

NPDES PERMIT NO. NM0024066
RESPONSE TO COMMENTS

RECEIVED ON THE SUBJECT DRAFT NATIONAL POLLUTANT DISCHARGE
ELIMINATION SYSTEM (NPDES) PERMIT IN ACCORDANCE WITH REGULATIONS
LISTED AT 40 CFR 124.17

APPLICANT: Town of Taos Wastewater Treatment Facility
P.O. Box 250
Ranchos de Taos, NM 87557

ISSUING OFFICE: U.S. Environmental Protection Agency
Region 6
1201 Elm Street
Dallas, Texas 75270

PREPARED BY: Quang Nguyen
Environmental Engineer
Permitting and Water Quality Branch
Water Division
VOICE: 214-665-7238
FAX: 214-665-2191
EMAIL: Nguyen.Quang@epa.gov

PERMIT ACTION: Final permit decision and response to comments received on the proposed NPDES permit publicly noticed on April 12, 2025.

DATE PREPARED: May 22, 2025

Unless otherwise stated, citations to 40 CFR refer to promulgated regulations listed at Title 40, Code of Federal Regulations, revised as of September 28, 2015.

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	Carbonaceous 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
ELG	Effluent limitations guidelines
EPA	United States Environmental Protection Agency
ESA	Endangered Species Act
FCB	Fecal coliform bacteria
F&WS	United States Fish and Wildlife Service
mg/L	Milligrams per liter
µg/L	Micrograms per liter
MGD	million gallons per day
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
ML	Minimum quantification level
O&G	Oil and grease
PCB	Polychlorinated Biphenyl
PFAS	Per- and Polyfluoroalkyl Substances
POTW	Publically owned treatment works
RP	Reasonable potential
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	Wasteload allocation
WET	Whole effluent toxicity
WQCC	New Mexico Water Quality Control Commission
WQMP	Water Quality Management Plan
WWTP	Wastewater treatment plant

In this document, references to State WQS and/or rules shall collectively mean either or both the State of New Mexico and/or the Pueblo of Taos.

SUBSTANTIAL CHANGES FROM DRAFT PERMIT

1. Changed the monitoring frequency of plant nutrients (total nitrogen and total phosphorus) to 1 per week from 1 per month.

STATE CERTIFICATION

In a letter from Ms. Shelly Lemon, Bureau Chief, SWQB, to Mr. Scott Mason IV, Regional Administrator dated May 20, 2025, the NMED certified that the discharge will comply with the applicable provisions of Section 208(e), 301, 301, 303, 306 and 307 of the Clean Water Act and with appropriate requirements of State law.

The NMED stated that to meet the requirements of State law, including water quality standards and appropriate basin plan as may be amended by the water quality management plan, each of the conditions cited in the draft permit and the State certification shall not be made less stringent.

The State also stated that it reserves the right to amend or revoke this certification if such action is necessary to ensure compliance with the State's water quality standards and water quality management plan.

Condition of Certification

None

Comments that are not Conditions of Certification

Comment No. 1:

Part I. Requirements for NPDES Permits, Paragraph A. Limitations and Monitoring Requirements, Subparagraph 1. Final Effluent Limits – 2.0 MGD Design Flow
NMED requests EPA review the New Mexico Implementation Plan (NMIP) for monitoring frequency of plant nutrients (total nitrogen and total phosphorus).

Response: The EPA reviewed the New Mexico Implementation Plan (NMIP) for monitoring frequency of plant nutrients (total nitrogen and total phosphorus). Due to Rio Pueblo de Taos (from Arroyo del Alamo to Rio Grande del Rancho) impairment for plant nutrients and for consistency with the NMIP, EPA changed the monitoring frequency of plant nutrients to 1 per week from 1 per month in the final permit.

Comment No. 2:

Part I. Requirements for NPDES Permits, Paragraph B. Compliance Schedule
NMED requests that the following contact information be added to the permit.
Governor, Pueblo of Taos: governor@taospueblo.com or 575- 758- 9593
War Chief, Pueblo of Taos: warchief@taospueblo.com or 575- 758- 3883
Environmental Program, Pueblo of Taos: mvigil@taospubelo.com or 575-758-7410

Response: The EPA agrees and added the contact information to the final permit.

Comment No. 3:

Part I. Requirements for NPDES Permits, Paragraph C. Monitoring and Reporting (Major Dischargers)
NMED requests that the following contact information be included for the Pueblo of Taos.
Governor, Pueblo of Taos: governor@taospueblo.com or 575- 758- 9593
War Chief, Pueblo of Taos: warchief@taospueblo.com or 575- 758- 3883
Environmental Program, Pueblo of Taos: mvigil@taospubelo.com or 575-758-7410

Response: The EPA agrees and added the contact information to the final permit.

Comment No. 4:

Part I. Requirements for NPDES Permits, Section D. Overflow Reporting
Overflows that endanger health or the environment are required to be reported to EPA and NMED. There is no public notification requirement for overflows that reach a water body and endanger human health of downstream users. Nongovernmental organizations and community groups downstream of the Taos wastewater treatment plant have expressed interest in receiving notifications regarding overflow and bypass events. NMED requests that EPA add a paragraph that requires permittees to coordinate with downstream users and stakeholders to develop a communications procedure or communication plan to notify the public of any overflows that reach a water body. Permittees should provide a copy of the public notification to NMED.

Response: The EPA agrees and added the following paragraph to the Part I (Requirements for NPDES Permits, Section D. Overflow Reporting) of the final permit.

The permittee shall coordinate with downstream users and stakeholders (i.e., Taos Valley Acequia Association, KNCE, True Taos Radio, Town Press Release, Taos Country Club, Equine Spirit Sanctuary, UNM Taos, Klauer Campus, Ranchos de Taos Neighborhood Association, Llano Quemado, Association de la gente del, Lower Rio Pueblo Neighborhood Association, Vista Linda Homeowners Association, Tierra Blanca Neighborhood Association, Talpa/Rio Chiquito Neighborhood Association, El Tros Neighborhood Association, and San Geronimo Neighborhood Association) to develop a communication procedure/plan to notify the public of any sewer overflows and bypass events. Permittees shall provide a copy of the developed communication procedure/plan to NMED within 12 months of the effective date of the permit.

Comment No. 5:

Part II. Other Conditions, Section B. 24-hour Oral Reporting: Daily Maximum Limitation Violations

The permittee is required to submit oral reports of daily maximum limitations to NMED and EPA. NMED requests to receive notifications via email to SWQ.Reporting@env.nm.gov.

Response: Comment is noted. EPA added the email address to the final permit.

Comment No. 6:

Part II. Other Conditions, Section B. 24-Hour Oral Reporting: Daily Maximum Limitation Violation

NMED requests that the following email addresses be included for the Pueblo of Taos.

Governor, Pueblo of Taos: governor@taospueblo.com

War Chief, Pueblo of Taos: warchief@taospueblo.com

Environmental Program, Pueblo of Taos: mvigil@taospubelo.com

Response: The EPA agrees and added the email addresses to the final permit.

Comment No. 7:

Part II. Other Conditions, Section B. 24-Hour Oral Reporting: Daily Maximum Limitation Violation

The fact sheet states: “available pollutant data (i.e., January 2020 through January 2023) taken from DMRs indicates the facility experienced several exceedances of permit limits (shown in parenthesis) for Mercury (2), Ammonia (3), TSS percent removal (1), E. coli (1), and BOD5 (1). NMED requests EPA include total mercury, ammonia, TSS, and BOD in the list of pollutants that require reporting of violations of daily maximum limitations.

Response: The EPA agrees and added total mercury, ammonia, TSS, and BOD in the list of pollutants that require reporting of violations of daily maximum limitations to the final permit.

Comment No. 8:

NMED requests that EPA use the most recent version of Part III. Standard Conditions for NPDES Permits (revision date April 2024).

Response: The EPA agrees, and the most recent version of Part III. Standard Conditions for NPDES Permits is used in the final permit.

Comment No. 9:

Part III. Standard Conditions for NPDES Permits, Section D. Reporting Requirements, Subsection 4. Discharge Monitoring Reports and Other Reports

The Pueblo of Taos is a downstream State, NMED requests EPA include the following contact information be included for the Pueblo of Taos in the reporting requirements.

Governor, Pueblo of Taos: governor@taospueblo.com

War Chief, Pueblo of Taos: warchief@taospueblo.com

Environmental Program, Pueblo of Taos: mvigil@taospubelo.com or 575-758-7410

Response: The EPA agrees and made corrections in the final permit.

Comment No. 10:

Part III. Standard Conditions for NPDES Permits, Section D. Reporting Requirements, Subsection

7. Twenty-Four Hour Reporting

Both a phone number and email address are included for NMED. NMED prefers electronic communications. NMED requests that the third sentence be changed to read:

Notification shall also be made to the New Mexico Environment Department at (505) 827-0187 or SWQ.Reporting@env.nm.gov (email preferred) as soon as possible, but within 24 hours from the time the permittee becomes aware of the circumstance.

Response: The EPA agrees and made corrections in the final permit.

Comment No. 11:

In Part III, Section D. Reporting Requirements, 7. Twenty-Four Hour Reporting

The Pueblo of Taos is a downstream State. NMED requests EPA include the following contact information for the Pueblo of Taos in the reporting requirements.

Governor, Pueblo of Taos: governor@taospueblo.com

War Chief, Pueblo of Taos: warchief@taospueblo.com

Environmental Program, Pueblo of Taos: mvigil@taospubelo.com or 575-758-7410

Response: The EPA agrees and made corrections in the final permit.

Comment No. 12:

Fact Sheet

The approval date for the most recent EPA-approved New Mexico water quality standards (NMWQS) in 20.6.4 NMAC is incorrect. NMED requests EPA update the Fact Sheet to reflect the most recent EPA-approval date of April 10, 2025, for NMWQS in 20.6.4 NMAC. For reference, see: <https://www.env.nm.gov/surface-water-quality/wqs-amendments/>.

Response: Comment is noted for the record. No changes were made in the final permit.

Comment No. 13:

Fact Sheet

References to the State of New Mexico Clean Water Act §303(d)/§305(b) Integrated Report are outdated. The 2024–2026 Integrated Report was approved on May 17, 2024. NMED requests that EPA update the references to cite the current §303(d)/§305(b) Integrated Report. For reference,

see: <https://www.env.nm.gov/surface-water-quality/303d-305b/>.

Response: Comment is noted for the record. No changes were made in the final permit.

OTHER COMMENTS RECEIVED ON DRAFT PERMIT

Letter from Ms. Shannon Romeling, Projects and Foundation Coordinator, Amigos Bravos, to Ms. Evelyn Rosborough (EPA) on May 11, 2025.

Comment No. 1:

Overflow Reporting; Page 7 of Part 1, Section D: Please include additional downstream notification of all overflow and bypass events, including the following: Taos Valley Acequia Association, KNCE, True Taos Radio, Town Press Release, Taos Country Club, Equine Spirit Sanctuary, UNM Taos, Klauer Campus, Ranchos de Taos Neighborhood Association, Llano Quemado, Association de la gente del, Lower Rio Pueblo Neighborhood Association, Vista Linda Homeowners Association, Tierra Blanca Neighborhood Association, Talpa/Rio Chiquito Neighborhood Association, El Tros Neighborhood Association, San Geronimo Neighborhood Association. (Please see Appendix 1 for the detail of this comment)

Response: Please see response to NMED comment No.4.

Comment No. 2:

PART I – REQUIREMENTS FOR NPDES PERMITS; Page 2, Section A

- a. We strongly support the TMDL based effluent limits for ammonia, total phosphorous, and total nitrogen included in this permit draft. As noted in the fact sheet, the DMR shows that several exceedances of the Ammonia permit effluent limits occurred during the last permit cycle. Amigos Bravos has also submitted data to the NMED for approximately 15 years showing exceedances of nitrogen and phosphorous in the effluent. These data are available upon request.
- b. Please increase the phosphorous and nitrogen sample frequency to two times per month instead of once a month. (Please see Appendix 1 for the detail of this comment)

Response: Please see response to NMED comment No.4.

Comment No. 3:

PFAS - PART I – REQUIREMENTS FOR NPDES PERMITS; Final Effluent Limits, Page 1-2, Section A

- a. “EPA currently has no data indicating that PFAS is present in the Town of Taos WWTP effluent.” We submitted PFAS data from the Taos Wastewater Treatment Plan unnamed arroyo effluent to NMED and it is provided below. Samples were collected from the effluents of the

Taos Wastewater Treatment Plant and the Taos Ski Valley Wastewater Treatment Plant on December 28, 2021, and September 21, 2022. Samples were sent to Hall Environmental Analysis Labs in Albuquerque, who then subcontracted the analysis to Eurofins Eaton Monrovia. A total of 23 PFAS were sampled for each year at both sites. PFOA levels coming out of the Town of Taos Wastewater Plant were over the current EPA drinking water standard for PFOA during both sampling events. (Please see Appendix 1 for the detail of this comment)

Response: Comment is noted for the record. No changes were made in the final permit.

Comment No. 4:

b. We strongly support the EPA in including the per- and polyfluoroalkyl substances (PFAS) monitoring requirements once every 6 months based on the memo from EPA headquarters addressing PFAS discharges in NPDES Permits and through the Pretreatment Program and Monitoring Programs. (Please see Appendix 1 for the detail of this comment)

Response: Comment is noted for the record. No changes were made in the final permit.

Comment No. 5:

c. Please clearly state the next steps that the Town of Taos Wastewater Treatment Plan should take following positive PFAS sampling results, especially those over the drinking water limits of 4ng/L for PFOA and PFOS, and “1 (unitless) Hazard Index” for PFNA, PFHxS, PFBS, and HFPO-DA combined. (Please see Appendix 1 for the detail of this comment)

Response: New Mexico has implemented the U.S. Environmental Protection Agency's (EPA) new drinking water standards for PFAS, including Maximum Contaminant Levels (MCLs) for PFOA and PFOS at 4.0 parts per trillion (ppt), and for PFNA and PFHxS at 10 ppt. These standards are enforceable and require public water systems to monitor, reduce levels exceeding the MCLs, and provide public notification of violations. New Mexico is also phasing out products with intentionally added PFAS. New Mexico's surface water quality standards address water quality goals through designated uses, criteria, and antidegradation provisions. Currently, there is no surface water quality standards for PFAS.

The Town of Taos WWTP has not been required to monitor PFAS parameters in the previous permits. The purpose of this monitoring and reporting requirement is to better understand potential discharges of PFAS from this facility and to inform future permitting decisions, including the potential development of water quality-based effluent limits for it. If PFAS is present in the Town of Taos WWTP effluent and is at levels having a reasonable potential to exceeding the future promulgated State and Tribal Water Quality Standards, EPA will impose effluent limits in the next permit cycle. No changes were made in the final permit.

Appendix 1



WATER IS LIFE.
It's Our Duty to Protect It.

May 11, 2025

Ms. Evelyn Rosborough
U.S. Environmental Protection Agency
NPDES/Wetland Review Section (6WD-PN)
1201 Elm Street, Suite 500
Dallas, Texas 75270-2102
(214) 665-7515 or rosborough.evelyn@epa.gov

Submitted via email to: Evelyn Rosborough at rosborough.evelyn@epa.gov

NPDES Permit # NM0024066

Re: Draft NPDES Permit No. NM0024066, Town of Taos Wastewater Treatment Plant.

Amigos Bravos is a non-profit organization whose mission is to protect and restore water quality in New Mexico. Strong application and enforcement of NPDES permits is a critical component of our work to protect clean water and the people that depend upon clean water here in New Mexico. Amigos Bravos appreciates the opportunity to engage with the NMED during this certification process. Overall, we support the proposed changes to the 2025 Town of Taos Wastewater Treatment Plant but outline areas where the permit can be strengthened to further protect water quality.

- 1) **Overflow Reporting; Page 7 of Part 1, Section D:** Please include additional downstream notification of all overflow and bypass events, including the following:
 - a. **The Taos Valley Acequia Association** – includes all Rio Pueblo acequias (of which there are 12).
Taos Valley Acequia Association
Executive Director: Judy Torres
Website: taosacequias.com
Email: taosacequias@gmail.com
Phone: 575-758-9461
 - b. **A free public service announcement** to all local radio stations notifying the community of the overflow or bypass event:
KNCE, True Taos Radio (<https://truetaosradio.com/advertise/public-service-announcements/>)
KTAO (<https://www.ktaos.com/psa>)
KCEI (email energy@culturalenergy.org)

Amigos Bravos | PO Box 238 | 114 Des Georges Place | Taos, NM 87571 | 575.758.3874



amigosbravos.org



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[Twitter.com/amigosbravos1](https://twitter.com/amigosbravos1)



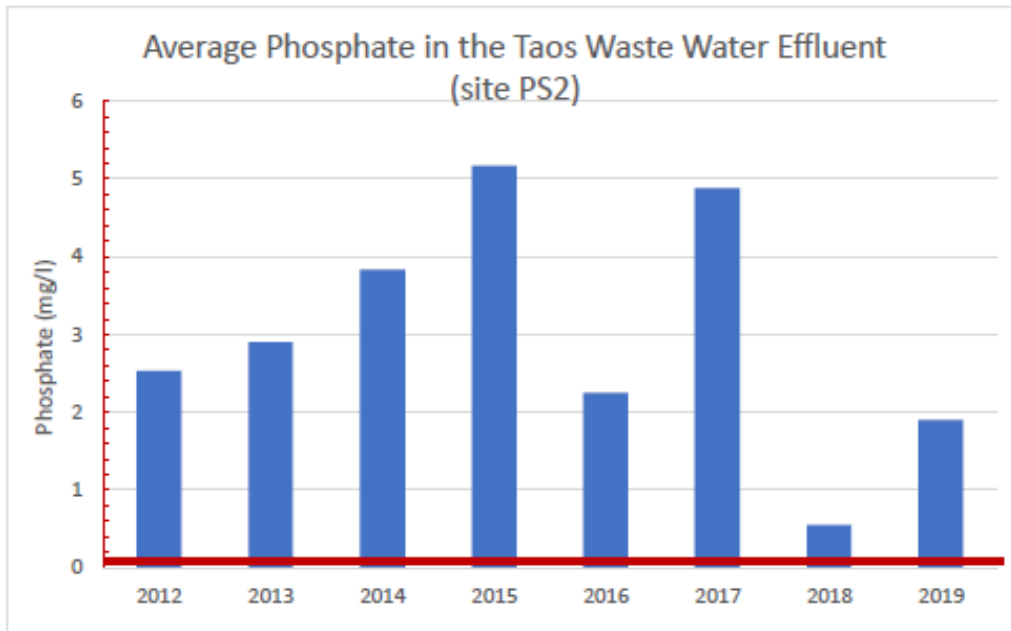
instagram.com/amigosbravos

- c. **Town Press Release** submitted via their email list that comes from listserv@civicplus.com
This list service is already used for water main break, road construction, and other necessary public notifications.
- d. **Taos Country Club** – who uses Town of Taos WWTP water to water grass
General Manager
Tad Bourg
54 Golf Course Drive, Ranchos de Taos, NM 87557
(575) 758-7300
- e. **Equine Spirit Sanctuary**
13 Los Caballos Rd, Ranchos de Taos, NM 87557
575-758-1212
- f. **UNM Taos, Klauer Campus**
1157 County Road 110, Ranchos de Taos, NM 87557
Contact “Facility Management” at
Michael Cabral
575.737.6272
Email: mcabral1@unm.edu
- g. **Ranchos de Taos Neighborhood Association**
Website: <https://ranchosdetaosna.com/>
PO Box 1032 Ranchos de Taos, NM 87557
Text or Voice Message: 575.613.8153
[ranchosdetaosna\(@\)gmail.com](mailto:ranchosdetaosna(@)gmail.com)
- h. **Llano Quemado, Association de la gente del**
Alipio Mondragon
8 Buena Vista Ranchos De Taos, NM 87557
770-1023575-
lipio57@msn.com
- i. **Lower Rio Pueblo Neighborhood Association**
David Noll
P.O. Box 3039 Ranchos De Taos, NM 87557
575-776-0302
- j. **Vista Linda Homeowners Association**
Sarah Goodman 575 224-1457
35 vista De Ocaso Ranchos De Taos, NM 87557
sgoodman.nm@gmail.com
- k. **Tierra Blanca Neighborhood Association**
Mary Ann Hilliard
PO Box 2740 Ranchos De Taos, NM 87557
575-758-7704
- l. **Talpa/Rio Chiquito Neighborhood Association**
Beverly Armijo
78 East Camino De Abajo La Loma Ranchos De Taos, NM 87557
575-224-5315
beverlyarmijo@yahoo.com

- m. **El Tros Neighborhood Association**
Linda Hodapp Po Box 2335 Ranchos De Taos, NM 87557
575-751-7107
hodapp@laplaza.org
- n. **San Geronimo Neighborhood Association**
Cynthia Anderson PO Box
1536 Ranchos De Taos, NM 87557
575-751-0559
cynthia@newmex.com

2) **PART I – REQUIREMENTS FOR NPDES PERMITS; Page 2, Section A**

- a. We strongly support the TMDL based effluent limits for ammonia, total phosphorous, and total nitrogen included in this permit draft. As noted in the fact sheet, the DMR shows that several exceedances of the Ammonia permit effluent limits occurred during the last permit cycle. Amigos Bravos has also submitted data to the NMED for approximately 15 years showing exceedances of nitrogen and phosphorous in the effluent. These data are available upon request. A graph of these data are below.
- b. Please increase the phosphorous and nitrogen sample frequency to two times per month instead of once a month.



- 3) **Figure 1:** The water quality standard for Phosphate is <0.01mg/L. 2018 was the lowest finding for phosphate in the Rio Pueblo, but was still well above the standard limit for phosphate. While the State of New Mexico's water quality standards do not apply to this site, it is important to note that the average levels never reach the standard.

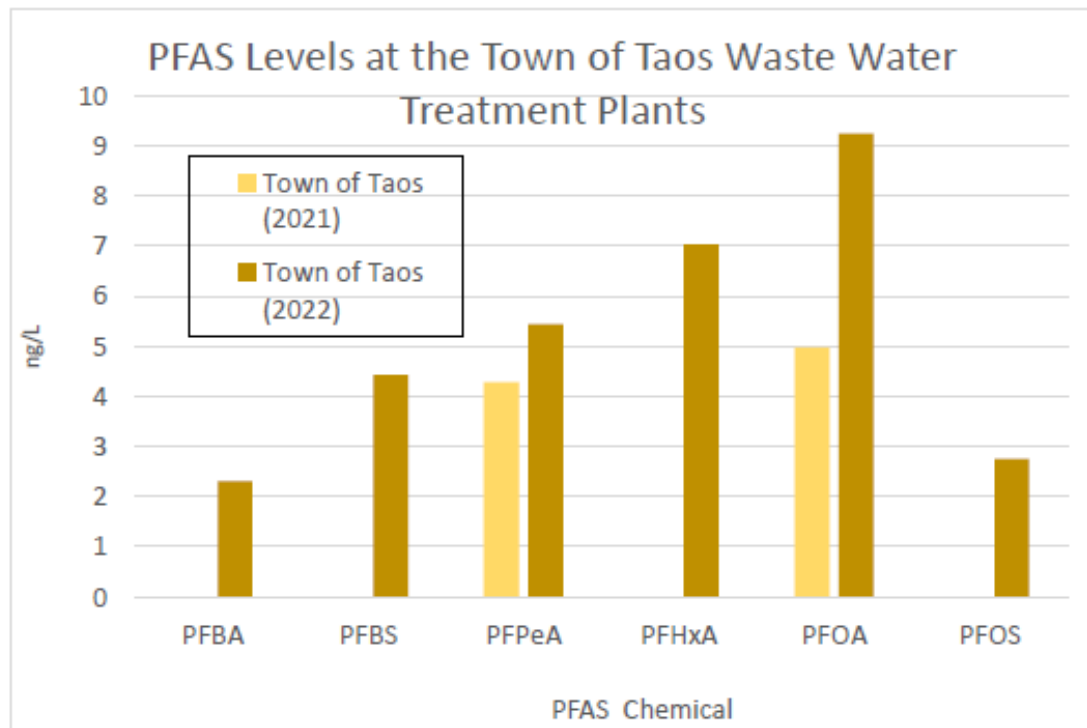
4) **PFAS - PART I – REQUIREMENTS FOR NPDES PERMITS; Final Effluent Limits, Page 1-2, Section A**

- a. “EPA currently has no data indicating that PFAS is present in the Town of Taos WWTP effluent.” We submitted PFAS data from the Taos Waste Water Treatment Plan unnamed arroyo effluent to NMED and it is provided below. Samples were collected from the effluents of the Taos Wastewater Treatment Plant and the Taos Ski Valley Wastewater Treatment Plant on December 28th, 2021 and September 21, 2022. Samples were sent to Hall Environmental Analysis Labs in Albuquerque, who then subcontracted the analysis to Eurofins Eaton Monrovia. A total of 23 PFAS were sampled for each year at both sites. **PFOA levels coming out of the Town of Taos Wastewater Plant were over the current EPA drinking water standard for PFOA during both sampling events.**

Figure 2: PFAS values found at the Town of Taos Wastewater Treatment Plant effluent on December 28th, 2021 and September 21, 2022. Analysis was completed by Eurofins Eaton Monrovia Labs.

PFAS	Town of Taos (2021)	Town of Taos (2022)
PFBA	0	2.31
PFBS	0	4.43
PFPeA	4.28	5.44
PFHxA	0	7.04
PFOA	4.99	9.25
PFOS	0	2.76

Figure 3: Graph of PFAS results from the Town of Taos Wastewater Treatment Plant on December 28th, 2021 and September 21, 2022. Analysis was completed by Eurofins Eaton Monrovia Labs.



List of PFAS sampled and not detected:

4:2 FTS	PFHpS	MeFOSAA
PFPeS	PFNA	EtFOSAA
PFHpA	PFOSA	PFDS
PFHxS	PFDA	PFDoA
6:2 FTS	8:2 FTS	PFTTrDA
	PFNS	PFTeDA



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- b. We strongly support the EPA in including the per- and polyfluoroalkyl substances (PFAS) monitoring requirements once every 6 months based on the memo from EPA headquarters addressing PFAS discharges in NPDES Permits and through the Pretreatment Program and Monitoring Programs.
- c. Please clearly state the next steps that the Town of Taos Wastewater Treatment Plan should take following positive PFAS sampling results, especially those over the drinking water limits of 4ng/L for PFOA and PFOS, and "1 (unitless) Hazard Index" for PFNA, P FHxS, PFBS, and HFPO-DA combined.

Thank you for your time and consideration. If you have any questions, please contact us at 575-758-3874 or email sromeling@amigosbravos.org.

Sincerely,

Shannon Romeling
Projects and Foundations Coordinator
Amigos Bravos
Sromeling@amigosbravos.org
575-758-3874

Amigos Bravos | PO Box 238 | 114 Des Georges Place | Taos, NM 87571 | 575.758.3874



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