



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6  
1201 ELM STREET, SUITE 500  
DALLAS, TEXAS 75270-2102

February 9, 2023

TRANSMITTED VIA EMAIL

The Honorable Roger Sweet, Mayor  
Village of Jemez Springs  
P.O. Box 269  
Jemez Springs, NM 87025  
[mayor@jemezsprings-nm.gov](mailto:mayor@jemezsprings-nm.gov)

Re: Administrative Order; Docket Number: CWA-06-2023-1728  
NPDES Permit Number: NM0028011

Dear Mayor Sweet:

Enclosed is an Administrative Order (AO) issued to the Village of Jemez Springs for violation 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 Village of Jemez Springs Wastewater Treatment Plant to the Environmental Protection Agency, Region 6 (EPA). The violations alleged are for failure to meet permit effluent limits.

This AO does not assess a monetary penalty; however, it does require compliance with applicable federal regulations. The first compliance deadline is thirty days from the effective date of this letter. The 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-06-2023-1728 and NPDES Permit Number NM0028011 on your response.

If you have any questions, please contact Ms. Rachel Matthews, of my staff, at (214) 665-8589 or at [matthews.rachel@epa.gov](mailto:matthews.rachel@epa.gov).

Sincerely,

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

Digitally signed by Seager, Cheryl  
Date: 2023.02.09 19:08:03 -06'00'

Cheryl T. Seager, Director  
Enforcement and  
Compliance Assurance Division

Enclosure

e.c. Ms. Shelly Lemon  
NMED Water Bureau Chief  
[shelly.lemon@state.nm.us](mailto:shelly.lemon@state.nm.us)

Ms. Susan LucasKamat  
NMED Surface Water Quality Bureau  
[susan.lucaskamat@state.nm.us](mailto:susan.lucaskamat@state.nm.us)



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
Region 6 • 1201 Elm St. Suite 500 • Dallas, TX 75270-2102  
**FINDINGS OF VIOLATION AND COMPLIANCE ORDER**  
Docket Number: CWA-06-2023-1728; Permit Number: NM0028011

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 (herein “the Act”), 33 U.S.C. § 1319(a). The Administrator of EPA has delegated the authority to issue this Order to the Regional Administrator of EPA Region 6, who has further delegated this authority to the Director of the Enforcement and Compliance Assurance Division.

FINDINGS

1. Village of Jemez Springs (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), the Respondent’s wastewater treatment plant (WWTP), located at 14609 Highway 4, Sandoval County, NM 87025, New Mexico (facility), 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 wastewater to the receiving water of Jemez River, which is considered “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 is a point source of discharges of pollutants to waters of the U.S., 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 applicable permit.

7. Respondent applied for and was issued NPDES Permit No. NM0028011 (permit) under Section 402 of the Act, 33 U.S.C. § 1342, which became effective on June 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. Part I.A. of the permit places 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.
9. The permit also includes “Monitoring and Reporting Requirements” that require Respondent to sample and test its effluent and monitor compliance with permit conditions according to specific procedures, in order to determine the facility’s compliance or noncompliance with the permit and applicable regulations.
10. The permit requires Respondent to file certified Discharge Monitoring Reports (DMRs) of the results of monitoring. DMRs filed by Respondent showed discharges of multiple pollutants that exceed the effluent limitations for dates 1/1/2021 through 6/30/2022.
11. On August 11, 2022, EPA issued Administrative Order (Original AO)(herein incorporated by reference) Docket Number CWA-06-2022-1812, which cited the effluent limit violations occurring from 1/1/2021 through 6/30/2022. The Original AO required Respondent to eliminate cited violations or submit a plan to eliminate violations. A copy of the Original AO is enclosed as Attachment B.
12. Respondent submitted a basic plan to bring the facility into compliance on December 5, 2022.
13. On January 30, 2023, Respondent agreed to a detailed long-term comprehensive plan of action, which has been incorporated into this AO and replaces the Original AO.
14. Each violation of the conditions of this permit or regulations described above is a violation of 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, EPA hereby orders the Respondent to take the following actions:

A. Immediately take all measures as necessary to comply with permit conditions.

B. Respondent shall accomplish the following tasks and comply with the following schedule of activities:

| TASK                                                                                                                                                                                       | DUE DATE          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 1. Apply for technical assistance through the Environmental Finance Center Network (EFCN) for further assistance with a rate analysis, asset management, and capital improvement planning. | March 1, 2023     |
| 2. Repair the leaking roofs on the five structures at the facility.                                                                                                                        | April 30, 2023    |
| 3. Hire consultant (to evaluate WWTP and prepare Preliminary Engineering Report)                                                                                                           | July 1, 2023      |
| 4. Repair/upgrade critical components of control panel.                                                                                                                                    | August 1, 2023    |
| 5. Replace perimeter security fence.                                                                                                                                                       | September 1, 2023 |
| 6. Purchase necessary tools and equipment for proper operation and maintenance of facility.                                                                                                | September 1, 2023 |
| 7. Inventory the current and new equipment and tools (based on #6 above) as part of asset management.                                                                                      | October 1, 2023   |
| 8. Inspect and repair ferric system and building.                                                                                                                                          | February 1, 2024  |
| 9. Inspect and repair SBR Basin 1 and 2 to fully operational status.                                                                                                                       | May 1, 2024       |
| 10. Submit a draft 5-year Capital Improvement Plan (CIP) for all operations and maintenance (O&M) of the WWTP and collection system.                                                       | July 1, 2024      |
| 11. Finalize Preliminary Engineering Report (PER) and submit to EPA.                                                                                                                       | August 1, 2024    |
| 12. Submit the finalized 5-year CIP for all expected expenses for the O&M of the WWTP and collection system.                                                                               | December 1, 2024  |

C. Within thirty (30) days of completing the tasks in “B” above, Respondent shall submit a Project Completion Report and include a description of the task(s) implemented and any problems encountered.

D. If Respondent would like to arrange a meeting with EPA to discuss the allegations in Section 309 (a)(3) Compliance Order, Respondent should contact EPA within thirty (30) days of the effective date of this Order. The meeting will be held at the Region 6 offices, 1201 Elm St., Dallas, Texas, or through a virtual platform, as appropriate, and the Respondent can provide any information it believes is relevant to this Order. Respondent shall submit to EPA all information or materials it considers relevant to EPA at least ten (10) days prior to the meeting.

E. To arrange a meeting, or to ask questions or comment on this matter, contact Rachel Matthews at (214) 665-8589.

F. All information, and/or correspondence, shall be electronically submitted to:

Ms. Nancy Williams  
[Williams.Nancy@epa.gov](mailto:Williams.Nancy@epa.gov)

and

Ms. Rachel Matthews  
[Matthew.Rachel@epa.gov](mailto:Matthew.Rachel@epa.gov)

GENERAL PROVISIONS

Respondent may seek federal judicial review of this 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.

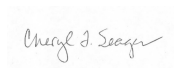
This Order does not constitute a waiver or modification of the terms or conditions of Respondent's NPDES permit, which remain in full force and effect. Compliance with the terms and conditions of this Order does not relieve Respondent of its obligation to comply with any applicable federal, state, or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

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

February 9, 2023

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Date



Digitally signed by Seager,  
Cheryl  
Date: 2023.02.09 19:10:57 -06'00'

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Cheryl T. Seager, Director  
Enforcement and  
Compliance Assurance Division

Attachment A

Docket # CWA-06-2023-1728

**PART I – REQUIREMENTS FOR NPDES PERMITS****A. LIMITATIONS AND MONITORING REQUIREMENTS****1. FINAL Effluent Limits – 0.075 MGD Design Flow**

During the period beginning the effective date of the permit and lasting through the expiration date of the permit (unless otherwise noted), the permittee is authorized to discharge treated wastewater to the Jemez River, in Segment Number 20.6.4.107, from Outfall 001. Such discharges shall be limited and monitored by the permittee as specified below:

| EFFLUENT CHARACTERISTICS         | DISCHARGE LIMITATIONS          |            |            |                    |           |            | MONITORING REQUIREMENTS |                        |
|----------------------------------|--------------------------------|------------|------------|--------------------|-----------|------------|-------------------------|------------------------|
|                                  | lbs/day, unless noted          |            |            | mg/l, unless noted |           |            |                         |                        |
| PARAMETER                        | 30-DAY AVG                     | 7-DAY AVG  | DAILY MAX  | 30-DAY AVG         | 7-DAY AVG | DAILY MAX  | MEASUREMENT FREQUENCY   | SAMPLE TYPE            |
| Flow                             | Report MGD                     | Report MGD | Report MGD | ***                | ***       | ***        | Continuous              | Totalizing Meter       |
| Biochemical Oxygen Demand, 5-day | 11.3                           | 16.9       | ***        | 30                 | 45        | ***        | 1/Month                 | Grab (1)               |
| Total Suspended Solids           | 11.3                           | 16.9       | ***        | 30                 | 45        | ***        | 1/Month                 | Grab (1)               |
| Percent Removal BOD <sub>5</sub> | ≥85%                           | ***        | ***        | ***                | ***       | ***        | 1/Month                 | Calculation (2)        |
| Percent Removal TSS              | ≥85%                           | ***        | ***        | ***                | ***       | ***        | 1/Month                 | Calculation (2)        |
| E. Coli Bacteria (4)             | 3.58 x 10 <sup>8</sup> cfu/day | ***        | ***        | 126                | ***       | 410        | 1/Month                 | Grab (1)               |
| Nitrogen, Total (7)              | 2.97                           | ***        | ***        | Report             | ***       | 4.75       | 2/Month                 | Grab (1)               |
| Phosphorus, Total                | 0.626                          | ***        | ***        | Report             | ***       | 1.0        | 2/Month                 | Grab (1)               |
| Arsenic, Dissolved               | 0.094                          | ***        | ***        | ***                | ***       | 150 ug/L   | 1/Month                 | Grab (1)               |
| Boron, Dissolved                 | 1.34                           | ***        | ***        | ***                | ***       | 2,150 ug/L | 1/Month                 | Grab (1)               |
| Total Residual Chlorine(9)       | ***                            | ***        | ***        | ***                | ***       | 19 ug/l    | Daily                   | Instantaneous Grab (3) |
| Aluminum Total Recoverable (8)   | 1.03                           | N/A        | N/A        | ***                | N/A       | 1,650ug/L  | 1/Month                 | Grab (1)               |

| EFFLUENT CHARACTERISTICS |             | DISCHARGE LIMITATIONS |         | MONITORING REQUIREMENTS |                        |
|--------------------------|-------------|-----------------------|---------|-------------------------|------------------------|
|                          |             | Standard Units        |         |                         |                        |
| POLLUTANT                | STORET CODE | MINIMUM               | MAXIMUM | MEASUREMENT FREQUENCY   | SAMPLE TYPE            |
| pH                       | 00400       | 6.6                   | 8.8     | 5/Week                  | Instantaneous Grab (3) |

| EFFLUENT CHARACTERISTICS                                   | DISCHARGE MONITORING  |                  | MONITORING REQUIREMENTS  |             |
|------------------------------------------------------------|-----------------------|------------------|--------------------------|-------------|
| Whole Effluent Toxicity Testing<br>(48 Hr. Static Renewal) | 30-DAY AVG<br>MINIMUM | 48-HR<br>MINIMUM | MEASUREMENT<br>FREQUENCY | SAMPLE TYPE |
| Daphnia pulex                                              | Report                | Report           | Once/Term (5, 6)         | Grab        |
| Pimephales promelas                                        | Report                | Report           | Once/Term (5, 6)         | Grab        |

**Footnotes:**

- Monitoring must be conducted according to test procedures approved under 40CFR Part 136, unless other test procedures have been specified in this permit or approved by the Regional Administrator.
- Percent removal is calculated using the following equation:  $[(\text{average monthly influent concentration} - \text{average monthly effluent concentration}) \div \text{average monthly influent concentration}] \times 100$ .
- Instantaneous grab a field measurement that is the analysis of a sample less than 15 minutes from the time of collection only when using chlorine.
- Bacteria reporting units MUST be either cfu/100mL or MPN.
- Once per permit term. This permit does not establish requirements to automatically increase WET testing frequency after a test failure, or to begin a toxicity reduction evaluation (TRE) in the event of multiple test failures. However, upon failure of any WET test, the permittee must report the test results to EPA and NMED, Surface Water Quality Bureau, in writing, within 5-business days of notification the test failure. EPA and NMED will review the test results and determine the appropriate action necessary, if any. (See Part II, Section D).
- Sampling for the whole effluent toxicity test shall occur between the first period between November 1 and April 30, after the permit effective date.
- Total Nitrogen is defined as the sum of Nitrate +Nitrite (N + N), and Total Kjeldahl Nitrogen (TKN). Total Nitrogen is defined as TKN + Nitrites and Nitrates, as found in the TMDL for the Jemez River approved by EPA September 15, 2009.
- Compliance schedule to monitor and report total recoverable aluminum data for the first three years from the effective date of this permit. Please refer to part 1.B. The pollutant shall be tested using EPA approved method as found in CFR 136 table IB, for the determination of total recoverable metals, and as found in 20.6.4.900.2 The criteria is based on analysis of total recoverable aluminum in a sample that is filtered to minimize mineral phases as specified by the New Mexico Environment Department (NMED). The NMED specification for filtration can be found at: <https://www.env.nm.gov/swqb/SOP/documents/82ChemicalSamplingSOP4-11-2016.pdf>. At this website, find chemical sampling in lotic environments part 6.1.4 address total recoverable filtration.

9. 9. The effluent limitation for TRC is the instantaneous maximum and cannot be averaged for reporting purposes. Required when chlorine is used as either backup bacteria control or when disinfection of plant treatment equipment is required.

Attachment B

Docket # CWA-06-2023-1728



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1201 ELM STREET, SUITE 500  
DALLAS, TEXAS 75270-2102

August 11, 2022

TRANSMITTED VIA EMAIL

The Honorable Roger Sweet  
Mayor, Village of Jemez Springs  
P.O. Box 269  
Jemez Springs, NM 87025  
[mayor@jemezsprings-nm.gov](mailto:mayor@jemezsprings-nm.gov)

Re: Administrative Order; Docket Number: CWA-06-2022-1812  
NPDES Permit Number: NM0028011

Dear Mayor Sweet:

Enclosed is an Administrative Order (AO) issued to the Village of Jemez Springs for violation of the Clean Water Act (CWA), 33 U.S.C. §§ 1251–1387. Violations were identified during a review of the permit file and discharge monitoring reports submitted for the Village of Jemez Springs Wastewater Treatment Plant to the Environmental Protection Agency, Region 6 (EPA). The violations alleged are for failure to meet permit effluent limitations.

This 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 receipt of the AO. EPA is committed to ensuring compliance with the requirements of the National Pollutant Discharge Elimination System program and my staff will assist you in any way possible. Please reference AO Docket Number CWA-06-2022-1812 and NPDES Permit Number NM0028011 on your response.

If you have any questions, please contact Mr. Mike Tillman, of my staff, at [tillman.michael@epa.gov](mailto:tillman.michael@epa.gov) or (214) 665-7531.

Sincerely,

A handwritten signature in cursive script that reads "Cheryl T. Seager".

Digitally signed by  
CHERYL SEAGER  
Date: 2022.08.11  
07:53:05 -05'00'

Cheryl T. Seager, Director  
Enforcement and  
Compliance Assurance Division

Enclosure(s)

cc: Ms. Shelly Lemon, Chief  
NMED Surface Water Quality Bureau  
[shelly.lemon@state.nm.us](mailto:shelly.lemon@state.nm.us)

Ms. Susan Lucas-Kamat, Manager  
NMED Point Source Regulation Section  
[susan.lucaskamat@state.nm.us](mailto:susan.lucaskamat@state.nm.us)



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 6 • 1201 Elm St. Suite 500 • Dallas, TX 75270-2102

### FINDINGS OF VIOLATION AND COMPLIANCE ORDER

Docket Number: CWA-06-2022-1812; NPDES Permit Number: NM0028011

#### 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 Village of Jemez Springs (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 Village of Jemez Springs' wastewater treatment plant (WWTP), located at 14609 Highway 4, Sandoval County, NM 87025 (facility), 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 wastewater discharge to the Jemez 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 terms and conditions prescribed in the applicable permit.
7. Respondent applied for and was issued NPDES Permit No. NM0028011 (permit) under Section 402 of the Act, 33 U.S.C. § 1342, which became effective on June 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. Part I.A of the permit requires Respondent to sample and test its effluent and monitor its compliance with permit conditions according to specific procedures, in order to determine the facility's compliance or noncompliance with the permit and applicable regulations. It also requires Respondent to file with EPA and the New Mexico Environment Department certified Discharge Monitoring Reports (DMRs) of the results of monitoring, and Noncompliance Reports when appropriate.
9. The permit contains "Effluent 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. Certified DMRs filed by Respondent with EPA in compliance with the permit show discharges of pollutants from the facility that exceed the permitted effluent limitations established in Part I of 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

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 actions:

A. Take such measures as are necessary to comply with all permit conditions, including effluent limitations and monitoring and reporting requirements, no later than (30) days from the effective date of this Order.

B. Within thirty (30) days of the effective date of this Order, Respondent shall submit a written report detailing the specific actions taken to correct the violations cited herein and an explanation as to why such actions are anticipated to be sufficient to prevent recurrence of these or similar violations.

C. Within thirty (30) days of the effective date of this Order, Respondent shall provide written certification to EPA Region 6 signed by an authorized official [as defined in 40 C.F.R. § 122.22(a)(3)] that the violations cited herein have been corrected and the facility is in compliance 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 approved compliance schedule will be incorporated and re-issued in a future administrative order.

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

Mike Tillman  
[tillman.michael@epa.gov](mailto:tillman.michael@epa.gov)  
Water Enforcement Branch (ECDWM)  
U.S. EPA, Region 6  
1201 Elm Street, Suite 500  
Dallas, TX 75270

and

Ms. Nancy Williams  
[williams.nancy@epa.gov](mailto:williams.nancy@epa.gov)  
Water Enforcement Branch (ECDWA)  
U.S. EPA, Region 6  
1201 Elm Street, Suite 500  
Dallas, TX 75270-2102

## 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.

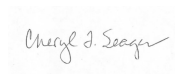
Failure to comply with this Section 309(a)(3) Compliance Order or the Act may result in further administrative action, or a civil judicial action initiated by the United States Department of Justice.

This Order does not constitute a waiver or modification of the terms or conditions of the 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 laws or regulations.

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

August 11, 2022

Date



Digitally signed by CHERYL  
SEAGER  
Date: 2022.08.11 07:51:44 -05'00'

Cheryl T. Seager, Director  
Enforcement and  
Compliance Assurance Division

## Attachment B.

### Effluent Violations 01/01/2021 - 06/30/2022

Permit NM0028011

| Permit Name               | Version Nmbr | Curr. Major Minor Status | Issue Date | Effective Date | Expiration Date | Engineer | Specialist |
|---------------------------|--------------|--------------------------|------------|----------------|-----------------|----------|------------|
| JEMEZ SPRINGS, VILLAGE OF | 0            | Minor                    | 4/29/2021  | 6/1/2021       | 5/31/2026       | MIKE T   | NANCY      |
| JEMEZ SPRINGS, VILLAGE OF | 4            | Minor                    | 1/14/2016  | 3/1/2016       | 2/28/2021       | MIKE T   | NANCY      |

Outfall 001A

00600 Nitrogen, total [as N] / Location 1 / Season 0 / Base

| Limit Start Date | Limit End Date | Sample Type | Frequency of Analysis |
|------------------|----------------|-------------|-----------------------|
| 6/1/2021         | 5/31/2026      | Grab        | Twice per Month       |

| Limit            |                |                      |
|------------------|----------------|----------------------|
| Limit Unit Desc  | Pounds per Day | Milligrams per Liter |
| Statistical Base | 30DA AVG       | DAILY MX             |
| Limit Value      | 2.97           | 4.75                 |
| DMR Values       |                |                      |
| 6/30/21          |                | <19                  |
| 7/31/21          |                | 10                   |
| 8/31/21          |                | 15                   |
| 9/30/21          |                | 5.2                  |
| 11/30/21         |                | 19                   |
| 12/31/21         |                | 18                   |
| 1/31/22          |                | 8.3                  |
| 2/28/22          | 3.5            | 22                   |
| 3/31/22          | 3.5            | 17                   |
| 4/30/22          | 3.7            | 21                   |
| 5/31/22          | 5.1            | 20                   |
| 6/30/22          | 3.82           | 21                   |

00665 Phosphorus, total [as P] / Location 1 / Season 0 / Base

| Limit Start Date | Limit End Date | Sample Type | Frequency of Analysis |
|------------------|----------------|-------------|-----------------------|
| 6/1/2021         | 5/31/2026      | Grab        | Twice per Month       |

| Limit            |                |                      |
|------------------|----------------|----------------------|
| Limit Unit Desc  | Pounds per Day | Milligrams per Liter |
| Statistical Base | 30DA AVG       | DAILY MX             |
| Limit Value      | .626           | 1.                   |
| DMR Values       |                |                      |
| 6/30/21          |                | 1.2                  |
| 9/30/21          |                | 1.7                  |
| 12/31/21         |                | 2.7                  |
| 4/30/22          |                | 1.7                  |
| 5/31/22          |                | 1.5                  |
| 6/30/22          | .71            | 5.1                  |

**01000 Arsenic, dissolved [as As] / Location 1 / Season 0 / Base**

| Limit Start Date | Limit End Date | Sample Type | Frequency of Analysis |
|------------------|----------------|-------------|-----------------------|
| 6/1/2021         | 5/31/2026      | Grab        | Monthly               |

| Limit            |                |
|------------------|----------------|
| Limit Unit Desc  | Pounds per Day |
| Statistical Base | 30DA AVG       |
| Limit Value      | .094           |
| DMR Values       |                |
| 11/30/21         | .17            |

**01020 Boron, dissolved [as B] / Location 1 / Season 0 / Base**

| Limit Start Date | Limit End Date | Sample Type | Frequency of Analysis |
|------------------|----------------|-------------|-----------------------|
| 6/1/2021         | 5/31/2026      | Grab        | Monthly               |

| Limit            |                    |
|------------------|--------------------|
| Limit Unit Desc  | Micrograms per Lit |
| Statistical Base | DAILY MX           |
| Limit Value      | 2150.              |
| DMR Values       |                    |
| 6/30/21          | 2200               |
| 4/30/22          | 2300               |

**Outfall 001A**

**00600 Nitrogen, total [as N] / Location 1 / Season 0 / Base**

| Limit Start Date | Limit End Date | Sample Type | Frequency of Analysis |
|------------------|----------------|-------------|-----------------------|
| 3/1/2016         | 2/28/2021      | Grab        | Twice per Month       |

| Limit            |                |                      |
|------------------|----------------|----------------------|
| Limit Unit Desc  | Pounds per Day | Milligrams per Liter |
| Statistical Base | 30DA AVG       | DAILY MX             |
| Limit Value      | 2.97           | 4.75                 |
| DMR Values       |                |                      |
| 1/31/21          |                | 13                   |
| 2/28/21          | 4.5            | 24                   |
| 3/31/21          |                | 11                   |
| 4/30/21          | 4              | 21                   |
| 5/31/21          | 4.4            | 30                   |

**01020 Boron, dissolved [as B] / Location 1 / Season 0 / Base**

| Limit Start Date | Limit End Date | Sample Type | Frequency of Analysis |
|------------------|----------------|-------------|-----------------------|
| 3/1/2016         | 2/28/2021      | Grab        | Monthly               |

| Limit            |                    |
|------------------|--------------------|
| Limit Unit Desc  | Micrograms per Lit |
| Statistical Base | DAILY MX           |
| Limit Value      | 2150.              |
| DMR Values       |                    |
| 2/28/21          | 2700               |
| 3/31/21          | 2500               |