

Region 6 - Enforcement & Compliance Assurance Division

INSPECTION REPORT

Inspection Date(s):	09/22/2022	
Media Program:	Water	
Regulatory Program(s)	NPDES	
Company Name:	City of Rio Rancho	
Facility Name:	City of Rio Rancho Wastewater Treatment Plant #2	
Facility Physical Location:	100 Industrial Park Loop	
(city, state, zip code)	Rio Rancho, New Mexico 87144	
Mailing address:	3200 Civic City Circle	
(city, state, zip code)	Rio Rancho, New Mexico 87144	
County/Parish:	Sandoval	
Facility Phone Number	{Phone Number}	
Facility Contact:	Jim Chiasson	Utilities Director
	rchiasson@rrnmn.gov	
FRS Number:	110022872346	
Identification/Permit Number:	NM0027987	
Media Identifier Number:	NA	
NAICS:	221320	
SIC:	4952	
Personnel participating in inspection:		
Jim Chiasson	City of Rio Rancho	Director Utilities Department
Dennis Gonzales	Jacobs (consultant)	Wastewater Supervisor
Bill Jacquez	Jacobs (consultant)	Compliance Coordinator
Edward DeLara	Jacobs (consultant)	Wastewater Operations Manager
Matt Kerr	Jacobs (consultant)	Not Disclosed
David A Esparza	EPA-R6/ECDWM}	Environmental Engineer
EPA Lead Inspector Signature/Date		
	David Esparza	Date
Supervisor Signature/Date		
	Roberto Bernier	Date

Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

EPA Region 6 inspector David Esparza arrived at the City of Rio Rancho (Rio Rancho) Wastewater Treatment Plant (WWTP) at 8:30 AM (MST) on September 22, 2022, for an unannounced inspection. I met with Mr. Jim Chiasson; Utilities Director, and their contract consultants: Jacobs Engineering Group representatives Mr. Bill Jacquez; Compliance Coordinator, Mr. Dennis Gonzales; Wastewater Supervisor, Mr. Edward DeLara; Wastewater Operations Manager and Mr. Matt Kerr, not disclosed. I presented my credentials and informed them that this was an EPA inspection to determine the WWTP's compliance under the Clean Water Act (CWA) and Rio Rancho's National Pollutant Discharge Elimination System (NPDES) permit. The generation of this report is based on information supplied by Rio Rancho representatives, observations made by the United States Environmental Protection Agency (US EPA) inspector, and records and reports maintained by the permittee (Rio Rancho), and the US EPA. Before leaving the facility, an exit briefing was held with Mr. Jim Chiasson, and the above-mentioned contract representatives, to explain areas of concern noted at the time of the inspection and discuss the Capacity Management Operations and Maintenance (CMOM) checklist forwarded via electronic mail (email) earlier in the morning (**Appendix 2** Capacity Management Operations and Maintenance (CMOM) Self-Assessment).

FACILITY DESCRIPTION

The WWTP #2 is a major discharger with a pre-treatment program and permitted flow of 8.8 million gallons per day (MGD) (currently operating at approximately 4.8 MGD) and is located at 100 Industrial Park Loop NE, Sandoval County, New Mexico (depicted in **Aerial Image 1** below). The WWTP facility serves a population of approximately 102,000 residents. The WWTP facility is currently operated under a contract agreement with Jacobs Engineering Group (formerly CH2M, now a subsidiary of Jacobs) (for design, build and operations), 24-hours per day, 7 days per week and consists of a staff of 6 full-time equivalent (FTE) positions.

A Supervisory Control and Data Acquisition (SCADA) system provides around the clock monitoring of WWTP operations. After entering the WWTP facility via a series of 27 lift stations (LS) (Identified in **Table 1** below).

Table 1: City of Rio Rancho Lift Stations

Lift Station Number	Location by Street Address	Comment
1	4906 Dolores Hildago SE	
2	2451 Southern Blvd. SE	
3	301 Southern Blvd.	
4	Inca & Hondo	
5	1025 Sunflower SW	
6	Alpine & Riverview Rd.	
7	7400 Hapsburg NE	

Lift Station Number	Location by Street Address	Comment
8	South of WWTP #3	Located on the west side of the canal
9	Sue Cleveland High School	
10	Highway 528	This LS is located behind the Walgreens/Pinehurst
11	8011 Montoya Rd.	This LS is in the proximity of Walmart
12	OFFLINE	This LS was replaced by LS-14.2 and was closed in place.
13	1650 Riverside Drive	Located at WWTP #3
14.2	WWTP #2 by west gate	
15	1385 Hwy 528	
16	2006 Grande Blvd. SE	
17	1057 Joshua Dr SE	
18	1420 Sara Way SE	
19	1712 Prairie Sage Way SE	
20	7059 Westphalia Blvd. NE	
21	1650 Riverside Drive	Located at WWTP #3
22	Hwy 528 & Obregon Rd NE	
23	4903 Chaco Loop NE	
24	2300 Westside Blvd. SE	
25	3655 Hanley Rd. NE	Located at WWTP #5
26	Blue Grama Rd.	
27	4300 Sara Rd. SE	
28	21st and 12th	

WWTP #2 is one (1) of several WWTPs owned or previously owned and operated by the City of Rio Rancho. Outfall 001, the outfall from WWTP #2, is the only outfall currently discharging under an NPDES permit. **Note₁:** Outfall 001 was realigned and reconstructed from an approximate perpendicular (straight) discharge into the Rio Grande to an approximate parallel configuration; thence an eventual discharge. WWTP #3 (NPDES permit NM0029602) issued on June 6, 2016, was terminated on March 24, 2021. All WWTP #3 waste streams are diverted to the influent flow at WWTP #2. As of April 2020, WWTP #1 was permanently closed; all flow is pumped to Water Reclamation Facility #6 (WRF #6). Ultra-violet (UV) and chlorination disinfection units are used at WWTP #2 (5.5 MGD) and WRF #6 (2.7 MGD), where their effluents are comingled prior to discharging to the Rio Grande at Outfall 001. **Note₂:** The UV disinfection system at WWTP #2 commenced replacement circa 2020. WRF #6 effluents are also pumped into an injection well authorized under New Mexico Environment Department (NMED) discharge permit DP-215. Additionally, circa summer 2017, effluent flow from WWTP #5 (also known as Cabezon WRF) was designated as part of a Direct Injection Recharge Demonstration Project under NMED discharge permit DP-1650 with discharge volumes up to 1MGD. Rio Rancho states the source water for Cabezon utilizes a membrane bioreactor (MBR) treatment process producing Class IA reclaimed wastewater.

WWTP #2 is comprised of two separate treatment streams, 2A and 2B. 2A is a Schreiber Process Unit that was built circa 1995, and consists of a bar screen, aeration basin and clarifier basin. While 2B has approximately twice the treatment volume of 2A, and utilizes an activated sludge treatment process with an automatic grit belt and climber screen system, anoxic basins, fine bubble aeration basins, and clarifiers. Both 2A and 2B

flows recombine prior to the ultraviolet (UV) disinfection system and discharge to Outfall 001.



Aerial Image 1: Overall view of the City of Rio Rancho's Wastewater Treatment Plant #2. Aerial from Google Earth maps.

Additionally, Rio Rancho has implemented written policies and procedures to address any potential sanitary sewer overflow events (SSOs), and standard operating procedures (SOPs) pertaining facility operations and maintenance (O&M). Furthermore, by City Ordinance a Fats, Oils and Grease (FOG) program was enacted with respect to existing and/or new FOG contributors.

Section II - OBSERVATIONS

- A review of the Rio Rancho completed Capacity, Management, Operation and Maintenance (CMOM) Self-Assessment: **Service Area Characteristics**- Industrial (page 2) indicates two (2) institutional type facilities. Previously, the known established Industrial Users (IU) contributing to the WWTP was Insight Lighting, Inc. (Insight), located at 4341 Fulcrum Way NE. This entity and Rio Rancho entered into an individual wastewater discharge agreement (Permit No. S07002, **Appendix 4** Industrial User's Service Agreement) for the disposal of Insight's effluent into the City's WWTP #2 in December 2007, this 2007 agreement was revised in September 2020. Insight Lighting, Inc. is designated by the Control Authority as a Middle Tier CIU because its categorical discharge of wastewater does not exceed the 5,000 gpd or the 0.01 percent maximum allowable headworks loading in accordance with 40 CFR 433- Metal Finishing Point Source Category ([Subpart A- Metal Finishing Subcategory \(§§433.10-433.17\)](#)). The additional IU was not identified, and it is not clear if Insight is an institutional type of facility.
- A review of the Rio Rancho completed Capacity, Management, Operation and Maintenance (CMOM) Self-Assessment: **Pump Stations (PS)**- (§PS-05) (page 28) indicates 98% of the 27

identified lift station (pump stations) have back-up power. This could suggest that approximately 2% or 5.4 lift stations lack a back-up source of power (quick connect or portable) in the event of a power outage. However, those lift stations with back-up power capability are exercised on a routine basis.

- A review of the Rio Rancho completed Capacity, Management, Operation and Maintenance (CMOM) Self-Assessment: **Tracking Sanitary Sewer Overflows (SSOs) (TRK)** - (§TRK-01) (pages 31 and 32) indicates the utility has experienced 30 SSO events in the previous 5-year period, though approximately 30% equate to less than 1,000-gallons.
- Rio Rancho brought up the 2019 Alpha Southwest disposal of approximately 6,000-gallons of brine water into a manhole. Rio Rancho stated that the following protocol has been implemented to prevent potential reoccurrence of the event, “Anyone wishing to dispose of wastewater in any of the City’s manholes must contact the Utilities Department and gain written permission by the Utilities Director. They must submit a request in writing and submit a (recent) Lab sample Data sheet showing all SDWA constituents and their levels as tested. The Director can also ask for any other criteria or constituents to test for before issuing written approval.”

Section III – AREAS OF CONCERN

A review of the ICIS database for the period from January 1, 2020, to September 22, 2022 (**Appendix 3**) indicates NPDES permit excursions.

- A review of the Integrated Compliance Information System (ICIS) indicates several NPDES permit single event violations (January, February, March, April, and May 2020; May, July and September 2021; January, February, March, and April 2022), effluent violations (July and December 2021), Annual Industrial Users (June 2020 and June 2021), Biological Oxygen Demand (BOD₅) (January and July 2020; January and February 2021), Total Suspended Solids (TSS) (January 2020 and January 2021), Escherichia coli (E coli) (February, May, June, July, August, October, November and December 2020; July, August November and December 2021; June and August 2022), Chlorine (TCR) (May 2022).

The following additional areas of concern (AOCs) were identified and/or discussed with the City of Rio Rancho :

- A review of the Rio Rancho completed Capacity, Management, Operation and Maintenance (CMOM) Self-Assessment: **Tracking Sanitary Sewer Overflows (SSOs) (TRK)** - (§TRK-01) (pages 31 and 32) indicates the utility has experienced 30 SSO events in the previous 5-year period, though approximately 30% equate to less than 1,000-gallons. Additionally, a review of the Integrated Compliance Information System (ICIS) for the period of January 1, 2020, to September 22, 2022, indicates 12 SSO events (**Appendix 2** Capacity, Management, Operation and Maintenance (CMOM) Self-Assessment document- Tracking SSOs and **Appendix 3** Review of the ICIS database for the period from January 1, 2020, to September 22, 2022).

EPA Region 6 inspector David Esparza conducted a closing conference at the Rio Rancho WWTP#2 on September 22, 2022, for the inspection. During the closing conference, David Esparza discussed the requested completion of the Capacity, Management, Operation and Maintenance (CMOM) Self-

Assessment document and information obtained from review of the Integrated Compliance Information System (ICIS).

Section IV – FOLLOW UP

The following information was received by EPA on September 26, 2022, after exiting the Facility on September 22, 2022.:

- Rio Rancho completed Capacity, Management, Operation and Maintenance (CMOM) Self-Assessment document
- Complete Plan Set drawings of the UV Disinfection System Replacement at WWTP#2

The additional information was requested but not received in detail, but much of the requested information was provided in the completed CMOM.

1. Organizational charts with respect to departments and staff.
2. Map(s) of the sanitary sewer system
3. Any Standard Operating Procedures (SOPs) pertaining to:
 - Unauthorized discharge response (Sanitary Sewer Overflows (SSOs)) events, inclusive of reporting procedure, SSO hotspots, memorialization, and work orders.
 - Lift station locations, and inspections
 - Complaint call responses
 - Fats, Oils and Grease (FOG) Program
 - Inflow and infiltration (I/I)
 - Condition Assessment
 - Capacity assessment
 - Current Budget
 - Current wastewater rates/fees
 - Capital Improvement Program
 - Cleaning and root control program- jetting and/or vacuuming schedule
 - City Ordinances
 - Code enforcement (FOG, MS4, laterals)
 - Asset management program and surveys
 - Operation and Maintenance (O&M) program protocol

Section V – LIST OF APPENDICES

Appendix 1 – Photo Log – 9 photos taken 09/22/2022

Appendix 2 – Rio Rancho completed Capacity, Management, Operation and Maintenance (CMOM) Self-Assessment document

Appendix 3 – Review of the ICIS database for the period from January 1, 2020, to September 22, 2022

Appendix 4 – Industrial Users Service Agreements

Appendix 5 – Opening and Closing conference sign-in sheets

Appendix 6 – WWTP#2 Flow Diagram

Appendix 1

Photograph Log



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 1

Location: City of Rio Rancho WWTP		
City: Rio Rancho	County/Parish: Sandoval	State: New Mexico



Overall view of the Rio Rancho WWTP #2 facility site looking approximately Northeast. (DSCN2329).
Photographed by D. Esparza



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 2

Location: City of Rio Rancho WWTP		
City: Rio Rancho	County/Parish: Sandoval	State: New Mexico



View of a spitter box looking approximately Southwest. (DSCN2330). Photographed by D. Esparza



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 3

Location: City of Rio Rancho WWTP		
City: Rio Rancho	County/Parish: Sandoval	State: New Mexico



View of some of the existing Ultraviolet (UV) disinfection systems banks located approximately along the Northwest side of the WWTP. Note: The UV disinfection system at WWTP #2 commenced replacement circa 2020. (DSCN2331) Photographed by D. Esparza



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 4

Location: City of Rio Rancho WWTP		
City: Rio Rancho	County/Parish: Sandoval	State: New Mexico



Overall view of the realigned Outfall 001 looking approximately Northeast towards the Rio Grande. (DSCN2332) Photographed by D. Esparza



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 5

Location: City of Rio Rancho WWTP		
City: Rio Rancho	County/Parish: Sandoval	State: New Mexico



View of the original Outfall 001. Note: the riprap and extensive vegetative overgrowth. (DSCN2333).
Photographed by D. Esparza



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 6

Location: City of Rio Rancho WWTP		
City: Rio Rancho	County/Parish: Sandoval	State: New Mexico



View of the new Outfall 001 discharge point. This new structure is located approximately 50-feet West of the original discharge point. (DSCN2334). Photographed by D. Esparza



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 7

Location: City of Rio Rancho WWTP		
City: Rio Rancho	County/Parish: Sandoval	State: New Mexico



View of Outfall 001 flow stream downgradient from Outfall structure. Note: no visible stressed vegetation, aromatics or staining were observed. (DSCN2335) Photographed by D. Esparza



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 8

Location: City of Rio Rancho WWTP		
City: Rio Rancho	County/Parish: Sandoval	State: New Mexico



View of the former WWTP#1 clarifiers looking approximately North. As of April 2020, WWTP #1 was permanently closed; all flow is pumped to Water Reclamation Facility #6 (WRF #6). Note: the infrastructure remains due to demolition costs. (DSCN2337) Photographed by D. Esparza



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 9

Location: City of Rio Rancho WWTP		
City: Rio Rancho	County/Parish: Sandoval	State: New Mexico



View of Operation and Maintenance (O&M) equipment (specifically valve maintenance) used by the City of Rio Rancho (DSCN2338) Photographed by D. Esparza

Appendix 2

Rio Rancho

Completed Capacity, Management, Operation and Maintenance (CMOM) Self-Assessment Document

CAPACITY, MANAGEMENT, OPERATION AND MAINTENANCE (CMOM) Program Self-Assessment

Compiled By:

Name: Jim Chiasson, P.E.

Title: Utilities Director

Date: 10-5-2022

Staffing list and Organization chart: Attach separate document as needed

General Information

Service area	104	Service population	101,750
	SQ. MILES		PEOPLE
Annual precipitation	9.2 inches*		
	NUMBER		

*Find your annual New Mexico precipitation here: <https://wrcc.dri.edu/summary/Climsmnm.html>

# of Treatment Facilities	3	WWTP design capacity	8.8
	NUMBER		MGD
Average Daily Flow	4.8	Average dry weather flow	4.8
	MGD		MGD
Manholes	7,808	Number of air vacuum relief valves	Not available
	NUMBER		NUMBER

Service Area Characteristics

Residential	32,603	Commercial	637
Industrial	2	Institutional	
Multi-Family	193	Other	
	NUMBER		NUMBER
Total	NUMBER		

Collection system service lateral responsibility (check one)

At main line connection only	X
From main line to property line or easement/cleanout	
Beyond property line/clean out	
Other:	

Comments: We assist in cleaning up to the cleanout if necessary but the owner is responsible for the lateral from the home to the collection mainline.

What percent of sewer system is served by combined sewers (i.e., sanitary sewage and storm water in the same pipe)?	No Combined Source
	0 % PERCENT

Collection System Information

Conveyance & Pumping		Pump Stations		Vacuum Stations		
	Gravity Sewers	Stations	Force Mains	Stations	Vacuum Lines	Force Mains
Pipes and pumps: Length/quantity	369	27	20	0	0	0
	MILES	NUMBER	MILES	NUMBER	MILES	MILES
Age of system: 0-25 years old	50	19		0	0	0
	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	PERCENT
26-50 years old	50	8		0	0	0
	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	PERCENT
51-75 years old	0	0	0	0	0	0
	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	PERCENT
>75 years old	0	0	0	0	0	0
	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	PERCENT
Number of Inverted siphons	0					
	NUMBER					

Pipe Diameter Information	Gravity Sewers	Force Mains	Vacuum Lines
8 inches or less	79	60	0
	PERCENT	PERCENT	PERCENT
9 - 14 inches	9	36	0
	PERCENT	PERCENT	PERCENT
15 - 36 inches	5	4	0
	PERCENT	PERCENT	PERCENT
> 36 inches	6	0	0
	PERCENT	PERCENT	PERCENT

Comments:

Pipe Material Information	Gravity Sewer	Force Mains	Vacuum Lines
Prestressed concrete cylinder pipe (PCCP)	0	0	0
	PERCENT	PERCENT	PERCENT
High density polyethylene (HDPE)	2	17	0
	PERCENT	PERCENT	PERCENT
Reinforced concrete pipe (RCP)	0	0	0
	PERCENT	PERCENT	PERCENT
Polyvinyl Chloride (PVC)	95	83	0
	PERCENT	PERCENT	PERCENT
Vitrified Clay Pipe	3	0	0
	PERCENT	PERCENT	PERCENT
Cast Iron Pipe (CIP), Ductile Iron Pipe (DIP)	0	0	0
	PERCENT	PERCENT	PERCENT
Non-reinforced concrete pipe	0	0	0
	PERCENT	PERCENT	PERCENT
Asbestos cement pipe	0	0	0
	PERCENT	PERCENT	PERCENT
Brick	0	0	0
	PERCENT	PERCENT	PERCENT
Fiberglass	0	0	0
	PERCENT	PERCENT	PERCENT
Cured in Place	0	0	0
	PERCENT	PERCENT	PERCENT
Fold and Form	1 <	0	0
	PERCENT	PERCENT	PERCENT

Comments:

Engineering Design (ED)

Checklist Item		Yes	No	N/A
ED-01	Is there a document which includes design criteria and standard construction details?	x		
	Comments: City of Rio Rancho Development Process Manual (DPM). Design Criteria and Standard Details for Water and Wastewater. Both can be located on city website.			
ED-02	Is there a document that describes the procedures that the utility follows in construction design review?	x		
	Comments: Public Works Engineering follows a standard review process for the design of capital projects. Development Services Engineering does a similar review following their own requirements and Development Process Manual Chapter II.4 which was developed by the Utilities Department.			
ED-03	Are WWTP and O&M staff involved in the design review process?	x		
	Comments: WWTP and O&M staff have software to comment on plans. They are also involved in plan review.			
ED-04	Is there a procedure for testing and inspecting new or rehabilitated system elements both during and after the construction is completed?	x		
	Comments: Design standards and specifications.			
ED-05	Are construction sites supervised by qualified personnel (such as professional engineers) to ascertain the construction is in accordance with the agreed upon plans and specifications?	x		
	Comments: The Utilities Director is a professional engineer. Improvements are designed by professional engineers and are inspected by qualified engineers, project managers, inspectors and operators.			
ED-06	Are new manholes tested for inflow and infiltration?		x	
	Comments: The collection system typically has very low infiltration rates during rain events.			
ED-07	Are new gravity sewers checked using closed circuit TV inspection?	x		
	Comments:			
ED-08	Does the utility have documentation on private service lateral design and inspection standards?	x		
	Comments: Design Standard S-07 and S-08 for construction of the sewer collection system. The building department has an inspector on site to witness the lateral tie into the plumbing system lateral. Private lateral is inspected to meet city/plumbing code standards.			
ED-09	Does the utility attempt to standardize equipment and sewer system components?	x		
	Comments: Flyght Pumps for lift stations. Most equipment is an or equal.			

Comments:

Satellite Communities and Sewer Use Ordinance (SUO)

Checklist Item	Yes	No	N/A
SUO-01 Does the utility receive flow from satellite communities? IF NO, GO TO NEXT SECTION		X	
Comments:			
SUO-02 What is the total area from satellite communities that contribute flow to the collection system? <i>(Acres or square miles)</i>			
Comments:			
SUO-03 Does the utility require satellite communities to enter into an agreement? IF NO, GO TO QUESTION SUO-06			
Comments:			
SUO-04 Does the agreement include the requirements listed in the sewer use ordinance?			
Comments:			
SUO-05 Do the agreements have a date of termination and allow for renewal under different terms?			
Comments:			
SUO-06 Does the utility maintain a legal authority to control the maximum flow introduced into the collection system from satellite communities?			
Comments:			
SUO-07 Are standards, inspections, and approval for new connections clearly documented in a SUO?			
Comments:			
SUO-08 Does the SUO require satellite communities to adopt the same industrial and commercial regulatory discharge limits as the utility?			
Comments:			
SUO-09 Does the SUO require satellite communities to adopt the same inspection and sampling schedules as required by the pretreatment ordinance?			

	Comments:			
SUO-10	Does the SUO require satellite communities or the utility to issue control permits for significant industrial users?			
	Comments:			
Checklist Item		Yes	No	N/A
SUO-11	Does the SUO contain provisions for addressing overstrength wastewater from satellite communities?			
	Comments:			
SUO-12	Does the SUO contain procedures for the following?			
	Inspection standards			
	Pretreatment requirements			
	Building/sewer permit issues			
	Comments:			
SUO-13	Does the SUO contain general prohibitions of the following materials?			
	Fire and explosion hazards			
	Corrosive materials			
	Obstructive materials			
	Oils or petroleum			
	Material which may cause interference at the wastewater treatment plant			
	Comments:			
SUO-14	Does the SUO contain procedures and enforcement actions for the following?			
	Fats, oils, and grease (FOG)			
	Infiltration and inflow			
	Building structures over the sewer lines			
	Storm water connections to sanitary lines (downspouts)			
	Defects in service laterals located on private property			
	Sump pumps, air conditioner connections			
	Comments:			

Comments:

Organizational Structure (OC)

Checklist Item		Yes	No	N/A
OC-01	Is an organizational chart available that shows the overall personnel structure for the utility, including operation and maintenance staff?	X		
	Comments: There are two organizational charts as the City staffs employees but contracts out the day to day operations to a third party contractor (Jacobs).			
OC-02	Are up-to-date job descriptions available that delineate responsibilities and authority for each position?	X		
	Comments:			
OC-03	Are the following items discussed in the job descriptions?			
	Nature of work to be performed	X		
	Minimum requirements for the position	X		
	Necessary special qualifications or certifications	X		
	Examples of the type of work	X		
	List of licenses required for the position	X		
	Performance measures or promotion potential	X		
	Comments:			
OC-04	What percent of staff positions are currently vacant?	Less than 10%		
	Comments:			
OC-05	On average how long do positions remain vacant? (<i>months</i>)	3-4 months		
	Comments:			
OC-06	What percent of utility work is contracted out?	75%		
	Comments: All day to day operations of the wastewater system is contracted out. The City staff of 32 employees handles accounting, engineering and management, Customer service and accounts, and billing services.			

Comments:

Internal Communications (IC)

Checklist Item		Yes	No	N/A
IC-01	Which of the following methods are used to communicate with utility staff?			
	Regular meetings	X		
	Bulletin boards	X		
	E-mail	X		
	Cell Phones	X		
	Other (explain)			
	Comments:			
IC-02	How often are the staff meetings held? Daily, Weekly and Monthly (e.g., Daily, Weekly, Monthly, etc.)			
	Comments: City Staff and Contract Operator have staff meetings at a minimum of Bi-Weekly.			
IC-03	Are incentives offered to employees for performance improvements?		X	
	Comments:			
IC-04	Does the utility have an "Employee of the Month/Quarter/Year" program?		X	
	Comments:			
IC-05	How often are performance reviews conducted? (e.g. Semi-annually, Annually, etc.) Annually			
	Comments:			
IC-06	Does the utility regularly communicate/coordinate with other municipal departments?	X		
	Comments:			

Comments:

Budgeting (BUD)

Checklist Item		Yes	No	N/A
BUD-01	What is the average annual fee for residential users? Monthly WW Service Charge \$14.82. Wastewater Volume Charge (per 1,000 gallons) Residential, Multi-Family Commercial is \$10.40, Residential is \$9.88.			
	Comments:			
BUD-02	How often are user charges evaluated and adjusted? (<i>e.g. annually, biannually. etc.</i>) Annually Winter Quarter Average.			
	Comments:			
BUD-03	Are utility-generated funds used for non-utility programs?		x	
	Comments: As an enterprise fund the utility does reimburse the City for services such as attorneys, project engineering and construction oversight, and finance services.			
BUD-04	Are costs for collection system operation and maintenance (O&M) separated from other utility services such as water, storm water, and treatment plants? IF NO, GO TO BUD-07		x	
	Comments:			
BUD-05	What is your average annual (O&M) budget? \$2,414,442.00			
	Comments: Equipment Maintenance and Repair Budget.			
BUD-06	What percentage of the utility's overall budget is allocated to maintenance of the collection system?			
	Comments: Labor is part of the annual \$8.3 million-dollar contract with the Contract Operator. The city supplies the camera truck and equipment necessary. The same for lift station, force main, and collection system.			
BUD-07	Does the utility have a Capital Improvement Plan (CIP) that provides for system repairs/replacements on a prioritized basis?	X		

	Comments:
BUD-08	What is your average annual CIP budget? Approximately \$5M/year
	Comments:

Comments:

Checklist Item		Yes	No	N/A
BUD-09	What percentage of the maintenance budget is allotted to the following maintenance?			
	Predictive maintenance - 66%			
	Preventive maintenance - 10%			
	Corrective maintenance – 24%			
	Emergency maintenance – Approximately 15% though it is in its own budget line item.			
	Comments:			
BUD-10	Does the utility have a budgeted program for the replacement of under-capacity pipes?		X	
	Comments: Not specifically though replacement of undersized pipe replacement is accounted for in our prioritized CIP budget.			
BUD-11	Does the utility have a budgeted program for the replacement of over-capacity pipes?		X	

	Comments:
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Comments:

Training (TR)

Checklist Item		Yes	No	N/A
TR-01	Does the utility have a formal job knowledge, skills, and abilities (KSA) training program?	X		
	Comments:			
TR-02	Does the training program address the fundamental mission, goals, and policies of the utility?	X		
	Comments:			
TR-03	Does the utility have mandatory training requirements identified for key employees?	X		
	Comments:			
TR-04	What percentage of employees met or exceeded their annual training goals during the past year? 92%			
	Comments:			
TR-05	Does the utility provide training in the following areas?			
	Safety	X		
	Routine line maintenance	X		
	Confined space entry	X		
	Traffic control			X
	Record keeping	X		
	Electrical and instrumentation	X		

	Pipe repair	X		
	Bursting / CIPP		X	
	Public relations			
	SSO/Emergency response	X		
	Pump station operations and maintenance	X		
	CCTV and trench/shoring	X		
	Other	X		
	Comments: Defensive Driving and First Aid			
TR-06	Are operator and maintenance certification programs used? IF NO GO TO TR-08	X		
	Comments:			
TR-07	Are operator and maintenance certification programs required?	X		
	Comments:			
TR-08	Is on-the-job training progress and performance measured?	X		
	Comments:			
Checklist Items		Yes	No	NA
TR-09	Which of the following methods are used to assess the effectiveness of the training?			
	None			
	Periodic testing	X		
	Drills		X	
	Demonstrations		X	
	Comments: Effectiveness testing is handled through the State of New Mexico under operator licensure.			
TR-10	What percentage of the training offered by the utility is in the form of the following?			
	Manufacturer training	10%		
	On-the-job training	65%		
	In-house classroom training	20%		
	Industry-wide training	5%		
	Comments:			

Safety (SAF)

	Checklist Item	Yes	No	N/A
SAF-01	Does the utility have a written safety policy?	X		
	Comments:			

SAF-02	How often are safety procedures reviewed and revised? (Annually, quarterly, etc.)			
	Comments: A n n u a l l y			
SAF-03	Does the utility have a safety committee?	X		
	Comments:			
SAF-04	Are regular safety meetings held with the utility employees?	X		
	How often?			
	Comments:			
SAF-05	Does the utility have a safety training program?	X		
	Comments:			
SAF-06	Are records of employee safety training kept up to date?	X		
	Comments:			
Checklist Item		Yes	No	N/A
SAF-07	Does the utility have written procedures for the following?			
	Lockout/tagout	X		
	Material safety data sheets (MSDS)	X		
	Chemical handling	X		
	Confined spaces permit programs	X		
	Trenching and excavations safety	X		
	Biological hazards in wastewater	X		
	Traffic control and work site safety	X		
	Electrical and mechanical systems	X		
	Pneumatic and hydraulic system safety	X		
	Comments:			
SAF-08	What is your agency's lost-time injury rate?	➤ 5%		
	Comments:			
SAF-09	Are the following equipment items available and in adequate supply?			
	Rubber/disposable gloves	X		
	Confined space ventilation equipment	X		
	Hard hats, safety glasses, rubber boots	X		
	Antibacterial soap and first aid kit	X		
	Tripods or non-entry rescue equipment	X		
	Fire extinguishers	X		
	Equipment to enter manholes	X		
	Portable crane/hoist	X		

	Atmospheric testing equipment and gas detectors	X		
	Oxygen sensors	X		
	H2S Monitors	X		
	Full body harness	X		
	Protective clothing	X		
	Traffic/public access control equipment	X		
	5-minute escape breathing devices			X
	Life preservers for lagoons	X		
	Life preservers at activated sludge plants	X		
	Fiberglass or wooden ladders for electrical work	X		
	Respirators and/or self-contained breathing apparatus	X		
	Methane gas or optical vector (OVA) analyzer	X		
	Lower explosion limit (LEL) metering	X		
	Comments:			
SAF-10	Are safety monitors clearly identified?	X		
	Comments:			

Customer Service (CS)

Checklist Item		Yes	No	N/A
CS-01	Does the utility have a customer service and public relations program? IF NO GO TO CS-03	X		
	Comments:			
CS-02	Does the customer service program include giving formal presentations on the wastewater field to the following?			
	Schools and universities	X		
	Community gatherings	X		
	Local officials	X		
	Businesses	X		
	Media	X		
	Citizens	X		
	Building Inspector(s)	X		
	Public utility officials	X		
	Comments:			
CS-03	Are employees of the utility specifically trained in customer service?	X		

	Comments:			
CS-04	Are there sample correspondence, Q/A's, or "scripts" to help guide staff through written or oral responses to customers?	X		
	Comments:			
CS-05	What methods are used to notify the public of major construction or maintenance work?			
	Door hangers	X		
	Public radio or T.V. announcements	X		
	Newspaper	X		
	Flyers	X		
	Signs	X		
	Other			
	None			
	Comments: On T.V for major announcements.			
Checklist Item		Yes	No	N/A
CS-06	Is a homeowner notified prior to construction that his/her property may be affected?	X		
	Comments:			
CS-07	Do you provide information to residents on cleanup and safety procedures following basement backups and overflows from manholes when they occur?	X		
	Comments:			
CS-08	Does the utility have a customer service evaluation program to obtain feedback from the community?	X		
	Comments:			
CS-09	Do customer service records include the following information?			
	Personnel who received the complaint or request	X		
	Nature of the complaint or request	X		
	To whom the follow-up action was assigned	X		
	Date of the complaint or request	X		
	Date the complaint or request was resolved	X		
	Total days to end the problem	X		
	Name, address, and telephone number of the customer	X		

	Location of the problem	X		
	Date the follow up action was assigned	X		
	Cause of the problem	X		
	Feedback to customer	X		
	Comments:			
CS-10	Does the utility have a goal for how quickly customer complaints (or emergency calls) are resolved? IF NO, GO TO NEXT SECTION	X		
	Comments: In the Operations Contract.			
CS-11	What percentage of customer complaints (or emergency calls) are resolved within the timeline goals?			
	Comments: 88%			

Equipment & Collection System Maintenance (ESM)

Checklist Item		Yes	No	N/A
ESM-01	Is a maintenance card or record kept for each piece of mechanical equipment within the collection system? IF NO, GO TO ESM-03	X		
	Comments:			
ESM-02	Do equipment maintenance records include the following information?			
	Maintenance recommendations			X
	Instructions on conducting the specific maintenance activity	X		
	Other observations on the equipment	X		
	Maintenance schedule	X		
	A record of maintenance on the equipment to date	X		
	Comments:			
ESM-03	Are dated tags used to show out-of-service equipment?	X		
	Comments:			
ESM-04	Is there an established system for prioritizing equipment maintenance needs?	X		
	Comments:			
ESM-05	What percent of repair funds are spent on emergency repairs?			20%

	Comments:		
ESM-06	Are corrective repair work orders backlogged more than six months?		X
	Comments:		
ESM-07	Do collection system personnel coordinate with state, county, and local personnel on repairs, before the street is paved?	X	
	Comments:		

Comments:

Equipment Parts Inventory (EPI)

Checklist Item		Yes	No	N/A
EPI-01	Have critical spare parts been identified?	X		
	Comments:			
EPI-02	Are adequate supplies on hand to allow for two-point repairs in any part of the system?	X		
	Comments:			
EPI-03	Is there a parts standardization policy in place?	X		
	Comments:			
EPI-04	Does the utility have a central location for storing spare parts?	X		
	Comments:			
EPI-05	Does the utility maintain a stock of spare parts on its maintenance vehicles?	X		
	Comments:			
EPI-06	Does the utility have a system in place to track and maintain an accurate inventory of spare parts?	X		

	Comments:			
EPI-07	For those parts which are not kept in inventory, does the utility have a readily available source or supplier?	X		
	Comments:			

Comments:

Management Information System (MIS)

Checklist Item		Yes	No	N/A
MIS-01	Does the utility have a management information system (MIS) in place for tracking maintenance activities? <i>(Either electronic or good paper files)</i> IF NO, GO TO NEXT SECTION	X		
	Comments:			
MIS-02	Are the MIS records maintained for a period of at least three years?	X		
	Comments:			
MIS-03	Is the MIS able to distinguish activities taken in response to an overflow event?	X		
	Comments:			
MIS-04	Are there written instructions for managing and tracking the following information? (Check all that apply)			
	Complaint work orders	X		
	Schedule work orders	X		
	Customer Service	X		

	Scheduled preventive maintenance	X		
	Scheduled Inspections	X		
	Scheduled system inventory	X		
	Safety incidents	X		
	Scheduled monitoring/sampling	X		
	Compliance/overflow tracking	X		
	Equipment/tools tracking	X		
	Parts inventory	X		
MIS-05	Do the written instructions for tracking procedures include the following information?			
	Accessing data and information	X		
	Instructions for using the tracking system	X		
	Updating the MIS	X		
	Developing and printing reports	X		
	Comments:			
Checklist Item		Yes	No	N/A
MIS-06	How often is the management information system updated?			
	Immediately	X		
	Within one week of the "incident"	X		
	Monthly	X		
	Other:			
	Comments:			

Comments:

System Mapping (MAP)

Checklist Item		Yes	No	N/A
MAP-01	Are "as built" plans (record drawings) or maps available for use by field crews in the office and in the field?	X		
	Comments:			
MAP-02	Is there a procedure for field crews to record changes or inaccuracies in the maps and update the mapping system?	X		
	Comments:			
MAP-03	Do the maps show the date the map was drafted and the date of the last revision?	X		
	Comments:			

Comments:

Checklist Item		Yes	No	N/A
MAP-04	Do the sewer line maps include the following?			
	Scale	X		
	North arrow	X		
	Date the map was drafted	X		
	Date of last revision	X		
	Service area boundaries	X		
	Property lines	X		
	Other landmarks (Roads, water bodies, etc.)	X		
	Manhole and other access points	X		
	Location of building laterals	X		
	Street names	X		

	SSOs occurrences/CSOs outfalls			x
	Flow monitors	X		
	Force mains	X		
	Pump stations	X		
	Lined sewers	X		
	Main, trunk, and interceptor sewers	X		
	Easement lines and dimensions	X		
	Pipe material	X		
	Pipe diameter	X		
	Installation date	X		
	Slope	X		
	Manhole rim elevation	X		
	Manhole coordinates	X		
	Manhole invert elevation	X		
	Distance between manholes	X		
	Comments:			
MAP-05	Are the following sewer attributes recorded?			
	Size	X		
	Shape	X		
	Invert elevation	X		
	Material	X		
	Separate/combined sewer	X		
	Installation date	X		
	Comments:			
Checklist Item		Yes	No	N/A
MAP-06	Are the following manhole attributes recorded?			
	Shape	X		
	Type (e.g., precast, cast in place, etc.)	X		
	Depth	X		
	Age	X		
	Material		X	
	Comments:			

MAP-07	Is there a systematic numbering and identification system to identify manholes, sewer lines, pump station, etc.?	X		
	Comments:			

Internal TV Inspection (TVI)

Checklist Item		Yes	No	N/A
TVI-01	Does the utility have a standardization pipeline condition assessment program? If yes, explain	x		
	Comments:			
TVI-02	Is internal TV inspection used to perform condition assessment? IF NO, GO TO NEXT SECTION	x		
	Comments:			
TVI-03	Are there written operation procedures/guidelines for the internal TV inspection program?	x		
	Comments:			
TVI-04	Do the internal TV record logs include the following?			
	Pipe size, type, length, and joint spacing	x		
	Distance recorded by internal TV	x		
	Results of the internal TV inspection (including a structural rating)	x		
	Internal TV operator name	x		
	Cleanliness of the line	x		
	Location and identification of line being televised by manholes	x		
	Comments:			
TVI-05	Is a rating system used to determine the severity of the defects found during the inspection process?	x		
	Comments:			
TVI-06	Is there a code list used for internal TV inspection reporting?	x		
TVI-07	Approximately what percent of the total defects determined by TV inspection, during the past 5, years were attributed to the following?			
	Debris			

	Debris/Grease	10%		
	Debris/Roots			
	Grease	10%		
	Grease/Roots			
	Intruding Tap			
	Intruding Tap/Roots			
	Surcharged			
	Offset Joint/Grease			
	Roots	20%		
	Roots/Debris	15%		
	Roots/Grease			
	Roots/Grease/Debris	15%		
	Roots/Line Failure	25%		
	Line Failure			
	Sag In Line	5%		
	Sag In Line/Debris			
	Sag In Line/Grease			
	Other:			
	Other:			
	Total Percentage	100%		
	Comments: All the collections system is to be CCTV inspected in a 3 to 4 year time period. Work orders are to be made where appropriate. A CUE’s camera truck with Granite/ESRI GIS software is used for work orders. CMMS and City Sewer GIS match for Manholes and sewer lines inspected.			

TVI-08	Are main line and lateral repairs checked by internal TV inspection after the repair(s) have been made?	X		
	Comments:			

Sewer Cleaning (CLN)

Checklist Item		Yes	No	NA
CLN-01	Is there a program to identify sewer line segments, with chronic problems, that should be cleaned on a more frequent schedule?	X		
	Comments:			
CLN-02	What is the entire system cleaning frequency? (e.g., every <u>3</u> years)	Daily Routine		
	Comments: Lines are reviewed and inspected and cleaned daily with the entire system being looked at every 3 years or so.			

CLN-03	What is the utility's plan for system cleaning (% or frequency in years)?	122 miles per year		
	Comments:			
CLN-04	What percent of the total cleaning was considered repeat and trouble spot cleaning during the past year?	25%		
	Comments:			
CLN-05	Does the utility have a root control program?	X		
	Comments:			
CLN-06	Does the utility have a fats, oils, and grease (FOG) program?	X		
	Comments:			
CLN-07	What is the average number of stoppages experienced per 100 miles of sewer pipe per year?	5 per year		
	Comments:			
CLN-08	Has the number of stoppages increased, decreased, or stayed the same over the past 5 years? Decreased			
	Comments:			
CLN-09	Are stoppages plotted on maps and correlated with other data such as pipe size and material or location?		X	
	Comments: Tracked on MC - Maintenance Connection			

Comments:

Checklist Item		Yes	No	NA
CLN-10	Do the sewer cleaning records include the following information?			
	Date and time	X		
	Cause of stoppage	X		
	Method of cleaning	X		
	Location of stoppage or routine cleaning activity	X		
	Identity of cleaning crew	X		
	Further actions necessary/initiated	X		

	Comments:			
CLN-11	If sewer cleaning is done by a contractor, are videos taken before and after cleaning?	x		
	Comments:			

Manhole Inspection and Assessment (MAN)

Checklist Item		Yes	No	N/A
MAN-01	Does the utility have a routine manhole inspection and assessment program? IF NO, GO TO MAN-06	X		
	Comments:			
MAN-02	Are the results and observations from the routine manhole inspection recorded?	X		
	Comments:			
MAN-03	Does the utility have a goal for the number of manholes inspected annually?	X		
	Comments:			
MAN-04	How many manholes were inspected during the past year?	1500		
	What is the percent of total manholes were inspected during the	100%		
	Comments:			

Comments:

Checklist Item		Yes	No	N/A
MAN-05	Do the records for manholes/pipe inspection include the following?			
	Conditions of the frame and cover	x		
	Evidence of surcharge	x		
	Offsets or misalignments	x		
	Atmospheric hazards measurements (especially hydrogen sulfide)	x		

	Details on the root cause of cracks or breaks in the manhole or pipe including blockages	X		
	Recording conditions of (corbel, walls, bench, trough, and pipe seals)	X		
	Presence of corrosion	X		
	If repair is necessary	X		
	Manhole identifying number/location	X		
	Wastewater flow characteristics (flowing freely or backed up)	X		
	Accumulation of grease, debris, or grit	X		
	Presence of infiltration, location, and estimated quantity	X		
	Inflow from manhole covers	X		
	Comments:			
MAN-06	Does the utility have a grouting program?	X		
	Comments:			

Comments:

Pump Stations (PS)

Checklist Item		Yes	No	N/A
PS-01	Are Standard Operating Procedures (SOPs) and Standard Maintenance Procedures (SMPs) used for each pump station?	X		
	Comments:			

PS-02	Are there enough trained personnel to properly inspect and maintain all pump stations?	X		
	Comments:			
PS-03	Is there an emergency operating procedure for each pump station?	X		
	Comments:			
PS-04	Is there an alarm system to notify personnel of pump station failures and overflow?	X		
	Comments:			
PS-05	Percent of pump stations with backup power sources	98%		
	Comments:			
PS-06	Does the utility use the following methods when loss of power occurs?			
	On-site electrical generators	X		
	Portable electric generators	X		
	Vacuum trucks to bypass pump station	X		
	Alternate power source	X		
	Other			
	Comments:			
PS-07	Is there a procedure for manipulating pump operations during wet weather to increase in-line storage of wet weather flows?			N/A
	Comments: No infiltration			

Comments:

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Checklist Item		Yes	No	N/A
PS-08	Are wet well operating levels set to limit pump start/stops?	X		
	Comments:			
PS-09	Are the lead, lag, and backup pumps rotated regularly?	X		

	Comments:			
PS-10	Are operation logs maintained for all pump stations?	X		
	Comments:			
PS-11	Are the manuals that contain the manufacturers recommended maintenance schedules for all pump station equipment available?	X		
	Comments:			
PS-12	On average, how often were pump stations inspected during the past year?	Weekly		
	Comments:			
PS-13	Are records maintained for each inspection?	X		
	Comments:			
PS-14	Average annual labor hours spent on pump station inspections	520 hours		
	Comments:			
PS-15	Percent of pump stations with pump capacity redundancy	100%		
	Comments:			
PS-16	Percent of pump stations with dry weather capacity limitations	0%		
	Comments:			
PS-17	Percent of pump stations with wet weather capacity limitations	0%		
	Comments:			
PS-18	Percent of pump stations calibrated annually	100%		
	Comments:			
PS-19	Percent of pump stations with permanent flow meters	25%		
	Comments:			

Capacity Assessment (CA)

Checklist Item		Yes	No	N/A
CA-01	Does the utility have a flow monitoring program?	X		
	Comments:			

CA-02	Does the utility have a comprehensive capacity assessment and planning program?	X		
	Comments:			
CA-03	Are flows measured prior to allowing new connections?	X		
	Comments:			
CA-04	Do you have a tool (hydraulic model, spreadsheet, etc.) for assessing whether adequate capacity exists in the sewer system? IF NO, GO TO CA-06.	X		
	Comments:			
CA-05	Does your capacity assessment tool produce results consistent with conditions observed in the system?	X		
	Comments:			
CA-06	What is the ratio of peak wet weather flow to average dry weather flow at the wastewater treatment plant?	1:10		
	Comments:			
CA-07	How many permanent flow meters are currently in the system? (Include meters at pump stations and WWTPs)	55		
	Comments:			
CA-08	How frequently are the flow meters checked?	Annually		
	Comments:			
CA-09	Do the flow meter checks include the following?			
	Independent water level	X		
	55Checking the desiccant	X		
	Velocity reading	X		
	Cleaning away debris	X		
	Downloading data	X		
	Battery condition	X		
	Comments:			

Checklist Item		Yes	No	N/A
CA-10	Are records maintained for each inspection? IF NO, GO TO CA-12	X		
	Comments:			

CA-11	Do the flow monitoring records include the following?			
	Descriptive location of flow meter	X		
	Type of flow meter	X		
	Frequency of flow meter inspection	X		
	Frequency of flow meter calibration	X		
	Comments:			
CA-12	Does the utility maintain any rain gauges?		X	
	Comments:			
CA-13	Does the utility have any wet weather capacity problems?		X	
	Comments:			
CA-14	Are low points or flood-plain areas monitored during rain events?	X		
	Comments:			
CA-15	Does the utility have any dry weather capacity problems?		X	
	Comments:			
CA-16	Is flow monitoring used for billing purposes, capacity analysis, and/or inflow and infiltration investigations?	X		
	Comments:			
Comments:				

Tracking SSOs (TRK)

Checklist Item		Yes	No	N/A
TRK-01	How many SSO events have been reported in the past 5 years?	30		

	Comments:			
TRK-02	What % of SSOs were less than 1,000 gallons in the past 5 years?	30%		
	Comments:			
TRK-03	Does the utility document and report all SSOs regardless of size?	X		
	Comments:			
TRK-04	Does the utility document basement backups?	X		
	Comments:			
TRK-05	Are there areas that experience frequent street flooding?			X
	Comments: The Utility does not monitor or maintain storm water sewers. This is done through the Public Works Department.			
TRK-06	What % of SSO discharges were from each of the following in the last 5 years?			
	Manholes	90%		
	Lift/Vacuum Systems (Revised term)	5%		
	Main and trunk sewers	5%		
	Lateral and branch sewers	N/A		
	Total			
	Comments:			
Checklist Item		Yes	No	N/A
TRK-07	What % of SSO discharges were caused by each of the following in the last 5 years?			
	Construction	2		

	Cause Unknown	
	Debris	
	Debris/Grease	
	Debris/Roots	85%
	Equipment Failure	5%
	Grease	
	Sag In Line	
	Intruding Tap	
	Line Failure	5%
	Manhole/Surcharged	5%
	Offset Joint	
	Roots	
	Roots/Debris	
	Roots/Grease	
	Roots/Intruding Tap	
	Roots/Line Failure	
	Surcharged	
	Other(s):	
	Grand Total	100%

Comments:

Checklist Item		
TRK-07A	What percentage of SSOs were released to:	
	Storm Sewer	
	Arroyo/Ditch/Drain	1%
	Street/ Parking lot	98%
	Private Property	
	River/Stream/Lake/Bayou/Ocean	1%
	Other:	
	Grand Total	100%
	Comments:	
TRK-07B	For surface water releases, what percent are to areas that could affect:	
	Contact recreation (beaches, swimming areas)	N/A
	Drinking water sources	
	Shellfish growing areas	
	Fishing or spawning areas	
	Comments: No Surface Water	

Checklist Item	Yes	No	N/A
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TRK-08	How many chronic SSO locations are in the collection system?	4		
	Comments:			
TRK-09	Are pipes with chronic SSOs being monitored for sufficient capacity and/or structural condition?	X		
	Comments:			
TRK-10	Prior to collapse, are structurally deteriorating pipelines being monitored for renewal or replacement?	X		
	Comments:			

Comments:

Overflow Emergency Response (OERP)

Checklist Item		Yes	No	N/A
OERP-01	Does the utility have a documented OERP available for utility staff to use? IF NO, GO TO OERP-04	X		
	Comments:			
OERP-02	How often is the OERP reviewed and updated? (Annually, Biannually, etc.)	Annually		
	Comments:			
OERP-03	Are specific responsibilities detailed in the OERP for personnel who respond to emergencies?	X		
	Comments:			
OERP-04	Are staff continuously trained to respond to emergencies?	X		
	Comments:			
OERP-05	Do work crews have immediate access to tools and equipment during emergencies?	X		
	Comments:			
Checklist Item		Yes	No	N/A

OERP-06	Does the utility have procedures for notifying state agencies, local health departments, the NPDES authority, the public, and drinking water authorities of significant overflow events?	X		
	Comments:			
OERP-07	Does the procedure include a current list of the names, titles, phone numbers, and responsibilities of all personnel involved?	X		
	Comments:			
OERP-08	Does the utility have a public notification plan?	X		
	Comments:			
OERP-09	Does the utility have procedures to limit public contact with areas affected by SSOs? <i>(can be delegated to another authority)</i>	X		
	Comments:			
OERP-10	Does the utility use containment techniques to protect storm systems?			X
	Comments: The Utilities Department does not oversee the storm water system. It is operated and maintained by our Public Works Department in conjunction with the Southern Sandoval County Arroyo Flood Control Authority (SSCAFCA).			
OERP-11	Do the overflow records include the following information?			
	Date and time	X		
	Cause(s)	X		
	Names of affected receiving water(s)	X		
	Location	X		
	How it was stopped	X		
	Any remediation efforts	X		
	Estimated flow/volume discharged	X		
	Duration of overflow	X		
	Comments:			
OERP-12	Does the utility have signage to keep public from affected area?	X		
	Comments:			

Smoke & Dye Testing (SDT)

Checklist Item		Yes	No	N/A
SDT-01	Does the utility have a smoke testing program to identify sources of inflow and infiltration?			N/A
	Comments: The City does not experience much if any I/I issues.			
SDT-01A	Does the utility have a smoke testing program to identify sources of inflow and infiltration in illegal connectors?			N/A
	Comments:			
SDT-01B	Does the utility have a smoke testing program to identify sources of inflow and infiltration in house laterals (private service laterals)?			N/A
	Comments:			
SDT-02	Are there written procedures for smoke testing?			N/A
	Comments:			
SDT-03	Is there a documented procedure for isolating line segments?			N/A
	Comments:			
SDT-04	Is there a documented procedure for notifying residents that smoke testing will be conducted in their area?			N/A
	Comments:			

Comments:

Checklist Item		Yes	No	N/A
SDT-05	What is the guideline for maximum amount of line to be tested at one time? <i>(Feet or Miles)</i>			N/A
	Comments:			
SDT-06	Are there guidelines for the weather conditions under which smoke testing should be conducted?			N/A
	Comments:			
SDT-07	What is the goal for the % of the system smoke tested each year?			N/A
	Comments:			
SDT-08	What % of the system has been smoke tested in the past 5 years?	N/A		
	Comments:			
SDT-09	Do the written records contain location, address, and description of the smoking element that produced a positive result?			N/A
	Comments:			
SDT-10	Does the utility have a dye testing program?	X		
	Comments:			
SDT-11	Are there written procedures for dye testing?		X	
	Comments: Will write an SOP going forward			
SDT-12	Does the utility have a goal for the percent of the system dye tested each year?	X		
	Comments:			
SDT-13	What percent of the main collection system had been dye tested over the past year?	0.00%		
	Comments:			
SDT-14	Does the utility share smoke and dye testing equipment with another utility?		X	
	Comments:			
Comments:				

Hydrogen Sulfide Monitoring and Control (HSMC)

Checklist Item		Yes	No	N/A
HSMC-01	How would you rate the system vulnerability for hydrogen sulfide corrosion?			
	Not a problem			
	Only in a few isolated areas	X		
	A major problem			
	Comments:			
HSMC-02	Does the utility have a corrosion control program?	X		
	Comments: All systems checked annually			
HSMC-03	Does the utility take hydrogen sulfide corrosion into consideration when designing new or replacement sewers?	X		
	Comments:			
HSMC-04	Does the utility have procedures for application of chemicals?	X		
	Comments:			
HSMC-05	Are the chemical dosages, dates, and locations documented?	X		
	Comments:			
HSMC-06	Does the utility document where odor is a problem in the system?	X		
	Comments:			
HSMC-07	Does the utility have a program in place for renewing or replacing severely corroded sewer lines to prevent collapse?	X		
	Comments:			

Comments:

Checklist Item		Yes	No	N/A
HSMC-08	Are the following methods used for hydrogen sulfide control?			
	Aeration	x		
	Iron Salts			
	Enzymes			
	Activated charcoal canisters	x		
	Chlorine			
	Sodium hydroxide			
	Hydrogen peroxide			
	Potassium permanganate			
	Biofiltration	x		
	Other			
	Comments:			
HSMC-09	Does the system contain air relief valves at the high points of the force main system?	x		
Comments:				
HSMC-10	How often are the valves maintained and inspected? (Weekly, Monthly, etc.)	Annually		
Comments:				
HSMC-11	Does the utility enforce pretreatment requirements?	X		
Comments:				

Comments:

Infrastructure Security

Although outside the scope of a CMOM program, municipal wastewater utilities should also consider security vulnerabilities. To reduce the threat of both intentional and natural disasters, the utility should take steps to implement appropriate countermeasures and develop or update emergency response plans.

Please summarize any program the utility has for infrastructure security.

Comments:

The City and our Contractor (Jacobs) has a Security and Vulnerability program in place and continues to upgrade our hard assets as well as our computer security each year within our budget.

The City also has an up to date emergency response Plan in place and has copies of the plan available.

General Information

Service area		Service population	101,750
	SQ. MILES		PEOPLE
Annual precipitation	inches*		
	NUMBER		

*Find your annual New Mexico precipitation here: <https://wrcc.dri.edu/summary/Climsmnm.html>

# of Treatment Facilities	3	WWTP design capacity	8.8
	NUMBER		MGD
Average Daily Flow	4.8	Average dry weather flow	4.8
	MGD		MGD
Manholes	7,808	Number of air vacuum relief valves	Not available
	NUMBER		NUMBER

Service Area Characteristics

Residential	32,603	Commercial	637
Industrial	2	Institutional	Insight Lighting, Inc and Nature's Toolbox, Inc *
Multi-Family	193	Other	
	NUMBER		NUMBER
Total			
		NUMBER	
Collection system service lateral responsibility (check one)			
At main line connection only			☒ **
From main line to property line or easement/cleanout			
Beyond property line/clean out			
Other:			
Comments: * See attached document regarding Nature's Toolbox, Inc. ** We assist in cleaning up to the cleanout if necessary but the owner is responsible for the lateral from the home to the collection mainline.			
What percent of sewer system is served by combined sewers (i.e., sanitary sewage and storm water in the same pipe)?			No Combined Source PERCENT

PS-02	Are there enough trained personnel to properly inspect and maintain all pump stations?	X		
	Comments:			
PS-03	Is there an emergency operating procedure for each pump station?	X		
	Comments:			
PS-04	Is there an alarm system to notify personnel of pump station failures and overflow?	X		
	Comments:			
PS-05	Percent of pump stations with backup power sources	98% *		
	Comments: * The last 2% has the capability for a quick connect portable power source.			
PS-06	Does the utility use the following methods when loss of power occurs?			
	On-site electrical generators	X		
	Portable electric generators	X		
	Vacuum trucks to bypass pump station	X		
	Alternate power source	X		
	Other			
	Comments:			
PS-07	Is there a procedure for manipulating pump operations during wet weather to increase in-line storage of wet weather flows?			N/A
	Comments: No infiltration			

Comments:

Checklist Item		Yes	No	N/A
PS-08	Are wet well operating levels set to limit pump start/stops?	X		
	Comments:			
PS-09	Are the lead, lag, and backup pumps rotated regularly?	X		

Appendix 3

Review of the
Integrated Compliance Information System (ICIS)
Database
For
the period
from
January 1, 2020, to September 22, 2022

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Search Permits

Related NPDES Violations

ADD SINGLE EVENT VIOLATION

List of Violations Related to the Permit

Record Numbers 1 to 49

Violation Type	Violation Information	Violation Code	Violation Date	RNC Detection Code-Date	RNC Resolution Code-Date	Action
Single Event Violation	D0017 Permit Violations - Violation Specified in Comment	D0017	01/03/2020			Delete
Single Event Violation	D0017 Permit Violations - Violation Specified in Comment	D0017	01/20/2020			Delete
Single Event Violation	D0017 Permit Violations - Violation Specified in Comment	D0017	01/21/2020			Delete
Single Event Violation	R013S Dry-weather SSO, no discharge to waters of the U.S., that may endanger health or the environment	R013S	02/24/2020			Delete
Single Event Violation	R013S Dry-weather SSO, no discharge to waters of the U.S., that may endanger health or the environment	R013S	03/29/2020			Delete
Single Event Violation	R013S Dry-weather SSO, no discharge to waters of the U.S., that may endanger health or the environment	R013S	04/09/2020			Delete
Single Event Violation	R013S Dry-weather SSO, no discharge to waters of the U.S., that may endanger health or the environment	R013S	05/20/2020			Delete
Single Event Violation	A0012 Effluent Violations - Numeric effluent violation	A0012	07/09/2020			Delete
Single Event Violation	A0012 Effluent Violations - Numeric effluent violation	A0012	07/10/2020			Delete
Single Event Violation	A0012 Effluent Violations - Numeric effluent violation	A0012	07/13/2020			Delete
Single Event Violation	A0012 Effluent Violations - Numeric effluent violation	A0012	07/19/2020			Delete
Single Event Violation	A0012 Effluent Violations - Numeric effluent violation	A0012	07/20/2020			Delete
Single Event Violation	D0017 Permit Violations - Violation Specified in Comment	D0017	05/31/2021			Delete
Single Event Violation	R013S Dry-weather SSO, no discharge to waters of the U.S., that may endanger health or the environment	R013S	07/15/2021			Delete

Violation Type	Violation Information	Violation Code	Violation Date	RNC Detection Code-Date	RNC Resolution Code-Date	Action
Single Event Violation	R013S Dry-weather SSO, no discharge to waters of the U.S., that may endanger health or the environment	R013S	09/17/2021			Delete
Single Event Violation	R013S Dry-weather SSO, no discharge to waters of the U.S., that may endanger health or the environment	R013S	09/30/2021			Delete
Single Event Violation	A0012 Effluent Violations - Numeric effluent violation	A0012	12/02/2021			Delete
Single Event Violation	R013S Dry-weather SSO, no discharge to waters of the U.S., that may endanger health or the environment	R013S	01/07/2022			Delete
Single Event Violation	R013S Dry-weather SSO, no discharge to waters of the U.S., that may endanger health or the environment	R013S	02/26/2022			Delete
Single Event Violation	R013S Dry-weather SSO, no discharge to waters of the U.S., that may endanger health or the environment	R013S	03/12/2022			Delete
Single Event Violation	R013S Dry-weather SSO, no discharge to waters of the U.S., that may endanger health or the environment	R013S	04/22/2022			Delete
Single Event Violation	R013S Dry-weather SSO, no discharge to waters of the U.S., that may endanger health or the environment	R013S	04/26/2022			Delete
Single Event Violation	R013S Dry-weather SSO, no discharge to waters of the U.S., that may endanger health or the environment	R013S	08/27/2022			Delete
Schedule Violation	2 P 59799 Annual Industrial Users Violation List	C10	06/30/2020			
Schedule Violation	2 P 59799 Annual Industrial Users Violation List	C20	06/30/2020			
Schedule Violation	2 P 59799 Annual Industrial Users Violation List	C10	06/30/2021			
Schedule Violation	2 P 59799 Annual Industrial Users Violation List	C20	06/30/2021			
Effluent Violation	001 A 00310 BOD, 5-day, 20 deg. C Effluent Gross Season ID:0 C2	E90	01/31/2020			
Effluent Violation	001 A 00530 Solids, total suspended Effluent Gross Season ID:0 C2	E90	01/31/2020			
Effluent Violation	601 A 51040 E. coli Effluent Gross Season ID:0 C3	E90	02/29/2020			
Effluent Violation	001 A 51040 E. coli Effluent Gross Season ID:0 C3	E90	05/31/2020			
Effluent Violation	001 A 51040 E. coli Effluent Gross Season ID:0 C3	E90	06/30/2020			
Effluent Violation	001 A 00310 BOD, 5-day, 20 deg. C Effluent Gross Season ID:0 C2	E90	07/31/2020			
Effluent Violation	001 A 51040 E. coli Effluent Gross Season ID:0 C3	E90	07/31/2020			
Effluent Violation	001 A 51040 E. coli Effluent Gross Season ID:0 C3	E90	08/31/2020			

Violation Type	Violation Information	Violation Code	Violation Date	RNC Detection Code-Date	RNC Resolution Code-Date	Action
Effluent Violation	001 A 51040 E. coli Effluent Gross Season ID:0 C3	E90	10/31/2020			
Effluent Violation	001 A 51040 E. coli Effluent Gross Season ID:0 C3	E90	11/30/2020			
Effluent Violation	001 A 51040 E. coli Effluent Gross Season ID:0 C3	E90	12/31/2020			
Effluent Violation	001 A 00310 BOD, 5-day, 20 deg. C Effluent Gross Season ID:0 C2	E90	01/31/2021			
Effluent Violation	001 A 00530 Solids, total suspended Effluent Gross Season ID:0 C2	E90	01/31/2021			
Effluent Violation	001 A 00310 BOD, 5-day, 20 deg. C Effluent Gross Season ID:0 C2	E90	02/28/2021			
Effluent Violation	001 A 51040 E. coli Effluent Gross Season ID:0 C3	E90	07/31/2021			
Effluent Violation	001 A 51040 E. coli Effluent Gross Season ID:0 C3	E90	08/31/2021			
DMR Non-Receipt Violation	601 A 00940 Chloride [as Cl] Effluent Gross Season ID:0 C3	D80	08/31/2021	K-10/16/2021	6-10/16/2021	
Effluent Violation	001 A 51040 E. coli Effluent Gross Season ID:0 C3	E90	11/30/2021			
Effluent Violation	001 A 51040 E. coli Effluent Gross Season ID:0 C3	E90	12/31/2021			
Effluent Violation	601 A 50060 Chlorine, total residual Disinfection, Process Complete Season ID:0 C3	E90	05/31/2022			
Effluent Violation	001 A 51040 E. coli Effluent Gross Season ID:0 C3	E90	06/30/2022			
Effluent Violation	001 A 51040 E. coli Effluent Gross Season ID:0 C3	E90	08/31/2022			

Record Numbers 1 to 49

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Technical issues? Contact user support Help Desk at (202) 564-7756 or via email at ICIS@epa.gov

U.S. Environmental Protection Agency 

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Appendix 4

Industrial User Service Agreements



Industrial Waste Discharge Permit

Issued To:

Insight lighting, Inc.

4341 Fulcrum Way NE

Rio Rancho, New Mexico 87144

Permit Number S07002

Effective September 1, 2020

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INDUSTRIAL USER PERMIT

In accordance with the provisions of City of Rio Rancho (City) Industrial Waste Code §§ 51.30 through 51.94 and also with any applicable provisions of federal, state, or other local laws or regulations including the Clean Water Act (33 USC 1251 et seq.) and the General Pretreatment Regulations (40 CFR Part 403)

Insight Lighting Inc.
4341 Fulcrum Way NE
Rio Rancho, NM 87144

is hereby authorized to discharge industrial wastewater from the above-identified facility and through the outfalls identified into the City sewer system in accordance with the conditions set forth in this permit. Compliance with this permit does not relieve the permittee of its obligation to comply with any or all applicable pretreatment regulations, standards or requirements under local, state, and federal laws, including any such regulations, standards, requirements, or laws that might become effective during the term of this permit. Insight Lighting, Inc. is a significant industrial user subject to 40 CFR part 433.

Noncompliance with any term or condition of this permit will constitute a violation of City's Industrial Waste Code §§ 51.30 through 51.94.

The term of the permit must not exceed more than five (5) years.

This permit will become effective September 1, 2020 and the permit expires August 31, 2025.

If the permittee wishes to continue to discharge after the expiration date of this permit, an application must be filed for a renewal permit in accordance with the requirements of City's Industrial Waste Code §§ 51.30 through 51.94 a minimum of 90 days before the expiration date.

By: _____

Signature

Jim Chiasson, City of Rio Rancho Utilities Director

Date: _____

PART 1 – GENERAL INFORMATION

During the duration of the permit, the permittee is authorized to discharge process, non-process, and sanitary wastewater to the City sewer system from the outfall below.

Outfall 001 Description

The permitted point of discharge is described as a sampling port located inside the industry on the Treatment Tank (batch reactor) discharge line and designated as Outfall 001. Therefore, Oil and Grease parameters shall be collected from inside the industry at the end of process/end of pipe designated as Outfall 001. The discharge shall consist of process and cleanup wastewaters. Local Limits shall be calculated and applied as needed.

PROCESS WATER PRETREATMENT (TWO EVENTS)

1. Tanks 1, 3 and 4 all flow through Tank 2 which then flows to the Treatment Tank and then into the POTW. The pH is adjusted in the Tank 1 and monitoring occurs on a daily basis.
2. Tanks 1, 3, and 4 convey 2,558 gallons of zirconium phosphate acid, rinse waters, and a non-chromate sealer through the aforementioned Treatment Tank. This event occurs once a year.
 - a. The Treatment Tank shall be sampled annually.

Table 1 Process Flow

FLOW	TREATMENT TANK	PROCESS	PROCESS DESCRIPTION
2,558 gallons	Tank 1	Cleans and degreases parts	Diluted solution of Houghto-Prep ZP3, which is zirconium phosphate acid and water.
	Tank 2	Water from second stage process. Re-plumbed to recirculate to Treatment Tank	Conveys zero (0) gallons of zirconium phosphate acid and rinse waters through the five-stage 946-gallon pretreatment tank and no longer discharges daily due to re-piping. Water from the second stage.
	Tank 3	Rinse water	Water from the second stage.
	Tank 4	Rinse sealer	Diluted solution of Houghto-Seal ZR (non-chromate sealer) and water.
	Treatment Tank	Combined waters	Treated and then released into the City sewer/POTW.

LOCAL AND CATEGORICAL EFFLUENT LIMITATIONS

All discharges shall comply with all other applicable laws, regulations, standards, and requirements contained in the City's Industrial Waste Code and any applicable state and federal pretreatment laws, regulations, standards, and requirements including any such laws, regulations, standards, or requirements that may become effective during the term of this permit.

The permittee shall not introduce or cause to be introduced into the City sewer system any pollutant or wastewater described in §51.34 of the Ordinance referred to as Prohibited Discharge Standards.

PART 2 – MONITORING REQUIREMENTS

All samples must be collected, preserved, and analyzed in accordance with the procedures established in 40 CFR Part 136 and amendments.

Monitoring results obtained shall be summarized and reported by Insight Lighting, Inc. to the City annually from each sampling event. The report shall indicate the nature and concentration of all pollutants in the effluent for which sampling and analyses were performed during the reporting period preceding the submission of each report including measured maximum and average daily flows.

A. Grab sample shall means a sample that is taken from a waste stream on a one-time basis without regard to the flow in the waste stream and over a period of time not to exceed 15 minutes.

B. Sampling frequency for the annual monitoring cycle will occur during peak production season. Annual monitoring period is defined as January to December (calendar year). The report is due by January 31st.

REQUIRED MONITORING

This full list of parameters shall be tested once per permit period in the last year, prior to permit renewal application.

Table 2 Full List of Required Parameters

Parameter	Location	Frequency	Sample Type	Limit	Rationale
Oil and Grease (petroleum or mineral oil products)	OUTFALL 001	1/year	Grab	100 mg/L [2]	City of Rio Rancho Local Limits
Oil and Grease (animal and vegetable based)	OUTFALL 001	1/year	Grab	300 mg/L [2]	City of Rio Rancho Local Limits
pH	OUTFALL 001	1/year	Meter	5.0-11.0 [1][2]	City of Rio Rancho Local Limits
Cadmium (T)	OUTFALL 001	1/year	Grab	0.11 daily max, 0.07 monthly average [2]	40 CFR 433.17
Chromium (T)	OUTFALL 001	1/year	Grab	2.77 daily max, 1.71 monthly average [2]	40 CFR 433.17
Copper (T)	OUTFALL 001	1/year	Grab	3.38 daily max, 2.07monthly average [2]	40 CFR 433.17
Lead (T)	OUTFALL 001	1/year	Grab	0.69 daily max, 0.43 monthly average [2]	40 CFR 433.17
Nickel (T)	OUTFALL 001	1/year	Grab	3.98 daily max, 2.38 monthly average [2]	40 CFR 433.17
Silver (T)	OUTFALL 001	1/year	Grab	0.43 daily max, 0.24 monthly average [2]	40 CFR 433.17

Zinc (T)	OUTFALL 001	1/year	Grab	2.61 daily max, 1.48 monthly average [2]	40 CFR 433.17
Cyanide (T)	OUTFALL 001	1/year	Grab	1.20 daily max, 0.65 monthly average [2]	40 CFR 433.17
TTO	OUTFALL 001	1/year	Grab	2.13 daily max [2][3]	40 CFR 433.17
[1] PH will be monitored and recorded on the permittee's pH meter during discharge events.					
[2] The permittee will be required to notify the City in the event this limit is met or exceeded.					
[3] See Appendix 1 for TTO constituents					

In accordance with §51.65(B) of the Industrial Waste Code, the City may authorize an industrial user subject to categorical Pretreatment Standards to forgo sampling of a pollutant regulated by a categorical Pretreatment Standard if the user has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the discharge, or it is present only at background levels from intake water and without any increase in pollutant due to activities of the user, per 40 CFR 403.12 e (2).

A study of the analytical results was conducted on July 9, 2019 on this permittee for the prior five years. Based upon the study findings, analytes that were non-detectable were removed from the annual testing. The analytes with City Local Limits remain to be tested annually, whether they were detected or not. The full/complete list of parameters will be tested once per permit period in the last year prior to permit renewal application.

Ongoing self-monitoring and analytical testing is still required by Insight Lighting, Inc. for the parameters listed below:

Table 3 Reduced List of Required Parameters

Parameter	Location	Frequency	Sample Type	Limit	Rationale
Oil and Grease (petroleum or mineral oil products)	OUTFALL 001	1/year	Grab	100 mg/L [2]	City of Rio Rancho Local Limits
Oil and Grease (animal and vegetable based)	OUTFALL 001	1/year	Grab	300 mg/L [2]	City of Rio Rancho Local Limits
pH	OUTFALL 001	1/year	Meter	5.0-11.0 [1][2]	City of Rio Rancho Local Limits
Chromium (T)	OUTFALL 001	1/year	Grab	2.77 daily max, 1.71 monthly average [2]	40 CFR 433.17
Copper (T)	OUTFALL 001	1/year	Grab	3.38 daily max, 2.07monthly average [2]	40 CFR 433.17
Lead (T)	OUTFALL 001	1/year	Grab	0.69 daily max, 0.43 monthly average [2]	40 CFR 433.17
Nickel (T)	OUTFALL 001	1/year	Grab	3.98 daily max, 2.38 monthly average [2]	40 CFR 433.17
Silver (T)	OUTFALL 001	1/year	Grab	0.43 daily max, 0.24 monthly average [2]	40 CFR 433.17
Zinc (T)	OUTFALL 001	1/year	Grab	2.61 daily max, 1.48 monthly average [2]	40 CFR 433.17

SVOCs (EPA method 625)	OUTFALL 001	1/year	Grab	2.13 daily max [2]	40 CFR 433.17
[1] PH will be monitored and recorded on the permittee's pH meter during discharge events.					
[2] The permittee will be required to notify the City in the event this limit is met or exceeded.					
[3] See Appendix 2 for SVOC constituents					

PART 3 – REPORTING REQUIREMENTS

All reports required by this permit must be submitted to the City of Rio Rancho at the following address:

City of Rio Rancho
Utilities Department – Environmental Programs
Attn: Pretreatment Coordinator
3200 Civic Center Circle NE
Rio Rancho, New Mexico 87144-4501

1. MONITORING REPORTS

Monitoring results obtained must be summarized and reported to the Industrial Pretreatment Coordinator (IPC) by mail or hand delivered on an Industrial User Monitoring Report Form in Appendix 3.

Periodic compliance reports are to be submitted to the City annually by these dates:

Monitoring Period	January 1 st - December 30 th	Report due by January 31 st
-------------------	---	--

All monitoring reports must indicate the nature and concentration of all pollutants in the effluent for which sampling and analysis were performed during the reporting period preceding the submission of each report.

2. CERTIFICATION STATEMENTS

The permittee is required to sign and submit the following certification statement with all monitoring reports:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Certification of pollutants not present. Users that have an approved monitoring waiver based on §51.65(B) must certify on each report with the following statement that there has been no increase in the pollutant in its waste stream due to activities of the user (40 CFR 403.12(e) (2) (v)):

Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment standard under 40 CFR 413.64 and 413.54, I certify that, to the best of my knowledge and belief, there has been no increase in the level of Cadmium, Cyanide, Volatiles, Pesticides, PCBs, and Dioxin in the wastewaters due to the activities at the facility since filing of the last required periodic report.

The permittee is required to sign and submit the following certification statement with all monitoring reports only if the City has approved use of a Toxic Organics Management Plan (TOMP) in lieu of performing total toxic organic management plan.

Based on my inquiry of the permit or persons directly responsible for managing compliance with the pretreatment standard for total toxic organics (TTO), I certify that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewaters has occurred since filing of the last discharge monitoring report. I further certify that this facility is implementing the toxic organic management plan submitted to the City.

3. REPORTING ADDITIONAL MONITORING

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures prescribed in 40 CFR Part 136 or amendments thereto, or otherwise approved by the U.S. Environmental Protection Agency (EPA) or as specified in this permit, the results of such monitoring must be included in any calculations of actual daily maximum or monthly average pollutant discharge, and results must be reported in the monthly report submitted to the City. Such an increased monitoring frequency must also be indicated in the monthly report.

4. AUTOMATIC RESAMPLING

If the results of the permittee's wastewater analysis indicate that a violation of this permit has occurred, the permittee must do the following:

- Inform the City of Rio Rancho of the violation within 24 hours, and
- Repeat the sampling and pollutant analysis and submit, in writing, the results of this second analysis within 30 days of becoming aware of the first violation.

5. ACCIDENTAL DISCHARGE REPORT

The permittee must notify the City immediately upon the occurrence of spills, including accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, slug loads or slug discharges that might cause potential problems for the POTW or spills that might enter the public sewer. During normal business hours, the City should be notified by telephone at (505) 896-8715. At all other times, the City should be notified by telephone at (505) 975-8357. The notification must include location of discharge; date and time of discharge; type of waste, including concentration and volume; and corrective actions taken. The permittee's notification of accidental releases in accordance with this section does not relieve it of other reporting requirements that arise under local, state, or federal laws.

Within five (5) days following an accidental discharge, the permittee shall submit to the City a detailed written report. The report must specify the following:

1. Description and cause of the upset, slug load, or accidental discharge; the cause thereof; and the impact on the permittee's compliance status. The description should also include location of discharge and type, concentration, and volume of waste.
2. Duration of noncompliance, including exact dates and times of noncompliance and, if the noncompliance is continuing, the time by which compliance is reasonably expected to occur.
3. All steps taken or to be taken to reduce, eliminate, and/or prevent recurrence of such an upset, slug load, accidental discharge, or other conditions of noncompliance.

6. HAZARDOUS WASTE NOTIFICATION

1. If the permittee discharges any substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR part 261, or Chapter 173-303 WAC, must also comply with the requirements specified in §51.68(A) and (B) of the Ordinance. This notification requirement does not apply to pollutants already reported under the self-monitoring requirements.
2. The permittee is exempt from the requirements of subsection (1) of this section during a calendar month in which they discharge no more than 15 kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than 15 kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the permittee discharges more than such quantities of any hazardous waste do not require additional notification.
3. In the case of any new regulations under RCRA Section 3001, identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the permittee shall notify the City, the EPA Regional Waste Management Waste Division Director, and state hazardous waste authorities of the discharge of such a substance within 90 days of the effective date of such regulations.
4. In the case of any notification made under this paragraph, the permittee shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
5. This provision does not create a right to discharge any substance not otherwise permitted to be discharged, a permit issued thereunder, or any applicable federal or state law.

PART 4 – ACCIDENTAL SPILL / SLUG DISCHARGE CONTROL REQUIREMENTS

Accidental Spill Prevention Plan

The permittee has developed and submitted an Accidental Spill/Slug Discharge Control Plan to the City in accordance with §51. 44 of the Ordinance. The City has approved the permittee's Accidental Spill/Slug Discharge Control Plan.

The Accidental Spill Prevention Plan will be required to be reviewed and updated once every two years and submitted to the Industrial Pretreatment Coordinator. The review and update will include:

- New chemicals in use,
- Flow schematic drawings,
- Chemical storage drawings, and
- Current notification contacts.

PART 5 – TOXIC ORGANIC MANAGEMENT REQUIREMENTS

Toxic Organic Management Plan

The permittee has developed and submitted a Toxic Organic Management Plan (TOMP) to the City in accordance with §51.44 of the Ordinance. The City has approved the permittee's Toxic Organic Management Plan.

The TOMP will be required to be reviewed and updated once every two years and submitted to the Industrial Pretreatment Coordinator. The review and update will include:

- New chemicals in use,
- Flow schematic drawings,
- Chemical storage drawings, and
- Current hours of operation and shift schedule.

The conditions of the approved plans are HEREBY incorporated into this permit. The permittee is required to comply and implement the existing plans. Failure to comply with conditions specified in the approved plans shall be considered a violation of this permit.

PART 6 – STANDARD CONDITIONS

1. MONITORING AT AN INCREASED FREQUENCY

If the permittee sampled and analyzed more frequently than what was required by the City or by this subchapter, using methodologies in 40 CFR Part 136, it must submit all results of sampling and analysis of the discharge during the reporting period.

2. DUTY TO COMPLY

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. DUTY TO MITIGATE

The permittee must take all reasonable steps to maintain or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. MODIFICATIONS

The permittee may submit a request for permit modifications to the City for good cause, including, but not limited to, the reasons specified in Section 51.59 of the Ordinance. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

5. PERMIT APPEALS

The permittee may petition the City to reconsider the terms of a wastewater discharge permit within 30 days of notice of its issuance. The filing of an appeal must be performed in accordance with Section 51.57. Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal. The effectiveness of the wastewater discharge permit shall not be stayed pending the appeal.

6. RESTRICTIONS OF TRANSFER OF OWNERSHIP

Wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least 90 days' advanced notice to the City and the City approves the wastewater discharge permit transfer. The notice to the City must include a written certification by the new owner or operator which contain at a minimum the elements described in Section 51.60 of the Ordinance.

7. PERMIT REVOCATION

This permit may be terminated for the following reasons:

- A. Failure to notify the City of significant changes to the wastewater before the changed discharge;
- B. Failure to provide prior notification to City of changed conditions;
- C. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- D. Falsifying self-monitoring reports or certification statements;
- E. Tampering with monitoring equipment;
- F. Refusing to allow timely access to the facility premises and records;
- G. Failure to meet effluent limitations;
- H. Failure to pay fines;
- I. Failure to pay sewer charges;
- J. Failure to meet compliance schedules;
- K. Failure to complete a wastewater survey or the wastewater discharge permit application;
- L. Failure to provide advanced notice of the transfer of business ownership of a permitted facility;
- M. If the City has to invoke its emergency provision as cited in §51.84(l) of the Ordinance; or
- N. Violation of any Pretreatment Standard or Requirement including required best management practices, or any terms of the wastewater discharge permit or the sewer use ordinance.

8. DUTY TO REAPPLY

The permittee must apply for permit reissuance by submitting a complete permit application, in accordance with §51.62, a minimum of ninety (90) days before the expiration of the existing permit.

9. DILUTION

A permittee must not ever increase the use of potable or process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable Pretreatment Standard or Requirement. The City may impose mass limitations on permittees who are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases when the imposition of mass laminations is appropriate.

10. WASTEWATER SURVEY

As a requirement of the EPA 40CFR 403.8(f)(2)(i), the City of Rio Rancho is required to conduct a wastewater survey to identify new and existing industrial users who discharge non-domestic wastewater to the City's POTW.

An update wastewater survey is due every 3 years and will be submitted to the Industrial Pretreatment Coordinator.

ATTACHMENT A – SIGNATORY AUTHORIZATION

All reports and information submitted pursuant to the requirements of Discharge Permit #S07002 will be signed and certified by an authorized representative of the Permittee, Insight Lighting Inc.

In accordance with Section 51.54 of the City Ordinance and 40 CFR Part 403.12(l), an authorized representative may be:

- 1) an executive officer of at least the level of vice president, if the Permittee is a corporation;
- 2) a general partner or proprietor if the Permittee is a partnership or sole proprietorship respectively; or
- 3) a duly authorized representative of the individual designated in (1) or (2) above if such representative is responsible for the overall operation of the facility from which the permitted discharge originates.

Election of Option (3)

I certify that the signatory below shall have authority to sign reports required by this permit for Insight Lighting. I further understand that such signature shall be legally binding on all such reports.

Signature

Title

Authorized Signatory (print)

Title

Authorized Signature

Effective Date

APPENDICES

APPENDIX 1 TTO CONSTITUENTS

Acenaphthene	Bis (2-chloroethoxy) methane	Toluene
Acrolein	Methylene chloride	Trichloroethylene
Acrylonitrile	Methyl chloride	Vinyl chloride
Benzene	Methyl bromide	Aldrin
Benzidine	Bromoform	Dieldrin
Carbon tetrachloride	Dichlorobromomethane	Chlordane
Chlorobenzene	Chlorodibromomethane	4,4-DDT
1,2,4-Trichlorobenzene	Hexachlorobutadiene	4,4-DDE (p,p-DDX)
Hexachlorobenzene	Hexachlorocyclopentadiene	4,4-DDD (p,p-TDE)
1,2,-Dichloroethane	Isophorone	Alpha-endosulfan
1,1,1-Trichloroethane	Naphthalene	Beta-endosulfan
Hexachloroethane	Nitrobenzene	Endosulfan sulfate
1,1-Dichloroethane	2-Nitrophenol	Endrin
1,1,2-Trichloroethane	4-Nitrophenol	Endrin aldehyde
1,1,2,2-Tetrachloroethane	2,4-Dinitrophenol	Heptachlor
Chloroethane	4,6-Dinitro-o-cresol	Heptachlor epoxide
Bis (2-chloroethyl) ether	N-nitrosodimethylamine	Alpha-BHC
2-Chloroethyl vinyl ether	N-nitrosodiphenylamine	Beta-BHC
2-Chloronaphthalene	N-nitrosodi-n-propylamine	Gamma-BHC
2,4,6-Trichlorophenol	Pentachlorophenol	Delta-BHC
Parachlorometa cresol	Phenol	PCB-1242 (Arochlor 1242)
Chloroform	Bis (2-ethylhexyl) phthalate	PCB-1254 (Arochlor 1254)
2-Chlorophenol	Butyl benzyl phthalate	PCB-1221 (Arochlor 1221)
1,2-Dichlorobenzene	Di-n-butyl phthalate	PCB-1232 (Arochlor 1232)
1,3-Dichlorobenzene	Di-n-octyl phthalate	PCB-1248 (Arochlor 1248)
1,4-Dichlorobenzene	Diethyl phthalate	PCB-1260 (Arochlor 1260)

3,3-Dichlorobenzidine	Dimethyl phthalate	PCB-1016 (Arochlor 1016)
1,1-Dichloroethylene	Benzo(a)Anthracene	Toxaphene
1,2-Trans-dichloroethylene	Benzo(a)pyrene	2,3,7,8-Tetrachlorodibenzo-p-dioxin
2,4-Dichlorophenol	Benzo(b)fluoranthene	1,3-Dichloropropylene
1,2-Dichloropropane	Benzo(k)fluoranthene	2,4-Dimethyphenol
2,4-Dinitrotoluene	Anthracene	Chrysene
2,6-Dinitrotoluene	Acenaphthylene	Benzo(ghi)perylene
1,2-Diphenylhydrazine	Fluorene	4-Bromophenyl phenyl ether
Ethylbenzene	Phenanthrene	Bis (2-chloroisopropyl) ether
Fluoranthene	Dibenzo(a,h)anthracene	Pyrene
4-Chlorophenyl phenyl ether	Indeno(1,2,3-cd) pyrene	Tetrachloroethylene

APPENDIX 2 SVOC CONSTITUENTS

Bis (2-ethylhexyl) phthalate	Di-n-octyl phthalate	Diethyl phthalate
Phenol		



August 4, 2021

Nature's Toolbox, Inc

Mr. Alex Koglin,
Co-founder/President
7701 Innovation Way
Rio Rancho, NM 87144

**RE: INDUSTRIAL WASTEWATER DISCHARGE PERMIT NUMBER TO NATURE'S
TOOLBOX, INC BY THE CITY OF RIO RANCHO
PERMIT NO. #S21003**

Dear Mr. Koglin,

Your permit application for Industrial User Pretreatment Permit has been reviewed and processed in accordance with Title V, Chapter 51, Section 53 of the Industrial Waste Code of Rio Rancho.

The enclosed **Permit Number S21003** covers the wastewater discharged from the facility at 7701 Innovation Way, Rio Rancho, New Mexico, 87144, into the City of Rio Rancho sewer system. All discharges from this facility, actions, and reports relating to them must be in accordance with the terms and conditions of this permit.

If Nature's Toolbox, Inc. wishes to appeal or challenge any conditions imposed in this permit, you must file a petition for modification or re-issuance of this permit in accordance with the requirements of Section Title 51, Section 57 of the City of Rio Rancho Code within 30 days of your receipt of this correspondence. Failure to submit a timely petition for review shall be deemed a waiver of the administrative appeal. Any petition filed must indicate the wastewater discharge permit provisions objected to, the reasons for this objection, and the alternative condition, if any, you seek to place in the individual wastewater discharge permit.

If you should have any questions, please don't hesitate to contact the City's authorized representative, Wendell McCall, Jacobs Engineering, at 505.975.8357.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Chiasson', is written over a circular blue ink stamp.

Jim Chiasson
Authorized Representative & Department Director
Public Works Department
City of Rio Rancho

Cc: Wendell McCall, Jacobs Engineering



CITY OF RIO RANCHO, NEW MEXICO
INDUSTRIAL WASTE DISCHARGE PERMIT
Permit NO. S21003

Issued To:
Nature's Toolbox
7701 Innovation Way
Rio Rancho, NM 87144

Effective Date: August 1, 2021

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ABSTRACT

In compliance with the provisions and conditions of the ordinances of the City of Rio Rancho (City) and also with any applicable provisions of federal, state, or other local laws or regulations, including the Clean Water Act (33 USC 1251 et seq.) and the General Pretreatment Regulations (40 CFR Part 403),

Nature's Toolbox
7701 Innovation Way
Rio Rancho, NM 87144

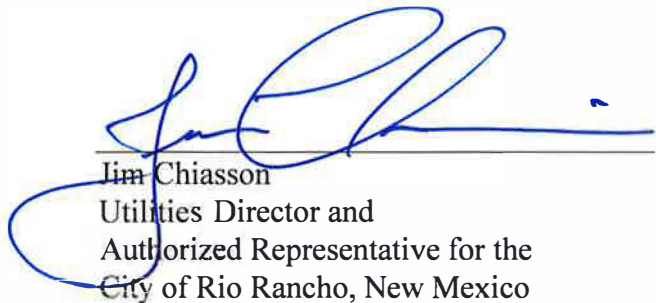
is authorized to discharge from activities classified by SIC No. 54171 & NAICS No. 541714 from premises located at the above address to the City's Publicly Owned Treatment Works (POTW) collection system in accordance with effluent limitations, monitoring requirements, and conditions set forth in Parts I, II, III, IV, V, VI and VII hereof and any attachments. Compliance with this permit does not relieve the permittee of its obligation to comply with any or all applicable pretreatment regulations, standards or requirements under local, state, and federal laws, including any such regulations, standards, requirements, or laws that may become effective during the term of this permit.

Noncompliance with any term or condition of this permit shall constitute a violation of the City's Industrial Waste Code.

This permit shall become effective on **August 1, 2021** and authorization to discharge shall expire three (3) years from this date at midnight on **July 31, 2024**.

If the permittee wishes to continue to discharge after the expiration date of this permit, an application must be filed for a renewal permit in accordance with the requirements of Title V, Chapter 51, Section 53, of the Industrial Waste Code of the City of Rio Rancho, a minimum of ninety (90) days prior to the expiration date. Industrial Pretreatment Program application renewal fee and annual permit fees, as listed in Chapter 51: Water and Wastewater Rules and Rates, Section 51.12 are required.

Signed this 1st day of August, 2021.



Jim Chiasson
Utilities Director and
Authorized Representative for the
City of Rio Rancho, New Mexico

PART I. DEFINITIONS AND ABBREVIATIONS

SECTION A-DEFINITIONS (§51.32)

For purposes of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning. The use of the singular shall be construed to include the plural and the plural shall include the singular by the context of its use.

ACT or THE ACT. The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 et seq.

APPLICABLE PRETREATMENT STANDARDS. For any specified pollutant, city prohibitive standards, city specific pretreatment standards (local limits), or EPA's categorical Pretreatment Standards (when applicable), whichever standard is appropriate or most stringent.

APPROVAL AUTHORITY. The Regional Administrator, Environmental Protection Agency, Region 6.

AUTHORIZED REPRESENTATIVE OF THE USER.

(1) If the user is a corporation:

(a) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(b) The manager of one or more manufacturing, production, or operation facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements.

(2) If the user is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(3) If the user is a federal, state, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or his/her designee.

(4) The individuals described in subsections (1) through (3) of this definition may designate a duly authorized representative if the authorization is in writing, the authorization specifies the

individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the city.

BEST MANAGEMENT PRACTICES (BMPs). Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40 CFR 403.5(a) and (b). BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage. BMPs also include alternative means (i.e., management plans) of complying with, or in place of, certain established categorical Pretreatment Standards and effluent limits.

BIOCHEMICAL OXYGEN DEMAND (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five days at 20° Celsius (68° Fahrenheit), usually expressed as a concentration in milligrams per liter (mg/l).

CATEGORICAL INDUSTRIAL USER. An industrial user subject to a categorical Pretreatment Standard or categorical standard.

CATEGORICAL PRETREATMENT STANDARD or CATEGORICAL STANDARD.

Any regulation containing pollutant discharge limits promulgated by the U.S. EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. 1317) which apply to a specific category of users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405 – 471.

CHEMICAL OXYGEN DEMAND (COD). A measure of the oxygen required to oxidize all compounds, both organic and inorganic, in water.

CITY. The City of Rio Rancho, County of Sandoval, State of New Mexico.

COLOR. The optical density at the visual wavelength of maximum absorption, relative to distilled water. One hundred percent transmittance is equivalent to zero (0.0) optical density.

COMPOSITE SAMPLE.

(1) The sample resulting from the combination of individual wastewater samples taken at selected intervals based on an increment of either flow or time.

(2) The composite method can be referenced to 40 CFR Part 403, Appendix E, I, A as follows: It is recommended that influent and effluent operational data be obtained through 24-hour flow proportional composite samples. Sampling may be done manually or automatically, and discretely or continuously. If discrete sampling is employed, at least 12 aliquots should be composited. Discrete sampling may be flow proportioned either by varying the time interval

between each aliquot or the volume of each aliquot. All composites should be flow proportional to either the stream flow at the time of collection of the influent aliquot or to the total influent flow since the previous influent aliquot. Volatile pollutant aliquots must be combined in the laboratory immediately before analysis.

CONTROL AUTHORITY. The agency responsible to conduct pretreatment activities and enforce the pretreatment program. This refers to the City of Rio Rancho.

COOLING WATER. Water used for cooling that may come into direct contact with any raw material, intermediate product, waste product, or finished product. COOLING WATER may be generated from any use, such as air conditioning, heat exchangers, cooling or refrigeration to which the only pollutant added is heat.

DAILY MAXIMUM. The arithmetic average of all effluent samples for a pollutant collected during a calendar day.

DAILY MAXIMUM LIMIT. The maximum allowable discharge limit of a pollutant during a calendar day. Where daily maximum limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

DIRECTOR. The Director of the Utilities Department or his duly authorized representative. The person designated by the city to manage and oversee the operation of the POTW, and who is charged with certain duties and responsibilities by this subchapter.

DOMESTIC USER (RESIDENTIAL USER). Any person who contributes, causes, or allows the contribution of wastewater into the city POTW that is of a similar volume and/or chemical makeup as that of a residential dwelling unit. Discharges from a residential dwelling unit typically include gallons per capita per day, pounds of BOD per capita, and pounds of TSS per capita.

EFFLUENT. Wastewater or other liquid – raw (untreated), partially treated or completely treated – flowing from a reservoir, basin, treatment process, or treatment plant.

ENVIRONMENTAL PROTECTION AGENCY (EPA). The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, or other duly authorized official of said agency.

EXISTING SOURCE. Any source of discharge that is not a NEW SOURCE.

EXISTING USER. For noncategorical users, an EXISTING USER is defined as any user that is discharging wastewater prior to the effective date of this subchapter. Any person that buys an existing facility that is discharging nondomestic wastewater will be considered an EXISTING USER if no significant changes are made in the user's operation.

FOG. Fats, oils, and greases which may be of organic (animal, vegetable) origin or of inorganic (mineral or petroleum) origin.

FOG-CONTRIBUTOR. Any establishment that:

- (1) Discharges wastewater that is high in fats, oils, and/or greases, such as but not limited to: restaurants, cafes, cafeterias, bars, hotels, hospitals, or school kitchens; or
- (2) Prepares, processes or serves food or food products.

GRAB SAMPLE. A sample that is taken from a wastestream on a one-time basis without regard to the flow in the wastestream and over a period of time not to exceed 15 minutes.

GREASE INTERCEPTOR. A structure that removes fats, oils, greases and settleable solids by passive physical separation, built to the specifications of the Uniform Plumbing Code, and sized appropriately considering the amount of fats, oils, and greases discharged.

INDIRECT DISCHARGE or DISCHARGE. The introduction of pollutants into the POTW from any nondomestic source regulated under Section 307(b), (c), or (d) of the Act. The discharge into the POTW is normally by means of pipes, conduits, pumping stations, force mains, constructed drainage ditches, surface water intercepting ditches, and all constructed devices and appliances appurtenant thereto.

INDUSTRIAL USER or USER. A source of indirect discharge of any nondomestic wastestream. The source shall not include DOMESTIC USER as defined herein.

INFLUENT. Wastewater or other liquid – raw (untreated) or partially treated – flowing into a reservoir, basin, treatment process, or treatment plant.

INSTANTANEOUS LIMIT. The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete (grab) or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

INTERFERENCE. A discharge which alone or in conjunction with a discharge or discharges from other sources, either:

- (1) Inhibits or disrupts the POTW, its treatment processes or operations,

(2) Inhibits or disrupts the POTW sludge processes, use or disposal; or

(3) Is a cause of a violation of the city's NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Clean Water Act; the Solid Waste Disposal Act (SWDA), including Title II, commonly referred to as the Resource Conservation and Recovery Act (RCRA); any state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA; the Clean Air Act; and the Toxic Substances Control Act.

LOCAL LIMITS. Specific discharge limits developed and enforced by POTWs upon industrial and commercial facilities (IUs) to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).

MAXIMUM ALLOWABLE DISCHARGE LIMIT. The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

MAY. Is permissive.

MEDICAL WASTES. Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

MONTHLY AVERAGE. The sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

MONTHLY AVERAGE LIMIT. The highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES). A national program under Section 402 of the Clean Water Act for regulation of discharges of pollutants from point sources to waters of the United States. Discharges are illegal unless authorized by an NPDES permit.

NEW SOURCE.

(1) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment

standards under Section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section; provided, that:

- (a) The building, structure, facility, or installation is constructed at a site at which no other source is located; or
 - (b) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - (c) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.
- (2) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of subsection (1)(b) or (c) of this definition, but otherwise alters, replaces, or adds to existing process or production equipment.
- (3) Construction of a NEW SOURCE as defined under this section has commenced if the owner or operator has:
- (a) Begun, or caused to begin as part of a continuous on-site construction program:
 - 1. Any placement, assembly, or installation of facilities or equipment; or
 - 2. Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
 - (b) Entered into a binding contractual obligation for the purchase of facilities or equipment, which are intended to be used in its operation within a reasonable time. Options to purchase or contracts, which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies, do not constitute a contractual obligation under this section.

NEW USER. A user that applies to the city for a new building permit or any person who occupies an existing building and plans to discharge wastewater to the city's collection system after the effective date of this subchapter and is not a NEW SOURCE as defined above. Any

person that buys an existing facility that is discharging nondomestic wastewater will not be considered a NEW USER unless significant changes are made in the user's operation.

NONCONTACT COOLING WATER. Water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product. Cooling water may be generated from any use, such as air conditioning, heat exchangers, cooling or refrigeration, to which the only pollutant added is heat.

NONSIGNIFICANT CATEGORICAL INDUSTRIAL USER (NSCIU). An NSCIU is a CIU designated by the Control Authority as "nonsignificant." See definition of SIGNIFICANT INDUSTRIAL USER, subsection (3).

PASS THROUGH. A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the city's NPDES permit (including an increase in the magnitude or duration of a violation).

PERMITTEE. A person or user issued a wastewater discharge permit.

PERSON. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all federal, state, or local governmental entities.

pH. A measure of the acidity or alkalinity of a solution expressed in standard units.

POLLUTANT. Any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, agricultural and industrial wastes, and characteristics of the wastewater (i.e., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

PRETREATMENT. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to (or in lieu of) introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

PRETREATMENT REQUIREMENTS. Any substantive or procedural requirement related to pretreatment imposed on a user, other than a pretreatment standard.

PRETREATMENT STANDARDS or STANDARDS. Prohibited discharge standards, categorical Pretreatment Standards, and local limits established by the city.

PROHIBITED DISCHARGE STANDARDS or PROHIBITED DISCHARGES. Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Sections 51.34(A) and (B).

PUBLICLY OWNED TREATMENT WORKS (POTW). A treatment works, as defined by Section 212 of the Act (33 U.S.C. 1292), which is owned by the city. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances that convey wastewater to a treatment plant. The term also means the city.

SEPTIC TANK WASTE. Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

SEWAGE. Human excrement and gray water (household showers, dish-washing operations, etc.).

SEWER. Any pipe, conduit ditch, or other device used to collect and transport sewage from the generating source.

SHALL. Is mandatory.

SIGNIFICANT INDUSTRIAL USER (SIU).

Except as provided in subsections (3) and (4) of this definition, a SIGNIFICANT INDUSTRIAL USER is:

- (1) An industrial user subject to categorical Pretreatment Standards; or
- (2) An industrial user that:
 - (a) Discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater); or
 - (b) Contributes a process wastestream which makes up five percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or

(c) Is designated as such by the city on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

(3) The city may determine that an industrial user subject to categorical Pretreatment Standards is a nonsignificant categorical industrial user rather than a significant industrial user on a finding that the industrial user never discharges more than 100 gallons per day of total categorical wastewater (excluding sanitary, noncontact cooling, and boiler blowdown wastewater, unless specifically included in the pretreatment standards) and the following conditions are met:

(a) The industrial user, prior to the city's finding, has consistently complied with all applicable categorical Pretreatment Standards and requirements;

(b) The industrial user annually submits the certification statement required in Section 51.54, together with any additional information necessary to support the certification statement; and

(c) The industrial user never discharges any untreated concentrated wastewater.

(4) Upon finding that a user meeting the criteria in subsection (2) of this definition has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the city may at any time, on its own initiative or in response to a petition received from an industrial user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user (40 CFR 403.3(v)).

SLUG LOAD. Any discharge at a flow rate or concentration which could cause a violation of the discharge standards in Sections 51.34 through 51.39 or any discharge of a nonroutine, episodic nature, including, but not limited to, an accidental spill or a noncustomary batch discharge which has a reasonable potential to cause interference or pass through, or in any other way violate the POTW's regulations, local limits or permit conditions. Any liquid material determined to have adverse effects on the sewerage system and wastewater treatment plants, including alkalies or alkaline substances, oils, foam-generating wastes, highly colored wastes, pesticides and solvents not listed previously (40 CFR 403.8(f)(2)(vi)).

STANDARD INDUSTRIAL CLASSIFICATION (SIC) CODE. A classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.

STORM WATER. Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

TECHNICAL REVIEW CRITERIA (TRC) VIOLATIONS. Violations in which 33% or more of all of the measurements for each pollutant parameter taken during a six-month period equal or exceed the product of the daily maximum limit or the average limit multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH).

TOTAL SUSPENDED SOLIDS (TSS). The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering.

TOXIC POLLUTANT. Any of 126 ± pollutants, or combination of those pollutants, listed as toxic in regulations promulgated by EPA under Section 307 (33 U.S.C. 1317) of the Act.

TREATMENT PLANT EFFLUENT. The discharge from the POTW into waters of the United States.

UPSET. An exceptional incident in which there is unintentional and temporary noncompliance with categorical Pretreatment Standards because of factors beyond the reasonable control of the user.

USER or INDUSTRIAL USER. A source of indirect discharge.

WASTEWATER. Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

WASTEWATER DISCHARGE PERMIT (INDUSTRIAL WASTEWATER DISCHARGE PERMIT, DISCHARGE PERMIT). An authorization or equivalent control document issued by the city to users discharging wastewater to the POTW. The permit may contain appropriate pretreatment standards and requirements as set forth in this subchapter.

WASTEWATER TREATMENT PLANT or TREATMENT PLANT. That portion of the POTW that is designed to provide treatment of municipal sewage and industrial waste.

SECTION B-ABBREVIATIONS (§51.33)

The following abbreviations shall have the designated meanings:

ASPP	Accidental Spill Prevention Program
BOD	Biochemical Oxygen Demand
BMR	Baseline Monitoring Report
°C	Celsius
CIU	Categorical Industrial User
CFR	Code of Federal Regulations
COD	Chemical Oxygen Demand
EPA	U.S. Environmental Protection Agency
°F	Fahrenheit
FIFRA	Federal Insecticide Fungicide Rodenticide Act
Gpd	Gallons per Day
IU	Industrial User
L	Liter
LEL	Lower Explosive Limit
Mg	Milligrams
mg/L	Milligrams per Liter
NPDES	National Pollutant Discharge Elimination System
NSCIU	Nonsignificant Categorical Industrial User
O&M	Operation and Maintenance
POTW	Publicly Owned Treatment Works
RCRA	Resource Conservation and Recovery Act
SDCP	Slug Discharge Control Plan
SIC	Standard Industrial Classifications
SIU	Significant Industrial User
SNC	Significant Noncompliance
SWDA	Solid Waste Disposal Act (<u>42</u> U.S.C. <u>6901</u> et seq.)
TOMP	Toxic Organic Management Plan

TRC Technical Review Criteria

TSS Total Suspended Solids

TTO Total Toxic Organics

U.S.C.	United States Code
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PART II. EFFLUENT LIMITATIONS

INDUSTRY DESCRIPTION

Nature's Toolbox, Inc. is permitted as a Significant Industrial User (SIU) on the basis of being classified as a Categorical Industrial User (CIU) in the Pharmaceutical category. Nature's Toolbox, Inc. is subject to Local Limits, Specific Prohibitions and Pharmaceutical Categorical pretreatment standards for new sources found in 40 CFR 439.17.

SECTION A. DESCRIPTION OF OUTFALLS

OUTFALL NT001: Categorical pretreatment standards and local limits apply at the end of process at the location referred to as Outfall NT001. Outfall NT001 is located inside of Nature's Toolbox, Inc. manufacturing facility's Fermentation Laboratory. The sample location represents the only floor drain in the entire manufacturing facility.

GPS coordinates for this location are as listed here:

Longitude: 106° 34' 35.5" W

Latitude: 35° 19' 48.1" N

OUTFALL NT002: All wastewaters including regulated, nonregulated, and domestic flow through Outfall NT002 prior to discharging into the City of Rio Rancho sewer system. This is the point where Nature's Toolbox, Inc. sewer line connects to the City sewer line. This location is described as

GPS coordinates for this location are as listed below.

Latitude: 35° 33' 03.6" N

Longitude: 106° 57' 59.2" E

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SECTION B- LOCAL AND CATEGORICAL EFFLUENT LIMITATIONS

Subject to the limitations set forth in this Permit, Nature's Toolbox, Inc. is not permitted to discharge more than the following quantities of pollutants to the City's POTW collection system:

Parameters	Limit Rationale	Daily Max Limit	Monthly Ave Limit	Unit	Sample Monitoring		
					Frequency	Type	Location
Ammonia (as N)2	40 CFR 439	6.1	2.1	mg/L	Quarterly	Grab	NT001
Acetone	40 CFR 439	2.2	0.9	mg/L	Quarterly	Grab	NT001
4-methyl-2-pentanone	40 CFR 439	1.5	0.6	mg/L	Quarterly	Grab	NT001
Isobutyraldehyde	40 CFR 439	1.5	0.6	mg/L	Quarterly	Grab	NT001
n-Amyl acetate	40 CFR 439	2.2	0.9	mg/L	Quarterly	Grab	NT001
n-Butyl acetate	40 CFR 439	1.5	0.6	mg/L	Quarterly	Grab	NT001
Ethyl acetate	40 CFR 439	2.2	0.9	mg/L	Quarterly	Grab	NT001
Isopropyl acetate	40 CFR 439	1.5	0.9	mg/L	Quarterly	Grab	NT001
Methyl formate	40 CFR 439	1.5	0.6	mg/L	Quarterly	Grab	NT001
Isopropyl ether	40 CFR 439	2.2	0.6	mg/L	Quarterly	Grab	NT001
Tetrahydrofuran	40 CFR 439	0.7	0.2	mg/L	Quarterly	Grab	NT001
Benzene	40 CFR 439	0.2	0.1	mg/L	Quarterly	Grab	NT001
Toluene	40 CFR 439	0.02	0.01	mg/L	Quarterly	Grab	NT001
Xylenes	40 CFR 439	0.2	0.1	mg/L	Quarterly	Grab	NT001
n-Heptane	40 CFR 439	0.2	0.1	mg/L	Quarterly	Grab	NT001
n-Hexane	40 CFR 439	0.2	0.1	mg/L	Quarterly	Grab	NT001
Methylene chloride	40 CFR 439	0.3	0.1	mg/L	Quarterly	Grab	NT001
Chloroform	40 CFR 439	0.01	0.01	mg/L	Quarterly	Grab	NT001
1,2-dichloroethane	40 CFR 439	1.5	0.6	mg/L	Quarterly	Grab	NT001
Chlorobenzene	40 CFR 439	0.2	0.1	mg/L	Quarterly	Grab	NT001
o-Dichlorobenzene	40 CFR 439	1.5	0.6	mg/L	Quarterly	Grab	NT001
Diethyl amine	40 CFR 439	18.6	7.3	mg/L	Quarterly	Grab	NT001
Triethyl amine	40 CFR 439	18.6	7.3	mg/L	Quarterly	Grab	NT001
Cyanide (T)	40 CFR 439	2.4	0.8	mg/L	Quarterly	Grab	NT001
Oil (Mineral and Petroleum Product)	Local Limit	300	---	mg/L	Quarterly	Grab	NT001
Oil and Grease (Animal and vegetable)	Local Limit	100	---	mg/L	Quarterly	Grab	NT001
Total Flow	Local Limit	0.00045	0.00034	mgd	Daily	Meter	Water Meter
pH	Local Limit	5.0-11.0		s.u.	Daily	Grab	NT001

All discharges shall comply with all other applicable laws, regulations, standards, and requirements contained in the City's Industrial Waste Code and any applicable state and federal pretreatment laws, regulations, standards, and requirements including any such laws, regulations, standards, or requirements that may become effective during the term of this permit.

PART III- MONITORING AND REPORTING REQUIREMENTS

Monitoring results obtained shall be summarized and reported by Nature's Toolbox, Inc. to the City quarterly from each sampling event. The reports are due no later than the 15th day of the months of April, July, September, and January. The report shall indicate the nature and concentration of all pollutants in the effluent for which sampling and analyses were performed during the reporting period preceding the submission of each report including measured maximum and average daily flows.

If the permittee monitors any pollutant at the appropriate sampling location more frequently than required by this permit, using test procedures prescribed in 40 CFR 136 or amendments thereto, or otherwise approved by EPA or as specified in this permit, the results of such monitoring shall be included in any calculations of actual daily maximum or monthly average pollutant discharge and results shall be reported in the quarterly reports submitted to the City.

- (1) Each monitoring report will include a valid Chain-Of-Custody (COC). A valid COC shall contain the facility name and address, Outfall number and description of sampling location, name(s) and signature(s) of the person(s) who collected the sample and any other person(s) who handles the sample, the date(s) and time(s) of sample collection, date and time of pH result, type of sample, type of container used, and preservatives used.
 - (2) Each monitoring report will include a valid Laboratory Report. A valid Laboratory Report shall contain the name and address of the reporting laboratory, Outfall number, sample type and pollutant(s) analyzed, name(s) of the analyst, date and time of analysis, methodology used, detection limit used, Quality Assurance/Quality Control Report, and signature of Laboratory Supervisor.
 - (3) Automatic resampling occurs if the results of the permittee's wastewater analysis indicate that a violation of this permit has occurred, the permittee must:
 - a. Inform the City of the violation within twenty-four (24) hours; and
 - b. Repeat the sampling and pollutant analysis within five (5) days and
 - c. Submit, in writing, the results of this second analysis within thirty (30) days of the first violation.
- (3) All reports required by this permit shall be submitted to the City at the following address:

City of Rio Rancho
Utilities Department – Environmental Programs
Attn: Pretreatment Coordinator

3200 Civic Center Circle NE
Rio Rancho, New Mexico 87144-4501

- (4) Nature's Toolbox, Inc. shall also comply with the monitoring and reporting requirements of this permit.

PROHIBITED DISCHARGE STANDARDS (§51.34)

General Prohibitions: The permittee shall not introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other federal, state, or local pretreatment standards or requirements.

Specific Prohibitions: The permittee shall not introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

- (1) Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to, wastestreams with a closed cup flashpoint of less than 140° Fahrenheit or 60° Celsius using the test methods specified in 40 CFR 261.21;
- (2) Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0 or more than 11.0, unless the treatment works is specifically designed to accommodate such discharges,
- (3) Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference with the operation of, or which could cause damage to, the POTW including: fats, oils, grease, wax, or other materials that tend to coat and clog a sewer line or other appurtenance (40 CFR 403.5(b)(3)),
- (4) Any pollutant, including oxygen-demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW,
- (5) Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW treatment plant exceeds 40°C (104°F), unless the Approval Authority, upon request of the POTW, approves alternate temperature limits,
- (6) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through,

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- (7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems,
- (8) Any trucked or hauled pollutants, except at discharge points designated by the POTW,
- (9) Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair,
- (10) Wastewater which imparts color that cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the city's NPDES permit. Color, in combination with turbidity, shall not cause the treatment plant effluent to reduce the depth of the compensation point for photosynthetic activity by more than 10% from the seasonable established norm for aquatic life,
- (11) Wastewater containing any radioactive wastes or isotopes except as specifically approved by the Director in compliance with applicable federal or state regulations,
- (12) Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water, and unpolluted wastewater, unless specifically authorized by the Director,
- (13) Any sludges, screenings, or other residues from the pretreatment of industrial wastes or from industrial processes,
- (14) Medical wastes, including any discharge of solid wastes from hospitals, clinics, offices of medical doctors, dental facilities, convalescent homes, medical laboratories or other medical facilities to the sewerage system including, but not limited to, hypodermic needles, syringes, instruments, utensils or other paper and plastic items of a disposable nature except as specifically authorized by the Director,
- (15) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test,
- (16) Detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW,
- (17) Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. Gasoline, benzene, naphtha, and fuel oil are strictly prohibited. Wastewater causing two readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system),

by more than five percent or any single reading over 10% of the lower explosive limit (LEL) of the meter,

(18) Grease, animal guts or tissues, paunch, manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dusts, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar asphalt residues, residues from refining or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes,

(19) Any substance that will cause the POTW to violate its NPDES and/or other disposal system permits,

(20) Any wastewater, which in the opinion of the Director can cause harm either to the sewers, sewage treatment process, or equipment; have an adverse effect on the receiving stream; or can otherwise endanger life, limb, public property, or constitute a nuisance, unless allowed under special agreement by the Director. No special waiver shall be given from categorical Pretreatment Standards,

(21) The contents of any tank or other vessel owned or used by any person in the business of collecting or pumping sewage, effluent, septage, or other wastewater unless said person has first obtained testing and approval as may be generally required by the city and paid all fees assessed for the privilege of said discharge,

(22) Any hazardous wastes as defined in rules published by the State of New Mexico or in EPA 40 CFR Part 261,

(23) Persistent pesticides and/or pesticides such as dieldrin, aldrin, chlordane, endrin, heptachlor, toxaphene, lindane, benzalkonium chloride (BAC), and others as regulated by the Federal Insecticide Fungicide Rodenticide Act (FIFRA),

(24) Materials of an organic or inorganic nature, toxic or nontoxic, which exert an immediate chlorine demand if discharge of such material will prevent the achievement of an adequate chlorine residual in the effluent of the wastewater treatment works.

Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could accidentally discharged to the POTW.

LOCAL LIMITS (§51.37)

The following pollutant limits are established to protect against pass through and interference. The permittee shall not discharge wastewater containing in excess of the following daily maximum allowable discharge limits:

- (1) 100 mg/l oil and grease (petroleum or mineral products)

- (2) 300 mg/l oil and grease (animal and vegetable based)

The above limits apply at the point where the wastewater is discharges to the POTW (end of the pipe). All concentrations for metallic substances are for total metal unless indicated otherwise. The Director may impose mass limitations in addition to (or in place of) the concentration-based limitations above. Where a user is subject to a categorical pretreatment standard and a local limit for a given pollutant, the more stringent limit or applicable pretreatment standard shall apply. Categorical pretreatment standards apply at the end of process immediately following treatment technology, if any, whereas local limits apply at the end of pipe (at the point of connection to the POTW's collection system). The Director will require the installation of appropriate sampling points so that sampling events comply with this standard.

A surcharge may be assessed against persons discharging wastewaters that are of greater strength and volumes than domestic water.

The surcharge is applied in addition to existing user chargers for water and sewer connections. Surcharge rates are found in Chapter 51:12 Water and Wastewater Rules and Rates.

APPLICATION OF MOST STRINGENT LIMITATIONS

For any specified pollutant, City prohibitive standards, City specific pretreatment standards (local limits), or EPA's categorical pretreatment standards (when applicable), whichever standard is appropriate or most stringent.

SCHEDULE OF COMPLIANCE (§51.66)

The Director has the authority to establish compliance schedules when appropriate and necessary to ensure that pretreatment standards and requirements are met.

(A) The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).

(B) No increment referred to in division (A) above shall exceed nine (9) months, nor shall the total compliance period exceed eighteen (18) months.

(C) Not later than fourteen (14) days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the City including, at a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps

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being taken by the user to return the construction to the schedule established. In no event shall more than nine (9) months elapses between such progress reports.

PART IV-SPECIFIC CONDITIONS

- (1) The permit limitations listed herein have been established based on the City's assessment of the treatment capacity of the POTW Treatment Facility and a fair and reasonable allotment of a portion of that treatment capacity to Nature's Toolbox, Inc. The permit limitations are not established as a basis for the computation of surcharges and should not be viewed as such. Every effort, including incorporation of best management practices, must be made by Nature's Toolbox, Inc. to continually meet the limitations in this permit to aid in maintaining optimum performance of the said treatment facility. Commitment to this basic understanding is hereby a condition of this permit.
- (2) The permit limitations established herein are based upon two major factors:
 - a. The ability of the POTW Treatment Facility to assimilate the loadings from Nature's Toolbox, Inc. and maintain a high-quality effluent to the receiving stream(s); and
 - b. The desire by the City to maintain a safety margin between the average daily loading at the POTW Treatment Facility and its treatment capacity.

With these factors in mind, Nature's Toolbox, Inc. shall notify the City well in advance of any proposed change in production or treatment processes that could significantly affect either the volume or character of wastewaters discharged to the POTW collection system. The City will evaluate such proposed changes as related to the City's ability to provide adequate treatment or its ability to provide an adequate working margin, and a modification to the permit limitations may be considered.

- (3) In addition to civil and criminal liability, the permittee violating any of the provisions of this permit or the City's Industrial Waste Code or causing damage to or otherwise inhibiting the City's POTW, shall be liable to the City for any expense, loss or damage caused by such violation or discharge. The City shall bill the permittee for the costs incurred by the City for any cleaning, repair, replacement of work, sampling, monitoring, and inspection caused by the violation or discharge. The City may recover reasonable attorneys' fees, court costs, and other expenses related to enforcement activities. Refusal to pay the assessed costs shall constitute a separate violation of the Industrial Waste Code.
- (4) In accordance with 40 CFR 403.12(d)(g), no later than ninety (90) days after the effective date of Wastewater Discharge Permit No. **S21003** Nature's Toolbox, Inc. shall submit a 90-Day Compliance Report to the City of Rio Rancho which verifies compliance with applicable categorical pretreatment standards.
- (5) In accordance with *EPA Guidance Manual for Calculating Production Based Limit and Using the Combined Wastestream Formula*, Nature's Toolbox, Inc. shall be required to submit current average production rates in self-monitoring reports.

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- (6) In accordance with *EPA Guidance Manual for Calculating Production Based Limit and Using the Combined Wastestream Formula*, Nature's Toolbox, Inc. shall be required to provide the City of Rio Rancho with notification regarding significant changes which may warrant modification of the permit limit. A change in the long-term average production or flow rate of greater than 20% is considered significant.

PART V-STANDARD REQUIREMENTS

SECTION A-GENERAL CONDITIONS

(1) Permit Modification (§51.59)

The City may modify this permit for good cause, including, but not limited to, the following reasons:

- a. To incorporate any new or revised federal, state, or local pretreatment standards or requirements,
- b. To address significant alterations or additions to the permittee's operation, processes, or wastewater volume or character since the time of wastewater discharge permit issuance,
- c. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge,
- d. Information indicating that the permitted discharge poses a threat to the City's POTW, City personnel, or the receiving waters,
- e. Violation of any terms or conditions of this permit,
- f. Misrepresentations or failure to disclose all relevant facts in the permit application or in any required reporting,
- g. Revisions of, or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13,
- h. To correct typographical or other errors in this permit,
- i. To reflect a transfer of the facility ownership and/or operation to a new/operator, as permitted in §51.60,
- j. Upon request of the permittee, provided such request does not create a violation of any applicable requirements, standards, laws or rules and regulations.

(2) Toxic Pollutants

If a toxic effluent standard or prohibition is established for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit may be revised or modified in accordance with the toxic effluent standard or prohibition and the permittee so notified.

(3) Toxic 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 established pursuant to any applicable state law or regulation.

(4) 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.

(5) Property Rights

This permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

(6) Regulatory Changes

Any changes in federal, state, or local pretreatment regulations that are more stringent than the requirements of this permit shall supersede this permit. The permittee will be notified of the change and required to develop a compliance schedule if changes in the permittee's treatment process or facility are necessary to ensure compliance with the regulatory change(s).

(7) Reapplication for Permit Renewal (§51.52)

The permittee is responsible for filing an application for reissuance of the permit a minimum of ninety (90) days prior to the expiration date of this permit.

(8) Permit Transfer (§51.60)

Wastewater discharge permits may be transferred to a new owner and/or operator only if the permittee gives at least thirty (30) days advance notice to the Director, and the Director approves the wastewater discharge permit transfer. At his discretion, the Director may allow a shorter notification period for good cause. The notice to the Director must include a written certification by the new owner or operator which:

- a. States that the new owner and/or operator has no immediate intent to change the facility's operations and processes,
- b. Identifies the specific date on which the transfer is to occur; and

- c. Acknowledges full responsibility for complying with the existing wastewater discharge permit.

In addition, the new owner/operator must be given a copy of the existing industrial discharge permit.

Failure to provide notice of a transfer renders the wastewater discharge permit void as of the date of facility transfer.

Provided that the above conditions for a permit transfer are met and that there were no significant changes to the manufacturing operation or wastewater discharge, the permit may be transferred to the new owner and the facility's discharge may be covered by the existing limits and requirements.

(9) 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.

SECTION B. OPERATION AND MAINTENANCE

(1) Proper Operation and Maintenance

The permittee shall always maintain in good working order and operate as efficiently as possible all facilities and systems of treatment, control, sampling and measurement installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance include effective performance, adequate funding, adequate operator staffing and training, and adequate process control.

(2) 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 to maintain compliance with the conditions of this permit.

(3) 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, the POTW treatment facility, the waters receiving the POTW treatment facility discharge, or the environment.

Reasonable steps include but are not limited to accelerated or additional monitoring and/or analyses necessary to determine the nature and impact of the noncomplying discharge.

(4) Bypass of Treatment System (§51.92)

- A. For the purposes of this section the following definition shall apply unless the context clearly indicates or requires a different meaning,
- (i) **Bypass** means the intentional diversion of wastestreams from any portion of the permittee's treatment facility.
 - (ii) **Severe property damage** means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources, which can reasonably be expected to occur in the absence of a bypass. **Severe property damage** does not mean economic loss caused by delays in production.
- b. A permittee may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of subsections (c) and (d) of this section.
- c. (i) If a permittee knows in advance of the need for a bypass, it shall submit prior notice to the City, at least ten (10) days before the date of the bypass, if possible.
- (ii) A permittee shall submit oral notice to the City of an unanticipated bypass that exceeds applicable pretreatment standards within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the permittee becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The City may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.
- d. (i) Bypass is prohibited, and the POTW may take an enforcement action against a permittee for a bypass, unless:
- Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage.
 - 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 judgement to prevent a bypass, which occurred during normal periods of equipment downtime or preventive maintenance.

- The permittee submitted notices required under subsection (c) of this section.
- (ii) The POTW may approve an anticipated bypass, after considering its adverse effects, if the POTW determines that it will meet the three conditions listed in subsection (d) of this section.

(5) Upset Conditions (§51.90)

- a. For the purposes of this section, **upset** means an exceptional incident in which there is an unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, lack of preventative maintenance, or careless or improper operations.
- b. An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical pretreatment standards if the requirements of subsection (c), below, are met.
- c. The permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (i) An upset occurred, and the permittee can identify the cause(s) of the upset.
 - (ii) The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures, and
 - (iii) The permittee has submitted the following information to the POTW within twenty-four (24) hours of becoming aware of the upset. If this information is provided orally, a written submission must be provided within five (5) days:
 - A description of the indirect discharge and cause of noncompliance,
 - The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue,
 - Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
- d. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset shall have the burden of proof.

- e. The permittee will have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with categorical pretreatment standards.
- f. The permittee shall control production of all discharges to the extent necessary to maintain compliance with categorical pretreatment standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

(6) Removed Substances and RCRA Requirements

Solids, sludges, filter backwash, or other pollutants removed during treatment or control of waste waters shall be disposed of in a manner such as to prevent any pollutants from such materials from entering the sewer system. The permittee is responsible to assure its compliance with any requirements regarding the generation, treatment, storage, and/or disposal of hazardous wastes as defined under the Federal Resource Conservation and Recovery Act and other statutory rules and regulations relative to refuse, liquid and/or solid waste disposal.

(7) Emergency Action

In the event of a power loss to the permittee's treatment facility, the permittee shall provide treatment to the best of his ability and shall report immediately to the City any noncompliance resulting from the emergency.

(8) Dilution Not Permitted (§51.40)

The permittee shall not increase the use of potable or process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this permit.

(9) Disposal of Sludges and Spent Chemicals

The permittee shall dispose of sludges and spent chemicals in accordance with procedures in Section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act.

SECTION C. MONITORING

(1) Sampling Facility and Monitoring Equipment (§51.79)

The permittee shall provide a suitable sampling facility(s) together with such necessary manholes, meters and other equipment to facilitate observation, sampling and measurement of the process and/or combined wastes from the permitted discharge.

Such facility(s) and other appurtenances shall be accessibly and safely located and shall be constructed in accordance with plans approved by the City and shall be constructed, operated, and maintained at the permittee's expense.

Such facility(s) and other appurtenances shall be maintained to be safe and accessible at all times and shall be made available for use by the City and/or authorized representatives for surcharge sampling each month and for other sampling upon request.

(2) Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring point(s) specified in this permit and, unless otherwise specified, before the effluent joins or is diluted by any other wastestreams, body of water, or substance. Monitoring points shall not be changed without notification to and approval of the City.

(3) Flow Measurement Devices and Methods

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 by trained personnel to ensure that the accuracy of the measurement is consistent with the accepted capability of that device. A calibration log shall be maintained and must include dates of service and calibration, who performed the calibration and the methods used in the calibration. 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.

(4) Monitoring by Approved Methods (§51.76)

Monitoring must be conducted according to procedures approved under 40 CFR Part 136.

(5) Additional Self-Monitoring

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the industrial monitoring reports.

(6) Combined Wastestream Formula

The combined wastestream formula shall be applied to industrial facilities that mix unregulated process effluent with other regulated or unregulated wastewaters prior to treatment (40 CFR 403.6). The purpose of the formula is to calculate fixed alternative pollutant limits that shall be applied to the mixed effluent.

(7) Flow Weighted Average Formula

Another alternative (along with the Combined Wastestream Formula) that may be applied to a regulated process wastestream that mixes with non-process wastestreams after treatment but prior to the sampling point. The choice will be between the two alternatives would be decided by selecting the more stringent of the two calculations.

SECTION D-REPORTING AND RECORD KEEPING REQUIREMENTS

(1) Reporting of Monitoring Results (§51.65)

(A) The permittee shall submit to the City industrial self-monitoring reports. The reports are due by the last business day of the month during the months of June and December. The industrial monitoring report, unless otherwise specified in this permit, shall at a minimum contain the following:

- a. Industry name and address,
- b. Reporting period,
- c. Daily pollutant concentrations,
- d. Average pollutant concentrations,
- e. Mass per day,
- f. A record of all estimated and measured flows (average and maximum daily flows) taken at the designated sampling locations
- g. Production rate information,
- h. Compliance statement,
- i. Certification statement; and
- j. Signature of authorized representative.
- k. A record of the nature and concentration (and mass if specified in the wastewater discharge permit) of the pollutants listed in the wastewater discharge permit that were measured,
- l. Documentation required by the Director or the pretreatment standard necessary to determine the compliance status.

If, during any period, a permittee fails to comply with permit requirements and limitations, the permittee shall, in addition to or as a part of the monitoring report, submit to the City an explanation of the noncompliance, any known or suspected cause and actions the permittee has taken to prevent further occurrences.

(B) The city may authorize permittee to forgo sampling of a pollutant regulated by a categorical Pretreatment Standard if the permittee has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the discharge, or it is present only at background levels from intake water and without any increase in the pollutant due to activities of the permittee, per 40 CFR 403.12(e)(2).

(2) Record Contents (§51.74)

Records and monitoring information shall include:

- a. The exact date, location, time and method of sampling,
- b. The individual(s) who performed the sampling or measurement,
- c. The date(s) analyses were performed,
- d. The individual(s) who performed the analyses,
- e. The analytical techniques or methods used,
- f. The results of all required analyses,
- g. Chain of Custody (COC),
- h. Quality Assurance / Quality Control (QA/QC); and
- i. Documentation associated with BMP under 51.37(D).

(3) Averaging Measurements

Calculations that require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

(4) Frequency of Monitoring Reports

Monitoring results shall be reported at the intervals specified in Part II, Sections B and C and Part IV, Section D (1) unless otherwise approved by the City.

(5) Retention of Records

The permittee shall retain records of all monitoring information, including all calibration and maintenance records, 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 three (3) years from the date of the sample, measurement, report, or application. This period may be extended by request of the City, the New Mexico Environment Department (NMED), or U.S. EPA at any time.

All records that pertain to matters that are the subject of enforcement or litigation activities shall be retained and preserved by the permittee until all enforcement activities have concluded and all periods of limitation with respect to all appeals have expired.

(6) Planned Changes

The permittee shall notify the City as soon as possible but at least thirty (30) days prior to any planned increase or decrease in the volume or nature of the waste being discharged and any planned physical alterations or additions to the permitted facility. This notification shall be in writing and shall apply to all pollutants whether limited by this permit or not and to any activity which would result in the discharge of those pollutants to the POTW.

(7) Anticipated Noncompliance

The permittee shall give notice to the City as soon as possible but at least thirty (30) days prior to any planned changes in the permitted facility or activity, which may result in noncompliance with permit requirements.

(8) Manifest of Wastes Removed

Nature's Toolbox, Inc. shall provide a manifest or other record of wastes removed by the pretreatment system and disposed of. These records shall be made available to the City upon request.

(9) Compliance Schedule Reporting (§51.66(C))

Reports of compliance or noncompliance with, or any progress on interim and final requirement contained in any compliance schedule shall be submitted no later than fourteen (14) days following each date in the schedule and the final date for compliance. The user shall submit a progress report to the city including, at a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine months elapse between such progress reports.

(10) Twenty-Four Hour Reporting (Spill, Slug, or Noncompliance) (§51.69)

The Permittee shall notify the city immediately (within 24 hours) of all discharges that could cause problems to the POTW, including any slug loadings, as defined in Section 51.32. The notification shall include the concentration and volume and corrective action. Steps being taken to reduce any adverse impact should also be noted during the notification. The permittee who discharges a slug load of pollutants shall be liable for any expense, loss, or damage to the POTW, in addition to the amount of any fines imposed on the city under state or federal law.

(A) The permittee shall immediately telephone and notify the Director of the incident involving any discharge, including, but not limited to, accidental discharges, discharge of a non-routine episodic nature, a non-customary batch discharge, a slug discharge or slug load that might cause potential problems for the POTW. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the permittee.

(B) Within five days following such discharge, the permittee shall, unless waived by the city, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the permittee to prevent similar future occurrences. Such notification shall not relieve the permittee of any expense, loss, damage, or other liability which might be incurred as a result of damage to the POTW, natural resources, or other damage to person or property; nor shall such notification relieve the permittee of any fines, penalties, or other liability which may be imposed pursuant to this chapter.

(C) A notice shall be permanently posted on the permittee's bulletin board or other prominent place advising employees who to call in the event of a discharge described in subsection (A) of this section. Employers shall ensure that all employees, who could cause a discharge to occur, are advised of the emergency notification procedure.

(D) SIUs are required to notify the Director immediately of any changes at its facility affecting the potential for a slug discharge.

(E) The Permittee shall also repeat the sampling within five days and submit the results of the repeat analysis to the City of Rio Rancho within 30 days after becoming aware of the violation. The Permittee is not required to resample if:

(1) The City of Rio Rancho performs sampling at the user's discharge at a frequency of at least once per month; or

(2) If the City of Rio Rancho performs sampling at the Permittee between the time when the initial sampling was conducted and the time when the Permittee or the City of Rio Rancho receives the results of this sampling. If the City of Rio Rancho performed the sampling and analysis in lieu of the Permittee, the City of Rio Rancho will perform the repeat sampling and analysis unless it notifies the Permittee of the violation and requires the Permittee to perform the repeat sampling and analysis (40 CFR 403.12(g)(2)).

(11) Discharge of Toxic Substances

The permittee shall notify the City as soon as the permittee knows or has reason to believe:

- a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant as defined by the Resource Conservation and Recovery Act (RCRA); or
- b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant as defined by RCRA.

(12) Duty to Provide Information

The permittee shall furnish to the City, within a reasonable time, any information, including that requiring additional monitoring and/or analyses, which the City 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, upon request, copies of records required to be maintained by this permit.

(13) Signatory and Certification Requirements

All reports or information submitted pursuant to the requirements of this permit must be signed and certified by the Authorized Representative of the permittee.

The following certification statement must be included in all permittee reports:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

A statement containing the name and signature of the authorized representative is contained in Attachment A of this permit.

(14) Availability of Data

Except for data determined to be confidential according to the local regulations of the City, all reports prepared in accordance with terms of this permit shall be available for inspection by the public.

SECTION E-RESULTS OF NONCOMPLIANCE

(1) Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the local regulations of the City and is grounds for enforcement action.

(2) Penalties for Violations of Permit Conditions (§51.85)

(A) *Injunctive relief.* When the Director finds that a user has violated, or continues to violate, any provision of this subchapter, an individual wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the Director may petition the district court, or such other courts as may have jurisdiction, through the City Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the individual wastewater discharge permit, order, or other requirement imposed by this subchapter on activities of the user. The city may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a user.

(B) *Civil penalties (40 CFR 403.8(f)(1)(vi) and Section 51.12).*

(1) A user who has violated, or continues to violate, any provision of this chapter, an individual wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall be liable to the city for a maximum civil penalty of \$1,000 per violation, per

day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.

(2) The Director may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the city.

(3) In determining the amount of civil liability, the court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factor as justice requires.

(4) Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a user.

(C) Criminal prosecution (40 CFR 403.8(f)(1)(vi)).

(1) A user who willfully or negligently violates any provision of the ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than \$1,000 per violation, per day, or imprisonment, or both.

(2) A user who willfully or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to a penalty of at least \$1,000 per violation, per day, or be subject to imprisonment, or both. This penalty shall be in addition to any other course of action for personal injury or property damage available under state law.

(3) A user who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to the ordinance, individual wastewater discharge permit, or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this chapter shall, upon conviction, be punished by a fine of not more than \$1,000 per violation, per day, or imprisonment, or both.

(4) In the event of a second conviction, a user shall be punished by a fine of not more than \$1,000 per violation, per day, or imprisonment, or both.

(D) Damages and enforcement costs.

(1) When a discharge of waste causes an obstruction, damage, or any other impairment to the facilities or any expense of whatever character or nature to the city, the city shall assess the expenses incurred by the city to clear the obstruction, repair damage to the facility, and any other expenses or damages incurred by the city. The Director shall file a claim with the user or any other person causing or suffering the damages to incur, seeking reimbursement for any and all expenses or damages suffered by the city. If the claim is ignored or denied, the Director shall

notify the City Attorney to take such measures as shall be appropriate to recover any expense or other damages suffered by the city.

(2) The Director may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the city.

(E) *Citation to municipal court.* The city may cite a user to the Rio Rancho Municipal Court for violation of any provision of this subchapter. A violation of any condition of the discharge permit shall be deemed a violation of this subchapter. Each day this subchapter is violated shall constitute a separate offense, and in accord with NMSA 1978 § 3-17-1, is punishable by a maximum fine of \$1,000 per day for each violation.

(F) *Petition for federal or state enforcement.* In addition to other remedies for enforcement provided herein, the Director may petition the State of New Mexico or the United States EPA, as appropriate, to exercise such methods or remedies as shall be available to such government entities to seek criminal or civil penalties, injunctive relief, or such other remedies as may be provided by applicable federal or state laws to ensure compliance by users of applicable pretreatment standards, to prevent the introduction of toxic pollutants or other regulated pollutants into the POTW, or to prevent such other water pollution as may be regulated by state or federal law.

(G) *Remedies non-exclusive.* The provisions in Sections 51.83 through 51.89 are not exclusive remedies. The city reserves the right to take any, all, or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations will generally be in accordance with the city's enforcement response plan. However, the city reserves the right to take other action against any user when the circumstances warrant. Further, the city is empowered to take more than one enforcement action against any noncompliant user. These actions may be taken concurrently.

(3) Permit Revocation and Termination

This permit may be revoked and terminated due to the IU's failure to comply with any provisions of this permit in accordance with the requirements of the City's Industrial Waste Code and/or the approved Enforcement Response Plan.

(4) Tampering

Any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this permit shall be subject to civil and/or criminal penalties.

(5) Falsification of Reports

Reports and other documents required under the City Industrial Waste Code are subject to 18 USC Section 1001 related to fraud and false statements; Sections 309(c)(4) of the Clean Water Act

governing false statements, representation or certification; and Section 309(c)(6) of the Clean Water Act regarding responsible corporate officers. (cf., 40 CFR 403.12(n))

(6) Publication in Newspaper for Significant Noncompliance (§51.83)

The city shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdiction served by the city, a list of the users which, at any time during the previous 12 months, were in significant noncompliance with applicable pretreatment standards and requirements. The term *SIGNIFICANT NONCOMPLIANCE* shall be applicable to all SIUs, or any other industrial user that violated subsection (C), (D) or (H) of this section.

SIGNIFICANT NONCOMPLIANCE shall mean:

(A) Chronic violations of wastewater discharge limits, defined here as those in which 66% or more of all the wastewater measurements taken for the same pollutant parameter during a six-month period exceed (by any magnitude) a numeric pretreatment standard or requirement, including instantaneous limits (40 CFR 403.3(l));

(B) *TRC VIOLATIONS*, defined here as those in which 33% or more of all the wastewater measurements taken for each pollutant parameter during a six-month period equal or exceed the product of the numeric pretreatment standard or requirement, including instantaneous limits multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease and 1.2 for all other pollutants except pH) (40 CFR 403.3(l));

(C) Any other violation of a pretreatment standard or requirement (daily maximum, long-term average, instantaneous limit, or narrative standard) that the Control Authority determines has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel or the general public (40 CFR 403.3(l));

(D) Any discharge of a pollutant that has caused imminent endangerment to the public or the environment or has resulted in the city's exercise of its emergency authority to halt or prevent such a discharge,

(E) Failure to meet, within ninety (90) days after the scheduled date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance,

(F) Failure to provide within forty-five (45) days after the due date any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules,

(G) Failure to accurately report noncompliance,

(H) Any other violation(s), which may include a violation of BMP, which the Control Authority determines will adversely affect the operation or implementation of the local pretreatment program.

(7) Civil and Criminal Liability

Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties authorized by the ordinance for noncompliance.

PART VI-OTHER REQUIREMENTS

SECTION A-INSPECTION AND SAMPLING (§51.78)

City, state, and/or federal representatives shall have the right to enter the facilities of any user to ascertain whether the purpose of this subchapter, and any wastewater discharge permit or order issued hereunder, is being met and whether the user is complying with all requirements thereof. Users shall allow city, state, and/or federal representatives ready access to all parts of the premises for the purposes of inspection, independent sampling, records examination and copying, and the performance of any additional duties.

(A) Where a user has security measures in force that require proper identification and clearance before entry into its premises, the user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the Director will be permitted to enter without delay for the purposes of performing specific responsibilities.

(B) The Director shall have the right to set up on the user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user's operations. Sampling locations and equipment must be approved in advance by the city.

(C) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of the Director and shall not be replaced. The costs of clearing such access shall be borne by the user.

(D) Unreasonable delays in allowing the Director access to the user's premises shall be a violation of this subchapter.

SECTION B. ACCIDENTAL SPILL PREVENTION PROGRAM AND SLUG DISCHARGE CONTROL PLANS (§51.44)

The Director shall evaluate whether each SIU needs an accidental discharge/slug discharge control plan or other action to control slug discharges. The Director may require any user to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control slug discharges. Alternatively, the Director may develop such a plan for any user. An accidental discharge/slug discharge control plan shall address, at a minimum, the following:

(A) Description of discharge practices, including non-routine batch discharges,

(B) Description of stored chemicals,

(C) Procedures for immediately notifying the Director of any accidental or slug discharge, as required by Section 51.69; and

(D) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

INFORMATIONAL SOURCES

- [1] City of Rio Rancho Industrial Waste Code Chapter 51
- [2] Historical and current analytical data, inspections, and reports
- [3] National Pretreatment Standards 40 CFR 439 Pretreatment Standards for New Sources
- [4] National Pretreatment Standards 40 CFR 403
- [5] 40 CFR 136

ATTACHMENT A - SIGNATORY AUTHORIZATION

All reports and information submitted pursuant to the requirements of discharge permit S21003 will be signed and certified by an authorized representative of the permittee, Nature's Toolbox, Inc. In accordance with this permit, the Industrial Waste Code, and 40 CFR Part 403.12, an authorized representative is:

- (1) If the user is a corporation:
 - a. The president, secretary, treasurer, or a vice-president of the corporation in charge of a principle business function, or any other person who performs similar policy or decision-making functions for the corporation; or
 - b. The manager of one or more manufacturing, production, or operation facilities provided the manager is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements.
- (2) If the user is a partnership or sole proprietorship: a general partner or proprietor, respectively.
- (3) If the user is a federal, state, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
- (4) The individuals described in paragraphs 1 through 3 above, may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City.

Alexander Gogly
Authorized representative

[Signature]
Authorized signature

CEO
Title

09-15-2021
Effective date

If the authorized representative is not

(1) or (2) or (3) above, is authorized by:

Name

Signature

Title



ATTACHMENT B – ANNUAL PERMIT FEE FORM

**Annual Fee
For Permit to Discharge Nondomestic Wastes to
City of Rio Rancho
Publicly Owned Treatment Works**

Date: _____

Please complete this form and include a check for an annual fee in the amount of \$350.00,
made payable to:

City of Rio Rancho
Utilities Department-Environmental Programs
Attn: Industrial Pretreatment Coordinator
3200 Civic Center Circle NE
Rio Rancho, NM 87144

1. Company Name: _____

Mailing Address: _____

Telephone Number: _____

2. Address of Facility (if same as above, leave blank)

Telephone Number: _____

3. Contact Person: _____

Title: _____

Telephone Number: _____

4. Has this facility had an industrial waste discharge permit with the City of Rio Rancho
POTW previously? Check one: ☐ YES ☐ NO

If yes, permit number: _____

Expiration date: _____

ATTACHMENT C – 3 YEAR WASTEWATER SURVEY



Dear Water and Wastewater Customer:

The City of Rio Rancho Water Utility is required to conduct a wastewater survey of the water and wastewater customers within our service areas. **This is a requirement of the EPA, Part 40 Code of Federal Regulations 403.8(f)(2)(i).**

The purpose of the Industrial Pretreatment Program (IPP) is to minimize the discharge of harmful pollutants into the sewer system that could negatively impact its operation. Pollutants could damage the sewer system, pass through the wastewater treatment plant and contaminate the receiving waters of the Rio Grande River. Pollutants could also degrade the quality of our municipal digested sludge. By protecting the wastewater and sludge, we can reclaim these materials for beneficial uses. Pollution prevention protects the environment and the health and safety, of not only City utility workers, but also the City's population.

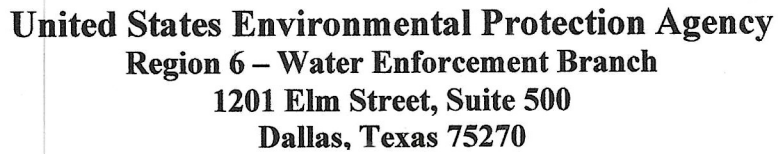
The IPP Coordinator continues to identify new and existing industrial users who discharge non-domestic wastewater to the City's sewer system. If you are an existing industrial user, a new survey is gathered approximately every three (3) years. Your cooperation in filling out the enclosed survey is needed to help complete this process. The IPP Coordinator is available to help you determine which pretreatment requirements may apply to your business.

Please fill out the attached wastewater survey as accurately and completely as possible. **All surveys MUST be signed and dated. All unsigned surveys will be returned.**

Thank you in advance for your cooperation. If you have any questions, call (505) 891-5017

Appendix 5

Opening and Closing Conference Sign-in Sheets



**SUBJECT: City off Rio Rancho WWTP
NPDES Permit No: NM0027987**

[illegible]



United States Environmental Protection Agency
Region 6 – Water Enforcement Branch
1201 Elm Street, Suite 500
Dallas, Texas 75270

DATE:

9/22/2022

TIME:

SUBJECT: City of Rio Rancho WWTP

NPDES Permit No: NM0027987

MEETING ATTENDEES-
CLOSING CONFERENCE

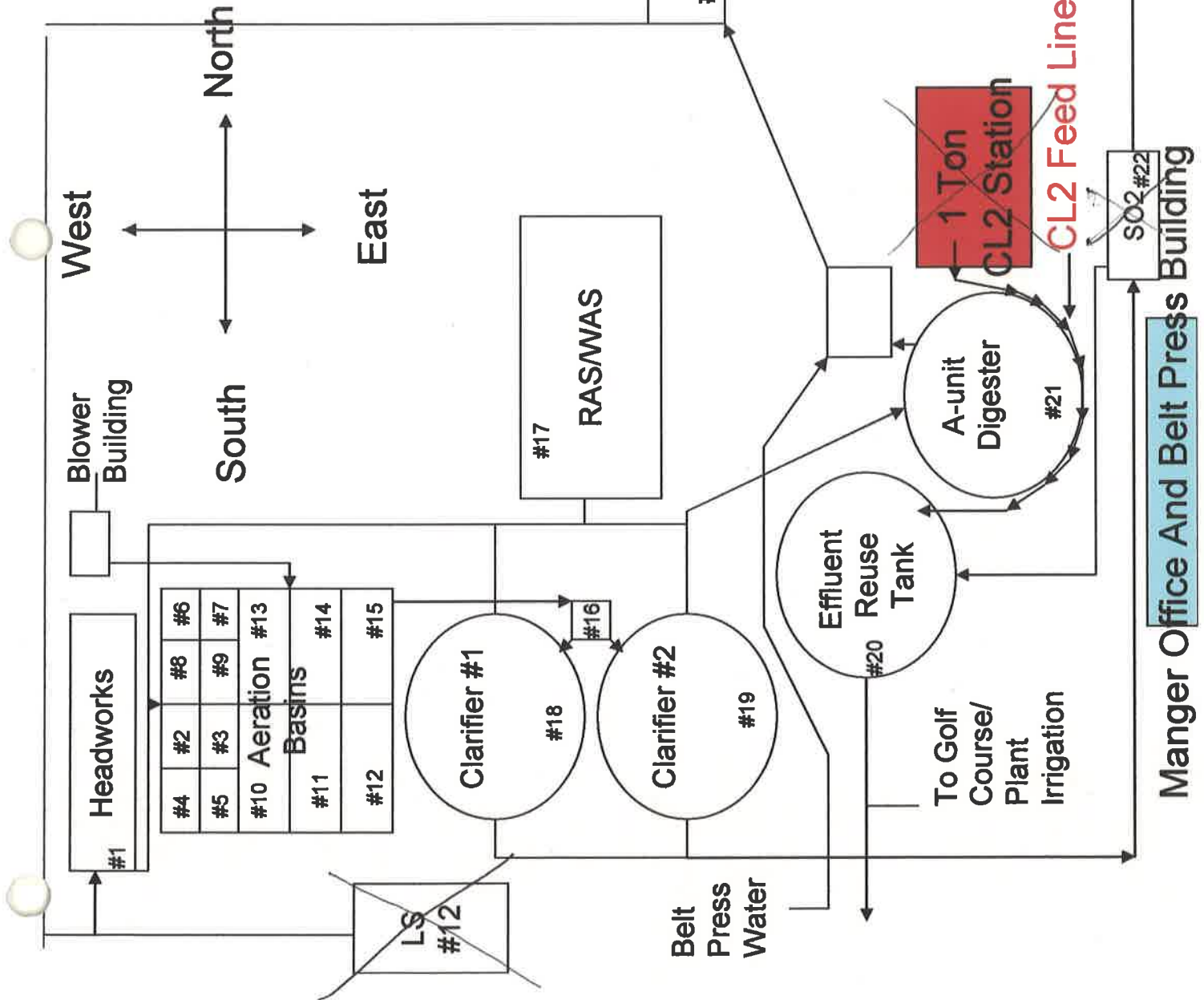
NAME	COMPANY	PHONE NO.	EMAIL
MATT KEAR	JACOBS	(505) 975-8345	matthew.kear@jacobs.com
Dennis Gonzales	Jacobs	505-604-8769	Dennis.Gonzales@jacobs.com
Bill Jaquez	Jacobs	505-975-1557	billy.jaquez@jacobs.com
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Appendix 6

WWTP#2 Flow Diagram

WWTP #2 SAMPLING POINTS LEGEND

1. INFLUENT
2. SB1 ANOXIC 1
3. SB2 ANOXIC 2
4. SB3 ANOXIC 3
5. SB4 ANOXIC 4
6. NB1 ANOXIC 1
7. NB2 ANOXIC 2
8. NB3 ANOXIC 3
9. NB4 ANOXIC 4
10. SB1 OXIC 1
11. SB1 OXIC 2
12. SB1 OXIC 3
13. NB1 OXIC 1
14. NB1 OXIC 2
15. NB1 OXIC 3
16. MLSS
17. RAS
18. FINAL CLARIFIER 1
19. FINAL CLARIFIER 2
20. B-UNIT
21. A-UNIT
22. ~~SO2 CHAMBER(OOS)~~
23. EFFLUENT



CITY OF RIO RANCHO WATER/WASTEWATER SERVICES

BLOCK FLOW DIAGRAM - OLD WWTP #2

