



Albuquerque Bernalillo County
Water Utility Authority

PO Box 568
Albuquerque, NM 87103
www.abcwua.org

July 23, 2025

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U.S. Environmental Protection Agency
NPDES Permitting and Wetland Section (6WD-PE)
1201 Elm Street, Suite 500
Dallas, Texas 75270-2102
(214) 665-3152
R6_NPDES@epa.gov

RE: Public Comments Submitted for NPDES Draft Permit NO NM0022250

Mr. Nguyen,

The Albuquerque Bernalillo County Water Utility Authority (Water Authority) submits the attached comments on the draft NPDES Permit No NM022250 for consideration for revisions prior to issuing the final permit.

Please contact dshuryn@abcwua.org or 505-803-1970 with any questions.

Respectfully,

Danielle Shuryn
Compliance Division Manager

July 2025 Albuquerque Bernalillo County Water Utility Authority Comments on
Draft Permit NO NM0022250 by Section

NPDES Permit NO NM 0022250 Part 1 A 1 Limitations and Monitoring Requirements and Fact Sheet:

1. The EPA approved amendments that updated errors in the original 2019 NPDES permit (Attachment 1) that were not represented in this 2025 draft permit. The same comments apply to this draft permit that were approved last time, with the request to provide the calculations for CBOD₅. The Water Authority requests to return to the previously approved and amended limits for the following:
 - a. Mass limits for CBOD₅ 30-day average = 9,508 lbs/day; 7 day average 14,261 lbs/day
 - b. Mass limits for Total Inorganic Nitrogen 6,338 lbs/day; 7-day average 9,508 lbs/day
2. There is a typo on the expiration date of the permit in the FACT SHEET, the cover pages lists the expiration date as October 30, 2024 and page 3 of 19 lists the expiration date as November 30, 2024.
3. The Low Flow Rate used to assess the downstream conditions for the Pueblo of Isleta Surface Water Quality Standards (POI SWQS) should represent the flow data of the tribal waters where the POI SWQS are applicable. The Water Authority requests that the USGS gage 08330875 Rio Grande at Isleta Lakes flow data are used because the location is on the upstream border of the Pueblo of Isleta jurisdiction, rather than at the USGS gage 08330000 Rio Grande at Albuquerque.

From Pueblo of Isleta (POI) Surface Water Quality Standards (SWQS); First Adopted 1/24/92 Tribal Resolution 92-14; Amended 3/18/2002 Tribal Resolution 02-064:

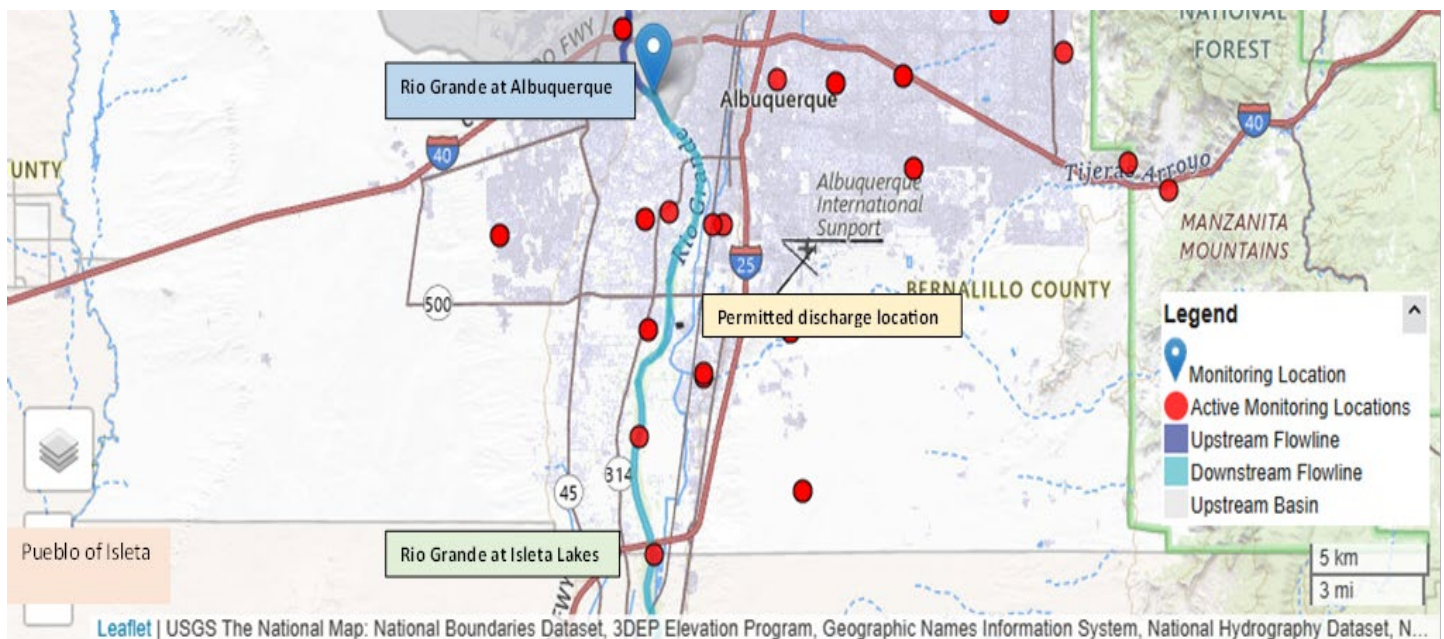
The PUEBLO OF ISLETA Surface Water Quality Standards apply to all tribal surface waters, that is, all surface waters within the exterior boundaries of the PUEBLO OF ISLETA Indian Reservation, including water situated wholly or partly within, or bordering upon, the Reservation, whether public or private, except for private waters that do not combine with other public surface waters....

H. Criteria specific to a designated use shall be protected at all times and at all flow rates. Where water diversion or drought result in flow rates of zero, all discharges shall meet the criteria for the most sensitive designated use of the receiving water body.

The Water Authority understands that the Pueblo of Isleta requires all of the POI SWQS to be met on tribal waters even at zero flow. However, the Water Authority disagrees that the USGS gage 08330000 at Albuquerque (near Central Ave) best represents the flow of the tribal waters section of the river where the POI SWQS are applicable. As seen in Figure 1, the Water Authority requests that the USGS gage 08330875, Rio Gande at Isleta Lakes, downstream of the permitted discharge and at the Pueblo of Isleta boundary should be used to best represent the flow of tribal waters where the POI SWQS apply.

For the 2-days in twenty years period that the river gage upstream of the discharge point is dry as listed in the EPA draft permit documents and seen in Figure 2, the POI tribal waters section of the river continues to have estimated flows on these days, where estimated flows only drop below the measured 50 cfs on the graph in Figure 3. The reliable and significant volume of the Water Authority's permitted discharge water beneficially contributes to the perennial nature of the Rio Grande in this reach through the multiple jurisdictions of water quality standards that apply to the discharge. The USGS gage 08330000 Rio Grande at Albuquerque is located upstream in the NMED jurisdiction of the river reach, where the State water quality standards and the regulatory 4Q3 critical low flow calculations apply to the river discharge measurements. The USGS gage station 08330875 Rio Grande at Isleta Lakes is located at the boundary of the Pueblo of Isleta tribal waters where the POI SWQS apply to all flows at all times.

Figure 1. USGS map of gage locations, NPDES permit discharge point and tribal waters boundary.



<https://waterdata.usgs.gov/monitoring-location/USGS-8330000/#dataTypeId=continuous-00065-0&period=P7D>

Figure 2. From EPA draft Permit documents: USGS gage Rio Grande at Albuquerque

Rio Grande at Albuquerque, NM - 08330000

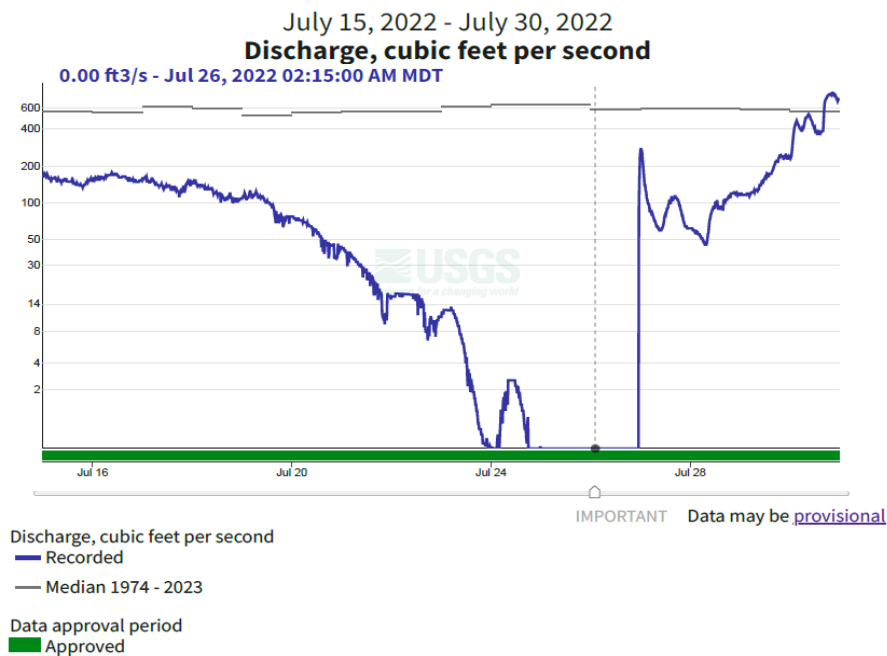


Figure 3. USGS gage data July 15-30, 2022, Rio Grande at Isleta Lakes



4. The Water Authority has in past permit cycles requested to retain the limits for total ammonia in the permit, however process monitoring practices at the plant have strengthened such that the total ammonia in effluent will continue to be monitored by operations staff. The Water Authority requests that limits for total ammonia are removed from the permit as recommended by the EPA analysis that shows the reasonable potential does not exist for either chronic or acute criterion for total ammonia.
5. The Water Authority requests that the pH returns to an instantaneous grab sample type. In the previous permit cycle during an onsite inspection EPA inspector required the removal of a second and redundant pH probe at the compliance location, which had allowed for easy maintenance and ongoing monitoring. With out a second, duplicate pH probe installed operators found continuous monitoring difficult to maintain with acceptable calibrations while maintaining accurate continuous readings due to loss of power, probe failures, and data transfer failures. For these reasons the Water Authority requests to return to the instantaneous grab sample type for pH compliance monitoring.
6. The Water Authority requests a copy of the ambient stream data and its sources that were used for the limit calculations to be utilized in the Pretreatment Program technical based local limit evaluations.

NPDES Permit NO NM 0022250 Part I D Overflow Reporting; and Part III.D.7 Twenty-Four Hour Reporting:

1. The Water Authority in practice, coordinates with the Pueblo of Isleta (POI) annually to update the Tribal Environmental Response Contact list. This contact update allowance is no longer listed in the permit language and the Water Authority requests to revise the deletion and continue the allowance to update POI contact information annually during the permit period in order to have more effective communication.
2. The current permit provides for Category 1 overflows which are those that may reach the Rio Grande and require immediate notification to the Pueblo of Isleta and other water management agencies as identified in the Water Authority's Overflow Emergency Response Plan (https://www.abcwua.org/wp-content/uploads/2025/03/OERP_02-13-2025_Final.pdf). In the current permit Category 2 overflows have no potential to impact a waterway and only require the 24-hour notice, not immediate notice. The proposed draft permit has removed the classification of sewer overflow events, and the Water Authority request to return to classifying sanitary sewer overflows in two categories to be able to more clearly communicate when the emergency sewer overflows are impacting waterways.

NPDES Permit NO NM 0022250 Part I F Pollutant Scan:

1. In the Fact Sheet page 15 of 19 table for Monitoring Frequency, the PFAS sample is listed as a 24-hour composite sample, where the EPA laboratory method 1633 for PFAS requires that this sample is collected as an instantaneous grab sample type. The PFAS monitoring table in the Permit Part I F 3 lists the type correctly.
2. There are pollutants in the NMWQS table Part I F I, that have strikethrough text. The meaning of pollutants with strikethrough text in this table is unclear and the Water Authority requests that these are removed if no longer relevant and required to be monitored.

NPDES Permit NO NM 0022250 Part II E Whole Effluent Toxicity Testing:

1. The holding time for the whole effluent toxicity testing was reduced from 72 hours to 36 hours in Section E.2 Required Test Acceptability Criteria and Test Conditions. These samples are shipped to Oklahoma for analyses and the Water Authority currently often needs to recollect these samples due to shipping issues under the 72-hour hold time. The Water Authority requests to retain the 72-hour hold time to submit these samples to the laboratory instead of the listed time reduction to 36 hours.

Attachment 1: Copy of the Amendment to the 2019 permit issued (next page)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1201 ELM STREET, SUITE 500
DALLAS, TEXAS 75270

CERTIFIED MAIL: RETURN RECEIPT REQUESTED (7009 1680 0002 2842 2544)

REPLY TO: 6WD-NP

John M. Stomp III, P.E.
Chief Operating Officer
Albuquerque Bernalillo County Water Utility Authority (ABCWUA)
PO Box 568
Albuquerque, NM 87103

Re: Modification of Permit Conditions for Albuquerque Bernalillo County Water Utility Authority
Southside Water Reclamation Plant NPDES Permit NM00022250

Dear Mr. Stomp, III:

The permit issued on October 10, 2019 incorrectly stated some permit conditions. Pursuant to 40 CFR 122.63(a), the following minor permit administrative changes are made to Part I.A.1:

- Mass limits for CBOD₅ have been corrected as 9,508 lbs/day for 30-day average and 14,261 lbs/day for 7-day average.
- Mass limits for Total Inorganic Nitrogen have been corrected as 6,338 lbs/day for 30-day average and 9,508 lbs/day for daily maximum.

The mass loading limits are calculated using formula as follows:
 $\text{Limited concentration (mg/l)} * 8.34 \text{ (lbs/l)} / (\text{mg})(\text{MG}) * 76 \text{ MGD}$

The revised pages of Part I.A.1 of the final permit are enclosed. Please discard the incorrect copies. Should you have any question on any aspect of the administrative change, please feel free to contact Tung Nguyen of the NPDES Permits Branch at the above address or Voice: (214) 665-7153, Fax: (214) 665-2191, or email: nguyen.tung@epa.gov.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Brent E. Larsen", written over a horizontal line.

Brent E. Larsen
Chief
Permitting Section

Enclosures

cc w/enclosure:

Pueblo of Isleta
New Mexico Environment Department
U.S. Fish and Wildlife Service

PART I – REQUIREMENTS FOR NPDES PERMITS

A. LIMITATIONS AND MONITORING REQUIREMENTS

1. OUTFALL 001 - FINAL Effluent Limits – 76 MGD Design Flow

During the period beginning the effective date of the permit and lasting through the expiration date of the permit (unless otherwise noted), the permittee is authorized to discharge treated domestic wastewater from Outfall 001 to the Rio Grande River (Segment 20.6.4.105 of the Middle Rio Grande River Basin). Such discharges shall be limited and monitored by the permittee as specified below:

POLLUTANT	DISCHARGE LIMITATIONS MINIMUM	DISCHARGE LIMITATIONS MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
pH	6.6 s.u.	9.0 s.u.	Daily	Continuous (*E)

POLLUTANT	30-DAY AVG, lbs/day, unless noted	7-DAY AVG lbs/day, unless noted	30-DAY AVG mg/l, unless noted (*1)	7-DAY AVG mg/l, unless noted (*1)	DAILY MAX mg/l, unless noted (*1)	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow	Report MGD	Report MGD	N/A	N/A	N/A	Daily	Totalized meter
CBOD ₅	9,508	14,261	15	22.5	N/A	Daily	24-hr Composite
CBOD ₅ , influent	N/A	N/A	Report	N/A	N/A	Weekly	24-hr Composite
TSS	19,015	28,522	30	45	N/A	Daily	24-hr Composite
TSS, influent	N/A	N/A	Report	N/A	N/A	Weekly	24-hr Composite
CBOD ₅ % removal, minimum	≥85 (*2)	N/A	N/A	N/A	N/A	Monthly	Calculation
TSS % removal, minimum	≥85 (*2)	N/A	N/A	N/A	N/A	Monthly	Calculation
E. coli bacteria	1.35 x 10 ¹¹ cfu/day (mpn/day) (*A)	N/A	47 cfu/100 ml (mpn/100 ml) (*8)	N/A	88 cfu/100 ml (mpn/100 ml)	Daily	Grab
TRC	N/A	N/A	N/A	N/A	11 ug/l (*4)	Daily or Weekly (*3)	Instantaneous Grab (*5)
DO	N/A	N/A	5	N/A	N/A	Daily	Instantaneous Grab
TDS	N/A	N/A	Report	N/A	N/A	Monthly	24-hr Composite
Chlorides	N/A	N/A	Report	N/A	N/A	Monthly	24-hr Composite
Sulfates	N/A	N/A	Report	N/A	N/A	Monthly	24-hr Composite
Mercury, total (*C)	0.005	0.008 (Daily max.)	0.008 ug/L	N/A	0.012 ug/L	Weekly	Grab (*B)
Arsenic, total	N/A	N/A	N/A	N/A	Report	Quarterly	24-hr Composite

Total Inorganic Nitrogen, as N (*D)	6,338	9,508 (Daily max.)	10	N/A	15	Daily	24-hr Composite
Total Ammonia, as N	634	951 (Daily max.)	1.0	N/A	1.5	Daily	24-hr Composite
Total Phosphorus	N/A	N/A	N/A	N/A	Report	Quarterly	24-hr Composite
Total Nitrogen (*6)	N/A	N/A	N/A	N/A	Report	Quarterly	24-hr Composite
PCBs (*7)	N/A	N/A	N/A	N/A	Report	Yearly	24-hr Composite

WHOLE EFFLUENT TOXICITY TESTING 7-DAY CHRONIC NOEC FRESHWATER (*10)	VALUE	MEASUREMENT FREQUENCY	SAMPLE TYPE
Ceriodaphnia dubia	Report	Quarterly (*9)	24-hr Composite
Pimephales promelas	Report	Quarterly (*9)	24-hr Composite

Footnotes:

- *1 See Appendix A of Part II of the permit for minimum quantification limits.
- *2 Percent removal is calculated using the following equation:
- $$\text{Percent removal} = \frac{\text{average monthly influent concentration } \left(\frac{\text{mg}}{\text{L}}\right) - \text{average monthly effluent concentration } \left(\frac{\text{mg}}{\text{L}}\right)}{\text{average monthly influent concentration } \left(\frac{\text{mg}}{\text{L}}\right)} \times 100$$
- *3 Daily when chlorine is used as either backup bacteria control or when disinfection of plant treatment equipment is required. Otherwise, once per week is required.
- *4 The effluent limitation for TRC is the instantaneous maximum and cannot be averaged for reporting purposes.
- *5 Analyzed within 15 minutes of collection.
- *6 Total Nitrogen is defined as the sum of Total Kjeldahl Nitrogen (as N) and Nitrate-Nitrite (as N).
- *7 PCBs shall be tested using Method 1668A or as revised, as requested by NMED: Chlorinated Biphenyl Congeners in Water, Soil, Sediment and Tissue by High Resolution Gas Chromatography/High Resolution Mass Spectrometry (HRGC/HRMS).
- *8 Geometric mean of the daily values.
- *9 Quarterly shall be for the first year after the permit effective date; if all the test pass, frequencies would be once/6 months for Cd and once/year for Pp for the remaining term. If any WET test fails, frequency returns to once/3 months for the remaining term. If eligible for frequency reduction after the first year, the permittee must request EPA before proceeding.
- *10 Monitoring and reporting requirements begin on the effective date of this permit. See Part II of the permit for WET testing requirements for additional WET monitoring and reporting conditions.
- *A Loading is calculated by multiplying the discharge (in mgd) x bacteria concentration (in cfu/100 mL) x a conversion factor (3.79×10^7).
- *B Authorized; if EPA switches back to the 24-hr composite with cause, a modification for this permit condition would be considered "minor" per 40 CFR 122.63.
- *C EPA Method 1631E shall be used for analysis; ML shall be reported.
- *D Total Inorganic Nitrogen (TIN) shall be calculated as the sum of: Ammonia (NH_3) + Ammonium (NH_4) + Nitrate (NO_3) + Nitrite (NO_2), expressed as Nitrogen.
- *E EPA may adjust the requirements per 40 CFR 401.17(b) or switch back to "instantaneous grab" sampling for pH if the permittee does not comply with the requirements for the "continuous" measurement. In case the continuous pH instrument fails, "Instantaneous Grab" is authorized up to 15 consecutive days at a time. If more than 15 days is needed, the permittee shall request and obtain approval from EPA. For the purpose of this permit, the permittee shall request and obtain approval from EPA. For the purpose of this permit, the permittee shall request and obtain approval from EPA.