

NPDES PERMIT NO. NM0020133 FACT SHEET

FOR THE DRAFT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
PERMIT TO DISCHARGE TO WATERS OF THE UNITED STATES

APPLICANT

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ISSUING OFFICE

U.S. Environmental Protection Agency
Region 6
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PREPARED BY

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DATE PREPARED

November 4, 2021

PERMIT ACTION

Renewal of a permit previously issued on December 21, 2016, with an effective date of February 1, 2017, and an expiration date of January 31, 2022.

This permit includes conditions and requirements for the currently operational Wastewater Treatment Facility (WWTF) and the new WWTF that is planned to replace the current facility during the effective dates of this permit. Construction of the new WWTF is planned to begin January 2022 and end July 2023. Attainment of operational level and discharge from the new WWTF is planned for July 2023.

RECEIVING WATER – BASIN

Canada del Buey (unclassified water of the state subject to 20.6.4.98 NMAC) – Rio Grande Basin

DOCUMENT ABBREVIATIONS

In the document that follows, various abbreviations are used. They are as follows:

4Q3	Lowest four-day average flow rate expected to occur once every three-years
BAT	Best available technology economically achievable
BCT	Best conventional pollutant control technology
BPT	Best practicable control technology currently available
BMP	Best management plan
BOD	Biochemical oxygen demand (five-day unless noted otherwise)
BPJ	Best professional judgment
CBOD	Carbaceous biochemical oxygen demand (five-day unless noted otherwise)
CD	Critical dilution
CFR	Code of Federal Regulations
cfs	Cubic feet per second
COD	Chemical oxygen demand
COE	United States Corp of Engineers
CWA	Clean Water Act
DMR	Discharge monitoring report
DO	Dissolved oxygen
ELG	Effluent limitation guidelines
EPA	United States Environmental Protection Agency
ESA	Endangered Species Act
FWS	United States Fish and Wildlife Service
mg/l	Milligrams per liter
ug/l	Micrograms per liter
lbs	Pounds
MG	Million gallons
MGD	Million gallons per day
ML	Method minimum level
NMAC	New Mexico Administrative Code
NMED	New Mexico Environment Department
NMIP	New Mexico NPDES Permit Implementation Procedures
NMWQS	New Mexico State Standards for Interstate and Intrastate Surface Waters
NPDES	National Pollutant Discharge Elimination System
MLQ	Minimum quantification level
O&G	Oil and grease
POTW	Publicly owned treatment works
RP	Reasonable potential
SS	Settleable solids
SSM	Sufficiently Sensitive Method
SIC	Standard industrial classification
s.u.	Standard units (for parameter pH)
SWQB	Surface Water Quality Bureau
TDS	Total dissolved solids
TMDL	Total maximum daily load
TRC	Total residual chlorine
TSS	Total suspended solids
UAA	Use attainability analysis
USGS	United States Geological Service
WLA	Waste Load allocation
WET	Whole effluent toxicity
WQCC	New Mexico Water Quality Control Commission
WQMP	Water Quality Management Plan
WWTF	Wastewater treatment plant

I. CHANGES FROM THE PREVIOUS PERMIT

Changes from the permit previously issued on December 21, 2016, with an effective date of February 1, 2017, and an expiration date of January 31, 2022, are as follows:

- Monitoring frequency of BOD₅ for the current facility has been increased due to exceedances.
- Monitoring frequency of E. coli bacteria has been returned to the recommended frequency outlined by the State of New Mexico (NMIP, 2012).
- WET testing requirements have been updated.
- An effluent limit for Dissolved Oxygen has been established. This new limit includes a schedule of compliance with interim and final effluent limits.

II. APPLICANT LOCATION and ACTIVITY

As described in the application, the facility (Outfall 001: Latitude 35° 49' 39.93" North and Longitude 106° 11' 5.96" West) is located at 600 Overlook Road, White Rock, Los Alamos County, New Mexico.

Under the SIC code 4952, the applicant operates Los Alamos County White Rock Wastewater Treatment Facility (WWTF), which has a design flow of 0.82 MGD providing sanitary services for approximately 5,852 residents. The WWTF provides primary and secondary levels of treatment. The wastewater is treated with a trickling filter system. Effluent is disinfected with chlorine, followed by dechlorination and then discharged to Canada Del Buey, an unclassified intermittent water (20.6.4.98 NMAC), which then flows to the Rio Grande of the Rio Grande Basin, via Outfall 001. Water designated for reuse under a ground water permit is drawn off before dechlorination and used to irrigate a nearby park. Generated sewage sludge is hauled to the Los Alamos WWTF for further treatment and disposal. A map of the facility is attached.

There is planned construction of a new WWTF that will replace the current Los Alamos County White Rock WWTF. Construction of the new WWTF is planned to begin January 2022 and end July 2023. Attainment of operational level and discharge from the new WWTF is planned for July 2023. The new WWTF will be completely inside the existing facility boundary and the current WWTF will be decommissioned upon completion of the new WWTF. The new WWTF has a design flow of 0.5 MGD and provides primary and secondary levels of treatment. The wastewater will be treated with an activated sludge system. Following treatment by primary and secondary clarifiers, the wastewater is processed through a tertiary filtration system consisting of disk filters. Effluent is disinfected with an ultraviolet system and then discharged to Canada Del Buey, an unclassified intermittent water (20.6.4.98 NMAC), which then flows to the Rio Grande of the Rio Grande Basin via an outfall that is located in the same location as the current WWTF outfall (Outfall 001). Generated sewage sludge will be dewatered with a fan press and subsequently hauled to the Los Alamos County - Bayo WWTF (NM0020141) for further treatment and disposal. The new WWTF plans are attached.

These facilities will subsequently be referred to as the current WWTF and the new WWTF.

III. EFFLUENT CHARACTERISTICS

Data submitted in Form 2A for the WWTF is as follows:

Parameter	Max	Avg
	(mg/l unless noted)	
pH, minimum, standard units (su)	6.63	NA
pH, maximum, standard units (su)	7.47	NA
Design Flow Rate (MGD)	0.348	0.195
Temperature (C), winter	24.3	15.0
Temperature (C), summer	26.5	21.38
Biochemical Oxygen Demand, 5-day (BOD ₅)	36.50	20.77
Fecal coliform (cfu/100 ml)	60.00	6.82
Total Suspended Solids (TSS)	29.92	16.90
Ammonia (as N)	31	20
TRC	0.01	0.00
DO	4.3	4.1
Total Kjeldahl Nitrogen (TKN)	37	26
Nitrate + Nitrite Nitrogen	7.7	4.2
Oil & Grease	ND	ND
Phosphorus (Total)	7.2	6.5
TDS	464	429

Since February 2017, there have been several exceedances according to the submitted DMRs:

Date	Parameter	Exceedance (pH: 6.6 – 9.0)	Exceedance (30-day average, mg/L)	Exceedance (7-day average, mg/L)	Exceedance (Percent Removal, %)
4/30/17	pH	6.52			
1/31/18	BOD ₅		34.78	46.79	
12/31/18	BOD ₅		36.48	51.14	
1/31/19	BOD ₅		42.18	55.5	84
2/28/19	BOD ₅		34.81		
3/31/19	BOD ₅		31.86		
2/29/20	BOD ₅		34.09		

IV. REGULATORY AUTHORITY/PERMIT ACTION

In November 1972, Congress passed the Federal Water Pollution Control Act establishing the NPDES permit program to control water pollution. These amendments established technology-based or end-of-pipe control mechanisms and an interim goal to achieve “water quality which provides for the protection and propagation of fish, shellfish, and wildlife and provides for recreation in and on the water”; more commonly known as the “swimmable, fishable” goal. Further amendments in 1977 of the CWA gave EPA the authority to implement pollution control programs such as setting wastewater standards for industry and established the basic structure for regulating pollutants discharges into the waters of the United States. In addition, it made it unlawful for any person to discharge any pollutant from a point source into navigable waters, unless a permit was obtained under its provisions. Regulations governing the EPA administered NPDES permit program are generally found at 40 CFR §122 (program requirements & permit conditions), §124 (procedures for decision making), §125 (technology-based standards) and §136 (analytical procedures). Other parts of 40 CFR provide guidance for specific activities and may be used in this document as required.

It is proposed that the permit be reissued for a 5-year term following regulations promulgated at 40 CFR §122.46(a).

V. DRAFT PERMIT RATIONALE AND PERMIT CONDITIONS

A. OVERVIEW of TECHNOLOGY-BASED VERSUS WATER QUALITY STANDARDS-BASED EFFLUENT LIMITATIONS AND CONDITIONS

Following regulations promulgated at 40 CFR 122.44(l)(2)(ii), the draft permit limits are based on either technology-based effluent limits pursuant to 40 CFR 122.44(a) or on State water quality standards and requirements pursuant to 40 CFR 122.44(d), whichever are more stringent.

Technology-based effluent limitations are established in the proposed draft permit for TSS and BOD, and percent removal for each. Water quality-based effluent limitations are established in the proposed draft permit for *E. coli* bacteria, pH, TRC and DO.

B. TECHNOLOGY-BASED EFFLUENT LIMITATIONS/CONDITIONS

1. General Comments

Regulations promulgated at 40 CFR §122.44 (a) require technology-based effluent limitations to be placed in NPDES permits based on ELGs where applicable, on BPJ in the absence of guidelines, or on a combination of the two. In the absence of promulgated guidelines for the discharge, permit conditions may be established using BPJ procedures. EPA establishes limitations based on the following technology-based controls: BPT, BCT, and BAT. These levels of treatment are:

BPT - The first level of technology-based standards generally based on the average of the best existing performance facilities within an industrial category or subcategory.

BCT - Technology-based standard for the discharge from existing industrial point sources of conventional pollutants, including BOD, TSS, *E. coli* bacteria, pH, and O&G.

BAT - The most appropriate means available on a national basis for controlling the direct discharge of toxic and non-conventional pollutants to navigable waters. BAT effluent limits represent the best existing performance of treatment technologies that are economically achievable within an industrial point source category or subcategory.

2. Effluent Limitation Guidelines

The current and new facilities are POTWs/POTW-likes that have technology-based limits established at 40 CFR Part 133, Secondary Treatment Regulation. Pollutants with requirements established in this Chapter are BOD, TSS and pH. BOD limits of 30 mg/l for the 30-day average and 45 mg/l for the 7-day average and 85% percent (minimum) removal are found at 40 CFR §133.102(a). TSS limits; also 30 mg/l for the 30-day average and 45 mg/l for the 7-day average, and 85% percent (minimum) removal are found at 40 CFR §133.102(b). Since these are technology-based requirements there is no compliance schedule provided to meet these limits. Compliance is required on the permit effective date until midnight the day prior to three years from the permit effective date for the current WWTF, and beginning on the date three years from the permit effective date for the new WWTF.

Regulations at 40 CFR §122.45(f)(1) require all pollutants limited in permits to have limits expressed in terms of mass such as pounds per day. When determining mass limits for POTWs or similar, the plant's

design flow is used to establish the mass load and the change in the design flow from the current to the new WWTF affects the allowable loading. Mass limits are determined by the following mathematical relationship:

Loading in lbs/day = pollutant concentration in mg/l * 8.345 (lbs)(l)/(mg)(MG) * design flow in MGD

Current Facility Effluent Limitation:

These limits are effective for discharges of effluent at the current WWTF via Outfall 001 on the permit effective date until midnight the day prior to three years from the permit effective date.

30-day average BOD/TSS loading = 30 mg/l * 8.345 (lbs)(l)/(mg)(MG) * 0.82 MGD = 205 lbs/day

7-day average BOD/TSS loading = 45 mg/l * 8.345 (lbs)(l)/(mg)(MG) * 0.82 MGD = 308 lbs/day

A summary of the technology-based limits for the facility is:

Effluent Characteristic	Discharge Limitation		
	lbs/day, unless noted	mg/l, unless noted	
Parameter	30-day Avg	7-day Avg	30-day Avg
BOD ₅	205	308	30
BOD ₅ , % removal ¹	≥ 85	---	---
TSS	205	308	30
TSS, % removal ¹	≥ 85	---	---
pH	NA	NA	6.0 to 9.0 s.u.

¹ % removal is calculated using the following equation: [(average monthly influent concentration – average monthly effluent concentration) ÷ average monthly influent concentration] * 100.

New Facility Effluent Limitation:

These limits are effective for discharges of effluent at the new WWTF via Outfall 001 beginning on the date three years from the permit effective date.

30-day average BOD/TSS loading = 30 mg/l * 8.345 (lbs)(l)/(mg)(MG) * 0.5 MGD = 125 lbs/day

7-day average BOD/TSS loading = 45 mg/l * 8.345 (lbs)(l)/(mg)(MG) * 0.5 MGD = 188 lbs/day

A summary of the technology-based limits for the facility is:

Effluent Characteristic	Discharge Limitation		
	lbs/day, unless noted	mg/l, unless noted	
Parameter	30-day Avg	7-day Avg	30-day Avg
BOD ₅	125	188	30
BOD ₅ , % removal ¹	≥ 85	---	---
TSS	125	188	30
TSS, % removal ¹	≥ 85	---	---
pH	NA	NA	6.0 to 9.0 s.u.

¹ % removal is calculated using the following equation: [(average monthly influent concentration – average monthly effluent concentration) ÷ average monthly influent concentration] * 100.

3. Pretreatment Regulation

The facility is not subject to the full pretreatment program pursuant to 40 CFR 403.8. General practices are retained in the permit draft.

C. WATER QUALITY BASED LIMITATIONS

1. General Comments

Water quality based requirements are necessary where effluent limits more stringent than technology-based limits are necessary to maintain or achieve federal or state water quality limits. Under Section 301(b)(1)(C) of the CWA, discharges are subject to effluent limitations based on Federal or State/Tribe WQS. Effluent limitations and/or conditions established in the draft permit are in compliance with applicable State/Tribal WQS and applicable State/Tribe water quality management plans to assure that surface WQS of the receiving waters are protected and maintained or attained.

Compliance with the following water quality based requirements is required on the permit effective date until midnight the day prior to three years from the permit effective date for the current WWTF, and on the date three years from the permit effective date for the new WWTF.

2. Implementation

The NPDES permits contain technology-based effluent limitations reflecting the best controls available. Where these technology-based permit limits do not protect water quality or the designated uses, additional water quality-based effluent limitations and/or conditions are included in the NPDES permits. State/Tribe narrative and numerical water quality standards are used in conjunction with EPA criterion and other available toxicity information to determine the adequacy of technology-based permit limits and the need for additional water quality-based controls.

3. State Water Quality Standards

The general and specific stream standards are provided in NMWQS (20.6.4 NMAC approved on July 24, 2020). The wastewater flows from the outfall to an intermittent stream named Canada del Buey in Los Alamos County in State waters, then flows approximately 300 feet where it enters waters of the San Ildefonso Pueblo. After approximately one mile, the discharge leaves San Ildefonso Pueblo waters and reaches the Rio Grande in State waters. The San Ildefonso Pueblo does not have EPA approved water quality standards and does not have NPDES authority. Establishment of permit limits that meet State WQS will be protective of Tribal waters. The current stream designated uses are livestock watering, wildlife habitat, marginal warmwater aquatic life and primary contact. Because the 4Q3 of Canada del Buey (20.6.4.98 NMAC) is zero, no dilution is allowed and applicable criteria must be met following final treatment and prior to discharge into the receiving water.

4. Permit Action - Water Quality-Based Limits

Regulations promulgated at 40 CFR §122.44(d) require limits in addition to, or more stringent than effluent limitation guidelines (technology based) to be the applicable limits. State WQS that are more stringent than effluent limitation guidelines are as follows:

a. pH

For primary contact and marginal warmwater aquatic life uses, the criterion for pH is between 6.6 and 9.0 s.u. pursuant to 20.6.4.900.D and 20.6.4.900.H(6) NMAC. This State WQS is more stringent than the technology-based effluent limitation listed in the Effluent Limitation Guidelines section and is therefore the applicable limit (40 CFR §122.44(d)).

b. Bacteria

Site-specific criteria for intermittent waters of the state require the criterion for *E. coli* bacteria to be set at 206 cfu/100 ml monthly geometric mean and 940 cfu/100 ml daily maximum pursuant to 20.6.4.98 NMAC.

c. Toxics

The CWA in Section 301 (b) requires that effluent limitations for point sources include any limitations necessary to meet water quality standards. Federal regulations found at 40 CFR §122.44 (d) state that if a discharge poses the reasonable potential to cause an in-stream excursion above a water quality criterion, the permit must contain an effluent limit for that pollutant.

All applicable facilities are required to fill out appropriate sections of the Form 2A and 2S, to apply for an NPDES permit or reissuance of an NPDES permit. The new form is applicable not only to POTWs, but also to facilities that are similar to POTWs, but which do not meet the regulatory definition of “publicly owned treatment works” (like private domestics, or similar facilities on Federal property). The forms were designed and promulgated to “make it easier for permit applicants to provide the necessary information with their applications and minimize the need for additional follow-up requests from permitting authorities,” per the summary statement in the preamble to the Rule. These forms became effective December 1, 1999, after publication of the final rule on August 4, 1999, Volume 64, Number 149, pages 42433 through 42527 of the FRL. The facility is designated as a minor facility and does not need to fill out the expanded pollutant testing section Part D of Form 2A. There are no toxics that need to be placed in the draft permit.

d. TRC

For wildlife habitat, criteria for TRC is 11 ug/l pursuant to 20.6.4.900.J NMAC.

e. Dissolved Oxygen (DO)

The facility discharges treated effluent into Canada del Buey (20.6.4.98 NMAC). The receiving water is an intermittent stream and has a 4Q3 flow of 0 cfs and a harmonic mean flow of 0 cfs (NMED email dated 8/30/21). The State of New Mexico WQS criteria designate a use of intermittent streams as marginal warmwater aquatic life. Marginal warmwater aquatic life water quality criteria requires a DO minimum of at least 5 mg/L. Because the receiving stream has a 4Q3 flow of 0 cfs and a harmonic mean flow of 0 cfs, it is not possible to establish a mixing zone. Consequently, the discharge must meet the DO criterion following final treatment and prior to discharge into the receiving water. Data submitted in Form 2A (see Section III above) demonstrates that there is reasonable potential for causing or contributing to an exceedance of the water quality standard. Accordingly, an effluent limit for DO must be set.

This is a newly established limit for this permit renewal. Therefore, a schedule of compliance is provided per 40 CFR 122.47(a). A schedule of compliance has been established in the permit to allow time for the permittee to construct the new WWTF that will include equipment necessary for the facility to meet the final effluent limit for DO of a minimum of 5 mg/L. Per 40 C.F.R. 122.47(a)(3), an interim limit must be set. An interim limit of a minimum of 4.1 mg/L has been established in the permit and must be met beginning on the effective date of the permit. The interim limit is based on the current WWTF average DO discharge data submitted in Form 2A.

D. MONITORING FREQUENCY FOR LIMITED PARAMETERS

Compliance with the following monitoring frequencies are required on the permit effective date until midnight the day prior to three years from the permit effective date for the current WWTF, and beginning on the date three years from the permit effective date for the new WWTF. Apart from for BOD₅, which has different sampling frequencies for the current WWTF and the new WWTF, the monitoring frequencies are the same.

Regulations require permits to establish monitoring requirements to yield data representative of the monitored activity, 40 CFR §122.48(b), and to assure compliance with permit limitations, 40 CFR §122.44(i)(1). The sampling frequencies for the current plant design (trickling filter) and the new plant design (activated sludge) are the same as outlined in Table 8 and Table 9 (page 34 of the NMIP) for design flows between 0.5 and 1.0 MGD. Except for BOD₅, which has different sampling frequencies for the current WWTF and the new WWTF. Compliance history has been considered when setting sampling frequency.

Parameter	Frequency	Sample Type
Flow	Daily	Totalized
pH	5/week	Instantaneous Grab
BOD ₅ (Current WWTF)	1/week (increased due to exceedances)	6-hr Composite (*2)
BOD ₅ (New WWTF) (*1)	3/month	6-hr Composite (*2)
TSS	3/month	6-hr Composite (*2)
TSS and BOD ₅ % Removal	1/month	Calculation
TRC (*3)	5/week	Instantaneous Grab
E. coli Bacteria	3/month	Grab
DO	3/month	Instantaneous Grab

Footnotes:

*1 The sampling frequency for the new WWTF applies on the date three years from the permit effective date .

*2 Sample type has been changed from the NMIP recommended type (3-hr Composite) to 6-hr Composite samples to make monitoring requirements consistent with the Ground Water Discharge Permit for the facility. A 6-hr Composite sample is more representative than a 3-hr Composite sample.

3* Sampling and reporting requirements for TRC apply to the current facility until midnight the day prior to three years from the permit effective date. If the facility begins using Ultraviolet disinfection during the period beginning on the effective date of the permit and lasting through midnight the day prior to three years from the permit effective date, sampling and reporting are only required when chlorine is used for either bacteria control and/or when chlorine is used to treat filamentous algae and/or used to disinfect process treatment equipment, and/or used at any time within the treatment process at the facility. The new facility uses Ultraviolet disinfection and therefore the TRC sampling and reporting requirements only apply to the new facility when chlorine is used for either bacteria control and/or when chlorine is used to treat filamentous algae and/or used to disinfect process treatment equipment, and/or used at any time within the treatment process at the facility.

E. WHOLE EFFLUENT TOXICITY

The following WET terms and conditions are applicable to the currently operational WWTF on the permit effective date until midnight the day prior to three years from the permit effective date, and the new WWTF beginning on the date three years from the permit effective date.

Procedures for implementing WET terms and conditions in NPDES permits can be found in the NMIP. Table 11 of the NMIP outlines the type of WET testing for different types of discharges. The receiving water is Canada del Buey, an intermittent stream with a 4Q3 of 0 cfs (0 MGD). With the current facility design flow rate of 0.82 MGD, and new facility design flow rate of 0.5 MGD, a CD of 100% will be used in this permit. The permittee shall conduct a chronic WET test using *Ceriodaphnia dubia* (Cd) and *Pimephales promelas* (Pp), twice every 5 years. This is an increase from the NMIP recommended frequency of once every five 5 years in order to accommodate one test on the current WWTF and one test on the new WWTF. WET testing data on the new WWTF will assist in determining WET testing requirements for the next permit term. The permittee conducted one WET test in the previous permit cycle, with no evidence of toxicity, therefore no reasonable potential exists and no limit is needed. Monitoring will continue being a requirement of this permit.

The proposed permit requires five (5) dilutions in addition to the control (0% effluent) to be used in the toxicity tests based on a 0.75 dilution series. These additional effluent concentrations must be 32%, 42%, 56%, 75%, 100%. The low-flow effluent concentration (critical low-flow dilution) is defined as 100% effluent for both the current WWTF and the new WWTF. The permittee shall limit and monitor discharge(s) as specified below:

WHOLE EFFLUENT TOXICITY TESTING (7-Day Chronic Static Renewal/ NOEC) (*1)	VALUE	MEASUREMENT FREQUENCY	SAMPLE TYPE
<i>Ceriodaphnia dubia</i>	Report	Twice/5 yrs (*2)	24-Hr Composite
<i>Pimephales promelas</i>	Report	Twice/5 yrs (*2)	24-Hr Composite

(*1) Monitoring and reporting requirements begin on the effective date of this permit. See Part II of the permit for WET testing requirements and additional WET monitoring and reporting conditions. Grab samples are allowed per method, if needed.

(*2) The first WET test shall be completed on the current WWTF while it is in operation during this permit term. The second WET test shall be completed on the new WWTF if it is in operation during this permit term. The WET test on the new WWTF should be conducted at least 9 months prior to the permit expiration date so results will be available to be used in the permit reapplication due 180 days prior to the expiration date.

VI. TMDL REQUIREMENTS

The receiving water segment 20.6.4.98 NMAC Canada del Buey is not listed in 303(d) List. No additional limitation/monitoring is required. The permit has a standard reopener clause that would allow the permit to be changed if at a later date additional requirements on new or revised TMDLs are completed.

VII. ANTIDEGRADATION

The NMAC, Section 20.6.4.8 “Antidegradation Policy and Implementation Plan” sets forth the requirements to protect designated uses through implementation of the State water quality standards. The limitations and monitoring requirements set forth in the proposed permit are developed from the State water quality standards and are protective of those designated uses. Furthermore, the policy sets forth the intent to protect the existing quality of those waters, whose quality exceeds their designated

use. The permit requirements and the limits are protective of the assimilative capacity of the receiving water, which is protective of the designated uses of that water, NMAC Section 20.6.4.8.A.

VIII. ENDANGERED SPECIES CONSIDERATIONS

According to a report updated on September 30, 2021 that checked for federally endangered (E)/threatened (T) species listed under the Endangered Species Act for Canada del Buey from Outfall 001 to the confluence with the Rio Grande (obtained from <http://ecos.fws.gov/ipac>), there are federally endangered (E)/threatened (T) species in the area. In the previous permit federally endangered (E)/threatened (T) species for the area of the outfall were determined by looking at all species listed in Los Alamos County. To determine federally endangered (E)/threatened (T) species for this permit a more localized approach was used that only looked at species listed under the Endangered Species Act for Canada del Buey from Outfall 001 to the confluence with the Rio Grande. Based on this approach the following species were identified as being in the region: Mexican spotted owl (T), Southwestern willow flycatcher (E), Yellow-billed Cuckoo (T) and New Mexico meadow jumping mouse (E). The Jemez Mountains salamander (E), which was listed in the previous permit, was not listed in the September 30, 2021 report. EPA determined the issuance of the previous permit would have a “no effect” on all of the listed threatened and endangered species identified in the September 30, 2021 report.

In accordance with requirements under section 7(a)(2) of the Endangered Species Act, EPA has reviewed this permit for its effect on listed threatened and endangered species and designated critical habitat. After review, EPA has determined that the reissuance of this permit will have “no effect” on listed threatened and endangered species nor will adversely modify designated critical habitat. EPA makes this determination based on the following:

1. EPA determined a “no effect” for the previous permit, issued December 21, 2016.
2. The draft permit is consistent with the States WQS and does not increase pollutant loadings.
3. EPA has received no additional information since February 1, 2017, the previous permit effective date, which would lead to revision of its determinations.

IX. HISTORICAL and ARCHEOLOGICAL PRESERVATION CONSIDERATIONS

There is planned construction of a new WWTF set to begin January 2022 and end July 2023. The new WWTF will be completely inside the existing facility boundary and will not impact any new historical and/or archeological sites. The reissuance of the permit should have no impact on historical and/or archeological sites.

X. PERMIT REOPENER

The permit may be reopened and modified during the life of the permit if NMWQS are promulgated or revised. In addition, if the State develops a TMDL, this permit may be reopened to establish effluent limitations for the parameter(s) to be consistent with that TMDL. Modification of the permit is subject to the provisions of 40 CFR §124.5.

XI. VARIANCE REQUESTS

None

XII. CERTIFICATION

The permit is in the process of certification by the State Agency following regulations promulgated at 40 CFR 124.53. A draft permit and draft public notice will be sent to the District Engineer of COE, to the Regional Director of FWS and to the National Marine Fisheries Service prior to the publication of that notice.

XIII. FINAL DETERMINATION

The public notice describes the procedures for the formulation of final determinations.

XIV. ADMINISTRATIVE RECORD

The following information was used to develop the proposed permit:

A. APPLICATION(S)

EPA Application Form 2A dated August 27, 2021, Form 2S dated September 17, 2021, and revised Form 2A Tables A, B, & E received September 28, 2021.

B. 40 CFR CITATIONS

Sections 122, 124, 125, 133, 136

C. STATE OF NEW MEXICO REFERENCES

New Mexico State Standards for Interstate and Intrastate Surface Water, 20.6.4 NMAC July 24, 2020.

State of New Mexico 303(d) List for Assessed Stream and River Reaches, 2020-2022.

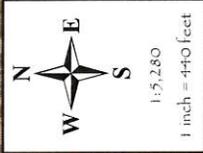
Procedures for Writing & Certifying NPDES Permits in New Mexico – NMIP, March 15, 2012.

D. MISCELLANEOUS

U.S. Fish & Wildlife Service, Environmental Conservation Online System (ECOS) and Information for Planning and Consultation (IPaC) system.

Permittee emails dated: September 8, 2021, September 28, 2021, 10/8/21, 10/26/21, and 11/8/21.

NMED email dated August 30, 2021.



NIPDES NM 0020133
 WHITE ROCK WRRF
 Point of Discharge
 Lat. -106.1848 Long. 35.828

LEGEND

- CRITICAL FACILITIES
- 10 FT CONTOUR INTERVALS
- PL 55-SECTION BOUNDARIES
- NHD FLOWLINES
- STREAM RIVER
- STREETS/ROADS
- LOS ALAMOS COUNTY PATHWAYS
- NHD AREA FEATURES LANDOWNERSHIP
- INCINATION AREA
- BIA - PUEBLO OF SAN ILDEFONSO
- RIO GRANDE RIVER
- LOS ALAMOS COUNTY



LOS ALAMOS COUNTY
 UTILITIES

Date: 1/23/2016
 Aerial photography from 2014

WASTEWATER TREATMENT PLANT WHITE ROCK, NEW MEXICO



WHITE ROCK WASTEWATER
TREATMENT PLANT

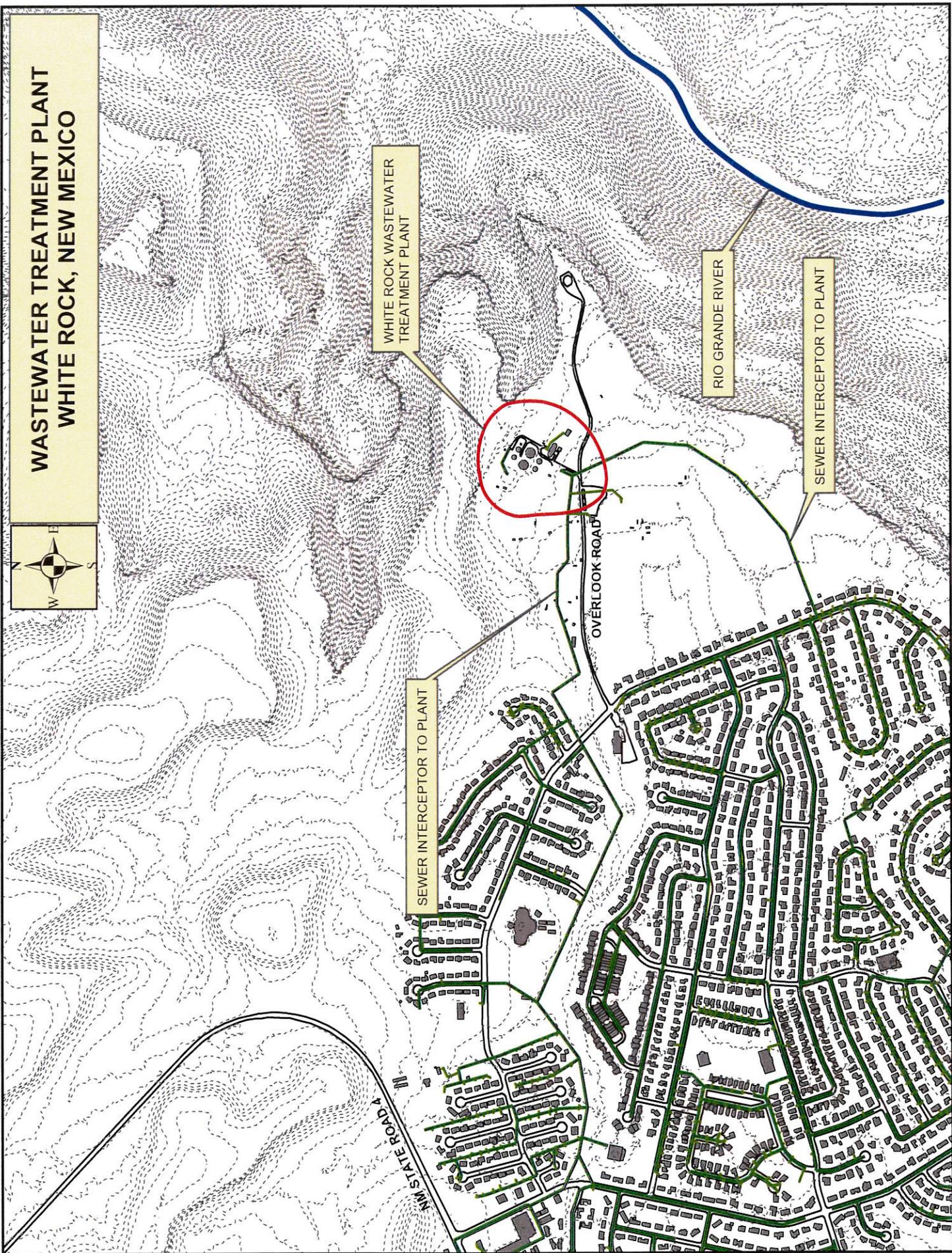
RIO GRANDE RIVER

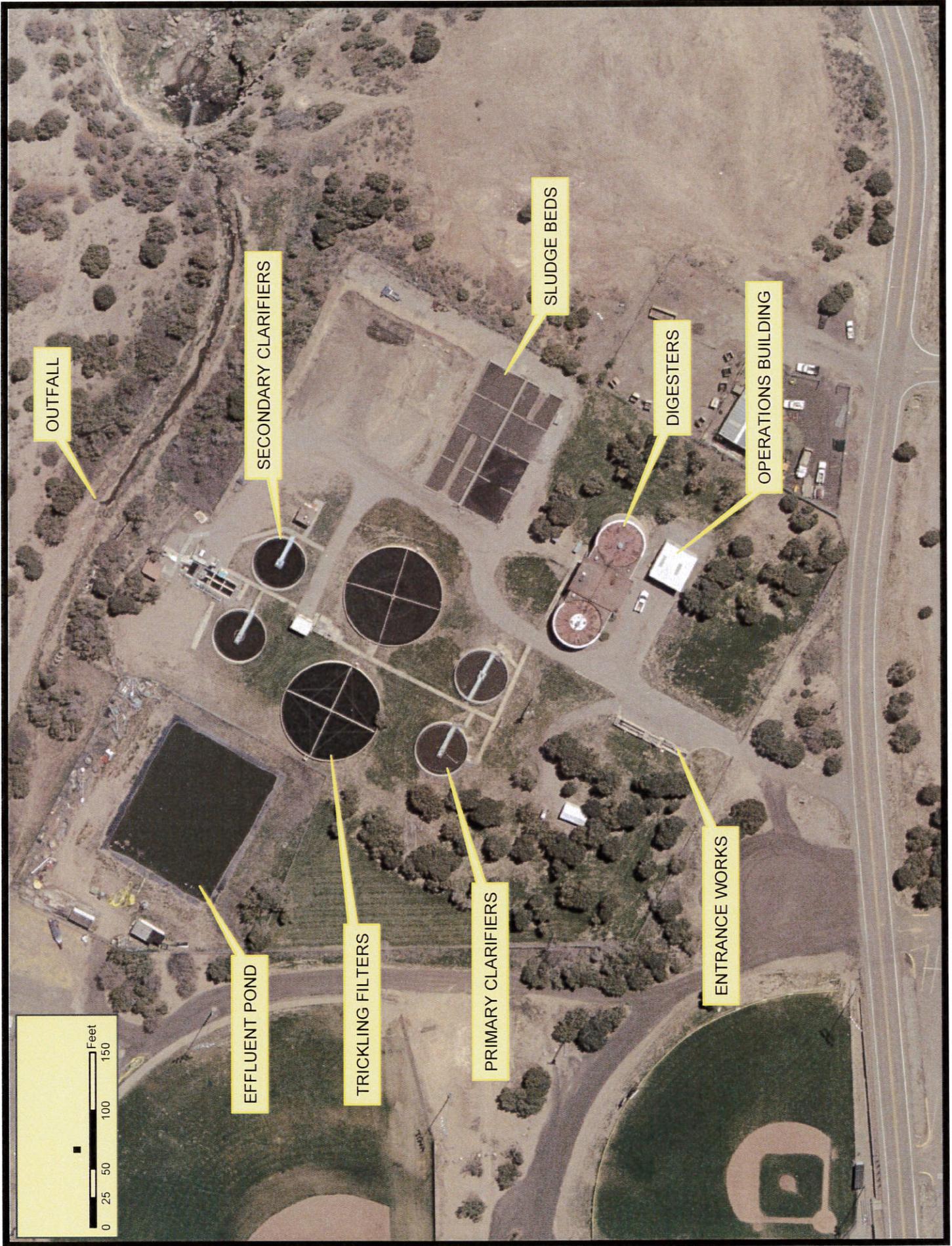
SEWER INTERCEPTOR TO PLANT

SEWER INTERCEPTOR TO PLANT

OVERLOOK ROAD

NM STATE ROAD 4





OUTFALL

SECONDARY CLARIFIERS

SLUDGE BEDS

DIGESTERS

OPERATIONS BUILDING

EFFLUENT POND

TRICKLING FILTERS

PRIMARY CLARIFIERS

ENTRANCE WORKS

