

ORDINANCE 17-21

REPLACEMENT OF CITY CODE CHAPTER 26, ARTICLE 3, SECTION 26-62.  
ADDITIONAL CITY REQUIREMENTS AUTHORIZED

**Whereas**, the City of Roswell owns and maintains the municipal waste water collection and treatment system for the use and benefit of the public; and

**Whereas**, the City Council desires that the waste water collection and treatment system conform to State and Federal Environmental Regulations; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL AS THE GOVERNING BODY OF THE CITY OF ROSWELL, NEW MEXICO, that:

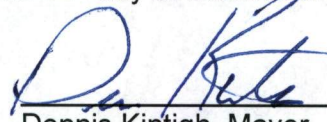
SECTION 1. Chapter 26 Article 3 of the Roswell City Code shall be amended to include the replacement in its entirety, Section 26-62. Additional city requirements authorized. Section 26.62 will be replaced with attached "Local Limits"

SECTION 2. All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

SECTION 3. If any section, paragraph, clause or provisions of this ordinance for any reason shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any other part of this ordinance.

SECTION 4. This ordinance shall be effective after five (5) days following its publication as required by law.

PASSED, ADOPTED, SIGNED and APPROVED the 14<sup>th</sup> day of December 2017.

  
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Dennis Kintigh, Mayor



ATTEST:   
Sharon Coll, City Clerk

**Section 26-62. Additional city requirements authorized**

(a) Specific Discharge Limitations.

(1) Specific Discharge Limitations

No Significant Industrial User (SIU) shall discharge or cause to be discharged wastewater that exceeds the following limits:

Pollutant <sup>(a)</sup>	Daily Maximum	Units of Measurement
Arsenic	0.22	mg/L
Cadmium	0.058	mg/L
Chromium	4.26	mg/L
Copper	2.65	mg/L
Lead	1.74	mg/L
Mercury	0.104	mg/L
Molybdenum	1.96	mg/L
Nickel	4.83	mg/L
Selenium	0.122	mg/L
Silver	2.01	mg/L
Zinc	4.30	mg/L
5-Day Biochemical Oxygen Demand (BOD5)	4,833	lbs/day <sup>(b)</sup>
Total Suspended Solids (TSS)	10,070	lbs/day <sup>(b)</sup>
Total Nitrogen (TKN+NO <sub>2</sub> +NO <sub>3</sub> )	165.7	lbs/day <sup>(b)</sup>
pH	6.0 to	Standard Units

(a) All Pollutants as Total.

(b) This limit is the total mass in pounds per day (lbs/day) that are available to allocate to all Significant Industrial Users. Allocations are at the sole discretion of the City.

(2) The City may, at its sole discretion, implement local limits through allocation of the Maximum Allowable Industrial Load (MAIL) to Significant Industrial Users that correspond to the uniform concentration local limits shown in the table above. The MAILs that correspond to the Daily Maximum Discharge Limits in the Local Limits Report dated May 21, 2017 are hereby incorporated by reference.

(3) The Director may establish more stringent pollutant limits, additional site-specific pollutant limits, Best Management Practices, or additional Pretreatment Requirements when, in the judgment of the City, such limitations are necessary to implement the provisions of Chapter 26, Article III, Sewers and Sewerage Disposal.

- (4) A Significant Industrial User or other designated industrial user who introduces wastewater into the POTW may be required to submit a Salinity Control Plan if monitoring of the Industrial User’s discharge shows it exceeds one thousand two hundred (1,200) mg/L Total Dissolved Solids (TDS). This Plan shall contain a description of the chemicals and materials used that contribute to the TDS concentration and the source control measures that could be implemented to reduce the TDS concentration in the discharge to less than one thousand two hundred (1,200) mg/L or to a level specified by the City that prevents discharges that cause or contribute to Pass Through or Interference.
- (5) The following limits shall apply to wastewaters that are discharged from the groundwater cleanup of petroleum or gasoline underground storage tanks or other remediation wastewaters containing these pollutants or where these pollutants are appropriate surrogates. It shall be unlawful for any Industrial User to discharge or cause to be discharged any waste or wastewater that exceeds the following limits, as applicable.

Pollutant <sup>(a)(c)</sup>	Daily Maximum Limit (mg/L)
Benzene	0.050
BTEX <sup>(b)</sup>	0.750

- (a) All pollutants shown in the Table are total.
- (b) BTEX shall be measured as the sum of Benzene, Ethylbenzene, Toluene and Xylenes.
- (c) These limits are based upon installation of air stripping technology as described in the EPA document: “Model NPDES Permit for Discharges Resulting from the Cleanup of Gasoline Released from Underground Storage Tanks. June 1989.”

**Ordinance 17-21, 12-2017**



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS TX 75202-2733

23 MAY 2018

CERTIFIED MAIL: RETURN RECEIPT REQUESTED (7014 0150 0000 2454 6092)

REPLY TO: 6WQ-P

Arthur M. Torrez  
Utility Department  
425 N. Richardson  
Roswell, NM 88201

Re: Final Decision on Pretreatment Program Modification  
NPDES Permit No. NM0020311  
State of New Mexico

Dear Mr. Torrez:

The Pretreatment Program Modification(s) recently public noticed received no substantive comments. Therefore, EPA has approved the modification(s) as submitted. The herein referenced Pretreatment Program is hereby incorporated into your NPDES permit. Your NPDES Permit has been modified to include these responsibilities as enforceable conditions of the permit.

Retain a copy of this correspondence in order to document the official approval date of the program modification. Please replace the first page and the appropriate page of Appendix C of Part II of the permit with the enclosed modified page.

Should you have any questions, please contact the Permits Branch at the above address or telephone (214) 665-7170.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "David F. Garcia".

David F. Garcia, P.E.  
Acting Director  
Water Division

cc: Sarah Holcomb, Acting Program Manager – PSRS  
New Mexico Environment Department  
Surface Water Quality Bureau (N2050)  
1190 Saint Francis Drive  
P.O. Box 5469  
Santa Fe NM 87502 – 5469



Region 6  
1445 Ross Avenue  
Dallas, Texas 75202-2733

NPDES Permit No. NM0020311

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## 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"),

City of Roswell Wastewater Treatment Facility  
P.O. Box 1838  
Roswell, NM 88202-1838

is authorized to discharge from a wastewater treatment facility located at 2306 East College Boulevard, in the City of Roswell, in Chaves County, New Mexico. The discharge from the facility is located at the following coordinates:

Outfall 001: Latitude 33E 24' 37" N, Longitude 104E 28' 45" W  
Outfall 002: Latitude 33E 24' 50" N, Longitude 104E 27' 40" W

The receiving waterbody for Outfall 001 is the Rio Hondo River and Outfall 002 is to Berrendo Creek, waterbody ID NM2105\_71. Both receiving waters are within the Berrendo Creek-Rio Hondo Watershed and the Pecos River Basin.

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

This permit supersedes and replaces NPDES Permit No. NM0020311 issued December 1, 2006.

This permit shall become effective on *June 1, 2018*

This permit and the authorization to discharge shall expire at midnight, October 31, 2018.

Issued on 23 MAY 2018

Prepared by

David F. Garcia, P.E.  
Acting Director  
Water Division

Rudy Molina  
Environmental Scientist  
NPDES Permits & TMDL Branch



## Appendix C of Part II

### CONTRIBUTING INDUSTRIES AND PRETREATMENT REQUIREMENTS

1. The permittee shall operate an industrial pretreatment program in accordance with Section 402(b)(8) of the Clean Water Act, the General Pretreatment Regulations (40 CFR Part 403) and the approved POTW pretreatment program submitted by the permittee. The pretreatment program was approved on March 20, 1985 and modified on March 24, 1997, and May 23, 2018. The POTW pretreatment program and the approved modifications are hereby incorporated by reference and shall be implemented in a manner consistent with the following requirements:
  - (a) Industrial user information shall be updated at a frequency adequate to ensure that all IUs are properly characterized at all times;
  - (b) The frequency and nature of industrial user compliance monitoring activities by the permittee shall be commensurate with the character, consistency and volume of waste. However, in keeping with the requirements of 40 CFR 403.8 (f)(2)(v), the permittee must inspect and sample the effluent from each Significant Industrial User at least once a year. This is in addition to any industrial self-monitoring activities;
  - (c) The permittee shall enforce and obtain remedies for noncompliance by any industrial users with applicable pretreatment standards and requirements;
  - (d) The permittee shall control through permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements. In the case of Industrial Users identified as significant under 40 CFR 403.3(t), this control shall be achieved through permits or equivalent individual control mechanisms issued to each such user. Such control mechanisms must be enforceable and contain, at a minimum, the following conditions:
    - (i) Statement of duration (in no case more than five years);
    - (ii) Statement of non-transferability without, at a minimum, prior notification to the POTW and provision of a copy of the existing control mechanism to the new owner or operator;
    - (iii) Effluent limits based on applicable general pretreatment standards, categorical pretreatment standards, local limits, and State and local law;