

NPDES PERMIT NO. NM0023485

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 Bernalillo
P.O. Box 638
Bernalillo, NM 87004

ISSUING OFFICE: U.S. Environmental Protection Agency
Region 6
1201 Elms Street, Suite 500
Dallas, TX 75270

PREPARED BY: Tung Nguyen
Environmental Engineer
Permitting & Water Quality Branch (6WD-P)
Water Division
VOICE: 214-665-7153
EMAIL: nguyen.tung@epa.gov

PERMIT ACTION: Final permit decision and response to comments received on the draft reissued NPDES permit publicly noticed on June 27, 2026.

DATE PREPARED: August 3, 2026

Unless otherwise stated, citations to 40 CFR refer to promulgated regulations listed at Title 40, Code of Federal Regulations, revised as of July 1st, 2025.

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
cfu	Colony forming unit
COD	Chemical oxygen demand
COE	United States Corp of Engineers
CWA	Clean Water Act
DMR	Discharge monitoring report
ELG	Effluent limitation 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
ug/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
MQL	Minimum quantification level
O&G	Oil and grease
POTW	Publicly owned treatment works
RP	Reasonable potential
SSM	Sufficiently Sensitive Method
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
USFWS	United States Fish & Wildlife Service
USGS	United States Geological Service
WLA	Wasteload allocation
WET	Whole effluent toxicity
WQCC	New Mexico Water Quality Control Commission
WQMP	Water Quality Management Plan

CHANGES FROM DRAFT PERMIT

There are changes from the draft NPDES permit publicly noticed on June 27, 2026:

- Monitoring frequency for E. coli bacteria has been corrected 3 times per week.
- Contact information, email address and phone number, of Pueblo of Sandia have been updated.
- Language requiring PFAS reports in NetDMR has been removed.

CONDITION RECEIVED ON THE DRAFT PERMIT

None

COMMENTS RECEIVED ON THE DRAFT PERMIT

Letter from Shelly Lemon, New Mexico Environment Department (NMED) to Troy Hill, EPA dated July 27, 2026

RESPONSE TO COMMENTS

Comment 1 (NMED): NMED requests EPA to address the discrepancy in the Fact Sheet (3/week) and draft permit (1/week) regarding the monitoring frequency of E. Coli.

Response 1: The typographical error, 1/week, has been corrected in the final permit; the corrected monitoring frequency should be 3/week.

Comment 2 (NMED): The permit requires that monitoring data and reports be sent to the email address ARosebrough@sandiapueblo.nsn.us. NMED requests that EPA confirm with the Pueblo of Sandia the current email for electronic submittal for discharge monitoring reports and other written reports regarding the draft permit in Part I.C.

Response 2: Email address for Pueblo of Sandia has been updated in the final permit.

Comment 3 (NMED): The contact number for the Pueblo of Sandia is listed as 505-827-0187, which is the NMED SWQB contact number. NMED requests EPA correct the Pueblo of Sandia contact information. According to Pueblo of Sandia Environment Department, the contact phone number should be 505-867-4533 regarding the permit in Part III.D.7.

Response 3: The contact phone number for Pueblo of Sandia has been corrected in Part III.D.7.

EPA comment: During the public comment period, EPA identified error made in the draft permit regarding the language for PFAS reporting stated in Part I.F.2 and 3 as follows:

“Additionally, report in NetDMR the results of all 40 PFAS analytes required to be tested as part of the method as shown in Appendix B of Part II. Any parameters that are removed from the method based on multi-lab validation of the method will not be required for reporting and the Permittee may report “NODI: 9” for any such parameters.”

The reporting for FPAS is via email only; reporting in NetDMR is not necessary. EPA removes the language in the final permit.

Enclosures:

Letter from Stuart Paisano, Governor, Pueblo of Sandia dated July 29, 2026

Letter from Shelly Lemon, New Mexico Environment Department dated July 27, 2026