



REGION 6
DALLAS, TX 75270

March 12, 2024

TRANSMITTED VIA E-MAIL

Steven Rasmussen
Glorieta Camps Utility Director
P.O. Box 8
Glorieta, NM 87535
steven.rasmussen@glorieta.org

Re: Administrative Order; Docket Number: CWA-06-2024-1743
Glorieta Camps Wastewater Treatment Plant
NPDES Permit Number: NM0028088

Dear Mr. Rasmussen:

Enclosed is an Administrative Order (AO) issued to Glorieta Camps for violations of the Clean Water Act (CWA), 33 U.S.C. §§ 1251-1387. Violations were identified during a review of the Glorieta WWTP permit file, Glorieta correspondence and deliverables, and the schedule of project closing dates contained in the AO dated January 10, 2022 (Docket No. CWA-06-2022-1733). The violations alleged are for each instance in which Respondent discharged pollutants to waters of the United States in amounts exceeding the permit effluent limitations and inability to meet project closing dates specified in the January 10, 2022 AO. The Environmental Protection Agency (EPA) requests that you confirm receipt of this e-mail and the attached order by a response email to mcelroy.damon@epa.gov.

This AO does not assess a monetary penalty; however, it does require compliance with applicable federal regulations. The EPA is committed to ensuring compliance with the requirements of the NPDES program and my staff will assist you in any way possible. Please reference AO Docket Number CWA-06-2024-1743 and NPDES Permit Number NM0028088 on your response. If you have any questions, please contact Mr. Damon McElroy, P.E. of my staff, at (214) 665-7159 or mcelroy.damon@epa.gov.

Sincerely,

A handwritten signature in blue ink that reads "Cheryl T. Seager".

Digitally signed by
Cheryl T. Seager
Date: 2024.03.12
11:35:58 -05'00'

Cheryl T. Seager, Director
Enforcement and
Compliance Assurance Division

Enclosure(s)

ec: shelly.lemon@env.nm.gov
susan.lucaskamat@env.nm.gov



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 6

FINDINGS OF VIOLATION AND COMPLIANCE ORDER

Docket Number: CWA-06-2024-1743; NPDES Permit Number: NM0028088

STATUTORY AUTHORITY

The following findings are made, and Order issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA), Section 309(a) of the Clean Water Act (the Act), 33 U.S.C. § 1319(a). The Administrator of EPA delegated the authority to issue this Order to the Regional Administrator of EPA Region 6, who delegated this authority to the Director of the Enforcement and Compliance Assurance Division.

FINDINGS

1. Glorieta Camps (Respondent) is a "person," as that term is defined at Section 502(5) of the Act, 33 U.S.C. § 1362(5), and 40 C.F.R. § 122.2.

2. At all times relevant to this Order (all relevant times), Respondent owned or operated the Glorieta Camps Wastewater Treatment Plant (facility), located off Oak Road, at Exit 299 East, I-25 North, Santa Fe County, New Mexico, 87535, and was, therefore, an "owner or operator" within the meaning of 40 C.F.R. § 122.2.

3. At all relevant times, the facility acted as a "point source" of a "discharge" of "pollutants" with its final wastewater discharge from Outfall 001 into Glorieta Creek, thence into the Pecos River, which is considered a water of the United States within the meaning of Section 502 of the Act, 33 U.S.C. § 1362, and 40 C.F.R. § 122.2.

4. Because Respondent owned or operated a facility that acted as a point source of discharges of pollutants to waters of the United States, Respondent and the facility were subject to the Act and the National Pollutant Discharge Elimination System (NPDES) program.

5. Under Section 301 of the Act, 33 U.S.C. § 1311, it is unlawful for any person to discharge any pollutant from a point source to waters of the United States, except with the authorization of, and in compliance with, an NPDES permit issued pursuant to Section 402 of the Act, 33 U.S.C. § 1342.

6. Section 402(a) of the Act, 33 U.S.C. § 1342(a), provides that the Administrator of EPA may issue permits under the NPDES program for the discharge of pollutants from point sources to waters of the United States. Any such discharge is subject to the specific permit terms and conditions as applicably prescribed.

7. Respondent applied for and was issued NPDES Permit No. NM0028088 (permit) under Section 402 of the Act, 33 U.S.C. § 1342. The previous permit became effective on October 1, 2018, expired on October 1, 2023, but was administratively continued until the current permit became effective on November 1, 2023. At all relevant times, Respondent was authorized to discharge pollutants from the facility to waters of the United States only in compliance with the specific terms and conditions of the permit.

8. In January 2022, EPA issued an Administrative Order (AO) Docket No. CWA-CWA-06-2022-1733 to Glorieta Camps. The January 2022 AO specified a project activities schedule to achieve compliance with permit effluent limits. This new AO Docket No. CWA-CWA-06-2024-1743 supersedes the previous January 2022 AO.

9. The permit includes "Monitoring and Reporting Requirements" that require Respondent to sample and test its effluent and monitor its compliance with permit conditions according to specific procedures, to determine the facility's compliance or noncompliance with the permit and applicable regulations. The permit also requires Respondent to submit to EPA and the New Mexico Environment Department (NMED) certified Discharge Monitoring Reports (DMR) conveying the results of monitoring, and Noncompliance Reports when appropriate.

10. Certified DMRs filed by Respondent in compliance with the permit show discharges of pollutants from the facility that exceed the permitted effluent limitations established in the permit, as specified in Attachment A, which is incorporated herein by reference.

11. Each instance in which Respondent discharged pollutants to waters of the United States in amounts exceeding the effluent limitations as contained in the permit and failed to meet the schedule of compliance closing dates contained in the previous January 2022 AO was a violation of the permit and Section 301 of the Act, 33 U.S.C. § 1311.

SECTION 309(a)(3) COMPLIANCE ORDER

Based on the foregoing Findings and pursuant to the authority of Section 309(a)(3) of the Act, 33 U.S.C. § 1319(a)(3), EPA hereby orders Respondent to take the following action:

A. Respondent shall complete the following “Total Effluent Reuse Project” Activities Schedule to achieve compliance with the requirements of the Act:

Total Effluent Reuse Project Activities Schedule	
Project Activity	Due Date
Obtain Design Drawings, Advertise for Bids and Award Construction	10/31/2024
Obtain Permit(s) and complete Funding Application	10/31/2025
Complete Rough Construction including Roads, Electrical, Headworks, and Effluent Field	4/30/2027
Complete Moving Bed Biofilm Reactor (or equivalent) Unit Process Construction	4/30/2028
New Facility Start-up, Completion, and terminate NPDES Permit	1/1/2029

B. Within forty-five (45) days after the completion date for each task, Respondent shall submit to EPA a Project Completion Report for each task listed the Schedule of Activities directly above. The Project Completion Report shall contain the following information:

- 1) a detailed description of the Project as implemented;
- 2) certification that the Project has been fully implemented pursuant to the provisions of this Order; and
- 3) explanation for delays, if applicable, and proposed remedial actions.

C. In the Project Completion Report submitted to EPA pursuant to this Order, Respondent shall, by its officers, sign and certify under penalty of law that the information contained in such report is true, accurate, and not misleading by signing the following statement:

I certify under penalty of law that I have examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete.

D. To arrange a meeting, or to ask questions or comment on this matter, please contact Mr. Damon McElroy, of my staff, at (214)-665-7159 or mcelroy.damon@epa.gov.

E. Any information or correspondence submitted by Respondent to EPA under this Order shall otherwise be addressed to the following:

Mr. Damon McElroy, P.E.
mcelroy.damon@epa.gov

and

Ms. Nancy Williams
williams.nancy@epa.gov

GENERAL PROVISIONS

Respondent may seek federal judicial review of the Order pursuant to Chapter 7 of the Administrative Procedure Act, 5 U.S.C. §§ 701-706.

Issuance of this Section 309(a)(3) Compliance Order shall not be deemed an election by EPA to waive any administrative, judicial, civil or criminal action to seek penalties, fines or other relief under the Act for the violations cited herein, or other violations that become known to EPA. EPA reserves the right to seek any remedy available under the law that it deems appropriate.

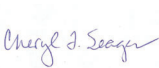
Failure to comply with this Section 309(a)(3) Compliance Order or the Act may result in further administrative action, or a civil judicial action initiated by the United States Department of Justice.

This Order does not constitute a waiver or modification of the terms or conditions of Respondent’s NPDES permit, which remain in full force and effect. Compliance with the terms and conditions of this Order does not relieve Respondent of its obligation to comply with any applicable federal, state, or local law or regulation.

The effective date of this Order is the date it is received by Respondent.

March 12, 2024

Date



Digitally signed by Cheryl T. Seager
Date: 2024.03.12 11:35:08 -05'00'

Cheryl T. Seager, Director
Enforcement and
Compliance Assurance Division

ATTACHMENT A

**Glorieta Camps Wastewater Treatment Facility
Permit NM0028088
Outfall 001**

Effluent Permit Effluent Exceedances Table:

Monitoring Period End Date	Parameter	Monitoring	Units	Permit Limit	DMR Qualifier	DMR Value
12/31/2021	Specific Conductance	Daily Max	*uS/cm	300	=	660
03/31/2022	Specific Conductance	Daily Max	*uS/cm	300	=	870
06/30/2022	Specific Conductance	Daily Max	*uS/cm	300	=	830
09/30/2022	Specific Conductance	Daily Max	uS/cm	300	=	800
12/31/2022	Specific Conductance	Daily Max	uS/cm	300	=	810
03/31/2023	Specific Conductance	Daily Max	uS/cm	300	=	710
06/30/2023	Specific Conductance	Daily Max	uS/cm	300	=	700
09/30/2023	Specific Conductance	Daily Max	uS/cm	300	=	820
12/31/2023	Specific Conductance	Daily Max	uS/cm	300	=	820

* uS/cm = micro siemens per centimeter.