C and report length and temperature of storage with the results. In*

no case start analysis more than 24 h after grab sample collection. When samples are to be used for regulatory purposes make every effort to deliver samples for analysis within 6 h of collection.
2) *Composite samples—Keep samples at or below 4°C during compositing. Limit compositing period to 24 h. Use the same criteria as for storage of grab samples, starting the measurement of holding time from end of compositing period. State storage time and conditions as part of the results.*
Concern 1
Permit requirements call for 24-hour composite sampling of BOD_5. Permittee does not have a thermostatically controlled autosampler; ice is manually placed in the autosampler to keep samples cool. Permittee stated that during the heat of the summertime the ice usually melts overnight during the time the operators are off-duty. This may be causing degradation of the sample, producing artificially low sample results.

Requirement 2
NPDES Permit NM0020303, Part III: Standard Conditions C.6. Flow Measurements: *Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to insure that the accuracy of the measurements is consistent with the accepted capability of the type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10% from true discharge rates throughout the range of expected discharge volumes.*

NPDES Permit NM0020303, Part III: Standard Conditions C.3. Retention of Records: *The permittee shall retain records of all monitoring information, including all calibration, maintenance records, and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for the permit, for a period of at least three years from the date of the sample, measurement, report, or application.*
Concern 2
While the permittee was able to demonstrate that the electronic flow meter (Appendix 1, photos 2 and 3) was calibrated by an independence source annually, permittee was unable to positively identify type of weir in primary flow measurement device, or demonstrate that the primary flow device had been calibrated recently. Permittee did not have charts available to compare flow measurements between primary flow device and electronic flow meter and was unable to demonstrate that manual checks were completed to verify that the electronic flow meter was within 10% deviation of the primary flow device. As of the 9/6/2017 follow-up email from Mr. Byers (seen in Appendix 3), the Village of Los Lunas WWTP has stated that they have purchased the ISCO Open Channel Flow Measurement Handbook, and they plan to initiate monthly checks of the electronic flow meter against the primary flow meter. Records of these checks should be maintained for at least three years from the date of the check.

Requirement 3
NPDES Permit NM0020303, Part I.E. Pollution Prevention Requirements: *The permittee shall institute a program within 12 months of the effective date of the permit (or continue an existing one) directed towards optimizing the efficiency and extending the useful life of the facility. The permittee shall consider*

the following items in the program: a. The influent loadings, flow and design capacity; b. The effluent quality and plant performance; c. The age and expected life of the wastewater treatment facility's equipment; d. Bypasses and overflows of the tributary sewerage system and treatment works; e. New developments at the facility; f. Operator certification and training plans and status; g. The financial status of the facility; h. Preventative maintenance programs and equipment conditions and; i. An overall evaluation of conditions at the facility.

Concern 3

Facility was unable to demonstrate that they had a documented Pollution Prevention Program.

Requirement 4

40 CFR 112.1(b): (Spill Prevention, Control, and Countermeasure Plan) ...this part applies to any owner or operator of a non-transportation-related onshore or offshore facility engaged in drilling, producing, gathering, storing, processing, refining, transferring, distributing, using, or consuming oil and oil products, which due to its location, could reasonably be expected to discharge oil in quantities that may be harmful, as described in part 110 of this chapter, into or upon the navigable waters of the United States or adjoining shorelines...A facility is covered by the SPCC rule if it has an aggregate aboveground oil storage capacity greater than 1,320 U.S. gallons or a completely buried storage capacity greater than 42,000 U.S. gallons and there is a reasonable expectation of an oil discharge into or upon navigable waters of the U.S. or adjoining shorelines.

40 CFR 112.3: The owner or operator or an onshore or offshore facility subject to this section must prepare in writing and implement a Spill Prevention Control and Countermeasure Plan (hereafter "SPCC Plan" or "Plan")," in accordance with §112.7 and any other applicable section of this part.

Concern 4

Facility was unable to demonstrate that a documented SPCC Plan was in place. Facility will need to calculate total storage capacity, including generators, and prepare an SPCC Plan if the total capacity is found to be greater than 1,320 U.S. gallons.

Section IV – FOLLOW UP

The following information was received by EPA after exiting the Facility on August 22, 2017:

- 8/28/2017; follow-up phone call from Mr. Byers
- 9/6/2017; follow-up email from Mr. Byers (as seen in Appendix 3)

Section V – LIST OF APPENDICES

Appendix 1 – Photo Log – 7 photos taken 8/22/2017
Appendix 2 – NPDES Permit No. NM0020303 dated 4/18/2013, selected pages
Appendix 3 – Follow-up email from Mr. Craig Byers, Village of Los Lunas WWTP Supervisor, dated 9/6/2017

Appendix 1

Photograph Log

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 1

Location: Los Lunas WWTP, Village of		
City: Los Lunas	County/Parish: Valencia	State: New Mexico

Photo File Name: DSCN0228.JPG
Date of Photo: 8/22/2017
Time of Photo: 8:42 AM
Photographer: Amy Andrews
Description: Diagram of Los Lunas Wastewater Treatment Plant layout

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 2

Location: Los Lunas WWTP, Village of		
City: Los Lunas	County/Parish: Valencia	State: New Mexico

Photo File Name: DSCN0241.JPG
Date of Photo: 8/22/2017
Time of Photo: 10:37 AM
Photographer: Amy Andrews
Description: Effluent blend and sample box; effluent digital flow meter is visible on wall below stairs; primary effluent flow meter (weir) can be viewed from platform at top of stairs.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 3

Location: Los Lunas WWTP, Village of		
City: Los Lunas	County/Parish: Valencia	State: New Mexico

Photo File Name: DSCN0242.JPG
Date of Photo: 8/22/2017
Time of Photo: 10:37 AM
Photographer: Amy Andrews
Description: Digital effluent flow meter

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 4

Location: Los Lunas WWTP, Village of		
City: Los Lunas	County/Parish: Valencia	State: New Mexico

Photo File Name: DSCN0243.JPG
Date of Photo: 8/22/2017
Time of Photo: 10:39 AM
Photographer: Amy Andrews
Description: Staff gauge in primary effluent flow meter (weir)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 5

Location: Los Lunas WWTP, Village of		
City: Los Lunas	County/Parish: Valencia	State: New Mexico

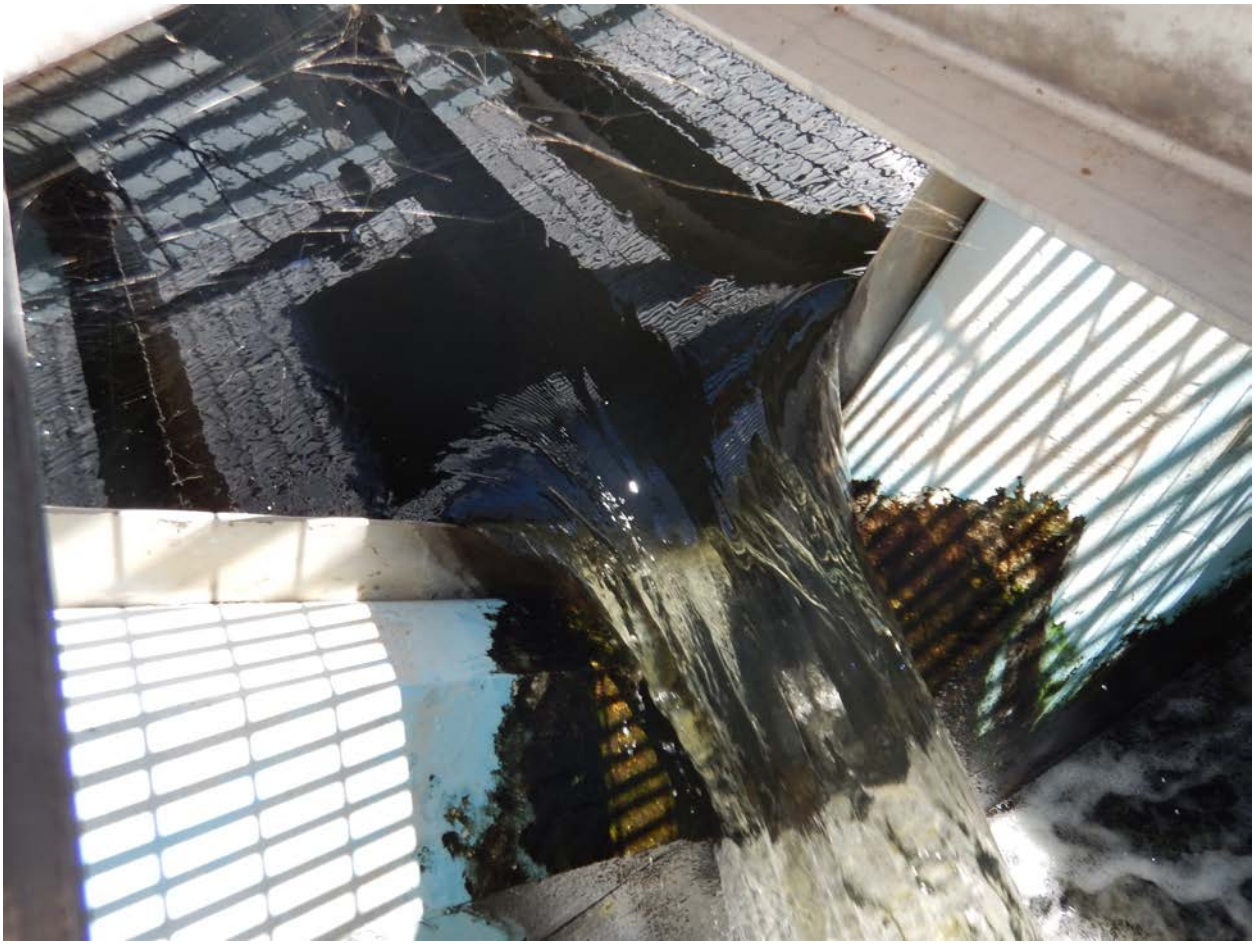

Photo File Name: DSCN0244.JPG
Date of Photo: 8/22/2017
Time of Photo: 10:40 AM
Photographer: Amy Andrews
Description: Primary effluent flow meter

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 6

Location: Los Lunas WWTP, Village of		
City: Los Lunas	County/Parish: Valencia	State: New Mexico

Photo File Name: DSCN0260.JPG
Date of Photo: 8/22/2017
Time of Photo: 1:12 PM
Photographer: Amy Andrews
Description: Outfall 001

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 7

Location: Los Lunas WWTP, Village of		
City: Los Lunas	County/Parish: Valencia	State: New Mexico

Photo File Name: DSCN0261.JPG
Date of Photo: 8/22/2017
Time of Photo: 1:12 PM
Photographer: Amy Andrews
Description: Pond at Outfall 001 supports fish and aquatic life

Appendix 2
NPDES Permit No. NM0020303
dated 4/18/2013, selected pages

REGION 6
1445 ROSS AVENUE
DALLAS, TEXAS 75202-2733

NPDES Permit No. NM0020303

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"),

Village of Los Lunas
660 Main Street, NW
P.O. Box 1209
Los Lunas, NM 87031

is authorized to discharge from the Los Lunas Wastewater Treatment Plant located at 1960 Heaton Loop S.E., Los Lunas, Valencia County, New Mexico,

to the receiving water named Rio Grande, in Waterbody Segment Code No. 20.6.4.105, of the Rio Grande Basin, from a point located approximately at the following coordinates:

Outfall 001: Latitude 34° 46' 48" North, Longitude 106° 43' 50" West,

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

This permit supersedes and replaces NPDES Permit No. NM0020303 issued May 31, 2007.

This permit shall become effective on June 1, 2013

This permit and the authorization to discharge shall expire at midnight, May 31, 2018

Issued on APR 18 2013

William K. Honker
Division Director
Water Quality Protection Division (6WQ)

Prepared by

Miranda Hodgkiss
ORISE Fellow
TMDL Section (6WQ-PT)

PART I – REQUIREMENTS FOR NPDES PERMITS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. OUTFALL 001: FINAL Effluent Limits – 2.7 MGD Design Flow

During the period beginning the effective date of the permit and lasting through the expiration date of the permit (unless otherwise noted), the permittee is authorized to discharge treated municipal wastewater to the Rio Grande, in Segment Number 20.6.4.105, from Outfall 001. Such discharges shall be limited and monitored by the permittee as specified below:

PARAMETER	DISCHARGE LIMITATIONS Standard Units		MONITORING REQUIREMENTS	
	MINIMUM	MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
pH	6.6	9.0	Daily	Grab

PARAMETER	DISCHARGE LIMITATIONS						MONITORING REQUIREMENTS	
	Mass (lbs/day, unless noted)			Concentration (mg/L, unless noted) (*1)				
	30-DAY AVG	DAILY MAX	7-DAY AVG	30-DAY AVG	DAILY MAX	7-DAY AVG	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow	Report MGD	Report MGD	Report MGD	***	***	***	Daily	Instantaneous
Biochemical Oxygen Demand, 5-day (BOD_5)	676	***	1,014	30	***	45	1/Week	24-Hour Composite
Total Suspended Solids (TSS)	676	***	1,014	30	***	45	1/Week	24-Hour Composite
Percent Removal (minimum), BOD_5 and TSS	85% (*2)	***	***	***	***	***	1/Week	Calculation (*2)
E. Coli Bacteria	12.9 (*3)	***	***	126 (*4)	410 (*4)	***	1/Week	Grab
Dissolved Oxygen (minimum)	***	***	***	≥ 5.0	≥ 5.0	***	Daily	Grab
Ammonia (as N)	***	***	***	Report	Report	***	1/Quarter (*5)	24-Hour Composite
Total Residual Chlorine (TRC)	***	***	***	***	19 (*6)	***	Daily	Instantaneous grab

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS	MONITORING REQUIREMENTS	
		MEASUREMENT FREQUENCY	SAMPLE TYPE
Expanded Effluent Testing (*6)	Report	1 each in 2nd, 3rd, & 4th years of the permit (*7)	24-Hr Composite (*8)

WHOLE EFFLUENT TOXICITY TESTING (48-Hr. Acute NOEC Freshwater) (*9) STORET CODE 22414	DISCHARGE MONITORING		MONITORING REQUIREMENTS	
	30-DAY AVG	48-HR MINIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Daphnia pulex	Report	Report	Once/Quarter	24-Hr Composite
Pimephales promelas	Report	Report	Once/Quarter	24-Hr Composite

Footnotes:

(*1) See **Appendix A of Part II** of the permit for minimum quantification limits.

(*2) Percent removal is calculated as follows: {[(influent concentration - effluent concentration) / influent concentration] x 100}

(*3) Units: Billion (1.0×10^9) colony forming units (cfu)/day. To calculate the load for any given day based on the facility's actual discharge flow, the formula is: {load [cfu/day] = concentration [cfu/100 mL] * flow [MGD] * 3.79×10^7 [conversion factor]}

(*4) Units: Colony forming units (cfu)/100 mL

(*5) Monitoring for ammonia should coincide with WET biomonitoring, when WET samples are collected for that quarter.

(*6) Units: µg/L. The facility uses UV light for disinfection. However, when chlorine is used in any process throughout the plant, the effluent limitation for total residual chlorine (TRC) is 19 µg/L. Regulations at 40 CFR Part 136 define "instantaneous grab" as analyzed within 15 minutes of collection. The effluent limitation for TRC is the instantaneous maximum and cannot be averaged for reporting purposes. Sampling and reporting is required when chlorine is used for either bacteria control and/or when chlorine is used to treat filamentous algae and/or used to disinfect process treatment equipment at the facility. A sample representative of the usage of chlorine shall be taken **daily** when chlorine or any chemical containing chlorine is used. See Part II.B for Minimum Quantification Level (MQL).

(*7) See NPDES Permit Application Form 2A; Tables A.12, B.6, and Part D for the list of pollutants to include in this testing. One yearly test must be during the warm summer months; defined as the period from June 1 through August 31, and another yearly test shall be sampled during cold weather; defined as the period from December 1 through February 28. The remaining yearly test may be taken during any time in that year. Samples shall coincide with any required WET testing event for that year. The permittee shall report the results as a separate attachment in tabular form sent to the Permits and Technical Assistance Section Chief of the Water Quality Protection Division within 60 days of receipt of the lab analysis.

(*8) Except for pH, *E. coli* bacteria, DO, and TRC, which are grab samples.

(*9) See Part II.E, Whole Effluent Toxicity Testing, for additional WET monitoring and reporting conditions.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the discharge from the final treatment unit prior to the discharge into the receiving stream from the following approximate location:

Outfall 001: Latitude: 34° 46' 48" North, Longitude: 106° 43' 50" West

Samples taken of the influent in order to measure the removal efficiency of BOD_5 and TSS shall be taken at a point prior to the wastewater entering the treatment system.

B. SCHEDULE OF COMPLIANCE

NONE

C. MONITORING AND REPORTING (MAJOR DISCHARGERS)

1. The permittee shall effectively monitor the operation and efficiency of all treatment and control facilities and the quantity and quality of the treated discharge.

2. Monitoring results must 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. 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 other agencies as required. (See Part III.D.IV of the permit.)

   a. Reporting periods shall end on the last day of each month.

   b. The permittee is required to submit regular monthly reports as described above postmarked no later than the 15th day of the month following each reporting period.

   c. The annual sludge report required in Part IV of the permit is due on February 19 of each year and covers the previous calendar year from January 1 through December 31.

3. If the permittee monitors any pollutant more frequently than required in Part I.A, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the DMR, or the annual sludge report required in Part IV of the permit.

4. If any 30 day average, monthly average, 7 day average, weekly average, or daily maximum value exceeds the effluent limitations specified in Part I.A, the permittee shall report the excursion in accordance with the requirements of Part III.D.

5. Any 30 day average, monthly average, 7 day average, weekly average, or daily maximum value reported in the required DMR which is in excess of the effluent limitation specified in Part I.A shall constitute evidence of violation of such effluent limitation and of this permit.

6. Other measurements of oxygen demand (e.g., TOC and COD) may be substituted for five day Biochemical Oxygen Demand (BOD_5) or for five day Carbonaceous Biochemical Oxygen Demand ($CBOD_5$), as applicable, where the permittee can demonstrate long term correlation of the method with BOD_5 or $CBOD_5$ values, as applicable. Details of the correlation procedures used must be submitted and prior approval granted by the permitting authority for this procedure to be acceptable. Data reported must also include evidence to show that the proper correlation continues to exist after approval.

7. The permittee shall report all overflows with the DMR submittal. These reports shall be summarized and reported in tabular format. The summaries shall include: the date, time, duration, location, estimated volume, and cause of the overflow; observed environmental impacts from the overflow; actions taken to address the overflow; and ultimate discharge location if not contained (e.g., storm sewer system, ditch, tributary). Notification shall be made to the EPA at the following e-mail address: <R6_NPDES_Reporting@epa.gov>, as soon as possible, but within 24-hours from the time the permittee becomes aware of the circumstance. Lastly, oral notification shall also be to the New Mexico Environment Department at (505) 827-0187 as soon as possible, but within 24 hours from the time the permittee becomes aware of the circumstance. A written report of overflows which endanger health or the environment shall be provided to EPA and the New Mexico Environment Department within 5 days of the time the permittee becomes aware of the circumstance.

E. POLLUTION PREVENTION REQUIREMENTS

The permittee shall institute a program within 12 months of the effective date of the permit (or continue an existing one) directed towards optimizing the efficiency and extending the useful life of the facility. The permittee shall consider the following items in the program:

a. The influent loadings, flow and design capacity;
b. The effluent quality and plant performance;
c. The age and expected life of the wastewater treatment facility's equipment;
d. Bypasses and overflows of the tributary sewerage system and treatment works;
e. New developments at the facility;
f. Operator certification and training plans and status;
g. The financial status of the facility;
h. Preventative maintenance programs and equipment conditions and;
i. An overall evaluation of conditions at the facility.

PART III - STANDARD CONDITIONS FOR NPDES PERMITS

A. GENERAL CONDITIONS

1. INTRODUCTION
In accordance with the provisions of 40 CFR Part 122.41, et. seq., this permit incorporates by reference ALL conditions and requirements applicable to NPDES Permits set forth in the Clean Water Act, as amended, (hereinafter known as the "Act") as well as ALL applicable regulations.

2. DUTY TO COMPLY
The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

3. TOXIC POLLUTANTS

   a. Notwithstanding Part III.A.5, if any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under Section 307(a) of the Act for a toxic pollutant which is present in the discharge and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition.

   b. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Act for toxic pollutants within the time provided in the regulations that established those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

4. DUTY TO REAPPLY
If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The application shall be submitted at least 180 days before the expiration date of this permit. The Director may grant permission to submit an application less than 180 days in advance but no later than the permit expiration date. Continuation of expiring permits shall be governed by regulations promulgated at 40 CFR Part 122.6 and any subsequent amendments.

5. PERMIT FLEXIBILITY
This permit may be modified, revoked and reissued, or terminated for cause in accordance with 40 CFR 122.62-64. The filing of a request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

6. PROPERTY RIGHTS
This permit does not convey any property rights of any sort, or any exclusive privilege.

7. DUTY TO PROVIDE INFORMATION
The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

8. CRIMINAL AND CIVIL LIABILITY
Except as provided in permit conditions on "Bypassing" and "Upsets", nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. Any false or materially misleading representation or concealment of information required to be reported by the provisions of the permit, the Act, or applicable regulations, which avoids or effectively defeats the regulatory purpose of the Permit may subject the Permittee to criminal enforcement pursuant to 18 U.S.C. Section 1001.

9. OIL AND HAZARDOUS SUBSTANCE LIABILITY
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act.

10. STATE LAWS
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Act.

11. SEVERABILITY
The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

B. PROPER OPERATION AND MAINTENANCE

1. NEED TO HALT OR REDUCE NOT A DEFENSE
It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. The permittee is responsible for maintaining adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failure either by means of alternate power sources, standby generators or retention of inadequately treated effluent.

2. DUTY TO MITIGATE
The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

3. PROPER OPERATION AND MAINTENANCE

a. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by permittee as efficiently as possible and in a manner which will minimize upsets and discharges of excessive pollutants and will achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

b. The permittee shall provide an adequate operating staff which is duly qualified to carry out operation, maintenance and testing functions required to insure compliance with the conditions of this permit.

4. BYPASS OF TREATMENT FACILITIES

a. BYPASS NOT EXCEEDING LIMITATIONS
The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts III.B.4.b. and 4.c.

b. NOTICE

(1)ANTICIPATED BYPASS
If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.

(2)UNANTICIPATED BYPASS
The permittee shall, within 24 hours, submit notice of an unanticipated bypass as required in Part III.D.7.

c. PROHIBITION OF BYPASS

(1) Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:

(a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and,

(c) The permittee submitted notices as required by Part III.B.4.b.

(2) The Director may allow an anticipated bypass after considering its adverse effects, if the Director determines that it will meet the three conditions listed at Part III.B.4.c(1).

5. UPSET CONDITIONS

   a. EFFECT OF AN UPSET
   An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Part III.B.5.b. are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

   b. CONDITIONS NECESSARY FOR A DEMONSTRATION OF UPSET
   A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

   (1) An upset occurred and that the permittee can identify the cause(s) of the upset;

   (2) The permitted facility was at the time being properly operated;

   (3) The permittee submitted notice of the upset as required by Part III.D.7; and,

   (4) The permittee complied with any remedial measures required by Part III.B.2.

   c. BURDEN OF PROOF
   In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

6. REMOVED SUBSTANCES
   Unless otherwise authorized, solids, sewage sludges, filter backwash, or other pollutants removed in the course of treatment or wastewater control shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters.

7. PERCENT REMOVAL (PUBLICLY OWNED TREATMENT WORKS)
   For publicly owned treatment works, the 30-day average (or Monthly Average) percent removal for Biochemical Oxygen Demand and Total Suspended Solids shall not be less than 85 percent unless otherwise authorized by the permitting authority in accordance with 40 CFR 133.103.

C. MONITORING AND RECORDS

1. INSPECTION AND ENTRY
   The permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by the law to:

   a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

   b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

   c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this permit; and

   d. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the Act, any substances or parameters at any location.

2. REPRESENTATIVE SAMPLING
   Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

3. RETENTION OF RECORDS
   The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, or application. This period may be extended by request of the Director at any time.

4. RECORD CONTENTS
   Records of monitoring information shall include:

   a. The date, exact place, and time of sampling or measurements;

b. The individual(s) who performed the sampling or measurements;

c. The date(s) and time(s) analyses were performed;

d. The individual(s) who performed the analyses;

e. The analytical techniques or methods used; and

f. The results of such analyses.

5. MONITORING PROCEDURES

a. Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit or approved by the Regional Administrator.

b. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instruments at intervals frequent enough to insure accuracy of measurements and shall maintain appropriate records of such activities.

c. An adequate analytical quality control program, including the analyses of sufficient standards, spikes, and duplicate samples to insure the accuracy of all required analytical results shall be maintained by the permittee or designated commercial laboratory.

6. FLOW MEASUREMENTS

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to insure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10% from true discharge rates throughout the range of expected discharge volumes.

D. REPORTING REQUIREMENTS

1. PLANNED CHANGES

a. INDUSTRIAL PERMITS

The permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

(1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR Part 122.29(b); or,

(2) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements listed at Part III.D.10.a.

b. MUNICIPAL PERMITS

Any change in the facility discharge (including the introduction of any new source or significant discharge or significant changes in the quantity or quality of existing discharges of pollutants) must be reported to the permitting authority. In no case are any new connections, increased flows, or significant changes in influent quality permitted that will cause violation of the effluent limitations specified herein.

2. ANTICIPATED NONCOMPLIANCE

The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

3. TRANSFERS

This permit is not transferable to any person except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Act.

4. DISCHARGE MONITORING REPORTS AND OTHER REPORTS

Monitoring results must 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. 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

Appendix 3
Follow-up email from Mr. Craig Byers, Village of Los Lunas WWTP Supervisor, dated 9/6/2017

Small Community • Big Possibilities

PUBLIC WORKS DEPARTMENT

September 6, 2017

David Esparza EPA Water Enforcement Division
Amy Andrews EPA Water Enforcement Branch
Jennifer Foote NMED Industrial and Stormwater Team

Craig Byers
WWTP Plant Supervisor

As per your inspection of our Facility on August 22, 2017. You highlighted a few items that needed immediate attention.

- Storm Water Pollution Prevention Plan/Multi Sector General Permit Storm Water
  - The Village of Los Lunas is working on our MS4 permit and as part of that process we are gathering the information for several of our sites within the village limits. The wastewater treatment plant is included in that planning process. Once we have that plan done we will submit the application for the Multi Sector General Permit for storm water.
- Spill Prevention Counter Measure & Control (Fuel Tank and Waste Oil Capacities)
  - When I was ask about the capacity of our fuel tanks I did not know that generators were exempt from this equation. We have one (1) 500 gallon above ground storage tank. This tank is double walled.
  - Our used oil storage tank is a little outdated and we are in the process of updating that storage system. I have ordered two (2) new double walled poly tanks, 150 gallon used oil tank and a 50 gallon used antifreeze tank. We will have the oil pumped out of the existing barrels, the dumpsters that house the barrels will be sent back to our Solid Waste Department to repair and seal them, so that there is no chance of leaking. We will bring back one dumpster to house the new

CHARLES GRIEGO MAYOR | GINO ROMERO COUNCILMAN | PAULETTE SANCHEZ-MONTOYA COUNCILWOMAN | GERARD SAIZ COUNCILMAN | CHRISTOPHER S. ORTIZ COUNCILMAN | GREGORY D. MARTIN VILLAGE ADMINISTRATOR

tanks. The refurbished dumpster will be painted and stenciled with USED OIL & WASTE FLUIDS.

- Ice Machine Drain Line
  - We have disconnected and relocated the line to drain into the collection system.
- Pipe Connection Between the two (2) Drain Ponds
  - We are evaluating to determine whether or not the pipe was capped on the side before it was buried, but we will also look into capping the exposed side of the pipe in the very near future.
- ISCO Open Channel Flow Measurement Handbook
  - We ordered and now have the Teledyne Isco Open Channel Flow Measurement Hand Book 8th Edition.
  - We also had James Kircher with Yukon & Associates do our annual calibration of our flow meters. All influent effluent and combined effluent meters had less than 1% error, and the Return Flow meter had less than 2% error.
  - We will add the monthly check of the Combined Effluent flow meter against the Staff Gauge to check for accuracy of the meter.
- July 2018 DMR's
  - We have worked with Helen Nguyen and fixed the issue with one of our signatory accounts and the July 2017 DMR's have been sign and submitted.

If you have any concerns with the above list items please feel free to contact me at (505)352-7675 or email at byersc@loslunasnm.gov.

Sincerely,

Craig Byers

Craig Byers
WWTP Plant Supervisor

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PUBLIC WORKS DEPARTMENT

505-352-7675

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MAYOR

GINO ROMERO
COUNCILMAN

PAULETTE SANCHEZ-MONTOYA
COUNCILWOMAN

GERARD SAIZ
COUNCILMAN

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