

**OWL LANDFILL SERVICES, LLC.**  
**STORMWATER POLLUTION PREVENTION PLAN**  
**Lea County, New Mexico**

June | 2021

Parkhill Project # 01.6759.21

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## **1.0 INTRODUCTION**

### **1.1 Purpose**

This Stormwater Pollution Prevention Plan (the “Plan”) for OWL Landfill Services, LLC dba: Northern Delaware Basin Landfill (the “Landfill”) has been developed to satisfy the Permit requirements listed in the *United States Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES) Multi-Sector General Permit (MSGP) for Industrial Activities*. The 2021 MSGP, included as **Appendix A**, should be reviewed and consulted as needed for guidance and specific questions regarding compliance requirements. The industry-specific requirements for landfills are presented in **Part 8.L** of the **MSGP**. In addition to the development of a Plan, general permits for stormwater discharges associated with industrial activity require the submission of a Notice of Intent (NOI) prior to the authorization of such discharges. A copy of the 2021 NOI, data used to prepare the NOI, and EPA correspondence are maintained in **Appendix B**. The purpose of this Plan is to:

- Identify potential sources of pollution, which may reasonably be expected to affect the quality of stormwater discharges from the Landfill
- Assure compliance with the terms and conditions of the 2021 MSGP for industrial activities
- Describe and ensure implementation of practices (i.e., inspections, monitoring, and reporting) which will be used to reduce the pollutants in stormwater discharges from the Landfill

This Plan was developed to comply with the following Permit requirements:

- **MSGP Parts 1 – 7:** Stormwater Pollution Prevention Requirements
- **MSGP Part 8.L:** Landfills, Land Application Sites, and Open Dumps
- **MSGP Part 9.6.2:** State of New Mexico, except Indian Country lands

For ease of review, when referencing applicable Parts of the 2021 MSGP, the format denoted above will be used throughout this Plan (e.g., **MSGP Part 8.L**).

## **1.2 Plan Review and Plan Availability**

A copy of this Plan will be maintained at the Landfill at all times and is required to be reviewed by the Pollution Prevention Team (Section 2.0). It will also be available upon request to the USEPA and/or their authorized representatives, and the state or local agency approving stormwater management plans. The Plan will be available to members of the public through the internet. In addition, this Plan or other information will be made available to the following upon request or at the time of an on-site inspection:

- U.S. Fish and Wildlife Service
- National Marine Fisheries Service

Copies of this Plan, all reports and certifications required by the 2021 MSGP, and supporting documentation will be retained at the Landfill for a period of at least 3 years from the date the Landfill's coverage under the 2021 MSGP expires or is terminated.

## **1.3 OWL Landfill Services, LLC**

The Landfill is owned and operated by the OWL Landfill Services, LLC. The Landfill is permitted to accept petroleum contaminated soils (PCS), drilling mud, stabilized tank bottoms, and other petroleum and natural gas exploration/production related wastes.

## **1.4 Maintaining an Updated Plan**

This Plan is an active and evolving document that will be amended by the Pollution Prevention Team (Section 2.0) based on the following criteria:

1. If there is a change in design, construction, operation or maintenance at the Landfill which has a significant effect on the discharge or potential for discharge of pollutants from the site.
2. To correct deficiencies identified during inspections by the Pollution Prevention Team or by federal, state, and local officials who determine that the Plan is ineffective in achieving the general objectives of controlling discharges of pollutants from the Landfill.
3. If there is a change in Landfill operations that may affect stormwater discharge or potential discharge of pollutants from the site.

### **1.5 Consistency with Existing Environmental Management Plans**

Certain related environmental management plans may contain provisions for managing stormwater. In some cases, it may be possible to build on elements of these plans that are relevant to stormwater pollution prevention. The Pollution Prevention Team has the responsibility to incorporate these provisions into the Plan. Examples of compatible environmental management plans include, but are not limited to, the following:

- Preparedness, Prevention, and Contingency Plans
- Spill Prevention Control and Countermeasure (SPCC) Plan
- NPDES Toxic Organic Management Plan
- OSHA Emergency Action Plan
- Landfill Management Plans (2014 Solid Waste Permit Application)
- Updated Landfill Management Plans (as applicable)

If any of these plans are required for the Landfill, their provisions must be compatible with the requirements of the 2021 MSGP and this Plan.

### **1.6 Permit Coverage Sign Postage**

A sign of permit coverage shall be posted at a safe, publicly accessible location in close proximity to the facility (see **MSGP Part 1.3.5**), unless prohibited by local ordinances or other laws. The sign shall use font sizes large enough to be readily viewed from the public right-of-way. Facility staff shall perform periodic maintenance of the sign to ensure that it remains legible, visible, and factually correct. At a minimum, the sign shall include:

- *OWL Landfill* is permitted for industrial stormwater discharges under the U.S. EPA's Multi-Sector General Permit (MSGP)
- NPDES ID number
- Contact phone number for obtaining additional facility information
- The Uniform Resource Locator for the SWPPP
- To report observed indicators of stormwater pollution, contact EPA at <https://www.epa.gov/npdes/contact-us-stormwater#regional>

## **2.0 POLLUTION PREVENTION TEAM**

### **2.1 Team Purpose**

The Pollution Prevention Team (the “Team”) consists of members who are responsible for assisting in developing this Plan and aiding the Landfill in its implementation, maintenance, and revision. Team responsibilities include, but are not limited to, assessment of:

- Potential pollutant sources
- Existing and planned best management practices (BMPs)
- Spill prevention and response procedures
- Employee training
- Annual Plan evaluation

### **2.2 Contact Information**

The Landfill Manager is the point of contact for Landfill personnel; Team members; and regulatory officials who wish to discuss the Plan, obtain information concerning spill events, or conduct inspections. The Manager will be familiar with all phases of Landfill operations to ensure that potential sources of pollution are considered during Plan implementation and periodic evaluations of the Plan.

Mr. Zachariah Ramos  
Landfill Operations Manager  
2029 W. NM Highway 128  
Jal, NM 88252  
(432)556-3072 Cell  
[zramos@ndblandfill.com](mailto:zramos@ndblandfill.com)

### **2.3 Pollution Prevention Team**

The Team is responsible for ensuring that the components of this Plan are implemented, maintained, and revised as necessary. Team members will conduct inspections, perform necessary monitoring and sampling, respond to spill events, maintain existing BMPs, conduct employee training for new employees, and direct at regular intervals (at least annually) employee training. A checklist summarizing the scope and schedule for routine facility inspections, monitoring, and recordkeeping is presented in **Appendix C, Attachment 1**.

Team members will meet with the Manager at regular intervals (at least annually) and will evaluate and modify the Plan following significant spill events (if any) or as needed. Each member of the Team will have ready access to this Plan and is required to read it. In the event that a Team member needs to be replaced, the Landfill Manager will make an appointment. If a permanent replacement cannot be appointed immediately, the current Team members will assume the responsibilities during the interim. A current Team roster, including member responsibilities, is provided as **Appendix C, Attachment 2**. This list will be updated annually at a minimum, or more frequently if needed.

In addition, the Team will direct the evaluation and modification of the Plan as needed. Plan modifications may include, but are not limited to:

- Relocation or alteration of active fill face or maintenance areas
- BMP revisions
- Evaluation and alteration of drainage patterns
- Addition of structural and non-structural control measures
- Documentation of any significant spills and leaks
- Identification of potential spills or leaks

### **3.0 FACILITY INFORMATION**

#### **3.1 Site Location**

The OWL Landfill Services, LLC is located at 2029 West NM Highway 128, approximately 22 miles northwest of Jal, New Mexico in Lea County, NM. A general location map identifying the Landfill is provided as **Figure 1**.

#### **3.2 Active/Inactive Status**

During the 2021 MSGP term, if the Landfill becomes inactive and/or unstaffed, and there are no industrial materials or activities that are exposed to stormwater, then EPA must be notified of this change with a modified NOI. The form must be submitted to EPA electronically via the EPA's electronic NPDES eReporting tool (NeT) unless the permit states otherwise or unless a waiver has been granted for a paper form. A link to the eNOI system is provided below:

<https://cdx.epa.gov/>

**Appendix C, Attachment 3** contains the form that must be submitted to EPA documenting this change in operational status. If a waiver has been granted, the modified NOI may be submitted to the following address:

Stormwater Notice Processing Center (4203M)  
USEPA  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460  
(202) 564-9545

A copy of the completed certified form and EPA's response must be maintained in **Appendix C, Attachment 3**. This documentation must be retained in the Plan for a period of at least 3 years from the date the Landfill's coverage under the 2021 MSGP expires or is terminated. An inactive/unstaffed site is exempt from Monthly Facility Inspections (Section 5.1) and Quarterly Visual Assessment Monitoring (Section 5.2). However, the Landfill must still be inspected on a quarterly basis consistent with the procedures outlined in Section 5.1 and include inspections of cover stabilization and structural erosion control measures, as well as leachate collection and treatment systems. Annual Reporting (Section 5.5) must remain in place.

### **3.3 Site Description**

NDBL provides a location for companies in the petroleum and natural gas exploration and production industry to dispose of oil field waste. Wastes delivered to NDBL are directed to dedicated waste receiving locations for the distinct waste handling process determined by waste classification. Waste receiving services are available twenty-four hours per day, seven days per week, or as market conditions warrant. **Figure 2** provides the locations of structures and activities associated with NDBL (identified as **Location Nos.**). **Table 3.1** provides a summary of the activity conducted at each location, and detailed descriptions of the operations associated with NDBL are provided in Sections 3.4-3.6.

**TABLE 3.1**  
**Structures and Activities**  
**OWL Landfill Services, LLC**

- **Gate House/Office (Location No. 1)** – All vehicle arrivals (waste delivery, employee, utility, etc.) are logged at this location. Incoming vehicles are then directed to the appropriate destination, depending on purpose of entry.
- **Employee/Visitor Vehicle Parking (Location No. 2)** – Parking area for site employees and visitors located south of the Scale House/Office.
- **Processing Pad (Location No. 3)** – Facility dedicated to the unloading and processing of oil and gas exploration/production liquid waste (< 5% solids).
- **Drying Pad (Location No. 4)** – An approximate 2-acre concrete pad for the bulking of drilling mud prior to being disposed of at the Active Fill Face.
- **Oil/Water Separation Unit (Location No. 5)** – A “Gun-Barrel” oil/water separator and series of tanks for the separation of liquids produced from the de-watering operations at the Processing Pad.
- **Evaporation Basins (Location No. 6)** – Engineered, double-lined basins used for the storage and evaporation of produced water.
- **Active Fill Face (Location No. 7)** – At the time of the development of this Plan, the Active Fill Face is located at the north end of Cell 1.
- **Equipment Parking/Maintenance (Location No. 8)** – Proposed location for on-site equipment parking and minor, routine maintenance.
- **Storage (Location No. 9)** – Storage for tools and various site equipment.
- **Temporary Leachate Sump (Location No. 10)** – Engineered, double-lined collection/extraction point for leachate from lined waste disposal cells.

- **Temporary Leachate Riser (Location No. 11)** – Used to extract landfill leachate.
- **Access Roads (Location No. 12)** – Paved and unpaved surfaces used by all vehicle types during daily landfill operations.
- **Vadose Zone Monitoring Well (Location No. 13)** – Used to monitor the site’s vadose zone for the presence of accumulated fluids and landfill gas (i.e., methane).
- **Fuel Storage (Location No. 14)** – Aboveground storage for diesel, gasoline, and diesel exhaust fluid (DEF).
- **Outfall Sampling Location (Location No. 15)** – Location at which a sample would be collected in the event of a stormwater discharge.

### **3.4 Waste Management Activities**

The Landfill and associated waste disposal areas constitute the primary land use of the area described in this Plan. Modern landfill operations are designed to minimize stormwater contact with waste materials, and closure plans are designed so that final site topography and stormwater controls permit proper drainage and reduce erosion of the final cover. The waste management practices currently employed at the Landfill (and discussed below) are developed consistent with modern landfill operations and are intended to minimize potential pollution impacts to the environment and human health. Most of the best management practices (BMPs) discussed in this Plan have already been incorporated into the design of the Landfill development and operations as described in the site’s approved Solid Waste Facility Permit Application. The design, operating conditions, permit plan narratives, and closure activities for the site have been developed in accordance with sound stormwater management practices. The following narrative discusses the operational activities and BMPs (where applicable) associated with each Location No. shown on **Figure 2**.

#### **Gate House/Office (Location No. 1)**

The fully-enclosed, Gate House/Office is positioned on the site’s paved Access Road such that incoming waste loads can be evaluated/inspected and fees collected. All incoming waste loads are required to be covered for containment of waste. This restriction minimizes the potential for waste material from becoming wind-blown during transport. Waste delivery vehicles travel from the Gate House/Office to the appropriate waste receiving location, based on waste classification, at the direction of site personnel.

**Employee/Visitor Vehicle Parking (Location No. 2)**

Employee and landfill visitor vehicles are parked on the compacted soil surface located south of the Gate House/Office. Fluid leaks from parked vehicles are cleaned up on an as-needed basis using on-site soil, which is then disposed of at the Active Fill Face.

**Processing Pad (Location No. 3)**

The Processing Pad is constructed in such a manner that all liquids in the unloading bays flow into concrete trenches and pumps which are then incorporated into the liquids processing system. All components of the liquids processing system are contained in a concrete basin constructed of a concrete pad surrounded with 4-foot-high concrete walls designed to contain any liquids that would result from equipment failure.

**Drying Pad (Location No. 4)**

The Drying Pad is an approximate 2-acre concrete pad where drilling muds are bulked with other on-site materials until disposed of at the Active Fill Face. The pad is sloped such that all liquids deposited on the Drying Pad flow to the sump at the southeast corner of the Pad where the liquid is incorporated back into the liquids processing system. The entire area directly under and surrounding the drying pad consists of a 60-mil HDPE liner, sump, and leak detection system.

**Oil/Water Separation Unit (Location No. 5)**

The gun-barrel type Oil/Water Separation Unit receives water produced from the dewatering processes conducted at the Processing Pad through sealed pipelines. The Oil/Water Separation Unit is located atop a compacted caliche pad lined and sealed with a leakproof composite material.

**Evaporation Basins (Location No. 6)**

The Evaporation Basins are approximately 3 acres in size and are utilized for the evaporation and storage of water produced from de-watering processes at the Processing Pad and Oil/Water Separation Unit, and for leachate collected from landfill leachate sump. The Basins are double-lined with 60-mil HDPE, and is constructed with a leak detection system positioned in the witness zone between the primary and secondary liners.

**Active Fill Face (Location No. 7)**

The location and orientation of waste disposal areas at NDBL are dynamic in nature, and are dictated by operational needs and the waste filling sequence for the site. Wastes are unloaded in the designated locations at the Active Fill Face. The Active Fill Face is typically confined to an area of less than one acre, which allows waste delivery vehicles to unload without an unreasonable queue of waiting trucks. The one-acre size also reduces soil cover, promotes better compaction, and minimizes litter. Wastes are typically deposited at the lowest part of the Active Fill Face and compacted to the highest achievable density necessary to minimize void space and settlement. Wastes are spread and compacted soon after unloading to reduce blowing litter. At the end of each operating day, soil is placed over all exposed waste to control litter and odor, and shed stormwater. All loose waste is removed from compaction and covering equipment at the end of each day at this location.

**Temporary Leachate Sump (Location No. 10)**

The lined portion of Cell 1 is equipped with a perforated collection pipe that conveys leachate to a downgradient collection/extraction sump. The Temporary Leachate Sump is double-lined with 60-mil HDPE, and consists of primary (upper) and secondary (lower) liners designed to mitigate and monitor potential leaks.

**Temporary Leachate Riser (Location No. 11)**

The Temporary Leachate Riser consists of perforated and solid sections of HDPE pipe. During cell construction, the perforated section is installed within the lower portion of the Leachate Sump, and the solid portion provides a riser for leachate removal. Consistent with the site's approved Leachate Management Plan, leachate is pumped from the double-lined sump on an as-needed basis and recirculated, disposed of through the produced water processing/evaporation system, or diluted and used for dust control over lined areas. During pumping, leachate from the sump is transferred through a closed system directly to the site's water truck or directly to the Active Fill Face. The closed system is comprised of a portable down-hole pump positioned in the sump's Leachate

Extraction Riser and associated tubing. Any spilled fluids are allowed to absorb into surrounding soils, as the Leachate Sump and Extraction Riser are positioned atop a lined portion of NDBL.

**Vadose Zone Monitoring Well (Location No. 13)**

NDBL is constructed with ten (10) vadose zone monitoring wells, installed along the perimeter of the permitted landfill area for the purpose of monitoring fluid accumulation and the presence of landfill gas (i.e., H<sub>2</sub>S). On a monthly basis, each well is monitored for the presence of fluid and/or Hydrogen Sulfide Gas.

**3.5 Vehicle Maintenance/Parking and Materials Storage**

**Employee/Visitor Vehicle Parking (Location No. 2)**

Employee and visitor vehicles are parked on the compacted soil surface located on the south side of the Gate House/Office. Fluid leaks from parked vehicles are cleaned up on an as-needed basis using on-site soil, which is then disposed of at the Active Fill Face

**Equipment Parking/Maintenance (Location No. 8)**

The Equipment Parking/Maintenance area is used for the staging and minor, routine maintenance of heavy landfill equipment and support vehicles. Minor repairs and routine maintenance of large landfill equipment (e.g., scrapers, compactors, road graders, etc.) and support/service vehicles are performed at this location. These activities include:

- Oil changes
- Greasing
- Air conditioning repair – Repairs are limited to charging systems that are low on refrigerant. Major refrigerant repairs are performed on-site by certified equipment dealers.

Waste generated from activities conducted at this location is disposed of at the Active Fill Face. Leaking equipment fluids are cleaned up on an as-needed basis using on-site soils, and are also disposed of at the Active Fill Face.

**Storage (Location No. 9)**

The Storage Area is located adjacent to the Equipment Parking/Maintenance area. The Storage Area is used for the storage of landfill and waste processing support equipment and tools.

#### **Fuel Storage Location No. 14)**

A 7,530-gallon diesel fuel aboveground storage tank (AST), a 530-gallon gasoline AST, and a 55-gallon drum of diesel exhaust fluid (DEF) comprise the equipment positioned at this location. These tanks are used for fueling of landfill equipment, and are serviced by an outside vendor on an as-needed basis. Both fuel storage tanks are constructed with integrated secondary containments. Potential spills would be contained in the secondary containment provisions or cleaned up using on-site soils and disposed of in the Active Fill Face.

### **3.6 Dust Suppression**

#### **Access Roads (Location No. 12)**

Access Roads consists of permanent paved surfaces and temporary unpaved surfaces. Both roads are used by all vehicle types, and the location and configuration of the temporary roads change with the location of the Active Fill Face and operational needs. Potential dust emissions from vehicle travel on unpaved portions of the Access Roads are mitigated through periodic application of water on an as-needed basis. Signs posted along the Access Roads that limit vehicle speeds to 10 miles per hour also serve to minimize potential dust emissions.

### **3.7 General Location Map**

**Figure 1** identifies the location of the Landfill. The *Watercourse, Floodplains, and Wetlands Investigation* prepared by Rocky Mountain Ecology, LLC, (**Appendix B**) discusses the site's location in relation to watercourses, surface water bodies, and wetlands.

### **3.8 Site Map**

The site map included as **Figure 2** identifies the following:

- Locations of potential pollutant sources
- Location of areas where industrial materials, significant materials, and industrial activities are exposed to precipitation

- Directions of stormwater flow
- Locations of structural BMPs that include:
  - Leachate management system
  - Evaporation Basins
  - Engineered drainage controls
  - Paved surfaces
  - Leak detection/monitoring systems

### **3.9 Receiving Waters and Wetlands**

The *Watercourse, Floodplains, and Wetlands Investigation* prepared by Rocky Mountain Ecology, LLC, (**Appendix B**) confirms that potential offsite discharges would be captured by a man-made earthen tank located within the Double X Ranch sub-watershed, located approximately 0.2 miles west of the southwest corner of the NDBL site. The facility is not located within 500 feet of a wetland. Documentation regarding wetlands in the vicinity of the site is also provided in the *Watercourse, Floodplains, and Wetlands Investigation*.

## 4.0 POTENTIAL POLLUTANT SOURCES

### 4.1 Summary of Potential Pollutant Sources

Descriptions of potential pollutant sources (i.e., industrial materials, significant materials, and industrial activities exposed to stormwater), which may contribute pollutants to stormwater discharges, are presented in **Table 4.1**. The potential pollutant source materials and activities identified in **Table 4.1** will be updated as necessary based on the results of Facility Inspections and Monitoring (Section 5.0).

The 2021 MSGP requires an assessment of the risk potential that sources of pollution pose to stormwater quality. This assessment points to activities, materials, and physical features that have a reasonable potential to contribute significant amounts of pollutants to stormwater. Potential pollutant sources specific to the facility operations of the Landfill are listed in **Table 4.1**, which can be used as a guide for completing the Facility Inspection Reports (Section 5.1).

**TABLE 4.1**  
**Summary of Potential Pollutant Sources**  
**OWL Landfill Services, LLC**

Location No.	Activity/Activities	Potential Pollutant Sources	Potential Pollutants and Pollutant Parameters of Concern
2	<ul style="list-style-type: none"> <li>• Employee/Visitor Vehicle Parking</li> </ul>	<ul style="list-style-type: none"> <li>• Leaking vehicle fluids</li> </ul>	<ul style="list-style-type: none"> <li>• Oil, fuel, coolants, etc.</li> </ul>
5	<ul style="list-style-type: none"> <li>• Oil/Water Separation Unit</li> </ul>	<ul style="list-style-type: none"> <li>• Produced water</li> </ul>	<ul style="list-style-type: none"> <li>• Oil</li> <li>• Produced Water (Chloride)</li> </ul>
7	<ul style="list-style-type: none"> <li>• Active Fill Face</li> </ul>	<ul style="list-style-type: none"> <li>• Wind-blown waste, loose soils</li> </ul>	<ul style="list-style-type: none"> <li>• Litter</li> </ul>
8	<ul style="list-style-type: none"> <li>• Equipment Parking/Maintenance</li> </ul>	<ul style="list-style-type: none"> <li>• Leaking vehicle fluids</li> </ul>	<ul style="list-style-type: none"> <li>• Oil, fuel, coolants, etc.</li> </ul>
12	<ul style="list-style-type: none"> <li>• Access Roads</li> </ul>	<ul style="list-style-type: none"> <li>• Run-off during extreme storm events</li> </ul>	<ul style="list-style-type: none"> <li>• TSS</li> </ul>
14	<ul style="list-style-type: none"> <li>• Fuel Storage</li> </ul>	<ul style="list-style-type: none"> <li>• Spill during filling and fuel system component leaks</li> </ul>	<ul style="list-style-type: none"> <li>• Diesel, gasoline, and DEF</li> </ul>

### 4.2 Spills and Leaks

Areas of potential spills and leaks, which can contribute pollutants to stormwater discharges and their accompanying drainage locations, are identified in **Table 4.1** and shown on **Figure 2**. For areas that are exposed to precipitation or that otherwise drain to a stormwater conveyance at the Landfill, a list of significant spills and leaks of toxic or hazardous pollutants will be documented on the form provided in **Appendix C**,

**Attachment 4.** This list will be updated if significant spills or leaks occur in exposed areas of the Landfill during the time the Landfill is covered under the MSGP. There have been no significant spills or leaks at the Landfill in the 5 years prior to updating this Plan (i.e., 2016-2020); or since operations began in 1994.

#### **4.3 Sampling Data**

There are no sampling data or discharge summaries available. Monitoring and reporting procedures are discussed in Sections 5.2, 5.3, and 5.4 of this Plan.

#### **4.4 Stormwater Controls**

Recommended non-structural and structural best management practices (BMPs) for industrial facilities are outlined in **MSGP Part 2.1**. These BMPs should be reviewed and consulted as needed for specific questions regarding evaluation of existing BMPs and implementation of planned BMPs to minimize the contamination of stormwater discharges. Non-structural BMPs include good housekeeping, minimizing exposure, preventive maintenance, spill prevention and response procedures, routine facility inspections, and employee training. Structural BMPs include sediment and erosion control, management of run-off, leachate collection systems, and leak detection systems. The type and location of existing non-structural and structural BMPs for each of the potential pollutant sources presented in **Table 4.1** are listed in **Table 4.2**. Additional structural BMPs (e.g., engineered drainage swales, culverts, etc.) are shown on **Figure 2**. Planned BMPs (including a planned BMP implementation schedule) for potential pollutant sources are listed in **Table 4.3**.

**TABLE 4.2**  
**Existing BMPs for Potential Pollutant Sources**  
**OWL Landfill Services, LLC**

Location No.	Activity/Activities	Planned BMPs	
2	<ul style="list-style-type: none"> <li>• Employee/Visitor Vehicle Parking</li> </ul>	<ul style="list-style-type: none"> <li>• On-site soils used for spills/fluid leak clean up</li> </ul>	
5	<ul style="list-style-type: none"> <li>• Oil/Water Separation Unit</li> </ul>	<ul style="list-style-type: none"> <li>• Secondary containment in the form of a lined basin</li> <li>• Spill kits</li> </ul>	
7	<ul style="list-style-type: none"> <li>• Active Fill Face</li> </ul>	<ul style="list-style-type: none"> <li>• Daily cover soil</li> <li>• Double-lined leachate sump</li> <li>• Continual compaction of waste</li> <li>• Leachate collection system</li> </ul>	<ul style="list-style-type: none"> <li>• Leachate leak detection systems</li> <li>• Double-lined Evaporation Basin</li> <li>• Stormwater berms</li> <li>• Minimum area exposed at any time</li> </ul>
8	<ul style="list-style-type: none"> <li>• Equipment Parking/Maintenance</li> </ul>	<ul style="list-style-type: none"> <li>• Fire extinguishers</li> <li>• SPCC Plan in place</li> <li>• Routine inspections</li> </ul>	<ul style="list-style-type: none"> <li>• Fluids recycling</li> <li>• On-site soil used for spill clean up</li> </ul>
12	<ul style="list-style-type: none"> <li>• Access Roads</li> </ul>	<ul style="list-style-type: none"> <li>• Daily watering of unpaved roads</li> <li>• Vehicle speed limited to 10 mph</li> </ul>	
14	<ul style="list-style-type: none"> <li>• Fuel Storage</li> </ul>	<ul style="list-style-type: none"> <li>• On-site soil used for spill clean up</li> <li>• SPCC Plan in place</li> </ul>	<ul style="list-style-type: none"> <li>• Tanks designed with integrated secondary containment</li> <li>• Routine Inspections</li> </ul>

**TABLE 4.3**  
**Planned BMPs for Potential Pollutant Sources**  
**OWL Landfill Services, LLC**

Location No.	Activity/Activities	Planned BMPs	
2	<ul style="list-style-type: none"> <li>• Employee/Visitor Vehicle Parking</li> </ul>	<ul style="list-style-type: none"> <li>• On-site soils used for spills/fluid leak clean up</li> </ul>	
5	<ul style="list-style-type: none"> <li>• Oil/Water Separation Unit</li> </ul>	<ul style="list-style-type: none"> <li>• Secondary containment in the form of a lined basin</li> <li>• Spill kits</li> </ul>	
7	<ul style="list-style-type: none"> <li>• Active Fill Face</li> </ul>	<ul style="list-style-type: none"> <li>• Daily cover soil</li> <li>• Double-lined leachate sump</li> <li>• Continual compaction of waste</li> <li>• Leachate collection system</li> </ul>	<ul style="list-style-type: none"> <li>• Leachate leak detection systems</li> <li>• Double-lined Evaporation Basin</li> <li>• Stormwater berms</li> <li>• Minimum area exposed at any time</li> </ul>
8	<ul style="list-style-type: none"> <li>• Equipment Parking/Maintenance</li> </ul>	<ul style="list-style-type: none"> <li>• Fire extinguishers</li> <li>• SPCC Plan in place</li> <li>• Routine inspections</li> </ul>	<ul style="list-style-type: none"> <li>• Fluids recycling</li> <li>• On-site soil used for spill clean up</li> </ul>
12	<ul style="list-style-type: none"> <li>• Access Roads</li> </ul>	<ul style="list-style-type: none"> <li>• Daily watering of unpaved roads</li> <li>• Vehicle speed limited to 10 mph</li> </ul>	
14	<ul style="list-style-type: none"> <li>• Fuel Storage</li> </ul>	<ul style="list-style-type: none"> <li>• On-site soil used for spill clean up</li> <li>• SPCC Plan in place</li> </ul>	<ul style="list-style-type: none"> <li>• Tanks designed with integrated secondary containment</li> <li>• Routine Inspections</li> </ul>

#### 4.4.1 Preventive Maintenance

The preventive maintenance program for the Landfill includes the timely inspection and maintenance of stormwater management devices (e.g., drainage basins, culvert, etc.). The program also includes inspecting, testing, maintaining, and repairing Landfill equipment and systems to avoid breakdowns or failures that may result in discharges of pollutants. Any preventive maintenance and repairs of control measures (i.e., BMPs) must be documented on the form provided in **Appendix C, Attachment 5**.

#### 4.4.2 Spill Prevention and Response Procedures

##### 4.4.2.1 Prevention and Procedures

In the event of a spill, facility workers are to notify the Landfill Manager immediately. All spills will be addressed in accordance with the Employee Training Program (Section 4.4.3) and the following response procedures:

*The OWL Landfill Services, LLC will immediately respond to any and all spills to the extent of their training and equipment capabilities using the following procedures:*

1. *Access the extent and source of the spill identifying any hazards present and containment methods available. In the event of a fire, injury, or other potential dangers call 911 for emergency response assistance.*
2. *Landfill personnel will notify the Landfill Manager immediately.*
3. *Procedures common for all spills:*
  - a. *Isolate the spill area and, if safe, stop and contain the source of the spill.*
  - b. *Shut down all running equipment in the spill vicinity and eliminate possible ignition sources.*
  - c. *Apply absorbent and barricading materials as needed to minimize expansion of the spill.*
  - d. *Clean up spill to prevent any injury to personnel or damage to the site.*
  - e. *Classify and dispose of any resultant waster material.*
4. *Procedures for common significant spills (Section 4.4.2.2):*
  - a. *Clean up spill to prevent any injury to personnel or damage to the site.*
  - b. *Classify and dispose of any resultant waste material.*
  - c. *Report the spill to the National Response Center as described in Section 4.4.2.2.*

#### **4.4.2.2 Significant Spills**

The MSGP requires a list of significant spills or leaks of toxic or hazardous substances in excess of certain quantities that occurred in the 8 years prior to the date of the submission of an NOI. Significant spills include, but are not limited to, releases of oil or hazardous substances, within a 24-hour period, equal to or in excess of the quantities established under either 40 CFR 110, 40 CFR 117, or 40 CFR Part 302. Links to electronic copies of these regulations are included in **Appendix D**. If a spill or leak is detected in excess of the quantities listed in the regulations, the **National Response Center (NRC)** must be contacted at **(800) 424-8802**. As part of the stormwater pollution prevention process, after the NRC has been notified, the corrective action procedures outlined in **MSGP Part 4** must be implemented.

#### **4.4.3 Employee Training Program**

An employee awareness program will be implemented to inform Pollution Prevention Team members of the components and goals of the Plan. At a minimum, training will be conducted annually. Training will be provided to all employees that work in areas where industrial materials or activities are exposed to stormwater, and for employees that are responsible for implementing activities identified in this Plan. The program will address the issues of spill response procedures, good housekeeping, and materials management practices. Signs and notices will be posted throughout the facility relating to good housekeeping practices. Employee training for the awareness program will be documented on the form provided in **Appendix C, Attachment 6**. Training should encompass the following:

- Familiarization with the chemical and physical properties, and the hazards associated with the chemicals handled most frequently
- Familiarization with designated locations of on-site Safety Data Sheet (SDS) Stations. Formerly known as Material Safety Data Sheet (MSDS) Stations.
- Teaching proper material handling procedures, storage requirements, and means to prevent spills (e.g., the importance of secondary containment)
- Identification of potential spill areas and the associated sanitary and storm sewer system drainage routes
- Internal spill notification procedures (e.g., employees should be assured that they will face no reprisals when they report such incidences)

- Proper clean-up procedures (e.g., employees should be trained on where spill clean-up materials are stored, and how clean-up materials are applied and disposed)

The training program is designed to address the goals of this Plan; including spill response procedures, good housekeeping, and materials management practices. Signs and notices are also posted throughout the facility to promote good housekeeping practices. The topics addressed in the training program are summarized on the Employee Training Curriculum (**Appendix C, Attachment 6A**).

#### **4.5 Maintenance of BMPs**

The BMPs identified in this Plan will each be maintained in an effective operating condition. If Facility Inspections and Monitoring (Section 5.0) reveal that BMPs are not operating effectively, maintenance will be performed before the next anticipated storm event. If maintenance is impracticable prior to the next storm event, maintenance will be scheduled and performed as soon as practicable. For non-structural BMPs, the effectiveness of the BMPs will be maintained by appropriate means (e.g., available spill response supplies and trained personnel).

#### **4.6 Non-Stormwater Discharges**

##### **4.6.1 Evaluation of Non-Stormwater Discharges**

The 2021 MSGP requires that all outfalls be tested or evaluated for the presence of non-stormwater discharges. The evaluation form provided as **Appendix C, Attachment 7** consists of an annual inspection of the site for dry weather (non-stormwater) discharges; and can be completed as part of a Monthly Facility Inspection (Section 5.1). Documentation of the evaluation must include:

1. The date of any evaluation
2. A description of the evaluation criteria used
3. A list of the outfalls or on-site drainage points that were directly observed during the evaluation
4. The different types of non-stormwater discharge(s) and source locations
5. The action(s) taken, such as a list of control measures used to eliminate unauthorized discharge(s), if any were identified

##### **4.6.2 Allowable Non-Stormwater Discharges**

Certain sources of non-stormwater discharges are allowed under the 2021 MSGP. These include:

- Discharges from emergency/unplanned firefighting activities
- Fire hydrant flushing
- Potable water, including water line flushing
- Uncontaminated condensate from air conditioners, coolers/chillers, and other compressors and from the outside storage of refrigerated gases or liquids
- Irrigation drainage
- Landscape watering provided all pesticides, herbicides, and fertilizer have been applied in accordance with the approved labeling
- Pavement wash waters where no detergents are used and no spills or leaks of toxic or hazardous materials have occurred (unless spilled materials have been removed)
- Routine external building wash down which does not use detergents
- Uncontaminated groundwater or spring water
- Foundation or footing drains where flows are not contaminated with process materials
- Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of the Landfill, but **not** intentional discharges from the cooling tower (e.g., “piped” cooling tower blowdown or drains)

Prohibited non-stormwater discharges under the 2021 MSGP consist of leachate, gas collection condensate, drained free liquids, contaminated groundwater, laboratory wastewater, and equipment wash waters that have come in direct contact with solid waste at the facility. Note that a discharge resulting from snowmelt is considered a stormwater discharge and samples must be collected during a period with a measurable discharge (see **MSGP Part 4.1.4**).

## **5.0 INSPECTIONS AND MONITORING**

Qualified personnel will conduct monthly facility inspections, quarterly visual assessment monitoring, quarterly indicator monitoring, and annual effluent monitoring according to the schedule provided in **Appendix C, Attachment 1**. These personnel must possess the knowledge and skills necessary to assess conditions at the Landfill that could impact stormwater quality and assess the effectiveness of the BMPs selected to control the quality of stormwater. Qualified personnel should include Landfill employees or outside consultants, and at least one member of the Pollution Prevention Team.

### **5.1 Monthly Facility Inspections**

#### **5.1.1 Inspection Procedures**

On a monthly basis, all areas of the Landfill where industrial materials or activities are exposed to stormwater must be inspected when the facility is in operation. The inspections will also include an evaluation of existing stormwater control measures. At least once each calendar year, a monthly facility inspection must be conducted (to the extent practicable) during a stormwater discharge event to incorporate Quarterly Visual Assessment Monitoring (Section 5.2) and Indicator Monitoring (Section 5.3).

#### **5.1.2 Inspection Reports**

Results of the facility inspections and any corrective actions taken in response to any deficiencies or opportunities for improvement that were identified will be documented on the Facility Inspection Report provided in **Appendix C, Attachment 8**. The completed Reports will be maintained with this Plan, but are *not* required to be submitted to EPA, unless so directed. However, findings must be summarized in the Annual Report (**MSGP Section 7.4**). At a minimum, documentation of each inspection must include:

- The inspection date and time
- The name(s) and signature(s) of the inspector(s)
- Weather information and a description of any discharges occurring at the time of the inspection
- All observations relating to the implementation of control measures at the facility, including:
  - Any previously unidentified discharges from and/or pollutants at the site;

- Any evidence of, or the potential for, pollutants entering the drainage system;
- Observations regarding the physical condition of and around all outfalls, including any flow dissipation devices, and evidence of pollutants in discharges and/or the receiving water;
- Any control measures (i.e., BMPs) needing maintenance, repairs, or replacement;
- Leaks or spills from industrial equipment, drums, tanks and other containers
- Industrial materials, residue or trash that may have or could come into contact with stormwater
- Offsite tracking of industrial or waste materials, or sediment where vehicles enter or exit the site
- Tracking or blowing of raw, final or waste materials from areas of no exposure to exposed areas
- Any incidents of noncompliance observed
- Any additional control measures needed to comply with the permit requirements

## **5.2 Quarterly Visual Assessment Monitoring**

Based on Western Regional Climate Center data (May 1, 1960 to June 10, 2016), the average total annual rain and snowfall for the Silver City, NM area are approximately 10.23 and 8.3 inches per year, respectively. The average maximum and minimum temperatures for this area are 71.6°F and 42.6°F, respectively. The average annual snow depth is 0 inches. In addition, events of precipitation (rain or snowfall) are infrequent and of short duration. Precipitation quickly evaporates from the paved surfaces (**Figure 2**) and is readily absorbed into the surrounding pervious soils.

### **5.2.1 Monitoring Procedures**

OWL Landfill Services, LLC is designed to allow non-contaminated stormwater to discharge from the facility. However, in the event of an offsite stormwater discharge, the following procedures must be followed. Consistent with the stormwater monitoring criteria outlined in **MSGP Part 4.1**, a stormwater sample must be collected from locations **S1** and **S2** on a quarterly basis, and a visual assessment conducted on the sample. Generally, site personnel will collect a grab sample of stormwater discharge from each outfall during the first 30 minutes following a measurable storm event. A

measurable event is a storm that creates stormwater discharge from the site and occurs at least 72 hours from the previous measurable storm event. **Appendix C, Attachment 9** provides the form necessary to document visual assessment monitoring procedures and results, and also provides the guidance necessary for sample collection.

### **5.2.2 Monitoring Reports**

Results of quarterly visual monitoring will be documented using the form provided in **Appendix C, Attachment 9** (Quarterly Visual Assessment Report). The completed Reports will be maintained with this Plan, but are *not* required to be submitted to EPA, unless so directed. At a minimum, documentation of each quarterly visual assessment monitoring event must include:

- Sample location(s)
- Sample collection date and time, and visual assessment date and time for each sample
- Personnel collecting the sample and performing visual assessment, and their signatures
- Nature of the discharge (i.e., run-off or snowmelt)
- Results of observations of the stormwater discharge
- Probable sources of any observed stormwater contamination

As allowed by **MSGP Part 3.2.4** (Exceptions to Quarterly Visual Assessments), because the Landfill is located in an area where limited rainfall occurs during many parts of the year (e.g., arid or semi-arid climate), sample collection for the quarterly visual assessments may be distributed during seasons when precipitation run-off occurs. If for any reason quarterly visual assessment monitoring does not take place (e.g., adverse weather, restricted access, etc.) consistent with the monitoring schedule presented in **Appendix C, Attachment 1**, the reason must be documented and maintained in **Appendix C, Attachment 10** (Deviations from Assessment or Monitoring Schedule).

**5.3 Indicator Monitoring**

In addition to Quarterly Visual Assessment Monitoring, qualified site personnel must conduct indicator monitoring of offsite stormwater discharges using the same collection point(s) for Visual Assessment Monitoring (**Location 15**). Indicator monitoring involves the collection and laboratory chemical analysis of stormwater samples from outfalls yielding sufficient water flow for the parameters listed in **Table 5.1**:

**TABLE 5.1**  
**Indicator Monitoring Requirements**  
**OWL Landfill Services, LLC**

Parameter	Frequency	Duration	Monitoring Threshold
Chemical Oxygen Demand (COD)	Quarterly	Entirety of Permit Coverage	Report only/ No thresholds or baseline values
Total Suspended Solids (TSS)			Report only/ No thresholds or baseline values
pH			Report only/ No thresholds or baseline values

Indicator monitoring data is intended to provide operators and EPA with a baseline and comparable understanding of the stormwater discharge quality and potential water quality problems. These indicator parameters are “report-only” and do not have thresholds or baseline values for comparison; therefore, no follow-up corrective action or additional implementation measures (AIM) are required. Indicator monitoring is a permit condition and failure to conduct indicator monitoring is a permit violation.

Monitoring requirements (**MSGP Part 4.1.7**) commence the first full quarter following May 30, 2021 or date of discharge authorization, whichever date comes later. Indicator monitoring shall be conducted at a frequency and duration mentioned in **Table 5.1 (MSGP Part 4.2)** in each of the following 3-month intervals:

- January 1 – March 31
- April 1 – June 30
- July 1 – September 30
- October 1 – December 31

The monitoring schedule may be modified if the facility is located in areas where limited rainfall occurs (arid or semi-arid climate) or in areas where freezing conditions exist that prevent discharge from occurring for extended period of time. The revised schedule shall be reported directly to EPA by the due date of the first indicator monitoring sample and this revised schedule shall be kept with the facility's SWPPP (**MSGP Part 6.5**). When precipitation or snowmelt results in measurable discharge from the facility, the required number of samples must be collected. Consistent with the requirements of **MSGP Part 4.1.6 and MSGP Part 4.2.1.2**, the NeT-DMR reporting tool must be used to report a "no data" or "NODI" code for any 3-month interval that monitoring sample was not collected.

### **5.3.1 Monitoring Reports**

All monitoring data must be submitted to EPA using the NeT-DMR system (available at <https://cdx.epa.gov/>) no later than 30 days after receipt of complete laboratory results for all monitoring outfalls for the reporting period. Instructions for completion and submittal of the DMR are provided as the last two pages of the DMR provided in **Appendix C, Attachment 11**. The sample collection procedures for indicator monitoring, and reporting are provided in **Appendix C, Attachment 11**.

### **5.4 Annual Effluent Limitations Monitoring**

On an annual basis, qualified site personnel must conduct effluent limitations monitoring of offsite stormwater discharges using the same collection point(s) for Visual Assessment Monitoring (**Location 15**). Annual effluent limitations monitoring involves the collection and laboratory chemical analysis of stormwater samples from outfalls yielding sufficient water flow for sample collection and the analysis for parameters listed in **Table 5.2**:

**TABLE 5.2**  
**Annual Effluent Monitoring Limits**  
**OWL Landfill Services, LLC**

Parameter	Frequency	Duration	Monitoring Threshold
Biochemical Oxygen Demand (COD)	Annually	Entirety of Permit Coverage	140 mg/L, daily maximum
			37 mg/L, monthly avg. maximum
Total Suspended Solids (TSS)			88 mg/L, daily maximum
			27 mg/L, monthly avg. maximum
Ammonia			10 mg/L, daily maximum
			4.9 mg/L, monthly avg. maximum
Alpha Terpineol			0.033 mg/L, daily maximum
			0.16 mg/L, monthly avg. maximum
Benzoic Acid			0.12 mg/L, daily maximum
			0.071 mg/L, monthly avg. maximum
p-Cresol			0.025 mg/L, daily maximum
			0.014 mg/L, monthly avg. maximum
Phenol			0.026 mg/L, daily maximum
			0.015 mg/L, monthly avg. maximum
Total Zinc			0.20 mg/L, daily maximum
			0.11 mg/L, monthly avg. maximum
pH	Within the ranch of 6-9 pH units (s.u.)		

#### 5.4.1 Monitoring Procedures

Monitoring requirements (**MSGP Part 4.1.7**) commence the first full quarter following May 30, 2021 or date of discharge authorization, whichever date comes later. Effluent limitation monitoring shall be conducted annually in accordance with **MSPG Part 4.2.3**. When precipitation or snowmelt results in measurable discharge from the facility, the required number of samples must be collected. Consistent with the requirements of **MSGP Part 4.1.6** and **MSGP Part 4.2.1.2**, the NeT-DMR reporting tool must be used to

report a “no data” or “NODI” code for any year that a monitoring sample was not collected.

If any monitoring value exceeds a numeric effluent limitation, the facility must indicate the exceedance on a Change NOI form in NeT system, and must begin follow-up monitoring within 30 calendar days, or during the next measurable storm event, of implementing corrective action in accordance with **MSPG Part 5.1**. If follow up monitoring exceeds the effluent limitations the facility must do the following:

1. Submit an exceedance report no later than 30 days after receipt of laboratory results, consistent with **MSGP Part 7.5**;
2. Continue monitoring, at least quarterly, until stormwater discharges are compliant with effluent limitation monitoring guidelines or EPA waives the requirement for additional monitoring;
3. Following compliance or EPA waiver, submit a Change NOI with the indicated changes consistent with **MSGP Part 7.3**.

#### **5.4.2 Monitoring Reports**

All monitoring data must be submitted to EPA using the NeT-DMR system (available at <https://cdx.epa.gov/>) no later than 30 days after receipt of complete laboratory results for all monitoring outfalls for the reporting period. Instructions for completion and submittal of the DMR are provided as the last two pages of the DMR provided in **Appendix C, Attachment 12**. The sample collection procedures for indicator monitoring, and reporting are provided in **Appendix C, Attachment 12**.

#### **5.5 Annual Report**

The Annual Report is a compilation of the results of the past year’s Monthly Facility Inspection Documentation, Quarterly Visual Assessment Documentation, Quarterly Indicator Monitoring, Annual Effluent Limitation Monitoring, and Corrective Action Documentation; and must be maintained on-site with this Plan. Report documentation must be submitted to EPA in the Annual Report using the NeT system. The following link can be used to access NeT: <https://cdx.epa.gov/>

The Annual Report must be signed by the person(s) identified in Section 7.0 of this Plan. Reports must be submitted electronically January 30<sup>th</sup> for each year (**MSGP 7.2**). Additional detailed information pertinent to Annual Reporting requirements are provided in **MSGP 7.0**. Annual Report instructions are provided in **Appendix C, Attachment 13**.

At a minimum, the documentation required for the Annual Report must include:

1. The date of the inspections
2. The name(s) and titles(s) of personnel conducting the inspections
3. Findings from the examination of areas during Facility Inspections
4. All observations relating to the implementation of control measures including:
  - Previously unidentified discharges from the site
  - Previously unidentified pollutants in existing discharges
  - Evidence of, or the potential for, pollutants entering the drainage system
  - Evidence of pollutants discharging to the receiving waters at all facility outfall(s), and the condition of and around the outfall, including flow dissipation measures to prevent scouring
  - Additional control measures needed to address any conditions requiring corrective action identified during the inspection
5. Any required revisions to the Plan resulting from the inspections
6. Any incidents of noncompliance observed or a certification stating the facility is in compliance with the 2021 MSGP (if there is no noncompliance)
7. A summary of the past year's Monthly Facility Inspection, Quarterly Visual Assessment Monitoring, and Quarterly Indicator Monitoring documentation.
8. A statement, signed and certified in accordance with **MSGP Appendix B, Subsection 11**

## **5.6 Corrective Actions**

Any deficiencies identified during implementation of this Plan, facility inspections, visual assessment monitoring, or indicator monitoring events must be documented in the Annual Report (**Appendix C, Attachment 12**). Deficiencies include site conditions that require review and revision of the selection, design, installation, and implementation of control measures. These conditions are outlined in **MSGP Parts 4.1 and 4.2** and include, but are not limited to:

1. Unauthorized release or discharge
2. Determination by the Landfill or EPA that control measures are not stringent enough to meet applicable water quality standards or the non-numeric effluent limits

3. Inspection or evaluation by an EPA official, local, or state entity determines that modifications to control measures are necessary
4. Results of Monthly Facility Inspections, Quarterly Visual Assessment Monitoring, or Quarterly Indicator Monitoring, determine that control measures are not being properly operated and maintained, and corrective actions are necessary

These conditions must be documented in the Annual Report within 24 hours of the discovery, and must include:

1. Identification of the condition triggering the need for corrective action and review
2. Description of the condition/problem identified
3. Date the problem/condition was identified

Within 14 days of any discovery, the following must be documented in the Annual Report:

1. Summary of corrective action taken or to be taken
2. Notice of whether Plan modifications are required as a result of the discovery or corrective action
3. Date corrective action initiated
4. Date corrective action completed or expected to be completed

Corrective actions implemented at the site that result in modifications/revisions to this Plan require that the Plan be re-certified by a duly authorized representative and documented in **Table 7.1** (Section 7.0). In addition, any maintenance performed as a result of corrective actions will be documented using the form in **Appendix C, Attachment 5**.

### **5.7 Recordkeeping**

All data used to prepare the 2021 Notice of Intent (NOI), reports, certifications, monitoring data, etc. must be maintained in the applicable attachments and appendices of this Plan. **Appendix E** is provided as a location for additional documentation that may be necessary to maintain compliance with the 2021 MSGP. Due to the volume of waste received, to reduce duplications in recordkeeping, and to comply with **MSGP Part 8.L.8.1**, the types of wastes disposed of in each cell are maintained as part of the site's Facility Operating Record.

## **6.0 THREATENED AND ENDANGERED SPECIES – HISORICAL PLACES**

### **6.1 Documentation of Permit Eligibility Related to Endangered Species**

- To ensure compliance with the requirements of the Endangered Species Act (ESA), this Plan includes documentation (see **Appendix B**) supporting the Landfill's determination of Permit eligibility with regard to endangered species. Appendix B also provides updates to this information based on recent review of critical habitat data. This information will be maintained in this Plan for the life of the Permit.

### **6.2 Documentation of Permit Eligibility Related to Historic Places**

- To ensure compliance with the requirements of the National Historic Preservation Act (NHPA), this Plan includes documentation (see **Appendix B**) supporting the Landfill's determination of Permit eligibility with regard to historic places. This information will be maintained in this Plan for the life of the Permit.

## **7.0 INITIAL PLAN CERTIFICATION AND LIST OF REVISIONS**

The Initial Certification for this Plan is provided as **Table 7.1**. The Certification must be signed by a principal executive officer, ranking elected official or by a duly authorized representative of that person. These titles are defined below, and the authorization (Notice of Appointment) for a duly authorized representative follows **Table 7.1**:

- **Principal Executive Officer or Ranking Elected Official** – The chief executive officer of the agency, or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA).
- **Duly Authorized Representatives** – An individual or position having responsibility for the overall operation of the regulated facility or activity such as the position of superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company.

This Certification must be re-signed in the event of a Plan modification in response to corrective actions taken as a result of the facility inspections, monitoring, and corrective actions discussed in Sections 5.1, 5.2, 5.3, 5.4 and 5.5. The signatory requirements for this Plan are listed in **MSGP Appendix B, Subsection 11.A**.

**Table 7.1**

**OWL Landfill Services, LLC  
Plan Certification**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information contained therein. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information contained is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Authorized Representative: Zechariah Ramos

Signature:  Date: 6/9/2021

**LIST OF REVISIONS**

**OWL Landfill Services, LLC**

Revision Number	Revision Date	Author	Signature of Duly Authorized Representative
1			
2			
3			
4			
5			

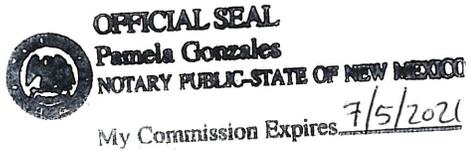
**NOTICE OF APPOINTMENT**

OWL Landfill Services, LLC

This is to advise, that I, Timothy Shawe have duly authorized ZACHARIAH RAMOS, as a representative and signatory in matters concerning reports prepared for the OWL Landfill Services, LLC in reference to the National Pollution Discharge Elimination System (NPDES) Multi-Sector General Permit.

NAME: Zachariah Ramos  
TITLE: Manager  
SIGNATURE: [Signature]  
DATE: 6/9/2021

SWORN AND SUBSCRIBED BEFORE ME by ZACHARIAH RAMOS on the 9<sup>th</sup> day of JUNE 2021 which witness by hand and seal of office.



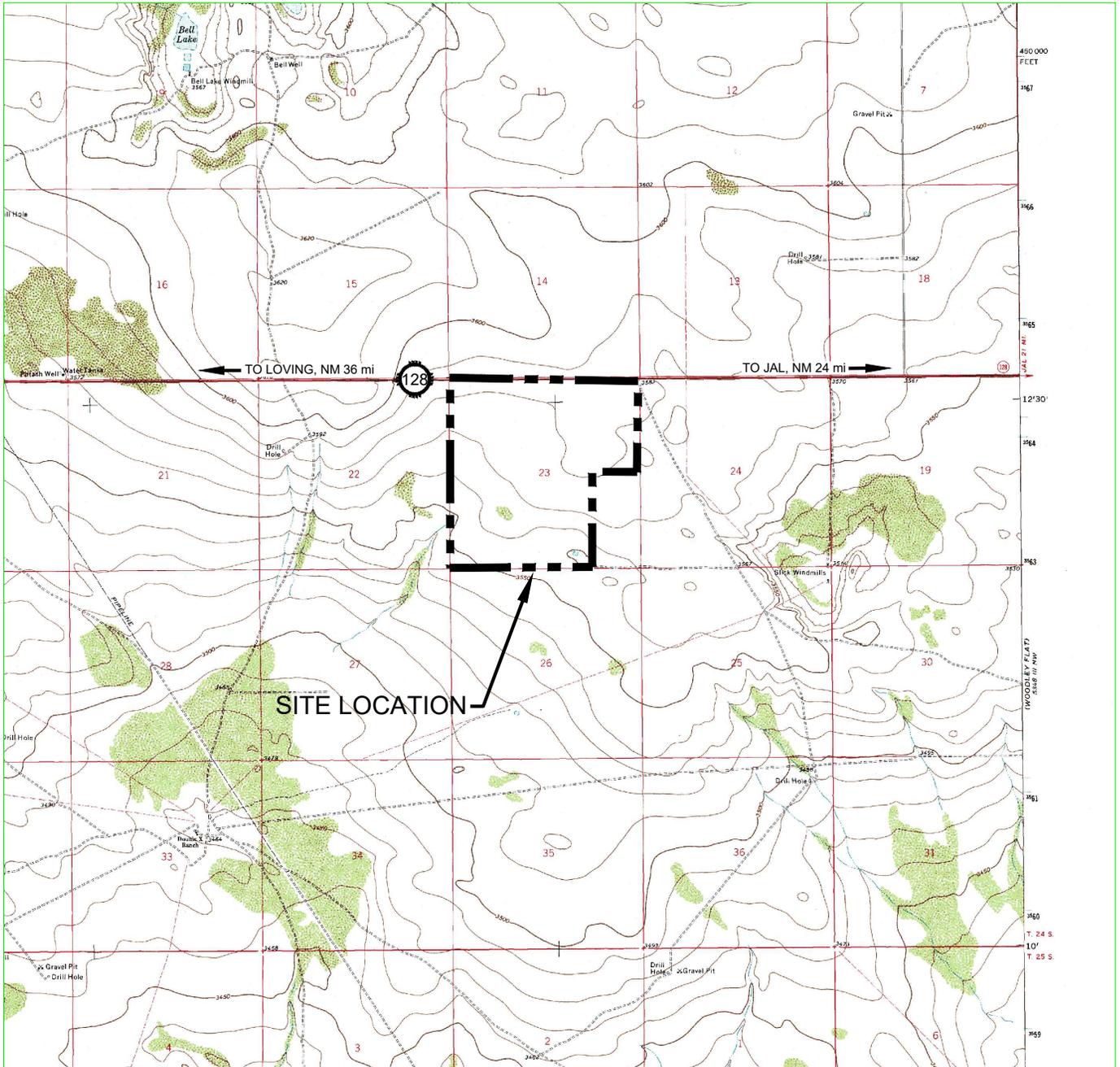
[Signature]  
Notary Public  
PAMELA GONZALES  
Printed Name

July 5, 2021  
My Commission Expires

## FIGURES

**FIGURE 1**

**Site Location Map**



**LEGEND**

--- SITE BOUNDARY

**NOTES:**

- 1) SITE IS LOCATED WITHIN A PORTION OF SECTION 23, TOWNSHIP 24 SOUTH RANGE 23 EAST, LEA COUNTY, NEW MEXICO
- 2) MAP REFERENCE: BELL LAKE, NM. 1973 USGS 7.5 MINUTE SERIES TOPOGRAPHIC MAP



**Parkhill**

**OWL Landfill**

**Site Location Map**

**Parkhill.com**

**Lea County, New Mexico**

Issue: 1  
 Date: 06/11/2021  
 Project No: 01.6759.21  
 Sheet: Figure 1

**FIGURE 2**

**Potential Pollutant Sources and Site Drainage Map**



## **APPENDIX A**

### **NPDES Multi-Sector General Permit**

[https://files.myprimitive.cloud/uploads/47df70b403aa57e84238e277fc7b68489b3f915e.  
pdf](https://files.myprimitive.cloud/uploads/47df70b403aa57e84238e277fc7b68489b3f915e.pdf)

## **APPENDIX B**

### **Notice of Intent and Supporting Documentation**

- **2021 Notice of Intent**
- **NOI Development Data**
  - 2020 NOI
  - EPA EnviroMapper
  - Climate Summary
  - Threatened and Endangered Species
  - Archeological Survey and Sitting Criteria
- **EPA Correspondence**

**2021 Notice of Intent**

NPDES  
FORM  
3510-6
 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
 WASHINGTON, DC 20460  
 NOTICE OF INTENT (NOI) FOR STORMWATER DISCHARGES ASSOCIATED WITH  
 INDUSTRIAL ACTIVITY UNDER THE NPDES MULTI-SECTOR GENERAL PERMIT
FORM  
Approved OMB No.  
2040-0004

## Permit Information

This form has not yet been certified.

**Attention:** The review period for this NOI has been increased to 60 days based on the information entered into this form.

Master Permit Number: NMR050000

NPDES ID:

## Eligibility Information

State/territory where your facility is discharging: NM

Does your facility discharge to federally recognized Indian Country lands? No

Are you a "Federal Operator" as defined in Appendix A ([https://www.epa.gov/sites/production/files/2021-01/documents/2021\\_msgp\\_-\\_appendix\\_a\\_-\\_definitions.pdf](https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf))? No

Which type of form would you like to submit? Notice of Intent (NOI)

By indicating "Yes" below, I confirm that I understand that the MSGP only authorizes the stormwater discharges in Part 1.1.2 and the allowable non-stormwater discharges listed in Part 1.2.2. Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to EPA, state, or local authorities after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the Stormwater Pollution Prevention Plan (SWPPP), during an inspection, etc. If any discharges requiring NPDES permit coverage other than the allowable stormwater and non-stormwater discharges listed in Parts 1.2.1. and 1.2.2. will be discharged, they must be covered under another NPDES permit.

Yes

Are you a new discharger or a new source as defined in Appendix A ([https://www.epa.gov/sites/production/files/2021-01/documents/2021\\_msgp\\_-\\_appendix\\_a\\_-\\_definitions.pdf](https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf))? No

➤ Have stormwater discharges from your facility been covered previously under an NPDES permit? Yes

➤ If yes, provide your most current NPDES ID (i.e., permit tracking number) if you had coverage under EPA's MSGP or the NPDES permit number if you had coverage under an EPA individual permit:

NMR05J033

➤ Are you discharging to any waters of the U.S. that are designated by the state or tribal authority under its antidegradation policy as a Tier 3 water (Outstanding National Resource water)? (See Appendix L ([https://www.epa.gov/sites/production/files/2021-01/documents/2021\\_msgp\\_-\\_appendix\\_l\\_-\\_list\\_of\\_tier\\_3\\_tier\\_2\\_and\\_tier\\_2.5\\_waters.pdf](https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_l_-_list_of_tier_3_tier_2_and_tier_2.5_waters.pdf)))

No

Do you anticipate the discharge of groundwater or spring water from your facility? No

What is the legal name of the Operator as defined in Appendix A ([https://www.epa.gov/sites/production/files/2021-01/documents/2021\\_msgp\\_-\\_appendix\\_a\\_-\\_definitions.pdf](https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf))? Owl Landfill Services, LLC

What is the name of your facility or activity as defined in Appendix A ([https://www.epa.gov/sites/production/files/2021-01/documents/2021\\_msgp\\_-\\_appendix\\_a\\_-\\_definitions.pdf](https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf))? Northern Delaware Basin Landfill

## Operator Information

## Operator Information

Operator Name: Owl Landfill Services, LLC

## Operator Mailing Address

Address Line 1: 8201 Preston Road, Suite 520

Address Line 2:

City: Dallas

ZIP/Postal Code: 75225

State: TX

County or Similar Division: Dallas

## Operator Point of Contact Information

First Name Middle Initial Last Name: Zachariah Ramos

Title: Landfill Operations Manager

Phone: 432-556-3072

Ext.:

Email: zramos@ndblandfill.com

## NOI Preparer Information

This NOI is being prepared by someone other than the certifier.

First Name Middle Initial Last Name: Lanell L Pahe

Organization: Parkhill

Phone: (505) 867-6990

Ext.:

Email: lpahel@parkhill.com

## Facility Information

## Facility Information

Facility Name: Northern Delaware Basin Landfill

## Facility Address

Address Line 1: 2029 W. NM Highway 128

Address Line 2:

City: Jal

ZIP/Postal Code: 88252

State: NM

County or Similar Division: Lea

## Latitude/Longitude for the Facility

Latitude/Longitude: 32.206047°N, 103.544035°W

Latitude/Longitude Data Source: Map

Horizontal Reference Datum: WGS 84

## General Facility Information

What is the ownership type of the facility? Corporation

Estimated area of industrial activity at your facility exposed to stormwater (rounded to the nearest quarter acre): 225

Is your facility presently inactive and unstaffed? No

Exception for Inactive and Unstaffed Facilities: The requirement for indicator monitoring, impaired waters monitoring, and/or benchmark monitoring does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to stormwater.

If circumstances change during the permit term that affect your qualifications for this exception to monitoring requirements (i.e. industrial materials or activities exposure to stormwater or your facility's active/inactive and staffed/unstaffed status) you must submit a NOI notifying EPA of the change in circumstances.

## Sector-Specific Information

Primary Sector: L

Primary Subsector: L1

Primary Activity Code: LF

### Discharge Information

By indicating "Yes" below, I confirm that I understand that the MSGP only authorizes the stormwater discharges in Part 1.2.1 and the allowable non-stormwater discharges listed in Part 1.2.2. Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to EPA, state, or local authorities after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the Stormwater Pollution Prevention Plan (SWPPP), during an inspection, etc. If any discharges requiring NPDES permit coverage other than the authorized stormwater and non-stormwater discharges listed in Parts 1.2.1 and 1.2.2 will be discharged, they must be covered under another NPDES permit.

Yes

## Federal Effluent Limitation Guidelines

Identify the Effluent Limitation Guideline(s) that apply to your stormwater discharges.

40 CFR Part/Subpart	Eligible Discharges	Affected MSGP Sector	New Source Date	Applicability
Part 445, Subpart A & B	Runoff from hazardous waste and non-hazardous waste landfills	L	02/28/2000	Does your facility have any discharges subject to this effluent limitation guideline? <u>No</u>

Are you requesting permit coverage for any stormwater discharges subject to effluent limitation guidelines? No

## Other Discharge Information

Do you anticipate the discharge of groundwater or spring water from your facility? No

Does your facility discharge into a Municipal Separate Sewer System (MS4)? No

## Receiving Waters Information

List all of the stormwater discharge points from your facility.

### Discharge Point 001:

## Applicable Sectors

Select the Sectors/Subsector(s) that apply to this discharge point.

	Sector	Subsector	SIC/Activity Code
<input checked="" type="checkbox"/>	L - LANDFILLS, LAND APPLICATION SITES, AND OPEN DUMPS	L1 - All Landfill, Land Application Sites and Open Dumps	LF

Latitude/Longitude: 32.199529°N, 103.551268°W

This discharge point is *Substantially Identical* to an existing discharge point.

## Receiving Water

GNIS Name:  
n/a

Waterbody Name:  
N/A

Listed Water ID:  
n/a

Is this receiving water saltwater or freshwater? Freshwater

Is this receiving water designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water)?

No

Will you have stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit? No

## Benchmark Monitoring

Are you subject to benchmark monitoring requirements for a hardness-dependent metal? No

## Impaired Waters Monitoring

NOTE: The information automatically populated in this section for determining if the receiving water is listed as impaired on the 303(d) list and in need of a TMDL, the cause(s) of the impairment if the receiving water is impaired on the CWA 303(d) list, if a TMDL has been completed for the receiving waterbody, and the TMDL ID and pollutants for which there is a TMDL may be outdated and inaccurate. It is recommended that you consult with your state's guidance for discharges into impaired waters to determine the correct pollutants and TMDLS and update the causes for the impairment and TMDL information accordingly.

Is the receiving water listed as impaired on the 303(d) list and in need of a TMDL? No

Has a TMDL been completed for this receiving waterbody? No

### SWPPP Information

Has the SWPPP been prepared in advance of filing this NOI, as required? Yes

#### SWPPP Contact Information:

First Name Middle Initial Last Name: Zack . Ramos

Phone: 432-556-3072 Ext.:

Email: zramos@ndblandfill.com

#### SWPPP Availability:

Your current SWPPP or certain information from your SWPPP must be made available through one of the following three options. Select one of the options and provide the required information.

Note: you are not required to post any confidential business information (CBI) or restricted information (as defined in Appendix A ([https://www.epa.gov/sites/production/files/2021-01/documents/2021\\_msgp\\_-\\_appendix\\_a\\_-\\_definitions.pdf](https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf))) (such information may be redacted), but you must clearly identify those portions of the SWPPP that are being withheld from public access.

Option 1: Attach a current copy of your SWPPP to this NOI.

Option 2: Maintain a Current Copy of your SWPPP on an Internet page (Universal Resource Locator or URL).

Provide the web address URL (e.g. <http://www.example.com>): <https://parkhill.com/new-mexico-permits/>

Option 3: Provide the following information from your SWPPP:

### Endangered Species Protection Worksheet: Criterion C3

The following questions will help you determine your eligibility under Part 1.1.4 of the permit with respect to protection of Endangered Species Act (ESA) species and critical habitat(s). Please refer to Appendix E ([https://www.epa.gov/sites/production/files/2021-01/documents/2021\\_msgp\\_-\\_appendix\\_e\\_-\\_procedures\\_relating\\_to\\_endangered\\_species\\_protection.pdf](https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_e_-_procedures_relating_to_endangered_species_protection.pdf)) of the 2021 MSGP for important information regarding your obligations under this permit concerning ESA-protected species and critical habitat(s).

## Determine ESA Eligibility Criterion

Are your industrial activities already addressed in another operator's valid certification of eligibility for your "action area" under eligibility criteria A, C, D, or E of the 2021 MSGP? No

Are your industrial activities the subject of a permit under section 10 of the ESA by the USFWS and/or NMFS, and this authorization addresses the effects of your facility's discharges and discharge-related activities on ESA-listed species and critical habitat?

No

You must determine whether species listed as either threatened or endangered under the Endangered Species Act, and/or their critical habitat are located in your facility's action area. ESA-listed species and critical habitat are under the purview of the NMFS and the USFWS.

## Determine Your Action Area

Your "action area" (as defined in Appendix A ([https://www.epa.gov/sites/production/files/2021-01/documents/2021\\_msgp\\_-\\_appendix\\_a\\_-\\_definitions.pdf](https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf))) includes all areas to be affected directly or indirectly by the action and not merely the immediate area involved in the action, including areas beyond the footprint of the facility that are likely to be affected by stormwater discharges, discharge-related activities, and authorized non-stormwater discharges. You must select and confirm that all the following are true:

➤ In determining my "action area", I have considered that discharges of pollutants into downstream areas can expand the action area well beyond the footprint of my facility and the discharge point(s). I have taken into account the controls I will be implementing to minimize pollutants and the receiving waterbody characteristics (e.g. perennial, intermittent, ephemeral) in determining the extent of physical, chemical, and/or biotic effects of the discharges. I confirm that all receiving waterbodies that could receive pollutants from my facility are included in my action area.

True

➤ In determining my "action area", I have considered that discharge-related activities must also be accounted for in determining my action area. I understand that discharge-related activities are any activities that cause, contribute to, or result in stormwater and authorized non-stormwater point source discharges, and measures such as the siting, construction, and operation of stormwater controls to control, reduce, or prevent pollutants from being discharged. I understand that any new or modified stormwater controls that will have noise or other similar effects, and any disturbances associated with construction of controls, are part of my action area.

True

Provide a written description of your action area and explain your rationale for the extent of the action area drawn on your map. [Click here for an example.](#)

The action area for the OWL Landfill's stormwater discharges extends downstream from the discharge point to a sink located near the Southwest corner of the facility. The downstream limit of the action area is limited as the end point receiving water and does not feed into any other water features.

Attach a map of the action area for your facility. Mapping tool IPaC (the Information, Planning, and Consultation System) located at <http://ecos.fws.gov/ipac/> (<https://ecos.fws.gov/ipac/>) or click here ([/net-msgp/documents/action\\_area\\_example.pdf](/net-msgp/documents/action_area_example.pdf)) for an example.

Name	Uploaded Date	Size
 Project Location Map -iPac.pdf (attachment/722381)	06/11/2021	78.04 KB

## Determine if ESA-listed species and/or critical habitat are in your facility's action area.

ESA-listed species and critical habitat are under the purview of the NMFS and the USFWS, and in many cases, you will need to acquire species and critical habitat lists from both federal agencies.

### National Marine Fisheries Service (NMFS)

To obtain NMFS-listed species and critical habitat information, use the resources listed below:

#### General Resources:

- NOAA Fisheries, Regions Page (<https://www.fisheries.noaa.gov/regions>) 

#### For the Northeastern U.S.:

- NOAA Fisheries Greater Atlantic Region ESA Section 7 Mapper (<https://noaa.maps.arcgis.com/apps/webappviewer/index.html?id=1bc332edc5204e03b250ac11f9914a27>)

#### For Puerto Rico:

- Acropora critical habitat map (<https://www.fisheries.noaa.gov/resource/map/acropora-elkhorn-and-staghorn-coral-critical-habitat-map-and-gis-data>)
- Green turtle critical habitat map (<https://www.fisheries.noaa.gov/resource/map/green-turtle-critical-habitat-map-and-gis-data>)
- Hawksbill Turtle critical habitat map (<https://www.fisheries.noaa.gov/resource/map/hawksbill-turtle-critical-habitat-map-and-gis-data>)

#### Western U.S.:

- West Coast Region Protected Resources App (<https://www.webapps.nwfsc.noaa.gov/portal/apps/webappviewer/index.html?id=7514c715b8594944a6e468dd25aaacc9>)

#### Pacific Islands:

- Contact the Pacific Islands Regional Office at (808) 725-5000 or [pirohonolulu@noaa.gov](mailto:pirohonolulu@noaa.gov) (<mailto:pirohonolulu@noaa.gov>)

I have checked the webpages listed above and confirmed that: There are no NMFS-listed species and/or critical habitat in my action area.

### U.S. Fish and Wildlife Service (USFWS)

To obtain FWS-listed species and critical habitat information, use the resources listed below:

- IPaC (the Information, Planning, and Consultation System) (<https://ecos.fws.gov/ipac/>)
- For instructions for using IPaC, click here.

I have checked the webpages listed above and confirmed that: There are FWS-listed species and/or critical habitat in my action area.

For FWS species, include the full printout from your IPaC query/Official Species List.

Name	Uploaded Date	Size
 APPENDIX_B- Threatened-Endangered Species.pdf (attachment/722385)	06/11/2021	185.17 KB

You may be eligible under **Criterion C**. You must assess whether your discharges and discharge-related activities are likely to adversely affect ESA-listed species or critical habitat, and whether any additional measures are necessary to ensure no likely adverse effects. In order to make a determination of your facility's likelihood of adverse effects, you must complete the Criterion C Eligibility fields below.

### Criterion C Eligibility

Provide a general description of the industrial activities that are taking place at this facility:

The landfill activities include petroleum contaminated soils (PCS), drilling mud, stabilized tank bottoms, and other petroleum and natural gas exploration/production related wastes.

Using your species list(s) attached above, determine which of the following applies:

The species list(s) includes only terrestrial species and/or their critical habitat. No aquatic or aquatic-dependent species or their critical habitat are present in the action area.

### Evaluation of Discharge-Related Activities Effects

Most of the potential effects related to coverage under the MSGP are assumed to occur to aquatic and/or aquatic-dependent species. However, in some cases, potential effects to terrestrial species and/or their critical habitat should be considered as well from any discharge-related activities that occur during coverage under the MSGP. Examples of discharge-related activities that could have potential effects on protected terrestrial species or their critical habitat include the storage of materials and land disturbances associated with stormwater management-related activities (e.g., the installation or placement of stormwater control measures).

Select the applicable statement below: There are no discharge-related activities that are planned to occur during my coverage under the 2021 MSGP.

In order to ensure any discharge-related activities will have no likely adverse effects on ESA-listed species and/or their critical habitat, you must certify that all the following are true:

- Discharge-related activities will occur on previously cleared/developed areas of the site where maintenance and operation of the facility are currently occurring or where existing conditions of the area(s) in which the discharge-related activities will occur precludes its use by listed species (e.g., work on existing impervious surfaces, work occurring inside buildings, area is not used by species).

True

- Discharge-related activities that will include the establishment of structures (including, but not limited to, infiltration ponds and other controls) or any related disturbances will be sited in areas that will not result in isolation or degradation of nesting, breeding, or foraging habitat or other habitat functions for listed animal species (or their designated critical habitat), and will avoid the destruction of native vegetation (including listed plant species).

True

➤

For any vegetation removal (e.g., brush clearing) or other similar activities that will occur, no terrestrial listed species that use these areas for habitat or listed critical habitat would be expected to be present during vegetation removal.

True

You must verify your preliminary determination of effects on listed species and designated critical habitat from your discharges and/or discharge-related activities. Select one of the following that applies:

Based on the above responses, I have provided information supporting a preliminary determination that my discharges and/or discharge-related activities are not likely to adversely affect listed species and designated critical habitats.

Identify the USFWS and NMFS information resources and expertise (e.g., state or federal biologists) used to arrive at this conclusion. Any supporting documentation should explicitly state that both ESA-listed species and critical habitat under the jurisdiction of the USFWS and/or NMFS were considered in the evaluation.

Communications through the NMERT system resulted in the NM Department of Game and Fish issuing a letter stating no anticipated significant impacts to wildlife or sensitive habits. This letter was based on the Department's review of iPaC documentation and the facilities prepared SWPPP.

What ESA-listed species and/or critical habitat are located in your "action area"?

Northern Aplomado Falcon

Distance in miles between your site and the ESA-listed species and/or critical habitat within the action area: 6

Provide a description of EPA approved measures you will implement or will continue to implement to ensure no likely adverse effects on ESA-listed species and/or critical habitat.

No terrestrial listed species that use these areas for habitat or listed critical habitat would be expected to be present during vegetation removal. No Discharge-related activities that will include the establishment of structures (including, but not limited to, infiltration ponds and other controls) or any related disturbances will be sited in areas that will not result in isolation or degradation of nesting, breeding, or foraging habitat or other habitat functions for listed animal species (or their designated critical habitat), and will avoid the destruction of native vegetation (including listed plant species)

**Note:** Any missing or incomplete information in this section may result in a delay of your coverage under the permit.

Historic Preservation: Criterion A

The following questions will help you determine your eligibility under Part 1.1.5 of the permit with respect to preservation of historic properties. You may still use the paper instructions in Appendix F ([https://www.epa.gov/sites/production/files/2021-01/documents/2021\\_msgp\\_-\\_appendix\\_f\\_-\\_procedures\\_relating\\_to\\_historic\\_properties\\_preservation.pdf](https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_f_-_procedures_relating_to_historic_properties_preservation.pdf)) of the MSGP in advance or in conjunction with answering the questions in this section of the form. For more information about your State Historic Preservation Office (SHPO) or Tribal Historic Preservation Office (THPO), please visit the National Park Service (NPS) websites at:

- State Historic Preservation Office (SHPO) (<https://www.nps.gov/subjects/nationalregister/state-historic-preservation-offices.htm>)
- Tribal Historic Preservation Office (THPO) ([https://www.nps.gov/history/tribes/Tribal\\_Historic\\_Preservation\\_Officers\\_Program.htm](https://www.nps.gov/history/tribes/Tribal_Historic_Preservation_Officers_Program.htm))

Are you an existing facility that is resubmitting for certification under the 2021 MSGP? No

Are you constructing or installing any stormwater control measures? No

You are eligible under **Criterion A**.

Certification Information

Form has not been certified yet.

## **NOI Development Data**

**2020 NOI**



Permit Information

Master Permit Number: NMR050000

NPDES ID: NMR05J033

Eligibility Information

State/territory where your facility is located: NM

Is your facility located on Federally Recognized Indian Country Lands? No

Are you a "Federal Operator" as defined in Appendix A ([https://www.epa.gov/sites/production/files/2015-10/documents/msgp2015\\_appendixa.pdf](https://www.epa.gov/sites/production/files/2015-10/documents/msgp2015_appendixa.pdf))? No

Which type of form would you like to submit? Notice of Intent (NOI)

By indicating "Yes", I confirm that I understand that the MSGP only authorizes the allowable stormwater discharges in Part 1.1.2 and the allowable non-stormwater discharges listed in Part 1.1.3. Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to EPA state, or local authorities after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the Stormwater Pollution Prevention Plan (SWPPP), during an inspection, etc. If any discharges requiring NPDES permit coverage other than the allowable stormwater and non-stormwater discharges listed in Parts 1.1.2 and 1.1.3 will be discharged, they must be covered under another NPDES permit.

Yes

Are you a new discharger or a new source as defined in Appendix A ([https://www.epa.gov/sites/production/files/2015-10/documents/msgp2015\\_appendixa.pdf](https://www.epa.gov/sites/production/files/2015-10/documents/msgp2015_appendixa.pdf))? Yes

➔ Are you discharging to any waters of the U.S. that are designated by the state or tribal authority under its antidegradation policy as a Tier 3 water (Outstanding National Resource water)? (See Appendix L ([https://www.epa.gov/sites/production/files/2015-10/documents/msgp2015\\_appendixl.pdf](https://www.epa.gov/sites/production/files/2015-10/documents/msgp2015_appendixl.pdf)))

No

Does your facility discharge to a federal CERCLA site listed in Appendix P ([https://www.epa.gov/sites/production/files/2015-10/documents/msgp2015\\_appendixp.pdf](https://www.epa.gov/sites/production/files/2015-10/documents/msgp2015_appendixp.pdf))? No

Operator Information

Operator Information

Operator Name: OWL Landfill Services, LLC

Operator Mailing Address

Address Line 1: 8201 Preston Road, Suite 520

Address Line 2:

City: Dallas

ZIP/Postal Code: 75225

State: TX

County or Similar Division: DALLAS

Operator Point of Contact Information

First Name Middle Initial Last Name: Zachariah Ramos

Organization:

Title: Landfill Operations Manager

Phone: 432-556-3072

Ext.:

Email: zramos@ndblandfill.com

NOI Preparer Information

First Name Middle Initial Last Name: Tyler Zack

Organization: Gordon Environmental/PSC

Phone: (505) 867-6990

Ext.:

Facility Information

### Facility Information

Facility Name: Northern Delaware Basin Landfill

### Facility Address

Address Line 1: 2029 W. NM Highway 128

Address Line 2:

City: Jal

ZIP/Postal Code: 88252

State: NM

County or Similar Division: LEA

### Latitude/Longitude for the Facility

Latitude/Longitude: 32.206047°N, 103.544035°W

Latitude/Longitude Data Source: Map

Horizontal Reference Datum: WGS 84

What is the ownership type of the facility? Corporation

Estimated area of industrial activity at your facility exposed to stormwater (rounded to the nearest quarter acre): 225

### Sector-Specific Information

Primary Sector: L

Primary Subsector: L1

Primary Activity Code: LF

Is your facility presently inactive and unstaffed? No

Discharge Information

By indicating "Yes" below, I confirm that I understand that the MSGP only authorizes the allowable stormwater discharges in Part 1.1.2 and the allowable non-stormwater discharges listed in Part 1.1.3. Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to EPA, state, or local authorities after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the Stormwater Pollution Prevention Plan (SWPPP), during an inspection, etc. If any discharges requiring NPDES permit coverage other than the allowable stormwater and non-stormwater discharges listed in Parts 1.1.2 and 1.1.3 will be discharged, they must be covered under another NPDES permit.

Yes

### Federal Effluent Limitation Guidelines

Identify the Effluent Limitation Guideline(s) that apply to your stormwater discharges.

40 CFR Part/Subpart	Eligible Discharges	Affected MSGP Sector	New Source Date	Applicability
Part 445, Subpart A & B	Runoff from hazardous waste and non-hazardous waste landfills	L	02/28/2000	Does your facility have any discharges subject to this effluent limitation guideline? <u>No</u>

Are you requesting permit coverage for any stormwater discharges subject to effluent limitation guidelines? No

### Benchmark Monitoring

Are you subject to benchmark monitoring requirements for a hardness-dependent metal? No

### Other Discharge Information

Does your facility discharge into a Municipal Separate Sewer System (MS4)? No

## Receiving Waters Information

List all of the stormwater outfalls from your facility.

### Outfall 001: Outfall Location #15 - Southwest Corner

## Applicable Sectors

Select the Sectors/Subsector(s) that apply to this outfall.

	Sector	Subsector
<input checked="" type="checkbox"/>	L - LANDFILLS, LAND APPLICATION SITES, AND OPEN DUMPS	L1 - All Landfill, Land Application Sites and Open Dumps

Latitude/Longitude: 32.199529°N, 103.551268°W

This outfall is *Substantially Identical* to an existing outfall.

## Receiving Water

GNIS Name:  
n/a

Waterbody Name:  
None

Listed Water ID:  
n/a

Is this receiving water designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water)?

No

Is the receiving water listed as impaired on the 303(d) list and in need of a TMDL? No

Has a TMDL been completed for this receiving waterbody? No

## SWPPP Information

Has the SWPPP been prepared in advance of filing this NOI, as required? Yes

### SWPPP Contact Information:

First Name            Middle Initial            Last Name: Zachariah Ramos

Organization: OWL Landfill Services, LLC

Professional Title: Landfill Operations Manager

Phone: 432-556-3072

Ext.:           

Email: zramos@ndblandfill.com

### SWPPP Availability:

Your current SWPPP or certain information from your SWPPP must be made available through one of the following two options. Select one of the options and provide the required information:

**Note: you are not required to post any confidential business information (CBI) or restricted information (as defined in Appendix A ([https://www.epa.gov/sites/production/files/2015-10/documents/msgp2015\\_appendixa.pdf](https://www.epa.gov/sites/production/files/2015-10/documents/msgp2015_appendixa.pdf))) (such information may be redacted), but you must clearly identify those portions of the SWPPP that are being withheld from public access.**

**Option 1: Maintain a Current Copy of your SWPPP on an Internet Page (Universal Resource Locator or URL).**

SWPPP web address URL: [http://www.team-psc.com/wp-content/uploads/2020/04/0560.19\\_owl\\_swppp\\_apr2020\\_website-placeholder.pdf](http://www.team-psc.com/wp-content/uploads/2020/04/0560.19_owl_swppp_apr2020_website-placeholder.pdf)

**Option 2: Provide the following information from your SWPPP:**

## Endangered Species Protection

Using the instructions in Appendix E ([https://www.epa.gov/sites/production/files/2015-10/documents/msgp2015\\_appendix-2.pdf](https://www.epa.gov/sites/production/files/2015-10/documents/msgp2015_appendix-2.pdf)) of the MSGP, under which endangered species criterion listed in Part 1.1.4.5 are you eligible for coverage under this permit?

Criterion A - No listed species of critical habitat are in the action area

Provide a brief summary of the basis for the criterion selected in Appendix E ([https://www.epa.gov/sites/production/files/2015-10/documents/msgp2015\\_appendix-2.pdf](https://www.epa.gov/sites/production/files/2015-10/documents/msgp2015_appendix-2.pdf)):

## Rocky Mountain Ecology Threatened and Endangered Species Review

e.g. communication with U.S. Fish and Wildlife Service or National Marine Fisheries Service to determine no species in action area; Implementation of controls approved by EPA and the Services.

### Historic Preservation

If your facility is not located on Indian country lands, is your facility located on a property of religious or cultural significance to an Indian tribe? No

Using the instructions in Appendix F ([https://www.epa.gov/sites/production/files/2015-10/documents/msgp2015\\_appendixf.pdf](https://www.epa.gov/sites/production/files/2015-10/documents/msgp2015_appendixf.pdf)) of the MSGP, under which historic properties preservation criterion listed in Part 1.1.4.6 are you eligible for coverage under this permit?

Criterion B - Subsurface stormwater controls will not affect historic properties

### Certification Information

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I have no personal knowledge that the information submitted is other than true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. Signing an electronic document on behalf of another person is subject to criminal, civil, administrative, or other lawful action.

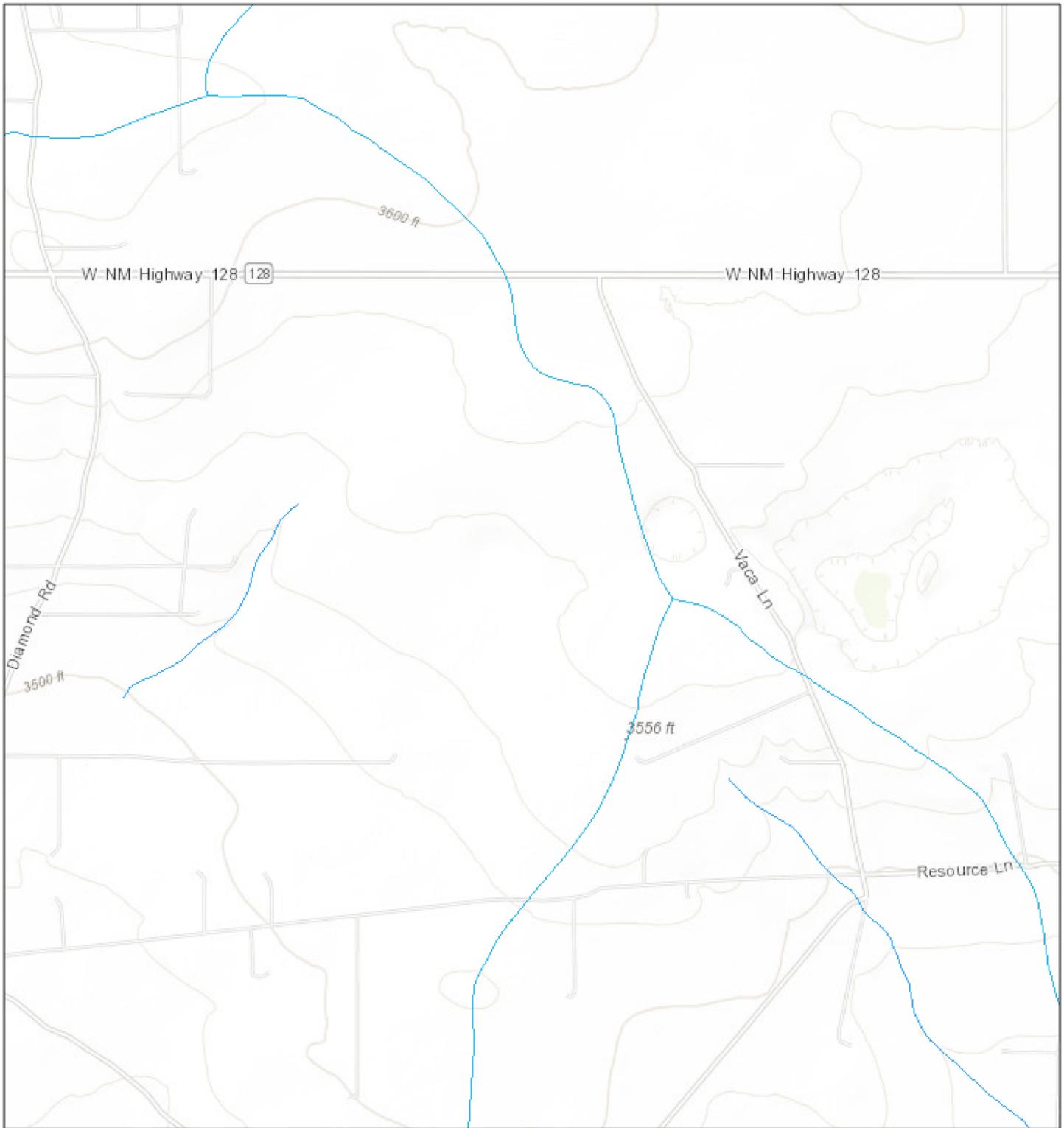
**Certified By:** Zachariah E. Ramos

**Certifier Title:** Operation Manager

**Certifier Email:** zramos@ndblandfill.com

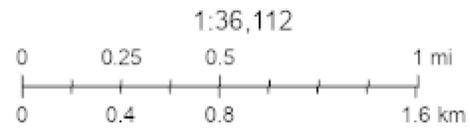
**Certified On:** 04/06/2020 1:47 PM ET

**EPA EnviroMapper**



May 24, 2021

-  Watersheds (HUC12)
-  Water Bodies
-  Streams



Sources: Esri, HERE, Garmin, Intermap, Increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, EPA, OEI

## **Climate Summary**

Back to:

**NOTE:**

To print data frame (right side), click on right frame before printing.

**1981 - 2010**

- [Daily Temp. & Precip.](#)
- [Daily Tabular data \(~23 KB\)](#)
- [Monthly Tabular data \(~1 KB\)](#)
- [NCDC 1981-2010 Normals \(~3 KB\)](#)

**1971 - 2000**

- [Daily Temp. & Precip.](#)
- [Daily Tabular data \(~23 KB\)](#)
- [Monthly Tabular data \(~1 KB\)](#)
- [NCDC 1971-2000 Normals \(~3 KB\)](#)

# JAL, NEW MEXICO (294346)

## Period of Record Monthly Climate Summary

**Period of Record : 03/01/1919 to 06/10/2016**

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Average Max. Temperature (F)	59.9	65.2	72.9	81.8	89.0	95.6	96.3	95.0	88.8	80.3	68.6	61.0	79.5
Average Min. Temperature (F)	27.9	32.4	38.8	47.6	56.8	65.3	68.0	66.8	60.2	48.9	36.7	29.2	48.2
Average Total Precipitation (in.)	0.41	0.48	0.42	0.63	1.42	1.28	1.82	1.79	2.08	1.31	0.47	0.46	12.58
Average Total SnowFall (in.)	1.3	0.7	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.6	0.8	3.5
Average Snow Depth (in.)	0	0	0	0	0	0	0	0	0	0	0	0	0

Percent of possible observations for period of record.

Max. Temp.: 66.2% Min. Temp.: 65.8% Precipitation: 77.9% Snowfall: 63.1% Snow Depth: 63.1%

Check [Station Metadata](#) or [Metadata graphics](#) for more detail about data completeness.

Western Regional Climate Center. [wrcc@dri.edu](mailto:wrcc@dri.edu)

## **Threatened and Endangered Species**



## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
New Mexico Ecological Services Field Office  
2105 Osuna Road Ne  
Albuquerque, NM 87113-1001  
Phone: (505) 346-2525 Fax: (505) 346-2542  
<http://www.fws.gov/southwest/es/NewMexico/>  
[http://www.fws.gov/southwest/es/ES\\_Lists\\_Main2.html](http://www.fws.gov/southwest/es/ES_Lists_Main2.html)

In Reply Refer To:

May 24, 2021

Consultation Code: 02ENNM00-2021-SLI-1094

Event Code: 02ENNM00-2021-E-02573

Project Name: OWL Landfill SWPPP Update

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

Thank you for your recent request for information on federally listed species and important wildlife habitats that may occur in your project area. The U.S. Fish and Wildlife Service (Service) has responsibility for certain species of New Mexico wildlife under the Endangered Species Act (ESA) of 1973 as amended (16 USC 1531 et seq.), the Migratory Bird Treaty Act (MBTA) as amended (16 USC 701-715), and the Bald and Golden Eagle Protection Act (BGEPA) as amended (16 USC 668-668c). We are providing the following guidance to assist you in determining which federally imperiled species may or may not occur within your project area and to recommend some conservation measures that can be included in your project design.

### **FEDERALLY-LISTED SPECIES AND DESIGNATED CRITICAL HABITAT**

Attached is a list of endangered, threatened, and proposed species that may occur in your project area. Your project area may not necessarily include all or any of these species. Under the ESA, it is the responsibility of the Federal action agency or its designated representative to determine if a proposed action "may affect" endangered, threatened, or proposed species, or designated critical habitat, and if so, to consult with the Service further. Similarly, it is the responsibility of the Federal action agency or project proponent, not the Service, to make "no effect" determinations. If you determine that your proposed action will have "no effect" on threatened or endangered species or their respective critical habitat, you do not need to seek concurrence with the Service. Nevertheless, it is a violation of Federal law to harm or harass any federally-listed threatened or endangered fish or wildlife species without the appropriate permit.

If you determine that your proposed action may affect federally-listed species, consultation with the Service will be necessary. Through the consultation process, we will analyze information contained in a biological assessment that you provide. If your proposed action is associated with

Federal funding or permitting, consultation will occur with the Federal agency under section 7(a)(2) of the ESA. Otherwise, an incidental take permit pursuant to section 10(a)(1)(B) of the ESA (also known as a habitat conservation plan) is necessary to harm or harass federally listed threatened or endangered fish or wildlife species. In either case, there is no mechanism for authorizing incidental take "after-the-fact." For more information regarding formal consultation and HCPs, please see the Service's Consultation Handbook and Habitat Conservation Plans at [www.fws.gov/angered/esa-library/index.html#consultations](http://www.fws.gov/angered/esa-library/index.html#consultations).

The scope of federally listed species compliance not only includes direct effects, but also any interrelated or interdependent project activities (e.g., equipment staging areas, offsite borrow material areas, or utility relocations) and any indirect or cumulative effects that may occur in the action area. The action area includes all areas to be affected, not merely the immediate area involved in the action. Large projects may have effects outside the immediate area to species not listed here that should be addressed. If your action area has suitable habitat for any of the attached species, we recommend that species-specific surveys be conducted during the flowering season for plants and at the appropriate time for wildlife to evaluate any possible project-related impacts.

### **Candidate Species and Other Sensitive Species**

A list of candidate and other sensitive species in your area is also attached. Candidate species and other sensitive species are species that have no legal protection under the ESA, although we recommend that candidate and other sensitive species be included in your surveys and considered for planning purposes. The Service monitors the status of these species. If significant declines occur, these species could potentially be listed. Therefore, actions that may contribute to their decline should be avoided.

Lists of sensitive species including State-listed endangered and threatened species are compiled by New Mexico state agencies. These lists, along with species information, can be found at the following websites:

Biota Information System of New Mexico (BISON-M): [www.bison-m.org](http://www.bison-m.org)

New Mexico State Forestry. The New Mexico Endangered Plant Program:  
[www.emnrd.state.nm.us/SFD/ForestMgt/Endangered.html](http://www.emnrd.state.nm.us/SFD/ForestMgt/Endangered.html)

New Mexico Rare Plant Technical Council, New Mexico Rare Plants: [nmrareplants.unm.edu](http://nmrareplants.unm.edu)

Natural Heritage New Mexico, online species database: [nhnm.unm.edu](http://nhnm.unm.edu)

### **WETLANDS AND FLOODPLAINS**

Under Executive Orders 11988 and 11990, Federal agencies are required to minimize the destruction, loss, or degradation of wetlands and floodplains, and preserve and enhance their natural and beneficial values. These habitats should be conserved through avoidance, or mitigated to ensure that there would be no net loss of wetlands function and value.

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We encourage you to use the National Wetland Inventory (NWI) maps in conjunction with ground-truthing to identify wetlands occurring in your project area. The Service's NWI program website, [www.fws.gov/wetlands/Data/Mapper.html](http://www.fws.gov/wetlands/Data/Mapper.html) integrates digital map data with other resource information. We also recommend you contact the U.S. Army Corps of Engineers for permitting requirements under section 404 of the Clean Water Act if your proposed action could impact floodplains or wetlands.

### **MIGRATORY BIRDS**

The MBTA prohibits the taking of migratory birds, nests, and eggs, except as permitted by the Service's Migratory Bird Office. To minimize the likelihood of adverse impacts to migratory birds, we recommend construction activities occur outside the general bird nesting season from March through August, or that areas proposed for construction during the nesting season be surveyed, and when occupied, avoided until the young have fledged.

We recommend review of Birds of Conservation Concern at website [www.fws.gov/migratorybirds/CurrentBirdIssues/Management/BCC.html](http://www.fws.gov/migratorybirds/CurrentBirdIssues/Management/BCC.html) to fully evaluate the effects to the birds at your site. This list identifies birds that are potentially threatened by disturbance and construction.

### **BALD AND GOLDEN EAGLES**

The bald eagle (*Haliaeetus leucocephalus*) was delisted under the ESA on August 9, 2007. Both the bald eagle and golden eagle (*Aquila chrysaetos*) are still protected under the MBTA and BGEPA. The BGEPA affords both eagles protection in addition to that provided by the MBTA, in particular, by making it unlawful to "disturb" eagles. Under the BGEPA, the Service may issue limited permits to incidentally "take" eagles (e.g., injury, interfering with normal breeding, feeding, or sheltering behavior nest abandonment). For information on bald and golden eagle management guidelines, we recommend you review information provided at [www.fws.gov/midwest/eagle/guidelines/bgepa.html](http://www.fws.gov/midwest/eagle/guidelines/bgepa.html).

On our web site [www.fws.gov/southwest/es/NewMexico/SBC\\_intro.cfm](http://www.fws.gov/southwest/es/NewMexico/SBC_intro.cfm), we have included conservation measures that can minimize impacts to federally listed and other sensitive species. These include measures for communication towers, power line safety for raptors, road and highway improvements, spring developments and livestock watering facilities, wastewater facilities, and trenching operations.

We also suggest you contact the New Mexico Department of Game and Fish, and the New Mexico Energy, Minerals, and Natural Resources Department, Forestry Division for information regarding State fish, wildlife, and plants.

Thank you for your concern for endangered and threatened species and New Mexico's wildlife habitats. We appreciate your efforts to identify and avoid impacts to listed and sensitive species in your project area. For further consultation on your proposed activity, please call 505-346-2525 or email [nmesfo@fws.gov](mailto:nmesfo@fws.gov) and reference your Service Consultation Tracking Number.

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Attachment(s):

- Official Species List
- Migratory Birds

## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**New Mexico Ecological Services Field Office**

2105 Osuna Road Ne

Albuquerque, NM 87113-1001

(505) 346-2525

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## Project Summary

Consultation Code: 02ENNM00-2021-SLI-1094

Event Code: 02ENNM00-2021-E-02573

Project Name: OWL Landfill SWPPP Update

Project Type: Landfill

Project Description: SWPPP Update

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@32.20769035,-103.53653436481638,14z>



Counties: Lea County, New Mexico

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## Endangered Species Act Species

There is a total of 1 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Birds

NAME	STATUS
Northern Aplomado Falcon <i>Falco femoralis septentrionalis</i> Population: U.S.A (AZ, NM) No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/1923">https://ecos.fws.gov/ecp/species/1923</a>	Experimental Population, Non- Essential

## Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

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## Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

- 
1. The [Migratory Birds Treaty Act](#) of 1918.
  2. The [Bald and Golden Eagle Protection Act](#) of 1940.
  3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Lark Bunting <i>Calamospiza melanocorys</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds May 10 to Aug 15

## Probability Of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

### Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is  $0.25/0.25 = 1$ ; at week 20 it is  $0.05/0.25 = 0.2$ .
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

### Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

### Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

### No Data (—)

A week is marked as having no data if there were no survey events for that week.

### Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

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■ probability of presence   ■ breeding season   | survey effort   — no data

SPECIES    JAN    FEB    MAR    APR    MAY    JUN    JUL    AUG    SEP    OCT    NOV    DEC

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Lark Bunting  
BCC - BCR



Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

## Migratory Birds FAQ

**Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

**What does IPaC use to generate the migratory birds potentially occurring in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

**What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?**

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

### **How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### **What are the levels of concern for migratory birds?**

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

### **Details about birds that are potentially affected by offshore projects**

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

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Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

**What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

**Proper Interpretation and Use of Your Migratory Bird Report**

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

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## **Archeological Survey and Sitting Criteria**

# HAMMERSTONE ARCHAEOLOGICAL SERVICES

Dacia R. Tucholke  
Project Manager  
Gordon Environmental, Inc.  
213 S. Camino Del Pueblo,  
Bernalillo, NM 87004

## **RE: Letter Report for Summary of Class I File Search for a Proposed Surface Waste Management Facility in Lea County, NM.**

Hammerstone Archaeological Services (HAS) is pleased to provide you with the following summary of a file search for a proposed surface waste management facility in Lea County, New Mexico per 19.15.2.7.S(11) NMAC: “a facility that receives oil field waste for collection, disposal, evaporation, remediation, reclamation, treatment or storage.” The project will serve the oilfield industry in southern Lea County and West Texas.

A Class I file search of the Archaeological Records Management Section (ARMS) Mapserver database was conducted on October 15, 2015 (please see the attached ARMS map). One previously recorded cultural resource site was identified within the proposed project area. Site LA 178420 is an historic surface manifestation originally recorded by Lone Mountain Archaeological Services in February of 2014. The site measures approximately 53 meters x 67 meters. It was officially determined not eligible by the Bruce Boeke of the Carlsbad Field Office, Bureau of Land Management on February 11, 2014. There has yet to be a formal determination of the site by the New Mexico State Historic Preservation Office; however it is unlikely that they would disagree with the agency determination by the BLM. That being said, a determination of “not eligible” would allow any ground disturbance associated with the proposed project undertaking to move forward without any regard for site LA 178420.

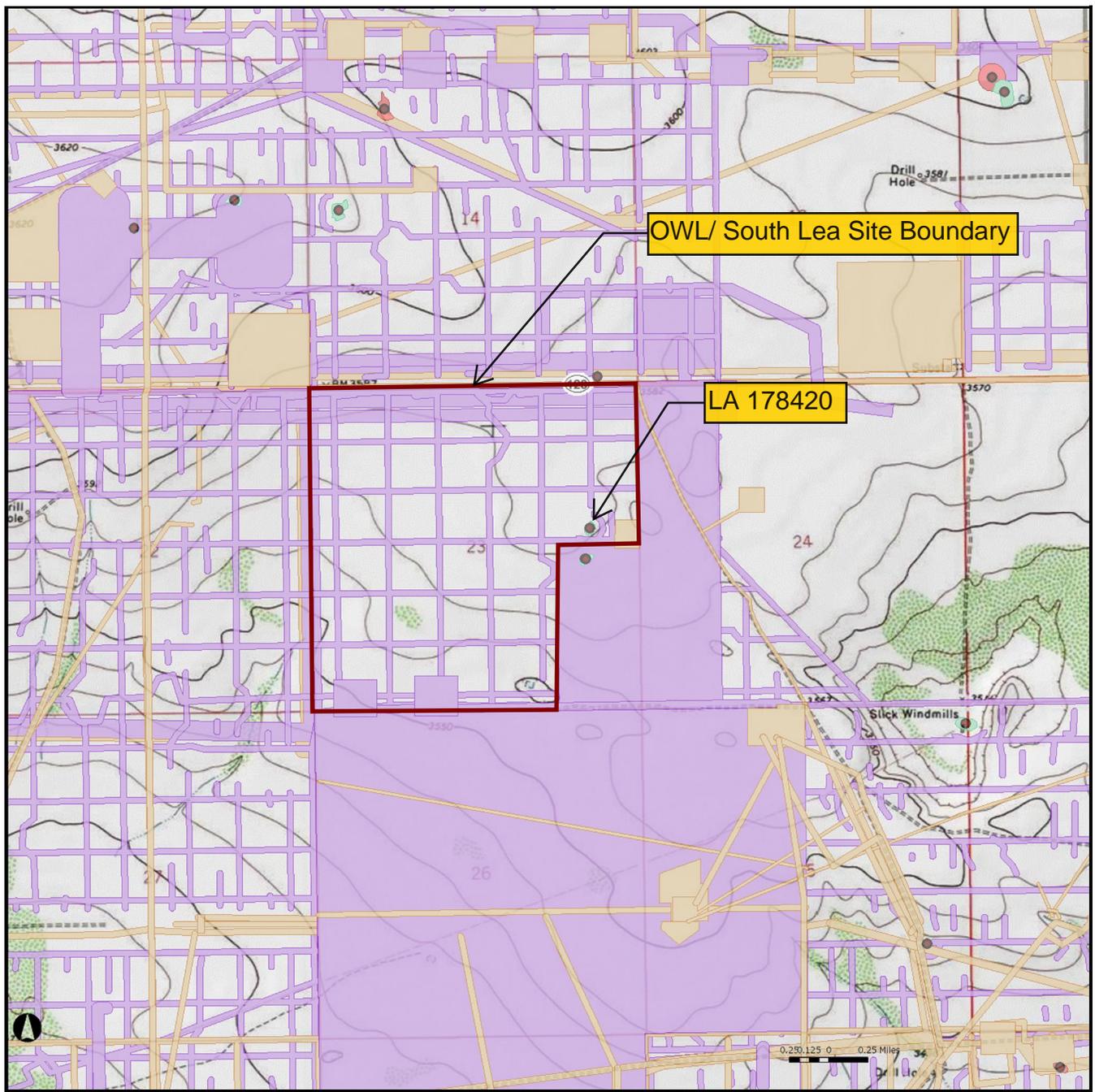
The pink and tan areas depicted on the ARMS map refer to previously conducted archaeological surveys. The legend states that the pink areas are “proposed” survey areas; however this is misleading. Those areas have been surveyed, but have not gone through the official ARMS verification process. If there are any questions concerning this summary, please do not hesitate to call me at any time.

Sincerely,

Richard Burleson Co-owner (Partner)  
Hammerstone Archaeological Services



# Map



### PLSS

- Site Labels
- Site Boundaries (Edit)
- Site Boundaries
- Not Defined
- Proposed
- Approved

### Historic Structures

- Not Defined
  - Proposed
  - Approved
- ### Buildings
- Not Defined
  - Proposed
  - Approved
- ### Objects
- Not Defined

### Register Properties

- Not Defined
  - Proposed
  - Approved
- ### Archaeological Surveys (Edit)
- 
- ### Archaeological Surveys
- Not Defined
  - Proposed
  - Approved

- Building Labels 
- Object Labels 
- Linear Resource Labels 
- Historic Structure Labels 
- Historic Structures (Edit) 
- Buildings (Edit) 
- Objects (Edit) 
- Linear Resources (Edit) 

-  Proposed
-  Approved
- Linear Resources
  -  Not Defined
  -  Proposed
  -  Approved
- District Labels 
- Districts (Edit) 
- Districts
  -  Not Defined
  -  Proposed
  -  Approved
- Register Properties (Edit) 

- Highways
  -  Primary Limited Access or Interstate
  -  Primary US and State Highways
  -  Secondary State and County
  -  Local - Rural
  -  Ramp, other
- New Mexico 
- Counties 
- Towns 
- NGS USA Topographic Maps

**NMCRIS**

**Background Reference Layers**

DRGs: Copyright: © 2013 National Geographic Society  
NGS USA Topographic Maps: Copyright: © 2013 National Geographic Society

**Satellite Imagery**

ESRI\_Imagery\_World\_2D: Copyright:© 2013 ESRI, i-cubed, GeoEye  
World Imagery: Copyright:© 2013 ESRI, i-cubed, GeoEye

## **EPA Correspondence**

## **APPENDIX C**

### **Additional MSGP Documentation**

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1. These **Attachments** may be updated throughout the MSGP term and must be maintained with this Plan.
2. Follow the instructions in **Attachments 1** through **13** to keep Plan records complete and up-to-date.
3. Make additional copies of these **Attachments** as necessary.
4. Include supplemental/supporting documentation with each **Attachment**, as required.

## **Attachment 1: Inspection and Monitoring Schedule Checklist**

## **ATTACHMENT 1**

### **Inspection and Monitoring Schedule Checklist**

**Attachment 1**  
**Inspection and Monitoring Schedule Checklist**  
**OWL Landfill Services, LLC**  
**Year 1: June 2021 - December 31, 2021**

<b>Inspection and Monitoring Schedule Checklist</b>	Completed by: _____ Title: _____ Date: _____
---	--

Routine Appendix C	Year	2021				
	Month	August	September	October	November	December
• Facility Inspection Documentation <b>Attachment 8</b>	Date Scheduled					
• Facility Inspection Documentation <b>Attachment 8</b>	Date Completed					

Quarterly Appendix C	Year	2021	
	Quarter	August to September	October to December
• Quarterly Visual Assessment Documentation <b>Attachment 9</b>	Date Scheduled		
• Quarterly Indicator Monitoring Report <b>Attachment 11</b>			
• Quarterly Visual Assessment Documentation <b>Attachment 9</b>	Date Completed		
• Quarterly Indicator Monitoring Report <b>Attachment 11</b>			

Annually Appendix C	Year	2021	
	Quarter	August to September	October to December
• Employee Training <b>Attachment 6</b>	Date Scheduled		
• Evaluation of Non-Stormwater Discharges <b>Attachment 7</b>			
• Annual Effluent Limitations Monitoring <b>Attachment 12</b>			
• Annual Report <b>Attachment 13</b>			
• Employee Training <b>Attachment 6</b>	Date Completed		
• Evaluation of Non-Stormwater Discharges <b>Attachment 7</b>			
• Annual Effluent Limitations Monitoring <b>Attachment 12</b>			
• Annual Report <b>Attachment 13</b>			

As-Needed Appendix C	Year	2021	
	Quarter	August to September	October to December
• Update <b>Figure 2</b>	Date Completed		
• Pollution Prevention Team Roster <b>Attachment 2</b>			
• Active/Inactive Status <b>Attachment 3</b>			
• Significant Spills, Leaks or Other Releases <b>Attachment 4</b>			

**Attachment 1**  
**Inspection and Monitoring Schedule Checklist**  
**OWL Landfill Services, LLC**

Year 2: January 1, 2022 - December 31, 2022

<b>Inspection and Monitoring Schedule Checklist</b>	Completed by: _____ Title: _____ Date: _____
---	--

Routine Appendix C	Year	2022											
	Month	January	February	March	April	May	June	July	August	September	October	November	December
• Facility Inspection Documentation <b>Attachment 8</b>	Date Scheduled												
• Facility Inspection Documentation <b>Attachment 8</b>	Date Completed												

Quarterly Appendix C	Year	2022			
	Quarter	January to March	April to June	July to September	October to December
• Quarterly Visual Assessment Documentation <b>Attachment 9</b>	Date Scheduled				
• Quarterly Indicator Monitoring Report <b>Attachment 11</b>	Date Scheduled				
• Quarterly Visual Assessment Documentation <b>Attachment 9</b>	Date Completed				
• Quarterly Indicator Monitoring Report <b>Attachment 11</b>	Date Completed				

Annually Appendix C	Year	2022			
	Quarter	January to March	April to June	July to September	October to December
• Employee Training <b>Attachment 6</b>	Date Scheduled				
• Evaluation of Non-Stormwater Discharges <b>Attachment 7</b>					
• Annual Effluent Limitations Monitoring <b>Attachment 12</b>					
• Annual Report <b>Attachment 13</b>					
• Employee Training <b>Attachment 6</b>	Date Completed				
• Evaluation of Non-Stormwater Discharges <b>Attachment 7</b>					
• Annual Effluent Limitations Monitoring <b>Attachment 12</b>					
• Annual Report <b>Attachment 13</b>					

As-Needed Appendix C	Year	2022			
	Quarter	January to March	April to June	July to September	October to December
• Update <b>Figure 2</b>	Date Completed				
• Pollution Prevention Team Roster <b>Attachment 2</b>					
• Active/Inactive Status <b>Attachment 3</b>					
• Significant Spills, Leaks or Other Releases <b>Attachment 4</b>					
• Maintenance Log <b>Attachment 5</b>					
• Deviations from Assessment or Monitoring Schedule <b>Attachment 10</b>					

**Attachment 1  
Inspection and Monitoring Schedule Checklist  
OWL Landfill Services, LLC**

Year 3: January 1, 2023 - December 31, 2023

<b>Inspection and Monitoring Schedule Checklist</b>	Completed by: _____ Title: _____ Date: _____
---	--

Routine Appendix C	Year	2023												
		Month	January	February	March	April	May	June	July	August	September	October	November	December
• Facility Inspection Documentation <b>Attachment 8</b>	Date Scheduled													
• Facility Inspection Documentation <b>Attachment 8</b>	Date Completed													

Quarterly Appendix C	Year	2023			
		Quarter	January to March	April to June	July to September
• Quarterly Visual Assessment Documentation <b>Attachment 9</b>	Date Scheduled				
• Quarterly Indicator Monitoring Report <b>Attachment 11</b>	Date Scheduled				
• Quarterly Visual Assessment Documentation <b>Attachment 9</b>	Date Completed				
• Quarterly Indicator Monitoring Report <b>Attachment 11</b>	Date Completed				

Annually Appendix C	Year	2023			
		Quarter	January to March	April to June	July to September
• Employee Training <b>Attachment 6</b>	Date Scheduled				
• Evaluation of Non-Stormwater Discharges <b>Attachment 7</b>					
• Annual Effluent Limitations Monitoring <b>Attachment 12</b>					
• Annual Report <b>Attachment 13</b>					
• Employee Training <b>Attachment 6</b>	Date Completed				
• Evaluation of Non-Stormwater Discharges <b>Attachment 7</b>					
• Annual Effluent Limitations Monitoring <b>Attachment 12</b>					
• Annual Report <b>Attachment 13</b>					

As-Needed Appendix C	Year	2023			
		Quarter	January to March	April to June	July to September
• Update <b>Figure 2</b>	Date Completed				
• Pollution Prevention Team Roster <b>Attachment 2</b>					
• Active/Inactive Status <b>Attachment 3</b>					
• Significant Spills, Leaks or Other Releases <b>Attachment 4</b>					
• Maintenance Log <b>Attachment 5</b>					
• Deviations from Assessment or Monitoring Schedule <b>Attachment 10</b>					

**Attachment 1  
Inspection and Monitoring Schedule Checklist  
OWL Landfill Services, LLC**

Year 4: January 1, 2024 - December 31, 2024

<b>Inspection and Monitoring Schedule Checklist</b>	Completed by: _____ Title: _____ Date: _____
---	--

Routine Appendix C	Year	2024												
		Month	January	February	March	April	May	June	July	August	September	October	November	December
• Facility Inspection Documentation <b>Attachment 8</b>	Date Scheduled													
• Facility Inspection Documentation <b>Attachment 8</b>	Date Completed													

Quarterly Appendix C	Year	2024			
		Quarter	January to March	April to June	July to September
• Quarterly Visual Assessment Documentation <b>Attachment 9</b>	Date Scheduled				
• Quarterly Indicator Monitoring Report <b>Attachment 11</b>	Date Scheduled				
• Quarterly Visual Assessment Documentation <b>Attachment 9</b>	Date Completed				
• Quarterly Indicator Monitoring Report <b>Attachment 11</b>	Date Completed				

Annually Appendix C	Year	2024			
		Quarter	January to March	April to June	July to September
• Employee Training <b>Attachment 6</b>	Date Scheduled				
• Evaluation of Non-Stormwater Discharges <b>Attachment 7</b>					
• Annual Effluent Limitations Monitoring <b>Attachment 12</b>					
• Annual Report <b>Attachment 13</b>					
• Employee Training <b>Attachment 6</b>	Date Completed				
• Evaluation of Non-Stormwater Discharges <b>Attachment 7</b>					
• Annual Effluent Limitations Monitoring <b>Attachment 12</b>					
• Annual Report <b>Attachment 13</b>					

As-Needed Appendix C	Year	2024			
		Quarter	January to March	April to June	July to September
• Update <b>Figure 2</b>	Date Completed				
• Pollution Prevention Team Roster <b>Attachment 2</b>					
• Active/Inactive Status <b>Attachment 3</b>					
• Significant Spills, Leaks or Other Releases <b>Attachment 4</b>					
• Maintenance Log <b>Attachment 5</b>					
• Deviations from Assessment or Monitoring Schedule <b>Attachment 10</b>					

**Attachment 1  
Inspection and Monitoring Schedule Checklist  
OWL Landfill Services, LLC**

Year 5: January 1, 2025 - December 31, 2025

<b>Inspection and Monitoring Schedule Checklist</b>	Completed by: _____ Title: _____ Date: _____
---	--

Routine Appendix C	Year	2025												
		Month	January	February	March	April	May	June	July	August	September	October	November	December
• Facility Inspection Documentation <b>Attachment 8</b>	Date Scheduled													
• Facility Inspection Documentation <b>Attachment 8</b>	Date Completed													

Quarterly Appendix C	Year	2025			
		Quarter	January to March	April to June	July to September
• Quarterly Visual Assessment Documentation <b>Attachment 9</b>	Date Scheduled				
• Quarterly Indicator Monitoring Report <b>Attachment 11</b>	Date Scheduled				
• Quarterly Visual Assessment Documentation <b>Attachment 9</b>	Date Completed				
• Quarterly Indicator Monitoring Report <b>Attachment 11</b>	Date Completed				

Annually Appendix C	Year	2025			
		Quarter	January to March	April to June	July to September
• Employee Training <b>Attachment 6</b>	Date Scheduled				
• Evaluation of Non-Stormwater Discharges <b>Attachment 7</b>					
• Annual Effluent Limitations Monitoring <b>Attachment 12</b>					
• Annual Report <b>Attachment 13</b>					
• Employee Training <b>Attachment 6</b>	Date Completed				
• Evaluation of Non-Stormwater Discharges <b>Attachment 7</b>					
• Annual Effluent Limitations Monitoring <b>Attachment 12</b>					
• Annual Report <b>Attachment 13</b>					

As-Needed Appendix C	Year	2022			
		Quarter	January to March	April to June	July to September
• Update <b>Figure 2</b>	Date Completed				
• Pollution Prevention Team Roster <b>Attachment 2</b>					
• Active/Inactive Status <b>Attachment 3</b>					
• Significant Spills, Leaks or Other Releases <b>Attachment 4</b>					
• Maintenance Log <b>Attachment 5</b>					
• Deviations from Assessment or Monitoring Schedule <b>Attachment 10</b>					

**ATTACHMENT 2**

**Pollution Prevention Team Roster**

## Attachment 2: Pollution Prevention Team Roster

<b>Instructions (MSGP Parts 6.2.1):</b> 1. Maintain and update (as necessary) this list of Pollution Prevention Team members, their titles, phone numbers, and responsibilities. 2. Conduct Team meetings at least <b>annually</b> .
--

Name:	Title:
Cell Phone:	Office Phone:
Responsibilities:	

Name:	Title:
Cell Phone:	Office Phone:
Responsibilities:	

Name:	Title:
Cell Phone:	Office Phone:
Responsibilities:	

Name:	Title:
Cell Phone:	Office Phone:
Responsibilities:	

Name:	Title:
Cell Phone:	Office Phone:
Responsibilities:	

## **ATTACHMENT 3**

### **Active/Inactive Status Change**

### Attachment 3: Active/Inactive Status Change

**Instructions (MSGP Parts 3.1.5, 3.2.4.4, 4.2.1.3, 4.2.2.5, and 6.2.5.2):**

1. If the Landfill changes its status from active to inactive and unstaffed (or from inactive/unstaffed to active), complete this form and include documentation to support this claim.
2. An inactive/unstaffed site is exempt from monthly facility inspections and quarterly visual assessment monitoring (**MSGP 3.1.5 and 3.2.4.4**), but is required to conduct quarterly facility inspections including stabilization and structural erosion control measures, leachate collection and treatment system, Indicator Monitoring, Effluent Limitations Monitoring, and an Annual Report.
3. Maintain this form and any correspondence from EPA regarding this claim with this **Attachment**.

**Date of Change in Status:** \_\_\_\_\_

**New Facility Status:**     **Inactive and Unstaffed**     **Active**

**Reason for change in status:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Anticipated Date to Reopen:** \_\_\_\_\_

**CERTIFICATION STATEMENT**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

**Print name and title:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## **ATTACHMENT 4**

### **Significant Spills, Leaks or Other Releases**

## Attachment 4: Significant Spills, Leaks or Other Releases

**Instructions (MSGP Parts 2.1.2.4, 6.2.2.3, 6.2.3.3, and 6.4):**

1. Include the descriptions and dates of any incidences of significant spills, leaks, or other releases that resulted in discharges of pollutants to waters of the U.S., through stormwater or otherwise; the circumstances leading to the release and actions taken in response to the release; and measures taken to prevent the recurrence of such releases (see **MSGP Part 2.1.2.4**).
2. Provide information, as shown below, for each incident, and attach additional documentation (e.g., photos, spill cleanup records) as necessary.

**Date of incident:** \_\_\_\_\_

**Location of incident:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Description of incident including what was spilled or released:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Circumstances leading to release:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Actions taken in response to release:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Measures taken to prevent recurrence:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ATTACHMENT 5**  
**Maintenance Log**

## Attachment 5: Maintenance Log

**Instructions (MSGP Parts 2.1.2.3 and 6.4.1.3):**

1. Include documentation of maintenance and repairs of control measures, including:
  - the control measure/equipment maintained
  - date(s) of regular maintenance
  - date(s) of discovery of areas in need of repair/replacement, and for repairs
  - the justification for any extended maintenance/repair schedules (see **MSGP Part 2.1.2.3**).
  
2. Provide information, as shown below, to document maintenance activities for each control measure and industrial equipment (**attach additional sheets as necessary**).

**Control Measure Maintenance Records**

**Control Measure:** \_\_\_\_\_

**Regular Maintenance Activities:** \_\_\_\_\_

**Regular Maintenance Schedule:** \_\_\_\_\_

**Date of Action:** \_\_\_\_\_

**Reason for Action:**     Regular Maintenance     Discovery of Problem

**If Problem,**

**- Description of Action Required:** \_\_\_\_\_

---



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**- Date Control Measure Returned to Full Function:** \_\_\_\_\_

**- Justification for Extended Schedule, if applicable:** \_\_\_\_\_

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**Notes:** \_\_\_\_\_

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**ATTACHMENT 6**

**Employee Training**

## Attachment 6: Employee Training

**Instructions (MSGP Parts 2.1.2.8 and 6.2):**

1. Keep records of employee training; including the date of the training (see **MSGP Part 2.1.2.8**).
2. For in-person training, use the tables below to document employee training. For computer-based or other types of training, keep similar records on who was trained and the type of training conducted (**attach additional sheets as necessary**).

<b>Training Date:</b>	
<b>Training Description:</b>	
<b>Trainer:</b>	
<b>Employee(s) trained</b>	<b>Employee signature</b>

<b>Training Date:</b>	
<b>Training Description:</b>	
<b>Trainer:</b>	
<b>Employee(s) trained</b>	<b>Employee signature</b>

**ATTACHMENT 6A**

**Employee Training Curriculum Outline**

## Attachment 6A: Employee Training Curriculum Outline

**Instructions:**

1. Use the table below to document employee training program topics, and training materials used.
2. List personnel in attendance.

Training Topics	Schedule for Training (List dates)	Provide brief description of training program & materials (e.g., film, newsletter, course)	Personnel in Attendance
Goals and Components of SWPPP			
Spill Prevention and Response Procedures			
Good Housekeeping			
Material Management Practices			
Other (list)			

## **ATTACHMENT 7**

### **Evaluation of Non-Stormwater Discharges**



**ATTACHMENT 8**  
**Facility Inspection Report**

## Attachment 8: Facility Inspection Report

### Instructions (MSGP Part 3.1):

1. Maintain copies of all **Facility Inspection Reports** completed for this facility. These Reports can be referenced to complete the **Annual Report (Attachment 13)**
2. The **Facility Inspection Report** (located on the following page) is consistent with the requirements of **MSGP Parts 3.1** and **8.L** relating to facility inspections.
3. Carry a copy of **Figure 2** during inspections.
4. The **Facility Inspection Report** must be completed monthly, ideally during a discharge event. This inspection should note any modifications or changes to the physical structures and/or operational practices at the facility. These changes should be reflected on **Figure 2** and incorporated into this Plan.
5. A review of the facility's records and recordkeeping procedures should be conducted to ensure that changes which occur between inspections, which may materially affect this Plan, are reported to the Pollution Prevention Team such that the Team is able to initiate the appropriate modifications to this Plan in a timely manner.
6. A thorough review of this Plan should be conducted to ensure that it adequately reflects current operations and practices at the facility. If it has been determined that some BMP's are ineffective, additional BMP's should be developed and implemented to control contaminated stormwater discharges.
7. **Facility Inspection Reports** shall be maintained in this Plan and do *not* need to be submitted to the EPA, unless so directed.
8. **Part A** – General information
9. **Part B** – Weather information
10. **Part C** – Structural Control Measures:
  - The structural stormwater control measures identified in this Plan are numbered on **Figure 2** and listed on the Report form (**add as many control measures as are implemented on-site**)
  - This list will ensure that all required control measures are being inspected.
  - Describe corrective actions initiated, date corrective action was completed, and note the person that completed the corrective action.
11. **Part D** – Areas of Industrial Materials or Activities Exposed to Stormwater

# Facility Inspection Report

PART A – GENERAL INFORMATION			
Facility Name	OWL Landfill		
NPDES Tracking No.			
Date of Inspection		Start/End Time	
Inspector's Name(s)			
Inspector's Title(s)			
Inspector's Contact Information			
Inspector's Qualifications			
PART B – WEATHER INFORMATION			
<b>Weather at time of this inspection?</b> <input type="checkbox"/> Clear <input type="checkbox"/> Cloudy <input type="checkbox"/> Rain <input type="checkbox"/> Sleet <input type="checkbox"/> Fog <input type="checkbox"/> Snow <input type="checkbox"/> High Winds <input type="checkbox"/> Other: _____ Temperature: _____			
Have any previously unidentified discharges of pollutants occurred since the last inspection? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe: _____ _____			
Are there any discharges occurring at the time of inspection? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe: _____ _____ _____			

## PART C – STRUCTURAL CONTROL MEASURES

Location No.	Activity/Activities	Existing BMPs	
2	• Employee/Visitor Vehicle Parking	• On-site soils used for spills/fluid leak clean up	
5	• Oil/Water Separation Unit	• Secondary containment in the form of a lined basin • Spill kits	
7	• Active Fill Face	• Daily cover soil • Double-lined leachate sump • Continual compaction of waste • Leachate collection system	• Leachate leak detection systems • Double-lined Evaporation Basin • Stormwater berms • Minimum area exposed at any time
8	• Equipment Parking/Maintenance	• Fire extinguishers • SPCC Plan in place • Routine inspections	• Fluids recycling • On-site soil used for spill clean up
12	• Access Roads	• Daily watering of unpaved roads • Vehicle speed limited to 10 mph	
14	• Fuel Storage	• On-site soil used for spill clean up • SPCC Plan in place	• Tanks designed with integrated secondary containment • Routine Inspections

**PART D – AREAS OF INDUSTRIAL MATERIALS OR ACTIVITIES EXPOSED TO STORMWATER**

Loc. No.	Area/Activity	Inspected?	Controls Adequate (appropriate, effective, and operating)?	Corrective Action Needed and Notes
1	Scale House	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	
2	Employee/Visitor Vehicle Parking	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	
3	Active Disposal Area	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	
4	Maintenance Facility/Administration Center	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	
5	Temporary Equipment Staging Area	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	
6	1000-Gallon Diesel Fuel Tank	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	
9	Storage Shed	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	
12	Access Roads	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	

**NON-COMPLIANCE**

Describe any incidents of non-compliance observed and not described above:

**ADDITIONAL CONTROL MEASURES**

Describe any additional control measures needed to comply with the permit requirements:

**NOTES**

Use this space for any additional notes or observations from the inspection:

**CERTIFICATION STATEMENT**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Print name and title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **ATTACHMENT 9**

### **Quarterly Visual Assessment Report**

## Attachment 9: Quarterly Visual Assessment Report

### Instructions (MSGP Part 3.2):

1. Quarterly visual assessment monitoring should be conducted during an offsite stormwater/snowmelt discharge event at the outfalls denoted on **Figure 2**.
2. Carry a copy of **Figure 2** during assessment monitoring.
3. Results of monitoring shall be documented on the **Quarterly Visual Assessment Report** (located on the following page).
4. The OWL Landfill is located in an arid region making it likely there will not be a stormwater discharge every quarter to collect a sample. If this occurs it must be noted in **Attachment 10, Deviations from Assessments or Monitoring Schedule**. If it is possible your samples for the quarterly visual assessments may be distributed during seasons when precipitation runoff occurs. **(MSGP 3.2.2)**

### Procedures for Collecting Grab Samples

Basic safety procedures should be taken into account when performing visual monitoring. Common sense should dictate whether sampling is conducted during adverse weather conditions. No sampling personnel should place themselves in danger during high winds, lightning storms, or flooding conditions which might be considered unsafe. Under extreme conditions, a less hazardous storm event should be sampled.

Grab samples must be collected from the discharge resulting from a storm event that results in a discharge and that occurs at least 72-hours from the last measurable storm event. The required 72-hour event interval is waived if the last measurable storm event did not produce a measurable discharge. The grab sample must be taken during the first 30 minutes. If a sample cannot be taken during the first 30 minutes, a grab sample may be taken during the first hour of discharge. A description of why a sample was not taken in the first 30 minutes must be documented in **Attachment 10, Deviations from Assessment or Monitoring Schedule**.

1. Grab samples may be collected by lowering a clean, clear container into the water or by transferring water from a bucket into the clear container.
2. Visual monitoring of the grab sample shall document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of stormwater pollution. Where practicable, the same person should carry out the collection and examination of discharges for the entire permit term.
3. **Quarterly Visual Assessment Reports** shall be maintained in this Plan, and do *not* need to be submitted to the EPA, unless so directed. The Reports shall include the examination date and time; examination personnel; the nature of the discharge (runoff or snow melt); visual quality of the discharge; and probable sources of any observed stormwater contamination.

## Quarterly Visual Assessment Report

(Complete a separate Report for each outfall assessed/monitored)

Name of Facility: OWL Landfill

NPDES Tracking No. \_\_\_\_\_

Outfall Location No.: \_\_\_\_\_ "Substantially Identical Outfall"?  No  Yes (identify substantially identical outfalls): \_\_\_\_\_

Person(s)/Title(s) collecting sample: \_\_\_\_\_

Person(s)/Title(s) examining sample: \_\_\_\_\_

Date & Time Discharge Began: \_\_\_\_\_ Date & Time Sample Collected: \_\_\_\_\_ Date & Time Sample Examined: \_\_\_\_\_

Substitute Sample?  No  Yes (identify quarter/year when sample was originally scheduled to be collected): \_\_\_\_\_

Nature of Discharge:  Rainfall  Snowmelt

If rainfall: Rainfall Amount: \_\_\_\_\_ in Previous Storm Ended > 72 hours Before Start of This Storm?  Yes  No\* (explain): \_\_\_\_\_

### Parameter

Color  None  Other (describe): \_\_\_\_\_

Odor  None  Musty  Sewage  Sulfur  Sour  Petroleum/Gas \_\_\_\_\_  
 Solvents  Other (describe): \_\_\_\_\_

Clarity  Clear  Slightly Cloudy  Cloudy  Opaque  Other \_\_\_\_\_

Floating Solids  No  Yes (describe): \_\_\_\_\_

Settled Solids\*\*  No  Yes (describe): \_\_\_\_\_

Suspended Solids  No  Yes (describe): \_\_\_\_\_

Foam (gently shake sample)  No  Yes (describe): \_\_\_\_\_

Oil Sheen  None  Flecks  Globs  Sheen  Slick  
 Other (describe): \_\_\_\_\_

Other Obvious Indicators of Stormwater Pollution  No  Yes (describe): \_\_\_\_\_

Source of Contamination: \_\_\_\_\_

\*\* Observe for settled solids after allowing the sample to sit for approximately 30 minutes.

**Detail any concerns, additional comments, descriptions of pictures taken, and any corrective actions taken below (attach additional sheets as necessary).**

### Certification by Facility Responsible Official (Refer to MSGP Subpart 11 Appendix B for Signatory Requirements)

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

A. Name: \_\_\_\_\_ B. Title: \_\_\_\_\_

C. Signature: \_\_\_\_\_ D. Date Signed: \_\_\_\_\_

## **ATTACHMENT 10**

### **Deviations from Assessment or Monitoring Schedule**

# Attachment 10: Deviations from Assessment or Monitoring Schedule

**Instructions (MSGP Parts 3.2.2.2, 3.2.3.7, 4.1.5, and 6.5.6):**

Include:

1. A description of any deviations from the schedule in **Appendix C, Attachment 1** for visual assessments and/or monitoring.
2. The reason(s) for the deviations (e.g., adverse weather or it was impracticable to collect samples within the first 30 minutes of a measurable storm event) (see **MSGP Parts 3.2.2.2, 3.2.3.7, 4.1.5, and 6.5.6**).
3. **Attach additional sheets as necessary**

Date: \_\_\_\_\_

Visual assessments                       Monitoring

Describe deviation from schedule: \_\_\_\_\_

Reason for deviation: \_\_\_\_\_

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Date: \_\_\_\_\_

Visual assessments                       Monitoring

Describe deviation from schedule: \_\_\_\_\_

Reason for deviation: \_\_\_\_\_

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Date: \_\_\_\_\_

Visual assessments                       Monitoring

Describe deviation from schedule: \_\_\_\_\_

Reason for deviation: \_\_\_\_\_

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Date: \_\_\_\_\_

Visual assessments                       Monitoring

Describe deviation from schedule: \_\_\_\_\_

Reason for deviation: \_\_\_\_\_

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## **ATTACHMENT 11**

### **Indicator Monitoring and Reporting**

## Attachment 11: Indicator Monitoring and Reporting

### Instructions (MSGP Part 4.2.1 and 7.3):

1. Indicator monitoring should be conducted during a stormwater/snowmelt offsite discharge event at the outfalls denoted on **Figure 2**.
2. Carry a copy of **Figure 2** during monitoring.
3. Results of monitoring shall be documented on the **Discharge Report** (located on the following page).
4. The OWL Landfill is located in a semi-arid region making it likely there will not be a stormwater discharge every quarter to collect a sample. If this occurs it must be noted in **Attachment 10, Deviations from Assessments or Monitoring Schedule**.

### Procedures for Collecting Grab Samples:

Basic safety procedures should be taken into account when performing Indicator monitoring. Common sense should dictate whether sampling is conducted during adverse weather conditions. No sampling personnel should place themselves in danger during high winds, lightning storms, or flooding conditions which might be considered unsafe. Under extreme conditions, a less hazardous storm event should be sampled.

Grab samples must be collected from the discharge resulting from a storm event that results in a discharge and that occurs at least 72-hours from the last measurable storm event. The required 72-hour event interval is waived if the last measurable storm event did not produce a measurable discharge.

1. Grab samples may be collected by lowering a clean, clear container into the water or by transferring water from a bucket into the clear container.
2. Previous arrangements should be made with a lab of choice regarding bottles set stored onsite. Generally these sets contain several bottles stored within an ice chest. The lab will provide instructions on labeling, shipping and chain of custody.
3. **Indicator Monitoring Reports** shall be maintained in this Plan, and must be submitted to the EPA. The Reports must be submitted to the EPA within 30 days of receipt of analytical data, if no off site discharge occurs during a quarter a monitoring report must still be submitted. Checking the "Reporting no discharge for all outfalls for this monitoring period", and appropriate boxes satisfies the MSGP Reporting requirements. Submission may be made using either the e-NOI system at <https://cdx.epa.gov/>, or the hard copy attached.

**Appendix M - Discharge Monitoring Report (DMR) Form**

Part 7.2 requires you to use the electronic DMR system to prepare and submit your Discharge Monitoring Report (DMR) form. However, if you are given approval by the EPA Regional Office to use a paper DMR form, and you elect to use it, you must complete and submit the following form.

NPDES FORM 6100-29		UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460 <b>MSGP INDUSTRIAL DISCHARGE MONITORING REPORT (DMR) FORM</b>	OMB No. 2040-0300 OMB Approval Pending
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**A. Approval to Use Paper NOI Form**

1. Have you been granted a waiver from electronic reporting from the EPA Regional Office\*?  YES  NO

If yes, check which waiver you have been granted, the name of the EPA Regional Office staff person who granted the waiver, and the date of approval:

Waiver granted:  The owner/operator's headquarters is physically located in a geographic area (i.e., ZIP code or census tract) that is identified as under-served for broadband Internet access in the most recent report from the Federal Communications Commission.

The owner/operator has issues regarding available computer access or computer capability

Name of EPA staff person that granted the waiver:

Date approval obtained:  /  /

**\* Note: Note: You are required to obtain approval from the applicable EPA Regional Office prior to using this paper DMR form. If you have not obtained a waiver, you must file this form electronically using the NetDMR at <http://www.epa.gov/netdmr/>**

**B. Permit Information**

1. NPDES ID:

2. Reason(s) for Submission (Check all that apply):

Submitting monitoring data (Fill in all Sections).

Reporting no discharge for all discharge points for this monitoring period (Fill in Sections A, B, C, D, E.1, and G).

Reporting that your site status has changed to inactive and unstaffed and there are no industrial materials or activities exposed to stormwater (Fill in Sections A, B, C, D, and F.4 (include date of status change in comment field).

Reporting that your site status has changed to active and/or there are industrial materials or activities exposed to stormwater (Fill in all Sections and include date of status change in comment field in Section F.4).

**C. Facility Operator Information**

**1. Operator Information:**

Operator Name:

Mailing Address:

Street:

City:  State:  ZIP Code:  -

Phone:  -  -  Ext.

E-mail:

**2. DMR Preparer (Complete if DMR was prepared by someone other than the certifier):**

First Name, Middle Initial, Last Name

Organization:

Phone:  -  -  Ext.

E-mail:

**D. Facility Information**

1. Facility Name:

2. Facility Address:  
 Street/Location:

City:  State:  ZIP Code:

County or Similar Government Subdivision:

**E. Discharge Information**

1. Identify monitoring period:  Check here if proposing alternative monitoring periods due to irregular stormwater runoff. Identify alternative monitoring schedule and indicate for which alternative monitoring period you are reporting monitoring data:

Quarter 1 (January 1 – March 31)     Quarter 1: From  /  To  /

Quarter 2 (April 1 – June 30)         Quarter 2: From  /  To  /

Quarter 3 (July 1 – September 30)     Quarter 3: From  /  To  /

Quarter 4 (October 1 – December 31)  Quarter 4: From  /  To  /

2. Are you required to monitor for cadmium, chromium, lead, nickel, silver, or zinc in freshwater?     YES (Skip to 3)     NO (Skip to 4)

3. What is the hardness level of the receiving water?  (mg/L)

4. Does your facility discharge into any saltwater receiving waters?     YES     NO



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460  
MSGP INDUSTRIAL DISCHARGE MONITORING REPORT (DMR) FORM

OMB No. 2040-0300

F. Monitoring Information

Note: Make additional copies of this form as necessary.

1. Nature of Discharge:		2.a. Duration of the rainfall event (hours):		2.b. Rainfall amount (inches):		2.c. Time since previous measurable storm event (days):		3.o. Copper						
<input type="checkbox"/> Rainfall (Complete line items 2.a., 2.b., & 2.c.) <input type="checkbox"/> Snowmelt		<input type="checkbox"/> Substantially Identical to Other Discharge Points Listed on the NOI form	<input type="checkbox"/> Substantially identical to discharge point: _____	<input type="checkbox"/> Substantially identical to discharge point: _____	<input type="checkbox"/> Substantially identical to discharge point: _____	<input type="checkbox"/> Substantially identical to discharge point: _____	<input type="checkbox"/> Substantially identical to discharge point: _____	<input type="checkbox"/> Substantially identical to discharge point: _____	<input type="checkbox"/> Substantially identical to discharge point: _____					
3.a. Discharge Point ID (list the same 3-digit discharge points identified on the NOI form)	3.b. Check if Any Discharge Points are Substantially Identical to Other Discharge Points Listed on the NOI form	3.c. Check if No Discharge	3.d. Monitoring Type IM, BM, ELG, S/T, I, O*	3.e. Parameter	3.f. Quantity or Concentration	3.g. Units	3.h. Results Description	3.i. Collection Date	3.j. Exceedance solely attributable to natural background pollutant levels per Part 5.2.6.1	3.k. Exceedance due to run-on per Part 5.2.6.2	3.l. Exceedance due to an abnormal event per 5.2.6.3	3.m. Exceedance but discharge does not result in any exceedance of water quality standards per Part 5.2.6.5	3.n. Aluminum Exceedance demonstrated to not result in an exceedance of your facility-specific criteria per Part 5.2.6.4.a	3.o. Copper Exceedance demonstrated to not result in an exceedance of your facility-specific criteria per Part 5.2.6.4.b
	<input type="checkbox"/>	<input type="checkbox"/>												
	<input type="checkbox"/>	<input type="checkbox"/>												
	<input type="checkbox"/>	<input type="checkbox"/>												
	<input type="checkbox"/>	<input type="checkbox"/>												

\* IM - Indicator monitoring; BM - Benchmark monitoring; (ELG) - Annual effluent limitations guidelines monitoring; (S/T) - State- or tribal-specific monitoring; (I) - Impaired waters monitoring; (O) - Other monitoring as required by EPA

4. Comment and/or Explanation of Any Violations (Reference all attachments here)



## Instructions for Completing EPA Form 6100-29

**Discharge Monitoring Report (DMR) for Stormwater Discharges  
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

OMB No. 2040-0300

**Who Must Submit A Discharge Monitoring Report to EPA?**

Facilities covered under EPA's NPDES Stormwater Multi-Sector General Permit (MSGP or permit) that are required to monitor pursuant to Parts 4.2 and 8 of the permit must submit Discharge Monitoring Reports (DMRs) consistent with the reporting requirements specified in Part 7.1 of the permit.

**Completing the Form**

Obtain and read a copy of the 2021 MSGP, viewable at <https://www.epa.gov/npdes/stormwater-discharges-industrial-activities>. To complete this form, type or print, using uppercase letters, in the appropriate areas only. Please place each character between the marks. Abbreviate if necessary to stay within the number of characters allowed for each item. Use only one space for breaks between words, but not for punctuation marks unless they are needed to clarify your response. Please submit original document with signature in ink - do not send a photocopied signature. **Photocopy your DMR form for your records before you send the completed original form to the appropriate address.**

**Section A. Approval to Use Paper DMR Form**

You must indicate whether you have been granted a waiver from electronic reporting from the EPA Regional Office. Note that you are not authorized to use this paper DMR form unless the EPA Regional Office has approved its use. Where you have obtained approval to use this form, indicate the waiver that you have been granted, the name of the EPA staff person who granted the waiver, and the date that approval was provided. See <https://www.epa.gov/npdes/contact-us-stormwater> for a list of EPA Regional Office contacts.

**Section B. Permit Information**

Provide the NPDES ID (i.e., NOI tracking number) assigned to the facility for which this DMR is being submitted.

Indicate your reason(s) for submitting this DMR by checking all boxes that apply. The reasons for submission are defined as follows:

- *Submitting monitoring data:* For each storm sampled, submit one DMR form with data for all discharge points sampled. Select this reason even if you only have monitoring data for some of your discharge points (i.e., some discharge points did not discharge). If you select this reason you are required to complete all Sections of the form.
- *Reporting no discharge for all discharge points for this monitoring period:* Indicates that there were no discharges from all discharge points during this monitoring period. If you select this reason you are only required to complete Sections A, B, C, D, E.1, and G.
- *Reporting that your site status has changed to inactive and unstaffed and there are no industrial materials or activities exposed to stormwater:* Indicates that your facility is currently inactive and unstaffed and there are no industrial materials or activities exposed to stormwater (See Part 4.2.1.3 of the permit for more information). If you select this reason you are only required to complete Sections A, B, C, D, and F.4 (include date of status change in comment field).

- *Reporting that your site status has changed from inactive to active and/or there are industrial materials or activities exposed to stormwater:* Indicates that your facility is currently active (See Part 4.2.1.3 of the permit for more information). If you select this reason you are required to complete all Sections of the form and include date of status change in the comment field in Section F.4.

**Section C. Facility Operator Information.**

Provide the legal name of the person, firm, public organization, or any other entity that operates the facility for which this DMR is being submitted. An operator of a facility is the legal entity that controls the operation of the facility. Refer to Appendix A of the permit for the definition of "operator". Provide the operator's mailing address, phone number, and e-mail. The operator information in this Section should match the operator information provided on your NOI form.

Provide the name, organization, phone number, an e-mail address for the person who prepared this DMR form.

**Section D. Facility Information**

Enter the official or legal name and complete street address, including city, state, ZIP code, and county or similar government subdivision of the facility. If the facility lacks a street address, indicate the general location of the facility (e.g., Intersection of State Highways 61 and 34). Complete facility information must be provided for permit coverage to be granted. The facility information in this Section should match the facility information provided on your NOI form.

**Section E. Discharge Information.**

Indicate the appropriate monitoring period (Quarter 1, 2, 3, or 4) covered by the DMR. "Alternative" monitoring periods can apply to facilities located in arid and semi-arid climates, or in areas subject to snow or prolonged freezing. To use alternative monitoring periods, you must provide a revised monitoring schedule here. If using alternative monitoring periods, identify the first day of the monitoring period through the last day of the monitoring period for each of the four periods. The dates should be displayed as month (Mo) / day (Day). See Parts 4.1.6 and 4.1.7 of the permit for more information.

If you are submitting benchmark monitoring data, identify if your facility is required to collect benchmark samples for one or more hardness-dependent metals (i.e., cadmium, lead, nickel, silver, and zinc). If you select "yes" to this question provide the hardness level of the receiving water (in mg/L). If you select "no" to this question, you must identify if your facility discharges into any saltwater receiving waters.

## Instructions for Completing EPA Form 6100-29

**Discharge Monitoring Report (DMR) for Stormwater Discharges  
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

OMB No. 2040-0300

**Section F. Monitoring Information**

For the reported monitoring event indicate whether the discharge was from a rainfall or snowmelt event. If you select "rainfall" then indicate the duration (in hours) of the rainfall event, rainfall total (in inches) for that rainfall event, and time (in days) since the previous measurable storm event in line items 2.a-c. For both rainfall and snowmelt monitoring, you must identify the date of collection for the monitoring event in column 3.i. of the table. If the discharge occurs during a period of both rainfall and snowmelt, check both the rainfall and snowmelt boxes and report the appropriate rainfall information in item 2.a-c. To report multiple monitoring events in the same reporting period, copy this form and enter each monitoring event separately with data for all discharge points sampled.

Identify all the discharge points from your facility that discharge stormwater. Each discharge point must be assigned a unique 3-digit number (e.g., 001, 002, 003), and should match the discharge points identified on your NOI form.

If any discharge points are substantially identical, check the box in 3.b and identify the discharge point that the discharge point in 3.a is substantially identical to. In 3.d – k, you only need to provide benchmark monitoring data for one of the discharge points if it is substantially identical.

For any discharge point for which there was no discharge during the monitoring period, check the box in 3.c.

In 3.d, identify the type of monitoring using the specified codes, in parentheses, below:

- (IM) – Indicator monitoring
- (BM) – Benchmark monitoring
- (ELG) – Annual effluent limitations guidelines monitoring;
- (S/T) – State- or Tribal-specific monitoring;
- (I) – Impaired waters monitoring; or
- (O) – Other monitoring as required by EPA.

In 3.e, enter each "parameter" (or "pollutant") monitored. For BM and ELG monitoring, use the same parameter name as in Part 8 of the permit.

In 3.f., enter a sample measurement value for each parameter analyzed and required to be reported. Enter "ND" (i.e., not detected) for any sample results below the method detection limit or "BQL" (i.e., below quantitation limit) for sample results above the detection limit but below the quantitation limit.

In 3.g., enter the units for sample measurement values (i.e., "mg/L" for milligrams per liter) for each parameter analyzed and required to be reported. For monitoring results reported as ND or BQL this space will be left blank and the units will be reported in Column 3.f.

3.h. must be completed for any monitoring results reported as ND or BQL in the "Quality or Concentration" column. For ND, report the laboratory detection level and units in this column. For BQL, report the laboratory quantitation limit and units in this column.

In 3.i. identify the sampling date for each parameter monitoring result reported on this form.

3.j. *Exceedance solely attributable to natural background pollutant levels:* Check box if following the first 4 quarters of benchmark monitoring (or sooner if the exceedance is triggered by less than 4 quarters of data) you have determined that the exceedance of the benchmark is attributable solely to the presence of that pollutant in the natural background for that discharge point and any substantially identical discharge points, or for impaired waters

monitoring, the presence of the pollutant is caused solely by natural background, provided that all of the conditions in Part 5.2.6.1 are met.

3.k. *Exceedance due to run-on:* Check box if you can demonstrate and obtain EPA agreement that run-on from a neighboring source (e.g., a source external to your facility) is the cause of the exceedance, provided that the conditions in Part 5.2.6.2 are met.

3.l. *Exceedance due to an abnormal event:* Check box if one single sampling event is abnormal and you have immediately documented per Part 5.3 that the single event was abnormal and met all other conditions in Part 5.2.6.3.

3.m. *Exceedance but discharge does not result in any exceedance of water quality standards per Part 5.2.6.5:* Check box if you can demonstrate through an analysis that an exceedance triggering AIM requirements does not result in any exceedance of applicable water quality standards, provided that all the conditions in Part 5.2.6.5 are met.

3.n. *Aluminum exceedance demonstrated to not result in an exceedance of your facility-specific criteria per Part 5.2.6.4.a:* Check box if you can demonstrate through an analysis that an aluminum exceedance does not result in an exceedance of your facility-specific criteria using the national recommended water quality criteria in-lieu of the applicable MSGP benchmark threshold.

3.o. *Copper exceedance demonstrated to not result in an exceedance of your facility-specific criteria per Part 5.2.6.4.b:* Check box if you can demonstrate through an analysis that a copper exceedance does not result in an exceedance of your facility-specific criteria using the national recommended water quality criteria in-lieu of the applicable MSGP benchmark threshold.

Where violations of the permit requirements are reported, include a brief explanation to describe the cause and corrective actions taken, and reference each violation by date. Also, this section should include any additional comments such as are required when changing site status from inactive and unstaffed to active or vice versa. Attach additional pages if you need more space.

Attach additional copies of Section F as necessary to address all discharge points and parameters.

**Section G. Certification Information**

DMRs must be signed by a person described below, or by a duly authorized representative of that person.

*For a corporation:* By a responsible corporate officer. For the purpose of this Section, a responsible corporate officer means:

(i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated

**ATTACHMENT 12**  
**Annual Effluent Limitation Monitoring**

## Attachment 12: Annual Effluent Limitation Monitoring

### Instructions (MSGP Part 4.2.3, 7.3 and 8.L.11):

1. Annual effluent limitation monitoring should be conducted during a stormwater/snowmelt offsite discharge event at the outfalls denoted on **Figure 2**.
2. Carry a copy of **Figure 2** during monitoring.
3. Results of monitoring shall be documented on the **Discharge Report** (located on the following page).
4. The OWL Landfill is located in a semi-arid region making it likely there will not be sufficient stormwater discharge to collect a sample. If this occurs it must be noted in **Attachment 10, Deviations from Assessments or Monitoring Schedule** When conditions prevent the collection of samples, consistent with the requirements of MSGP Part 7.3.1, the NetDMR reporting tool must be used to report a “no data” or “NODI” code the year interval that an effluent limitation monitoring sample was not collected.

### Procedures for Collecting Grab Samples:

Basic safety procedures should be taken into account when performing effluent limitation monitoring. Common sense should dictate whether sampling is conducted during adverse weather conditions. No sampling personnel should place themselves in danger during high winds, lightning storms, or flooding conditions which might be considered unsafe. Under extreme conditions, a less hazardous storm event should be sampled.

Grab samples must be collected from the discharge resulting from a storm event that results in a discharge and that occurs at least 72-hours from the last measurable storm event. The required 72-hour event interval is waived if the last measurable storm event did not produce a measurable discharge.

1. Grab samples may be collected by lowering a clean, clear container into the water or by transferring water from a bucket into the clear container.
2. Previous arrangements should be made with a lab of choice regarding bottles set stored onsite. Generally these sets contain several bottles stored within an ice chest. The lab will provide instructions on labeling, shipping and chain of custody.
3. **Annual Effluent Limitation Monitoring Reports** shall be maintained in this Plan, and must be submitted to the EPA. The Reports must be submitted to the EPA within 30 days of receipt of analytical data, if no off site discharge occurs during a quarter a monitoring report must still be submitted. Checking the “Reporting no discharge for all outfalls for this monitoring period”, and appropriate boxes satisfies the MSGP Reporting requirements. Submission may be made using either NetDMR reporting tool at <https://cdx.epa.gov/>, or the hard copy attached.

**Appendix M - Discharge Monitoring Report (DMR) Form**

Part 7.2 requires you to use the electronic DMR system to prepare and submit your Discharge Monitoring Report (DMR) form. However, if you are given approval by the EPA Regional Office to use a paper DMR form, and you elect to use it, you must complete and submit the following form.

NPDES FORM 6100-29		UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460 <b>MSGP INDUSTRIAL DISCHARGE MONITORING REPORT (DMR) FORM</b>	OMB No. 2040-0300 OMB Approval Pending
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**A. Approval to Use Paper NOI Form**

1. Have you been granted a waiver from electronic reporting from the EPA Regional Office\*?  YES  NO

If yes, check which waiver you have been granted, the name of the EPA Regional Office staff person who granted the waiver, and the date of approval:

Waiver granted:  The owner/operator's headquarters is physically located in a geographic area (i.e., ZIP code or census tract) that is identified as under-served for broadband Internet access in the most recent report from the Federal Communications Commission.

The owner/operator has issues regarding available computer access or computer capability

Name of EPA staff person that granted the waiver:

Date approval obtained:  /  /

**\* Note: Note: You are required to obtain approval from the applicable EPA Regional Office prior to using this paper DMR form. If you have not obtained a waiver, you must file this form electronically using the NetDMR at <http://www.epa.gov/netdmr/>**

**B. Permit Information**

1. NPDES ID:

2. Reason(s) for Submission (Check all that apply):

Submitting monitoring data (Fill in all Sections).

Reporting no discharge for all discharge points for this monitoring period (Fill in Sections A, B, C, D, E.1, and G).

Reporting that your site status has changed to inactive and unstaffed and there are no industrial materials or activities exposed to stormwater (Fill in Sections A, B, C, D, and F.4 (include date of status change in comment field).

Reporting that your site status has changed to active and/or there are industrial materials or activities exposed to stormwater (Fill in all Sections and include date of status change in comment field in Section F.4).

**C. Facility Operator Information**

**1. Operator Information:**

Operator Name:

Mailing Address:

Street:

City:  State:  ZIP Code:  -

Phone:  -  -  Ext.

E-mail:

**2. DMR Preparer (Complete if DMR was prepared by someone other than the certifier):**

First Name, Middle Initial, Last Name

Organization:

Phone:  -  -  Ext.

E-mail:

**D. Facility Information**

1. Facility Name:

2. Facility Address:  
 Street/Location:

City:  State:  ZIP Code:

County or Similar Government Subdivision:

**E. Discharge Information**

1. Identify monitoring period:  Check here if proposing alternative monitoring periods due to irregular stormwater runoff. Identify alternative monitoring schedule and indicate for which alternative monitoring period you are reporting monitoring data:

Quarter 1 (January 1 – March 31)     Quarter 1: From  /  To  /

Quarter 2 (April 1 – June 30)         Quarter 2: From  /  To  /

Quarter 3 (July 1 – September 30)     Quarter 3: From  /  To  /

Quarter 4 (October 1 – December 31)  Quarter 4: From  /  To  /

2. Are you required to monitor for cadmium, chromium, lead, nickel, silver, or zinc in freshwater?     YES (Skip to 3)     NO (Skip to 4)

3. What is the hardness level of the receiving water?  (mg/L)

4. Does your facility discharge into any saltwater receiving waters?     YES     NO



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460  
MSGP INDUSTRIAL DISCHARGE MONITORING REPORT (DMR) FORM

OMB No. 2040-0300

F. Monitoring Information

Note: Make additional copies of this form as necessary.

1. Nature of Discharge:		2. a. Duration of the rainfall event (hours):		2. b. Rainfall amount (inches):		2. c. Time since previous measurable storm event (days):		3. o. Copper						
<input type="checkbox"/> Rainfall (Complete line items 2.a., 2.b., & 2.c.) <input type="checkbox"/> Snowmelt		_____	_____	_____	_____	_____	_____	3. n. Aluminum	3. o. Copper					
3. a. Discharge Point ID (list the same 3-digit discharge points identified on the NOI form)	3. b. Check if Any Discharge Points are Substantially Identical to Other Discharge Points Listed	3. c. Check if No Discharge	3. d. Monitoring Type IM, BM, ELG, S/T, I, O*	3. e. Parameter	3. f. Quantity or Concentration	3. g. Units	3. h. Results Description	3. i. Collection Date	3. j. Exceedance solely attributable to natural background pollutant levels per Part 5.2.6.1	3. k. Exceedance due to run-on per Part 5.2.6.2	3. l. Exceedance due to an abnormal event per 5.2.6.3	3. m. Exceedance but discharge does not result in any exceedance of water quality standards per Part 5.2.6.5	3. n. Aluminum	3. o. Copper
	<input type="checkbox"/> Substantially identical to discharge point: _____	<input type="checkbox"/>											<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> Substantially identical to discharge point: _____	<input type="checkbox"/>											<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> Substantially identical to discharge point: _____	<input type="checkbox"/>											<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> Substantially identical to discharge point: _____	<input type="checkbox"/>											<input type="checkbox"/>	<input type="checkbox"/>

\* IM - Indicator monitoring; BM - Benchmark monitoring; (ELG) - Annual effluent limitations guidelines monitoring; (S/T) - State- or tribal-specific monitoring; (I) - Impaired waters monitoring; (O) - Other monitoring as required by EPA

4. Comment and/or Explanation of Any Violations (Reference all attachments here)



## Instructions for Completing EPA Form 6100-29

**Discharge Monitoring Report (DMR) for Stormwater Discharges  
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

OMB No. 2040-0300

**Who Must Submit A Discharge Monitoring Report to EPA?**

Facilities covered under EPA's NPDES Stormwater Multi-Sector General Permit (MSGP or permit) that are required to monitor pursuant to Parts 4.2 and 8 of the permit must submit Discharge Monitoring Reports (DMRs) consistent with the reporting requirements specified in Part 7.1 of the permit.

**Completing the Form**

Obtain and read a copy of the 2021 MSGP, viewable at <https://www.epa.gov/npdes/stormwater-discharges-industrial-activities>. To complete this form, type or print, using uppercase letters, in the appropriate areas only. Please place each character between the marks. Abbreviate if necessary to stay within the number of characters allowed for each item. Use only one space for breaks between words, but not for punctuation marks unless they are needed to clarify your response. Please submit original document with signature in ink - do not send a photocopied signature. **Photocopy your DMR form for your records before you send the completed original form to the appropriate address.**

**Section A. Approval to Use Paper DMR Form**

You must indicate whether you have been granted a waiver from electronic reporting from the EPA Regional Office. Note that you are not authorized to use this paper DMR form unless the EPA Regional Office has approved its use. Where you have obtained approval to use this form, indicate the waiver that you have been granted, the name of the EPA staff person who granted the waiver, and the date that approval was provided. See <https://www.epa.gov/npdes/contact-us-stormwater> for a list of EPA Regional Office contacts.

**Section B. Permit Information**

Provide the NPDES ID (i.e., NOI tracking number) assigned to the facility for which this DMR is being submitted.

Indicate your reason(s) for submitting this DMR by checking all boxes that apply. The reasons for submission are defined as follows:

- *Submitting monitoring data:* For each storm sampled, submit one DMR form with data for all discharge points sampled. Select this reason even if you only have monitoring data for some of your discharge points (i.e., some discharge points did not discharge). If you select this reason you are required to complete all Sections of the form.
- *Reporting no discharge for all discharge points for this monitoring period:* Indicates that there were no discharges from all discharge points during this monitoring period. If you select this reason you are only required to complete Sections A, B, C, D, E.1, and G.
- *Reporting that your site status has changed to inactive and unstaffed and there are no industrial materials or activities exposed to stormwater:* Indicates that your facility is currently inactive and unstaffed and there are no industrial materials or activities exposed to stormwater (See Part 4.2.1.3 of the permit for more information). If you select this reason you are only required to complete Sections A, B, C, D, and F.4 (include date of status change in comment field).

- *Reporting that your site status has changed from inactive to active and/or there are industrial materials or activities exposed to stormwater:* Indicates that your facility is currently active (See Part 4.2.1.3 of the permit for more information). If you select this reason you are required to complete all Sections of the form and include date of status change in the comment field in Section F.4.

**Section C. Facility Operator Information.**

Provide the legal name of the person, firm, public organization, or any other entity that operates the facility for which this DMR is being submitted. An operator of a facility is the legal entity that controls the operation of the facility. Refer to Appendix A of the permit for the definition of "operator". Provide the operator's mailing address, phone number, and e-mail. The operator information in this Section should match the operator information provided on your NOI form.

Provide the name, organization, phone number, an e-mail address for the person who prepared this DMR form.

**Section D. Facility Information**

Enter the official or legal name and complete street address, including city, state, ZIP code, and county or similar government subdivision of the facility. If the facility lacks a street address, indicate the general location of the facility (e.g., Intersection of State Highways 61 and 34). Complete facility information must be provided for permit coverage to be granted. The facility information in this Section should match the facility information provided on your NOI form.

**Section E. Discharge Information.**

Indicate the appropriate monitoring period (Quarter 1, 2, 3, or 4) covered by the DMR. "Alternative" monitoring periods can apply to facilities located in arid and semi-arid climates, or in areas subject to snow or prolonged freezing. To use alternative monitoring periods, you must provide a revised monitoring schedule here. If using alternative monitoring periods, identify the first day of the monitoring period through the last day of the monitoring period for each of the four periods. The dates should be displayed as month (Mo) / day (Day). See Parts 4.1.6 and 4.1.7 of the permit for more information.

If you are submitting benchmark monitoring data, identify if your facility is required to collect benchmark samples for one or more hardness-dependent metals (i.e., cadmium, lead, nickel, silver, and zinc). If you select "yes" to this question provide the hardness level of the receiving water (in mg/L). If you select "no" to this question, you must identify if your facility discharges into any saltwater receiving waters.

## Instructions for Completing EPA Form 6100-29

**Discharge Monitoring Report (DMR) for Stormwater Discharges  
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

OMB No. 2040-0300

**Section F. Monitoring Information**

For the reported monitoring event indicate whether the discharge was from a rainfall or snowmelt event. If you select "rainfall" then indicate the duration (in hours) of the rainfall event, rainfall total (in inches) for that rainfall event, and time (in days) since the previous measurable storm event in line items 2.a-c. For both rainfall and snowmelt monitoring, you must identify the date of collection for the monitoring event in column 3.i. of the table. If the discharge occurs during a period of both rainfall and snowmelt, check both the rainfall and snowmelt boxes and report the appropriate rainfall information in item 2.a-c. To report multiple monitoring events in the same reporting period, copy this form and enter each monitoring event separately with data for all discharge points sampled.

Identify all the discharge points from your facility that discharge stormwater. Each discharge point must be assigned a unique 3-digit number (e.g., 001, 002, 003), and should match the discharge points identified on your NOI form.

If any discharge points are substantially identical, check the box in 3.b and identify the discharge point that the discharge point in 3.a is substantially identical to. In 3.d – k, you only need to provide benchmark monitoring data for one of the discharge points if it is substantially identical.

For any discharge point for which there was no discharge during the monitoring period, check the box in 3.c.

In 3.d, identify the type of monitoring using the specified codes, in parentheses, below:

- (IM) – Indicator monitoring
- (BM) – Benchmark monitoring
- (ELG) – Annual effluent limitations guidelines monitoring;
- (S/T) – State- or Tribal-specific monitoring;
- (I) – Impaired waters monitoring; or
- (O) – Other monitoring as required by EPA.

In 3.e, enter each "parameter" (or "pollutant") monitored. For BM and ELG monitoring, use the same parameter name as in Part 8 of the permit.

In 3.f., enter a sample measurement value for each parameter analyzed and required to be reported. Enter "ND" (i.e., not detected) for any sample results below the method detection limit or "BQL" (i.e., below quantitation limit) for sample results above the detection limit but below the quantitation limit.

In 3.g., enter the units for sample measurement values (i.e., "mg/L" for milligrams per liter) for each parameter analyzed and required to be reported. For monitoring results reported as ND or BQL this space will be left blank and the units will be reported in Column 3.f.

3.h. must be completed for any monitoring results reported as ND or BQL in the "Quality or Concentration" column. For ND, report the laboratory detection level and units in this column. For BQL, report the laboratory quantitation limit and units in this column.

In 3.i. identify the sampling date for each parameter monitoring result reported on this form.

3.j. *Exceedance solely attributable to natural background pollutant levels:* Check box if following the first 4 quarters of benchmark monitoring (or sooner if the exceedance is triggered by less than 4 quarters of data) you have determined that the exceedance of the benchmark is attributable solely to the presence of that pollutant in the natural background for that discharge point and any substantially identical discharge points, or for impaired waters

monitoring, the presence of the pollutant is caused solely by natural background, provided that all of the conditions in Part 5.2.6.1 are met.

3.k. *Exceedance due to run-on:* Check box if you can demonstrate and obtain EPA agreement that run-on from a neighboring source (e.g., a source external to your facility) is the cause of the exceedance, provided that the conditions in Part 5.2.6.2 are met.

3.l. *Exceedance due to an abnormal event:* Check box if one single sampling event is abnormal and you have immediately documented per Part 5.3 that the single event was abnormal and met all other conditions in Part 5.2.6.3.

3.m. *Exceedance but discharge does not result in any exceedance of water quality standards per Part 5.2.6.5:* Check box if you can demonstrate through an analysis that an exceedance triggering AIM requirements does not result in any exceedance of applicable water quality standards, provided that all the conditions in Part 5.2.6.5 are met.

3.n. *Aluminum exceedance demonstrated to not result in an exceedance of your facility-specific criteria per Part 5.2.6.4.a:* Check box if you can demonstrate through an analysis that an aluminum exceedance does not result in an exceedance of your facility-specific criteria using the national recommended water quality criteria in-lieu of the applicable MSGP benchmark threshold.

3.o. *Copper exceedance demonstrated to not result in an exceedance of your facility-specific criteria per Part 5.2.6.4.b:* Check box if you can demonstrate through an analysis that a copper exceedance does not result in an exceedance of your facility-specific criteria using the national recommended water quality criteria in-lieu of the applicable MSGP benchmark threshold.

Where violations of the permit requirements are reported, include a brief explanation to describe the cause and corrective actions taken, and reference each violation by date. Also, this section should include any additional comments such as are required when changing site status from inactive and unstaffed to active or vice versa. Attach additional pages if you need more space.

Attach additional copies of Section F as necessary to address all discharge points and parameters.

**Section G. Certification Information**

DMRs must be signed by a person described below, or by a duly authorized representative of that person.

*For a corporation:* By a responsible corporate officer. For the purpose of this Section, a responsible corporate officer means:

(i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated

**ATTACHMENT 13**

**Annual Report**

## Attachment 13: Annual Report (Comprehensive Site Inspection Report)

### Instructions (MSGP Part 7.4):

1. Refer to the current years **Facility Inspection Reports, Quarterly Visual Assessment Reports, Quarterly Indicator Monitoring Reports, and Annual Effluent Limitation Monitoring Reports** to complete this Report.
2. This report should note any modifications or changes to the physical structures and/or operational practices at the facility. These changes should be reflected on **Figure 2** and incorporated into this Plan.
3. Maintain copies of all completed **Annual Reports** with this Plan. Copies of this Report form can be obtained at: <https://cdx.epa.gov/>
4. For corrective actions, complete **Part D (Corrective Actions)** of the **Annual Report** form.
5. The EPA strongly recommends that the **Annual Report** be submitted using EPAs electronic NPDES eReporting tool (NeT). To access NeT, follow the link below and follow the directions. <https://cdx.epa.gov/>
6. The **Annual Report** must be submitted to the EPA either electronically or postmarked by January 30<sup>th</sup>.
7. If you have received a waiver from electronic reporting mail the form on the following pages to:

U.S. Environmental Protection Agency  
Office of Water, Water Permits Division  
Mail Code 4203M, ATTN: MSGP Reports  
EPA SW MSGP  
1200 Pennsylvania Ave, NW  
Washington, D.C. 20460

## **Appendix I - Annual Report Form**

Part 7.2 requires you to use the NPDES eReporting Tool, or “NeT”, to prepare and submit your Annual Report. However, if you are given a waiver by the EPA Regional Office to use a paper annual report form, and you elect to use it, you must complete and submit the following form.

NPDES FORM 6100-28		UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460 ANNUAL REPORT FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY UNDER THE NPDES MULTI-SECTOR GENERAL PERMIT	OMB No. 2040-0300 Exp. Date: 3/31/2024
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**A. Approval to Use Paper Annual Report Form**

1. Have you been granted a waiver from electronic reporting from the EPA Regional Office\*?  YES  NO

If yes, check which waiver you have been granted, the name of the EPA Regional Office staff person who granted the waiver, and the date of approval:

Waiver granted:  The owner/operator's headquarters is physically located in a geographic area (i.e., ZIP code or census tract) that is identified as under-served for broadband Internet access in the most recent report from the Federal Communications Commission.

The owner/operator has issues regarding available computer access or computer capability

Name of EPA staff person that granted the waiver:

Date approval obtained:  /  /

**\* Note: You are required to obtain approval from the applicable EPA Regional Office prior to using this paper annual report form. If you have not obtained a waiver, you must file this form electronically using the NPDES eReporting Tool (NeT) at <https://www.epa.gov/npdes/stormwater-discharges-industrial-activities>**

**B. Permit Information**

1. NPDES ID:

**C. Facility Information**

1. Facility Name:

2. Facility Phone:  -  -  Ext.

3. Facility Mailing Address:

Street:

City:  State:  ZIP Code:  -

County or Similar Government Subdivision:

4. Point of Contact:

First Name, Middle Initial, Last Name

**D. General Findings**

1. Provide a summary of your past year's routine facility inspection documentation, including dates (see Part 3.1.6 of the permit). In addition, if you are an operator of an airport facility (Sector 5) that is subject to the airport effluent limitations guidelines, and are complying with the MSGP Part 8.S.8.1 effluent limitation through the use of non-urea-containing deicers, provide a statement certifying that you do not use pavement deicers containing urea (e.g., "Urea was not used at [name of airport] for pavement deicing in the past year and will also not be used in 2021." (Note: Operators of airport facilities that are complying with Part 8.S.8.1 by meeting the numeric effluent limitation for ammonia do not need to include this statement.)

2. Provide a summary of your past year's quarterly visual assessment documentation, including dates (see Part 3.2.3 of the permit).

3. Provide a summary of your past year's corrective action and/or advanced implementation measures (AIM) documentation (See Part 5.1.3 of the permit). (Note: If corrective action is not yet completed at the time of submission of this annual report, you must describe the status of any outstanding corrective action(s).) Note that you must modify your SWPPP based on the corrective actions and deadlines required under Part 5. Also describe any incidents of noncompliance in the past year or currently ongoing, or if none, provide a statement that you are in compliance with the permit.

**E. Certification Information**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

First Name, Middle, Last Name

Title:

Signature: \_\_\_\_\_

Date:  /  /

E-mail:

Instructions for Completing EPA Form 6100-28

**Annual Report for Stormwater Discharges  
Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

This Form Replaces Form 6100-28 (06/15) OMB No. 2040-0300

**Who Must File an Annual Report**

Operators must submit an Annual Report to EPA electronically, per Part 7.4, by January 30<sup>th</sup> for each year of permit coverage containing information generated from the past calendar year.

**Completing the Form**

To complete this form, type or print, using uppercase letters, in the appropriate areas only. Please place each character between the marks. Abbreviate if necessary to stay within the number of characters allowed for each item. Use only one space for breaks between words, but not for punctuation marks unless they are needed to clarify your response. Please submit original document with signature in ink - do not send a photocopied signature.

**Section A. Approval to Use Paper Annual Report Form**

You must indicate whether you have been granted a waiver from electronic reporting from the EPA Regional Office. Note that you are not authorized to use this paper form unless the EPA Regional Office has approved its use. Where you have obtained approval to use this form, indicate the waiver that you have been granted, the name of the EPA staff person who granted the waiver, and the date that approval was provided. See <https://www.epa.gov/npdes/contact-us-stormwater> for a list of EPA Regional Office contacts.

**Section B. Permit Information**

Provide the NPDES ID (i.e., NOI tracking number) assigned to your facility.

**Section C. Facility Information**

Enter the official or legal name, phone number, and complete street address, including city, state, ZIP code, and county or similar government subdivision, for the facility that is covered by the NPDES ID identified in Section B. If the facility lacks a street address, indicate the general location of the facility (e.g., Intersection of State Highways 61 and 34). Also provide a point of contact name for the facility.

**Section D. General Findings**

To complete this section you must provide the following information in your annual report:

1. A summary of your past year's routine facility inspection documentation, including inspection dates, required by Part 3.1.6 of the permit.
2. A summary of your past year's quarterly visual assessment documentation, including visual assessment dates, required by Part 3.2.3 of the permit.
3. Information copied or summarized from the corrective action and/or advanced implementation measures (AIM) documentation required per Part 5.1.3 (if applicable). If corrective action and/or advanced implementation measures are not yet completed at the time of submission of this Annual Report, you must describe the status of any outstanding corrective action(s)/advanced implementation measures. You must also describe any incidents of noncompliance in the past year or currently ongoing, or if none, provide a statement that you are in compliance with the permit.

**Section E. Certification Information**

The Annual Report must be signed by a person described below, or by a duly authorized representative of that person.

*For a corporation:* By a responsible corporate officer. For the purpose of this Section, a responsible corporate officer means:

(i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

*For a partnership or sole proprietorship:* By a general partner or the proprietor, respectively; or

*For a municipality, state, federal, or other public agency:* By either a principal executive officer or ranking elected official. For purposes of this Part, a principal executive officer of a federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA). Include the name and title of the person signing the form and the date of signing.

A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described above;
2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) and
3. The written authorization is submitted to the Director.

An unsigned or undated Annual Report form will be considered incomplete.

**Paperwork Reduction Act Notice**

This collection of information is approved by OMB under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. (OMB Control No. 2040-0300). Responses to this collection of information are mandatory (40 CFR 122.26). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The public reporting and recordkeeping burden for this collection of information is estimated to be 1 hour per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden to the Regulatory Support Division Director, U.S. Environmental Protection Agency (2821T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

Instructions for Completing EPA Form 6100-28  
**Annual Report for Stormwater Discharges**  
**Associated with Industrial Activity Under the NPDES Multi-Sector General Permit**

This Form Replaces Form 6100-28 (06/15) OMB No. 2040-0300

**Submitting Your Form**

If you have been granted a waiver from your Regional Office to submit a paper Annual Report form, you must send your Annual Report form by mail to one of the following addresses:

**For Regular U.S. Mail Delivery:**

Stormwater Notice Processing Center  
Mail Code 4203M, ATTN: 2020 MSGP Reports  
U.S. EPA  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

**For Overnight/Express Mail Delivery:**

Stormwater Notice Processing Center  
William Jefferson Clinton East Building - Room 7420  
ATTN: 2020 MSGP Reports  
U.S. EPA  
1201 Constitution Avenue, NW  
Washington, DC 20004

Visit this website for instructions on how to submit electronically:  
<https://www.epa.gov/npdes/stormwater-discharges-industrial-activities>

**APPENDIX D**  
**40 CFR REGULATIONS**

**40 CFR Part 110**

<https://files.myprimitive.cloud/uploads/abb456191cbce1a59a0e7f81081afad8dce0e13d.pdf>

**40CFR Part 117**

[https://files.myprimitive.cloud/uploads/48fe1854348d087606aee441d86fba94096c297.  
pdf](https://files.myprimitive.cloud/uploads/48fe1854348d087606aee441d86fba94096c297.pdf)

**40 CFR Part 302**

<https://files.myprimitive.cloud/uploads/fca94cdf7359ce60f91a83437c161a82741dbb41.pdf>

## **APPENDIX E**

### **Additional Documentation**