

NPDES PERMIT NO. NM0030678
RESPONSE TO COMMENTS

RECEIVED ON THE SUBJECT DRAFT
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
PERMIT IN ACCORDANCE WITH REGULATIONS LISTED AT 40CFR124.17

APPLICANT:

Casa Blanca WWTP
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ISSUING OFFICE:

U.S. Environmental Protection Agency
Region 6
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PREPARED BY:

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PERMIT ACTION: Final permit decision and response to comments received on the proposed
NPDES permit publicly noticed on August 30th, 2021.

DATE PREPARED: October 12th, 2021

Introduction. For brevity, Region 6 used acronyms and abbreviated terminology in this response to comments document whenever possible. The following acronyms were used frequently in this document: Act (Clean Water Act), EPA (Environmental Protection Agency), NPDES (National Pollutant Discharge Elimination System), RRC (Railroad Commission of Texas), SOB (Statement of Basis), WQS (Water Quality Standards) and TCEQ (Texas Commission on Environmental Quality), BMP (Best Management Practice), BAT (Best Available Technology), MQL (Minimum Quantification Level), MAL (Minimum Analytical Level).

Unless otherwise stated, citations to 40 CFR refer to promulgated regulations listed at Title 40, Code of Federal Regulations, revised as of May 30, 2014.

CHANGES FROM DRAFT PERMIT

EPA made the following changes to the draft NPDES permit publicly noticed on August 30th, 2021:

1. *Permit Part I, Section A, Footnote 6:* Added NMED and Pueblo of Laguna to the list of WET failure contacts.
2. *Permit Part II, Sections D.1.d and E.1.e:* Added NMED and Pueblo of Laguna to the list of WET failure contacts.
3. *Permit Part I, Section A:* Changed the TRC monitoring requirement from 5/week to 1/week.
4. *Permit Part I, Section A:* Changed the pH monitoring requirement from 5/week to 1/week.

TRIBAL CERTIFICATION

In a letter from Gregory Jojola, Acting Director for the Pueblo of Laguna Environmental & Natural Resources Department, to Charles W. Maguire, Director, Water Quality Protection Division (EPA) dated October 6th, 2021, the Pueblo of Laguna certified that the permitted activities will be conducted in a manner which will not violate any applicable water quality requirements.

COMMENT RESPONSES

During the public notice for NPDES permit NM0030678 begun on August 30th, 2021, the EPA received comments from the State of New Mexico and the Laguna Development Corp. (permittee). Their comments and the EPA's responses are as follows:

State of New Mexico

Comment No. 1 – Fact Sheet, Table 1:

The Fact Sheet Pollutant Table – 1 has the abbreviation SU and su representing standard units for pH. This should be corrected to s.u. which correlates to the Document Abbreviation where s.u. represents Standard Units.

Response No. 1:

Comment has been noted for the record. No changes to the permit were made.

Comment No. 2 – Permit Part 1, Section A, pH:

PART I, Section A, Final Effluent Limits has a more restrictive pH range than that found in the State of New Mexico water quality standards. NMED supports the more restrictive pH range

Response No. 2:

Comment has been noted for the record. No changes to the permit were made.

Comment No. 3 – Permit Part 1, Section A, Footnote 6:

PART I, Section A, Final Effluent Limits Footnote *6, requires notification to EPA of a WET test failure. NMED suggests that the Pueblo of Laguna and NMED be added to the WET test failure notification.

Response No. 3:

Footnote 6 of Permit Part 1, Section A has been modified to require the permittee to additionally notify both Pueblo of Laguna and NMED in the event of a WET test failure.

Comment No. 4 – Permit Part II, Sections D.1.d and E.1.e:

PART II, Sections D and E, should require the permittee to notify Pueblo of Laguna and NMED regarding WET test failures.

Response No. 4:

Section D.1.d and Section E.1.e of Part II have been modified to require the permittee to additionally notify both Pueblo of Laguna and NMED in the event of a WET test failure.

Laguna Development Corp.

Comment No. 1 – Permit Part 1, Section A:

The permittee comments that the facility monitored TRC daily without limit violations during the previous permit cycle. They state that the remote facility does not normally otherwise require daily personnel visits and that the monitoring requirement for TRC in the draft permit is therefore burdensome. They request a reduction in TRC monitoring from 5/week to 1/week

Response No. 1:

Considering the smaller scale of the facility and its past track record in TRC, the monitoring requirement for TRC has been modified from 5/week to 1/week.

Comment No. 2 – Permit Part 1, Section A:

The permittee requests that, for the same reasons noted in their first comment, their pH monitoring requirement in the permit be reduced to once or twice per week. They comment that they have similarly had no limit violations of pH during the previous permit cycle.

Response No. 2:

Considering the smaller scale of the facility and its past track record in pH, the monitoring requirement for pH has been modified from 5/week to 1/week.