



**Michelle Lujan Grisham**  
Governor

**Howie C. Morales**  
Lt. Governor

## NEW MEXICO ENVIRONMENT DEPARTMENT

Ground Water Quality Bureau

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**James C. Kenney**  
Cabinet Secretary

**Jennifer J. Pruett**  
Deputy Secretary

September 9, 2020

The Honorable John Bassett, Mayor  
Town of Edgewood  
Post Office Box 3610  
Edgewood, New Mexico 87015

**RE: NOV Compliance Status Update, Town of Edgewood Wastewater Treatment Plant, DP-1654**

Dear Mr. Bassett:

The New Mexico Environment Department (NMED or department) has reviewed your letter titled *Updated Responses to the Notice of Violation* (Letter) received by the department on July 7, 2020. On September 5, 2018 NMED issued a Notice of Violation (NOV) to the Town of Edgewood (Town or Permittee) addressing violations of the Town's Wastewater Treatment Plant (WWTP or Facility) groundwater Discharge Permit (DP-1654). On October 18, 2018 NMED received a response to the NOV from the Town identifying efforts to return to compliance. In a letter dated January 29, 2019, NMED responded to the Town's October 2018 response. NMED performed a Facility inspection on June 25, 2019. This correspondence addresses the compliance status of each item addressed in the NOV per the request in the Letter.

Item #1: Corrective Action Report Requirement

NMED's January 2019 response deemed the associated violation resolved.

Item #2: Proposal for Alternative Disposal Location

NMED's January 2019 response deemed the associated violation to be inappropriate. The Item acknowledged the Town's proposed alternate disposal system construction schedule. The alternative disposal system went online in January of 2020 and NMED considers this Item resolved.

Item #3: Construction of an Impervious Surface for Sludge Composting

NMED's January 2019 response declared the Town's October 2018 proposed timeline for construction of an impervious surface for composting dewatered sludge and associated interim actions appropriate. The Town has provided NMED with continued updates on the construction project. The Ground Water Quality Bureau (GWQB) understands that NMED's Construction Programs Bureau has received and approved plans and specifications for an impervious surface and the Town has awarded the contract. Upon completion of pad construction and submittal of approvable as-built drawings, NMED will consider this violation resolved.

Item #4: Failure to Maintain Adequate Freeboard in the Synthetically Lined Impoundment

During NMED's June 2019 inspection the department verified that the Town has maintained the required two feet

of freeboard in the impoundment. NMED considers this Item resolved.

**Item #5: Removal and Disposal of Stockpiled Solids**

The Town completed removal and disposal of all solids improperly stockpiled onsite prior to February 1, 2019. The Town sampled the stockpile solids and transported them to the Estancia Valley Solid Waste Authority for disposal. The Town performed confirmatory soil sampling under the stockpiled solids. NMED received the soil sampling results on March 6, 2019, confirming that infiltration of contaminants from the stockpile solids had not penetrated greater than 12-14 feet below ground surface. NMED considers this Item resolved.

**Item #6: Incomplete Analytical Result Submissions in Quarterly Monitoring Reports**

The Town has submitted the required quarterly monitoring reports with all analytical results required by the Discharge Permit conditions and has included the corrected analytes listed by the NOV. NMED considers this Item resolved.

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Nothing in this letter shall be construed as relieving the Permittee of the obligation to comply with all requirements in the Discharge Permit and other applicable federal, state, and local laws, regulations, permits or orders.

NMED is taking all necessary precautions to reduce the spread of COVID-19. Given the current public health emergency, all field activities must be conducted in accordance with the Governor's current Executive Orders and Public Health Orders. Please help to keep New Mexicans safe by visiting the New Mexico Department of Health's website to learn how you can play a role in stopping the spread of COVID-19. That website is [cv.nmhealth.org](http://cv.nmhealth.org). If you believe the current COVID-19 restrictions impact your ability to safely complete one or more required tasks in accordance with your field schedule, please include this information with your submittal of the updated schedule.

If you have any questions regarding the summary provided, please contact me at (505) 827-2962 or Sandra Gabaldón at [Sandra.gabaldon@state.nm.us](mailto:Sandra.gabaldon@state.nm.us) or (505) 827-2949.

Sincerely,

**Steve Pullen** Digitally signed by Steve Pullen  
Date: 2020.09.09 14:45:50 -06'00'

Steve Pullen, Program Manager  
Ground Water Pollution Prevention Section

SP:SG