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**NEW MEXICO
ENVIRONMENT DEPARTMENT**

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Cabinet Secretary Designate

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Deputy Secretary

January 29, 2019

The Honorable John Bassett, Mayor
Town of Edgewood
PO Box 3610
Edgewood, NM 87105

**Re: Corrective Action Report Approval and Response to Notice of Violation Responses,
Town of Edgewood Wastewater Treatment Plant, DP-1654**

Dear Mayor Bassett:

The New Mexico Environment Department (NMED) Ground Water Quality Bureau (GWQB) has reviewed your letter dated October 12, 2018, and a subsequent submittal from Carla Salazar dated December 26, 2018. These transmittals respond to the Notice of Violation (NOV) NMED issued on September 5, 2018 for violations of the Town's Discharge Permit, DP-1654. This letter articulates NMED's response and the status of your compliance efforts.

1. Item 1 in the NOV required the submittal of a Corrective Action Report for the unauthorized discharge of treated effluent to Town-owned property adjacent to the wastewater treatment plant. The Town submitted the Corrective Action Report as part of its October 12 letter. According to the information submitted, the unauthorized discharge occurred as follows:

On approximately May 28, 2018, operators at the wastewater treatment plant became aware of a clog on the line from the lined impoundment to the reuse system. The level of the fluid in the pond needed to be lowered in order to access the screen, which was clogged with debris. Over 81 days, approximately 3.2 million gallons of treated wastewater were discharged onto the Town-owned property east of the plant. The plant operators believed that this emergency discharge had been authorized.

The following corrective actions were taken:

The discharged wastewater was contained on the Town's property. The effluent was sampled and analyzed in June and July. The concentrations of TKN and nitrate were below

the discharge limit (and ground water standard) of 10 mg/L, and this is consistent with previous effluent quality results. The concentrations of total dissolved solids and chloride in the effluent exceeded the ground water standards of 1,000 mg/L and 250 mg/L, as reported for the June sampling. The Discharge Permit does not set discharge limits for these constituents, nor does it require ground water sampling.

Pursuant to Section 20.6.2.1203.A of the Ground and Surface Water Protection Regulations (20.6.2 NMAC), NMED approves the Corrective Action Report, and the actions taken resolve the violations cited in Item 1.

Additional corrective actions may be required if information becomes available indicating that the corrective actions taken are inadequate and/or ground water contamination occurs as a result of the described discharge.

2. Item 2 in the NOV required the submittal of a proposal for an emergency storage impoundment or alternate disposal method by November 1, 2018. Your October 12 letter stated the Town's intention to construct a permanent reuse irrigation system for its alternate disposal method. NMED notes that this method was already proposed by the Town in a letter dated November 6, 2015, and approved by NMED in a letter dated November 15, 2015. This proposal remains acceptable. NMED acknowledges that the identification of an alternate disposal method should not have been identified as a violation in the NOV.

Item 2 also required the submittal of plans and specifications for the alternate disposal method, and completion of construction by November 1, 2019. The Town's December 26 correspondence projected completing construction by December 31, 2019, pending funding, and it identified funding sources being pursued. NMED approves this revised timeline.

Please note: the GWQB anticipates the need for three monitoring wells to be installed and recommends that these wells be included in your funding requests. The wells are needed because monitoring reports indicate that the concentrations of total dissolved solids and chloride in the Town's treated wastewater frequently exceed the ground water standards of 1,000 mg/L and 250 mg/L, respectively, so the potential exists for causing an exceedance in ground water.

3. Item 3 in the NOV required the submittal of construction plans and specifications by October 1, 2018, for an impervious surface for composting dewatered sludge, and it required that construction be completed by November 1, 2018. The Town's response committed to completing design and construction of the impervious surface by December 31, 2019, pending funding. The response stated that a temporary liner, containers, or a sludge bag will be used in the interim after the stockpiled sludge is removed. NMED approves these actions and timeline.
4. Item 4 in the NOV identified the violation of Condition 40 in the Discharge Permit, requiring prior approval from NMED for corrective actions to restore freeboard in the

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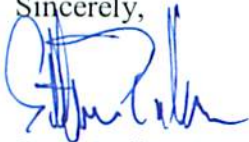
impoundment. The Town's response indicated confusion as to whether this approval had been obtained. NMED trusts that the Town now understands its obligation to follow and document the procedure outlined in Condition 40 should circumstances again require corrective actions to restore two feet of freeboard in the impoundment. As such, NMED considers this violation resolved.

5. Item 5 in the NOV required the removal and proper disposal of solids stockpiled on the ground by October 1, 2018, and subsequent confirmation soil sampling with results to be submitted by November 1, 2018. NMED acknowledges receipt of the analytical results for the stockpiled sludge. The Town's correspondence indicated that the sludge would be removed and disposed of by February 1, 2019, with confirmatory sampling to follow immediately. This timeline is acceptable to NMED. Please submit the results of soil sampling to NMED by March 29, 2019.
6. Item 6 identified deficiencies in the Town's reporting under the Discharge Permit. NMED anticipates that the monitoring report due on February 1, 2019, will resolve these concerns. If you have any questions about the requirements, please contact Pam Homer at the contact information provided below.

NMED appreciates your efforts to comply with the Discharge Permit, and understands the frustrations associated with securing funding for needed projects. Given that your projected timelines depend on obtaining funding, NMED requests that you submit quarterly updates on your efforts to meet the revised deadlines and to obtain the necessary funding. Please submit these reports on the same schedule as your Discharge Permit monitoring reports: by February 1, May 1, August 1 and November 1.

Thank you for your cooperation. If you have any questions, please contact Pam Homer at (505) 827-0018 or pamela.homer2@state.nm.us, or me at (505) 827-2962.

Sincerely,



Steve Pullen, Manager

Pollution Prevention Section

cc: Judy Kahl, NMED Construction Programs Bureau
Sara Roton, NMED Construction Programs Bureau
Carla Salazar, Town of Edgewood, clerk@edgewood-nm.gov