REGION 6
1445 ROSS AVENUE
DALLAS, TEXAS 75202-2733

NPDES Permit No NM0028746

AUTHORIZATION TO DISCHARGE UNDER THE

# NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. 1251 et. seq; the "Act"),

San Juan Coal Company – San Juan Mine
P.O. Box 561
Waterflow, NM 87421

is authorized to discharge from a facility located 16 miles west of Farmington, New Mexico, in Waterflow, San Juan County, New Mexico. Discharges from multiple outfalls are authorized to the following receiving waters: Westwater Arroyo subject to unclassified 20.6.4.98 NMAC, Shumway Arroyo in unclassified 20.6.4.98 NMAC, and directly to the San Juan River in Segment 20.6.4.401 NMAC, of the San Juan River Basin. The discharges are located at the following coordinates:

| Outfall No. | Latitude | Longitude | Receiving Water |
|---|---|---|---|
| 001 | 36º48’51” | 108º25’49” | Westwater Arroyo |
| 002 | 36º48’33” | 108º25’42” | Westwater Arroyo |
| 006 | 36º47’58” | 108º25’42” | Shumway Arroyo |
| 007 | 36º47’49” | 108º25’44” | Shumway Arroyo |
| 008 | 36º47’32” | 108º25’50” | Shumway Arroyo |
| 009 | 36º47’29” | 108º25’50” | Shumway Arroyo |
| 010 | 36º47’15” | 108º25’43” | Shumway Arroyo |
| 011 | 36º46’43” | 108º25’28” | Shumway Arroyo |
| 012 | 36º45’23” | 108º24’50” | San Juan River |
| 013 | 36º48’12” | 108º24’45” | Shumway Arroyo |

in accordance with this cover page and the effluent limitations, monitoring requirements, and other conditions set forth in Part I, Part II, and Part III hereof.

This permit supersedes and replaces NPDES Permit No. NM0028746 issued August 29, 2013, and expired September 30, 2018.

This permit shall become effective on

This permit and the authorization to discharge shall expire at midnight,

Issued on

Charles W. Maguire
Director
Water Division

Prepared by

Isaac Chen
Environmental Engineer
Permits & TMDLs Branch (6WQ-P)

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# PART I – REQUIREMENTS FOR NPDES PERMITS

## SECTION A. LIMITATIONS AND MONITORING REQUIREMENTS

1. Outfall 001, 002, 010, 011 and 013

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 wastewater associated with western alkaline mining reclamation to Westwater Arroyo from Outfalls 001 and 002, and to Shumway Arroyo from Outfalls 010, 011 and 013. Such discharges shall be limited and monitored by the permittee as specified below:

| EFFLUENT CHARACTERISTICS | DISCHARGE LIMITATIONS Standard Units | | MONITORING REQUIREMENTS | |
|---|---|---|---|---|
| POLLUTANT | MINIMUM | MAXIMUM | MONITORING FREQUENCY | SAMPLE TYPE |
| pH | 6.6 | 9.0 | 1/Day | Grab |

| EFFLUENT CHARACTERISTICS | DISCHARGE LIMITATIONS lbs/day, unless noted | | mg/l, unless noted | | MONITORING REQUIREMENTS | |
|---|---|---|---|---|---|---|
| POLLUTANT | 30-DAY AVG | DAILY MAX | 30-DAY AVG | DAILY MAX | SAMPLE FREQUENCY | SAMPLE TYPE |
| Flow | Report MGD | Report MGD | N/A | N/A | 1/Day | Estimate (*1) |
| Aluminum (*2) | N/A | N/A | 7.07 | 7.07 | 1/Day | Grab |
| Total Dissolved Solids | N/A | < 2000 (*3) | N/A | N/A | 1/Day | Grab |
| Form 2C constituents | N/A | N/A | N/A | Report | 1/Term | Grab (*4) |

Footnotes:
*1 "Estimate" flow measurements shall be based on the best engineering judgment, but is not subject to the accuracy provisions established at Part III.C.6.
*2 Total recoverable aluminum limitations apply to Outfall 002 only.
*3 Total limitation from all discharge sources.
*4 Eeffluent sample shall be collected during the first discharge for analysis of pollutants listed in Application Form 2C. If the volume of the sample collected at the first discharge event is not enough for analysis of all constituents, samples from different discharge events may be used for rest of constituents. Analytic results can also be used for EFFLUENT CHARACTERIZATION EVALUATION as defined below.

2. Outfall 006, 007, and 008

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 run-offs from coal storage and ready line areas from Outfalls 006 and 007, and run-offs from maintenance yard, administration and maintenance buildings, and parking lot areas from Outfall 008, to Shumway Arroyo. Such discharges shall be limited and monitored by the permittee as specified below:

| EFFLUENT CHARACTERISTICS | DISCHARGE LIMITATIONS Standard Units | | MONITORING REQUIREMENTS | |
|---|---|---|---|---|
| POLLUTANT | MINIMUM | MAXIMUM | MONITORING FREQUENCY | SAMPLE TYPE |
| pH | 6.6 | 9.0 | 1/Day | Grab |

| EFFLUENT CHARACTERISTICS | DISCHARGE LIMITATIONS lbs/day, unless noted | | mg/l, unless noted | | MONITORING REQUIREMENTS | |
|---|---|---|---|---|---|---|
| POLLUTANT | 30-DAY AVG | DAILY MAX | 30-DAY AVG | DAILY MAX | SAMPLE FREQUENCY | SAMPLE TYPE |
| Flow | Report MGD | Report MGD | N/A | N/A | 1/Day | Estimate (*1) |
| Form 2C constituents | N/A | N/A | N/A | Report | 1/Term | Grab (*2) |
| Total Setteable Solids | N/A | N/A | N/A | 0.5 ml/l | 1/Day | Grab |
| Total Dissolved Solids | N/A | < 2000 (*3) | N/A | N/A | 1/Day | Grab |

| WHOLE EFFLUENT TOXICITY TESTING (7-Day Chronic Static Renewal/ NOEC) *4 | VALUE | MEASUREMENT FREQUENCY | SAMPLE TYPE |
|---|---|---|---|
| *Ceriodaphnia dubia* | Report | Once/5yrs | 24-Hr Composite |
| *Pimephales promelas* | Report | Once/5yrs | 24-Hr Composite |

Footnotes:
*1 "Estimate" flow measurements shall be based on the best engineering judgment, but is not subject to the accuracy provisions established at Part III.C.6.
*2 Effluent sample shall be collected during the first discharge for analysis of pollutants listed in Application Form 2C. If the volume of the sample collected at the first discharge event is not enough for analysis of all constituents, samples from different discharge events may be used for rest of constituents. Analytic results can also be used for EFFLUENT CHARACTERIZATION EVALUATION as defined below.
*3 Total limitation from all discharge sources.
*4 Test should be taken as soon as possible when the first discharge occurs. 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

3. Outfall 009

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 sanitary waste to Shumway Arroyo from Outfall 009. Such discharges shall be limited and monitored by the permittee as specified below:

No Discharge.

4. Outfalls 012

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 wastewater associated with western alkaline mining reclamation to the San Juan River from Outfall 012. Such discharges shall be limited and monitored by the permittee as specified below:

| EFFLUENT CHARACTERISTICS | DISCHARGE LIMITATIONS Standard Units | | MONITORING REQUIREMENTS | |
|---|---|---|---|---|
| POLLUTANT | MINIMUM | MAXIMUM | MONITORING FREQUENCY | SAMPLE TYPE |
| pH | 6.6 | 9.0 | 1/Day | Grab |

| EFFLUENT CHARACTERISTICS | DISCHARGE LIMITATIONS lbs/day, unless noted | | mg/l, unless noted | | MONITORING REQUIREMENTS | |
|---|---|---|---|---|---|---|
| POLLUTANT STORET CODE | 30-DAY AVG | DAILY MAX | 30-DAY AVG | DAILY MAX | SAMPLE FREQUENCY | SAMPLE TYPE |
| Flow | Report MGD | Report MGD | N/A | N/A | 1/Day | Estimate (*1) |
| Total Aluminum | N/A | N/A | 6.11 | 6.11 | 1/Day | Grab |
| Total Copper | N/A | N/A | 0.115 | 0.115 | 1/Day | Grab |
| Form 2C constituents | N/A | N/A | N/A | Report | 1/Term | Grab (*2) |
| Total Dissolved Solids | N/A | < 2000 (*3) | N/A | N/A | 1/Day | Grab |

Footnotes:

*1 "Estimate" flow measurements shall be based on the best engineering judgment, but is not subject to the accuracy provisions established at Part III.C.6.

*2 An effluent sample shall be collected during the first discharge for analysis of pollutants listed in Application Form 2C. If the volume of the sample collected at the first discharge event is not enough for analysis of all constituents, samples from different discharge events may be used for rest of constituents. Analytic results can also be used for EFFLUENT CHARACTERIZATION EVALUATION as defined below.

*3 Total limitation from all discharge sources.

FLOATING SOLIDS, VISIBLE FOAM AND/OR OILS

There shall be no discharge of floating solids or visible foam in other than trace amounts. There shall be no discharge of visible films of oil, globules of oil, grease or solids in or on the water, or coatings on stream banks.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the points of discharge from the associate sediment ponds prior to the receiving stream.

TOXICS

No discharge shall contain any substance, including but not limited to selenium, DDT, PCB's and dioxin, at a level which, when added to background concentration, can lead to bioaccumulation to toxic levels in any animal species.

EFFLUENT CHARACTERIZATION EVALUATION

A one-time sampling during the period of the life of permit shall be conducted to collect discharge at specific outfall when and only when a discharge at that outfall occurs. For Outfalls 001, 002, 006, 007, 008, 010, 011 and 013, the following pollutants are required for analysis:

| | | |
|---|---|---|
| Antimony (dissolved (D)) | Zinc (D) | Dieldrin |
| Arsenic (D) | Aldrin | 2,3,7,8-TCDD dioxin |
| Nickel (D) | Benzo (a) pyrene | Hexachlorobenzene |
| Selenium (D) | Chlordane | PCBs |
| Thallium (D) | 4,4' -DDT and derivatives | Tetrachloroethylene |

For Outfall 012, the following pollutants are required for analysis:

| | | |
|---|---|---|
| Antimony (D) | 2-Chlorophenol | Fluoranthene |
| Arsenic (D) | 2,4-Dichlorophenol | Fluorene |
| Nickel (D) | 2,4-Dimethylphenol | Hexachlorobenzene |
| Selenium (D) | 2-Methyl-4-6-Dinitrophenol | Hexachlorobutadiene |
| Thallium (D) | 2,4-Dinitrophenol | Hexachlorocyclopentadien |
| Zinc (D) | Pentachlorophenol | Hexachloroethane |
| Cyanide, weak acid | Phenol | Indeno (1,2,3-cd)Pyrene |
| 2,3,7,8-TCDD (Dioxin) | 2,4,6-Trichlorophenol | Isophorone |
| Acrolein | Acenaphthene | Nitrobenzene |
| Acrylonitrile | Anthracene | n-Nitrodimethylamine |
| Benzene | Benzidine | n-Nitrosodi-n-Propylamine |
| Bromoform | Benzo(a)anthracene | n-Nitrosodiphenylamine |

Carbon Tetrachloride
Chlorobenzene
Clorodibromomethane
Chloroform
Dichlorobromomethane
1,2-Dichloroethane
1,1-Dichloroethylene
1,2-Dichloropropane
1,3-Dichloropropene
Ethylbenzene
Methyl Bromide
Methylene Chloride
1,1,2,2-Tetrachloroethane
Tetrachloroethylene
Toluene
1,2-trans-Dichloroethylene
1,1,2-Trichloroethane
Trichloroethylene
Vinyl Chloride

Benzo(a)pyrene
Benzo(b)fluoranthene
Benzo(k)fluoranthene
Bis (2-chloroethyl)
Bis (2-chloroisopropyl)
Bis (2-ethylhexyl) Phthalate
Butyl Benzyl
2-Chloronapthalene
Chrysene
Dibenzo(a,h)anthracene
1,2-Dichlorobenzene
1,3-Dichlorobenzene
1,4-Dichlorobenzene
3,3-Dichlorobenzidine
Diethyl Phthalate
Dimethyl Phthalate
Dibutyl Phthalate
2,4-Dinitrotoluene
1,2-Diphenylhydrazine

Pyrene
1,2,4-Trichlorobenzene
Aldrin
Ether Alpha-BHC
Beta-BHC
Gamma-BHC
Phthalate Chlordane
4, 4’-DDT and derivatives
Dieldrin
Alpha-Endosulfan
Beta-Endosulfan
Endosulfan sulfate
Endrin
Endrin Aldehyde
Heptachlor
Heptachlor Epoxide
PCBs
Toxaphene

## B. MONITORING AND REPORTING (MINOR DISCHARGERS)

Discharge Monitoring Report (DMR) Reporting: DMR results shall be electronically reported to EPA per 40 CFR 127.16. To submit electronically, access the NetDMR website at https://netdmr.epa.gov. Until approved for Net DMR, the permittee shall request temporary or emergency waivers from electronic reporting. To obtain the waiver, please contact: U.S. EPA - Region 6, Water Enforcement Branch, New Mexico State Coordinator (6EN-WC), (214) 665-6468. If paper reporting is granted temporarily, the permittee shall submit the original DMR signed and certified as required by Part III.D.11 and all other reports required by Part III.D. to the EPA and copies to NMED as required (See Part III.D.IV of the permit). Reports shall be submitted quarterly.

1. Reporting periods shall end on the last day of the months March, June, September and December.

2. The permittee is required to submit regular reports as described above postmarked no later than the 28th day of the month following each reporting period.

3. NO DISCHARGE REPORTING: If there is no discharge at Outfall 001 during the sampling month, place an "X" in the NO DISCHARGE box located in the upper right corner of the Discharge Monitoring Report.

Overflow Reporting: The permittee shall report all overflows with the Discharge Monitoring Report submittal. These reports shall be summarized and reported in tabular format. The summaries shall include: the date, time, duration, location, estimated volume, and cause of the overflow; observed environmental impacts from the overflow; actions taken to address the overflow; and ultimate discharge location if not contained (e.g., storm sewer system, ditch, tributary).

Overflows that endanger health or the environment shall be orally reported at (214) 665-6595 and NMED Surface Water Quality Bureau at (505) 827-0187, within 24 hours from the time the permittee becomes aware of the circumstance. A written report of overflows that endanger health or the environment shall be provided to EPA and the NMED Surface Water Quality Bureau within 5 days of the time the permittee becomes aware of the circumstance.

## C. APPLICATION

Application for permit renewal sent to EPA shall be pursuant to Part III of this permit. A copy of application for permit renewal shall be sent to New Mexico Environment Department (NMED) at the mailing address listed in Part III.D.4 of this permit.