



REGION 6
DALLAS, TX 75270

April 15, 2026

TRANSMITTED VIA E-MAIL

Shaña Reeves, City Manager
City of Farmington
800 Municipal Drive
Farmington, NM 87401
sreeves@farmingtonnm.gov

RE: Administrative Order; Docket Number: CWA-06-2026-1773
NPDES Permit Number: NM0020583

Dear Ms. Reeves:

Enclosed is an Administrative Order (AO) issued to the City of Farmington for violations of the Clean Water Act (CWA), 33 U.S.C. § 1251 et seq. Violations were identified during a review of the permit file and discharge monitoring reports submitted for the Farmington Wastewater Treatment Facility. The violations alleged are for failure to meet permit effluent requirements. The United States Environmental Protection Agency, Region 6, (EPA) requests that you immediately confirm receipt of this e-mail and the attached order by a response e-mail to mcelroy.damon@epa.gov.

The AO does not assess a monetary penalty; however, it does require compliance with applicable federal regulations. The first compliance deadline is within thirty (30) days of the effective date of the AO. EPA is committed to ensuring compliance with the requirements of the National Pollutant Discharge Elimination System (NPDES) program and my staff will assist you in any way possible. Please reference AO Docket Number CWA-06-2026-1773 and NPDES Permit Number NM0020583 for 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,

 Digitally signed by CHERYL
SEAGER
Date: 2026.04.15 15:43:37 -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-06-2026-1773; NPDES Permit Number: NM0020583

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), by 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. The City of Farmington (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 City of Farmington Wastewater Treatment Plant (facility), located at 1395 South Lake Street, in the City of Farmington, San Juan County, New Mexico, 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 to receiving waters named San Juan River in the San Juan Basin, Waterbody Segment Code No. 20.6.4.401, which are "waters 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 terms and conditions prescribed in the permit.
7. Respondent applied for and was issued NPDES Permit No. NM0020583 (permit) under Section 402 of the Act, 33 U.S.C. § 1342, with an effective date of December 1, 2021. 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. The permit includes a "Monitoring and Reporting (Major Discharges)" section that requires 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 the monitoring results online using the NetDMR website at <https://netdmr.epa.gov> and Noncompliance Reports when appropriate.
9. The permit contains "Limitations and Monitoring Requirements" that place certain limitations on the quality and quantity of effluent discharged by Respondent. The relevant discharge limitations are specified in Attachment A, which is incorporated herein by reference.
10. NetDMRs reported 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 B, 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 contained in the permit was a violation of the permit and Section 301 of the Act, 33 U.S.C. § 1311.

SECTION 309(a)(3) COMPLIANCE ORDER

12. 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. Take such measures as are necessary to comply with all permit conditions, including Effluent Limitations and Monitoring and Reporting Requirements, no later than thirty (30) days from the effective date of the Order.

B. Within thirty (30) days of the effective date of this Order, Respondent shall submit a list of the specific actions taken to correct the effluent exceedances.

C. Within thirty (30) days of the effective date of this Order, Respondent shall provide written certification to EPA Region 6 that the violations cited herein have been corrected and the facility is compliant with the requirements of the permit.

D. In the event the Respondent believes complete correction of the violations cited herein is not possible within thirty (30) days of the effective date of this Order, Respondent shall, within thirty (30) days of the effective date of this Order, submit a comprehensive written plan for the elimination of the cited violations within the shortest possible time. Such plan shall describe in detail the specific corrective actions to be taken and why such actions are sufficient to correct the violations. The plan shall include a detailed schedule for the elimination of the violations within the shortest possible time, as well as measures to prevent these or similar violations from recurring.

E. Any information or correspondence submitted by Respondent to EPA under this Order shall be submitted, via e-mail, to the following:

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

GENERAL PROVISIONS

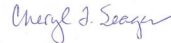
Respondent may seek federal judicial review of the Order pursuant to Chapter 7 of the Administrative Procedure Act, 5 U.S.C. §§ 701-706.

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.

 Digitally signed by CHERYL
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Date: 2026.04.15 15:45:48
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Cheryl T. Seager, Director
Enforcement and
Compliance Assurance Division

Attachment A
City of Farmington WWTP
NPDES Permit ID No. NM0020583

Effluent Characteristic	Discharge Limitations		
Outfall: 001	7-Day Average	30-Day Average	Daily Max.
Cyanide, total	NA	14.67 ug/L & 0.817 lbs/d	22 ug/L and 1.225 lbs/d
BOD, 5-day, 20° C	45 mg/L and 2504 lbs/d	30 mg/L & 1669 lbs/d	NA
<i>E. Coli</i>	31.9 (*2)	126 (*1) & 31.9 (*2)	235 (*1)

*1 Colony forming units (cfu) per 100 mL or Most Probable Number (MPN).

*2 Billion (1.0×10^9) cfu/day. Loading limit calculated as follows: [Flow in MGD $\times$ cfu /100 mL in effluent $\times 3.79 \times 10^7$] / 1.0×10^9 .

Attachment B
City of Farmington WWTP
NPDES Permit ID No. NM0020583

Monitoring Period	Parameters	Monitoring	Units	Permit Limit	DMR Value
03/31/2024	Cyanide, total	30DA AVG	ug/L	14.67	15.5
03/31/2024	Cyanide, total	DAILY MX	ug/L	22	26
12/31/2024	Cyanide, total	30DA AVG	lb/d	0.817	1.358
12/31/2024	Cyanide, total	30DA AVG	ug/L	14.67	41
12/31/2024	Cyanide, total	DAILY MX	lb/d	1.225	1.609
12/31/2024	Cyanide, total	DAILY MX	ug/L	22	48
01/31/2025	Cyanide, total	30DA AVG	lb/d	0.817	1.573
01/31/2025	Cyanide, total	30DA AVG	ug/L	14.67	59
01/31/2025	Cyanide, total	DAILY MX	lb/d	1.225	1.73
01/31/2025	Cyanide, total	DAILY MX	ug/L	22	61
02/28/2025	Cyanide, total	30DA AVG	lb/d	0.817	1.577
02/28/2025	Cyanide, total	30DA AVG	ug/L	14.67	46
02/28/2025	Cyanide, total	DAILY MX	lb/d	1.225	1.735
02/28/2025	Cyanide, total	DAILY MX	ug/L	22	51
03/31/2025	Cyanide, total	30DA AVG	lb/d	0.817	1.607
03/31/2025	Cyanide, total	30DA AVG	ug/L	14.67	45.5
03/31/2025	Cyanide, total	DAILY MX	lb/d	1.225	1.743
03/31/2025	Cyanide, total	DAILY MX	ug/L	22	50
06/30/2025	BOD, 5-day, 20 deg. C	30DA AVG	lb/d	1669	307
06/30/2025	BOD, 5-day, 20 deg. C	30DA AVG	mg/L	30	7
06/30/2025	BOD, 5-day, 20 deg. C	7 DA AVG	lb/d	2504	380
06/30/2025	BOD, 5-day, 20 deg. C	7 DA AVG	mg/L	45	8
06/30/2025	<i>E. coli</i>	DAILY MX	CFU/100mL	235	1414
06/30/2025	<i>E. coli</i>	DAILY MX	MCFU/d	31900	270020
07/31/2025	BOD, 5-day, 20 deg. C	30DA AVG	lb/d	1669	366
07/31/2025	BOD, 5-day, 20 deg. C	30DA AVG	mg/L	30	7
07/31/2025	BOD, 5-day, 20 deg. C	7 DA AVG	lb/d	2504	470
07/31/2025	BOD, 5-day, 20 deg. C	7 DA AVG	mg/L	45	9
07/31/2025	Cyanide, total	30DA AVG	lb/d	0.817	1.546
07/31/2025	Cyanide, total	30DA AVG	ug/L	14.67	31.7
07/31/2025	Cyanide, total	DAILY MX	lb/d	1.225	2.879
07/31/2025	Cyanide, total	DAILY MX	ug/L	22	59
08/31/2025	<i>E. coli</i>	DAILY MX	MCFU/d	31900	43688
01/31/2026	BOD, 5-day, 20 deg. C	30DA AVG	lb/d	1669	192
01/31/2026	BOD, 5-day, 20 deg. C	30DA AVG	mg/L	30	5
01/31/2026	BOD, 5-day, 20 deg. C	7 DA AVG	lb/d	2504	169
01/31/2026	BOD, 5-day, 20 deg. C	7 DA AVG	mg/L	45	4