Phase I Environmental Site Assessment

Prewitt Industrial Cluster Site #1

Section 36, T14N, R12W

McKinley County, New Mexico

Prepared for **New Mexico Environment Department**
Ground Water Quality Bureau

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Executive Summary

Daniel B. Stephens & Associates, Inc. (DBS&A) was retained by the New Mexico Environment Department (NMED) to conduct a Phase I environmental site assessment (ESA) under the Coalition Assessment Grant for the Prewitt Industrial Cluster Site #1, a section of land (1 square mile) located approximately 2 miles north of Prewitt, New Mexico. The subject property is identified as Section 36, T14N, R12W, McKinley County, New Mexico. The approximately 640-acre subject property is vacant, undeveloped land that is mostly undisturbed semiarid grassland. The subject property is located adjacent to the coal-fired Escalante Generating Station (EGS) and the McKinley Paper Company (MPC). The subject property is New Mexico State Trust Land owned by the New Mexico State Land Office (SLO). The Phase I ESA was performed in accordance with the scope of services and cost estimate prepared for NMED submitted on February 3, 2020, and conformed to American Society for Testing and Materials (ASTM) International Standard Practice E 1527-13. Known or suspected recognized environmental conditions (RECs) associated with the subject property and adjacent properties were evaluated per ASTM E 1527-13. Conclusions are based on a review of regulatory files related to these sites, as well as observations made by the environmental professional and interviews of agencies and individuals with knowledge of the subject property and surrounding area.

Findings and Opinions

The subject property was investigated for potential RECs. This assessment resulted in the identification of one finding for the subject property. The coal-fired EGS and MPC are located adjacent to the northwest of the subject property. The EGS is listed with NMED for groundwater discharge and a leaking underground storage tank (LUST). The LUST was listed with no further action (NFA) status. Discharge from the EGS and MPC facilities is regulated under NMED discharge permit DP-206. A natural swale located at the northeast corner of the subject property is downstream of waste discharge ponds that are part of the EGS operations.

Leach ponds located north of the subject property process domestic waste from both the EGS and MPC facilities and are regulated under the same discharge permit (DP-206). DP-206 states

that “[t]he discharge contains water contaminants which may be elevated above the standards of Section 20.6.2.3103 NMAC and/or the presence of toxic pollutants as defined in Subsection WW of 20.6.2.7 NMAC. Data collected from on-site monitoring wells document ground water contamination attributed to one or more sources at this facility. Ground water quality standards for Nitrate as Nitrogen, Sulfate, Total Dissolved Solids and Chloride have been exceeded according to the criteria of Sections 20.6.2.3101 and 20.6.2.3103 NMAC.” The discharge permit contains requirements, actions and/or contingencies intended to control the source(s) of documented groundwater contamination.

No other sites in the vicinity of the subject property were determined to be associated with known RECs with the potential to affect the surrounding properties. The agency records search report identified no listings in environmental databases located at the subject property. No sites were identified within the ASTM search radius beyond the subject property.

Based on information in DP-206, it is DBS&A’s opinion that due to the presence of contamination in the discharge from EGS and the connection of the swale located at the northeast corner of the subject property to potential runoff or discharge from the EGS ponds, there is a potential for contaminants from the discharge to have moved through the swale at the northeast corner of the subject property. The proximity of the discharge ponds to the swale therefore represents an REC at the northeast corner of the subject property.

Conclusions and Recommendations

This assessment resulted in the identification of one REC for the subject property. A swale located at the northeast corner of the subject property is downstream of waste discharge ponds that are part of the EGS operations, and there is a potential for contaminants from the ponds to migrate through the subject property. No other RECs were determined for the subject property.

DBS&A recommends that prior to any future activities involving development of the subject property, further investigation of the northeast corner of the subject property should be conducted to determine if any contamination from upstream waste ponds has migrated to the subject property. There may be groundwater results available for a monitor well located at the northeast corner of the property, and further consultation with EGS may allow for results to be shared.

1. Introduction

Daniel B. Stephens & Associates, Inc. (DBS&A) was retained by the New Mexico Environment Department (NMED) to conduct a Phase I environmental site assessment (ESA) under the Coalition Assessment Grant for the Prewitt Industrial Cluster Site #1, a section of land (1 square mile) located approximately 2 miles north of Prewitt, New Mexico. The subject property is identified as Section 36, T14N, R12W, McKinley County, New Mexico. The subject property is approximately 640 acres in size. The Phase I ESA was performed in accordance with the scope of services and cost estimate prepared for NMED submitted on February 3, 2020 (DBS&A, 2020), and conformed to American Society for Testing and Materials (ASTM) International Standard Practice E 1527-13 (ASTM, 2013).

1.1 Purpose of Assignment

The purpose of this assignment is to complete the following activities:

- Prepare a Phase I ESA report for the subject property.
- Conduct “all appropriate inquiry” (AAI) as defined by the U.S. Environmental Protection Agency (EPA) (40 CFR Part 312).
- Permit the user to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner, or bonafide prospective purchaser limitations on liability under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980 as amended in 2002.
- Identify, to the extent feasible pursuant to the process prescribed in ASTM E 1527-13, recognized environmental conditions (RECs) associated with the subject property. The identification of RECs in connection with the subject property may impose an environmental liability on owners or operators of the subject property, reduce the value of the subject property, or restrict the use or marketability of the subject property; therefore, further investigation may be warranted to evaluate the scope and extent of potential environmental liabilities.

1.2 Scope of Work

Based on the environmental professional's analysis of need, subject to the limitations of ASTM E 1527-13, and within any additional limitations and deviations noted in this report, the ESA included the following scope of work:

- A review of records of federal, state, and local agencies, in accordance with ASTM E 1527-13, that might indicate RECs in connection with the subject property.
- A review of the physical setting sources for information about the geologic, hydrogeologic, hydrologic, or topographic characteristics with respect to the migration of hazardous substances or petroleum products to the property or from or within the property into the groundwater or soil.
- A review of historical sources to develop a history of previous uses of the property and surrounding area in order to help identify the likelihood of past uses having led to RECs in connection with the property.
- A site reconnaissance to visually and/or physically observe the property and any structures located on the property to obtain information indicating the likelihood of identifying RECs in connections with the property.
- Interviews with past and present owners or owner representatives, operators, and occupants of the property to obtain information indicating RECs in connection with the property.
- Preparation of a report documenting findings, opinions, and conclusions.

1.3 Significant Assumptions

DBS&A assumes that there are no hidden or unapparent environmental conditions of the site, subsoil, groundwater, structures, or surroundings that would have an adverse effect on the property. DBS&A assumes no responsibility for such conditions or for engineering or inspections that might be required to discover such conditions.

Record and interview information furnished to DBS&A and contained in the report was obtained from sources assumed to be reliable and believed to be true and correct. However, DBS&A assumes no responsibility for any inaccuracies in such items that may be revealed as a result of subsequent action, either by DBS&A or others. Accuracy and completeness of record information vary among information sources, including governmental sources. Addresses may have changed over time or may be inaccurately described. Record information is often inaccurate or incomplete. DBS&A is not obligated to identify mistakes or insufficiencies in information provided. DBS&A will make a reasonable effort to compensate for mistakes or insufficiencies in the information reviewed that are obvious in light of other information of which DBS&A has actual knowledge at the time of report preparation.

Groundwater flow is assumed to be in the direction of surface topography unless otherwise noted in the report.

1.4 Limitations and Exceptions of Assessment

This report was prepared in general accordance with ASTM E 1527-13. No items outside the scope of the ASTM standards of practice have been taken into consideration, except as noted.

The ESA reported herein was performed by or conducted under the supervision or responsible charge of the environmental professionals signing this report.

No ESA can wholly eliminate uncertainty regarding the potential for RECs in connection with a property. Performance of the ESA in accordance with ASTM E 1527-13 is intended to reduce, but not eliminate, uncertainty regarding the potential for RECs in connection with a property, and the practice recognizes reasonable limits of time and cost.

AAI does not mean an exhaustive assessment of a property. There is a point at which the cost of information obtained or the time required to gather it outweighs the usefulness of the information and, in fact, may be a material detriment to the orderly completion of the transaction.

This report is to be limited to information concerning observed physical characteristics of the property and adjacent properties, standard environmental and historical record sources, and interviews with owners, operators, occupants, and governmental agency personnel.

The time and cost constraints as agreed to by the user or his representative as noted in the fully executed contract between DBS&A and NMED may deem certain information common to the ASTM Phase I ESA process to not be reasonably ascertainable or practically reviewable.

Any sketches in the report may show approximate dimensions and are included to assist the reader in visualizing the property. DBS&A has made no survey of the site.

Except as noted in the report, DBS&A has conducted no off-site tests of materials or substances found on the site for the purpose of assessing the presence of RECs not readily apparent during a visual inspection unless noted in the report.

DBS&A is not required to give testimony or appear in court or in other hearings or formal discussions regarding the subject property of this report as part of this Phase I ESA.

DBS&A has estimated neither the cost of the impact on the property nor the costs necessary to eliminate the RECs.

In accordance with ASTM E 1527-13, this report is presumed to be valid for a period of 180 days from the date of the report. If the user desires to qualify for the landowner liability protections under CERCLA, certain components of the report must be conducted or updated within 180 days of and prior to the date of acquisition of the subject property.

1.5 Special Terms and Conditions

No other special terms or conditions were applicable to this report.

1.6 User Reliance

This report is prepared for the sole benefit of the user of this report as defined in Section 3 of this report and may not be relied upon by any other person or entity without the written authorization of DBS&A.

2. Site Description

2.1 Site Location and Description

The subject property is located approximately 2 miles north of Prewitt, New Mexico within Section 36, T14N, R12W (Figure 1). Prewitt is located in McKinley County, in the western part of the state. The subject property is an approximately 640-acre parcel of vacant, undeveloped land. Based on aerial photographs, the subject property has been vacant and undeveloped with the exception of a linear disturbance indicating a utility or pipeline, visible in the 1986 through 2016 historical aerial photographs. The surrounding area is a mix of vacant, undeveloped land, with industrial use by the Escalante Generating Station (EGS) and McKinley Paper Company (MPC) northwest of the subject property.

The subject property is owned by the State Land Office (SLO) and is managed as State Trust Land to generate revenue for educational purposes; as such, the subject property is under agricultural lease for grazing livestock.

2.2 Legal Description

The subject property is Section 36, T14N, R12W.

3. User-Provided Information

The users of this Phase I ESA are McKinley County, the Northwest New Mexico Council of Governments (NWNMCOG), and NMED. The types of information provided to DBS&A by the users are outlined in Sections 3.1 through 3.6.

3.1 Title Records

In accordance with ASTM E 1527-13, it is the user's responsibility to provide a chain-of-title search on the subject property to the environmental professional conducting this ESA if the users determine that such information is required in the conduct of this assessment. The land is State Trust Land owned by the SLO; therefore, there is no chain of title.

3.2 Environmental Liens or Activity and Use Limitations

In accordance with ASTM E 1527-13, it is the user's responsibility to check recorded land title records to identify to the environmental professional conducting this ESA any recorded environmental liens and/or activity and use limitations (AULs). The land is State Trust Land; therefore, the users reported no environmental liens and/or AULs.

3.3 Specialized Knowledge

In accordance with ASTM E 1527-13, it is the user's responsibility to communicate any information based on specialized knowledge or experience that is material to RECs in connection with this property. Mr. Evan Williams, Executive Director of NWNMCOG, as representative of McKinley County, provided contacts for the subject property and the adjacent EGS and MPC, and filled out the user questionnaire.

3.4 Valuation Reduction for Environmental Issues

In accordance with ASTM E 1527-13, it is the user's responsibility to report actual knowledge that the purchase price of the property is significantly less than the purchase price of

comparable properties, to try to identify an explanation for the lower price, and to make a written record of such explanation. The users have not reported a significantly reduced purchase price.

3.5 Owner, Property Manager, and Occupant Information

The users have provided the following information concerning the owner:

- The owner of the subject property is the SLO. Mr. James White, SLO Representative, was e-mailed a property questionnaire regarding site uses as part of this investigation (Appendix A). Mr. White did not return the filled out questionnaire; however, he responded to the request and provided additional documentation. Mr. White stated that "NMSLO owns more than 9 million surface acres within the state. Therefore SLO is unable to respond to questionnaires on a given section/s of land." Mr. White provided SLO tract books that provided historical and current activity for Section 36 and an easement granted by the SLO and survey map for a water pipeline that crosses the subject property. A permit of access to the subject property was granted by the SLO for conducting the site reconnaissance.

3.6 Reason for Performing Phase I

In accordance with ASTM E 1527-13, it is the user's responsibility to identify the reason for performing the ESA, which may include (1) the intention to satisfy one of the requirements to qualify for one of the landowner liability protections under CERCLA (i.e., innocent landowner, bonafide purchaser, or contiguous property owner), or (2) the need to understand any potential environmental liabilities that could materially impact the operation of the business associated with the parcel of commercial real estate. According to Savannah Richards, NMED, NWNMCOG requested the Phase I ESA on behalf of the County to assist with decision-making to support redevelopment and to qualify for the contiguous property owner limitations on CERCLA liability by adhering to the AAI protocol during completion of the ESA. This investigation will aid the County with their decision-making process by helping determine whether there are RECs associated with the property and surrounding area that may impact its development.

3.7 Standard Environmental Record Sources – Federal, State, and Tribal

Federal, state, and tribal environmental records were searched for known and suspected sites of environmental contamination. DBS&A contracted with Environmental Data Resources, Inc. (EDR) to perform a search of all existing databases to evaluate the proximity of potential RECs relative to the subject property (EDR, 2020a) (Appendix B). No sites located at the subject property were identified in environmental databases. No sites were identified beyond the subject property within the approximate minimum search distance (AMSD) from the federal, state, and tribal environmental records database listings specified in ASTM E 1527-13.

EDR's environmental database search identified no orphan sites—properties with unknown or poor address information. The information provided by EDR is subject to EDR's data disclaimer. Copies of the EDR research data and a description of the databases are provided in Appendix B.

DBS&A also researched records for the EGS and MPC on the NMED online mapper service (NMED, 2020). The facilities are shown on the mapper site as being regulated for air emissions (EPA ID 1001419), groundwater discharge (DP-206), and having a leaking underground storage tank (LUST). Records for the LUST were obtained from the NMED Petroleum Storage Tank Bureau (PSTB), including a letter providing no further action (NFA) status for the EGS facility (Appendix C).

3.8 Physical Setting Sources

The physical setting sources detailed in the remainder of this section were researched in relation to the subject property. No environmental problems due to geologic, hydrogeologic, hydrologic, or topographic characteristics of the subject property were noted, and no conditions were identified in which hazardous substances or petroleum products were likely to migrate to the property or from or within the property into the groundwater or soil except that groundwater direction indicates that the subject property is downstream of waste ponds associated with the EGS and MPC.

3.8.1 Geology

Prewitt is located within the valley of the Puerco River, defined on the north by sand dunes of a Jurassic Sahara that now appear as notable pink cliffs in the area to the west of Prewitt (Chronic, 1987). The Entrada sandstone cliffs end near Prewitt, where the Jurassic sandstone cliffs are cut off by a large fault. East of the fault are lava-capped cliffs of tan sandstone and gray shale of the Mesaverde Group, originally deposited in a Cretaceous sea (Chronic, 1987).

Soils in the area of the subject property are classified as Penistaja-Tintero Complex, 1 to 10 percent slopes in the northern portion of the subject property and Celavar-Atarque Complex, 1 to 8 percent slopes in the southern portion (NRCS, 2020). Penistaja is a sandy loam to about 3 inches and a sandy clay loam beyond to 19 inches and sandy loam from 19 to 65 inches. It is found on fan remnants on valley sides with a parent material compoed of Eolian deposits and slope alluvium derived from sandstone and shale. It is a well-drained soil with a depth to the water table of more than 80 inches. Tintero is similar except that the soils are a fine sandy loam to 48 inches and are somewhat excessively drained.

The Celavar-Atarque Complex is found in the southern portion of the subject property. Celevar is a thin soil composed of loam from 0 to 2 inches, sandy clay loam from 2 to 31 inches, and bedrock from 31 to 40 inches. Celevar is found on dip slopes on cuestas and mesas with a parent material composed of Eolian deposits over slope alluvium derived from sandstone and shale. It is a well-drained soil with depth to water more than 80 inches. Atarque is similar except that the soil is a sandy loam from 0 to 3 inches, sandy clay loam from 3 to 14 inches, and bedrock from 14 to 20 inches.

3.8.2 USGS 7.5-Minute Topographic Map

The U.S. Geological Survey (USGS) 7.5-minute quadrangle for Thoreau NE, New Mexico (USGS, 2013) (Figure 2) indicates that the subject property is located in an area that slopes from the southwest to the northeast as a gentle grade in the northern portion and a slightly steeper grade in the southwest portion of the subject property. A swale is apparent on the map beyond the subject property to the north that traverses from the northwest to the southeast.

This swale passes through the adjacent EGS property and crosses the subject property at the northeast corner, continuing on to a larger drainage that runs from north to south and is labeled on the map as Casamero Draw. The surface elevation ranges from approximately 6,907 feet above mean sea level (feet msl) at the southwest corner to 6,822 feet msl at the northeast corner.

3.8.3 Hydrology

Based on the surface topography as interpreted from the USGS 7.5-minute quadrangle for Thoreau NE, New Mexico (Figure 2), regional groundwater in the vicinity of the subject property is anticipated to flow to the northeast, toward Casamero Draw, and eventual bend to the south following Casamero Draw.

Actual groundwater flow direction can be locally influenced by many factors, including underground structures, seasonal fluctuations, local soil variations and geology, production wells, and other factors. The actual groundwater flow direction under the subject property can only be accurately determined by installing groundwater monitor wells, which was beyond the scope of this project. No documentation was found that directly indicated groundwater flow direction at the subject property. Depth to groundwater ranges from approximately 10 feet below ground surface (bgs) to 205 feet bgs (Appendix C).

There were no wells observed on the subject property. Stormwater runoff is to the northeast toward the swale located at the northeast corner of the subject property.

3.8.4 Flood Insurance Rate Map

The Federal Emergency Management Agency (FEMA) flood zone map shows the northeast corner of the subject property to be located within a special flood hazard area (SFHA) subject to inundation by the 1 percent annual chance flood (FEMA, 2010). The subject property is otherwise not defined as being within a floodplain.

3.8.5 National Wetlands Inventory

A National Wetlands Inventory (NWI) quadrangle was available for the subject property. Based on information from the NWI presented by the U.S. Fish and Wildlife Service, there is a classification for the swale on the northeast corner and two associated swales. All are classified as R4SBC, or riverine intermittent streambed seasonally flooded (USFWS, 2020). There are no classified wetlands shown on the subject property.

3.9 Historical Use Information

Historical sources were consulted to develop a history of the previous uses of the property and the surrounding area to help identify the likelihood of past uses having led to RECs in connection with the subject property. All obvious uses of the subject property were identified from the present back to the first developed obvious use of the subject property or back to 1952, whichever is earlier, in accordance with ASTM E 1527-13, Section 8.1.4.

Findings for all historical record sources, including descriptions and interpretations of the subject property and surrounding area, are summarized in Table 1.

3.9.1 Aerial Photographs

DBS&A obtained copies of aerial photographs from EDR (EDR, 2020b) (Appendix B). DBS&A reviewed aerial photographs of the subject property from 1952, 1958, 1973, 1978, 1981, 1986, 1997, 2009, 2011, and 2016.

Historical aerial photographs show the subject property as almost all undeveloped, vacant semiarid grassland. A dirt two-track road is visible in the 1958 photograph and a livestock watering tank that was observed during the site reconnaissance appears to be in place in the 1973 aerial photograph. In the 1986 aerial photograph, a linear disturbance indicating a pipeline is visible crossing the property from the west-central boundary southeast and then south. In the 2009 photograph, another linear disturbance indicating a power transmission line is visible crossing the property from northwest to southeast.

Table 1. Historical Use
Subject Property and Surrounding Area, Prewitt, New Mexico

Period	Source(s)	Subject Property (Section 36)	Surrounding Area
1952–1978	Aerial photographs, topographic maps	Property is undeveloped semiarid grassland. A dirt two-track road crosses the subject property in the 1963 topographic map. The livestock watering tank that was observed during the site reconnaissance appears to be in place in the 1973 aerial photograph.	Surrounding area is undeveloped grassland with the exception of CR 19, constructed adjacent to the east of the subject property and livestock impoundments built periodically along the Casamero Drainage located east of the subject property and an unnamed tributary located north, crossing the subject property at the northeast corner.
1978–2016	Aerial photographs, topographic maps	Property remains mostly undeveloped grassland. In the 1986 aerial photograph a linear disturbance indicating a pipeline is visible crossing the property from the west-central boundary southeast and then south. In the 2009 photograph another linear disturbance indicating a power transmission line is visible crossing the property from the northwest to the southeast.	In the 1981 aerial photograph a road has been constructed across the northern boundary of the subject property. In the 1986 photograph, waste ponds for EGS and MPC have been constructed beyond to the north. The ponds and road are visible through the 2016 photograph.
1988–1990	NMED PSTB records	No records	Two USTs were removed from EGS in 1989, and one was retained for use as an AST. A leak in the hose of one of the tanks was discovered around the same time and remediation was conducted. The New Mexico EID issued letter in 1990 that determined the contamination incident at the facility did not pose an immediate public health or environmental threat.
1990–current	NMED	No records	An amended discharge permit (DP-206) issued in 2015 for domestic waste from EGS and MPC, and operations waste for EGS. The discharge is noted to contain water contaminants which may be elevated above the standards of Section 20.6.2.3103 NMAC and/or the presence of toxic pollutants as defined in Subsection WW of 20.6.2.7 NMAC.

The area surrounding the subject property appears to be vacant, undeveloped land with the exception of County Road 19 on the east, constructed sometime prior to 1952, and a road across the northern boundary, visible beginning in the 1981 aerial photograph. In the 1986 aerial photograph waste disposal ponds are visible beyond the subject property to the north. The ponds are visible through the remaining photographs and are part of the EGS and MPC domestic waste ponds. A third pond is visible beyond to the north, appearing to be related to waste disposal for the EGS operations.

3.9.2 Fire Insurance Maps

The EDR search identified no Sanborn fire insurance maps for the area of the subject property (EDR, 2020b) (Appendix B).

3.9.3 Historical Topographic Maps

Historical topographic maps (EDR, 2020c) (Appendix B) show the subject property undeveloped, vacant land in the 1963, 1980, and 2013 USGS topographic quadrangle maps except for a dirt two-track road running through from the northwest to the east in the 1963 and 1980 maps. The surrounding lands are shown to be vacant and undeveloped except for an impoundment pond shown on the drainage swale beyond to the north in the 1963, 1980, and 2013 maps.

3.9.4 Land Title Records

A title search was not conducted for this assessment. The subject property is State Trust Land owned by the SLO.

3.9.5 Zoning/Land Use Records

There is no zoning for the subject property, but it is leased for agricultural purposes (livestock grazing) by the SLO.

3.9.6 Other Historical Records

DBS&A received records from the SLO that included entry logs, a water pipeline easement grant environmental impact statement for the water pipeline, and a survey map. The land use logs show that the land has been leased to one person since at least 1995. Prior to that, there were some signatories assigned to various oil companies; however, based on aerial imagery, no development was ever done on the subject property. The easement for the waterline was granted in 1983 and the survey map was signed in 1987 (Appendix C). Based on aerial imagery and the historical records, the waterline was constructed sometime between 1986 and 1987.

4. Site Reconnaissance

This section summarizes visual and/or physical observations of the subject property on the day of the site visit. Photographs taken during the site reconnaissance are provided in Appendix D. The objective of the site reconnaissance is to obtain information indicating the likelihood of identifying RECs in connection with the subject property.

4.1 Site Inspection

The site reconnaissance was conducted on April 9, 2020 by Ms. Julie Kutz of DBS&A. Weather conditions at the time of the site reconnaissance were partly cloudy and breezy, with temperatures ranging from 57 to 65 (degrees Fahrenheit [°F]). The visual reconnaissance consisted of observing the subject property from the roads on the east and north and walking a transect of the property. Photographs of the subject property features identified during the reconnaissance are included in Appendix D.

The subject property is vacant, undeveloped semiarid grassland that gently slopes from the southwest to the northeast. There are visible swales that drain toward the northeast corner of the property. The property is fenced around the perimeter. No staining was observed in any of the swales, including the swale at the northeast corner of the subject property that drains from the adjacent EGS property at the northwest to the southeast.

An aboveground storage tank (AST) was observed on the property in the central area. The tank was observed to be a livestock water storage tank and contains a watering trough. A metal ground-level vault was observed beyond the tank, and is presumed to be a water well to service the livestock tank. The water pipeline was observed running from the northwest of the subject property to the southeast as evidenced by a cleared linear path and periodic manholes with discharge vents. A power transmission line also crosses the subject property from the northwest to the southeast. No other structures were observed.

The EGS and MPC facilities were observed northwest of the subject property. Waste ponds for EGS and leach ponds for EGS and MPC are adjacent to the north of the access road to the

facilities, north beyond the subject property. A drainage swale was observed to be close to the waste pond for EGS and travel downstream to the southeast through the northeast corner of the subject property, then crossing under County Road 19 (CR19) and beyond. No staining or odors were observed within the swale. An unmarked well, presumed to be a monitor well for EGS, was observed at the northeast corner just outside of the subject property fence.

4.2 Methodology

The method used to observe the subject property was 100 percent visual inspection.

4.2.1 Limitations

General limitations and basis of review, including limitations imposed by physical obstructions such as restrictions for parking along the access road imposed by the adjacent EGS facility and barbed wire fencing, were encountered during this investigation; however, the subject property was accessed from CR 19 at a point where passage under the fence was obtained; therefore, this is considered a de minimus limitation.

4.2.2 Frequency

For the purpose of report preparation, a visit to the subject property was conducted on Thursday, April 9, 2020. All observations were made at the time of the site visit.

4.2.3 Uses and Conditions

The subject property is currently used for livestock grazing. The environmental professional conducting the reconnaissance noted the uses and conditions specified in Sections 4.3.1 through 4.3.20 to the extent visually or physically observed during the visit. The uses and conditions specified were also the subject of questions asked as part of the interviews of the SLO representatives. The historical documents provided by the SLO are consistent with other records and site observations. The environmental professional performing the Phase I ESA identified uses and conditions only to the extent that they could be visually and physically

observed on a site visit, as described in ASTM E 1527-13, or to the extent that they were identified by the interviews or record review processes described in ASTM E 1527-13. Interview documentation is provided in Appendix A.

4.3 General Site Setting

4.3.1 Current Use of the Subject Property

The subject property is leased by the SLO for livestock grazing. A transmission power line and a waterline are on the subject property.

4.3.2 Current Uses of Adjoining Properties

Appendix D provides photographs of the subject property and surrounding area. The current uses of adjoining properties are as follows:

- To the north: Access road to the EGS and MPC facilities and waste ponds for the EGS facility beyond
- To the south: Vacant, undeveloped semiarid grassland
- To the west: Vacant, undeveloped semiarid grassland
- To the east: CR 19 and vacant, undeveloped semiarid grassland

4.3.3 Current Uses in the Surrounding Area

The current properties in the surrounding area consist of industrial development for the EGS and MPC to the north and vacant, undeveloped land to the west, south, and east.

No RECs were identified based on the surrounding area with the exception of the EGS and MPC facilities.

4.3.4 Geologic, Hydrogeologic, Hydrologic, and Topographic Conditions

The general topography of the subject property slopes from the southwest to the northeast to a drainage swale that crosses the subject property at the northeast corner. Depth to groundwater ranges from approximately 10 feet bgs to 205 feet bgs (Appendix C), with groundwater flow to the northeast toward the swale that connects to the Casamero Draw and then to the south.

4.3.5 Potable Water Supply

The subject property contains no potable water supply.

4.3.6 Sewage Disposal System

The subject property contains no developed sewage disposal system. Sewage treatment ponds for the EGS and MPC are located beyond to the north of the subject property.

4.3.7 Hazardous Substances and Petroleum Products Found in Connection with Identified Current Uses(s) of Property

The subject property is currently vacant, undeveloped semiarid grassland with the exception of a transmission power line, a waterline, and a livestock tank with a trough and well. No hazardous substances were observed in connection with identified current uses on the subject property during the site reconnaissance. The swale at the northeast corner of the subject property comes from the northwest, near the waste disposal ponds located at EGS. No staining or odors were detected during the site reconnaissance.

4.3.8 Hazardous Substances and Petroleum Products Found in Connection with Identified Past Use(s) of the Property

No hazardous substances or petroleum products were observed on the subject property during the site reconnaissance.

4.3.9 Odors

No odors were noted during the site reconnaissance.

4.3.10 Pools of Liquid

No pools of liquid of a hazardous origin or petroleum-based product were noted on the subject property during the site reconnaissance.

4.3.11 Drums, Containers, and Unidentified Substance Containers

No containers or sacks of chemicals were observed on the subject property during the site reconnaissance.

4.3.12 Underground Storage Tanks

No evidence of underground storage tanks were observed during the site reconnaissance. No tank records were found with the NMED PSTB (Appendix A).

4.3.13 Aboveground Storage Tanks

One AST used for water storage to water livestock was observed on the subject property in the south central area.

4.3.14 Polychlorinated Biphenyls

A transmission power line transects the subject property from approximately the northwest to the southeastern portion of the subject property. No transformers were observed.

4.3.15 Stains or Corrosion

No soil staining or corrosion was observed on the subject property during the site reconnaissance.

4.3.16 Drains and Sumps

No drains or sumps were observed at the subject property during the site reconnaissance.

4.3.17 Heating/Cooling

The subject property is not developed with any buildings.

4.3.18 Pits, Ponds, and Lagoons

No pits, ponds, or lagoons were observed on the subject property during the site reconnaissance. Waste ponds were observed on the EGS property adjacent to the subject property on the north. Other ponds, likely impoundment ponds for livestock, are located along the major drainages such as Casamero Draw to the east.

4.3.19 Stressed Vegetation

No stressed vegetation suggestive of an environmental impact was observed on the subject property during the site reconnaissance.

4.3.20 Solid Waste

No illegally dumped solid waste was observed on the subject property.

4.3.21 Wastewater

Wastewater is water that has been used in an industrial or manufacturing process, conveys or has conveyed sewage, or is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant. Wastewater does not include water passing through or originating at an adjacent site, such as stormwater flows, that has not been previously described. No wastewater is currently discharged from the subject property.

4.3.22 Wells, Septic Systems, and Pipelines

A metal vault located at ground level was observed at the livestock tank. It was assumed that it contains a water well to serve the livestock tank. The trough at the tank was dry during the site visit.

4.4 Asbestos-Containing Materials

There are no buildings or structures located on the subject property.

4.5 Lead-Based Paint

There are no buildings or structures with painted surfaces located on the subject property.

4.6 Radon

Radon is a naturally occurring colorless, odorless gas that is a by-product of the decay of radioactive materials potentially present in the bedrock and soil. Radon gas may enter the lowest level of a building through floor cracks, structural joints, or plumbing conduits. The EPA guidance action level for annual residential exposure to radon is 4.0 picocuries per liter (pCi/L).

According to the EPA's map of radon zones (U.S. EPA, 2018), McKinley County is considered a Zone 2 county, which has a predicted average screening level of 2 to 4 pCi/L.

There are no buildings or structures on the subject property, and DBS&A did not perform radon sampling on the subject property as part of this investigation.

5. Interviews

Interviews with the current owner representatives for the property and state and/or local officials were conducted to obtain information indicating RECs in connection with the subject property and surrounding area. The results are summarized in Table 2. Interview documentation forms are provided in Appendix A.

Table 2. Interview Summary

Date	Name	Company/Relationship to Subject Property	Response Received/ Pending	Method of Contact
3/31/2020	Mr. Evan J. Williams	Executive Director, NWNMCOG, coordinating with County	Received	E-mail and user questionnaire
3/31/2020	Mr. James White	State Land Office / Subject property representative	Received	E-mail
4//2020	Mr. Chris Gilbreath	Water, Waste and Mining Compliance Manager, Tri-State Generation and Transmission Association (EGS)	Received	E-mail
4/1/2020	Mr. Bruce Rychener	Representative, Tri-State Generation and Transmission Association (MPC)	Received	E-mail
3/31/2020	Mr. Rich Austin	Fire Chief, McKinley County Fire Department	Pending	E-mail
4/1/2020	Mr. Stephen Connolly	NMED Hazardous Waste Bureau	Pending	E-mail
4/14/2020	Ms. Bonney Hughes	NMED PSTB	Received	E-mail

NMED = New Mexico Environment Department
PSTB = Petroleum Storage Tank Bureau

6. Findings with Opinions

This section identifies known or suspected environmental conditions associated with the subject property and the environmental professional's opinions of the impact on the property of known or suspected environmental conditions. Features of interest are identified on Figures 3a through 3d.

EDR identified no agency records for the subject property or adjacent properties (EDR, 2020a). Sites were identified beyond the subject property within the AMSD from the NMED online mapping service (NMED, 2020). Records were identified for EGS, adjacent to the north of the subject property. The EGS property is a coal-fired power plant that is scheduled for closure toward the end of 2020. The plant is listed with NMED for groundwater discharge and a LUST. The LUST was listed as with NFA status and the discharge permit (DP 206) was modified in 2015 (Appendix C). Records for the LUST were requested from the NMED. The facility contained two USTs that were removed in 1989, although one of the tanks was kept for use as an AST. A leak in the hose of one of the tanks was discovered around the same time and remediation was conducted. The New Mexico Environmental Improvement Division (precursor to the NMED) stated in a letter on July 13, 1990 that the EID had determined that the contamination incident at the facility did not pose an immediate public health or environmental threat (Appendix C). No records of violation were found in association with DP-206, and EGS stated they have had no incidents in violation of any regulated activities (Appendix A).

Based on the site visit and the site's proximity to the EGS and MPC, the following finding was noted for the subject property (Figure 3b): A natural swale is located at the northeast corner of the subject property that drains from the northwest to the southeast; therefore, the swale contains runoff from the EGS property, located adjacent to the north. Based on aerial photographs, the swale appears to be very close to waste ponds located on the EGS property. An unmarked well was observed at the northeast corner, just outside of the subject property boundaries. It is assumed to be a monitor well for the EGS property.

Discharge from the EGS and the MPC is described in DP 206 (Appendix C). The permit states the following:

Up to 1,440,000 gallons per day (gpd) industrial wastewater from EGS and up to 17,550 gpd of domestic wastewater from EGS and MPC is discharged to a series of clay-lined and synthetically lined impoundments for disposal by evaporation. Coal-combustion waste solids from EGS are also authorized for disposal in the 97-acre scrubber sludge/fly ash landfill. The modification consists of discharging industrial wastewater to three new synthetically lined impoundments with double liners and leak detection systems for facilities discharging high strength wastes. However, this Discharge Permit authorizes the operation of three additional synthetically lined impoundments with single 60-mil HDPE liners based on the following site specific reasons: 1) the impoundments are designed for maintaining a shallow water depth (low hydraulic head), 2) cross-sections of the local geology document that up to 100-ft of mudstone from the Chinle Formation will act as a confining zone separating the shallow alluvial aquifer from the deeper Correo Sandstone aquifer which is under artesian pressure.

The discharge contains water contaminants which may be elevated above the standards of Section 20.6.2.3103 NMAC and/or the presence of toxic pollutants as defined in Subsection WW of 20.6.2.7 NMAC. Data collected from on-site monitoring wells document ground water contamination attributed to one or more sources at this facility. Ground water quality standards for Nitrate as Nitrogen, Sulfate, Total Dissolved Solids and Chloride have been exceeded according to the criteria of Sections 20.6.2.3101 and 20.6.2.3103 NMAC. This Discharge Permit contains requirements, actions and/or contingencies intended to control the source(s) of documented ground water contamination.

Based on information in DP-206, it is DBS&A's opinion that, due to the presence of contamination in the discharge from EGS and the connection of the swale located at the northeast corner of the subject property to potential runoff or discharge from the EGS ponds, there is a potential for contaminants from the discharge to have moved through the swale at the northeast corner of the subject property. The proximity of the discharge ponds to the swale therefore represents an REC at the northeast corner of the subject property.

No other potential RECs were identified through inspection of any of the other standard historical documentation, including aerial photographs and historical topographic maps. No other potential RECs were identified from the site reconnaissance, interviews with parties knowledgeable of the subject property, or agency interviews.

7. Data Gaps

No data gaps were determined from this investigation.

8. Conclusions and Recommendations

An REC is defined by ASTM E 1527-13 as the presence or likely presence of hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, migration of hazardous or petroleum substances, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property. The term includes hazardous substances or petroleum products, even under conditions in compliance with the laws. The term is not intended to include de minimis conditions that generally do not present a material risk of harm to the public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. DBS&A performed a Phase I ESA in conformance with the scope and limitations of ASTM E 1527-13 for the subject property. Exceptions to or deletions from this practice are described in Section 1 of this report.

This assessment resulted in the identification of one REC on the subject property (Figure 3b). A swale located at the northeast corner of the subject property is downstream of waste discharge ponds that are part of the EGS operations, and there is a potential for contaminants from the ponds to migrate through the subject property. No other RECs were determined for the subject property. The EGS facility adjacent to the northwest of the property had a LUST with NFA status. Leach ponds located north of the subject property process domestic waste from both the EGS and MPC facilities and are regulated under the same discharge permit (DP-206) (Appendix C). No other sites in the vicinity of the subject property were determined to be associated with known RECs with the potential to affect the surrounding properties.

DBS&A recommends that, prior to any future activities involving development of the subject property, further investigation of the northeast corner of the subject property should be conducted to determine if any contamination from upstream waste ponds has migrated to the subject property. There may be groundwater results available from a monitor well located at the northeast corner of the property, and further consultation with EGS may allow for results to be shared.

9. Deviations

9.1 Scope of Services

There were no significant deletions or deviations from the ASTM E 1527-13 scope of services.

9.2 Client Constraints

There were no client- and/or user-imposed constraints for this assessment.

10. Qualifications

The statement of qualifications of the environmental professionals responsible for the Phase I ESA is included in Appendix E.

11. Environmental Professional Statement

I declare that, to the best of my professional knowledge and belief, I meet the definition of environmental professional as defined in §312.10 of 40 CFR 312.

I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Julie Kutz
Senior Scientist
Daniel B. Stephens & Associates, Inc.
6020 Academy NE, Suite 100
Albuquerque, New Mexico 87109
(505) 822-9400
jkutz@geo-logic.com

John R. Bunch, PG
Senior Geologist
Daniel B. Stephens & Associates, Inc.
6020 Academy NE, Suite 100
Albuquerque, New Mexico 87109
(505) 822-9400
jbunch@geo-logic.com

References

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EDR. 2020c. *The EDR Historical Topo Map Report with QuadMatch, Prewitt NM, Section 32 and 36, Thoreau, NM 87323, Inquiry number: 6020734.5.* March 25, 2020.

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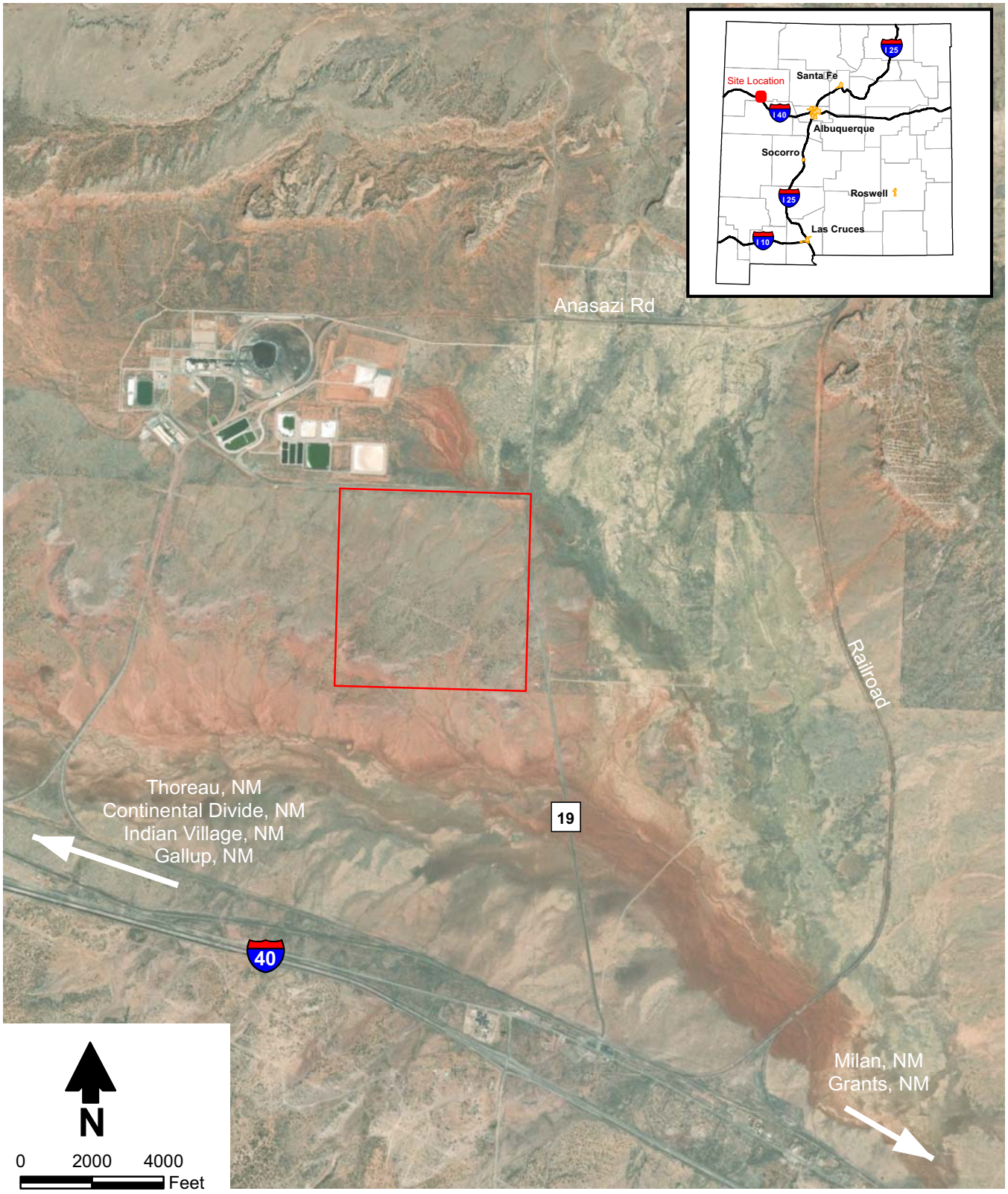
Figures



Explanation

Section 36

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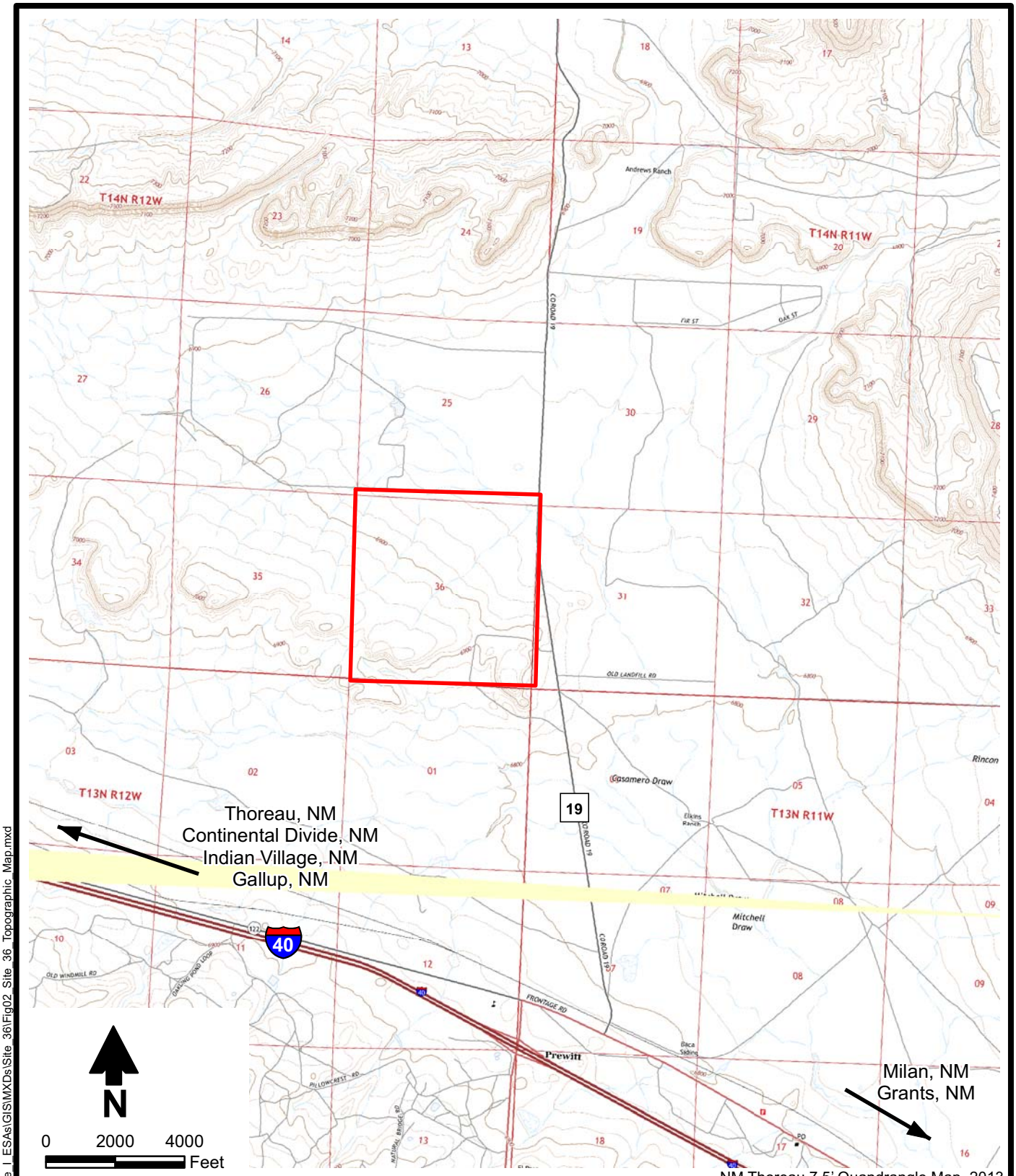
Daniel B. Stephens & Associates, Inc.
4/14/2020
JN DB20.1071

PREWITT PHASE I ESA

Section 36 Area Map

Figure 1



NM Thoreau 7.5' Quandrangle Map, 2013
NM Prewitt 7.5' Quandrangle Map, 2013
Source: http://rgis.unm.edu

Explanation

Section 36

S:\Projects\DB20.1071_Prewitt_Phase_I_ESAs\GIS\MXDs\Site_36\Fig02_Site_36_Topographic_Map.mxd

Daniel B. Stephens & Associates, Inc.
4/14/2020
JN DB20.1071

PREWITT PHASE I ESA

Section 36 Topographic Map

Figure 2

Image source: Maxar May 5, 2018

Explanation

- Well
- Finding
- Water pipeline
- Transmission line

PREWITT PHASE I ESA

Section 36 NW¼ Site Features Map

Daniel B. Stephens & Associates, Inc.

4/23/2020

JN DB20.1071

Figure 3a

S:\Projects\DB20.1071_Prewitt_Phase_I_ESAs\GIS\MXDs\Site_36\Fig03a_Site_36_NW¼_Site_Features_Map.mxd

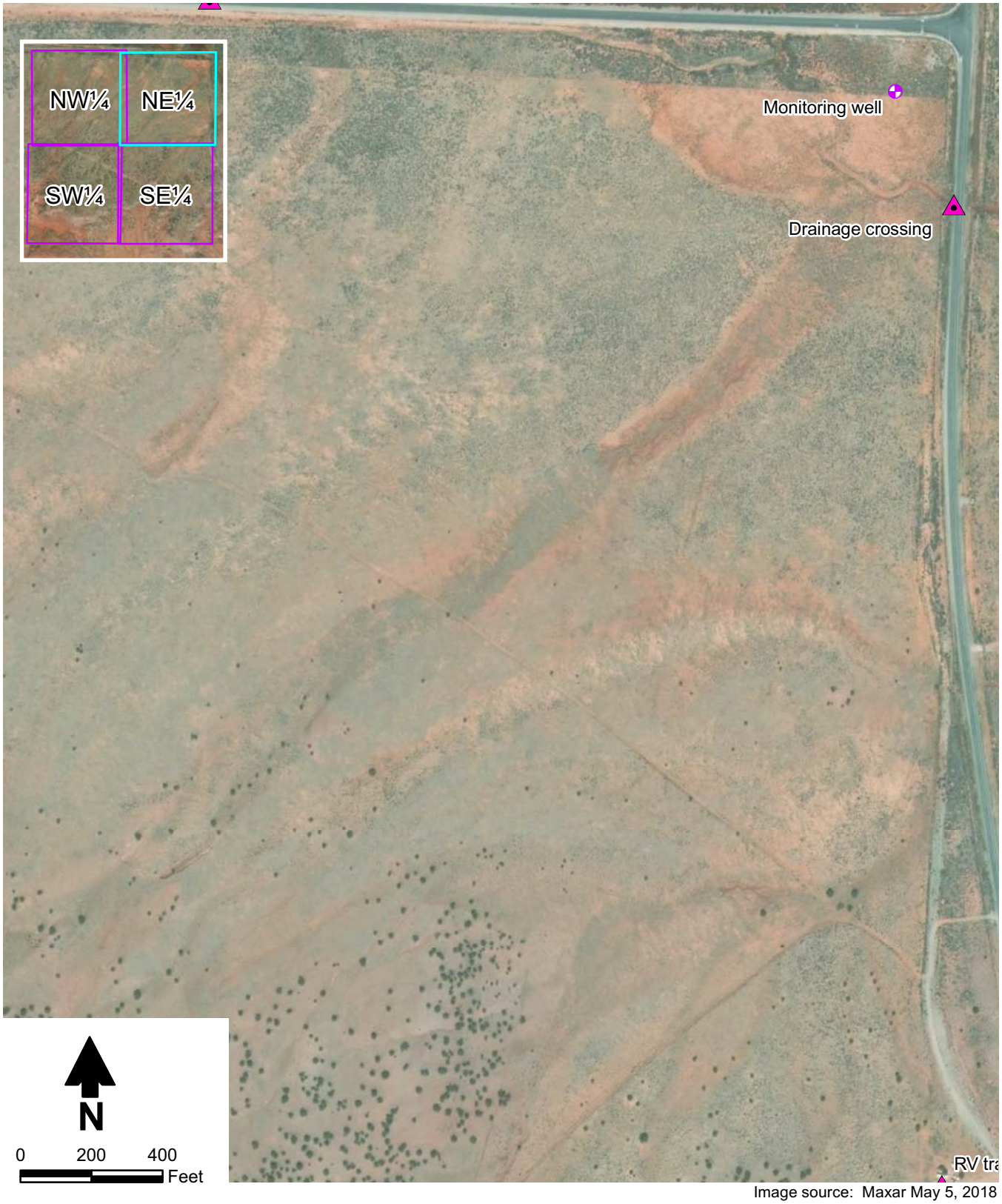


Image source: Maxar May 5, 2018

Explanation

- Well
- Finding
- Water pipeline
- Transmission line

S:\Projects\DB20.1071_Prewitt_Phase_I_ESAs\GIS\MXDs\Site_36\Fig03b_Site_36_NE¼_Site_Features_Map.mxd

Daniel B. Stephens & Associates, Inc.
4/23/2020
JN DB20.1071

PREWITT PHASE I ESA

Section 36 NE¼ Site Features Map

Figure 3b

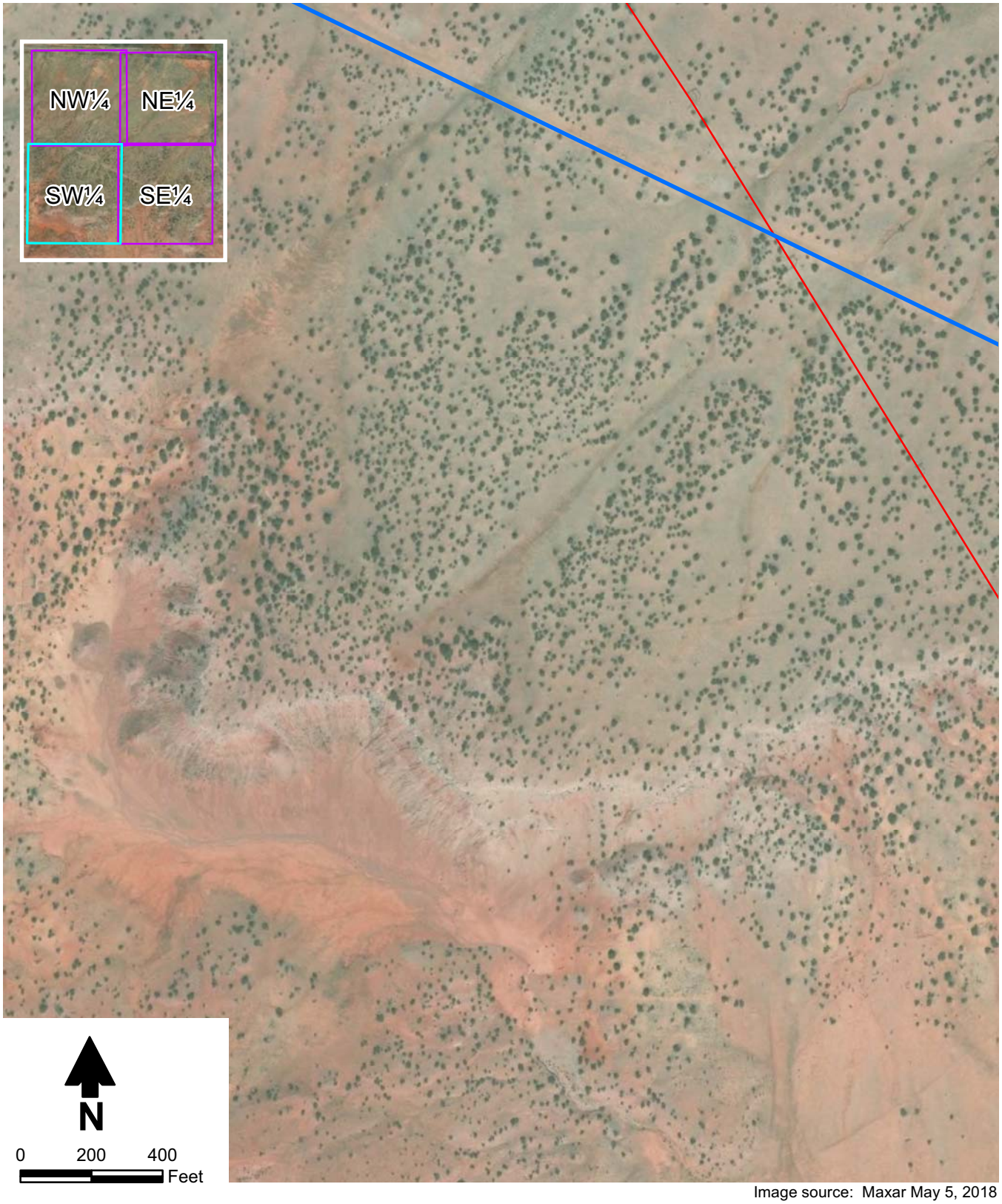


Image source: Maxar May 5, 2018

Explanation

- Well
- Finding
- Water pipeline
- Transmission line

S:\Projects\DB20.1071_Prewitt_Phase_I_ESAs\GIS\MXDs\Site_36\Fig03c_Site_36_SW¼_Site_Features_Map.mxd

Daniel B. Stephens & Associates, Inc.
4/23/2020
JN DB20.1071

PREWITT PHASE I ESA

Section 36 SW¼ Site Features Map

Figure 3c

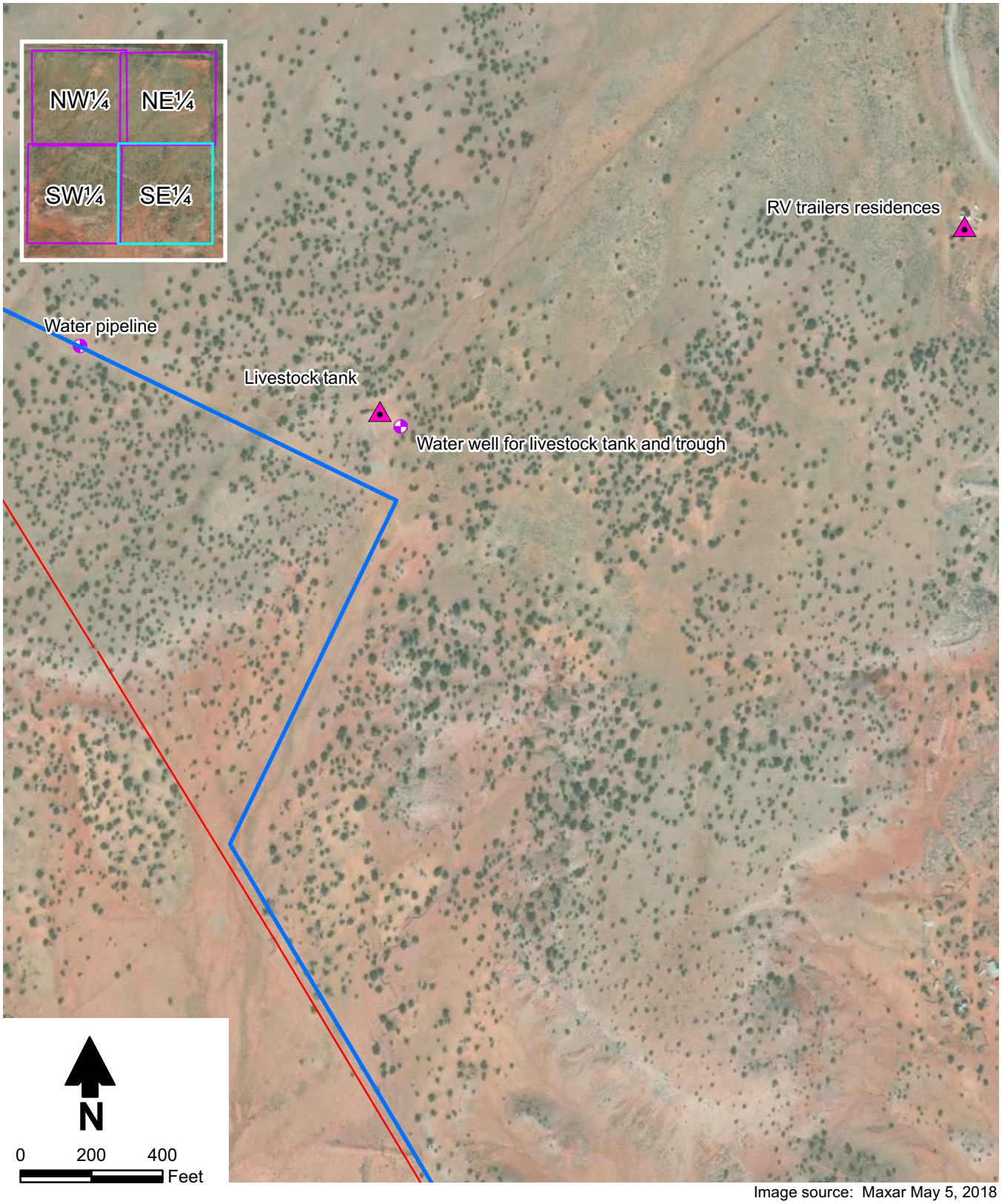


Image source: Maxar May 5, 2018

Explanation

- Well
- Finding
- Water pipeline
- Transmission line

S:\Projects\DB20.1071_Prewitt_Phase_I_ESAs\GIS\MXDs\Site_36\Fig03d_Site_36_SE¼_Site_Features_Map.mxd

Daniel B. Stephens & Associates, Inc.
4/23/2020
JN DB20.1071

PREWITT PHASE I ESA

Section 36 SE¼ Site Features Map

Figure 3d

Appendix A

Interviews

Completed by Evan Williams, Northwest New Mexico Council of Governments

X3. USER QUESTIONNAIRE – Prewitt Industrial Cluster Site #1: Section 36, T14N, R12W, McKinley County, New Mexico

INTRODUCTION

In order to qualify for one of the *Landowner Liability Protections (LLPs)*[35] offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 (the "*Brownfields Amendments*"),[36] the *user* must provide the following information (if available) to the *environmental professional*. Failure to provide this information could result in a determination that "*all appropriate inquiry*" is not complete.

(1.) Environmental cleanup liens that are filed or recorded against the site (40 CFR 312.25).
Are you aware of any environmental cleanup liens against the *property* that are filed or recorded under federal, tribal, state or local law**?** **No**

(2.) Activity and land use limitations that are in place on the site or that have been filed or recorded in a registry (40 CFR 312.26).
Are you aware of any AULs, such as *engineering controls*, land use restrictions or *institutional controls* that are in place at the site and/or have been filed or recorded in a registry under federal, tribal, state or local law? **No, State Land Office might be contacted on this as the property owner.**

(3.) Specialized knowledge or experience of the person seeking to qualify for the LLP (40 CFR 312.28).
As the *user* of this *ESA* do you have any specialized knowledge or experience related to the *property* or nearby properties? **No** For example, are you involved in the same line of business as the current or former *occupants* of the *property* or an adjoining *property* so that you would have specialized knowledge of the chemicals and processes used by this type of business? **No**

(4.) Relationship of the purchase price to the fair market value of the *property* if it were not contaminated (40 CFR 312.29).
Does the purchase price being paid for this *property* reasonably reflect the fair market value of the *property*? **Yes**
If you conclude that there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the *property*?

(5.) Commonly known or *reasonably ascertainable* information about the *property* (40 CFR 312.30).
Are you aware of commonly known or *reasonably ascertainable* information about the *property* that would help the *environmental professional* to identify conditions indicative of releases or threatened releases? **No**
For example, as *user*,
(a.) Do you know the past uses of the *property*? **No**
(b.) Do you know of specific chemicals that are present or once were present at the *property*? **No**

(c.) Do you know of spills or other chemical releases that have taken place at the *property*? **No**

(d.) Do you know of any environmental cleanups that have taken place at the *property*? **No**

(6.) The degree of obviousness of the presence of likely presence of contamination at the *property*, and the ability to detect the contamination by appropriate investigation (40 CFR 312.31).
As the *user* of this *ESA*, based on your knowledge and experience related to the *property* are there any *obvious* indicators that point to the presence or likely presence of contamination at the *property*? **Adjacent to a coal powerplant and mines and other industrial uses.**

From: Gilbreath, Chris
To: Kutz, Julie; Kutz, Julie
Cc: Rychener, Brian; Casiraro, Dan; Johnson, Chantell
Subject: FW: Section 36 and 32, Prewitt Phase I ESAs
Date: Thursday, April 9, 2020 2:35:45 PM

Ms. Kutz,

On behalf of Tri-State's Environmental Services Group, we are providing a response to your inquiry. Let us know if you need any additional information.

Thank you.

Chris S. Gilbreath
Water, Waste and Mining Compliance Manager
Tri-State Generation and Transmission Association
(303) 254-3291

Good morning Mr. Rychener,

We have been tasked by the NMED Ground Water Quality Bureau - Remediation Oversight Section to conduct a Phase I Environmental Site Assessment for two 640-acre parcels (Section 36, T14N, R12W and Section 32, T14N, R11W), one of which is adjacent to the Escalante Generating Station (EGS) and McKinley Paper (MPC). I've been given your name as the best contact for these facilities to answer a few questions (to the best of your knowledge):

- Do you know how long the EGS and MPC have been in operation at the site and are they both at the same location? EGS began commercially operating in 1985, and MPC in approximately 1993. MPC is located to the southwest of the EGS property. MPC is a separate company, operating the paper mill. If you need contact information for MPC, please let me know.
- Do you know if there was any development prior to the current use? We are not aware of any prior development. The property was previously ranch land.
- Are you aware of any violations of regulated activities such as unregulated discharges off site, air quality exceedances, hazardous material spills, improper waste disposal, resulting from these facilities operations? No water or waste related violations over the past 20 years. No air violations in the past 7 years.
- Are there any underground storage tanks used on-site and if so, have there been any noted leaks? There are no underground fuel storage tanks at EGS.
- Are you aware of any violations to the CWA or impacts to ground water or surface water resulting from the EGS and MPC operations? Stormwater is the only surface water discharge (no adverse impacts, Permit ID: NMR053086). EGS operates various process water ponds, sewage lagoons, and the onsite landfill in compliance with the NMED groundwater permit DP-206.
- How is coal ash or CCRs disposed of? Currently all fly ash is sold (e.g. beneficially used in encapsulated concrete). The bottom ash and scrubber sludge is placed in the onsite landfill.

Do you know if there have been any other Phase I ESAs conducted for the EGS or MPC and if possible, can you send me a copy. Also, if you have any documentation showing approved inspections conducted by state/fed agencies since the issuance of the discharge permit (of which I downloaded from NMED mapping website) or violations found by any state/federal agency could you provide copies of that? Tri-State has not conducted or hired any third parties to conduct an ESA for the EGS. Tri-State has recently granted an option to lease to a third party solar power developer pertaining to land surrounding EGS, but Tri-State is subject to a non-disclosure agreement under the option agreement and therefore is not at liberty to disclose details of the agreement or activities undertaken by the solar developer in connection with the agreement. NMED has been on-site a few times since the last DP-206 permit renewal in 2015; however, they have not provided any formal inspection reports. There have been no violations for the DP-206 permit.

- I saw an article that the EGS is planning on shutting down by the end of the year. Is that still the schedule and is the paper plant also going to be shut down or will it remain in operation? EGS will be shut down at the end of 2020 and currently MPC will remain in operation.
- Are you aware of any other mining activity in the immediate area, such as uranium? No

I'm planning on doing a site visit next week (my plan is to go out on Wednesday, but will let you know for sure. I may use my personal vehicle – a gray Subaru Outback, instead of a company truck). I don't believe you need access to our Site, but as a result of Tri-State's pandemic policy limiting access and contact, we are not currently allowing non-essential visitors at any of our facilities.

There may be other questions, but I appreciate your help on these.
I'm working out of my house, so if you need to call me, please call the mobile number below.
Thank you,
Julie

Julie Kutz
Biologist

Daniel B. Stephens & Associates, Inc.
a Geo-Logic Company
6020 Academy Road NE, Suite 100
Albuquerque, New Mexico 87109
Office: (505) 822-9400 ¦ Direct: (505) 353-9103 ¦ Mobile: (505) 715-9140
jkutz@dbstephens.com or jkutz@geo-logic.com

www.dbstephens.com ¦ www.geo-logic.com

From: noreply@civicplus.com
To: Kutz, Julie
Subject: Online Form Submittal: Email Rich Austin
Date: Tuesday, March 31, 2020 1:08:23 PM

Email Rich Austin

Name	Julie Kutz
Email Address	jkutz@geo-logic.com
Message	Dear Mr. Austin, I work for Daniel B. Stephens & Associates and am conduction a Phase I Environmental Site Assessment for two sections of land (Section 36, T14N, R12W and Section 32, T14N, R11W) approximately two miles north of Prewitt and slightly south and east of the existing Escalante Power Plant. As part of the Phase I evaluation I would like to ask if you have any knowledge of or records for any spills, fires or other hazardous materials issues in this area. I can provide maps of the location if needed. Thank you for your time, Julie Kutz Daniel B. Stephens & Associates 6020 Academy NE Albuquerque, NM 87109

Appendix B

EDR Reports

Prewitt NM
Section 32 and 36
Thoreau, NM 87323

Inquiry Number: 6020734.2s
March 24, 2020

EDR Area / Corridor Report

6 Armstrong Road, 4th floor
Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

TABLE OF CONTENTS

Thank you for your business.
Please contact EDR at 1-800-352-0050
with any questions or comments.

EXECUTIVE SUMMARY

A search of available environmental records was conducted by Environmental Data Resources, Inc (EDR). The report was designed to assist parties seeking to meet the search requirements of EPA's Standards and Practices for All Appropriate Inquiries (40 CFR Part 312), the ASTM Standard Practice for Environmental Site Assessments (E 1527-13), the ASTM Standard Practice for Environmental Site Assessments for Forestland or Rural Property (E 2247-16), the ASTM Standard Practice for Limited Environmental Due Diligence: Transaction Screen Process (E 1528-14) or custom requirements developed for the evaluation of environmental risk associated with a parcel of real estate.

SUBJECT PROPERTY INFORMATION

ADDRESS

SECTION 32 AND 36
THOREAU, NM 87323

TARGET PROPERTY SEARCH RESULTS

The Target Property was identified in the following databases.

Page Numbers and Map Identifcations refer to the EDR Area/Corridor Report where detailed data on individual sites can be reviewed.

Sites listed in ***bold italics*** are in multiple databases.

SURROUNDING SITES: SEARCH RESULTS

Surrounding sites were not identified.

Unmappable (orphan) sites are not considered in the foregoing analysis.

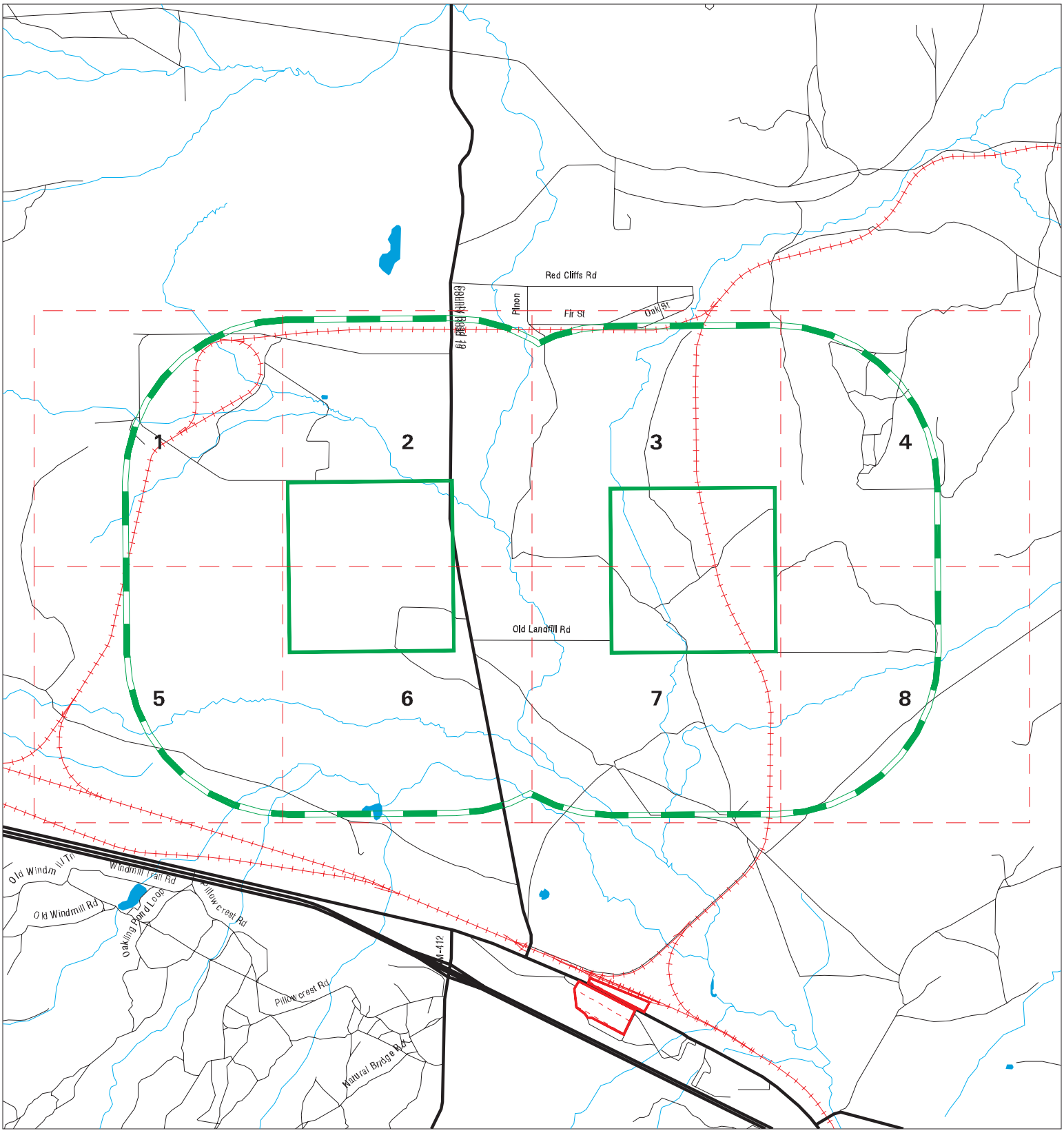
MAPPED SITES SUMMARY

Target Property:
SECTION 32 AND 36
THOREAU, NM 87323

MAP ID / FOCUS MAP	SITE NAME	ADDRESS	DATABASE ACRONYMS	DIST (ft. & mi.) DIRECTION

NO MAPPED SITES FOUND

Key Map - 6020734.2s



- Sites
- Target Property
- Search Buffer
- Focus Map - No Sites
- Focus Map - Sites
- National Priority List Sites
- Dept. Defense Sites
- Indian Reservations BIA

0 1/2 1 Miles

SITE NAME: Prewitt NM	CLIENT: Daniel B. Stephens Assoc. Inc.
ADDRESS: Section 32 and 36	CONTACT: Julie Kutz
CITY/STATE: Thoreau NM	INQUIRY #: 6020734.2s
ZIP: 87323	DATE: 03/24/20 5:05 PM

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
STANDARD ENVIRONMENTAL RECORDS								
Federal NPL site list								
NPL	1.000		0	0	0	0	NR	0
Proposed NPL	1.000		0	0	0	0	NR	0
NPL LIENS	1.000		0	0	0	0	NR	0
Federal Delisted NPL site list								
Delisted NPL	1.000		0	0	0	0	NR	0
Federal CERCLIS list								
FEDERAL FACILITY	0.500		0	0	0	NR	NR	0
SEMS	0.500		0	0	0	NR	NR	0
Federal CERCLIS NFRAP site list								
SEMS-ARCHIVE	0.500		0	0	0	NR	NR	0
Federal RCRA CORRACTS facilities list								
CORRACTS	1.000		0	0	0	0	NR	0
Federal RCRA non-CORRACTS TSD facilities list								
RCRA-TSDF	0.500		0	0	0	NR	NR	0
Federal RCRA generators list								
RCRA-LQG	0.250		0	0	NR	NR	NR	0
RCRA-SQG	0.250		0	0	NR	NR	NR	0
RCRA-VSQG	0.250		0	0	NR	NR	NR	0
Federal institutional controls / engineering controls registries								
LUCIS	0.500		0	0	0	NR	NR	0
US ENG CONTROLS	0.500		0	0	0	NR	NR	0
US INST CONTROL	0.500		0	0	0	NR	NR	0
Federal ERNS list								
ERNS	TP		NR	NR	NR	NR	NR	0
State- and tribal - equivalent CERCLIS								
SCS	1.000		0	0	0	0	NR	0
SHWS	N/A		N/A	N/A	N/A	N/A	N/A	N/A
State and tribal landfill and/or solid waste disposal site lists								
SWF/LF	0.500		0	0	0	NR	NR	0
State and tribal leaking storage tank lists								
LUST	0.500		0	0	0	NR	NR	0
LAST	0.500		0	0	0	NR	NR	0
INDIAN LUST	0.500		0	0	0	NR	NR	0

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
LTANKS	0.500		0	0	0	NR	NR	0
State and tribal registered storage tank lists								
FEMA UST	0.250		0	0	NR	NR	NR	0
UST	0.250		0	0	NR	NR	NR	0
AST	0.250		0	0	NR	NR	NR	0
INDIAN UST	0.250		0	0	NR	NR	NR	0
TANKS	0.250		0	0	NR	NR	NR	0
State and tribal institutional control / engineering control registries								
INST CONTROL	0.500		0	0	0	NR	NR	0
State and tribal voluntary cleanup sites								
VCP	0.500		0	0	0	NR	NR	0
INDIAN VCP	0.500		0	0	0	NR	NR	0
State and tribal Brownfields sites								
BROWNFIELDS	0.500		0	0	0	NR	NR	0
ADDITIONAL ENVIRONMENTAL RECORDS								
Local Brownfield lists								
US BROWNFIELDS	0.500		0	0	0	NR	NR	0
Local Lists of Landfill / Solid Waste Disposal Sites								
SWRCY	0.500		0	0	0	NR	NR	0
INDIAN ODI	0.500		0	0	0	NR	NR	0
ODI	0.500		0	0	0	NR	NR	0
DEBRIS REGION 9	0.500		0	0	0	NR	NR	0
IHS OPEN DUMPS	0.500		0	0	0	NR	NR	0
Local Lists of Hazardous waste / Contaminated Sites								
US HIST CDL	TP		NR	NR	NR	NR	NR	0
CDL	TP		NR	NR	NR	NR	NR	0
US CDL	TP		NR	NR	NR	NR	NR	0
Local Land Records								
LIENS 2	TP		NR	NR	NR	NR	NR	0
Records of Emergency Release Reports								
HMIRS	TP		NR	NR	NR	NR	NR	0
SPILLS	TP		NR	NR	NR	NR	NR	0
Other Ascertainable Records								
RCRA NonGen / NLR	0.250		0	0	NR	NR	NR	0
FUDS	1.000		0	0	0	0	NR	0
DOD	1.000		0	0	0	0	NR	0

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
SCRD DRYCLEANERS	0.500		0	0	0	NR	NR	0
US FIN ASSUR	TP		NR	NR	NR	NR	NR	0
EPA WATCH LIST	TP		NR	NR	NR	NR	NR	0
2020 COR ACTION	0.250		0	0	NR	NR	NR	0
TSCA	TP		NR	NR	NR	NR	NR	0
TRIS	TP		NR	NR	NR	NR	NR	0
SSTS	TP		NR	NR	NR	NR	NR	0
ROD	1.000		0	0	0	0	NR	0
RMP	TP		NR	NR	NR	NR	NR	0
RAATS	TP		NR	NR	NR	NR	NR	0
PRP	TP		NR	NR	NR	NR	NR	0
PADS	TP		NR	NR	NR	NR	NR	0
ICIS	TP		NR	NR	NR	NR	NR	0
FTTS	TP		NR	NR	NR	NR	NR	0
MLTS	TP		NR	NR	NR	NR	NR	0
COAL ASH DOE	TP		NR	NR	NR	NR	NR	0
COAL ASH EPA	0.500		0	0	0	NR	NR	0
PCB TRANSFORMER	TP		NR	NR	NR	NR	NR	0
RADINFO	TP		NR	NR	NR	NR	NR	0
HIST FTTS	TP		NR	NR	NR	NR	NR	0
DOT OPS	TP		NR	NR	NR	NR	NR	0
CONSENT	1.000		0	0	0	0	NR	0
INDIAN RESERV	1.000		0	0	0	0	NR	0
FUSRAP	1.000		0	0	0	0	NR	0
UMTRA	0.500		0	0	0	NR	NR	0
LEAD SMELTERS	TP		NR	NR	NR	NR	NR	0
US AIRS	TP		NR	NR	NR	NR	NR	0
US MINES	0.250		0	0	NR	NR	NR	0
ABANDONED MINES	0.250		0	0	NR	NR	NR	0
FINDS	TP		NR	NR	NR	NR	NR	0
DOCKET HWC	TP		NR	NR	NR	NR	NR	0
ECHO	TP		NR	NR	NR	NR	NR	0
UXO	1.000		0	0	0	0	NR	0
FUELS PROGRAM	0.250		0	0	NR	NR	NR	0
AIRS	TP		NR	NR	NR	NR	NR	0
ASBESTOS	TP		NR	NR	NR	NR	NR	0
MINES	0.250		0	0	NR	NR	NR	0
DRYCLEANERS	0.250		0	0	NR	NR	NR	0
Financial Assurance	TP		NR	NR	NR	NR	NR	0
NPDES	TP		NR	NR	NR	NR	NR	0
UIC	TP		NR	NR	NR	NR	NR	0
MINES MRDS	TP		NR	NR	NR	NR	NR	0

EDR HIGH RISK HISTORICAL RECORDS

EDR Exclusive Records

EDR MGP	1.000		0	0	0	0	NR	0
EDR Hist Auto	0.125		0	NR	NR	NR	NR	0
EDR Hist Cleaner	0.125		0	NR	NR	NR	NR	0

EDR RECOVERED GOVERNMENT ARCHIVES

Exclusive Recovered Govt. Archives

RGA LF	TP		NR	NR	NR	NR	NR	0

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
RGA LUST	TP		NR	NR	NR	NR	NR	0
- Totals --		0	0	0	0	0	0	0

NOTES:

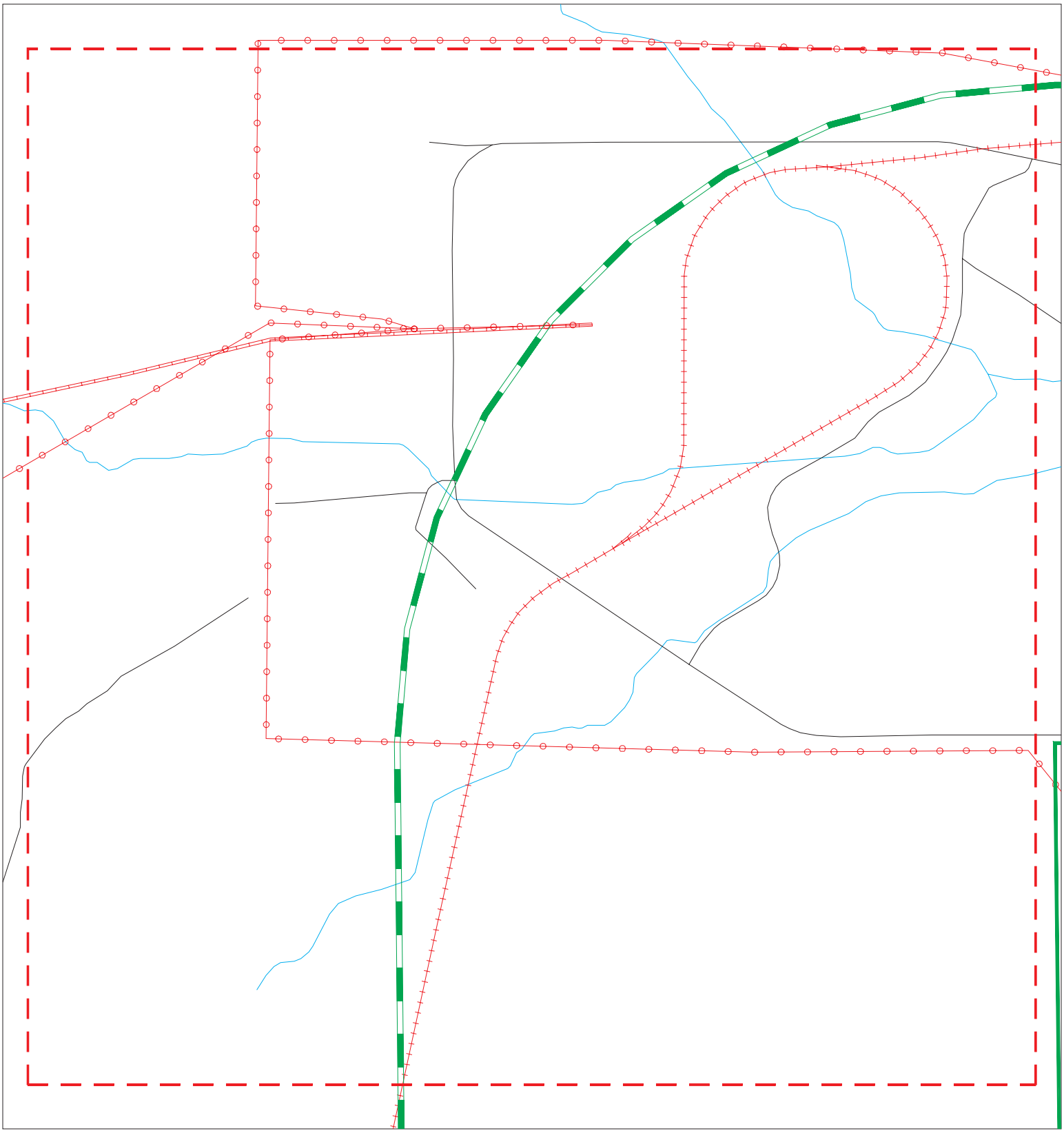
TP = Target Property

NR = Not Requested at this Search Distance

Sites may be listed in more than one database

N/A = This State does not maintain a SHWS list. See the Federal CERCLIS list.

Focus Map - 1 - 6020734.2s



Sites
Target Property
Search Buffer
Focus Map - No Sites
Focus Map - Sites
Power Line
Pipe Line
National Priority List Sites
Dept. Defense Sites
Indian Reservations BIA

0 1/8 1/4 Miles

SITE NAME: Prewitt NM	CLIENT: Daniel B. Stephens Assoc. Inc.
ADDRESS: Section 32 and 36	CONTACT: Julie Kutz
CITY/STATE: Thoreau NM	INQUIRY #: 6020734.2s
ZIP: 87323	DATE: 03/24/20

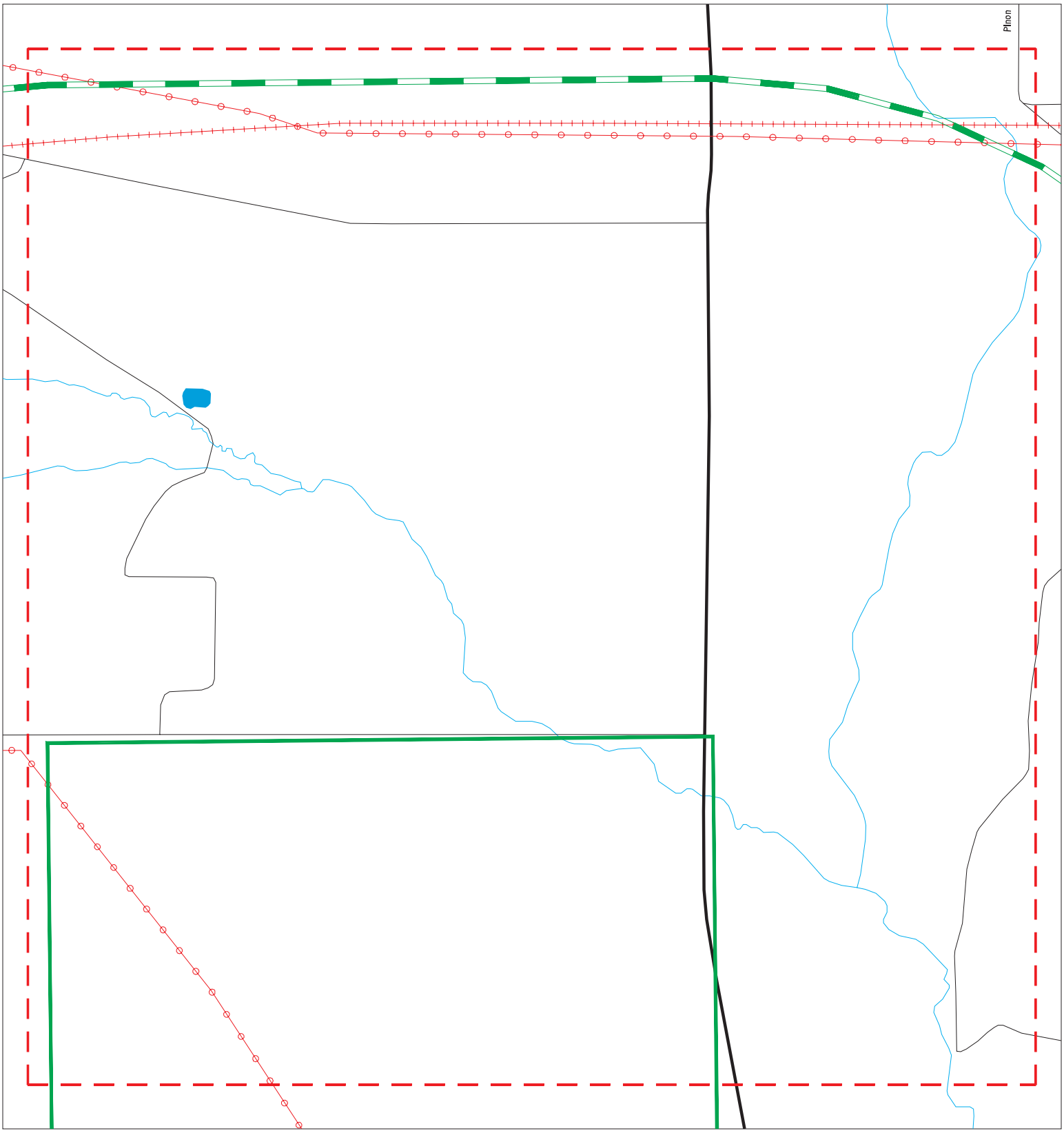
MAPPED SITES SUMMARY - FOCUS MAP 1

Target Property:
SECTION 32 AND 36
THOREAU, NM 87323

MAP ID / FOCUS MAP	SITE NAME	ADDRESS	DATABASE ACRONYMS	DIST (ft. & mi.) DIRECTION

NO MAPPED SITES FOUND

Focus Map - 2 - 6020734.2s



Sites
Target Property
Search Buffer
Focus Map - No Sites
Focus Map - Sites
Power Line
Pipe Line
National Priority List Sites
Dept. Defense Sites
Indian Reservations BIA

0 1/8 1/4 Miles

SITE NAME: Prewitt NM	CLIENT: Daniel B. Stephens Assoc. Inc.
ADDRESS: Section 32 and 36	CONTACT: Julie Kutz
CITY/STATE: Thoreau NM	INQUIRY #: 6020734.2s
ZIP: 87323	DATE: 03/24/20

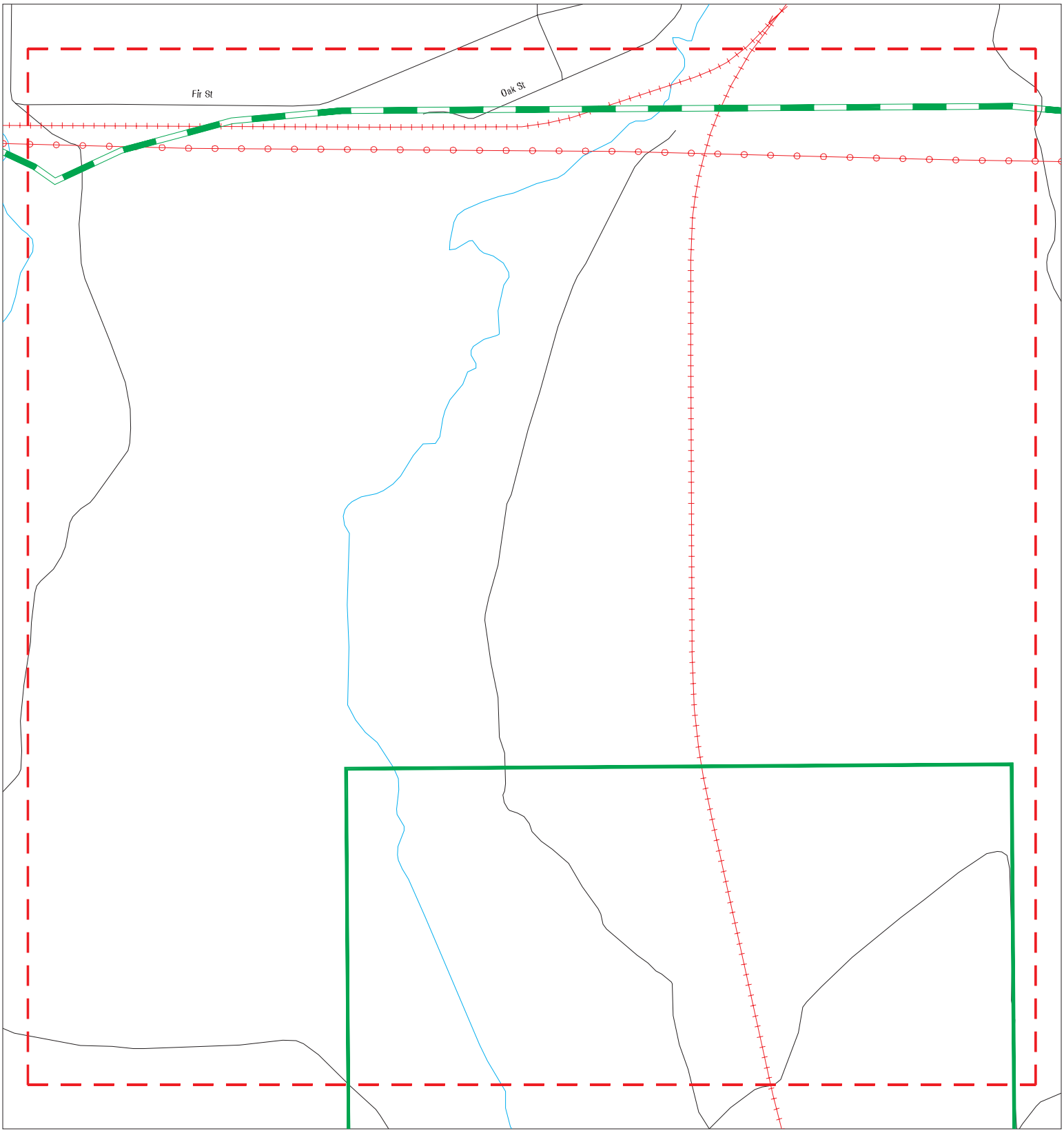
MAPPED SITES SUMMARY - FOCUS MAP 2

Target Property:
SECTION 32 AND 36
THOREAU, NM 87323

MAP ID / FOCUS MAP	SITE NAME	ADDRESS	DATABASE ACRONYMS	DIST (ft. & mi.) DIRECTION

NO MAPPED SITES FOUND

Focus Map - 3 - 6020734.2s



Sites
Target Property
Search Buffer
Focus Map - No Sites
Focus Map - Sites
Power Line
Pipe Line
National Priority List Sites
Dept. Defense Sites
Indian Reservations BIA

0 1/8 1/4 Miles

SITE NAME:	Prewitt NM	CLIENT:	Daniel B. Stephens Assoc. Inc.
ADDRESS:	Section 32 and 36	CONTACT:	Julie Kutz
CITY/STATE:	Thoreau NM	INQUIRY #:	6020734.2s
ZIP:	87323	DATE:	03/24/20

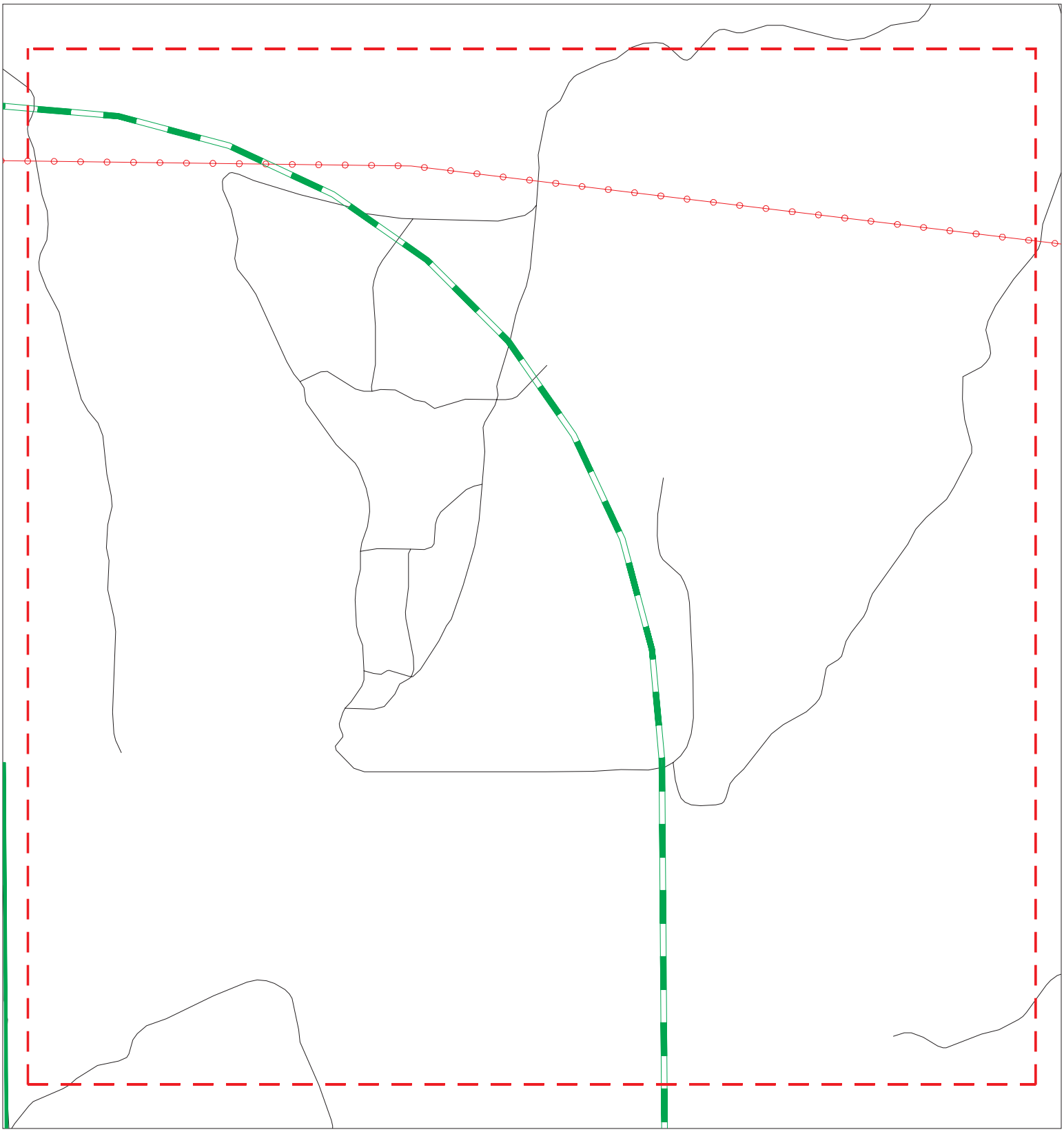
MAPPED SITES SUMMARY - FOCUS MAP 3

Target Property:
SECTION 32 AND 36
THOREAU, NM 87323

MAP ID / FOCUS MAP	SITE NAME	ADDRESS	DATABASE ACRONYMS	DIST (ft. & mi.) DIRECTION

NO MAPPED SITES FOUND

Focus Map - 4 - 6020734.2s



Sites
Target Property
Search Buffer
Focus Map - No Sites
Focus Map - Sites
Power Line
Pipe Line
National Priority List Sites
Dept. Defense Sites
Indian Reservations BIA

0 1/8 1/4 Miles

SITE NAME: Prewitt NM	CLIENT: Daniel B. Stephens Assoc. Inc.
ADDRESS: Section 32 and 36	CONTACT: Julie Kutz
CITY/STATE: Thoreau NM	INQUIRY #: 6020734.2s
ZIP: 87323	DATE: 03/24/20

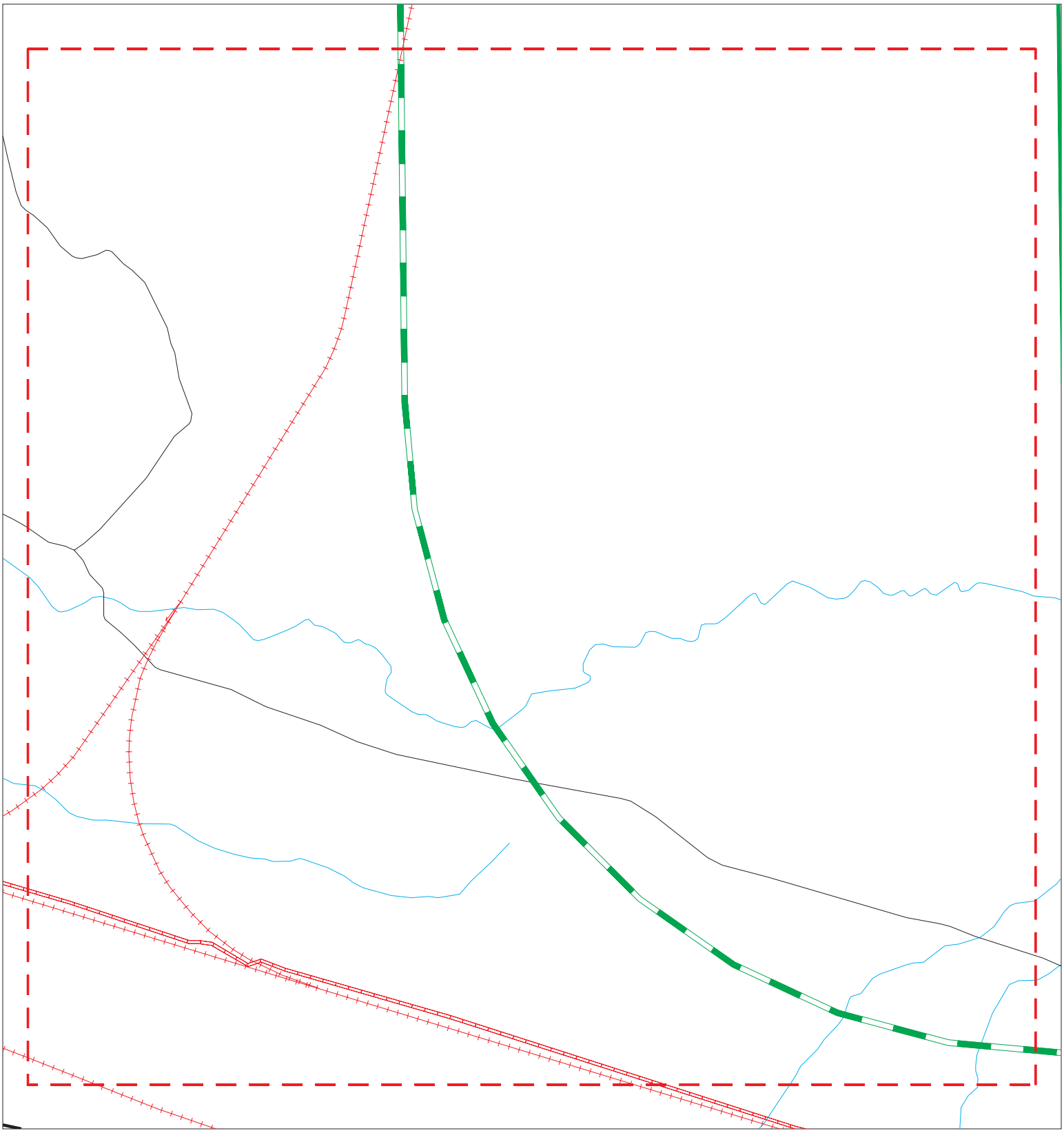
MAPPED SITES SUMMARY - FOCUS MAP 4

Target Property:
SECTION 32 AND 36
THOREAU, NM 87323

MAP ID / FOCUS MAP	SITE NAME	ADDRESS	DATABASE ACRONYMS	DIST (ft. & mi.) DIRECTION

NO MAPPED SITES FOUND

Focus Map - 5 - 6020734.2s



Sites
Target Property
Search Buffer
Focus Map - No Sites
Focus Map - Sites
Power Line
Pipe Line
National Priority List Sites
Dept. Defense Sites
Indian Reservations BIA

0 1/8 1/4 Miles

SITE NAME: Prewitt NM	CLIENT: Daniel B. Stephens Assoc. Inc.
ADDRESS: Section 32 and 36	CONTACT: Julie Kutz
CITY/STATE: Thoreau NM	INQUIRY #: 6020734.2s
ZIP: 87323	DATE: 03/24/20

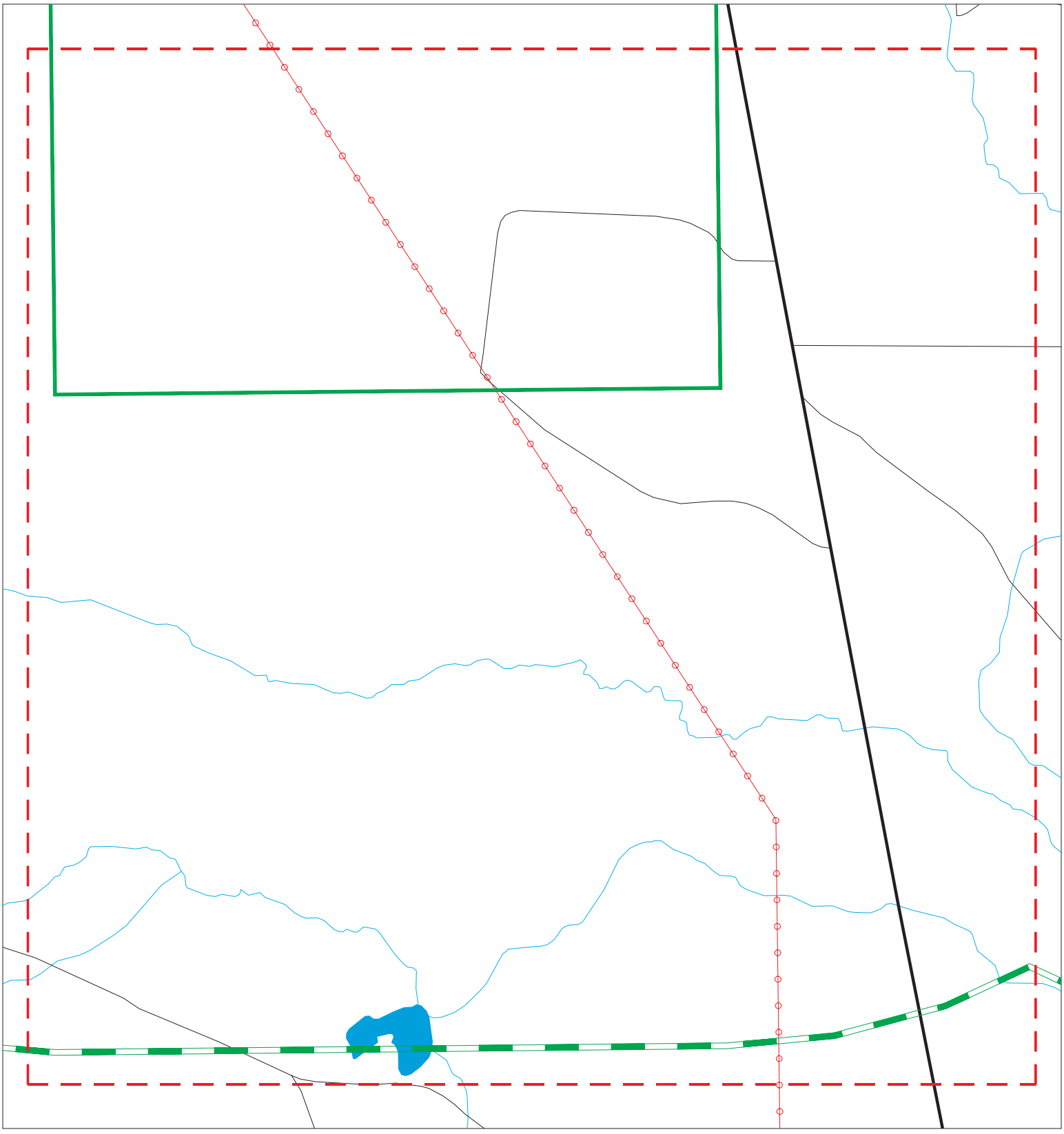
MAPPED SITES SUMMARY - FOCUS MAP 5

Target Property:
SECTION 32 AND 36
THOREAU, NM 87323

MAP ID / FOCUS MAP	SITE NAME	ADDRESS	DATABASE ACRONYMS	DIST (ft. & mi.) DIRECTION

NO MAPPED SITES FOUND

Focus Map - 6 - 6020734.2s



Sites
Target Property
Search Buffer
Focus Map - No Sites
Focus Map - Sites
Power Line
Pipe Line
National Priority List Sites
Dept. Defense Sites
Indian Reservations BIA

SITE NAME: Prewitt NM	CLIENT: Daniel B. Stephens Assoc. Inc.
ADDRESS: Section 32 and 36	CONTACT: Julie Kutz
CITY/STATE: Thoreau NM	INQUIRY #: 6020734.2s
ZIP: 87323	DATE: 03/24/20

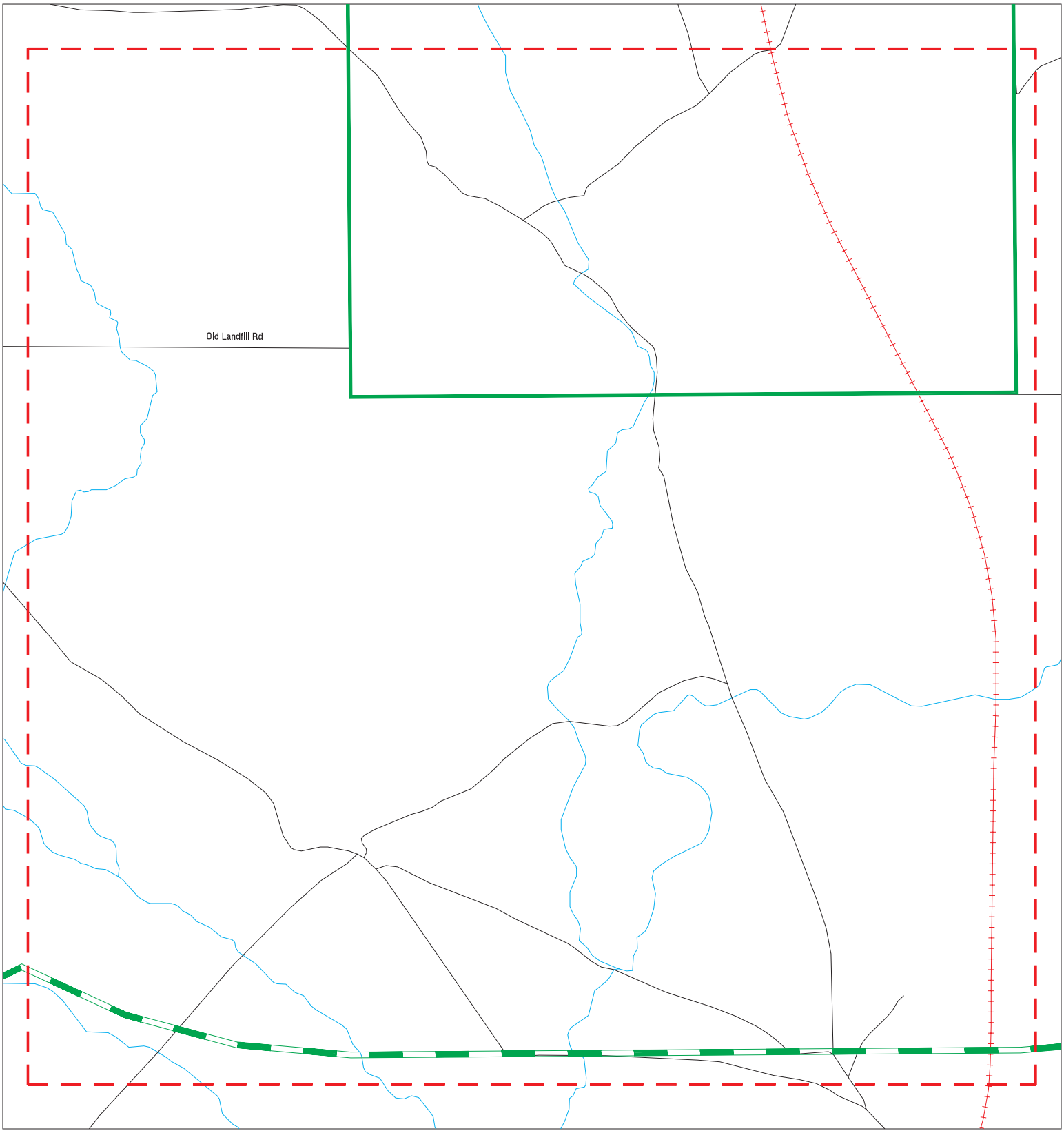
MAPPED SITES SUMMARY - FOCUS MAP 6

Target Property:
SECTION 32 AND 36
THOREAU, NM 87323

MAP ID / FOCUS MAP	SITE NAME	ADDRESS	DATABASE ACRONYMS	DIST (ft. & mi.) DIRECTION

NO MAPPED SITES FOUND

Focus Map - 7 - 6020734.2s



Sites
Target Property
Search Buffer
Focus Map - No Sites
Focus Map - Sites
Power Line
Pipe Line
National Priority List Sites
Dept. Defense Sites
Indian Reservations BIA

0 1/8 1/4 Miles

SITE NAME: Prewitt NM	CLIENT: Daniel B. Stephens Assoc. Inc.
ADDRESS: Section 32 and 36	CONTACT: Julie Kutz
CITY/STATE: Thoreau NM	INQUIRY #: 6020734.2s
ZIP: 87323	DATE: 03/24/20

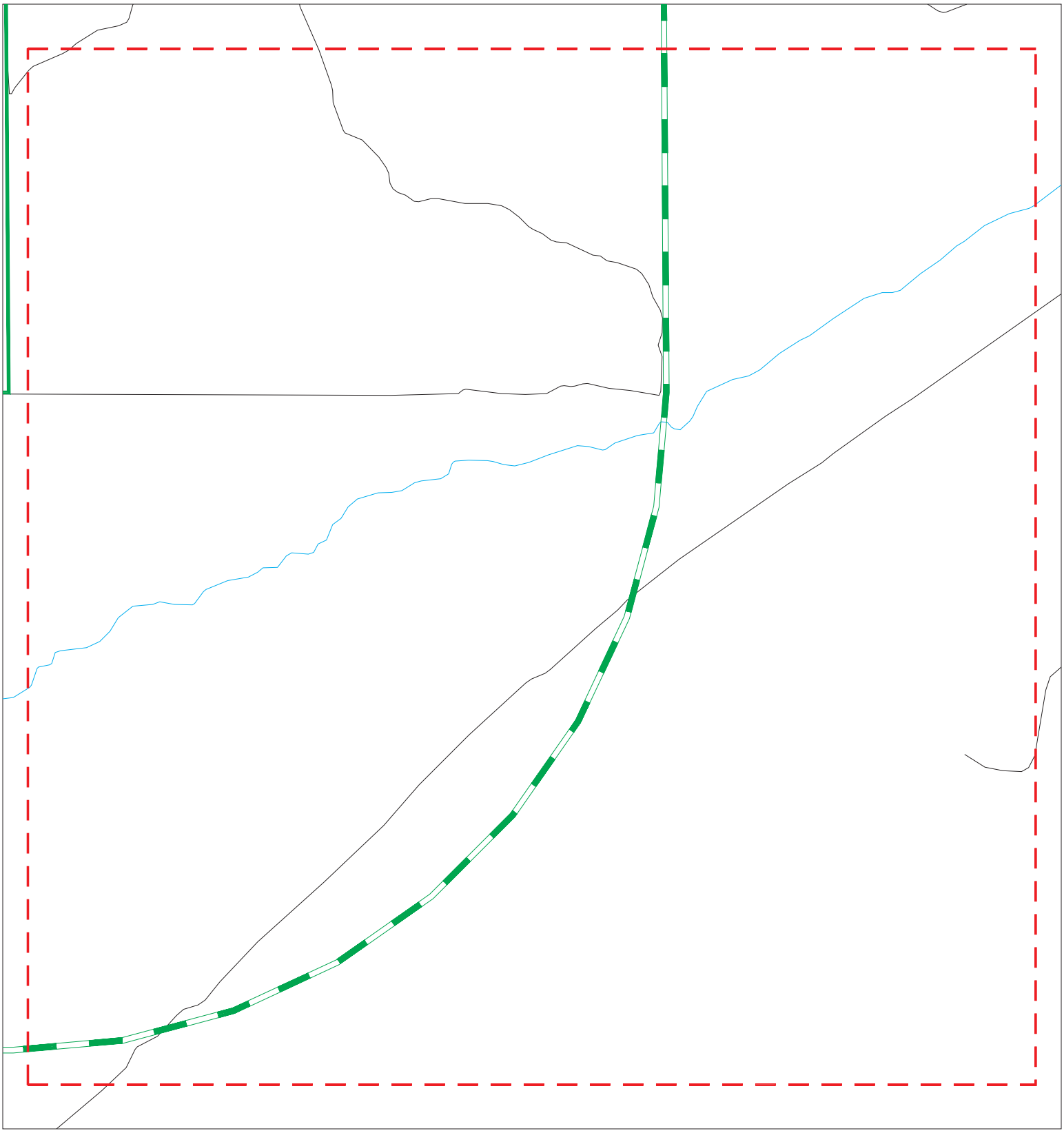
MAPPED SITES SUMMARY - FOCUS MAP 7

Target Property:
SECTION 32 AND 36
THOREAU, NM 87323

MAP ID / FOCUS MAP	SITE NAME	ADDRESS	DATABASE ACRONYMS	DIST (ft. & mi.) DIRECTION

NO MAPPED SITES FOUND

Focus Map - 8 - 6020734.2s



Sites
Target Property
Search Buffer
Focus Map - No Sites
Focus Map - Sites
Power Line
Pipe Line
National Priority List Sites
Dept. Defense Sites
Indian Reservations BIA

0 1/8 1/4 Miles

SITE NAME: Prewitt NM	CLIENT: Daniel B. Stephens Assoc. Inc.
ADDRESS: Section 32 and 36	CONTACT: Julie Kutz
CITY/STATE: Thoreau NM	INQUIRY #: 6020734.2s
ZIP: 87323	DATE: 03/24/20

MAPPED SITES SUMMARY - FOCUS MAP 8

Target Property:
SECTION 32 AND 36
THOREAU, NM 87323

MAP ID / FOCUS MAP	SITE NAME	ADDRESS	DATABASE ACRONYMS	DIST (ft. & mi.) DIRECTION

NO MAPPED SITES FOUND

MAP FINDINGS

Map ID Direction Distance Elevation	Site	Database(s)	EDR ID Number EPA ID Number

NO SITES FOUND

Count: 62 records

ORPHAN SUMMARY

City	EDR ID	Site Name	Site Address	Zip	Database(s)
AMBROSIA LAKE	1018162373	TRONOX NAUM WEST GSA	SECTION 10, T14N, R10W	87020	SEMS
AMBROSIA LAKE	1015804242	TRONOX NAUM WEST GSA	SECTION 10, T14N, R10W	87020	FINDS
GRANTS	89119123		SECTION 23 MINE		ERNS
GRANTS	89115319		SECTION 23, TOWNSHIP 14 NORTH, RANGE 10 WEST, NNPM		ERNS
GRANTS	89115370		SECTION 17 2O MILES NORTH OF GRANTS, NEW MEXICO		ERNS
GRANTS	89115374		SECTION 19 20 MILES NORTH OF GRANTS, NEW MEXICO		ERNS
GRANTS	89115376		SECTION 22 20 MILES NORTH OF GRANTS, NEW MEXICO		ERNS
GRANTS	89115377		SECTION 24 20 MILES NORTH OF GRANTS, NEW MEXICO		ERNS
GRANTS	89115378		SECTION 30 20 MILES NORTH OF GRANTS, NEW MEXICO		ERNS
GRANTS	89115379		SECTION 30 WEST 20 MILES NORTH OF GRANTS, NEW MEXICO		ERNS
GRANTS	89115380		SECTION 33 20 MILES NORTH OF GRANTS, NEW MEXICO		ERNS
GRANTS	89115381		SECTION 35 20 MILES NORTH OF GRANTS, NEW MEXICO		ERNS
GRANTS	89115386		SECTION 36 20 MILES NORTH OF GRANTS, NEW MEXICO		ERNS
GRANTS	89115414		SECTION 23 MINE		ERNS
GRANTS	89115639		SECTION 23 MINE		ERNS
GRANTS	89115678		20 MILES NW GRANTS, SECTION 17, 19, 22, 24, 30, 30W, 33, 35,		ERNS
GRANTS	89115696		SECTION 23 TWSP 14N RANGE 10W NMPM		ERNS
GRANTS	89115887		SECTION 15, 19, 22, 24, 30, 30W, 33, 35, 36		ERNS
GRANTS	89115891		SECTION 23, TWP 14N, RANGE 10W, NMPM		ERNS
GRANTS	89116045		SECTION 23		ERNS
GRANTS	89116096		SECTION 17 20 MILES NORTHWEST OF GRANTS, NEW MEXICO		ERNS
GRANTS	89116098		SECTION 19 20 MILES NORTHWEST OF GRANTS		ERNS
GRANTS	89116099		SECTION 22 20 MILES NORTHWEST OF GRANTS,NM		ERNS
GRANTS	89116101		SECTION 24 20 MILES NORTHWEST OF GRANTS, NEW MEXICO		ERNS
GRANTS	89116103		SECTION 30 20 MILES NORTHWEST OF GRANTS, NEW MEXICO		ERNS
GRANTS	89116104		SECTION 30 WEST 20 MILES NORTHWEST OF GRANTS, NEW MEXICO		ERNS
GRANTS	89116106		SECTION 33 20 MILES NORTHWEST OF GRANTS, NEW MEXICO		ERNS
GRANTS	89116107		SECTION 35 20 MILES NORTHWEST OF GRANTS, NEW MEXICO		ERNS
GRANTS	89116108		SECTION 36 20 MILES NORTHWEST OF GRANTS, NEW MEXICO		ERNS
GRANTS	89116216		SECTION 23 25 MILES NORTHWEST OF GRANTS, NEW MEXICO		ERNS
GRANTS	89116217		20 MILES NW OF GRANTS, SECTION 17		ERNS
GRANTS	89116219		20 MILES NW OF GRANTS, SECTION 19		ERNS
GRANTS	89116220		20 MILES NW OF GRANTS, SECTION 22		ERNS
GRANTS	89116221		20 MILES NW OF GRANTS, SECTION 24		ERNS
GRANTS	89116222		20 MILES NW OF GRANTS, SECTION 30		ERNS
GRANTS	89116223		20 MILES NW OF GRANTS, SECTION 30W		ERNS
GRANTS	89116224		20 MILES NW OF GRANTS, SECTION 33		ERNS
GRANTS	89116225		20 MILES NW OF GRANTS, SECTION 35		ERNS
GRANTS	89116226		20 MILES NW OF GRANTS, SECTION 36		ERNS
GRANTS	89116468		SECTION 23		ERNS
GRANTS	89116682		SECTION 23,TOWNSHIP 14 NORTH,RANGE 10 WEST,NMPM		ERNS
GRANTS	S111765684	URANIUM KING RIO PUERCO MINE 18	T 12N R3W SECTION 18	87020	TANKS

Count: 62 records

ORPHAN SUMMARY

City	EDR ID	Site Name	Site Address	Zip	Database(s)
MCKINLEY COUNTY	1015731623	SECTION 15 MINE	SECTION 30, T14N,R10W		SEMS
MCKINLEY COUNTY	1015731624	SECTION 30 MINE	SECTION 30, T14N, R9W		SEMS
MCKINLEY COUNTY	1015731628	MARQUEZ MINE	SECTION 23, T13N, R9W		SEMS
MCKINLEY COUNTY	89116897		20 MILES NORTHWEST OF GRANTS SECTION 17 19 22 24 30 30W 33 3		ERNS
MCKINLEY COUNTY	89116975		20 MILES NORTHWEST OF GRANTS SECTION 17 19 22 24 30 30W 33 3		ERNS
MCKINLEY COUNTY	89117026		20 MILES NORTHWEST OF GRANT SECTION 17, 19,22,24,30,31 WEST,		ERNS
MCKINLEY COUNTY	89116111		SECTION 23 TOWNSHIP 14 NORTH RANGE 10 WEST NMPM		ERNS
MCKINLEY COUNTY	89116442		20 MILE NORTHWEST OF GRANTS NM SECTION 17		ERNS
MCKINLEY COUNTY	89116443		20 MILES NORTHWEST OF GRANTS SECTION 19		ERNS
MCKINLEY COUNTY	89116447		20 MILES NORTHWEST OF GRANTS, NM SECTION 24		ERNS
MCKINLEY COUNTY	89116448		20 MILES NORTHWEST OF GRANTS, NM SECTION 30		ERNS
MCKINLEY COUNTY	89116449		20 MILES NORTHWEST OF GRANTS, NM SECTION 30WEST		ERNS
MCKINLEY COUNTY	89116450		20 MILES NORTHWEST OF GRANTS, NM SECTION 33		ERNS
MCKINLEY COUNTY	89116451		20 MILES NORTHWEST OF GRANTS, NM SECTION 35		ERNS
MCKINLEY COUNTY	89116452		20 MILES NORTHWEST OF GRANTS, NM SECTION 36		ERNS
MCKINLEY COUNTY	1015804023	SECTION 15 MINE	SECTION 30, T14N,R10W		FINDS
MCKINLEY COUNTY	1016371269	MARQUEZ MINE	SECTION 23, T13N, R9W		FINDS
MCKINLEY COUNTY	1025446330	SECTION 30 MINE	SECTION 30, T14N, R9W		FINDS
SAN MATEO	1015731625	TRONOX NAUM EAST GSA	SECTION 35, T14N, R9W	87020	SEMS
SAN MATEO	1023396614	TRONOX NAUM EAST GSA	SECTION 35, T14N, R9W	87020	FINDS

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

To maintain currency of the following federal and state databases, EDR contacts the appropriate governmental agency on a monthly or quarterly basis, as required.

Number of Days to Update: Provides confirmation that EDR is reporting records that have been updated within 90 days from the date the government agency made the information available to the public.

STANDARD ENVIRONMENTAL RECORDS

Federal NPL site list

NPL: National Priority List

National Priorities List (Superfund). The NPL is a subset of CERCLIS and identifies over 1,200 sites for priority cleanup under the Superfund Program. NPL sites may encompass relatively large areas. As such, EDR provides polygon coverage for over 1,000 NPL site boundaries produced by EPA's Environmental Photographic Interpretation Center (EPIC) and regional EPA offices.

Date of Government Version: 01/30/2020
Date Data Arrived at EDR: 02/05/2020
Date Made Active in Reports: 02/14/2020
Number of Days to Update: 9

Source: EPA
Telephone: N/A
Last EDR Contact: 03/04/2020
Next Scheduled EDR Contact: 04/13/2020
Data Release Frequency: Quarterly

NPL Site Boundaries

Sources:

EPA's Environmental Photographic Interpretation Center (EPIC)
Telephone: 202-564-7333

EPA Region 1
Telephone 617-918-1143

EPA Region 3
Telephone 215-814-5418

EPA Region 4
Telephone 404-562-8033

EPA Region 5
Telephone 312-886-6686

EPA Region 10
Telephone 206-553-8665

EPA Region 6
Telephone: 214-655-6659

EPA Region 7
Telephone: 913-551-7247

EPA Region 8
Telephone: 303-312-6774

EPA Region 9
Telephone: 415-947-4246

Proposed NPL: Proposed National Priority List Sites

A site that has been proposed for listing on the National Priorities List through the issuance of a proposed rule in the Federal Register. EPA then accepts public comments on the site, responds to the comments, and places on the NPL those sites that continue to meet the requirements for listing.

Date of Government Version: 01/30/2020
Date Data Arrived at EDR: 02/05/2020
Date Made Active in Reports: 02/14/2020
Number of Days to Update: 9

Source: EPA
Telephone: N/A
Last EDR Contact: 03/04/2020
Next Scheduled EDR Contact: 04/13/2020
Data Release Frequency: Quarterly

NPL LIENS: Federal Superfund Liens

Federal Superfund Liens. Under the authority granted the USEPA by CERCLA of 1980, the USEPA has the authority to file liens against real property in order to recover remedial action expenditures or when the property owner received notification of potential liability. USEPA compiles a listing of filed notices of Superfund Liens.

Date of Government Version: 10/15/1991
Date Data Arrived at EDR: 02/02/1994
Date Made Active in Reports: 03/30/1994
Number of Days to Update: 56

Source: EPA
Telephone: 202-564-4267
Last EDR Contact: 08/15/2011
Next Scheduled EDR Contact: 11/28/2011
Data Release Frequency: No Update Planned

Federal Delisted NPL site list

Delisted NPL: National Priority List Deletions

The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425.(e), sites may be deleted from the NPL where no further response is appropriate.

Date of Government Version: 01/30/2020
Date Data Arrived at EDR: 02/05/2020
Date Made Active in Reports: 02/14/2020
Number of Days to Update: 9

Source: EPA
Telephone: N/A
Last EDR Contact: 03/04/2020
Next Scheduled EDR Contact: 04/13/2020
Data Release Frequency: Quarterly

Federal CERCLIS list

FEDERAL FACILITY: Federal Facility Site Information listing

A listing of National Priority List (NPL) and Base Realignment and Closure (BRAC) sites found in the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) Database where EPA Federal Facilities Restoration and Reuse Office is involved in cleanup activities.

Date of Government Version: 04/03/2019
Date Data Arrived at EDR: 04/05/2019
Date Made Active in Reports: 05/14/2019
Number of Days to Update: 39

Source: Environmental Protection Agency
Telephone: 703-603-8704
Last EDR Contact: 01/03/2020
Next Scheduled EDR Contact: 04/13/2020
Data Release Frequency: Varies

SEMS: Superfund Enterprise Management System

SEMS (Superfund Enterprise Management System) tracks hazardous waste sites, potentially hazardous waste sites, and remedial activities performed in support of EPA's Superfund Program across the United States. The list was formerly know as CERCLIS, renamed to SEMS by the EPA in 2015. The list contains data on potentially hazardous waste sites that have been reported to the USEPA by states, municipalities, private companies and private persons, pursuant to Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). This dataset also contains sites which are either proposed to or on the National Priorities List (NPL) and the sites which are in the screening and assessment phase for possible inclusion on the NPL.

Date of Government Version: 01/30/2020
Date Data Arrived at EDR: 02/05/2020
Date Made Active in Reports: 02/14/2020
Number of Days to Update: 9

Source: EPA
Telephone: 800-424-9346
Last EDR Contact: 02/05/2020
Next Scheduled EDR Contact: 04/27/2020
Data Release Frequency: Quarterly

Federal CERCLIS NFRAP site list

SEMS-ARCHIVE: Superfund Enterprise Management System Archive

SEMS-ARCHIVE (Superfund Enterprise Management System Archive) tracks sites that have no further interest under the Federal Superfund Program based on available information. The list was formerly known as the CERCLIS-NFRAP, renamed to SEMS ARCHIVE by the EPA in 2015. EPA may perform a minimal level of assessment work at a site while it is archived if site conditions change and/or new information becomes available. Archived sites have been removed and archived from the inventory of SEMS sites. Archived status indicates that, to the best of EPA's knowledge, assessment at a site has been completed and that EPA has determined no further steps will be taken to list the site on the National Priorities List (NPL), unless information indicates this decision was not appropriate or other considerations require a recommendation for listing at a later time. The decision does not necessarily mean that there is no hazard associated with a given site; it only means that. based upon available information, the location is not judged to be potential NPL site.

Date of Government Version: 01/30/2020
Date Data Arrived at EDR: 02/05/2020
Date Made Active in Reports: 02/14/2020
Number of Days to Update: 9

Source: EPA
Telephone: 800-424-9346
Last EDR Contact: 03/04/2020
Next Scheduled EDR Contact: 04/27/2020
Data Release Frequency: Quarterly

Federal RCRA CORRACTS facilities list

CORRACTS: Corrective Action Report

CORRACTS identifies hazardous waste handlers with RCRA corrective action activity.

Date of Government Version: 12/16/2019
Date Data Arrived at EDR: 12/16/2019
Date Made Active in Reports: 12/20/2019
Number of Days to Update: 4

Source: EPA
Telephone: 800-424-9346
Last EDR Contact: 02/27/2020
Next Scheduled EDR Contact: 04/06/2020
Data Release Frequency: Quarterly

Federal RCRA non-CORRACTS TSD facilities list

RCRA-TSDF: RCRA - Treatment, Storage and Disposal

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Transporters are individuals or entities that move hazardous waste from the generator offsite to a facility that can recycle, treat, store, or dispose of the waste. TSDFs treat, store, or dispose of the waste.

Date of Government Version: 12/16/2019
Date Data Arrived at EDR: 12/16/2019
Date Made Active in Reports: 12/20/2019
Number of Days to Update: 4

Source: Environmental Protection Agency
Telephone: 214-665-6444
Last EDR Contact: 02/27/2020
Next Scheduled EDR Contact: 04/06/2020
Data Release Frequency: Quarterly

Federal RCRA generators list

RCRA-LQG: RCRA - Large Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Large quantity generators (LQGs) generate over 1,000 kilograms (kg) of hazardous waste, or over 1 kg of acutely hazardous waste per month.

Date of Government Version: 12/16/2019
Date Data Arrived at EDR: 12/16/2019
Date Made Active in Reports: 12/20/2019
Number of Days to Update: 4

Source: Environmental Protection Agency
Telephone: 214-665-6444
Last EDR Contact: 02/27/2020
Next Scheduled EDR Contact: 04/06/2020
Data Release Frequency: Quarterly

RCRA-SQG: RCRA - Small Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Small quantity generators (SQGs) generate between 100 kg and 1,000 kg of hazardous waste per month.

Date of Government Version: 12/16/2019
Date Data Arrived at EDR: 12/16/2019
Date Made Active in Reports: 12/20/2019
Number of Days to Update: 4

Source: Environmental Protection Agency
Telephone: 214-665-6444
Last EDR Contact: 02/27/2020
Next Scheduled EDR Contact: 04/06/2020
Data Release Frequency: Quarterly

RCRA-VSQG: RCRA - Very Small Quantity Generators (Formerly Conditionally Exempt Small Quantity Generators)

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Very small quantity generators (VSQGs) generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month.

Date of Government Version: 12/16/2019
Date Data Arrived at EDR: 12/16/2019
Date Made Active in Reports: 12/20/2019
Number of Days to Update: 4

Source: Environmental Protection Agency
Telephone: 214-665-6444
Last EDR Contact: 02/27/2020
Next Scheduled EDR Contact: 04/06/2020
Data Release Frequency: Quarterly

Federal institutional controls / engineering controls registries

LUCIS: Land Use Control Information System

LUCIS contains records of land use control information pertaining to the former Navy Base Realignment and Closure properties.

Date of Government Version: 11/04/2019
Date Data Arrived at EDR: 11/13/2019
Date Made Active in Reports: 01/28/2020
Number of Days to Update: 76

Source: Department of the Navy
Telephone: 843-820-7326
Last EDR Contact: 02/10/2020
Next Scheduled EDR Contact: 05/25/2020
Data Release Frequency: Varies

US ENG CONTROLS: Engineering Controls Sites List

A listing of sites with engineering controls in place. Engineering controls include various forms of caps, building foundations, liners, and treatment methods to create pathway elimination for regulated substances to enter environmental media or effect human health.

Date of Government Version: 11/22/2019
Date Data Arrived at EDR: 11/22/2019
Date Made Active in Reports: 01/28/2020
Number of Days to Update: 67

Source: Environmental Protection Agency
Telephone: 703-603-0695
Last EDR Contact: 02/20/2020
Next Scheduled EDR Contact: 06/08/2020
Data Release Frequency: Varies

US INST CONTROL: Sites with Institutional Controls

A listing of sites with institutional controls in place. Institutional controls include administrative measures, such as groundwater use restrictions, construction restrictions, property use restrictions, and post remediation care requirements intended to prevent exposure to contaminants remaining on site. Deed restrictions are generally required as part of the institutional controls.

Date of Government Version: 11/22/2019
Date Data Arrived at EDR: 11/22/2019
Date Made Active in Reports: 01/28/2020
Number of Days to Update: 67

Source: Environmental Protection Agency
Telephone: 703-603-0695
Last EDR Contact: 02/20/2020
Next Scheduled EDR Contact: 06/08/2020
Data Release Frequency: Varies

Federal ERNS list

ERNS: Emergency Response Notification System

Emergency Response Notification System. ERNS records and stores information on reported releases of oil and hazardous substances.

Date of Government Version: 12/16/2019
Date Data Arrived at EDR: 12/19/2019
Date Made Active in Reports: 03/06/2020
Number of Days to Update: 78

Source: National Response Center, United States Coast Guard
Telephone: 202-267-2180
Last EDR Contact: 12/19/2019
Next Scheduled EDR Contact: 04/06/2020
Data Release Frequency: Quarterly

State- and tribal - equivalent CERCLIS

SHWS: This state does not maintain a SHWS list. See the Federal CERCLIS list and Federal NPL list.

State Hazardous Waste Sites. State hazardous waste site records are the states' equivalent to CERCLIS. These sites may or may not already be listed on the federal CERCLIS list. Priority sites planned for cleanup using state funds (state equivalent of Superfund) are identified along with sites where cleanup will be paid for by potentially responsible parties. Available information varies by state.

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A
Number of Days to Update: N/A

Source: Department of the Environment
Telephone: 505-827-2918
Last EDR Contact: 03/19/2020
Next Scheduled EDR Contact: 07/06/2020
Data Release Frequency: N/A

SCS: State Cleanup Sites Listing

State cleanup sites that fall under the state's Water Quality Control Commission Regulations.

Date of Government Version: 06/12/2018
Date Data Arrived at EDR: 10/17/2018
Date Made Active in Reports: 10/31/2018
Number of Days to Update: 14

Source: Environment Department
Telephone: 505-827-2855
Last EDR Contact: 01/17/2020
Next Scheduled EDR Contact: 04/27/2020
Data Release Frequency: Varies

State and tribal landfill and/or solid waste disposal site lists

SWF/LF: Solid Waste Facilities

Solid Waste Facilities/Landfill Sites. SWF/LF type records typically contain an inventory of solid waste disposal facilities or landfills in a particular state. Depending on the state, these may be active or inactive facilities or open dumps that failed to meet RCRA Subtitle D Section 4004 criteria for solid waste landfills or disposal sites.

Date of Government Version: 10/28/2019
Date Data Arrived at EDR: 12/02/2019
Date Made Active in Reports: 01/29/2020
Number of Days to Update: 58

Source: New Mexico Environment Department
Telephone: 505-827-0347
Last EDR Contact: 02/07/2020
Next Scheduled EDR Contact: 05/18/2020
Data Release Frequency: Annually

State and tribal leaking storage tank lists

LUST: Leaking Underground Storage Tank Priorization Database

Leaking Underground Storage Tank Incident Reports. LUST records contain an inventory of reported leaking underground storage tank incidents. Not all states maintain these records, and the information stored varies by state.

Date of Government Version: 08/01/2006
Date Data Arrived at EDR: 10/06/2006
Date Made Active in Reports: 11/08/2006
Number of Days to Update: 33

Source: New Mexico Environment Department
Telephone: 505-476-4397
Last EDR Contact: 03/19/2020
Next Scheduled EDR Contact: 07/06/2020
Data Release Frequency: No Update Planned

LAST: Leaking Aboveground Storage Tank Sites
A listing of leaking aboveground storage tank sites.

Date of Government Version: 05/01/2006
Date Data Arrived at EDR: 05/01/2006
Date Made Active in Reports: 06/05/2006
Number of Days to Update: 35
Source: Environment Department
Telephone: 505-476-4397
Last EDR Contact: 03/19/2020
Next Scheduled EDR Contact: 07/06/2020
Data Release Frequency: No Update Planned

INDIAN LUST R8: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming.

Date of Government Version: 10/03/2019
Date Data Arrived at EDR: 12/04/2019
Date Made Active in Reports: 02/14/2020
Number of Days to Update: 72
Source: EPA Region 8
Telephone: 303-312-6271
Last EDR Contact: 01/24/2020
Next Scheduled EDR Contact: 05/04/2020
Data Release Frequency: Varies

INDIAN LUST R9: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Arizona, California, New Mexico and Nevada

Date of Government Version: 10/04/2019
Date Data Arrived at EDR: 12/04/2019
Date Made Active in Reports: 02/27/2020
Number of Days to Update: 85
Source: Environmental Protection Agency
Telephone: 415-972-3372
Last EDR Contact: 01/24/2020
Next Scheduled EDR Contact: 05/04/2020
Data Release Frequency: Varies

INDIAN LUST R4: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Florida, Mississippi and North Carolina.

Date of Government Version: 10/10/2019
Date Data Arrived at EDR: 12/05/2019
Date Made Active in Reports: 02/10/2020
Number of Days to Update: 67
Source: EPA Region 4
Telephone: 404-562-8677
Last EDR Contact: 01/24/2020
Next Scheduled EDR Contact: 05/04/2020
Data Release Frequency: Varies

INDIAN LUST R10: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Alaska, Idaho, Oregon and Washington.

Date of Government Version: 10/11/2019
Date Data Arrived at EDR: 12/04/2019
Date Made Active in Reports: 02/10/2020
Number of Days to Update: 68
Source: EPA Region 10
Telephone: 206-553-2857
Last EDR Contact: 01/24/2020
Next Scheduled EDR Contact: 05/04/2020
Data Release Frequency: Varies

INDIAN LUST R7: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Iowa, Kansas, and Nebraska

Date of Government Version: 10/15/2019
Date Data Arrived at EDR: 12/17/2019
Date Made Active in Reports: 02/10/2020
Number of Days to Update: 55
Source: EPA Region 7
Telephone: 913-551-7003
Last EDR Contact: 12/16/2019
Next Scheduled EDR Contact: 05/04/2020
Data Release Frequency: Varies

INDIAN LUST R6: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in New Mexico and Oklahoma.

Date of Government Version: 10/02/2019
Date Data Arrived at EDR: 12/04/2019
Date Made Active in Reports: 02/10/2020
Number of Days to Update: 68
Source: EPA Region 6
Telephone: 214-665-6597
Last EDR Contact: 01/24/2020
Next Scheduled EDR Contact: 05/04/2020
Data Release Frequency: Varies

INDIAN LUST R5: Leaking Underground Storage Tanks on Indian Land
Leaking underground storage tanks located on Indian Land in Michigan, Minnesota and Wisconsin.

Date of Government Version: 10/01/2019
Date Data Arrived at EDR: 12/04/2019
Date Made Active in Reports: 02/10/2020
Number of Days to Update: 68
Source: EPA, Region 5
Telephone: 312-886-7439
Last EDR Contact: 01/24/2020
Next Scheduled EDR Contact: 05/04/2020
Data Release Frequency: Varies

INDIAN LUST R1: Leaking Underground Storage Tanks on Indian Land
A listing of leaking underground storage tank locations on Indian Land.

Date of Government Version: 10/01/2019
Date Data Arrived at EDR: 12/04/2019
Date Made Active in Reports: 02/10/2020
Number of Days to Update: 68
Source: EPA Region 1
Telephone: 617-918-1313
Last EDR Contact: 01/24/2020
Next Scheduled EDR Contact: 05/04/2020
Data Release Frequency: Varies

LTANKS: Leaking Storage Tank Listing
A listing of leaking storage tank site locations.

Date of Government Version: 08/02/2019
Date Data Arrived at EDR: 10/01/2019
Date Made Active in Reports: 12/06/2019
Number of Days to Update: 66
Source: Environment Department
Telephone: 505-476-4390
Last EDR Contact: 01/02/2020
Next Scheduled EDR Contact: 04/13/2020
Data Release Frequency: Annually

State and tribal registered storage tank lists

FEMA UST: Underground Storage Tank Listing
A listing of all FEMA owned underground storage tanks.

Date of Government Version: 08/27/2019
Date Data Arrived at EDR: 08/28/2019
Date Made Active in Reports: 11/11/2019
Number of Days to Update: 75
Source: FEMA
Telephone: 202-646-5797
Last EDR Contact: 01/21/2020
Next Scheduled EDR Contact: 04/20/2020
Data Release Frequency: Varies

UST: Listing of Underground Storage Tanks
Registered Underground Storage Tanks. UST's are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA) and must be registered with the state department responsible for administering the UST program. Available information varies by state program.

Date of Government Version: 08/01/2006
Date Data Arrived at EDR: 09/27/2006
Date Made Active in Reports: 10/23/2006
Number of Days to Update: 26
Source: New Mexico Environment Department
Telephone: 505-476-4397
Last EDR Contact: 02/21/2020
Next Scheduled EDR Contact: 06/08/2020
Data Release Frequency: No Update Planned

AST: Aboveground Storage Tanks List
Aboveground tanks that have been inspected by the State Fire Marshal.

Date of Government Version: 08/01/2006
Date Data Arrived at EDR: 09/27/2006
Date Made Active in Reports: 10/20/2006
Number of Days to Update: 23
Source: Environment Department
Telephone: 505-476-4397
Last EDR Contact: 02/21/2020
Next Scheduled EDR Contact: 06/08/2020
Data Release Frequency: No Update Planned

INDIAN UST R1: Underground Storage Tanks on Indian Land
The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 1 (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont and ten Tribal Nations).

Date of Government Version: 10/01/2019
Date Data Arrived at EDR: 12/04/2019
Date Made Active in Reports: 02/10/2020
Number of Days to Update: 68

Source: EPA, Region 1
Telephone: 617-918-1313
Last EDR Contact: 01/24/2020
Next Scheduled EDR Contact: 05/04/2020
Data Release Frequency: Varies

INDIAN UST R10: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 10 (Alaska, Idaho, Oregon, Washington, and Tribal Nations).

Date of Government Version: 10/11/2019
Date Data Arrived at EDR: 12/04/2019
Date Made Active in Reports: 02/10/2020
Number of Days to Update: 68

Source: EPA Region 10
Telephone: 206-553-2857
Last EDR Contact: 01/24/2020
Next Scheduled EDR Contact: 05/04/2020
Data Release Frequency: Varies

INDIAN UST R9: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 9 (Arizona, California, Hawaii, Nevada, the Pacific Islands, and Tribal Nations).

Date of Government Version: 10/04/2019
Date Data Arrived at EDR: 12/04/2019
Date Made Active in Reports: 02/27/2020
Number of Days to Update: 85

Source: EPA Region 9
Telephone: 415-972-3368
Last EDR Contact: 01/24/2020
Next Scheduled EDR Contact: 05/04/2020
Data Release Frequency: Varies

INDIAN UST R8: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 8 (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming and 27 Tribal Nations).

Date of Government Version: 10/03/2019
Date Data Arrived at EDR: 12/04/2019
Date Made Active in Reports: 02/14/2020
Number of Days to Update: 72

Source: EPA Region 8
Telephone: 303-312-6137
Last EDR Contact: 01/24/2020
Next Scheduled EDR Contact: 05/04/2020
Data Release Frequency: Varies

INDIAN UST R7: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 7 (Iowa, Kansas, Missouri, Nebraska, and 9 Tribal Nations).

Date of Government Version: 10/11/2019
Date Data Arrived at EDR: 12/04/2019
Date Made Active in Reports: 02/10/2020
Number of Days to Update: 68

Source: EPA Region 7
Telephone: 913-551-7003
Last EDR Contact: 01/24/2020
Next Scheduled EDR Contact: 05/04/2020
Data Release Frequency: Varies

INDIAN UST R6: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 6 (Louisiana, Arkansas, Oklahoma, New Mexico, Texas and 65 Tribes).

Date of Government Version: 10/02/2019
Date Data Arrived at EDR: 12/04/2019
Date Made Active in Reports: 02/10/2020
Number of Days to Update: 68

Source: EPA Region 6
Telephone: 214-665-7591
Last EDR Contact: 01/24/2020
Next Scheduled EDR Contact: 05/04/2020
Data Release Frequency: Varies

INDIAN UST R5: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 5 (Michigan, Minnesota and Wisconsin and Tribal Nations).

Date of Government Version: 10/01/2019
Date Data Arrived at EDR: 12/04/2019
Date Made Active in Reports: 02/10/2020
Number of Days to Update: 68

Source: EPA Region 5
Telephone: 312-886-6136
Last EDR Contact: 01/24/2020
Next Scheduled EDR Contact: 05/04/2020
Data Release Frequency: Varies

INDIAN UST R4: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee and Tribal Nations)

Date of Government Version: 10/10/2019
Date Data Arrived at EDR: 12/05/2019
Date Made Active in Reports: 02/10/2020
Number of Days to Update: 67

Source: EPA Region 4
Telephone: 404-562-9424
Last EDR Contact: 01/24/2020
Next Scheduled EDR Contact: 05/04/2020
Data Release Frequency: Varies

TANKS: Storage Tank Facility Listing

A listing of aboveground and underground storage tank site locations.

Date of Government Version: 11/22/2019
Date Data Arrived at EDR: 11/25/2019
Date Made Active in Reports: 01/29/2020
Number of Days to Update: 65

Source: Environment Department
Telephone: 505-476-4390
Last EDR Contact: 02/25/2020
Next Scheduled EDR Contact: 06/08/2020
Data Release Frequency: Semi-Annually

State and tribal institutional control / engineering control registries

INST CONTROL: Sites with Institutional Controls

Sites included in the Voluntary Cleanup listing that have Institutional Controls in place.

Date of Government Version: 10/01/2019
Date Data Arrived at EDR: 01/14/2020
Date Made Active in Reports: 03/20/2020
Number of Days to Update: 66

Source: Environment Department
Telephone: 505-827-2754
Last EDR Contact: 01/14/2020
Next Scheduled EDR Contact: 04/27/2020
Data Release Frequency: Semi-Annually

State and tribal voluntary cleanup sites

INDIAN VCP R1: Voluntary Cleanup Priority Listing

A listing of voluntary cleanup priority sites located on Indian Land located in Region 1.

Date of Government Version: 07/27/2015
Date Data Arrived at EDR: 09/29/2015
Date Made Active in Reports: 02/18/2016
Number of Days to Update: 142

Source: EPA, Region 1
Telephone: 617-918-1102
Last EDR Contact: 03/18/2020
Next Scheduled EDR Contact: 07/06/2020
Data Release Frequency: Varies

INDIAN VCP R7: Voluntary Cleanup Priority Lisitng

A listing of voluntary cleanup priority sites located on Indian Land located in Region 7.

Date of Government Version: 03/20/2008
Date Data Arrived at EDR: 04/22/2008
Date Made Active in Reports: 05/19/2008
Number of Days to Update: 27

Source: EPA, Region 7
Telephone: 913-551-7365
Last EDR Contact: 04/20/2009
Next Scheduled EDR Contact: 07/20/2009
Data Release Frequency: Varies

VCP: Voluntary Remediation Program Sites

Sites involved in the Voluntary Remediation Program.

Date of Government Version: 10/01/2019
Date Data Arrived at EDR: 01/14/2020
Date Made Active in Reports: 03/20/2020
Number of Days to Update: 66

Source: Environment Department
Telephone: 505-827-2754
Last EDR Contact: 01/14/2020
Next Scheduled EDR Contact: 04/27/2020
Data Release Frequency: Semi-Annually

State and tribal Brownfields sites

BROWNFIELDS: Brownfields Site Listing
A listing of targeted brownfields assessment.

Date of Government Version: 10/01/2019
Date Data Arrived at EDR: 11/13/2019
Date Made Active in Reports: 01/21/2020
Number of Days to Update: 69

Source: New Mexico Environment
Telephone: 505-827-0171
Last EDR Contact: 02/05/2020
Next Scheduled EDR Contact: 05/18/2020
Data Release Frequency: Varies

ADDITIONAL ENVIRONMENTAL RECORDS

Local Brownfield lists

US BROWNFIELDS: A Listing of Brownfields Sites
Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties takes development pressures off of undeveloped, open land, and both improves and protects the environment. Assessment, Cleanup and Redevelopment Exchange System (ACRES) stores information reported by EPA Brownfields grant recipients on brownfields properties assessed or cleaned up with grant funding as well as information on Targeted Brownfields Assessments performed by EPA Regions. A listing of ACRES Brownfield sites is obtained from Cleanups in My Community. Cleanups in My Community provides information on Brownfields properties for which information is reported back to EPA, as well as areas served by Brownfields grant programs.

Date of Government Version: 12/02/2019
Date Data Arrived at EDR: 12/16/2019
Date Made Active in Reports: 03/06/2020
Number of Days to Update: 81

Source: Environmental Protection Agency
Telephone: 202-566-2777
Last EDR Contact: 03/17/2020
Next Scheduled EDR Contact: 06/29/2020
Data Release Frequency: Semi-Annually

Local Lists of Landfill / Solid Waste Disposal Sites

SWRCY: Recycling Facility Listing
A listing of recycling facility locations.

Date of Government Version: 02/28/2019
Date Data Arrived at EDR: 05/10/2019
Date Made Active in Reports: 06/11/2019
Number of Days to Update: 32

Source: Environment Department
Telephone: 505-827-0197
Last EDR Contact: 02/07/2020
Next Scheduled EDR Contact: 05/18/2020
Data Release Frequency: Annually

INDIAN ODI: Report on the Status of Open Dumps on Indian Lands
Location of open dumps on Indian land.

Date of Government Version: 12/31/1998
Date Data Arrived at EDR: 12/03/2007
Date Made Active in Reports: 01/24/2008
Number of Days to Update: 52

Source: Environmental Protection Agency
Telephone: 703-308-8245
Last EDR Contact: 01/27/2020
Next Scheduled EDR Contact: 05/11/2020
Data Release Frequency: Varies

ODI: Open Dump Inventory
An open dump is defined as a disposal facility that does not comply with one or more of the Part 257 or Part 258 Subtitle D Criteria.

Date of Government Version: 06/30/1985
Date Data Arrived at EDR: 08/09/2004
Date Made Active in Reports: 09/17/2004
Number of Days to Update: 39

Source: Environmental Protection Agency
Telephone: 800-424-9346
Last EDR Contact: 06/09/2004
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

DEBRIS REGION 9: Torres Martinez Reservation Illegal Dump Site Locations

A listing of illegal dump sites location on the Torres Martinez Indian Reservation located in eastern Riverside County and northern Imperial County, California.

Date of Government Version: 01/12/2009
Date Data Arrived at EDR: 05/07/2009
Date Made Active in Reports: 09/21/2009
Number of Days to Update: 137

Source: EPA, Region 9
Telephone: 415-947-4219
Last EDR Contact: 01/17/2020
Next Scheduled EDR Contact: 05/04/2020
Data Release Frequency: No Update Planned

IHS OPEN DUMPS: Open Dumps on Indian Land

A listing of all open dumps located on Indian Land in the United States.

Date of Government Version: 04/01/2014
Date Data Arrived at EDR: 08/06/2014
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 176

Source: Department of Health & Human Serivces, Indian Health Service
Telephone: 301-443-1452
Last EDR Contact: 01/31/2020
Next Scheduled EDR Contact: 05/11/2020
Data Release Frequency: Varies

Local Lists of Hazardous waste / Contaminated Sites

US HIST CDL: National Clandestine Laboratory Register

A listing of clandestine drug lab locations that have been removed from the DEAs National Clandestine Laboratory Register.

Date of Government Version: 06/11/2019
Date Data Arrived at EDR: 06/13/2019
Date Made Active in Reports: 09/03/2019
Number of Days to Update: 82

Source: Drug Enforcement Administration
Telephone: 202-307-1000
Last EDR Contact: 02/21/2020
Next Scheduled EDR Contact: 06/08/2020
Data Release Frequency: No Update Planned

CDL: Clandestine Drug Laboratory Listing

A listing of clandestine drug labs, such as illegal methamphetamine labs.

Date of Government Version: 05/17/2018
Date Data Arrived at EDR: 07/18/2018
Date Made Active in Reports: 08/14/2018
Number of Days to Update: 27

Source: Environment Department
Telephone: 505-476-6000
Last EDR Contact: 01/17/2020
Next Scheduled EDR Contact: 04/27/2020
Data Release Frequency: Varies

US CDL: Clandestine Drug Labs

A listing of clandestine drug lab locations. The U.S. Department of Justice ("the Department") provides this web site as a public service. It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the Department, and the Department has not verified the entry and does not guarantee its accuracy. Members of the public must verify the accuracy of all entries by, for example, contacting local law enforcement and local health departments.

Date of Government Version: 06/11/2019
Date Data Arrived at EDR: 06/13/2019
Date Made Active in Reports: 09/03/2019
Number of Days to Update: 82

Source: Drug Enforcement Administration
Telephone: 202-307-1000
Last EDR Contact: 02/21/2020
Next Scheduled EDR Contact: 06/08/2020
Data Release Frequency: Quarterly

PFAS: Per- and Polyfluoroalkyl Substances (PFAS) Data
Site locations where Per- and Polyfluoroalkyl Substances (PFAS) contamination has been detected.

Date of Government Version: 02/06/2020
Date Data Arrived at EDR: 02/07/2020
Date Made Active in Reports: 03/11/2020
Number of Days to Update: 33
Source: New Mexico Environment Department
Telephone: 505-827-2919
Last EDR Contact: 02/05/2020
Next Scheduled EDR Contact: 04/27/2020
Data Release Frequency: Varies

Local Land Records

LIENS 2: CERCLA Lien Information
A Federal CERCLA ('Superfund') lien can exist by operation of law at any site or property at which EPA has spent Superfund monies. These monies are spent to investigate and address releases and threatened releases of contamination. CERCLIS provides information as to the identity of these sites and properties.

Date of Government Version: 01/30/2020
Date Data Arrived at EDR: 02/05/2020
Date Made Active in Reports: 02/14/2020
Number of Days to Update: 9
Source: Environmental Protection Agency
Telephone: 202-564-6023
Last EDR Contact: 03/05/2020
Next Scheduled EDR Contact: 04/13/2020
Data Release Frequency: Semi-Annually

Records of Emergency Release Reports

HMIRS: Hazardous Materials Information Reporting System
Hazardous Materials Incident Report System. HMIRS contains hazardous material spill incidents reported to DOT.

Date of Government Version: 12/05/2019
Date Data Arrived at EDR: 12/06/2019
Date Made Active in Reports: 02/14/2020
Number of Days to Update: 70
Source: U.S. Department of Transportation
Telephone: 202-366-4555
Last EDR Contact: 12/06/2019
Next Scheduled EDR Contact: 04/06/2020
Data Release Frequency: Quarterly

SPILLS: Spill Data
Hazardous materials spills data.

Date of Government Version: 11/30/2019
Date Data Arrived at EDR: 12/19/2019
Date Made Active in Reports: 02/27/2020
Number of Days to Update: 70
Source: Environment Department
Telephone: 505-827-0166
Last EDR Contact: 12/19/2019
Next Scheduled EDR Contact: 04/06/2020
Data Release Frequency: Semi-Annually

Other Ascertainable Records

RCRA NonGen / NLR: RCRA - Non Generators / No Longer Regulated
RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Non-Generators do not presently generate hazardous waste.

Date of Government Version: 12/16/2019
Date Data Arrived at EDR: 12/16/2019
Date Made Active in Reports: 12/20/2019
Number of Days to Update: 4
Source: Environmental Protection Agency
Telephone: 214-665-6444
Last EDR Contact: 02/27/2020
Next Scheduled EDR Contact: 04/06/2020
Data Release Frequency: Quarterly

FUDS: Formerly Used Defense Sites
The listing includes locations of Formerly Used Defense Sites properties where the US Army Corps of Engineers is actively working or will take necessary cleanup actions.

Date of Government Version: 11/12/2019
Date Data Arrived at EDR: 11/19/2019
Date Made Active in Reports: 01/28/2020
Number of Days to Update: 70

Source: U.S. Army Corps of Engineers
Telephone: 202-528-4285
Last EDR Contact: 02/19/2020
Next Scheduled EDR Contact: 06/01/2020
Data Release Frequency: Varies

DOD: Department of Defense Sites

This data set consists of federally owned or administered lands, administered by the Department of Defense, that have any area equal to or greater than 640 acres of the United States, Puerto Rico, and the U.S. Virgin Islands.

Date of Government Version: 12/31/2005
Date Data Arrived at EDR: 11/10/2006
Date Made Active in Reports: 01/11/2007
Number of Days to Update: 62

Source: USGS
Telephone: 888-275-8747
Last EDR Contact: 01/10/2020
Next Scheduled EDR Contact: 04/20/2020
Data Release Frequency: Semi-Annually

FEDLAND: Federal and Indian Lands

Federally and Indian administrated lands of the United States. Lands included are administrated by: Army Corps of Engineers, Bureau of Reclamation, National Wild and Scenic River, National Wildlife Refuge, Public Domain Land, Wilderness, Wilderness Study Area, Wildlife Management Area, Bureau of Indian Affairs, Bureau of Land Management, Department of Justice, Forest Service, Fish and Wildlife Service, National Park Service.

Date of Government Version: 04/02/2018
Date Data Arrived at EDR: 04/11/2018
Date Made Active in Reports: 11/06/2019
Number of Days to Update: 574

Source: U.S. Geological Survey
Telephone: 888-275-8747
Last EDR Contact: 01/09/2020
Next Scheduled EDR Contact: 04/20/2020
Data Release Frequency: N/A

SCRD DRYCLEANERS: State Coalition for Remediation of Drycleaners Listing

The State Coalition for Remediation of Drycleaners was established in 1998, with support from the U.S. EPA Office of Superfund Remediation and Technology Innovation. It is comprised of representatives of states with established drycleaner remediation programs. Currently the member states are Alabama, Connecticut, Florida, Illinois, Kansas, Minnesota, Missouri, North Carolina, Oregon, South Carolina, Tennessee, Texas, and Wisconsin.

Date of Government Version: 01/01/2017
Date Data Arrived at EDR: 02/03/2017
Date Made Active in Reports: 04/07/2017
Number of Days to Update: 63

Source: Environmental Protection Agency
Telephone: 615-532-8599
Last EDR Contact: 02/13/2020
Next Scheduled EDR Contact: 05/25/2020
Data Release Frequency: Varies

US FIN ASSUR: Financial Assurance Information

All owners and operators of facilities that treat, store, or dispose of hazardous waste are required to provide proof that they will have sufficient funds to pay for the clean up, closure, and post-closure care of their facilities.

Date of Government Version: 12/16/2019
Date Data Arrived at EDR: 12/19/2019
Date Made Active in Reports: 02/27/2020
Number of Days to Update: 70

Source: Environmental Protection Agency
Telephone: 202-566-1917
Last EDR Contact: 12/19/2019
Next Scheduled EDR Contact: 04/06/2020
Data Release Frequency: Quarterly

EPA WATCH LIST: EPA WATCH LIST

EPA maintains a "Watch List" to facilitate dialogue between EPA, state and local environmental agencies on enforcement matters relating to facilities with alleged violations identified as either significant or high priority. Being on the Watch List does not mean that the facility has actually violated the law only that an investigation by EPA or a state or local environmental agency has led those organizations to allege that an unproven violation has in fact occurred. Being on the Watch List does not represent a higher level of concern regarding the alleged violations that were detected, but instead indicates cases requiring additional dialogue between EPA, state and local agencies - primarily because of the length of time the alleged violation has gone unaddressed or unresolved.

Date of Government Version: 08/30/2013
Date Data Arrived at EDR: 03/21/2014
Date Made Active in Reports: 06/17/2014
Number of Days to Update: 88

Source: Environmental Protection Agency
Telephone: 617-520-3000
Last EDR Contact: 02/03/2020
Next Scheduled EDR Contact: 05/18/2020
Data Release Frequency: Quarterly

2020 COR ACTION: 2020 Corrective Action Program List

The EPA has set ambitious goals for the RCRA Corrective Action program by creating the 2020 Corrective Action Universe. This RCRA cleanup baseline includes facilities expected to need corrective action. The 2020 universe contains a wide variety of sites. Some properties are heavily contaminated while others were contaminated but have since been cleaned up. Still others have not been fully investigated yet, and may require little or no remediation. Inclusion in the 2020 Universe does not necessarily imply failure on the part of a facility to meet its RCRA obligations.

Date of Government Version: 09/30/2017
Date Data Arrived at EDR: 05/08/2018
Date Made Active in Reports: 07/20/2018
Number of Days to Update: 73

Source: Environmental Protection Agency
Telephone: 703-308-4044
Last EDR Contact: 02/07/2020
Next Scheduled EDR Contact: 05/18/2020
Data Release Frequency: Varies

TSCA: Toxic Substances Control Act

Toxic Substances Control Act. TSCA identifies manufacturers and importers of chemical substances included on the TSCA Chemical Substance Inventory list. It includes data on the production volume of these substances by plant site.

Date of Government Version: 12/31/2016
Date Data Arrived at EDR: 06/21/2017
Date Made Active in Reports: 01/05/2018
Number of Days to Update: 198

Source: EPA
Telephone: 202-260-5521
Last EDR Contact: 03/20/2020
Next Scheduled EDR Contact: 06/29/2020
Data Release Frequency: Every 4 Years

TRIS: Toxic Chemical Release Inventory System

Toxic Release Inventory System. TRIS identifies facilities which release toxic chemicals to the air, water and land in reportable quantities under SARA Title III Section 313.

Date of Government Version: 12/31/2017
Date Data Arrived at EDR: 11/16/2018
Date Made Active in Reports: 11/21/2019
Number of Days to Update: 370

Source: EPA
Telephone: 202-566-0250
Last EDR Contact: 02/05/2020
Next Scheduled EDR Contact: 06/01/2020
Data Release Frequency: Annually

SSTS: Section 7 Tracking Systems

Section 7 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (92 Stat. 829) requires all registered pesticide-producing establishments to submit a report to the Environmental Protection Agency by March 1st each year. Each establishment must report the types and amounts of pesticides, active ingredients and devices being produced, and those having been produced and sold or distributed in the past year.

Date of Government Version: 05/01/2019
Date Data Arrived at EDR: 10/23/2019
Date Made Active in Reports: 01/15/2020
Number of Days to Update: 84

Source: EPA
Telephone: 202-564-4203
Last EDR Contact: 01/24/2020
Next Scheduled EDR Contact: 05/04/2020
Data Release Frequency: Annually

ROD: Records Of Decision

Record of Decision. ROD documents mandate a permanent remedy at an NPL (Superfund) site containing technical and health information to aid in the cleanup.

Date of Government Version: 01/30/2020
Date Data Arrived at EDR: 02/05/2020
Date Made Active in Reports: 02/14/2020
Number of Days to Update: 9

Source: EPA
Telephone: 703-416-0223
Last EDR Contact: 03/04/2020
Next Scheduled EDR Contact: 06/15/2020
Data Release Frequency: Annually

RMP: Risk Management Plans

When Congress passed the Clean Air Act Amendments of 1990, it required EPA to publish regulations and guidance for chemical accident prevention at facilities using extremely hazardous substances. The Risk Management Program Rule (RMP Rule) was written to implement Section 112(r) of these amendments. The rule, which built upon existing industry codes and standards, requires companies of all sizes that use certain flammable and toxic substances to develop a Risk Management Program, which includes a(n): Hazard assessment that details the potential effects of an accidental release, an accident history of the last five years, and an evaluation of worst-case and alternative accidental releases; Prevention program that includes safety precautions and maintenance, monitoring, and employee training measures; and Emergency response program that spells out emergency health care, employee training measures and procedures for informing the public and response agencies (e.g the fire department) should an accident occur.

Date of Government Version: 04/25/2019
Date Data Arrived at EDR: 05/02/2019
Date Made Active in Reports: 05/23/2019
Number of Days to Update: 21

Source: Environmental Protection Agency
Telephone: 202-564-8600
Last EDR Contact: 01/21/2020
Next Scheduled EDR Contact: 05/04/2020
Data Release Frequency: Varies

RAATS: RCRA Administrative Action Tracking System

RCRA Administration Action Tracking System. RAATS contains records based on enforcement actions issued under RCRA pertaining to major violators and includes administrative and civil actions brought by the EPA. For administration actions after September 30, 1995, data entry in the RAATS database was discontinued. EPA will retain a copy of the database for historical records. It was necessary to terminate RAATS because a decrease in agency resources made it impossible to continue to update the information contained in the database.

Date of Government Version: 04/17/1995
Date Data Arrived at EDR: 07/03/1995
Date Made Active in Reports: 08/07/1995
Number of Days to Update: 35

Source: EPA
Telephone: 202-564-4104
Last EDR Contact: 06/02/2008
Next Scheduled EDR Contact: 09/01/2008
Data Release Frequency: No Update Planned

PRP: Potentially Responsible Parties

A listing of verified Potentially Responsible Parties

Date of Government Version: 01/30/2020
Date Data Arrived at EDR: 02/06/2020
Date Made Active in Reports: 02/14/2020
Number of Days to Update: 8

Source: EPA
Telephone: 202-564-6023
Last EDR Contact: 03/04/2020
Next Scheduled EDR Contact: 05/18/2020
Data Release Frequency: Quarterly

PADS: PCB Activity Database System

PCB Activity Database. PADS Identifies generators, transporters, commercial storers and/or brokers and disposers of PCB's who are required to notify the EPA of such activities.

Date of Government Version: 10/09/2019
Date Data Arrived at EDR: 10/11/2019
Date Made Active in Reports: 12/20/2019
Number of Days to Update: 70

Source: EPA
Telephone: 202-566-0500
Last EDR Contact: 01/10/2020
Next Scheduled EDR Contact: 04/20/2020
Data Release Frequency: Annually

ICIS: Integrated Compliance Information System

The Integrated Compliance Information System (ICIS) supports the information needs of the national enforcement and compliance program as well as the unique needs of the National Pollutant Discharge Elimination System (NPDES) program.

Date of Government Version: 11/18/2016
Date Data Arrived at EDR: 11/23/2016
Date Made Active in Reports: 02/10/2017
Number of Days to Update: 79

Source: Environmental Protection Agency
Telephone: 202-564-2501
Last EDR Contact: 01/06/2020
Next Scheduled EDR Contact: 04/20/2020
Data Release Frequency: Quarterly

FTTS: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
FTTS tracks administrative cases and pesticide enforcement actions and compliance activities related to FIFRA, TSCA and EPCRA (Emergency Planning and Community Right-to-Know Act). To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 04/09/2009
Date Data Arrived at EDR: 04/16/2009
Date Made Active in Reports: 05/11/2009
Number of Days to Update: 25
Source: EPA/Office of Prevention, Pesticides and Toxic Substances
Telephone: 202-566-1667
Last EDR Contact: 08/18/2017
Next Scheduled EDR Contact: 12/04/2017
Data Release Frequency: No Update Planned

FTTS INSP: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
A listing of FIFRA/TSCA Tracking System (FTTS) inspections and enforcements.

Date of Government Version: 04/09/2009
Date Data Arrived at EDR: 04/16/2009
Date Made Active in Reports: 05/11/2009
Number of Days to Update: 25
Source: EPA
Telephone: 202-566-1667
Last EDR Contact: 08/18/2017
Next Scheduled EDR Contact: 12/04/2017
Data Release Frequency: No Update Planned

MLTS: Material Licensing Tracking System
MLTS is maintained by the Nuclear Regulatory Commission and contains a list of approximately 8,100 sites which possess or use radioactive materials and which are subject to NRC licensing requirements. To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 10/25/2019
Date Data Arrived at EDR: 10/25/2019
Date Made Active in Reports: 01/15/2020
Number of Days to Update: 82
Source: Nuclear Regulatory Commission
Telephone: 301-415-7169
Last EDR Contact: 01/21/2020
Next Scheduled EDR Contact: 05/04/2020
Data Release Frequency: Quarterly

COAL ASH DOE: Steam-Electric Plant Operation Data
A listing of power plants that store ash in surface ponds.

Date of Government Version: 12/31/2018
Date Data Arrived at EDR: 12/04/2019
Date Made Active in Reports: 01/15/2020
Number of Days to Update: 42
Source: Department of Energy
Telephone: 202-586-8719
Last EDR Contact: 03/06/2020
Next Scheduled EDR Contact: 06/15/2020
Data Release Frequency: Varies

COAL ASH EPA: Coal Combustion Residues Surface Impoundments List
A listing of coal combustion residues surface impoundments with high hazard potential ratings.

Date of Government Version: 01/12/2017
Date Data Arrived at EDR: 03/05/2019
Date Made Active in Reports: 11/11/2019
Number of Days to Update: 251
Source: Environmental Protection Agency
Telephone: N/A
Last EDR Contact: 02/27/2020
Next Scheduled EDR Contact: 06/15/2020
Data Release Frequency: Varies

PCB TRANSFORMER: PCB Transformer Registration Database
The database of PCB transformer registrations that includes all PCB registration submittals.

Date of Government Version: 09/13/2019
Date Data Arrived at EDR: 11/06/2019
Date Made Active in Reports: 02/10/2020
Number of Days to Update: 96
Source: Environmental Protection Agency
Telephone: 202-566-0517
Last EDR Contact: 02/07/2020
Next Scheduled EDR Contact: 05/18/2020
Data Release Frequency: Varies

RADINFO: Radiation Information Database
The Radiation Information Database (RADINFO) contains information about facilities that are regulated by U.S. Environmental Protection Agency (EPA) regulations for radiation and radioactivity.

Date of Government Version: 07/01/2019
Date Data Arrived at EDR: 07/01/2019
Date Made Active in Reports: 09/23/2019
Number of Days to Update: 84

Source: Environmental Protection Agency
Telephone: 202-343-9775
Last EDR Contact: 12/20/2019
Next Scheduled EDR Contact: 04/13/2020
Data Release Frequency: Quarterly

HIST FTTS: FIFRA/TSCA Tracking System Administrative Case Listing

A complete administrative case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006
Date Data Arrived at EDR: 03/01/2007
Date Made Active in Reports: 04/10/2007
Number of Days to Update: 40

Source: Environmental Protection Agency
Telephone: 202-564-2501
Last EDR Contact: 12/17/2007
Next Scheduled EDR Contact: 03/17/2008
Data Release Frequency: No Update Planned

HIST FTTS INSP: FIFRA/TSCA Tracking System Inspection & Enforcement Case Listing

A complete inspection and enforcement case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006
Date Data Arrived at EDR: 03/01/2007
Date Made Active in Reports: 04/10/2007
Number of Days to Update: 40

Source: Environmental Protection Agency
Telephone: 202-564-2501
Last EDR Contact: 12/17/2008
Next Scheduled EDR Contact: 03/17/2008
Data Release Frequency: No Update Planned

DOT OPS: Incident and Accident Data

Department of Transporation, Office of Pipeline Safety Incident and Accident data.

Date of Government Version: 10/01/2019
Date Data Arrived at EDR: 10/29/2019
Date Made Active in Reports: 01/15/2020
Number of Days to Update: 78

Source: Department of Transporation, Office of Pipeline Safety
Telephone: 202-366-4595
Last EDR Contact: 01/28/2020
Next Scheduled EDR Contact: 05/11/2020
Data Release Frequency: Quarterly

CONSENT: Superfund (CERCLA) Consent Decrees

Major legal settlements that establish responsibility and standards for cleanup at NPL (Superfund) sites. Released periodically by United States District Courts after settlement by parties to litigation matters.

Date of Government Version: 12/31/2019
Date Data Arrived at EDR: 01/17/2020
Date Made Active in Reports: 03/06/2020
Number of Days to Update: 49

Source: Department of Justice, Consent Decree Library
Telephone: Varies
Last EDR Contact: 01/06/2020
Next Scheduled EDR Contact: 04/20/2020
Data Release Frequency: Varies

BRS: Biennial Reporting System

The Biennial Reporting System is a national system administered by the EPA that collects data on the generation and management of hazardous waste. BRS captures detailed data from two groups: Large Quantity Generators (LQG) and Treatment, Storage, and Disposal Facilities.

Date of Government Version: 12/31/2015
Date Data Arrived at EDR: 02/22/2017
Date Made Active in Reports: 09/28/2017
Number of Days to Update: 218

Source: EPA/NTIS
Telephone: 800-424-9346
Last EDR Contact: 02/27/2020
Next Scheduled EDR Contact: 04/06/2020
Data Release Frequency: Biennially

INDIAN RESERV: Indian Reservations

This map layer portrays Indian administered lands of the United States that have any area equal to or greater than 640 acres.

Date of Government Version: 12/31/2014
Date Data Arrived at EDR: 07/14/2015
Date Made Active in Reports: 01/10/2017
Number of Days to Update: 546

Source: USGS
Telephone: 202-208-3710
Last EDR Contact: 01/07/2020
Next Scheduled EDR Contact: 04/20/2020
Data Release Frequency: Semi-Annually

FUSRAP: Formerly Utilized Sites Remedial Action Program

DOE established the Formerly Utilized Sites Remedial Action Program (FUSRAP) in 1974 to remediate sites where radioactive contamination remained from Manhattan Project and early U.S. Atomic Energy Commission (AEC) operations.

Date of Government Version: 08/08/2017
Date Data Arrived at EDR: 09/11/2018
Date Made Active in Reports: 09/14/2018
Number of Days to Update: 3

Source: Department of Energy
Telephone: 202-586-3559
Last EDR Contact: 01/31/2020
Next Scheduled EDR Contact: 05/18/2020
Data Release Frequency: Varies

UMTRA: Uranium Mill Tailings Sites

Uranium ore was mined by private companies for federal government use in national defense programs. When the mills shut down, large piles of the sand-like material (mill tailings) remain after uranium has been extracted from the ore. Levels of human exposure to radioactive materials from the piles are low; however, in some cases tailings were used as construction materials before the potential health hazards of the tailings were recognized.

Date of Government Version: 08/30/2019
Date Data Arrived at EDR: 11/15/2019
Date Made Active in Reports: 01/28/2020
Number of Days to Update: 74

Source: Department of Energy
Telephone: 505-845-0011
Last EDR Contact: 02/21/2020
Next Scheduled EDR Contact: 06/01/2020
Data Release Frequency: Varies

LEAD SMELTER 1: Lead Smelter Sites

A listing of former lead smelter site locations.

Date of Government Version: 01/30/2020
Date Data Arrived at EDR: 02/05/2020
Date Made Active in Reports: 02/14/2020
Number of Days to Update: 9

Source: Environmental Protection Agency
Telephone: 703-603-8787
Last EDR Contact: 03/04/2020
Next Scheduled EDR Contact: 04/13/2020
Data Release Frequency: Varies

LEAD SMELTER 2: Lead Smelter Sites

A list of several hundred sites in the U.S. where secondary lead smelting was done from 1931and 1964. These sites may pose a threat to public health through ingestion or inhalation of contaminated soil or dust

Date of Government Version: 04/05/2001
Date Data Arrived at EDR: 10/27/2010
Date Made Active in Reports: 12/02/2010
Number of Days to Update: 36

Source: American Journal of Public Health
Telephone: 703-305-6451
Last EDR Contact: 12/02/2009
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

US AIRS (AFS): Aerometric Information Retrieval System Facility Subsystem (AFS)

The database is a sub-system of Aerometric Information Retrieval System (AIRS). AFS contains compliance data on air pollution point sources regulated by the U.S. EPA and/or state and local air regulatory agencies. This information comes from source reports by various stationary sources of air pollution, such as electric power plants, steel mills, factories, and universities, and provides information about the air pollutants they produce. Action, air program, air program pollutant, and general level plant data. It is used to track emissions and compliance data from industrial plants.

Date of Government Version: 10/12/2016
Date Data Arrived at EDR: 10/26/2016
Date Made Active in Reports: 02/03/2017
Number of Days to Update: 100

Source: EPA
Telephone: 202-564-2496
Last EDR Contact: 09/26/2017
Next Scheduled EDR Contact: 01/08/2018
Data Release Frequency: Annually

US AIRS MINOR: Air Facility System Data
A listing of minor source facilities.

Date of Government Version: 10/12/2016
Date Data Arrived at EDR: 10/26/2016
Date Made Active in Reports: 02/03/2017
Number of Days to Update: 100

Source: EPA
Telephone: 202-564-2496
Last EDR Contact: 09/26/2017
Next Scheduled EDR Contact: 01/08/2018
Data Release Frequency: Annually

MINES VIOLATIONS: MSHA Violation Assessment Data
Mines violation and assessment information. Department of Labor, Mine Safety & Health Administration.

Date of Government Version: 12/03/2019
Date Data Arrived at EDR: 12/03/2019
Date Made Active in Reports: 01/28/2020
Number of Days to Update: 56

Source: DOL, Mine Safety & Health Admi
Telephone: 202-693-9424
Last EDR Contact: 03/02/2020
Next Scheduled EDR Contact: 06/15/2020
Data Release Frequency: Quarterly

US MINES: Mines Master Index File
Contains all mine identification numbers issued for mines active or opened since 1971. The data also includes violation information.

Date of Government Version: 11/06/2019
Date Data Arrived at EDR: 11/25/2019
Date Made Active in Reports: 01/28/2020
Number of Days to Update: 64

Source: Department of Labor, Mine Safety and Health Administration
Telephone: 303-231-5959
Last EDR Contact: 02/25/2020
Next Scheduled EDR Contact: 06/08/2020
Data Release Frequency: Semi-Annually

US MINES 2: Ferrous and Nonferrous Metal Mines Database Listing
This map layer includes ferrous (ferrous metal mines are facilities that extract ferrous metals, such as iron ore or molybdenum) and nonferrous (Nonferrous metal mines are facilities that extract nonferrous metals, such as gold, silver, copper, zinc, and lead) metal mines in the United States.

Date of Government Version: 12/05/2005
Date Data Arrived at EDR: 02/29/2008
Date Made Active in Reports: 04/18/2008
Number of Days to Update: 49

Source: USGS
Telephone: 703-648-7709
Last EDR Contact: 02/28/2020
Next Scheduled EDR Contact: 06/08/2020
Data Release Frequency: Varies

US MINES 3: Active Mines & Mineral Plants Database Listing
Active Mines and Mineral Processing Plant operations for commodities monitored by the Minerals Information Team of the USGS.

Date of Government Version: 04/14/2011
Date Data Arrived at EDR: 06/08/2011
Date Made Active in Reports: 09/13/2011
Number of Days to Update: 97

Source: USGS
Telephone: 703-648-7709
Last EDR Contact: 02/28/2020
Next Scheduled EDR Contact: 06/08/2020
Data Release Frequency: Varies

ABANDONED MINES: Abandoned Mines
An inventory of land and water impacted by past mining (primarily coal mining) is maintained by OSMRE to provide information needed to implement the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The inventory contains information on the location, type, and extent of AML impacts, as well as, information on the cost associated with the reclamation of those problems. The inventory is based upon field surveys by State, Tribal, and OSMRE program officials. It is dynamic to the extent that it is modified as new problems are identified and existing problems are reclaimed.

Date of Government Version: 12/09/2019
Date Data Arrived at EDR: 12/11/2019
Date Made Active in Reports: 02/27/2020
Number of Days to Update: 78

Source: Department of Interior
Telephone: 202-208-2609
Last EDR Contact: 03/05/2020
Next Scheduled EDR Contact: 06/22/2020
Data Release Frequency: Quarterly

FINDS: Facility Index System/Facility Registry System

Facility Index System. FINDS contains both facility information and 'pointers' to other sources that contain more detail. EDR includes the following FINDS databases in this report: PCS (Permit Compliance System), AIRS (Aerometric Information Retrieval System), DOCKET (Enforcement Docket used to manage and track information on civil judicial enforcement cases for all environmental statutes), FURS (Federal Underground Injection Control), C-DOCKET (Criminal Docket System used to track criminal enforcement actions for all environmental statutes), FFIS (Federal Facilities Information System), STATE (State Environmental Laws and Statutes), and PADS (PCB Activity Data System).

Date of Government Version: 11/22/2019
Date Data Arrived at EDR: 12/04/2019
Date Made Active in Reports: 03/02/2020
Number of Days to Update: 89

Source: EPA
Telephone: (214) 665-2200
Last EDR Contact: 03/03/2020
Next Scheduled EDR Contact: 06/15/2020
Data Release Frequency: Quarterly

ECHO: Enforcement & Compliance History Information

ECHO provides integrated compliance and enforcement information for about 800,000 regulated facilities nationwide.

Date of Government Version: 01/05/2020
Date Data Arrived at EDR: 01/07/2020
Date Made Active in Reports: 03/06/2020
Number of Days to Update: 59

Source: Environmental Protection Agency
Telephone: 202-564-2280
Last EDR Contact: 01/07/2020
Next Scheduled EDR Contact: 04/20/2020
Data Release Frequency: Quarterly

UXO: Unexploded Ordnance Sites

A listing of unexploded ordnance site locations

Date of Government Version: 12/31/2017
Date Data Arrived at EDR: 01/17/2019
Date Made Active in Reports: 04/01/2019
Number of Days to Update: 74

Source: Department of Defense
Telephone: 703-704-1564
Last EDR Contact: 01/13/2020
Next Scheduled EDR Contact: 04/27/2020
Data Release Frequency: Varies

DOCKET HWC: Hazardous Waste Compliance Docket Listing

A complete list of the Federal Agency Hazardous Waste Compliance Docket Facilities.

Date of Government Version: 05/31/2018
Date Data Arrived at EDR: 07/26/2018
Date Made Active in Reports: 10/05/2018
Number of Days to Update: 71

Source: Environmental Protection Agency
Telephone: 202-564-0527
Last EDR Contact: 02/21/2020
Next Scheduled EDR Contact: 06/08/2020
Data Release Frequency: Varies

FUELS PROGRAM: EPA Fuels Program Registered Listing

This listing includes facilities that are registered under the Part 80 (Code of Federal Regulations) EPA Fuels Programs. All companies now are required to submit new and updated registrations.

Date of Government Version: 11/18/2019
Date Data Arrived at EDR: 11/19/2019
Date Made Active in Reports: 01/28/2020
Number of Days to Update: 70

Source: EPA
Telephone: 800-385-6164
Last EDR Contact: 02/19/2020
Next Scheduled EDR Contact: 06/01/2020
Data Release Frequency: Quarterly

AIRS: Airs Information

A listing of facilities with Air Quality Bureau permits.

Date of Government Version: 10/21/2019
Date Data Arrived at EDR: 10/23/2019
Date Made Active in Reports: 12/27/2019
Number of Days to Update: 65

Source: New Mexico Environment Department
Telephone: 505-476-4339
Last EDR Contact: 01/23/2020
Next Scheduled EDR Contact: 05/04/2020
Data Release Frequency: Annually

ASBESTOS: List of Asbestos Demolition and Renovations Jobs

Asbestos is a common fibrous rock found worldwide which has been used in various products for over 4500 years. It has been used in over 3000 different products such as textiles, paper, ropes, wicks, stoves, filters, floor tiles, roofing shingles, clutch facings, water pipe, cements, fillers, felt, fireproof clothing, gaskets, battery boxes, clapboard, wallboard, fire doors, fire curtains, insulation, brake linings, etc.

Date of Government Version: 10/23/2019
Date Data Arrived at EDR: 10/25/2019
Date Made Active in Reports: 01/06/2020
Number of Days to Update: 73

Source: New Mexico Environment Department
Telephone: 505-827-1494
Last EDR Contact: 01/21/2020
Next Scheduled EDR Contact: 05/04/2020
Data Release Frequency: Semi-Annually

COAL MINES: Coal Mine Permits Database

New Mexico coal mines permitted under the Surface Mining Control and Reclamation Act of 1977 (SMCRA), by either the NM Mining & Minerals Division (MMD), or by the federal DOI Office of Surface Mining, Reclamation & Enforcement.

Date of Government Version: 04/18/2019
Date Data Arrived at EDR: 06/19/2019
Date Made Active in Reports: 06/24/2019
Number of Days to Update: 5

Source: Bureau of Geology and Mineral Resources
Telephone: 505-476-3402
Last EDR Contact: 03/20/2020
Next Scheduled EDR Contact: 06/29/2020
Data Release Frequency: Varies

COAL MINES 2: Coal Permit Boundaries

ESRI ArcView shapefile depicting New Mexico coal mines permitted under the Surface Mining Control and Reclamation Act of 1977 (SMCRA), by either the NM Mining & Minerals Division (MMD), or by the federal DOI Office of Surface Mining, Reclamation & Enforcement.

Date of Government Version: 12/16/2019
Date Data Arrived at EDR: 12/16/2019
Date Made Active in Reports: 02/27/2020
Number of Days to Update: 73

Source: Mining & Minerals Division
Telephone: 505-476-3417
Last EDR Contact: 03/17/2020
Next Scheduled EDR Contact: 06/29/2020
Data Release Frequency: Varies

DRYCLEANERS: Drycleaner Facility Listing

A listing of drycleaner facility locations. The listing may contain facilities that are no longer there, or under different management.

Date of Government Version: 01/06/2010
Date Data Arrived at EDR: 01/07/2010
Date Made Active in Reports: 02/04/2010
Number of Days to Update: 28

Source: Environment Department
Telephone: 505-222-9507
Last EDR Contact: 03/19/2020
Next Scheduled EDR Contact: 07/06/2020
Data Release Frequency: No Update Planned

FINANCIAL ASSURANCE 1: Financial Assurance Information

Information for underground solid waste facilities. Financial assurance is intended to ensure that resources are available to pay for the cost of closure, post-closure care, and corrective measures if the owner or operator of a regulated facility is unable or unwilling to pay.

Date of Government Version: 12/03/2012
Date Data Arrived at EDR: 01/04/2013
Date Made Active in Reports: 01/10/2013
Number of Days to Update: 6

Source: Environment Department
Telephone: 505-827-0197
Last EDR Contact: 01/27/2020
Next Scheduled EDR Contact: 05/11/2020
Data Release Frequency: Varies

FINANCIAL ASSURANCE 2: Financial Assurance Information
Information for underground hazardous waste facilities. Financial assurance is intended to ensure that resources are available to pay for the cost of closure, post-closure care, and corrective measures if the owner or operator of a regulated facility is unable or unwilling to pay.

Date of Government Version: 10/30/2019
Date Data Arrived at EDR: 10/31/2019
Date Made Active in Reports: 01/09/2020
Number of Days to Update: 70
Source: Environment Department
Telephone: 505-476-6018
Last EDR Contact: 01/27/2020
Next Scheduled EDR Contact: 05/11/2020
Data Release Frequency: Annually

NPDES: List of Discharge Permits
General information regarding NPDES (National Pollutant Discharge Elimination System) permits.

Date of Government Version: 11/18/2019
Date Data Arrived at EDR: 01/14/2020
Date Made Active in Reports: 03/23/2020
Number of Days to Update: 69
Source: Environment Department
Telephone: 505-827-2918
Last EDR Contact: 01/14/2020
Next Scheduled EDR Contact: 04/27/2020
Data Release Frequency: Semi-Annually

UIC: Underground Injection Control Listing
The listing includes Discharge Permits (DP) with Underground Injection Control Wells, located in New Mexico.

Date of Government Version: 10/16/2019
Date Data Arrived at EDR: 10/17/2019
Date Made Active in Reports: 01/09/2020
Number of Days to Update: 84
Source: New Mexico Environment Department
Telephone: 505-827-2936
Last EDR Contact: 01/15/2020
Next Scheduled EDR Contact: 04/27/2020
Data Release Frequency: Varies

MINES MRDS: Mineral Resources Data System
Mineral Resources Data System

Date of Government Version: 04/06/2018
Date Data Arrived at EDR: 10/21/2019
Date Made Active in Reports: 10/24/2019
Number of Days to Update: 3
Source: USGS
Telephone: 703-648-6533
Last EDR Contact: 02/28/2020
Next Scheduled EDR Contact: 06/08/2020
Data Release Frequency: Varies

EDR HIGH RISK HISTORICAL RECORDS

EDR Exclusive Records

EDR MGP: EDR Proprietary Manufactured Gas Plants
The EDR Proprietary Manufactured Gas Plant Database includes records of coal gas plants (manufactured gas plants) compiled by EDR's researchers. Manufactured gas sites were used in the United States from the 1800's to 1950's to produce a gas that could be distributed and used as fuel. These plants used whale oil, rosin, coal, or a mixture of coal, oil, and water that also produced a significant amount of waste. Many of the byproducts of the gas production, such as coal tar (oily waste containing volatile and non-volatile chemicals), sludges, oils and other compounds are potentially hazardous to human health and the environment. The byproduct from this process was frequently disposed of directly at the plant site and can remain or spread slowly, serving as a continuous source of soil and groundwater contamination.

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A
Number of Days to Update: N/A
Source: EDR, Inc.
Telephone: N/A
Last EDR Contact: N/A
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

EDR Hist Auto: EDR Exclusive Historical Auto Stations
EDR has searched selected national collections of business directories and has collected listings of potential gas station/filling station/service station sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include gas station/filling station/service station establishments. The categories reviewed included, but were not limited to gas, gas station, gasoline station, filling station, auto, automobile repair, auto service station, service station, etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A
Number of Days to Update: N/A

Source: EDR, Inc.
Telephone: N/A
Last EDR Contact: N/A
Next Scheduled EDR Contact: N/A
Data Release Frequency: Varies

EDR Hist Cleaner: EDR Exclusive Historical Cleaners

EDR has searched selected national collections of business directories and has collected listings of potential dry cleaner sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include dry cleaning establishments. The categories reviewed included, but were not limited to dry cleaners, cleaners, laundry, laundromat, cleaning/laundry, wash & dry etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A
Number of Days to Update: N/A

Source: EDR, Inc.
Telephone: N/A
Last EDR Contact: N/A
Next Scheduled EDR Contact: N/A
Data Release Frequency: Varies

EDR RECOVERED GOVERNMENT ARCHIVES

Exclusive Recovered Govt. Archives

RGA LF: Recovered Government Archive Solid Waste Facilities List

The EDR Recovered Government Archive Landfill database provides a list of landfills derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the New Mexico Environment Department in New Mexico.

Date of Government Version: N/A
Date Data Arrived at EDR: 07/01/2013
Date Made Active in Reports: 01/16/2014
Number of Days to Update: 199

Source: New Mexico Environment Department
Telephone: N/A
Last EDR Contact: 06/01/2012
Next Scheduled EDR Contact: N/A
Data Release Frequency: Varies

RGA LUST: Recovered Government Archive Leaking Underground Storage Tank

The EDR Recovered Government Archive Leaking Underground Storage Tank database provides a list of LUST incidents derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the New Mexico Environment Department in New Mexico.

Date of Government Version: N/A
Date Data Arrived at EDR: 07/01/2013
Date Made Active in Reports: 01/03/2014
Number of Days to Update: 186

Source: New Mexico Environment Department
Telephone: N/A
Last EDR Contact: 06/01/2012
Next Scheduled EDR Contact: N/A
Data Release Frequency: Varies

OTHER DATABASE(S)

Depending on the geographic area covered by this report, the data provided in these specialty databases may or may not be complete. For example, the existence of wetlands information data in a specific report does not mean that all wetlands in the area covered by the report are included. Moreover, the absence of any reported wetlands information does not necessarily mean that wetlands do not exist in the area covered by the report.

NY MANIFEST: Facility and Manifest Data

Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a TSD facility.

Date of Government Version: 01/01/2019
Date Data Arrived at EDR: 05/01/2019
Date Made Active in Reports: 06/21/2019
Number of Days to Update: 51

Source: Department of Environmental Conservation
Telephone: 518-402-8651
Last EDR Contact: 01/31/2020
Next Scheduled EDR Contact: 05/11/2020
Data Release Frequency: Quarterly

WI MANIFEST: Manifest Information
Hazardous waste manifest information.

Date of Government Version: 05/31/2018
Date Data Arrived at EDR: 06/19/2019
Date Made Active in Reports: 09/03/2019
Number of Days to Update: 76

Source: Department of Natural Resources
Telephone: N/A
Last EDR Contact: 03/09/2020
Next Scheduled EDR Contact: 06/22/2020
Data Release Frequency: Annually

Oil/Gas Pipelines
Source: Endeavor Business Media
Petroleum Bundle (Crude Oil, Refined Products, Petrochemicals, Gas Liquids (LPG/NGL), and Specialty Gases (Miscellaneous)) N = Natural Gas Bundle (Natural Gas, Gas Liquids (LPG/NGL), and Specialty Gases (Miscellaneous)). This map includes information copyrighted by Endeavor Business Media. This information is provided on a best effort basis and Endeavor Business Media does not guarantee its accuracy nor warrant its fitness for any particular purpose. Such information has been reprinted with the permission of Endeavor Business Media.

Electric Power Transmission Line Data
Source: Endeavor Business Media
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Sensitive Receptors: There are individuals deemed sensitive receptors due to their fragile immune systems and special sensitivity to environmental discharges. These sensitive receptors typically include the elderly, the sick, and children. While the location of all sensitive receptors cannot be determined, EDR indicates those buildings and facilities - schools, daycares, hospitals, medical centers, and nursing homes - where individuals who are sensitive receptors are likely to be located.

AHA Hospitals:
Source: American Hospital Association, Inc.
Telephone: 312-280-5991
The database includes a listing of hospitals based on the American Hospital Association’s annual survey of hospitals.

Medical Centers: Provider of Services Listing
Source: Centers for Medicare & Medicaid Services
Telephone: 410-786-3000
A listing of hospitals with Medicare provider number, produced by Centers of Medicare & Medicaid Services, a federal agency within the U.S. Department of Health and Human Services.

Nursing Homes
Source: National Institutes of Health
Telephone: 301-594-6248
Information on Medicare and Medicaid certified nursing homes in the United States.

Public Schools
Source: National Center for Education Statistics
Telephone: 202-502-7300
The National Center for Education Statistics’ primary database on elementary and secondary public education in the United States. It is a comprehensive, annual, national statistical database of all public elementary and secondary schools and school districts, which contains data that are comparable across all states.

Private Schools
Source: National Center for Education Statistics
Telephone: 202-502-7300
The National Center for Education Statistics’ primary database on private school locations in the United States.

Daycare Centers: Licensed Child Day Care Providers
Source: Office of Child Development
Telephone: 505-827-7946

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Flood Zone Data: This data was obtained from the Federal Emergency Management Agency (FEMA). It depicts 100-year and 500-year flood zones as defined by FEMA. It includes the National Flood Hazard Layer (NFHL) which incorporates Flood Insurance Rate Map (FIRM) data and Q3 data from FEMA in areas not covered by NFHL.

Source: FEMA
Telephone: 877-336-2627
Date of Government Version: 2003, 2015

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002, 2005 and 2010 from the U.S. Fish and Wildlife Service.

State Wetlands Data: Wetland Inventory

Source: US Fish & Wildlife Service
Telephone: 505-248-6660

STREET AND ADDRESS INFORMATION

Prewitt NM

Section 32 and 36

Thoreau, NM 87323

Inquiry Number: 6020734.6

March 25, 2020

The EDR Aerial Photo Decade Package

6 Armstrong Road, 4th floor
Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

Date EDR Searched Historical Sources:

Aerial Photography March 25, 2020

Target Property:

Section 32 and 36

Thoreau, NM 87323

Year	***Scale***	***Details***	***Source***
1952	Aerial Photograph. Scale: 1"=1000'	Flight Year: 1952	USGS
1958	Aerial Photograph. Scale: 1"=1000'	Flight Year: 1958	USGS
1973	Aerial Photograph. Scale: 1"=1000'	Flight Year: 1973	USGS
1978	Aerial Photograph. Scale: 1"=1000'	Flight Year: 1978	USGS
1981	Aerial Photograph. Scale: 1"=1000'	Flight Year: 1981	USGS
1986	Aerial Photograph. Scale: 1"=1000'	Flight Year: 1986	USGS
1997	Aerial Photograph. Scale: 1"=1000'	Flight Year: 1997	USGS/DOQQ
2009	Aerial Photograph. Scale: 1"=1000'	Flight Year: 2009	USGS/NAIP
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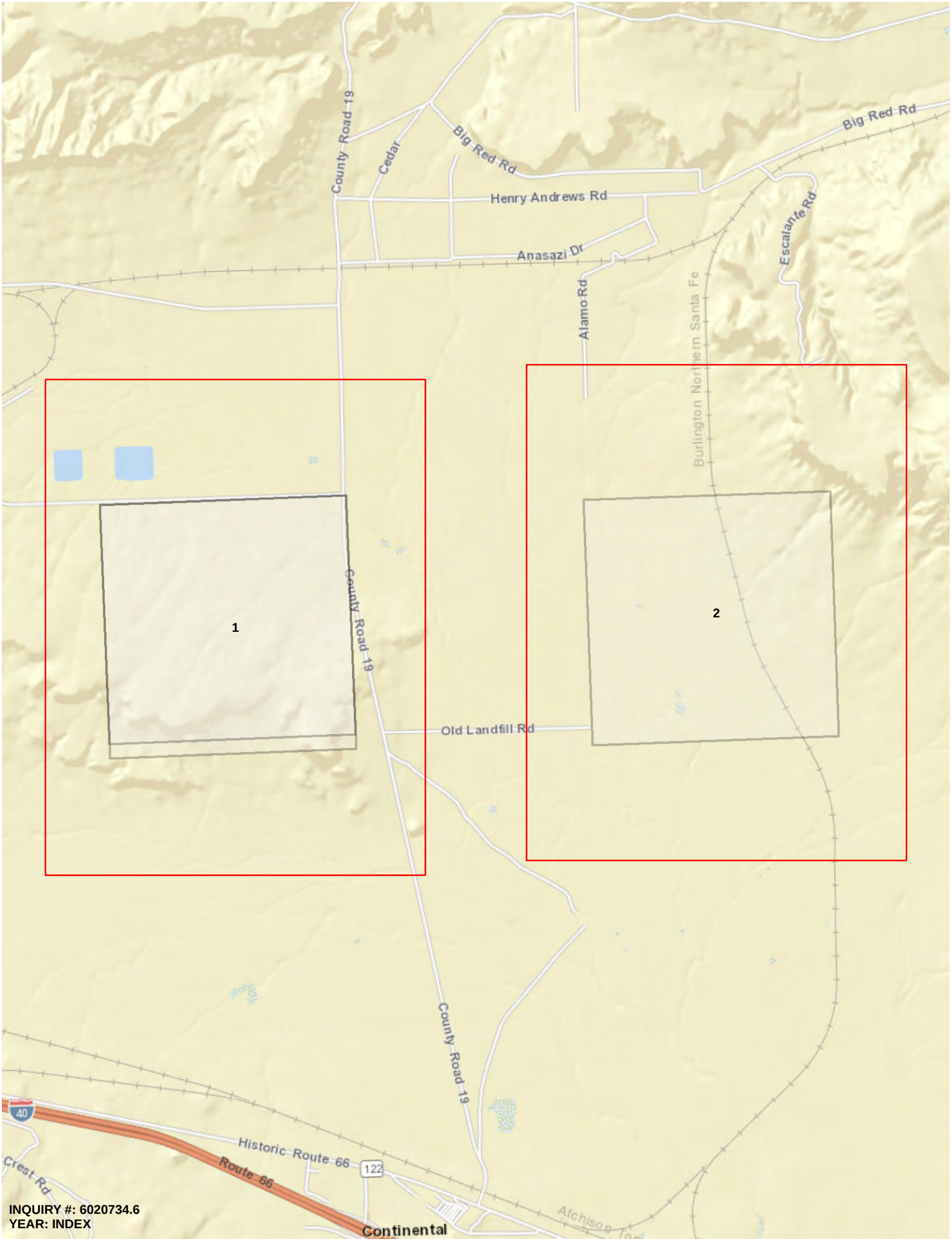
2016	Aerial Photograph. Scale: 1"=1000'	Flight Year: 2016	USGS/NAIP



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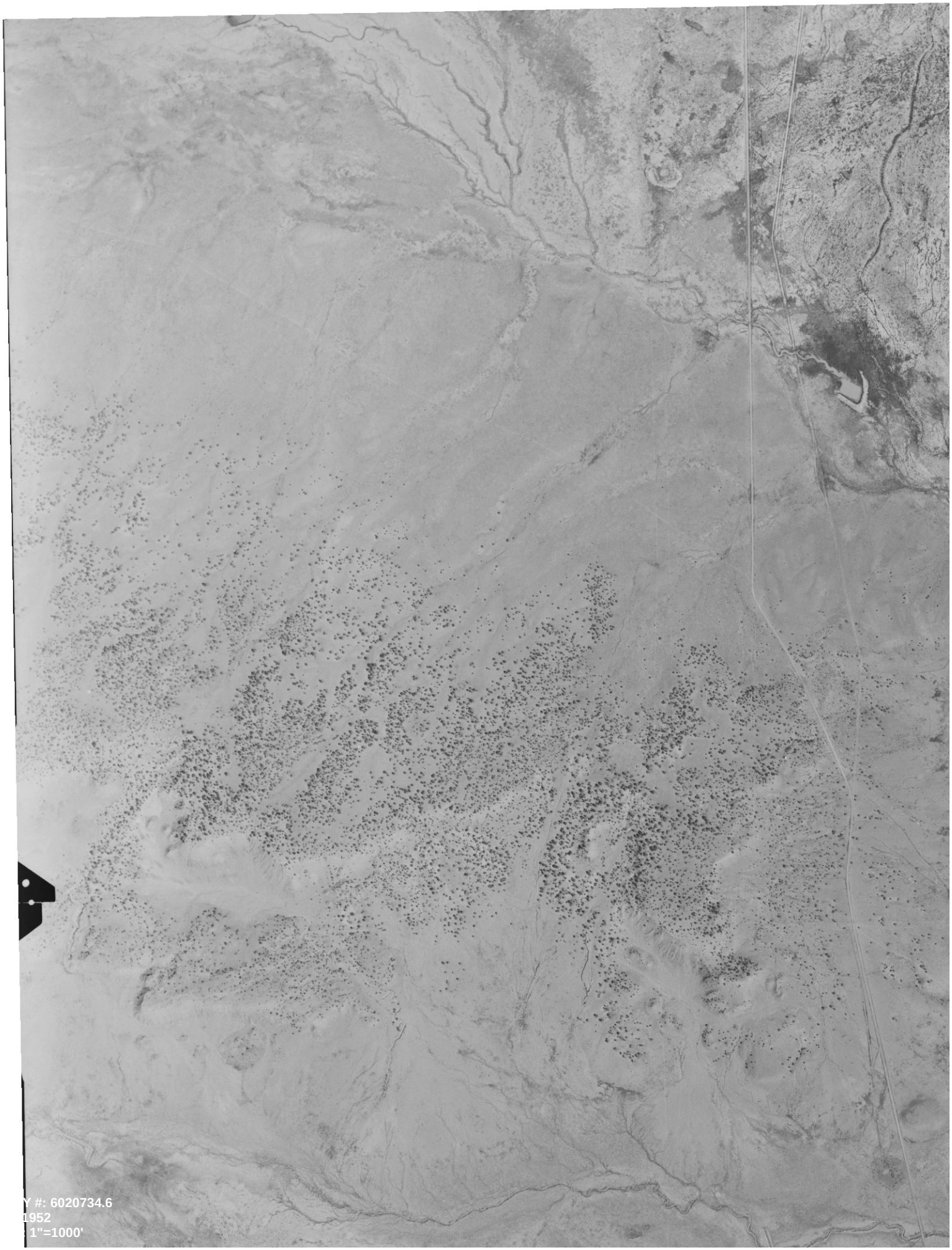
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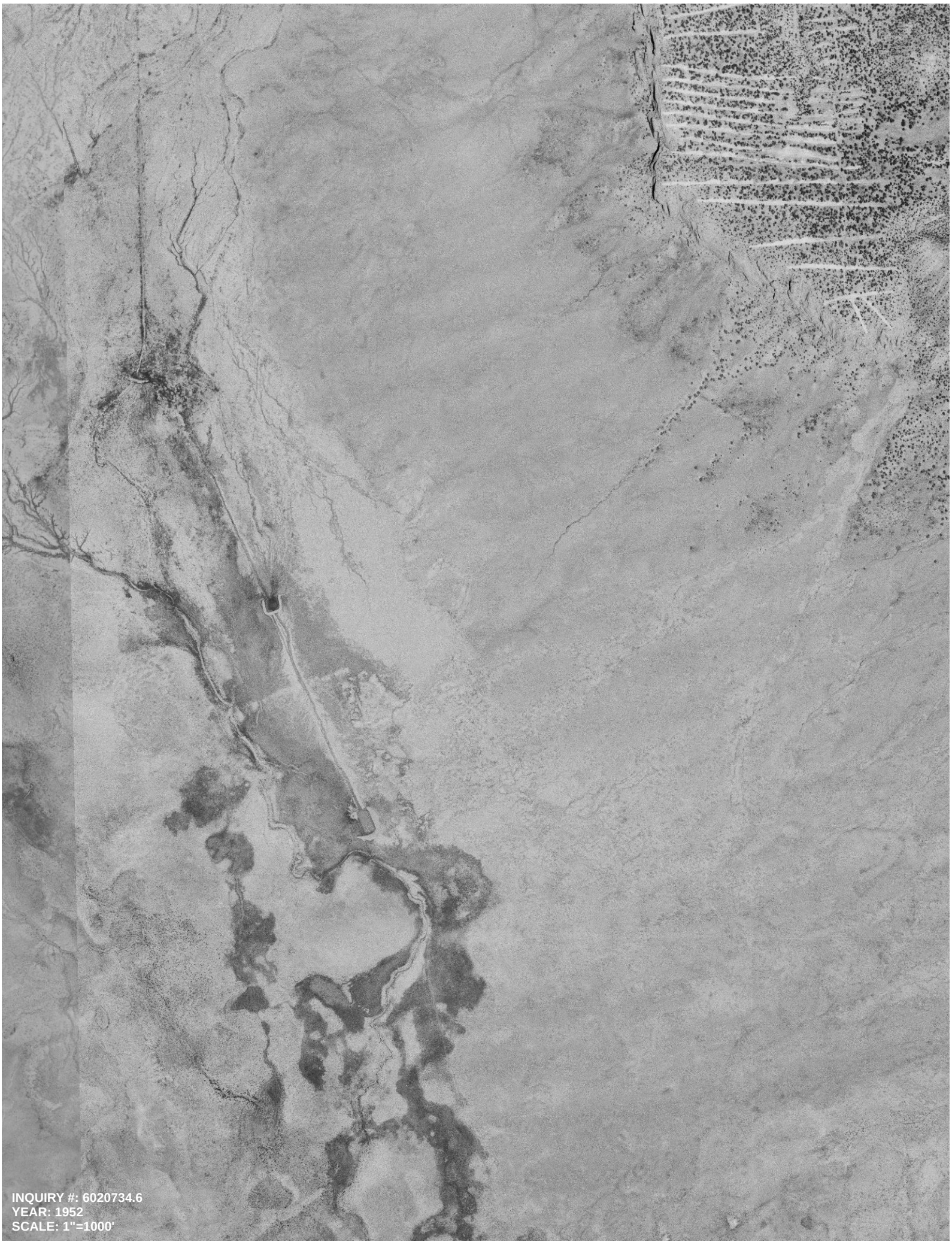

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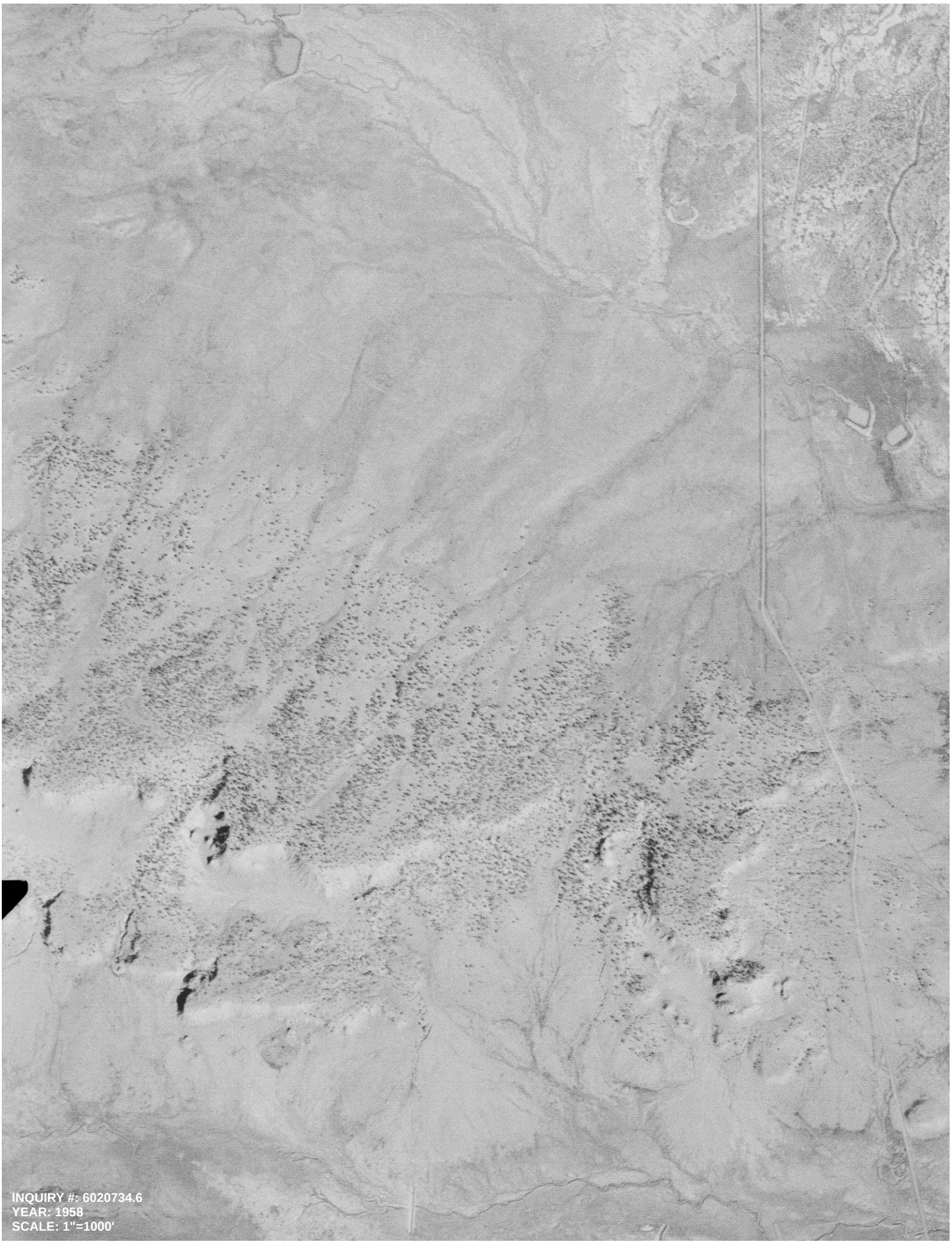

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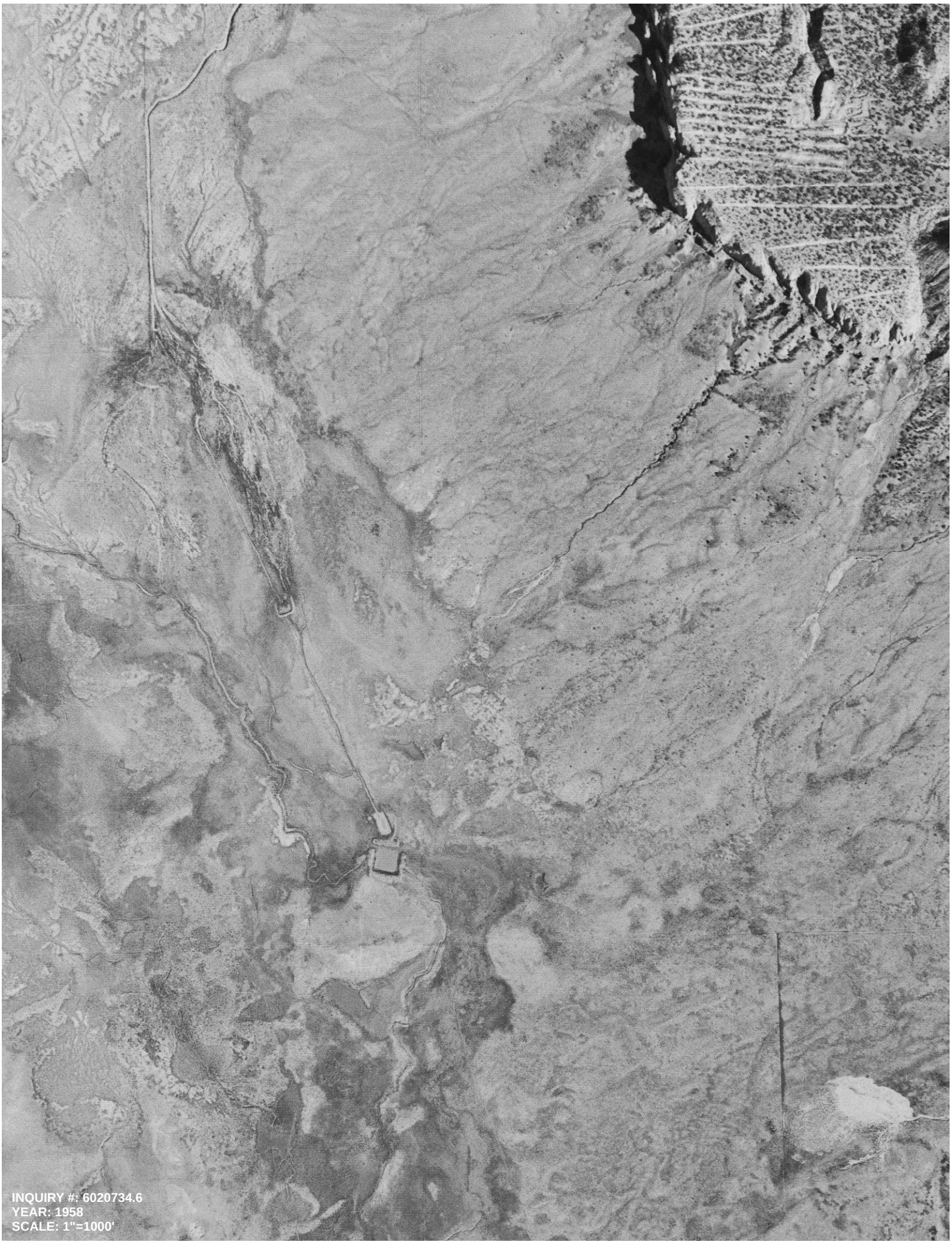

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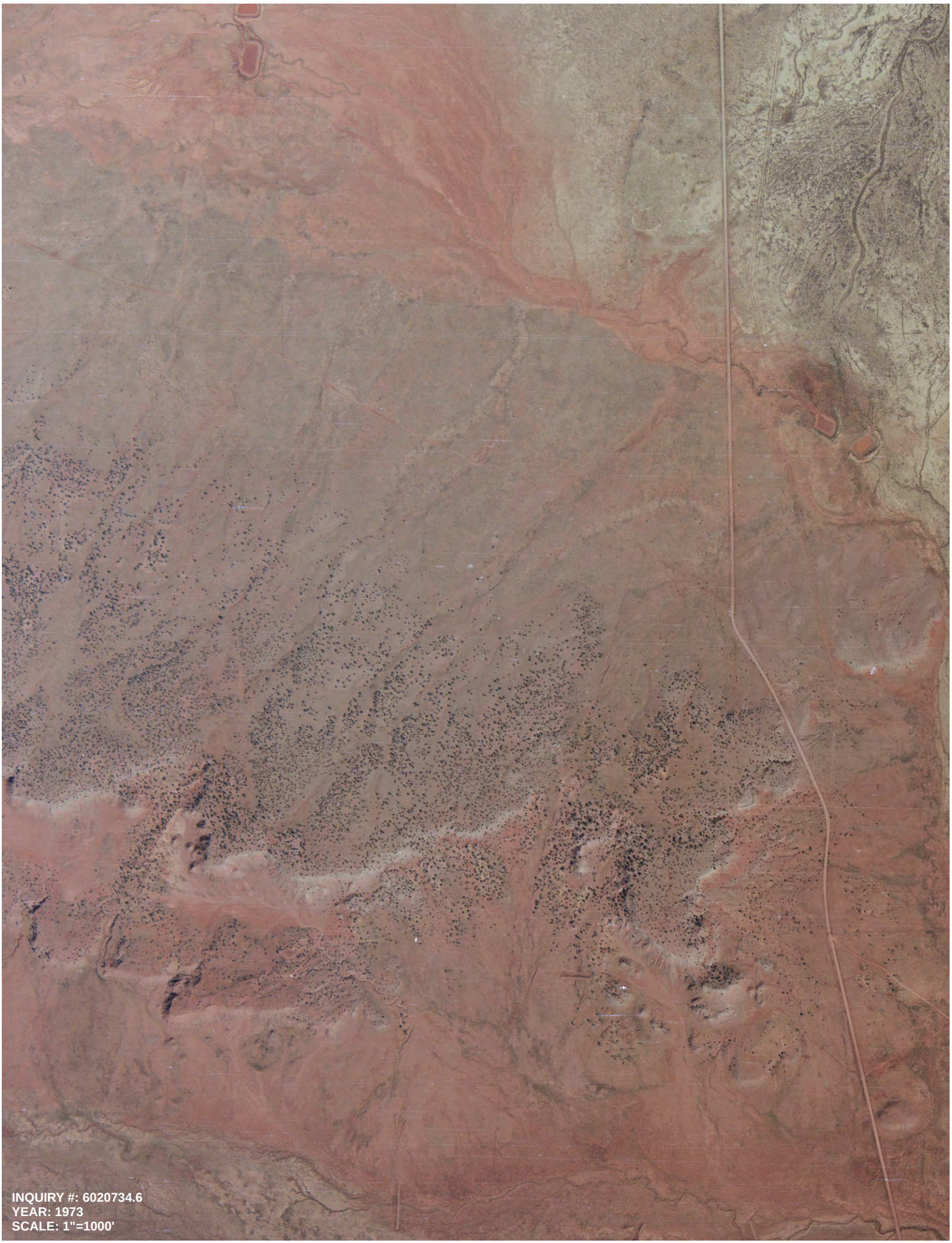

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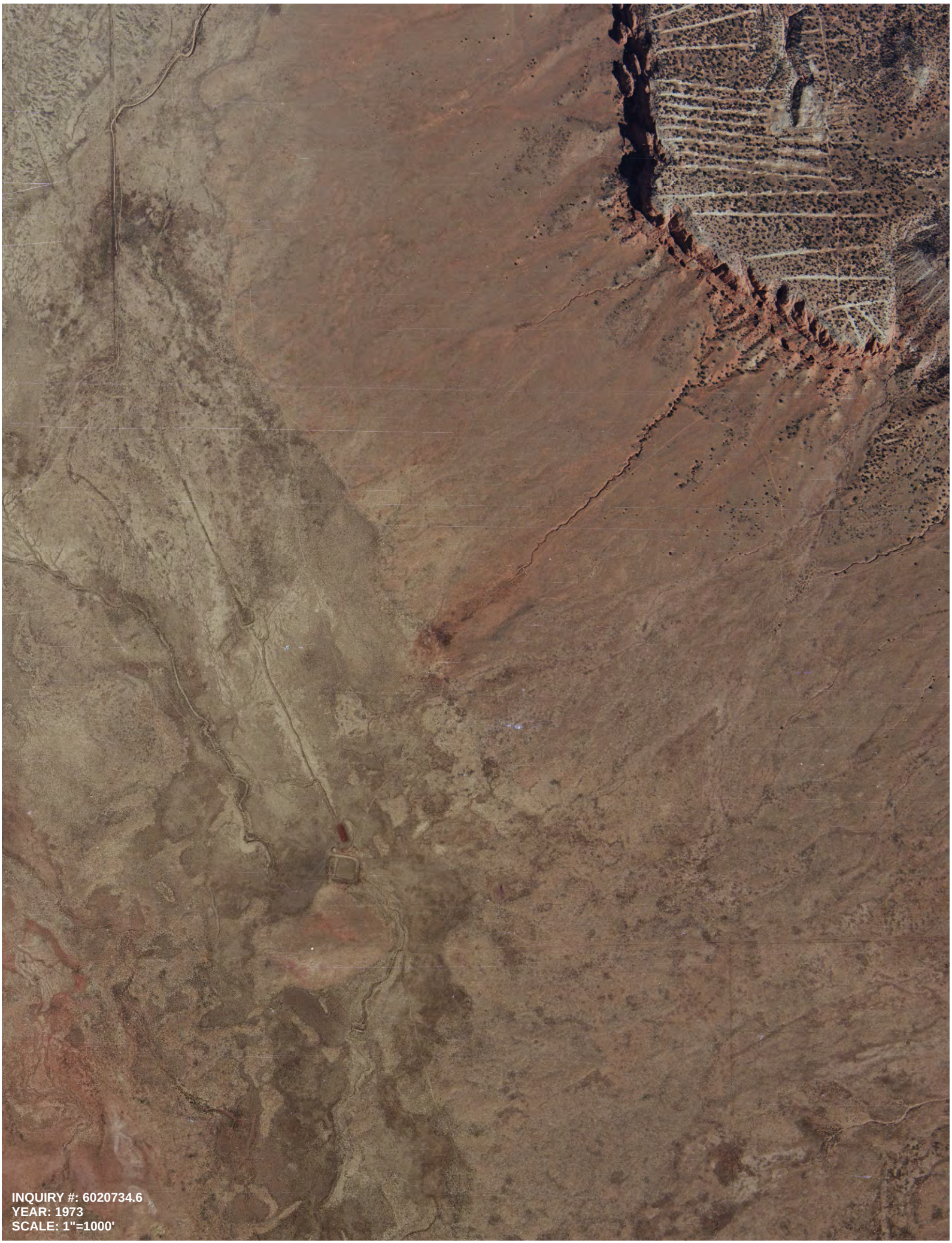

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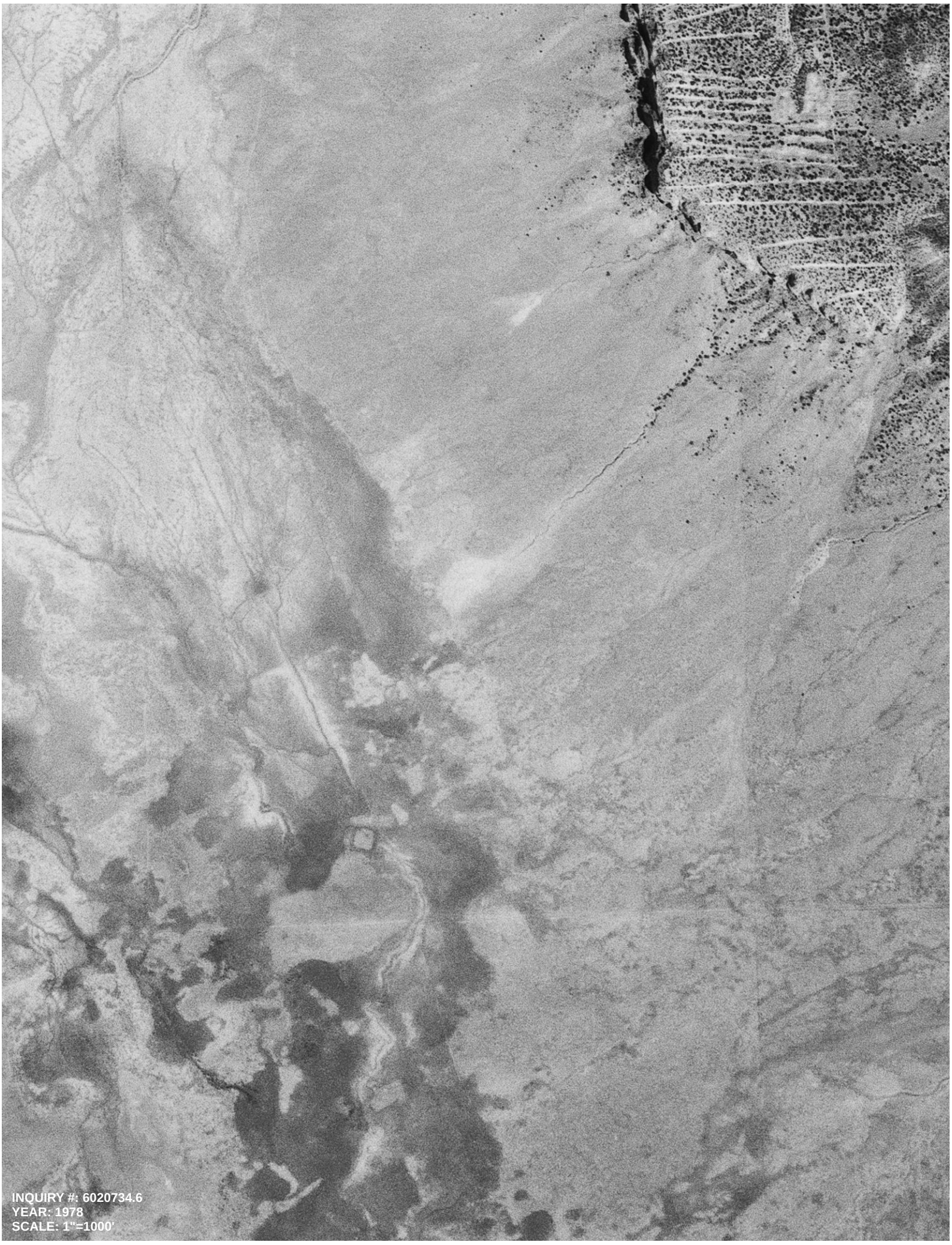

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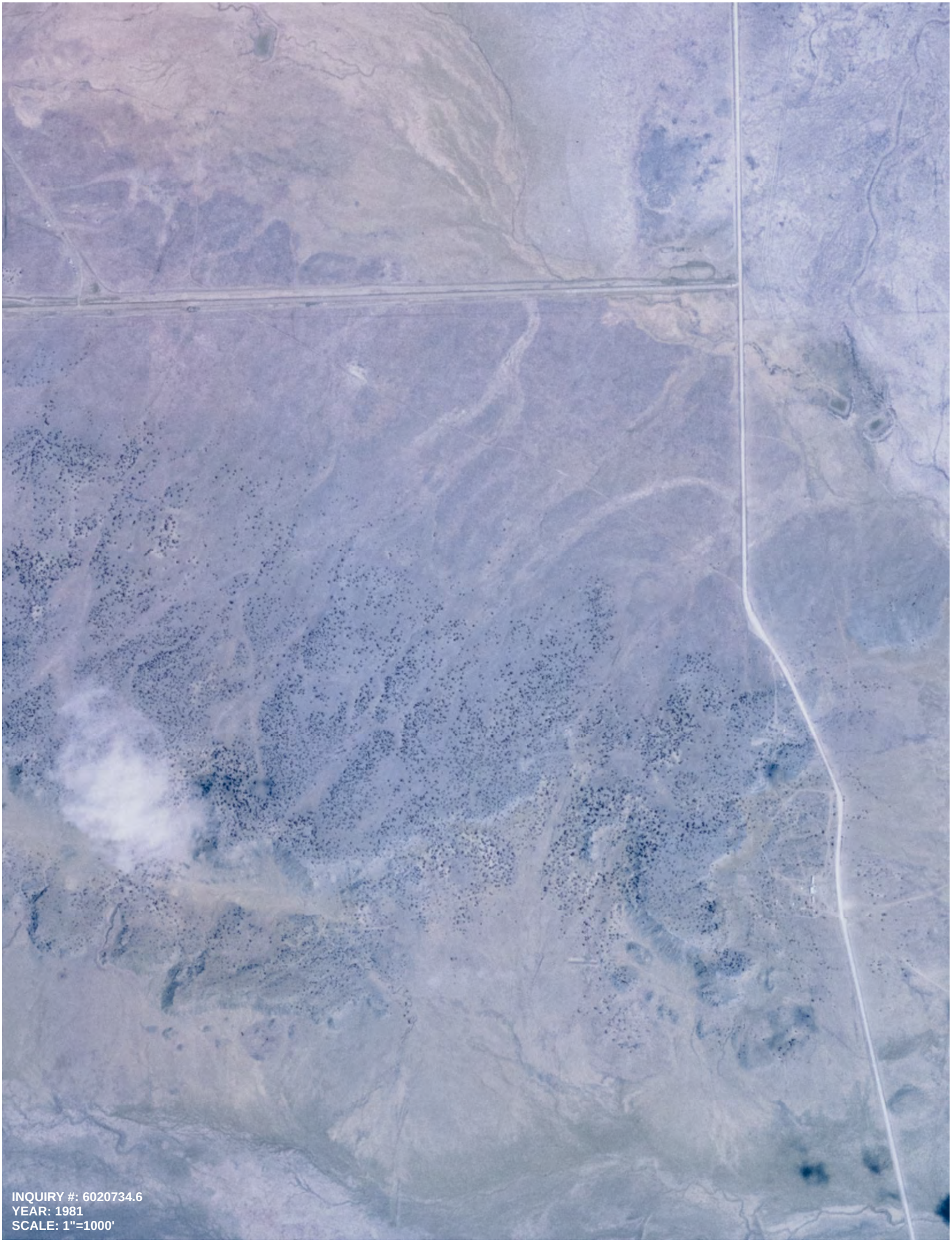
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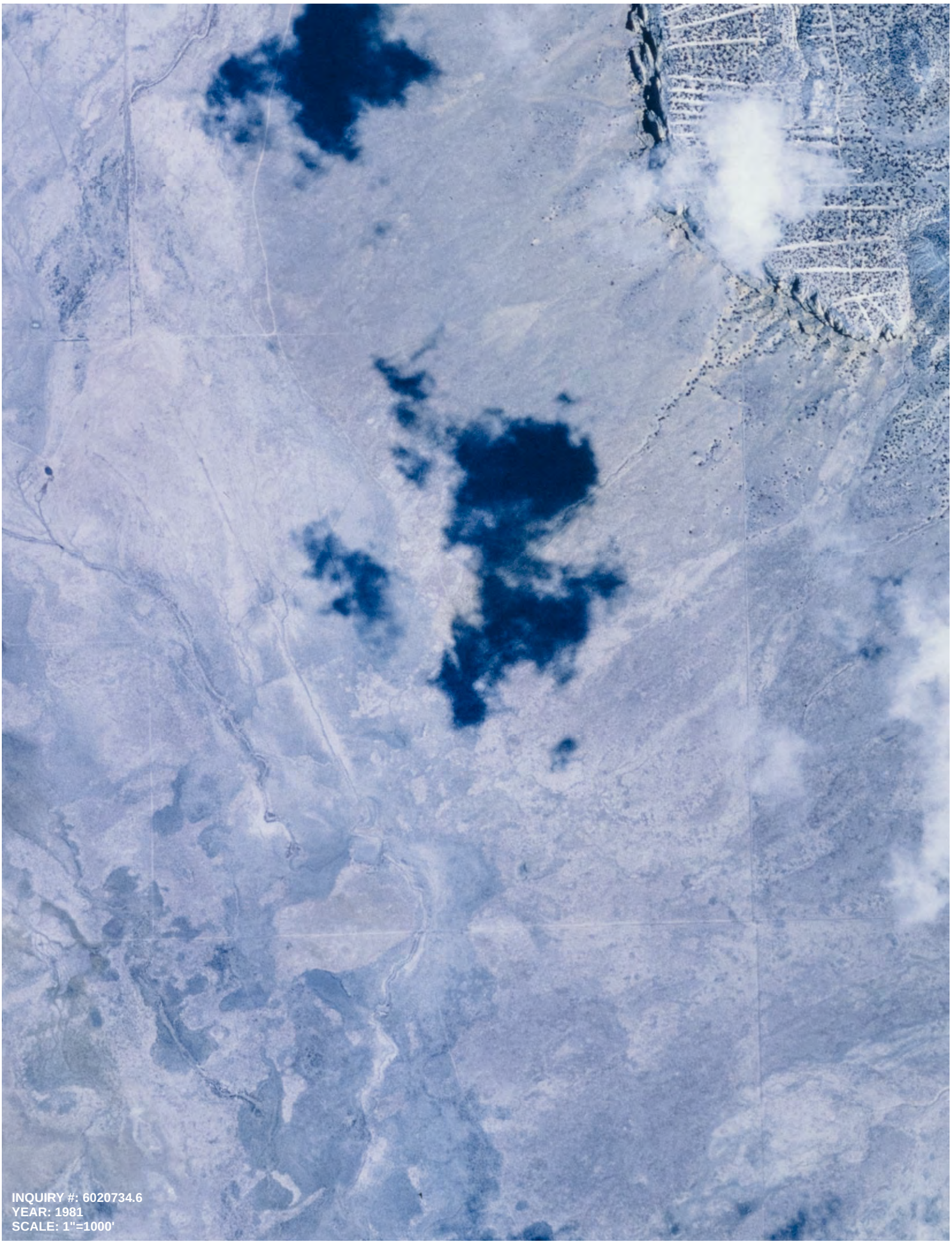

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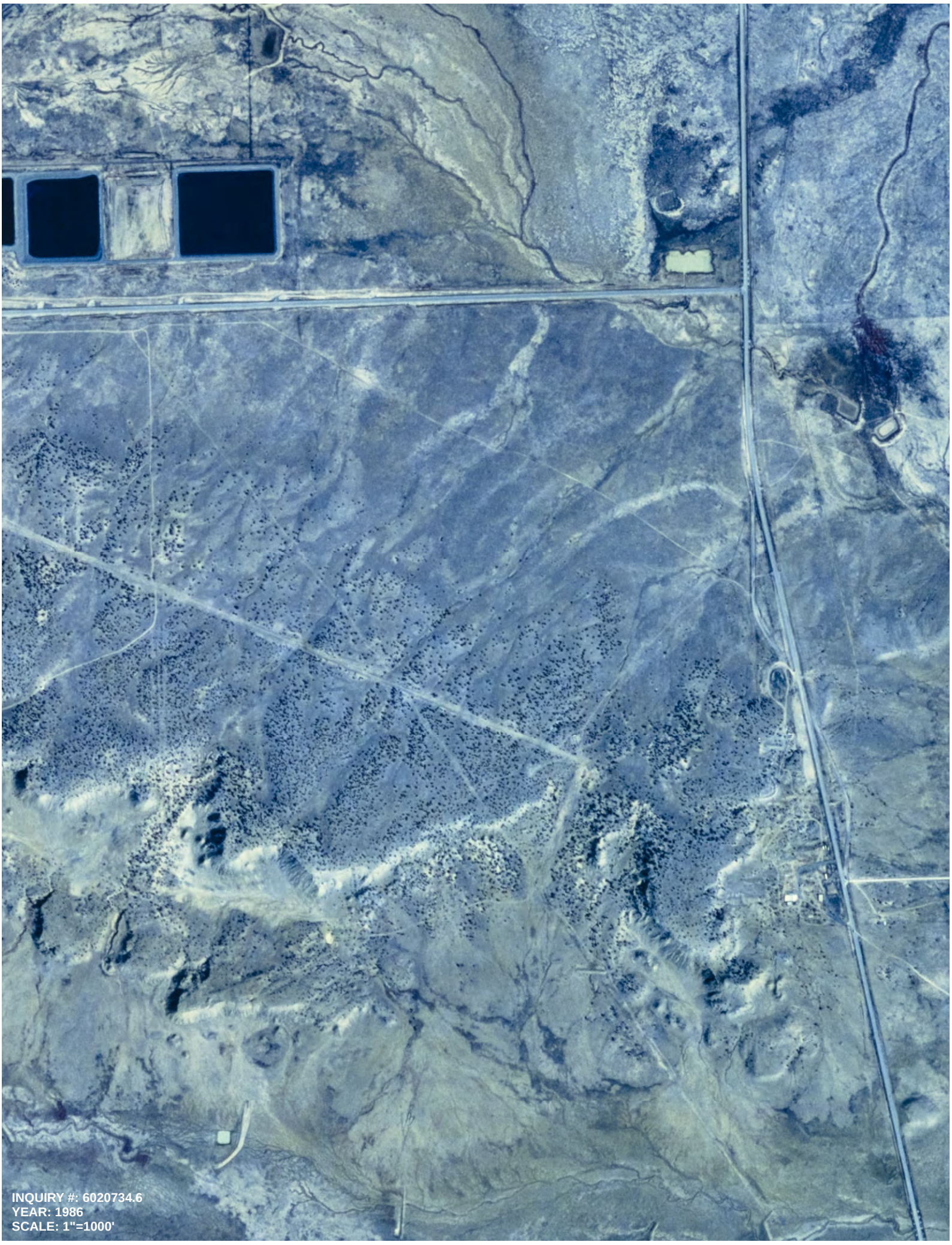
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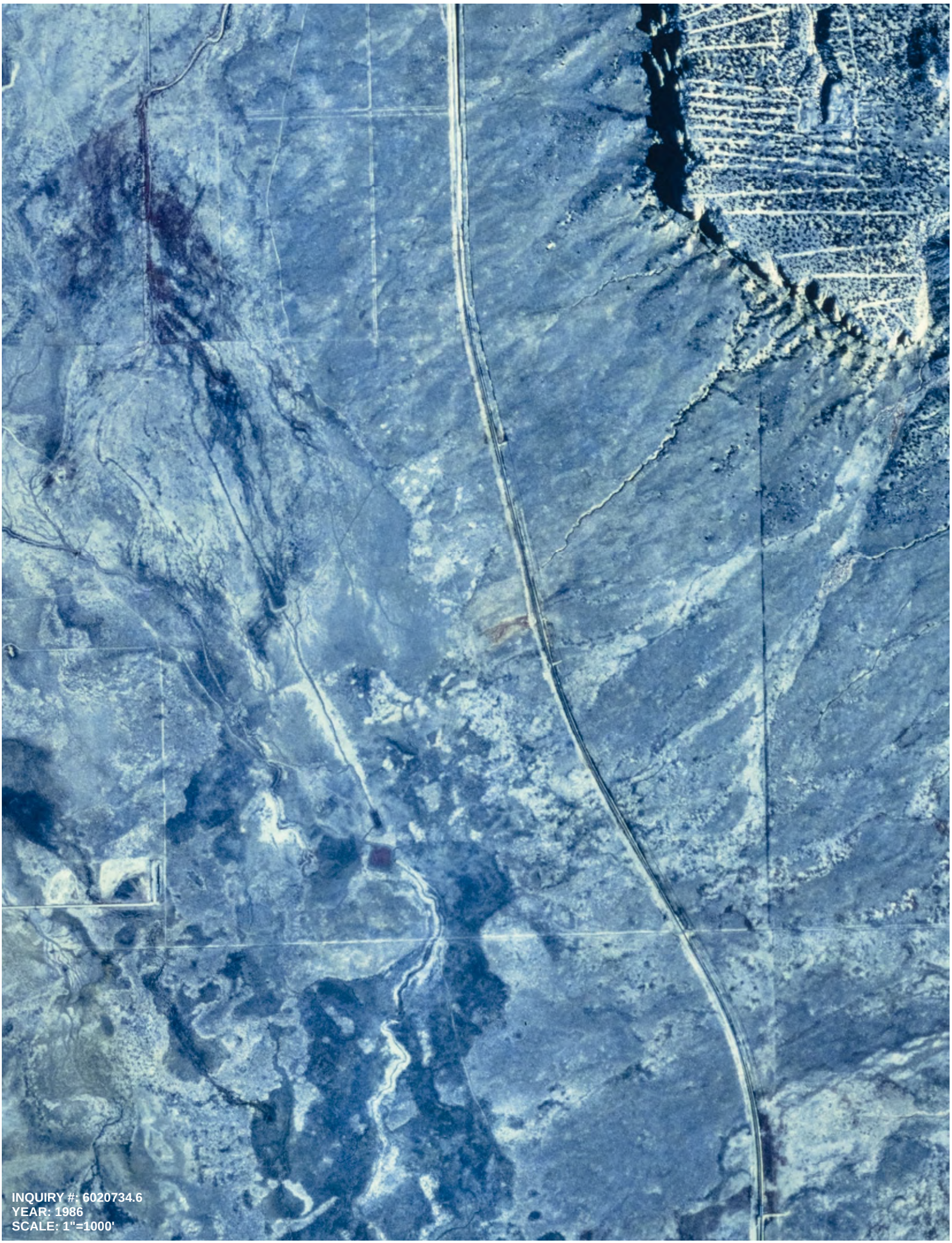

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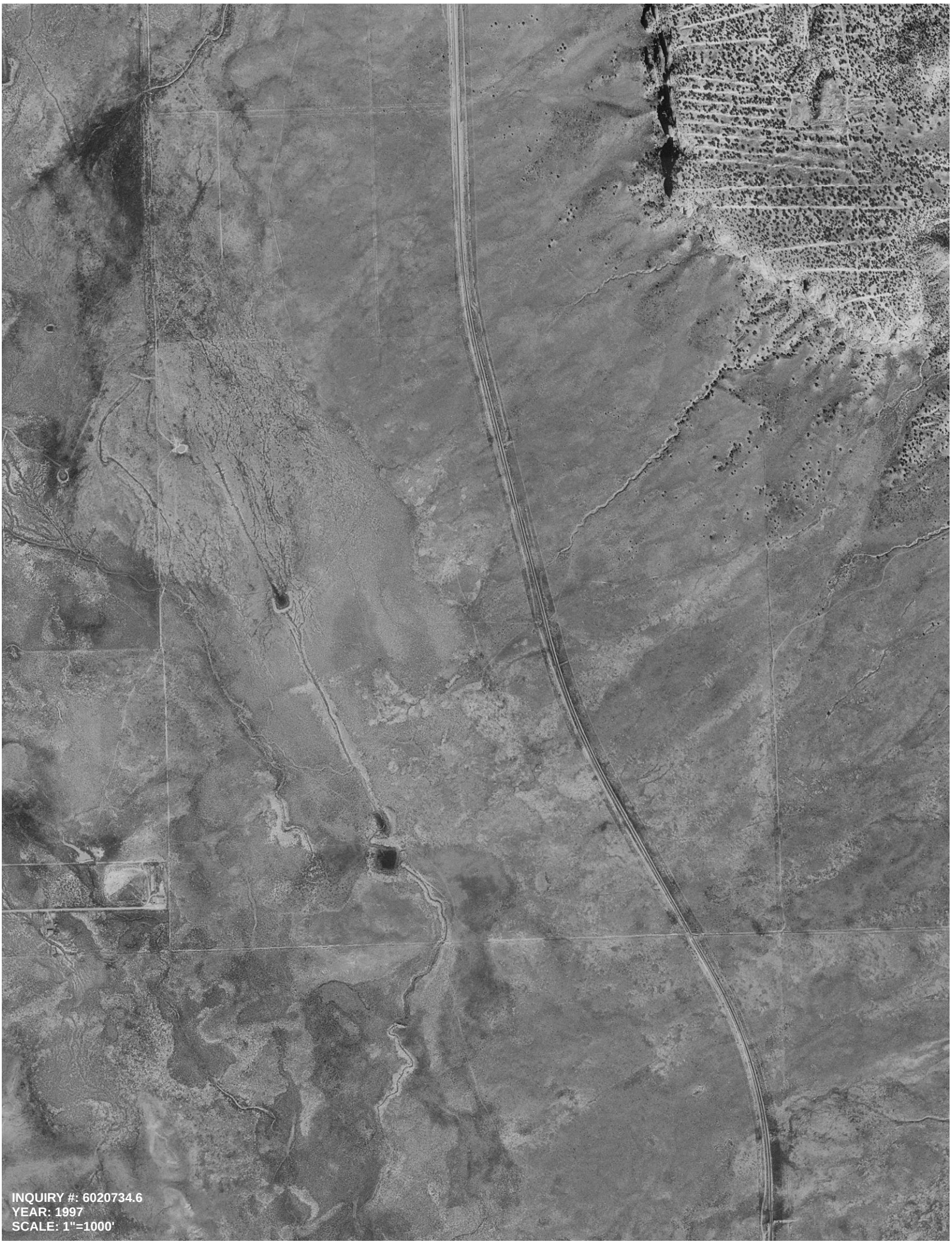

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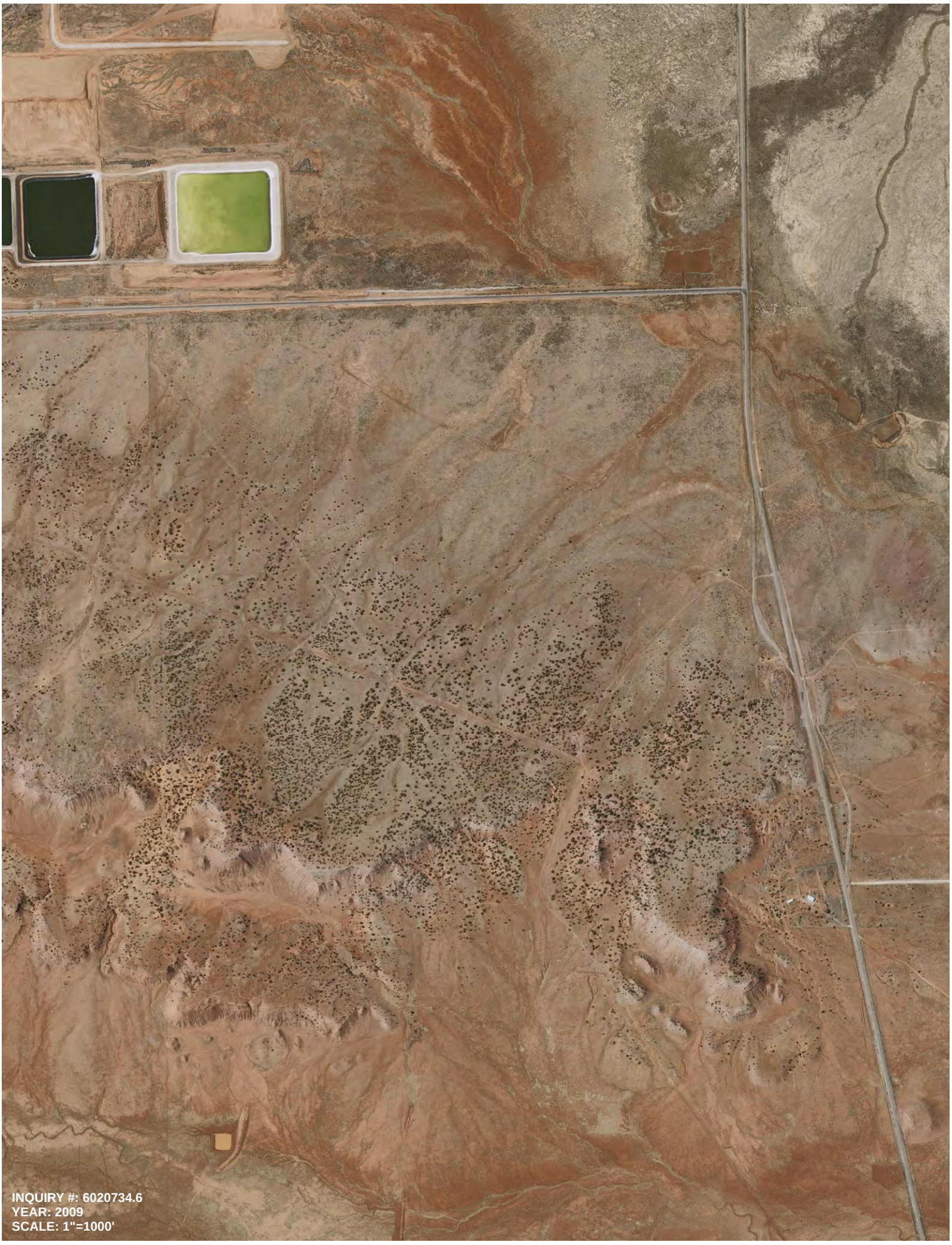
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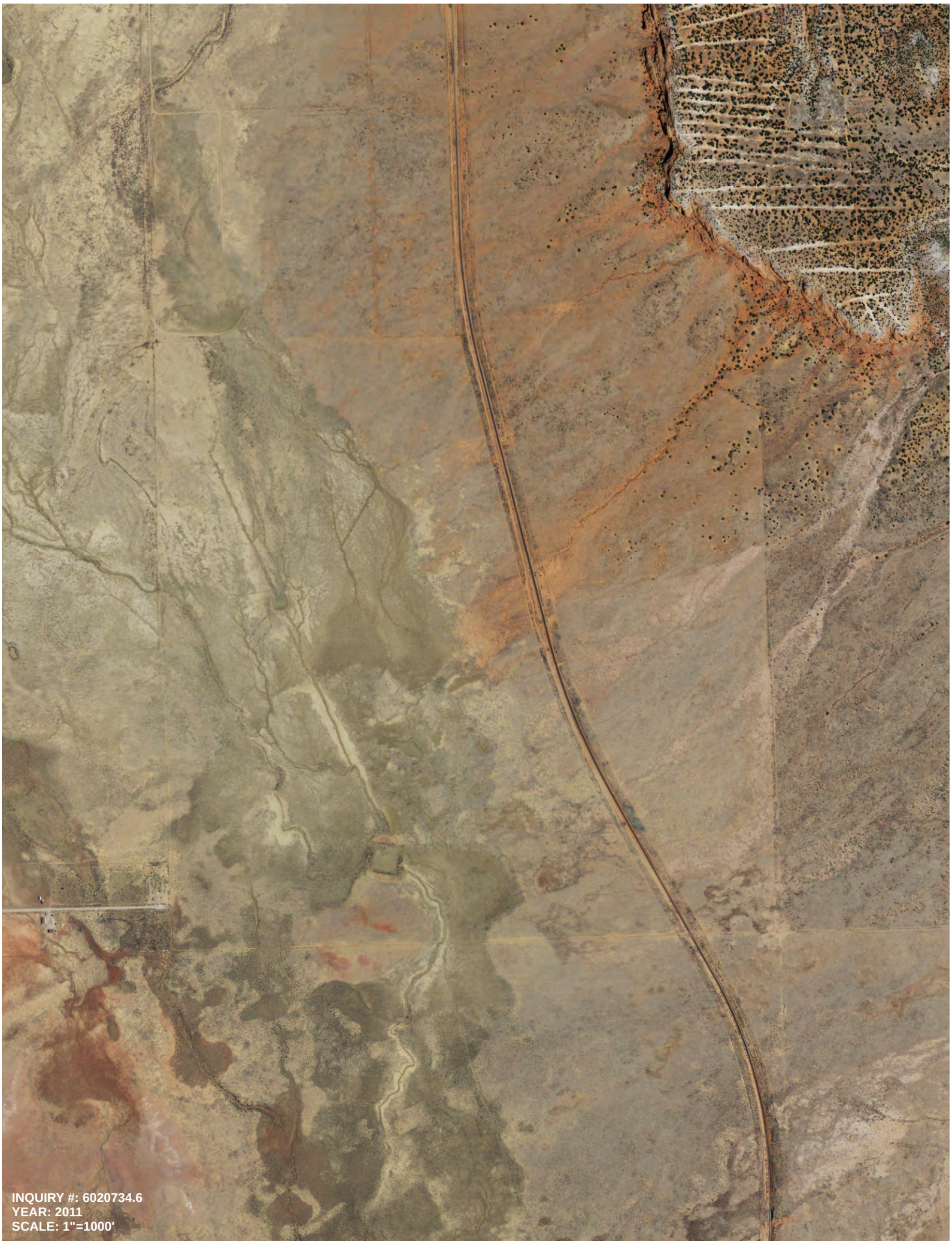
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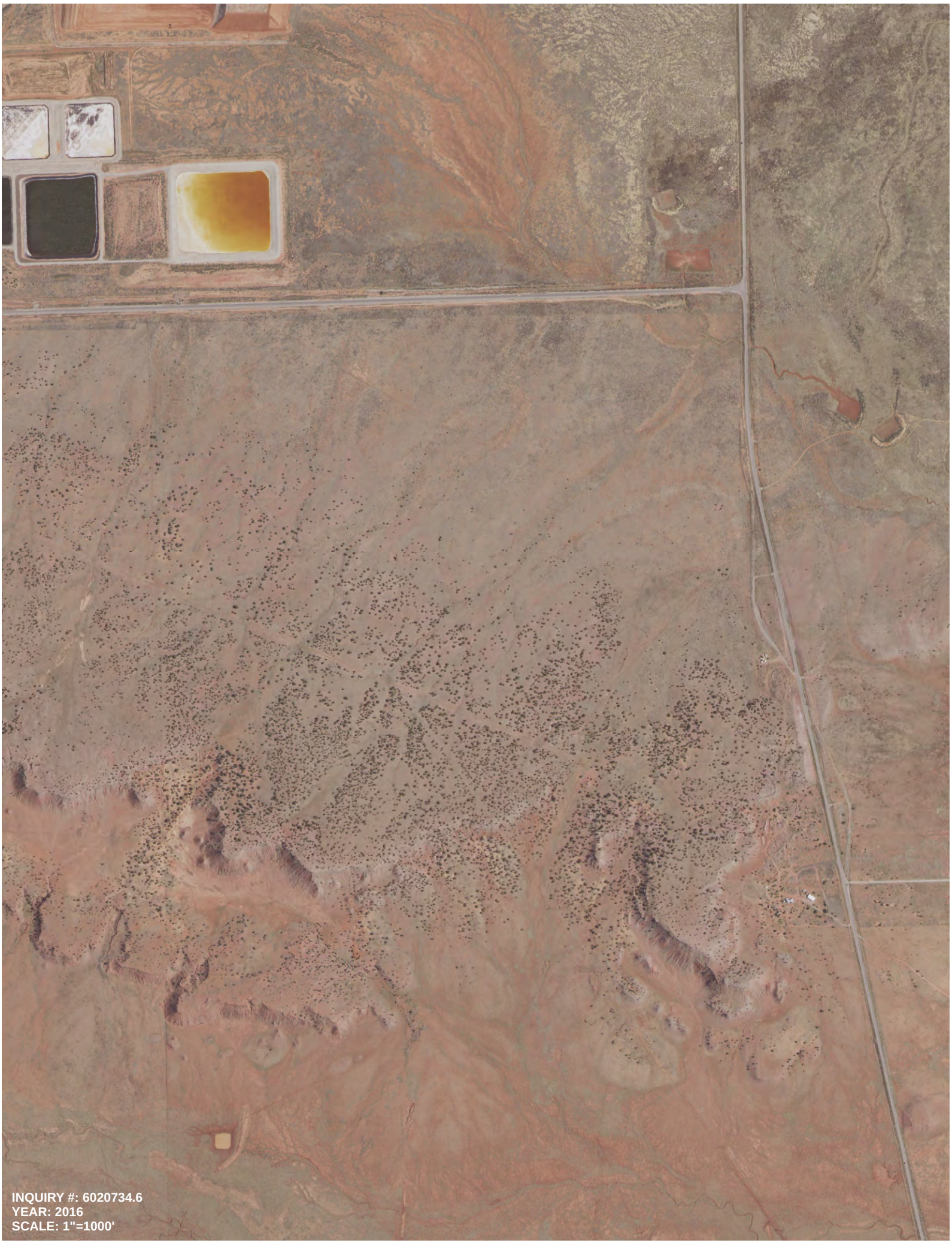

INQUIRY #: 6020734.6
YEAR: 2016
SCALE: 1"=1000'

INQUIRY #: 6020734.6
YEAR: 2016
SCALE: 1"=1000'

Prewitt NM

Section 32 and 36

Thoreau, NM 87323

Inquiry Number: 6020734.5

March 25, 2020

EDR Historical Topo Map Report

with QuadMatch™

6 Armstrong Road, 4th floor
Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

EDR Historical Topo Map Report

03/25/20

Site Name:

Prewitt NM
Section 32 and 36
Thoreau, NM 87323
EDR Inquiry # 6020734.5

Client Name:

Daniel B. Stephens Assoc. Inc.
6020 Academy NE
Albuquerque, NM 87109
Contact: Julie Kutz

EDR Topographic Map Library has been searched by EDR and maps covering the target property location as provided by Daniel B. Stephens Assoc. Inc. were identified for the years listed below. EDR's Historical Topo Map Report is designed to assist professionals in evaluating potential liability on a target property resulting from past activities. EDRs Historical Topo Map Report includes a search of a collection of public and private color historical topographic maps, dating back to the late 1800s.

Search Results:

P.O.# NA

Project: DB20.1071 - Prewitt Phase I s

Coordinates:

Latitude:	35.39899 35° 23' 56" North
Longitude:	-108.043427 -108° 2' 36" West
UTM Zone:	Zone 12 North
UTM X Meters:	768515.56
UTM Y Meters:	3921306.23
Elevation:	6816.00' above sea level

Maps Provided:

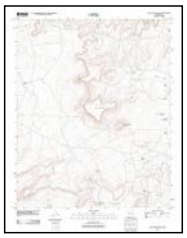
2013
1980
1963

Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

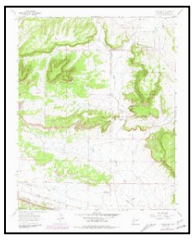
2013 Source Sheets

Thoreau NE
2013
7.5-minute, 24000



Goat Mountain
2013
7.5-minute, 24000

1980 Source Sheets



Thoreau NE
1980
7.5-minute, 24000
Aerial Photo Revised 1978

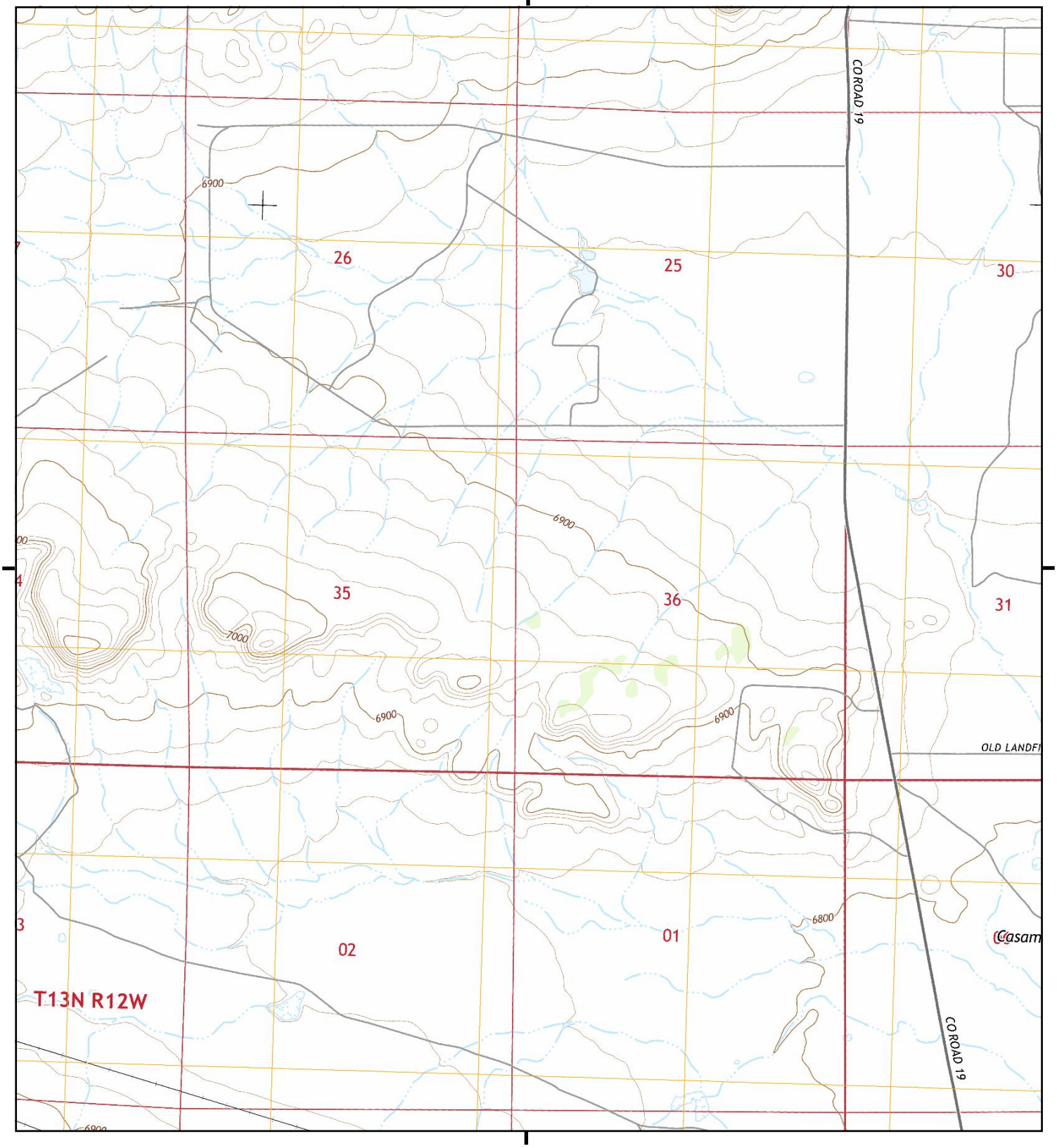
Goat Mountain
1980
7.5-minute, 24000
Aerial Photo Revised 1978

1963 Source Sheets

Thoreau NE
1963
7.5-minute, 24000
Aerial Photo Revised 1958

Historical Topo Map

2013



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

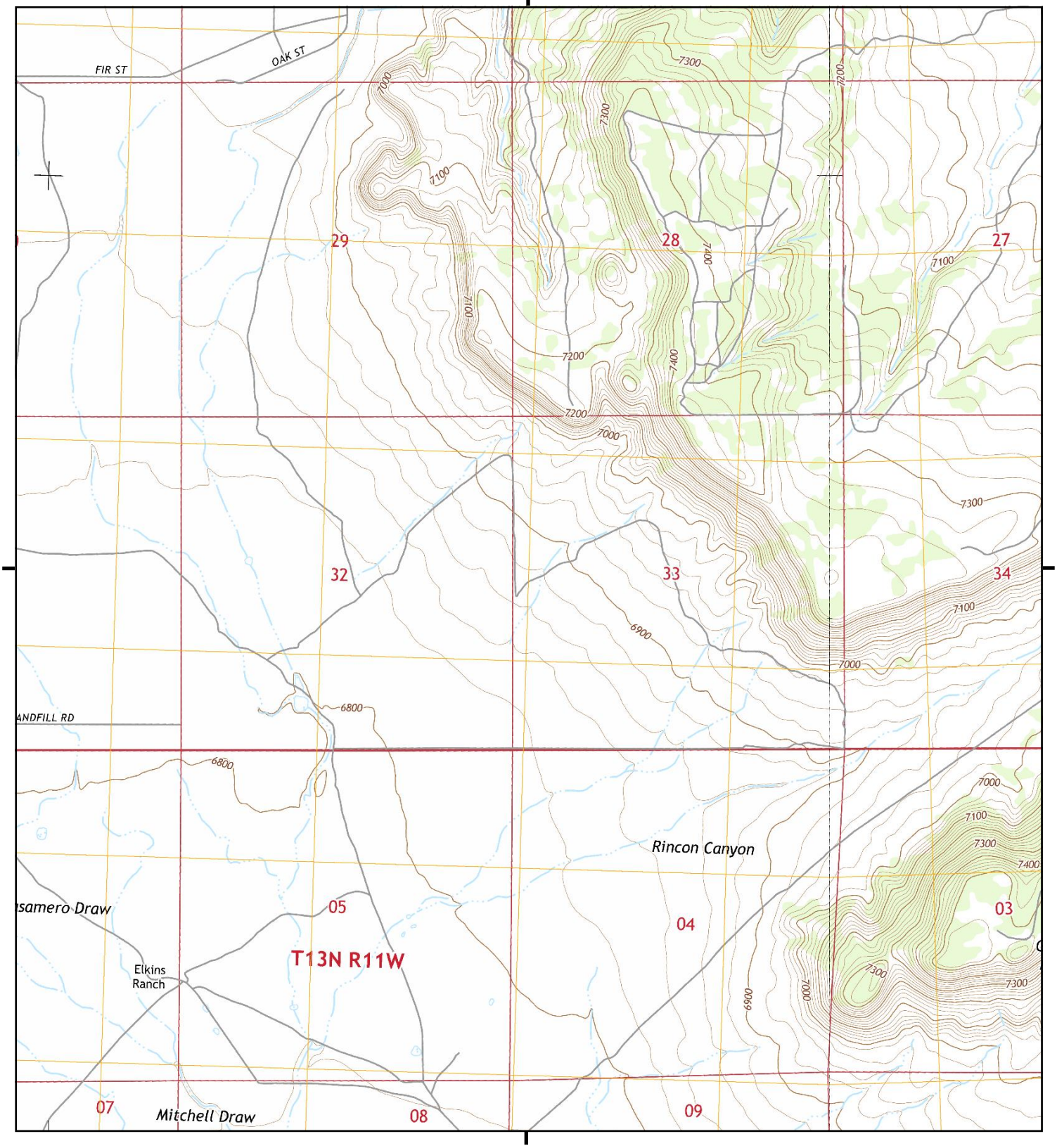
TP, Thoreau NE, 2013, 7.5-minute

SITE NAME: Prewitt NM
ADDRESS: Section 32 and 36
Thoreau, NM 87323
CLIENT: Daniel B. Stephens Assoc. Inc.

N

Historical Topo Map

2013



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

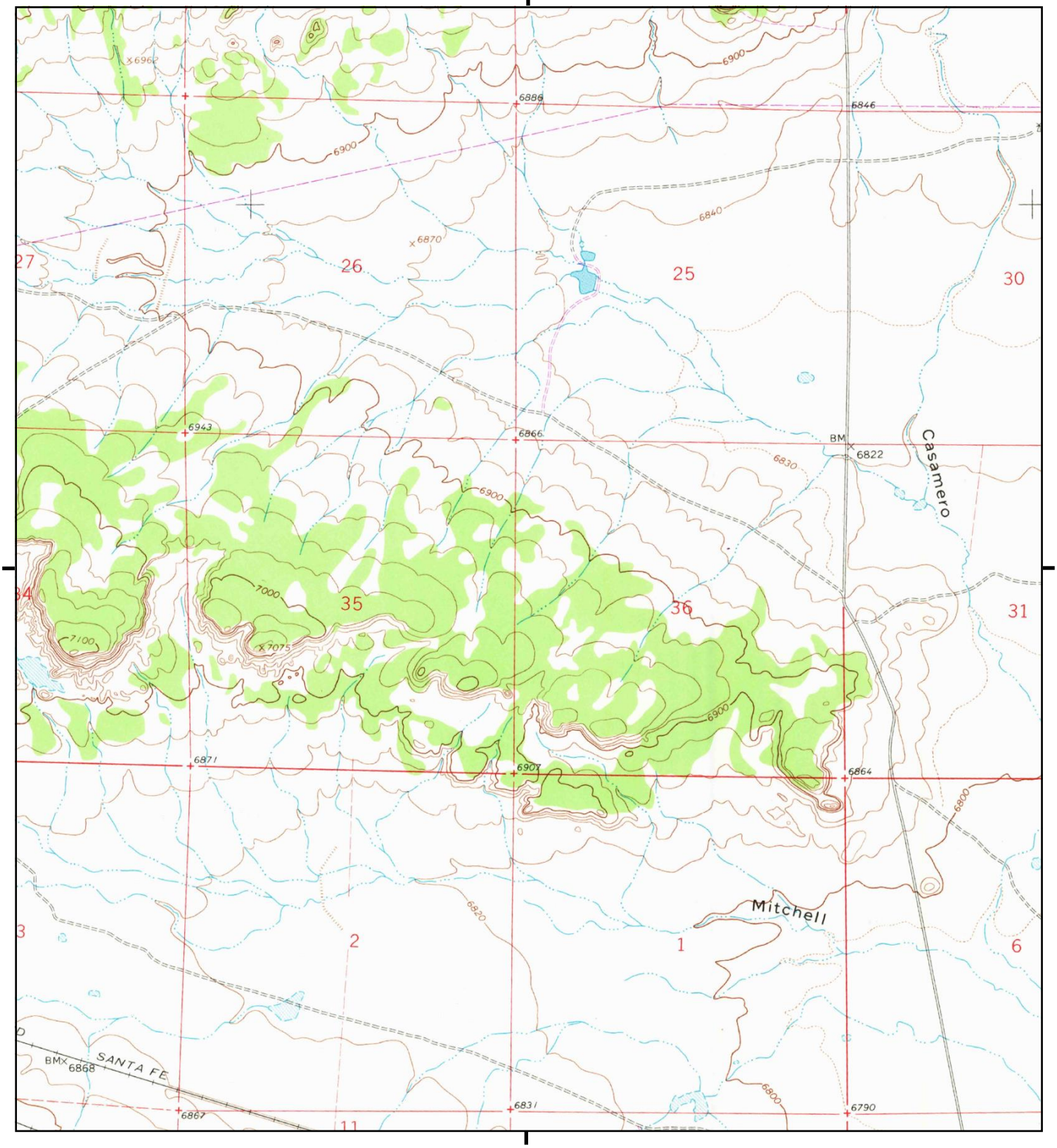
TP, Thoreau NE, 2013, 7.5-minute
NE, Goat Mountain, 2013, 7.5-minute

SITE NAME: Prewitt NM
ADDRESS: Section 32 and 36
Thoreau, NM 87323
CLIENT: Daniel B. Stephens Assoc. Inc.

N

Historical Topo Map

1980



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

TP, Thoreau NE, 1980, 7.5-minute

SITE NAME: Prewitt NM
ADDRESS: Section 32 and 36
Thoreau, NM 87323
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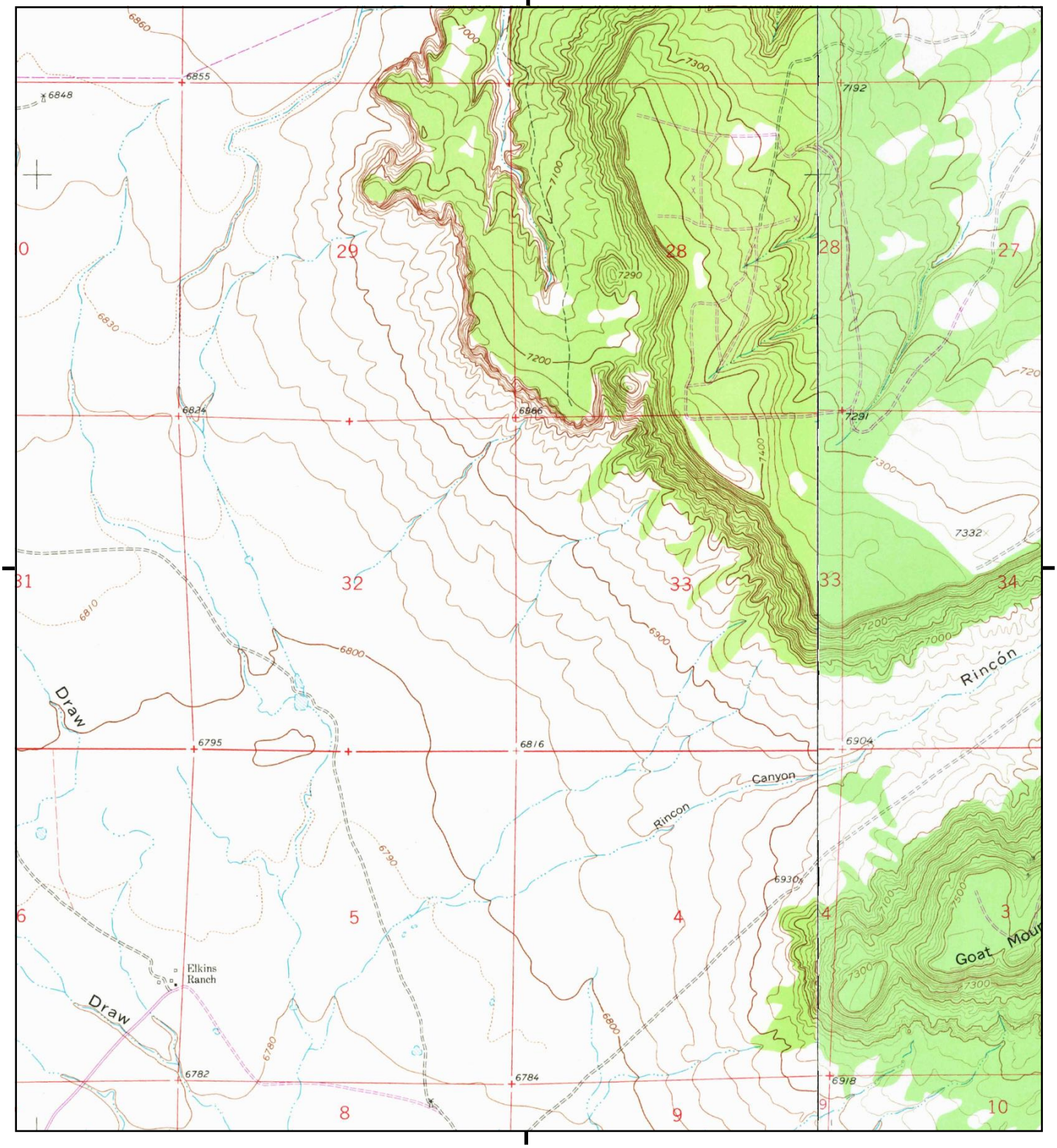


This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

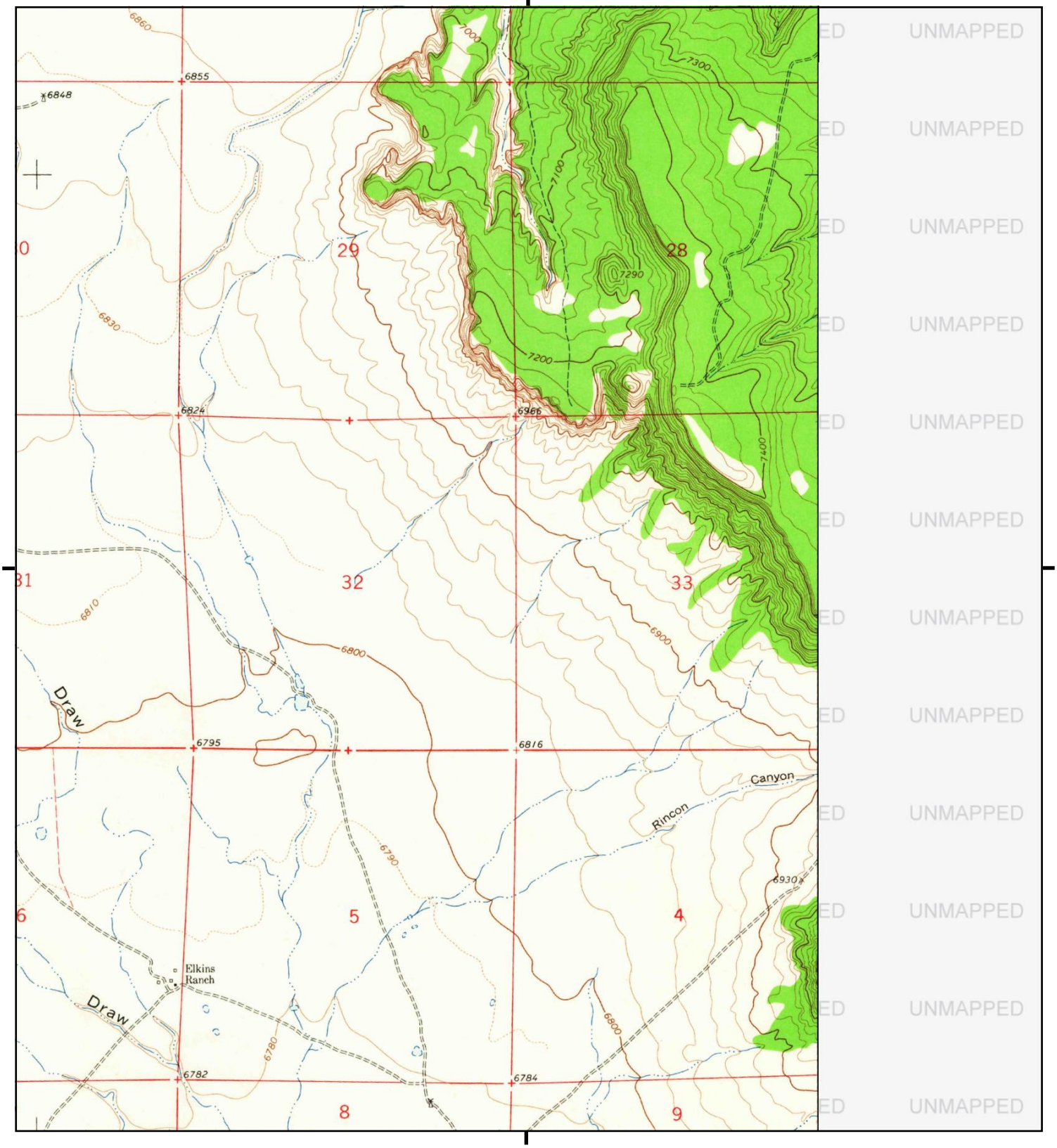
TP, Thoreau NE, 1980, 7.5-minute
NE, Goat Mountain, 1980, 7.5-minute

SITE NAME: Prewitt NM
ADDRESS: Section 32 and 36
Thoreau, NM 87323
CLIENT: Daniel B. Stephens Assoc. Inc.

N

Historical Topo Map

1963



This report includes information from the following map sheet(s).

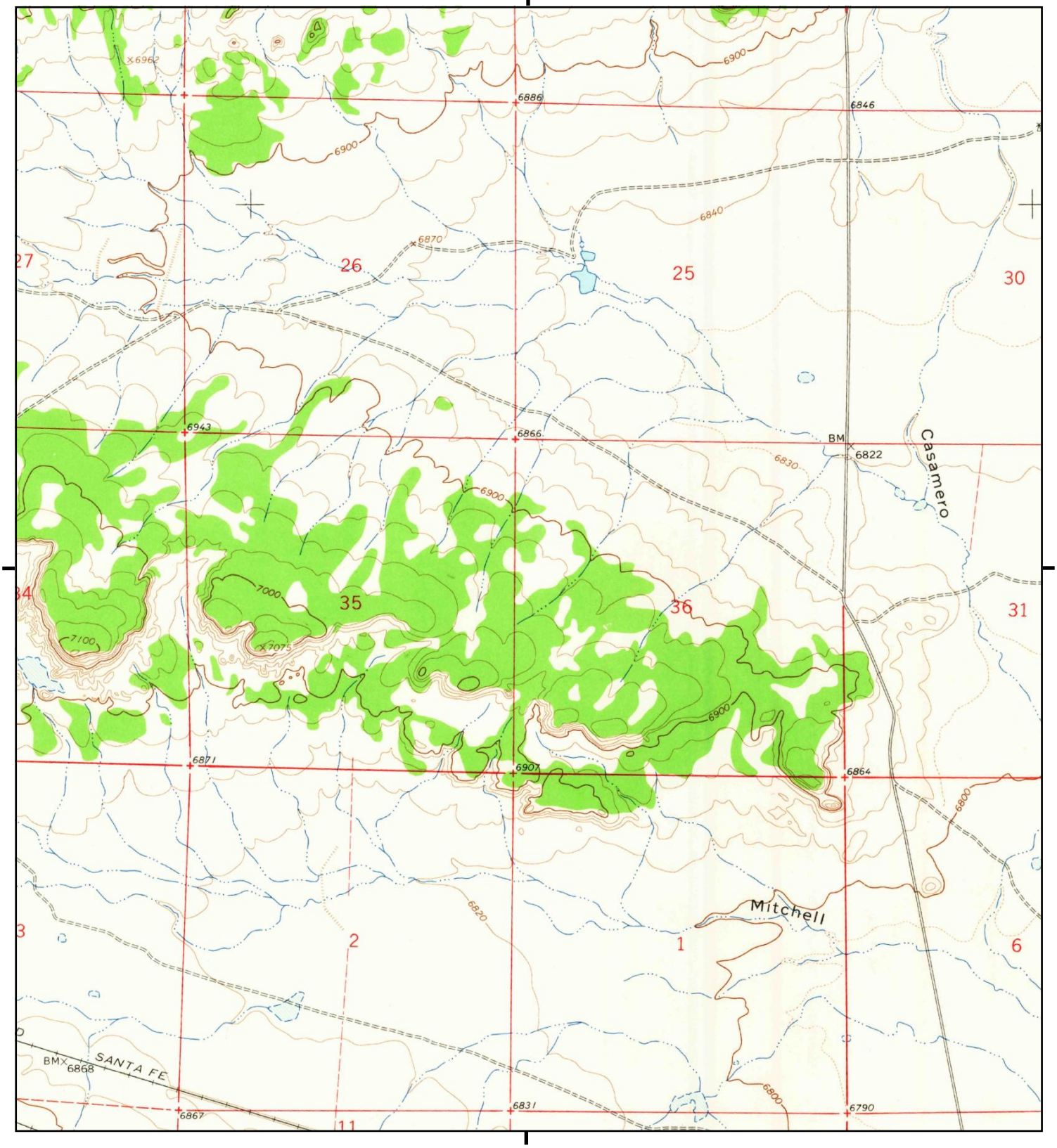
0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

TP, Thoreau NE, 1963, 7.5-minute

SITE NAME: Prewitt NM
ADDRESS: Section 32 and 36
Thoreau, NM 87323
CLIENT: Daniel B. Stephens Assoc. Inc.

N



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

TP, Thoreau NE, 1963, 7.5-minute

SITE NAME: Prewitt NM
ADDRESS: Section 32 and 36
Thoreau, NM 87323
CLIENT: Daniel B. Stephens Assoc. Inc.

N

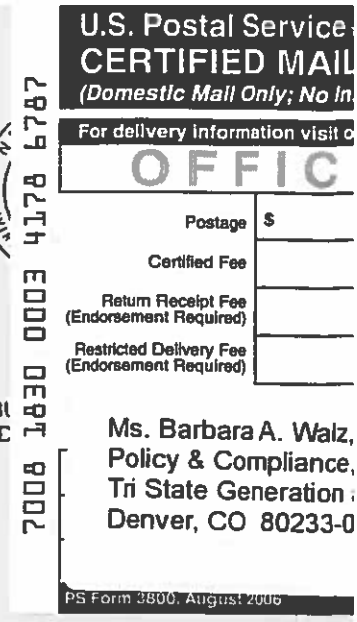
Appendix C

Records Information

NEW MEXICO
ENVIRONMENT DEPARTMENT

SUSANA MARTINEZ
Governor
JOHN A. SANCHEZ
Lieutenant Governor

Harold Runnels Building
1190 St. Francis Drive
P.O. Box 5469, Santa Fe, New Mexico 87502-5469
Phone (505) 827-2855 Fax (505) 827-2965
www.nmenv.state.nm.us



CERTIFIED MAIL – RETURN RECEIPT REQUESTED

February 10, 2015

Barbara A. Walz, Senior Vice President, Policy & Compliance, Chief Compliance Officer
Tri-State Generation and Transmission Association, Inc.
P.O. Box 33695
Denver, Colorado 80233-0695

RE: Discharge Permit Renewal and Modification, DP-206, Escalante Generating Station

Dear Ms. Walz:

The New Mexico Environment Department (NMED) issues the enclosed Discharge Permit Renewal and Modification, DP-206, to Tri-State Generation and Transmission Association, Inc. (permittee) pursuant to the New Mexico Water Quality Act (WQA), NMSA 1978 §§74-6-1 through 74-6-17, and the New Mexico Water Quality Control Commission (WQCC) Regulations, 20.6.2 NMAC.

The Discharge Permit contains terms and conditions that shall be complied with by the permittee and are enforceable by NMED pursuant to Section 20.6.2.3104 NMAC, WQA, NMSA 1978 §74-6-5 and §74-6-10. Please be aware that this Discharge Permit may contain conditions that require the permittee to implement operational, monitoring or closure actions by a specified deadline.

Issuance of this Discharge Permit does not relieve the permittee of the responsibility to comply with the WQA, WQCC Regulations, and any other applicable federal, state and/or local laws and regulations, such as zoning requirements and nuisance ordinances.

Pursuant to Paragraph (4) of Subsection H of 20.6.2.3109 NMAC, the term of the Discharge Permit shall be five years from the effective date. The term of this Discharge Permit will end on **(February 10, 2020)**.

NMED requests that the permittee submit an application for renewal (or renewal and modification) at least 180 days prior to the date the Discharge Permit term ends.

An invoice for the Discharge Permit Fee of $12,650.00 is being sent under separate cover. Payment of the Discharge Permit Fee must be received by NMED within 30 days of the date the Discharge Permit is issued.

If you have any questions, please contact John Rebar Jr. at (505) 827-0018. Thank you for your cooperation during this Discharge Permit review.

Sincerely,

Jerry Schoeppner, Chief
Ground Water Quality Bureau

JS:JR

encs: Discharge Permit Renewal and Modification, DP-206
Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions, Revision 1.1, March 2011

cc: Bill Chavez, District Manager, NMED District I (electronic copy)
NMED Gallup Field Office (electronic copy)
John Romero, Office of the State Engineer (electronic copy)
Chantell Johnson, Senior Environmental Planner, Tri-State Generation and Transmission Association, Inc., P.O. Box 33695 Denver, Colorado 80233-0695 (permit/enclosures)

GROUND WATER DISCHARGE PERMIT RENEWAL AND MODIFICATION
Escalante Generating Station, DP-206

I. INTRODUCTION

The New Mexico Environment Department (NMED) issues this Discharge Permit Renewal and Modification (Discharge Permit), DP-206, to Tri-State Generation and Transmission Association, Inc. (permittee) pursuant to the New Mexico Water Quality Act (WQA), NMSA 1978 §§74-6-1 through 74-6-17, and the New Mexico Water Quality Control Commission (WQCC) Regulations, 20.6.2 NMAC.

NMED's purpose in issuing this Discharge Permit, and in imposing the requirements and conditions specified herein, is to control the discharge of water contaminants from the Escalante Generating Station (EGS) and the McKinley Paper Company (MPC) facilities into ground and surface water, so as to protect ground and surface water for present and potential future use as domestic and agricultural water supply and other uses and protect public health. In issuing this Discharge Permit, NMED has determined that the requirements of Subsection C of 20.6.2.3109 NMAC have been or will be met. Pursuant to Section 20.6.2.3104 NMAC, it is the responsibility of the permittee to comply with the terms and conditions of this Discharge Permit; failure may result in an enforcement action(s) by NMED (20.6.2.1220 NMAC).

The activities which produce the discharge, the location of the discharge, and the quantity, quality and flow characteristics of the discharge are briefly described as follows:

Up to 1,440,000 gallons per day (gpd) industrial wastewater from EGS and up to 17,550 gpd of domestic wastewater from EGS and MPC is discharged to a series of clay-lined and synthetically lined impoundments for disposal by evaporation. Coal-combustion waste solids from EGS are also authorized for disposal in the 97-acre scrubber sludge/fly ash landfill. The modification consists of discharging industrial wastewater to three new synthetically lined impoundments. NMED typically requires synthetically lined impoundments with double liners and leak detection systems for facilities discharging high strength wastes. However, this Discharge Permit authorizes the operation of three additional synthetically lined impoundments with single 60-mil HDPE liners based on the following site specific reasons: 1) the impoundments are designed for maintaining a shallow water depth (low hydraulic head), 2) cross-sections of the local geology document that up to 100-ft of mudstone from the Chinle Formation will act as a confining zone separating the shallow alluvial aquifer from the deeper Correo Sandstone aquifer which is under artesian pressure, 3) the stabilization and possible reduction of some ground water contaminant concentrations in the alluvial aquifer, and 4) the reduction in the vertical and lateral distribution of impacted ground water in the alluvial aquifer. These favorable site specific conditions indicate that the construction and operation of impoundments with double synthetic liners and leak detection is not justified at this time.

The discharge contains water contaminants which may be elevated above the standards of Section 20.6.2.3103 NMAC and/or the presence of toxic pollutants as defined in Subsection WW of 20.6.2.7 NMAC. Data collected from on-site monitoring wells document ground water contamination attributed to one or more sources at this facility. Ground water quality standards for Nitrate as Nitrogen, Sulfate, Total Dissolved Solids and Chloride have been exceeded

according to the criteria of Sections 20.6.2.3101 and 20.6.2.3103 NMAC. This Discharge Permit contains requirements, actions and/or contingencies intended to control the source(s) of documented ground water contamination.

The EGS and MPC facilities are located along CR-19, approximately three miles northwest of Prewitt, in Sections 25, 26 and 27, Township 14N, Range 12W, McKinley County. Ground water most likely to be affected is at a depth ranging from 10-205 feet and has a total dissolved solids concentration of approximately 665 milligrams per liter.

The original Discharge Permit was issued on April 3, 1984 and subsequently renewed and/or modified on May 14, 1985, June 28, 1988, December 9, 1993, July 15, 1994, December 30, 1998, November 30, 2000, September 2, 2008 and August 13, 2010. The application (i.e., discharge plan) consists of the materials submitted by the permittee dated March 4, 2013 and materials contained in the administrative record prior to issuance of this Discharge Permit. The discharge shall be managed in accordance with all conditions and requirements of this Discharge Permit.

Pursuant to Section 20.6.2.3109 NMAC, NMED reserves the right to require a Discharge Permit Modification in the event NMED determines that the requirements of 20.6.2 NMAC are being or may be violated or the standards of Section 20.6.2.3103 NMAC are being or may be violated. This may include a determination that structural controls and/or management practices approved under this Discharge Permit are not protective of ground water quality, and that more stringent requirements to protect ground water quality may be required by NMED. The permittee may be required to implement abatement of water pollution and remediate ground water quality.

Issuance of this Discharge Permit does not relieve the permittee of the responsibility to comply with the WQA, WQCC Regulations, and any other applicable federal, state and/or local laws and regulations, such as zoning requirements and nuisance ordinances.

The following acronyms and abbreviations may be used in this Discharge Permit:

Abbreviation	Explanation	Abbreviation	Explanation
BOD_5	biochemical oxygen demand (5-day)	NTU	nephelometric turbidity units
CFR	Code of Federal Regulations	Org	organisms
Cl	chloride	TDS	total dissolved solids
EPA	United States Environmental Protection Agency	TKN	total Kjeldahl nitrogen
gpd	gallons per day	total nitrogen	= TKN + NO_3-N
LADS	land application data sheet(s)	TRC	Total Residual Chlorine
mg/L	milligrams per liter	TSS	total suspended solids
mL	milliliters	UPC	Uniform Plumbing Code
NMAC	New Mexico Administrative Code	WQA	New Mexico Water Quality Act
NMED	New Mexico Environment Department	WQCC	Water Quality Control Commission

Abbreviation	Explanation		Abbreviation	Explanation
NMSA	New Mexico Statutes Annotated		WWTF	Wastewater Treatment Facility
NO_3-N	nitrate-nitrogen			

II. FINDINGS

In issuing this Discharge Permit, NMED finds:

1. The permittee is discharging effluent or leachate from the facility so that such effluent or leachate may move directly or indirectly into ground water within the meaning of Section 20.6.2.3104 NMAC.

2. The permittee is discharging effluent or leachate from the facility so that such effluent or leachate may move into ground water of the State of New Mexico which has an existing concentration of 10,000 mg/L or less of TDS within the meaning of Subsection A of 20.6.2.3101 NMAC.

3. The discharge from the facility is not subject to any of the exemptions of Section 20.6.2.3105 NMAC.

III. AUTHORIZATION TO DISCHARGE

Pursuant to 20.6.2.3104 NMAC, it is the responsibility of the permittee to ensure that discharges authorized by this Discharge Permit are consistent with the terms and conditions herein.

The permittee is authorized to discharge up to 1,457,550 gpd of wastewater from the EGS and the MPC facilities to a series of clay-lined and synthetically lined impoundments for disposal by evaporation. The discharge includes:

1. Up to 13,000 gpd of domestic wastewater discharged from EGS to two clay-lined evaporative impoundments (SL-E and SL-W) and up to 4,550 gpd of domestic wastewater discharged from MPC to two synthetically lined evaporative impoundments (MPC-N and MPC-S) located at the EGS facility.
2. Up to 1,440,000 gpd of plant process water discharged from EGS to a series of eight evaporative impoundments (EVAP 1, EVAP 2, EVAP 2A, EVAP 3, EVAP 3A, EVAP 4, EVAP 4A and EVAP 5). EVAP 1, EVAP 2 and EVAP 3 are clay-lined and EVAP 2A, EVAP 3A, EVAP 4, EVAP 4A and EVAP5 are synthetically lined.
3. Water from the bottom ash system discharged to two clay-lined impoundments (BA-N and BA-S).
4. Plant drain discharges to the clay-lined oil-water emergency impoundment (PDO) when the design capacity of the oil-water separator is exceeded.
5. Waste slurry from the sulfur dioxide absorber system (SDAS) discharged to the clay-lined emergency scrubber impoundment (ESP) during periods when the normal discharge of SDAS waste slurry to EVAP 1 is not possible.
6. Lime-soda sludge, used in the softening process at the water treatment plant, discharged to two clay-lined sludge disposal impoundments (WTP-N and WTP-S).

7. Stormwater runoff from the coal yard area discharged to the unlined coal yard runoff (CYR) retention impoundment, which is designed to retain 25 percent more than the runoff expected from inside the railroad loop during a 10-year/24-hour storm event.
8. Dewatered coal-combustion wastes (bottom ash, fly ash and SDAS sludge) and water treatment plant sludge transferred to the 97-acre scrubber sludge/fly ash landfill for disposal.

[20.6.2.3104 NMAC, Subsection C of 20.6.2.3106 NMAC, Subsection C of 20.6.2.3109 NMAC]

IV. CONDITIONS

NMED issues this Discharge Permit for the discharge of water contaminants subject to the following conditions:

A. SITEWIDE OPERATIONAL PLAN, MONITORING, REPORTING AND OTHER REQUIREMENTS FOR ALL WASTESTREAMS

#	Terms and Conditions
1.	The permittee shall implement the following operational plan to ensure compliance with Title 20, Chapter 6, Parts 1 and 2 NMAC. [Subsection C of 20.6.2.3109 NMAC]
2.	The permittee shall operate in a manner such that standards and requirements of Sections 20.6.2.3101 and 20.6.2.3103 NMAC are not violated. [20.6.2.3101 NMAC, 20.6.2.3103 NMAC, Subsection C of 20.6.2.3109 NMAC]
3.	The permittee shall maintain signs indicating that the wastewater at EGS is not potable. Signs shall be posted at the facility entrance and other areas where there is potential for public contact with wastewater. All signs shall be printed in English and Spanish and shall remain visible and legible for the term of this Discharge Permit. [Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]
4.	The permittee shall conduct the following monitoring, reporting, and other requirements listed below in accordance with the monitoring requirements of this Discharge Permit. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
5.	METHODOLOGY – Unless otherwise approved in writing by NMED, the permittee shall conduct sampling and analysis in accordance with the most recent edition of the following documents: a) American Public Health Association, Standard Methods for the Examination of Water and Wastewater (18^{th}, 19^{th} or current) b) U.S. Environmental Protection Agency, Methods for Chemical Analysis of Water

<table>
<tr><th>#</th><th>Terms and Conditions</th></tr>
<tr><td></td><td>and Waste
c) U.S. Geological Survey, Techniques for Water Resources Investigations of the U.S. Geological Survey
d) American Society for Testing and Materials, Annual Book of ASTM Standards, Part 31. Water
e) U.S. Geological Survey, et al., National Handbook of Recommended Methods for Water Data Acquisition
f) Federal Register, latest methods published for monitoring pursuant to Resource Conservation and Recovery Act regulations
g) Methods of Soil Analysis: Part 1. Physical and Mineralogical Methods; Part 2. Microbiological and Biochemical Properties; Part 3. Chemical Methods, American Society of Agronomy

[Subsection B of 20.6.2.3107 NMAC]</td></tr>
<tr><td>6.</td><td>The permittee shall submit semi-annual monitoring reports to NMED for the most recently completed semi-annual period by the 1st of February and August each year.

Semi-annual monitoring shall be performed during the following periods and submitted as follows:
• January 1st through June 30th (first half) – due by August 1st
• July 1st through December 31st (second half) – due by February 1st

[Subsection A of 20.6.2.3107 NMAC]</td></tr>
<tr><td>7.</td><td>The permittee shall perform semi-annual ground water sampling in the following 41 monitoring wells and analyze the samples for Aluminum (Al), Arsenic (As), Barium (Ba), Boron (B), Cadmium (Cd), Calcium (Ca), Chloride (Cl), Cobalt (Co), Copper (Cu), Chromium (Cr), Fluoride (F), Iron (Fe), Mercury (Hg), Lead (Pb), Magnesium (Mg), Manganese (Mn), Molybdenum (Mo), Nickel (Ni), Potassium (K), Selenium (Se), Sodium (Na), Zinc (Zn), Carbonate (CO_3), Cyanide (CN^-), Bicarbonate (HCO_3^-), Nitrate-Nitrogen (NO_3-N), Sulfate (SO_4), Total Kjeldahl Nitrogen (TKN), Total Dissolved Solids (TDS), conductivity, Phenols and pH:

Quaternary Alluvium Wells
<table>
<tr><td>QAL-1 (35°25’7”N, 108°5’8”W)</td><td>QAL-16-R (35°24’37”N, 108°3’59”W)</td></tr>
<tr><td>QAL-2 (35°24’56”N, 108°5’16”W)</td><td>QAL-17-R (35°24’34”N, 108°3’53”W)</td></tr>
<tr><td>QAL-3 (35°24’51”N, 108°4’2”W)</td><td>QAL-21 (35°24’57”N, 108°3’58”W)</td></tr>
<tr><td>QAL-4 (35°24’50”N, 108°3’49”W)</td><td>QAL-22 (35°24’58”N, 108°3’48”W)</td></tr>
<tr><td>QAL-5 (35°24’47”N, 108°3’8”W)</td><td>QAL-23 (35°24’57”N, 108°4’8”W)</td></tr>
<tr><td>QAL-6 (35°24’20”N, 108°3’9”W)</td><td>QAL-24 (35°24’54”N, 108°3’36”W)</td></tr>
</table></td></tr>
</table>

#	**Terms and Conditions**

QAL-7 (35°24'54"N, 108°5'1"W)	QAL-25 (35°24'42"N, 108°3'49"W)
QAL-8 (35°24'57"N, 108°4'49"W)	QAL-26 (35°24'37"N, 108°3'52"W)
QAL-9 (35°24'47"N, 108°4'42"W)	QAL-27 (35°24'42"N, 108°3'56"W)
QAL-10 (35°24'44"N, 108°4'42"W)	QAL-28 (35°24'27"N, 108°3'44"W)
QAL-11 (35°24'53"N, 108°4'36"W)	QAL-29 (35°24'34"N, 108°3'48"W)
QAL-12-97 (35°24'52"N, 108°4'21"W)	QAL-30 (35°24'27"N, 108°4'11"W)
QAL-13 (35°24'38"N, 108°4'22"W)	QAL-31 (35°24'52"N, 108°3'37"W)
QAL-14 (35°24'37"N, 108°4'13"W)	QAL-32 (35°24'40"N, 108°3'35"W)
QAL-15 (35°24'34"N, 108°4'13"W)	

Correo Sandstone Wells

Trcpc-1 (35°25'7"N, 108°5'8"W)	Trcpc-8 (35°24'28"N, 108°4'13"W)
Trcpc-2 (35°25'12"N, 108°4'18"W)	Trcpc-9 (35°24'29"N, 108°3'55"W)
Trcpc-3 (35°24'44"N, 108°4'42"W)	Trcpc-10 (35°24'35"N, 108°4'41"W)
Trcpc-5 (35°24'56"N, 108°5'16"W)	Trcpc-11 (35°24'29"N, 108°4'24"W)
Trcpc-6 (35°24'28"N, 108°4'13"W)	Trcpc-12 (35°24'35"N, 108°4'30"W)
Trcpc-7 (35°24'35"N, 108°3'54"W)	Trcpc-13-R (well location approved on April 9, 2014; coordinates to be provided upon well installation)

Ground water sample collection, preservation, transport and analysis shall be performed according to the following procedure:

a) Measure the depth-to-most-shallow ground water from the top of the well casing to the nearest hundredth of a foot.
b) Purge three well volumes of water from the well prior to sample collection.
c) Obtain samples from the well for analysis.
d) Properly prepare, preserve and transport samples.
e) Analyze samples in accordance with the methods authorized in this Discharge Permit.

Depth-to-most-shallow ground water measurements, analytical results, including the laboratory QA/QC summary report, and a facility layout map showing the location and number of each well shall be submitted to NMED in the semi-annual monitoring reports.

[Subsection A of 20.6.2.3107 NMAC]

B. DOMESTIC WASTESTREAMS OPERATIONAL PLAN, MONITORING, REPORTING AND OTHER REQUIREMENTS

#	Terms and Conditions
8.	The permittee shall utilize operators, certified by the State of New Mexico at the appropriate level, to operate the domestic wastewater collection, treatment and disposal systems. The operations and maintenance of all or any part of the domestic wastewater system shall be performed by, or under the direct supervision of, a certified operator. [Subsection C of 20.6.2.3109 NMAC, 20.7.4 NMAC]
9.	The permittee shall maintain the impoundment liner(s) in such a manner as to avoid conditions which could affect the structural integrity of the impoundment(s) and/or impoundment liner(s). Such conditions include or may be characterized by the following: • erosion damage; • animal burrows or other damage; • the presence of vegetation including aquatic plants, weeds, woody shrubs or trees growing within five feet of the top inside edge of a sub-grade impoundment, within five feet of the toe of the outside berm of an above-grade impoundment, or within the impoundment itself; • the presence of large debris or large quantities of debris in the impoundment; • evidence of seepage; and • evidence of berm subsidence. Vegetation growing around the impoundment shall be routinely controlled by mechanical removal in a manner that is protective of the impoundment liner. The permittee shall visually inspect the impoundment(s) and surrounding berms on a monthly basis to ensure proper maintenance. In the event that inspection reveals any evidence of damage that threatens the structural integrity of an impoundment berm or liner, or that may result in an unauthorized discharge, the permittee shall enact the contingency plan set forth in this Discharge Permit. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
10.	The permittee shall preserve a minimum of two feet of freeboard between the liquid level in the impoundment(s) and the elevation of the top of the impoundment liner. In the event that the permittee determines that two feet of freeboard cannot be preserved in the impoundment, the permittee shall enact the contingency plan set forth in this Discharge Permit. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
11.	The permittee shall collect a composite wastewater sample on a semi-annual basis (once

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	every six months) from representative locations within MPC-N, MPC-S, SL-E and SL-W. The composite sample shall consist of a minimum of six equal aliquots collected around the entire perimeter of the evaporative impoundment and thoroughly mixed. The composite sample shall be analyzed for SO_4, TKN, NO_3-N, TDS and Cl. Samples shall be properly prepared, preserved, transported and analyzed in accordance with the methods authorized in this Discharge Permit. Analytical results shall be submitted to NMED in the semi-annual monitoring reports. [Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]
12.	The permittee shall estimate the monthly volume of domestic wastewater discharged from the monthly meter readings for EGS's domestic water supply and an estimated 1% usage factor from the supply meter to MPC. The actual monthly meter readings from EGS's domestic water supply meter and MPC's meter shall be submitted to NMED in the semi-annual monitoring reports. The water supply meters shall be kept operational at all times. [Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]

C. INDUSTRIAL WASTESTREAMS OPERATIONAL PLAN, MONITORING, REPORTING AND OTHER REQUIREMENTS

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13.	The permittee shall maintain the impoundment liner(s) in such a manner as to avoid conditions which could affect the structural integrity of the impoundment(s) and/or impoundment liner(s). Such conditions include or may be characterized by the following: • erosion damage; • animal burrows or other damage; • the presence of vegetation including aquatic plants, weeds, woody shrubs or trees growing within five feet of the top inside edge of a sub-grade impoundment, within five feet of the toe of the outside berm of an above-grade impoundment, or within the impoundment itself; • the presence of large debris or large quantities of debris in the impoundment; • evidence of seepage; and • evidence of berm subsidence. Vegetation growing around the impoundment shall be routinely controlled by mechanical removal in a manner that is protective of the impoundment liner. The permittee shall visually inspect the impoundment(s) and surrounding berms on a monthly basis to ensure proper maintenance. In the event that inspection reveals any

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	evidence of damage that threatens the structural integrity of an impoundment berm or liner, or that may result in an unauthorized discharge, the permittee shall enact the contingency plan set forth in this Discharge Permit. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
14.	The permittee shall preserve a minimum of two feet of freeboard between the liquid level in the impoundment(s) and the elevation of the top of the impoundment liner. In the event that the permittee determines that two feet of freeboard cannot be preserved in the impoundment, the permittee shall enact the contingency plan set forth in this Discharge Permit. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
15.	The permittee shall perform semi-annual ground water sampling in the monitoring well QAL-7 and analyze the sample for petroleum hydrocarbons. Ground water sample collection, preservation, transport and analysis shall be performed according to the following procedure: a) Measure the depth-to-most-shallow ground water from the top of the well casing to the nearest hundredth of a foot. b) Purge three well volumes of water from the well prior to sample collection. c) Obtain samples from the well for analysis. d) Properly prepare, preserve and transport samples. e) Analyze samples in accordance with the methods authorized in this Discharge Permit. Depth-to-most-shallow ground water measurements, analytical results, including the laboratory QA/QC summary report, and a facility layout map showing the location and number of each well shall be submitted to NMED in the semi-annual monitoring reports. [Subsection A of 20.6.2.3107 NMAC]
16.	The permittee shall collect a composite wastewater sample on a semi-annual basis (once every six months) from representative locations within each evaporative impoundment: EVAP 1, EVAP 2, EVAP 2A, EVAP 3, EVAP 3A, EVAP 4, EVAP 4A, EVAP 5, BA-N, BA-S, PDO, ESP and CYR retention impoundment. The composite sample shall consist of a minimum of six equal aliquots collected around the entire perimeter of the evaporative impoundment and thoroughly mixed. The composite sample shall be analyzed for Al, As, Ba, B, Cd, Ca, Cl, Co, Cu, Cr, F, Fe, Hg, Pb, Mg, Mn, Mo, Ni, K, Se, Na, Zn, CO_3, CN^-, HCO_3, SO_4, NO_3-N, TKN, TDS, conductivity, Phenols and pH. Samples shall be properly prepared, preserved, transported and analyzed in accordance with the methods authorized in this Discharge Permit. Analytical results shall be

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	submitted to NMED in the semi-annual monitoring reports. [Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]
17.	The permittee shall perform semi-annual sampling, using approved methodologies, for wastestreams being disposed of in the scrubber sludge/fly ash landfill area. Prior to landfill disposal, the permittee shall collect and analyze one representative sample of each solid wastestream (bottom ash, fly ash and SDAS) for Al, As, Ba, B, Cd, Ca, Cl, Co, Cu, Cr, F, Fe, Hg, Pb, Mg, Mn, Mo, Ni, K, Se, Na, Zn, CO_3, CN^-, HCO_3, SO_4, NO_3-N, TKN, TDS, conductivity, Phenols and pH. The collection methods, analytical results and a map showing the sampling locations shall be submitted to NMED in the semi-annual monitoring reports. [Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]
18.	The permittee shall determine the annual volume (in cubic yards) of each solid wastestream (bottom ash, fly ash and SDAS) disposed of in the landfill and submit volumes to NMED in the semi-annual monitoring report due on the 1st of February. [Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]
19.	The permittee shall measure the monthly volume of industrial wastewater discharged to the evaporative impoundments (EVAP 1, EVAP 2, EVAP 2A, EVAP 3, EVAP 3A, EVAP 4, EVAP 4A and EVAP 5) using a totalizing flow meter located at the lift station just prior to the evaporative impoundments. The actual monthly meter readings and monthly discharge volumes shall be submitted to NMED in the semi-annual monitoring reports. The flow meters shall be calibrated to within +/- 10% of actual flow and kept operational at all times. [Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]
20.	The permittee shall maintain a minimum of 36-inch earthen cap on the scrubber sludge/fly ash landfill consisting of excavated non-acid generating native top-soil capable of supporting plant growth and approved by NMED. The cover shall be designed as a water store and release cover with top surfaces constructed to a final grade of approximately two percent. The slopes to interbench slopes shall be no steeper than a 3:1 ratio unless otherwise approved by NMED. [Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]
21.	The permittee shall re-vegetate the scrubber sludge/fly ash landfill earthen cap to: 1) optimize the effectiveness of the water storage and release cover to reduce infiltration into underlying materials, 2) promote evapotranspiration from the cover system, and 3) provide cover stability and protection from wind and water erosion. Re-vegetation

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	activities shall be completed as soon as practicable following the final cover placement, but in conjunction with the growing season to provide the best opportunity for successful re-vegetation. [Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]
22.	On October 17, 2001, NMED approved a Corrective Action Plan, which designated monitoring wells (QAL-4, QAL-24, QAL-31 and QAL-32) as "trigger points" for the initiation of the Corrective Action Plan for the remediation of contamination within the Quaternary alluvial aquifer. This Corrective Action Plan will remain in effect unless ground water conditions change at the facility or a more effective approach is identified. At such a time, Tri-State will submit a revised Corrective Action Plan to be approved by NMED. [Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]

D. CONTINGENCY PLAN

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23.	In the event that ground water monitoring indicates that a ground water quality standard identified in Section 20.6.2.3103 NMAC is exceeded; the total nitrogen concentration in ground water is greater than 10 mg/L; or a toxic pollutant (defined in Subsection WW of 20.6.2.7 NMAC) is present in a ground water sample and in any subsequent ground water sample collected from a monitoring well required by this Discharge Permit, the permittee shall enact the following contingency plan: Within 60 days of the subsequent sample analysis date, the permittee shall propose measures to ensure that the exceedance of the standard or the presence of a toxic pollutant will be mitigated by submitting a corrective action plan to NMED for approval. The corrective action plan shall include a description of the proposed actions to control the source and an associated completion schedule. The plan shall be enacted as approved by NMED. The requirement to submit a corrective action plan is not applicable to the exceedances of ground water standards known to exist within the alluvial aquifer at the issuance of this Discharge Permit. Once invoked (whether during the term of this Discharge Permit; or after the term of this Discharge Permit and prior to the completion of the Discharge Permit closure plan requirements), this condition shall apply until the permittee has fulfilled the requirements of this condition and ground water monitoring confirms for a minimum of two years of consecutive ground water sampling events that the standards of Section

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	20.6.2.3103 NMAC are not exceeded and toxic pollutants are not present in ground water. The permittee may be required to abate water pollution pursuant to Sections 20.6.2.4000 through 20.6.2.4115 NMAC, should the corrective action plan not result in compliance with the standards and requirements set forth in Section 20.6.2.4103 NMAC within 180 days of confirmed ground water contamination. [Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]
24.	In the event that ground water flow information obtained pursuant to this Discharge Permit indicates that a monitoring well(s) is not located hydrologically downgradient of the discharge location(s) it is intended to monitor, the permittee shall install a replacement well(s) within 120 days following notification from NMED. The permittee shall survey the replacement monitoring well(s) within 150 days following notification from NMED. Replacement well location(s) shall be approved by NMED prior to installation and completed in accordance with the attachment titled *Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions*, Revision 1.1, March 2011. The permittee shall submit construction and lithologic logs, survey data and a ground water elevation contour map within 30 days following well completion. [Subsection A of 20.6.2.3107 NMAC]
25.	In the event that inspection findings reveal significant damage likely to affect the structural integrity of the lined impoundment(s) or its ability to contain contaminants, the permittee shall propose the repair or replacement of the impoundment liner(s) by submitting a corrective action plan to NMED for approval. The plan shall be submitted to NMED within 30 days after discovery by the permittee or following notification from NMED that significant liner damage is evident. The corrective action plan shall include a schedule for completion of corrective actions and the permittee shall initiate implementation of the plan following approval by NMED. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
26.	In the event that a minimum of two feet of freeboard cannot be preserved in the impoundment(s), the permittee shall take actions authorized by this Discharge Permit and all applicable local, state, and federal regulations to restore the required freeboard. In the event that two feet of freeboard cannot be restored within a period of 72 hours following discovery, the permittee shall propose actions to be immediately implemented to restore two feet of freeboard by submitting a short-term corrective action plan to NMED for approval. Examples of short-term corrective actions include: removing

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	excess wastewater from the impoundment through pumping and hauling; or reducing the volume of wastewater discharged to the impoundment. The plan shall include a schedule for completion of corrective actions and shall be submitted within 15 days following the date when the two feet of freeboard limit was initially discovered. The permittee shall initiate implementation of the plan following approval by NMED. In the event that the short-term corrective actions failed to restore two feet of freeboard, the permittee shall propose permanent corrective actions in a long-term corrective action plan submitted to NMED within 90 days following failure of the short-term corrective action plan. Examples include: the installation of an additional storage impoundment, or a significant/permanent reduction in the volume of wastewater discharged to the impoundment. The plan shall include a schedule for completion of corrective actions and implementation of the plan shall be initiated following approval by NMED. [Subsection A of 20.6.2.3107 NMAC]
27.	In the event that a release (commonly known as a "spill") occurs that is not authorized under this Discharge Permit, the permittee shall take measures to mitigate damage from the unauthorized discharge and initiate the notifications and corrective actions required in Section 20.6.2.1203 NMAC and summarized below. Within 24 hours following discovery of the unauthorized discharge, the permittee shall verbally notify NMED and provide the following information: a) The name, address, and telephone number of the person or persons in charge of the facility, as well as of the owner and/or operator of the facility. b) The name and address of the facility. c) The date, time, location, and duration of the unauthorized discharge. d) The source and cause of unauthorized discharge. e) A description of the unauthorized discharge, including its estimated chemical composition. f) The estimated volume of the unauthorized discharge. g) Any actions taken to mitigate immediate damage from the unauthorized discharge. Within one week following discovery of the unauthorized discharge, the permittee shall submit written notification to NMED with the information listed above and any pertinent updates. Within 15 days following discovery of the unauthorized discharge, the permittee shall submit a corrective action report/plan to NMED describing any corrective actions taken and/or to be taken relative to the unauthorized discharge that includes the following: a) A description of proposed actions to mitigate damage from the unauthorized discharge. b) A description of proposed actions to prevent future unauthorized discharges of this nature.

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	c) A schedule for completion of proposed actions. In the event that the unauthorized discharge causes or may with reasonable probability cause water pollution in excess of the standards and requirements of Section 20.6.2.4103 NMAC, and the water pollution will not be abated within 180 days after notice is required to be given pursuant to Paragraph (1) of Subsection A of 20.6.2.1203 NMAC, the permittee may be required to abate water pollution pursuant to Sections 20.6.2.4000 through 20.6.2.4115 NMAC. Nothing in this condition shall be construed as relieving the permittee of the obligation to comply with all requirements of Section 20.6.2.1203 NMAC. [20.6.2.1203 NMAC]
28.	In the event that NMED or the permittee identifies any failures of the discharge plan or this Discharge Permit not specifically noted herein, NMED may require the permittee to submit a corrective action plan and a schedule for completion of corrective actions to address the failure(s). Additionally, NMED may require a Discharge Permit modification to achieve compliance with 20.6.2 NMAC. [Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]

E. CLOSURE PLAN

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29.	Ground water impacts have occurred in the shallow Quaternary alluvial aquifer as a direct result of EGS operations. Therefore, NMED is imposing closure, post-closure activities, and financial assurance requirements (Conditions 32 to 35) to ensure proper closure of all evaporative impoundments: EVAP 1, EVAP 2, EVAP 2A, EVAP 3, EVAP 3A, EVAP 4, EVAP 4A, EVAP 5, BA-N, BA-S, PDO, ESP, CYR retention impoundment, any other wastewater related infrastructure, and the scrubber sludge/fly ash landfill to prevent future ground water impacts resulting from releases of ground water contaminants. Additionally, these conditions are imposed to ensure the remediation of all ground water impacts including the implementation, if necessary, of the facility's Corrective Action Plan approved in 2001 and the operation of facility's ground water monitoring system until such time that all impacted ground water is intercepted and disposed (if necessary), and all ground water monitoring wells are plugged and abandoned. For the purposes of this permit, collectively, the activities in this paragraph are referred to as "Complete Closure." Upon cessation of discharges to the evaporative impoundments and the sludge/fly ash landfill, the permittee shall remediate all ground water impacts including, if necessary,

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	the implementation of the relevant parts of the initial Corrective Action Plan dated August 31, 2001 and approved by NMED on October 17, 2001 regardless if ground water has reached the designated "trigger" monitoring wells. Additionally, after all evaporative impoundments, wastewater related infrastructure, and the scrubber sludge/fly ash landfill are closed, the permittee shall perform the following post-closure activities: a) If the Corrective Action Plan approved by NMED on October 17, 2001, has not yet been implemented, the permittee shall submit a revised Corrective Action Plan for the remediation of all ground water impacts for NMED approval. The corrective action plan shall include a description of the proposed actions to remediate ground water and an associated completion schedule. b) Continue operation of the "site wide solution" ground water capture trench, if the "trigger" requirement has already been implement, and ground water monitoring system (except for any monitoring wells or boreholes closed with NMED approval in accordance with the attachment titled *Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions*, Revision 1.1, March 2011 as necessitated by the closure of any evaporative impoundment and any other wastewater or solid wastestream related infrastructure) until WQCC ground water standards or background concentrations have been met for at least two years. All continuing post-closure monitoring data and results shall be submitted to NMED in accordance with the monitoring section of this discharge permit. c) Following notification from NMED that post-closure activities may cease, the permittee shall plug and abandon all remaining monitoring well(s) and borehole(s) in accordance with the attachment titled *Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions*, Revision 1.1, March 2011. When Complete Closure and all required post-closure activities have been completed, the permittee may request to terminate the Discharge Permit. [20.6.2.3107.A(11) NMAC]
30.	Submission of Detailed Plan for Complete Closure: Within 9 months of the effective date of this Discharge Permit **(by November 10, 2015)**, the permittee shall submit a detailed closure plan with sufficient detail to estimate the cost of Complete Closure of all wastewater related infrastructure and the scrubber sludge/fly ash landfill along with the remediation of ground water impacts for financial assurance. The detailed closure plan shall address the steps necessary to close (and the proposed order of closure for) the evaporative impoundments, any other wastewater related infrastructure, and the scrubber sludge/fly ash landfill along with the remediation of all ground water impacts. The

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	detailed closure plan shall contain plans and specifications signed and stamped by a New Mexico professional engineer for construction of the store-and-release covers for the evaporative impoundments and the scrubber sludge/fly ash landfill along with a schedule of time durations for construction and completion that is not based on a specific date. Further, the detailed closure plan shall address de-watering (as necessary), characterization of wastes to be disposed on-site, restoration of vegetation, ongoing maintenance for all evaporative impoundment store and release covers, and all post-closure activities and plugging and abandonment of monitoring wells. The detailed closure plan shall also provide sufficient detail to estimate the cost of ground water remediation including implementing (if necessary), operating, maintaining, and closing the "site wide solution" capture trench and ground water monitoring system. Inherent in this detail is an estimate of the time it may take for impacted ground water to reach the first "trigger" monitoring well and an estimate of the time that the system will have to remain in place and in operation, i.e., until WQCC ground water standards or background concentrations have been met for at least two years. [20.6.2.3107.A(11) NMAC]
31.	Submission of Detailed Estimate for Complete Closure Cost for Financial Assurance Purposes: Within 15 months of the effective date of this Discharge Permit (**by May 10, 2016**), the permittee shall submit a detailed cost estimate ("Estimate") based on the initial Corrective Action Plan dated August 31, 2001 and the detailed closure plan for Complete Closure required by Conditions 32 and 33 above. The Estimate shall be based on the cost of hiring a third party to conduct Complete Closure. The Estimate shall include direct costs associated with all third party implementation of the closure plan, contingency costs in the amount of 15 percent of the direct costs, the cost of an independent project manager and contract administration, and NMED oversight and administration costs, including indirect costs. The Estimate shall forecast the worst case scenario for Complete Closure over the five year period of this permit; if a new permit is not issued after five years, the Estimate for the worst case scenario shall be updated annually each year after five years and any financial assurance shall be adjusted accordingly. The Estimate shall be adjusted for inflation over the five year period for Complete Closure and shall project the amount needed for each of the five years for the worst case scenario for all activities included in Complete Closure. [20.6.2.3107.A(11) NMAC]
32.	Submission of Financial Assurance: Within 21 months of the effective date of this Discharge Permit (**by November 10, 2016**), the permittee shall submit to NMED for approval a draft of its proposed financial assurance instrument(s) that meet the requirements below.

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	a) The amount of financial assurance shall be sufficient to cover the cost of implementing Complete Closure as described in the closure plan and cost estimate required by Conditions 32, 33 and 34 of this Discharge Permit. The permittee shall address the financial assurance requirement through cash, trusts, surety bonds, letters of credit, collateral bonds, third party guarantees, insurance, or any combination of these forms. However, pursuant to Subsection G(1)(a) of 19.10.12 NMAC a third party guarantee shall not exceed seventy-five percent of the total amount of the financial assurance required to cover the cost of implementing "complete closure" as described in the closure plan and cost estimate. The financial assurance shall ensure that funds will be available to implement Complete Closure if at any time the permittee is unable, unwilling, or otherwise fails to implement any portion of the closure plan as required by this Discharge Permit. If the form of financial assurance entails incremental costs of maintaining it, i.e., costs for a trustee, the amount of the financial assurance shall be increased to include all such costs. b) Within 30 days after NMED approves the draft financial assurance proposal, the permittee shall execute the financial assurance instrument and submit it to NMED for final acceptance. c) NMED shall be named as the sole beneficiary in each financial assurance instrument(s). d) Within 30 days of execution, NMED acceptance, and implementation of the financial assurance instrument(s), the permittee shall establish a trust to receive and disburse funds, which may arise as the result of forfeiture of financial assurance. The trust shall name NMED as the beneficiary. The trust agreement shall be in a form satisfactory to the State Board of Finance and shall be subject to approval by the Governor pursuant to NMSA 1978, § 46-4-1 through 9. The trust shall be maintained until the Complete Closure has occurred, NMED has released the financial assurance, and NMED has agreed to terminate this permit. Upon forfeiture of financial assurance, the forfeited amount shall be deposited directly into the trust and shall be used for any activities or costs related to Complete Closure. e) The permittee may propose alternative financial assurance instruments from time to time subject to NMED's prior written approval and acceptance. The permittee shall not replace any approved financial assurance instrument without NMED's prior written approval. f) The financial assurance instrument(s) shall remain in effect until Complete Closure and final termination of this permit and shall remain in place at all times,

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	including lapses in discharge permit coverage, late discharge permit renewal or temporary shutdown of facilities unless released by NMED in writing. g) The financial assurance shall include a method for adjustments due to changes in inflation, new technologies, and NMED approved revisions to the closure plan based on continued investigations or other information and shall be adjusted no less frequently than every five years such that, at all times, the amount of financial assurance provided by the permittee shall be sufficient to perform Complete Closure at any time during the following five years from the update. Should circumstances warrant more frequent adjustments, NMED may require them in writing and the permittee shall make the adjustment within 180 days. h) No more than once every 12 months the permittee may request that NMED review remaining activities required for Complete Closure including alternate closure activities that NMED has approved. The request for review shall describe the activities which have been completed and shall contain an updated cost estimate for remaining Complete Closure activities. If NMED approves the description of activities which have been completed, the remaining activities of Complete Closure and the cost estimate for remaining Complete Closure activities, NMED will notify the permittee of appropriate adjustments that the permittee may make to the amount of financial assurance. i) The financial assurance shall be evaluated, and if necessary, revised to comply with applicable WQCC financial assurance regulations, if and when such regulations are promulgated and become effective. j) Cancellation or Non-renewal: Each financial assurance instrument shall require the financial assurance provider to give at least 120 days written notice to NMED and the permittee prior to cancellation or non-renewal of the financial assurance instrument. If such notice is received, the permittee shall propose an alternate financial assurance mechanism to NMED within 30 days of the notice. If NMED approves the alternate financial assurance mechanism, the permittee shall execute it and submit it to NMED for final acceptance within 60 days of cancellation. If the permittee fails to obtain alternate financial assurance acceptable to NMED within 60 days, the current financial assurance shall be subject to forfeiture. k) Forfeiture: If NMED determines that implementation of all or any part of Complete Closure is required and that the permittee is unable or unwilling or will otherwise fail to conduct all or any part of Complete Closure as required by this Discharge Permit, then NMED may proceed with forfeiture of all or part of the financial assurance. Prior to beginning a forfeiture proceeding, NMED will provide written notice, by certified mail return receipt requested, to the permittee and to all financial assurance providers, if applicable, informing them of the

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	determination to forfeit all or a portion of the financial assurance, provided that if NMED's access to the financial assurance is threatened due to time constraints, NMED may begin a forfeiture proceeding, and provide written notice contemporaneously with that proceeding. The written notice will state the reasons for the forfeiture and the amount to be forfeited. The amount shall be based on the total cost of performing Complete Closure, in accordance with this Discharge Permit and all applicable laws and regulations. NMED will also advise the permittee and all financial assurance providers, if applicable, of the conditions under which forfeiture may be avoided. Such conditions may include, without limitation, an agreement by the permittee, by a financial assurance provider, or by an NMED approved third party, to perform Complete Closure in accordance with this Discharge Permit and all applicable laws and regulations, and a demonstration that such person has the financial ability and technical qualifications to do so. All financial assurance forfeited shall become immediately payable to the trust or as otherwise provided in the NMED approved instrument. Forfeited funds shall be used to perform Complete Closure. If the forfeited amount is insufficient, the permittee shall be liable for the remaining costs. If the amount forfeited is more than necessary, the excess amount shall be refunded to the person from whom it was collected. The financial assurance shall be released or modified when NMED determines that all activities of Complete Closure have been performed according to the closure plan requirements of this Discharge Permit and the Discharge Permit has been terminated. [20.6.2.3107A(11) NMAC]
33.	The permittee shall properly plug and abandon the monitoring wells within the scrubber sludge/fly ash landfill expansion area. Within 90 days of opening each designated cell within the scrubber sludge/fly ash landfill expansion area, the permittee shall submit written notification to NMED and shall plug and abandon the associated monitoring wells (QAL-21 and QAL-3 for Cell B and QAL-23 for Cell C). Monitoring wells shall be plugged and abandoned in accordance with the attachment titled *Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions*, Revision 1.1, March 2011, and all applicable local, state, and federal regulations, including 19.27.4 NMAC. The permittee shall submit documentation describing the well abandonment procedures in accordance with the attachment titled *Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions*, Revision 1.1, March 2011. The well abandonment documentation shall be submitted to NMED within 60 days of completion of well plugging activities. [Subsection A of 20.6.2.3107 NMAC, 19.27.4 NMAC]

F. GENERAL TERMS AND CONDITIONS

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34.	RECORD KEEPING - The permittee shall maintain a written record of the following information: a) Information and data used to complete the application for this Discharge Permit. b) Records of any releases (commonly known as "spills") not authorized under this Discharge Permit and reports submitted pursuant to 20.6.2.1203 NMAC. c) Records of the operation, maintenance, and repair of all facilities/equipment used to treat, store or dispose of wastewater. d) Facility record drawings (plans and specifications) showing the actual construction of the facility and bear the seal and signature of a licensed New Mexico professional engineer. e) Copies of monitoring reports completed and/or submitted to NMED pursuant to this Discharge Permit. f) The volume of wastewater or other wastes discharged pursuant to this Discharge Permit. g) Ground water quality and wastewater quality data collected pursuant to this Discharge Permit. h) Copies of construction records (well log) for all ground water monitoring wells required to be sampled pursuant to this Discharge Permit. i) Records of the maintenance, repair, replacement or calibration of any monitoring equipment or flow measurement devices required by this Discharge Permit. j) Data and information related to field measurements, sampling, and analysis conducted pursuant to this Discharge Permit. The following information shall be recorded and shall be made available to NMED upon request: i) The dates, location and times of sampling or field measurements; ii) The name and job title of the individuals who performed each sample collection or field measurement; iii) The sample analysis date of each sample; iv) The name and address of the laboratory, and the name of the signatory authority for the laboratory analysis; v) The analytical technique or method used to analyze each sample or collect each field measurement; vi) The results of each analysis or field measurement, including raw data; vii) The results of any split, spiked, duplicate or repeat sample; and viii) A copy of the laboratory analysis chain-of-custody as well as a description of the quality assurance and quality control procedures used. The written record shall be maintained by the permittee at a location accessible during a facility inspection by NMED for a period of at least five years from the date of application, report, collection or measurement and shall be made available to the department upon request.

#	**Terms and Conditions**
	[Subsections A and D of 20.6.2.3107 NMAC]
35.	INSPECTION and ENTRY – The permittee shall allow inspection by NMED of the facility and its operations which are subject to this Discharge Permit and the WQCC regulations. NMED may upon presentation of proper credentials, enter at reasonable times upon or through any premises in which a water contaminant source is located or in which are located any records required to be maintained by regulations of the federal government or the WQCC. The permittee shall allow NMED to have access to and reproduce for their use any copy of the records, and to perform assessments, sampling or monitoring during an inspection for the purpose of evaluating compliance with this Discharge Permit and the WQCC regulations. Nothing in this Discharge Permit shall be construed as limiting in any way the inspection and entry authority of NMED under the WQA, the WQCC Regulations, or any other local, state or federal regulations. [Subsection D of 20.6.2.3107 NMAC, NMSA 1978, §§ 74-6-9.B and 74-6-9.E]
36.	DUTY to PROVIDE INFORMATION - The permittee shall, upon NMED's request, allow for NMED's inspection/duplication of records required by this Discharge Permit and/or furnish to NMED copies of such records. [Subsection D of 20.6.2.3107 NMAC]
37.	MODIFICATIONS and/or AMENDMENTS – In the event the permittee proposes a change to the facility or the facility's discharge that would result in a change in the volume discharged; the location of the discharge; or in the amount or character of water contaminants received, treated or discharged by the facility, the permittee shall notify NMED prior to implementing such changes. The permittee shall obtain approval (which may require modification of this Discharge Permit) by NMED prior to implementing such changes. [Subsection C of 20.6.2.3107 NMAC, Subsections E and G of 20.6.2.3109 NMAC]
38.	PLANS and SPECIFICATIONS – In the event the permittee is proposing to construct a wastewater system or change a process unit of an existing system such that the quantity or quality of the discharge will change substantially from that authorized by this Discharge Permit, the permittee shall submit construction plans and specifications to NMED for the proposed system or process unit prior to the commencement of construction. In the event the permittee implements changes to the wastewater system authorized by this Discharge Permit which result in only a minor effect on the character of the

#	**Terms and Conditions**
	discharge, the permittee shall report such changes (including the submission of record drawings, where applicable) as of January 1 and June 30 of each year to NMED. [Subsections A and C of 20.6.2.1202 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]
39.	CIVIL PENALTIES - Any violation of the requirements and conditions of this Discharge Permit, including any failure to allow NMED staff to enter and inspect records or facilities, or any refusal or failure to provide NMED with records or information, may subject the permittee to a civil enforcement action. Pursuant to WQA 74-6-10(A) and (B), such action may include a compliance order requiring compliance immediately or in a specified time, assessing a civil penalty, modifying or terminating the Discharge Permit, or any combination of the foregoing; or an action in district court seeking injunctive relief, civil penalties, or both. Pursuant to WQA 74-6-10(C) and 74-6-10.1, civil penalties of up to $15,000 per day of noncompliance may be assessed for each violation of the WQA 74-6-5, the WQCC Regulations, or this Discharge Permit, and civil penalties of up to $10,000 per day of noncompliance may be assessed for each violation of any other provision of the WQA, or any regulation, standard, or order adopted pursuant to such other provision. In any action to enforce this Discharge Permit, the permittee waives any objection to the admissibility as evidence of any data generated pursuant to this Discharge Permit. [20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10 and 74-6-10.1]
40.	CRIMINAL PENALTIES – No person shall: 1) make any false material statement, representation, certification or omission of material fact in an application, record, report, plan or other document filed, submitted or required to be maintained under the WQA; 2) falsify, tamper with or render inaccurate any monitoring device, method or record required to be maintained under the WQA; or 3) fail to monitor, sample or report as required by a permit issued pursuant to a state or federal law or regulation. Any person who knowingly violates or knowingly causes or allows another person to violate the requirements of this condition is guilty of a fourth degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who is convicted of a second or subsequent violation of the requirements of this condition is guilty of a third degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition or knowingly causes another person to violate the requirements of this condition and thereby causes a substantial adverse environmental impact is guilty of a third degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition and knows at the time of the violation that he is creating a substantial danger of death or serious bodily injury to any other person is guilty of a

#	**Terms and Conditions**
	second degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. [20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10.2.A through 74-6-10.2.F]
41.	COMPLIANCE with OTHER LAWS - Nothing in this Discharge Permit shall be construed in any way as relieving the permittee of the obligation to comply with all applicable federal, state, and local laws, regulations, permits or orders. [NMSA 1978, § 74-6-5.L]
42.	RIGHT to APPEAL - The permittee may file a petition for review before the WQCC on this Discharge Permit. Such petition shall be in writing to the WQCC within thirty days of the receipt of postal notice of this Discharge Permit and shall include a statement of the issues to be raised and the relief sought. Unless a timely petition for review is made, the decision of NMED shall be final and not subject to judicial review. [20.6.2.3112 NMAC, NMSA 1978, § 74-6-5.O]
43.	TRANSFER of DISCHARGE PERMIT - Prior to the transfer of any ownership, control, or possession of this facility or any portion thereof, the permittee shall: 1) notify the proposed transferee in writing of the existence of this Discharge Permit; 2) include a copy of this Discharge Permit with the notice; and 3) deliver or send by certified mail to NMED a copy of the notification and proof that such notification has been received by the proposed transferee. Until both ownership and possession of the facility have been transferred to the transferee, the permittee shall continue to be responsible for any discharge from the facility. [20.6.2.3111 NMAC]
44.	PERMIT FEES - Payment of permit fees is due at the time of Discharge Permit approval. Permit fees shall be paid in a single payment or shall be paid in equal installments on a yearly basis over the term of the Discharge Permit. Single payments shall be remitted to NMED no later than 30 days after the Discharge Permit effective date. Initial installment payments shall be remitted to NMED no later than 30 days after the Discharge Permit effective date; subsequent installment payments shall be remitted to NMED no later than the anniversary of the Discharge Permit effective date. Permit fees are associated with <u>issuance</u> of this Discharge Permit. Nothing in this Discharge Permit shall be construed as relieving the permittee of the obligation to pay all permit fees assessed by NMED. A permittee that ceases discharging or does not commence discharging from the facility during the term of the Discharge Permit shall pay all permit fees assessed by NMED. An approved Discharge Permit shall be

#	**Terms and Conditions**
	suspended or terminated if the facility fails to remit an installment payment by its due date. [Subsection F of 20.6.2.3114 NMAC, NMSA 1978, § 74-6-5.K]

V. PERMIT TERM & SIGNATURE

EFFECTIVE DATE: February 10, 2015
TERM ENDS: February 10, 2020

[Subsection H of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.I]

JERRY SCHOEPPNER
Chief, Ground Water Quality Bureau
New Mexico Environment Department

New Mexico Environment Department Ground Water Quality Bureau
Discharge Permit Summary

Facility Information

Facility Name Escalante Generating Station
Discharge Permit Number DP-206

Legally Responsible Party

Barbara A. Walz, Senior Vice President, Policy & Compliance, Chief Compliance Officer
Tri-State Generation and Transmission Association, Inc.
P.O. Box 33695
Denver, Colorado 80233-0695
(303) 452-6111

Treatment, Disposal and Site Information

Primary Waste Type Domestic and Industrial
Facility Type Coal-Combustion Electric Generating Station

Discharge Locations

Type	Designation	Description & Comments
Impoundment	East EGS Sewage Lagoon (SL-E)	Clay-lined
Impoundment	West EGS Sewage Lagoon (SL-W)	Clay-lined
Impoundment	North MPC Domestic Wastewater Pond (MPC-N)	Synthetically Lined (60-mil HDPE)
Impoundment	South MPC Domestic Wastewater Pond (MPC-S)	Synthetically Lined (60-mil HDPE)
Impoundment	Evaporative Pond 1A/B (EVAP 1)	Clay-lined
Impoundment	Evaporative Pond 2 (EVAP 2)	Clay-lined
Impoundment	Evaporative Pond 2A (EVAP 2A)	Synthetically Lined (60-mil HDPE)
Impoundment	Evaporative Pond 3 (EVAP 3)	Clay-lined
Impoundment	Evaporative Pond 3A (EVAP 3A)	Synthetically Lined (60-mil HDPE)
Impoundment	Evaporative Pond 4 (EVAP 4)	Synthetically Lined (60-mil HDPE)
Impoundment	Evaporative Pond 4A (EVAP 4A)	Synthetically Lined (60-mil HDPE)
Impoundment	Evaporative Pond 5 (EVAP 5)	Synthetically Lined (60-mil HDPE)
Impoundment	North Water Treatment Plant Sludge Disposal Cell (WTP-N)	Clay-lined
Impoundment	South Water Treatment Plant Sludge Disposal Cell (WTP-S)	Clay-lined
Impoundment	Plant Drain Oil Pond (PDO)	Clay-lined

Impoundment	North Bottom Ash Pond (BA-N)	Clay-lined
Impoundment	South Bottom Ash Pond (BA-S)	Clay-lined
Impoundment	Emergency Scrubber Pond (ESP)	Concrete-lined
Impoundment	Coal Yard Runoff (CYR) Retention Pond	Unlined
Landfill	Scrubber Sludge/Flyash Disposal Landfill	Unlined; 97 acres; 100-ft high; 25 million cubic yard capacity; 36-inch earthen store and release cap

Ground Water Monitoring Locations

Type	Designation	
Quaternary Alluvial Monitoring Wells	QAL-1 (35°25'7"N, 108°5'8"W)	QAL-16-R (35°24'37"N, 108°3'59"W)
	QAL-2 (35°24'56"N, 108°5'16"W)	QAL-17-R (35°24'34"N, 108°3'53"W)
	QAL-3 (35°24'51"N, 108°4'2"W)	QAL-21 (35°24'57"N, 108°3'58"W)
	QAL-4 (35°24'50"N, 108°3'49"W)	QAL-22 (35°24'58"N, 108°3'48"W)
	QAL-5 (35°24'47"N, 108°3'8"W)	QAL-23 (35°24'57"N, 108°4'8"W)
	QAL-6 (35°24'20"N, 108°3'9"W)	QAL-24 (35°24'54"N, 108°3'36"W)
	QAL-7 (35°24'54"N, 108°5'1"W)	QAL-25 (35°24'42"N, 108°3'49"W)
	QAL-8 (35°24'57"N, 108°4'49"W)	QAL-26 (35°24'37"N, 108°3'52"W)
	QAL-9 (35°24'47"N, 108°4'42"W)	QAL-27 (35°24'42"N, 108°3'56"W)
	QAL-10 (35°24'44"N, 108°4'42"W)	QAL-28 (35°24'27"N, 108°3'44"W)
	QAL-11 (35°24'53"N, 108°4'36"W)	QAL-29 (35°24'34"N, 108°3'48"W)
	QAL-12-97 (35°24'52"N, 108°4'21"W)	QAL-30 (35°24'27"N, 108°4'11"W)
	QAL-13 (35°24'38"N, 108°4'22"W)	QAL-31 (35°24'52"N, 108°3'37"W)
	QAL-14 (35°24'37"N, 108°4'13"W)	QAL-32 (35°24'40"N, 108°3'35"W)
	QAL-15 (35°24'34"N, 108°4'13"W)	

Correo Sandstone Monitoring Wells	Trcpc-1 (35°25'7"N, 108°5'8"W)	Trcpc-8 (35°24'28"N, 108°4'13"W)
	Trcpc-2 (35°25'12"N, 108°4'18"W)	Trcpc-9 (35°24'29"N, 108°3'55"W)
	Trcpc-3 (35°24'44"N, 108°4'42"W)	Trcpc-10 (35°24'35"N, 108°4'41"W)
	Trcpc-5 (35°24'56"N, 108°5'16"W)	Trcpc-11 (35°24'29"N, 108°4'24"W)
	Trcpc-6 (35°24'28"N, 108°4'13"W)	Trcpc-12 (35°24'35"N, 108°4'30"W)
	Trcpc-7 (35°24'35"N, 108°3'54"W)	Trcpc-13-R (well location approved on April 9, 2014; coordinates to be provided upon well installation)

Depth-to-Ground Water 10-205 feet
Total Dissolved Solids (TDS) 665 mg/L

Permit Information

Application Received March 4, 2013
Public Notice Published June 18, 2014
Discharge Permit Issued February 10, 2015
Discharge Permit Term Ends February 10, 2020
Permitted Discharge Volume 1,457,550 gallons per day

NMED Contact Information

Mailing Address
Ground Water Quality Bureau
P.O. Box 5469
Santa Fe, New Mexico 87502-5469

GWQB Telephone Number (505) 827-2900

NMED Lead Staff John Rebar Jr.
Lead Staff Telephone Number (505) 827-0018
Lead Staff Email john.rebar@state.nm.us

Notification for Underground Storage Tanks

GW/HW Bureau UST Section
P.O. Box 968; 2nd Floor S-2060
Santa Fe, NM 87501

ID Number

STATE USE ONLY

Date Received

GENERAL INFORMATION

Notification is required by Federal law for all underground tanks that have been used to store regulated substances since January 1, 1974, that are in the ground as of May 8, 1986, or that are brought into use after May 8, 1986. The information requested is required by Section 9002 of the Resource Conservation and Recovery Act, (RCRA), as amended.

The primary purpose of this notification program is to locate and evaluate underground tanks that store or have stored petroleum or hazardous substances. It is expected that the information you provide will be based on reasonably available records, or, in the absence of such records, your knowledge, belief, or recollection.

Who Must Notify? Section 9002 of RCRA, as amended, requires that, unless exempted, owners of underground tanks that store regulated substances must notify designated State or local agencies of the existence of their tanks. Owner means—

(a) in the case of an underground storage tank in use on November 8, 1984, or brought into use after that date, any person who owns an underground storage tank used for the storage, use, or dispensing of regulated substances, and

(b) in the case of any underground storage tank in use before November 8, 1984, but no longer in use on that date, any person who owned such tank immediately before the discontinuation of its use.

What Tanks Are Included? Underground storage tank is defined as any one or combination of tanks that (1) is used to contain an accumulation of "regulated substances," and (2) whose volume (including connected underground piping) is 10% or more beneath the ground. Some examples are underground tanks storing: 1. gasoline, used oil, or diesel fuel, and 2. industrial solvents, pesticides, herbicides or fumigants.

What Tanks Are Excluded? Tanks removed from the ground are not subject to notification. Other tanks excluded from notification are:

1. farm or residential tanks of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes,
2. tanks used for storing heating oil for consumptive use on the premises where stored,
3. septic tanks,
4. pipeline facilities (including gathering lines) regulated under the Natural Gas Pipeline Safety Act of 1968, or the Hazardous Liquid Pipeline Safety Act of 1979, or which is an intrastate pipeline facility regulated under State laws,
5. surface impoundments, pits, ponds, or lagoons,
6. storm water or waste water collection systems,
7. flow-through process tanks,
8. liquid traps or associated gathering lines directly related to oil or gas production and gathering operations,
9. storage tanks situated in an underground area (such as a basement, cellar, mineworking, drift, shaft, or tunnel) if the storage tank is situated upon or above the surface of the floor.

What Substances Are Covered? The notification requirements apply to underground storage tanks that contain regulated substances. This includes any substance defined as hazardous in section 101 (14) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), with the exception of those substances regulated as hazardous waste under Subtitle C of RCRA. It also includes petroleum, e.g., crude oil or any fraction thereof which is liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute).

Where To Notify? Completed notification forms should be sent to the address given at the top of this page.

When To Notify? 1. Owners of underground storage tanks in use or that have been taken out of operation after January 1, 1974, but still in the ground, must notify by May 8, 1986. 2. Owners who bring underground storage tanks into use after May 8, 1986, must notify within 30 days of bringing the tanks into use.

Penalties: Any owner who knowingly fails to notify or submits false information shall be subject to a civil penalty not to exceed $10,000 for each tank for which notification is not given or for which false information is submitted.

INSTRUCTIONS

Please type or print in ink all items except "signature" in Section V. **This form must by completed for each location containing underground storage tanks.** If more than 5 tanks are owned at this location, photocopy the reverse side, and staple continuation sheets to this form.

Indicate number of continuation sheets attached: ☐

I. OWNERSHIP OF TANK(S)

Owner Name (Corporation, Individual, Public Agency, or Other Entity)
Plains Electric Generation and Transmission Cooperative, Inc.

Street Address
P.O. Box 6551

County
Bernalillo

City | State | ZIP Code
Albuquerque, New Mexico 87197

Area Code | Phone Number
(505) 889-7211

Type of Owner *(Mark all that apply ☒)*

☐ Current ☐ Former ☐ State or Local Gov't ☐ Federal Gov't (GSA facility I.D. no. _____) ☒ Private or Corporate ☐ Ownership uncertain

II. LOCATION OF TANK(S)

(If same as Section 1, mark box here ☐)

Facility Name or Company Site Identifier, as applicable
Plains Escalante Generating Station

Street Address or State Road, as applicable
P.O. Box 577

County
McKinley

City (nearest) | State | ZIP Code
Prewitt, NM | 87045

Indicate number of tanks at this location: 0

Mark box here if tank(s) are located on land within an Indian reservation or on other Indian trust lands ☐

III. CONTACT PERSON AT TANK LOCATION

Name (If same as Section I, mark box here ☐) | Job Title | Area Code | Phone Number
James G. Behnken | Environmental Coordinator | (505) 889-7211

IV. TYPE OF NOTIFICATION

☒ Mark box here only if this is an amended or subsequent notification for this location.

V. CERTIFICATION (Read and sign after completing Section VI.)

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete.

Name and official title of owner or owner's authorized representative
James G. Behnken

Signature
James G Behnken

Date Signed
1/31/90

CONTINUE ON REVERSE SIDE

Owner Name (from Section I) Plains Electric Generation and Transmission Cooperative, Inc. Location (from Section II) Prewitt, NM Page No 1 of 1 Pages

VI. DESCRIPTION OF UNDERGROUND STORAGE TANKS (Complete for each tank at this location.)

Tank Identification No. (e.g., ABC-123), or Arbitrarily Assigned Sequential Number (e.g., 1,2,3...)		Tank No. Waste 1	Tank No. Fuel 1	Tank No.	Tank No.	Tank No.
1. Status of Tank (Mark all that apply ☒)	Currently in Use	☐	☐	☐	☐	☐
	Temporarily Out of Use	☐	☐	☐	☐	☐
	Permanently Out of Use	X	X	☐	☐	☐
	Brought into Use after 5/8/86	☐	☐	☐	☐	☐
2. Estimated Age (Years)		7	3			
3. Estimated Total Capacity (Gallons)		6,000	15,000			
4. Material of Construction (Mark one ☒)	Steel	☐	X	☐	☐	☐
	Concrete	☐	☐	☐	☐	☐
	Fiberglass Reinforced Plastic	X	☐	☐	☐	☐
	Unknown	☐	☐	☐	☐	☐
	Other, Please Specify					
5. Internal Protection (Mark all that apply ☒)	Cathodic Protection	☐	☐	☐	☐	☐
	Interior Lining (e.g., epoxy resins)	☐	☐	☐	☐	☐
	None	X	X	☐	☐	☐
	Unknown	☐	☐	☐	☐	☐
	Other, Please Specify					
6. External Protection (Mark all that apply ☒)	Cathodic Protection	☐	X	☐	☐	☐
	Painted (e.g., asphaltic)	☐	X	☐	☐	☐
	Fiberglass Reinforced Plastic Coated	☐	☐	☐	☐	☐
	None	X	☐	☐	☐	☐
	Unknown	☐	☐	☐	☐	☐
	Other, Please Specify					
7. Piping (Mark all that apply ☒)	Bare Steel	X	X	☐	☐	☐
	Galvanized Steel	☐	☐	☐	☐	☐
	Fiberglass Reinforced Plastic	☐	X	☐	☐	☐
	Cathodically Protected	☐	☐	☐	☐	☐
	Unknown	☐	☐	☐	☐	☐
	Other, Please Specify					
8. Substance Currently or Last Stored in Greatest Quantity by Volume (Mark all that apply ☒)	a. Empty	☐	☐	☐	☐	☐
	b. Petroleum					
	Diesel	☐	X	☐	☐	☐
	Kerosene	☐	☐	☐	☐	☐
	Gasoline (including alcohol blends)	☐	☐	☐	☐	☐
	Used Oil	X	☐	☐	☐	☐
	Other, Please Specify					
	c. Hazardous Substance	☐	☐	☐	☐	☐
Please Indicate Name of Principal CERCLA Substance OR Chemical Abstract Service (CAS) No.						
Mark box ☒ if tank stores a mixture of substances		☐	☐	☐	☐	☐
	d. Unknown	☐	☐	☐	☐	☐
9. Additional Information (for tanks permanently taken out of service)						
a. Estimated date last used (mo/yr)		10/89	12/87	/	/	/
b. Estimated quantity of substance remaining (gal.)		0	0			
c. Mark box ☒ if tank was filled with inert material (e.g., sand, concrete)		☐	☐	☐	☐	☐

EPA Form 7530-1 (11-85) Reverse

Page 2

Dates of Removal 10/19/89 1/16/88

Entered 10-23-92 DY

TANK CLOSURE WORKSHEET
(COMPLETE AFTER CLOSURE)

Tank Owner Plains Electric G.+T. Coop., Inc. Phone (505) 889-7204
Mailing Address P.O. Box 6551, Albuquerque, NM 87197
Tank Address P.O. Box 577, Prewitt, NM 87045
Contractor Name Removed In-house Phone (505) 876-2271
Address P.O. Box 577 Prewitt, NM 87045
Contractor Name Environmental (Metric Corp.) Phone (505) 828-2801
Address 8429 Washington Pl NE, Albuquerque, NM

Tank Closure Date 10/89 # of Tanks Closed 1 - (Waste 1 - 6,000gal)

****

I. Tank Closure Initial Procedures (check measures complied with):
- X Obtain recommended safety equipment for all personnel
- ___ Contact Fire Marshall or other fire officials
- N/A Bond or ground equipment (fiber glass tank)
- X Drain product from piping and tank
- X Disconnect, then cap or remove piping
- X Remove all residual product from tank
- X Excavate to tank top
- X Remove all tank fixtures
- X Properly purge or inert tank of all flammable vapors using approved method
- ___ Continually monitor for explosive vapors while tank is being removed

II. Tank Removal
- X Create vent hole
- X Excavate tank using all safety precautions
- X Clean and inspect tank
- X Check excavation for evidence of leaks and notify EID and other proper authorities if leak is found
- N/A Check vapor levels in tank before transporting
- X Dispose of tank in approved manner

Tank disposal location Plains Eccalante Generating Station - laydown Area - P.O Box 577, Prewitt, NM City State
How did you assess site for leakage? HNU photoionization meter, water samples & soil samples.
Closure report kept at 2401 Aztec Rd, Albuquerque, N.M.
NOTE: Immediately report any evidence of leakage to EID at 827-0188

I hereby state that the above information is correct

Charles W. Pomeroy
Signature of owner or contractor performing work

****

FOR EID USE ONLY
Notification Received _____ Approved By _____
Inspection Date _____ Inspector _____

New Mexico Health and Environment Department

GARREY CARRUTHERS
Governor

DENNIS BOYD
Secretary

MICHAEL J. BURKHART
Deputy Secretary

RICHARD MITZELFELT
Director

July 13, 1990

Mr. James G. Behnken
Plains Electric Generation and Transmission Cooperative, Inc.
2401 Aztec Road NE
Albuquerque, NM 87197

RE: Diesel contamination of soils at the Plains Escalante Generation Station, Prewitt, NM due to a leaking buried line.

Dear Mr. Behnken:

The New Mexico Environmental Improvement Division (EID) appreciates your notification pursuant to Section 2-204 of the New Mexico Underground Storage Tank Regulations regarding the contamination incident at the Plain Escalante Generation Station in Prewitt, New Mexico.

The EID has determined that the contamination incident at the above-mentioned facility does not pose an immediate public health or environmental threat for the following reasons:

1. Contamination appears to be confined to the trench sands which overlie a clay layer.

2. Contaminated sand has been removed for all contaminated areas except under an adjacent building, where the leak crossed a railroad track, and under paved areas.

3. Depth to ground water is greater than 33 feet and contamination was limited to the upper 5 feet.

4. You indicated in your May 17, 1990 letter that Plains Electric will continue to monitor nearby monitor wells for contamination.

5. Field analyses of the contaminated sand at 2 feet below land surface, using a photoionization detector (PID), showed volatile compound concentrations below 100 ppm.

However, please note for future reference, that diesel is not very volatile and therefore the PID is not an appropriate instrument to determine the seriousness of diesel contamination. Instead, diesel contaminated soils should be analyzed using method 418.1 (Total Petroleum Hydrocarbons).

– ENVIRONMENTAL IMPROVEMENT DIVISION –
Harold Runnels Building
1190 St. Francis Dr.
Santa Fe, New Mexico 87503

6. However, given the other information, the remaining contaminated soils are not considered to be "highly contaminated" as defined by the New Mexico Environmental Improvement Board/Underground Storage Tank Regulation (NMEIB/USTR) subsection 1201.G and ground water contamination is unlikely.

Therefore, remediation of soil contamination is considered to be complete as defined in NMEIB/USTR subsection 1209.D, and EID is not requiring any further work at this time. However, EID does reserve the right to require additional work in the future, should information become available which indicates that a health or environmental threat exists.

EID appreciates your timely and voluntary cooperation in this matter.

Sincerely,

Suzanne Fouty

Suzanne Fouty
Water Resource Specialist
Underground Storage Tank Bureau

cc: Garth Graves, EID District 1 Manager

NEW MEXICO STATE LAND OFFICE

RIGHT-OF-WAY AND EASEMENT
FOR PIPELINE

A.C.
7-15-83
7-19-83
Pd

APPLICATION NO. RW-22129 NO. RW-22129

THIS INDENTURE, made this 8th day of June, 19 83, by and between the STATE OF NEW MEXICO, acting by and through Jim Baca, its Commissioner of Public Lands, grantor, and Plains Elec. Gen. & Trans. Coop., Inc., a corporation duly organized and existing under and by virtue of the Laws of the State of New Mexico, duly authorized to transact business in the State of New Mexico, grantee

WITNESSETH:

That the grantor for and in consideration of the sum of ($ 3,478.60----------) Three Thousand Four Hundred Seventy-Eight and 60/100---------- dollars, lawful money of the United States, in hand paid by grantee, receipt whereof is hereby acknowledged, has granted and by these presents does grant to grantee, its successors and assigns, a right-of-way and easement for the purpose of laying, constructing, replacing, renewing, maintaining and operating a pipeline for the transportation of gas, petroleum or any of its products, water or other substances, or either thereof, and as incident thereto, the right to erect and maintain, operate, change, renew and reconstruct a telephone and telegraph line or either of them, as may be necessary in connection with the use of said pipeline, together with the rights of ingress and egress on, over and through the lands described by the centerline description and survey plat(s) included in grantee's Application for Right-Of-Way Easement and approved by grantor; said centerline description and survey plat are incorporated herein by reference.

TO HAVE AND TO HOLD unto grantee, its successors and assigns, so long as the granted premises shall be used for the purpose above specified, or any of them, with a reversion of said lands so granted to the State of New Mexico upon the cessation of their use for said purposes, or any of them by the grantee, its successors and assigns.

This grant is made upon the following terms and conditions:

1. The State of New Mexico, its lessees, permittees and assigns shall be permitted to use and enjoy the premises except as the same may be necessary for the purpose herein granted; that grantee, its successors and assigns, hereby agree carefully to avoid destruction or injury to any improvements and livestock lawfully upon said premises, carefully to close all gates and pay the reasonable and just damages for such injury or destruction, if any, arising from laying, maintaining, operating and removing said pipeline.

2. All pipelines laid on the said lands by virtue of this grant shall be buried not less than twenty inches (20") deep, excepting if hard rock is encountered which would require blasting, the pipeline shall be buried to the greatest depth possible without blasting, but in no such event shall the pipeline be buried less than eight inches (8"). Deviation of the twenty inch (20") depth must be shown on the plat accompanying the application for said right-of-way.

3. Pipelines laid on land subject to cultivation shall have a minimum of twenty inches (20") cover and shall be so laid as not interfere with ordinary cultivation of such land after construction has been completed.

4. Grantee, its successors and assigns, shall have the right at any time to lay an additional line or lines of pipe alongside of the first line as herein provided, and to change the size of its pipe, subject to the same rights, terms and conditions as herein provided.

5. Grantee shall have the right to assign this Right-Of-Way and Easement, subject to the approval of grantor.

6. In crossing any other right-of-way, previously granted by grantor to a third party, grantee shall exercise due care so as not to interfere with said rights-of-way and will comply with all laws, rules and regulations in connection with the making of such crossing.

7. Grantor expressly reserves the right to authorize or grant rights-of-way and easements to third parties, which subsequent rights-of-way and easements will cross over or bisect this right-of-way. In such cases, the subsequent grantee will be required to post a bond guaranteeing payment for damages to the installations and improvements of grantee, unless such bond is waived by grantee.

8. Grantor reserves the right to execute leases for oil and gas, coal, and minerals of whatsoever kind and for geothermal resource development and operation and the right to sell or dispose of same and the right to grant rights-of-way and easements for the purpose of this paragraph.

9. The rights granted herein are subject to valid existing rights.

10. Grantee, including its heirs, assigns, agents, and contractors shall at their own expense fully comply with all laws, regulations, rules, ordinances and requirements of the city, county, state, federal authorities and agencies, in all matters and things affecting the premises and operations thereon which may be enacted or promulgated under the governmental police powers pertaining to public health and welfare, including but not limited to conservation, sanitation, aesthetics, pollution, cultural properties, fire and ecology. Such agencies are not to be deemed third party beneficiaries hereunder; however, this clause is enforceable by the grantor as herein provided or as otherwise permitted by law.

11. Non-user of the right-of-way and easement granted herein for a period in excess of one (1) year without the prior written permission of grantor shall be conclusive proof of abandonment and non-user for shorter periods shall place upon grantee the burden of proving that there was no intent to abandon.

12. Grantee shall save and hold harmless, indemnify and defend the State of New Mexico, the Commissioner of Public Lands, and his agent or agents, in their official and individual capacities, of and from any and all liability claims, lossess, or damages arising out of or alleged to arise out of or indirectly connected with the operations of grantee hereunder, off or on the hereinabove described lands, or the presence on said lands of any agent, contractor or subcontractor of grantee.

13. Notwithstanding anything contained herein to the contrary, grantor may cancel this grant for violation of any of the covenants of this agreement; provided, however, that before any such cancellation shall be made, grantor must mail to grantee or approved assignee, by registered or certified mail, addressed to the post office of such grantee or assignee, shown by the records, a thirty (30) day notice of intention to cancel said grant, specifying the default for which the grant is subject to cancellation. No proof of receipt of notice shall be necessary and thirty (30) days after such mailing, the grantor may enter cancellation unless the grantee shall have sooner remedied the default.

IN WITNESS WHEREOF, the State of New Mexico has caused this instrument to be executed by its Commissioner of Public Lands, thereunto duly authorized, with the seal of his office affixed, the day and year first above written.

STATE OF NEW MEXICO

(SEAL)

BY: Jim Baca
COMMISSIONER OF PUBLIC LANDS

22129

USDA-REA-EIS (ADM) 83-2-I

Information Supplement

TITLE: Plains Escalante Generating Station Project:
Supplemental Water Pipeline

LEAD AGENCY: U.S. Department of Agriculture - Rural Electrification Administration

LOCATION: Cibola and McKinley Counties, New Mexico

FOR FURTHER INFORMATION CONTACT:

Alexander E. Sherman
Chief, Distribution and Transmission
Engineering Branch
Southwest Area-Electric
Room 0009
Rural Electrification Administration
14th & Independence Avenue, S.W.
Washington, D.C. 20250

Telephone (202) 382-1915
(FTS) 382-1915

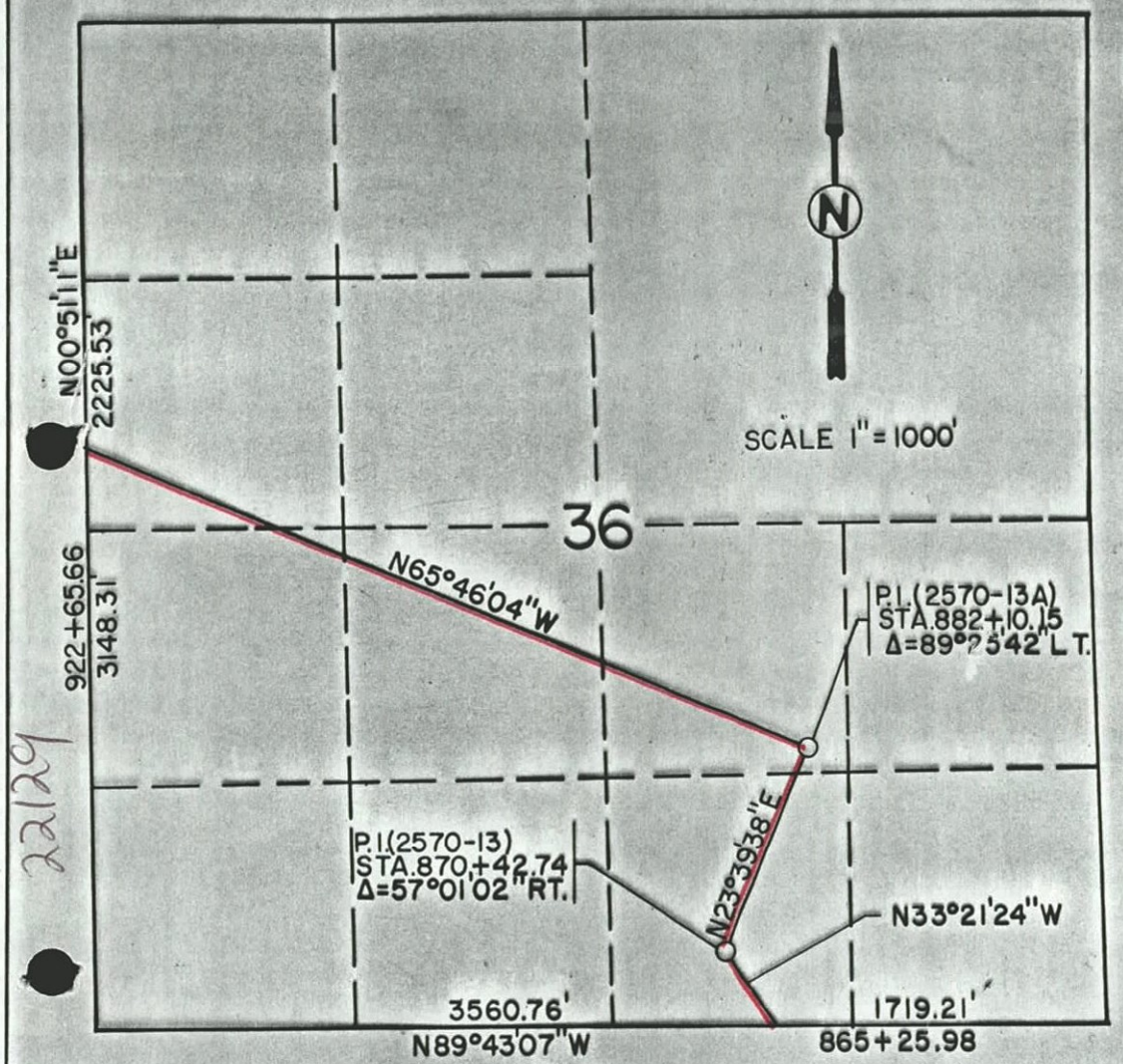
Abstract

Plains Electric Generation and Transmission Cooperative, Inc., (Plains) of Albuquerque, New Mexico, proposes to construct a 33.6 km (21 mi) water pipeline and a 12.8 km (8 mi) well gathering system to connect the Plains-Escalante Generating Station (PEGS) with existing water wells either already purchased or under commitment to Plains near Milan, New Mexico.

A Final Environmental Impact Statement on the PEGS Project was filed by the Rural Electrification Administration (REA) and made available to the public on January 8, 1980. A Draft Supplemental Environmental Impact Statement which proposed a change in water supply for PEGS was filed by REA on January 12, 1982.

This Information Supplement has been prepared by REA to examine alternatives to and environmental impacts of the proposed supplemental water pipeline and well gathering system which will be located in portions of Cibola and McKinley Counties, New Mexico.

NEW MEXICO STATE LAND



SEC.36
T.14N., R.12W.

NOTES:

1. BEARINGS SHOWN HEREON ARE NEW MEXICO STATE PLANE GRID
2. ALL TIES SHOWN ARE FROM THE SURVEY LINE.
3. STATION SHOWN HEREON ARE SURVEY LINE STATIONS.
4. ● SECTION CORNER RECOVERED.
5. O SECTION CORNER CALCULATED.

KOOGLE & POULS ENGINEERING
8338A COMANCHE N.E. ALBUQUERQUE, N.M. 87110

22129

PARCEL S-1
GRANTOR State of New Mexico

That part of a strip of land being 40 feet in width, owned by the Grantor, lying and being situate in Section 36 Township 14 North, Range 12 West, New Mexico Principal Meridian, County of McKinley, State of New Mexico being 20 feet wide on the right and 20 feet wide on the left of, parallel with and adjacent to the following described survey line, to wit:

Beginning at survey line Station 865+25.98 of the Plains Electric Generation and Transmission Cooperative INC. Waterline Project, said same beginning point having New Mexico (West Zone) State Plane Coordinate values X= 433,233.63 Y= 1,597,932.45 and from whence the SE Corner of Section 36, Township 14 North, Range 12 West bears a grid bearing of S89°43"07"E a distance of 1719.21 feet; thence on a grid bearing of N33°21'24"W along said survey line a distance of 516.76 feet to PI station 870+42.74; thence continuing along said survey line on a grid bearing of N23°39'38"E a distance of 1167.41 feet to PI Station 882+10.15; thence continuing along said survey line on a grid bearing of N65°46'04"W a distance of 4055.51 feet to Station 922+65.66, being a point on the Westerly line of said Section 36, and from whence the NW Corner of Section 36, Township 14 North Range 12 West bears a grid bearing of N00°51'11"E a distance of 2225.53 feet.

CONTAINING 347.86 RODS
Containing 5.271 acres, more or less.

Being allocated by forties as follows:

SW1/4SE1/4.....	1.380 acres.
NW1/4SE1/4.....	1.256 acres.
NE1/4SW1/4.....	1.319 acres.
NW1/4SW1/4.....	0.262 acres.
SW1/4NW1/4.....	1.054 acres.

60-1887 Donald J. Elkins c.s.

SURVEYOR'S CERTIFICATE

I hereby certify that this plat, with the notes shown hereon is an accurate delineation of the survey by Koogle & Pouls Engineering, Inc., completed under my direction. Dated this 10th Day of May, 1983.

REGISTERED LAND SURVEYOR
STATE OF
NO. 4076
NEW MEXICO
J. ROBERT MARTINEZ

J. ROBERT MARTINEZ, N.M.L.S. NO. 4076

Appendix D

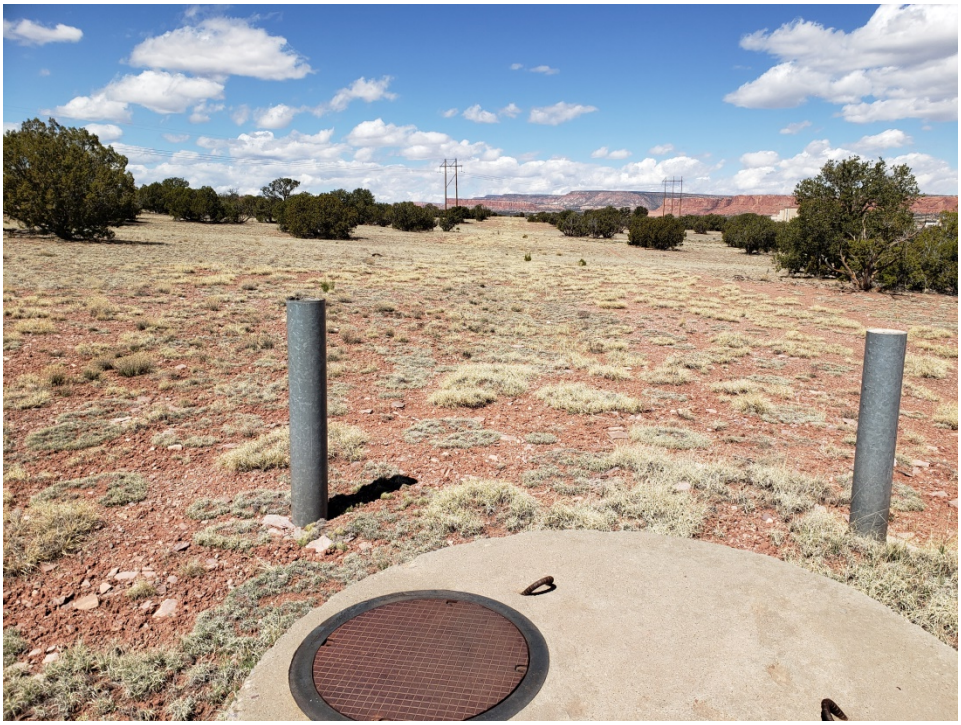
Photographs

1. View to northwest from the eastern boundary of the subject property

2. View to south of the subject property from the northern boundary

3. View to west of the subject property from the eastern boundary

4. View to northwest from CR 19 of drainage swale in the northeast corner of the subject property



5. View to northwest along pipeline route

6. View of manhole along pipeline

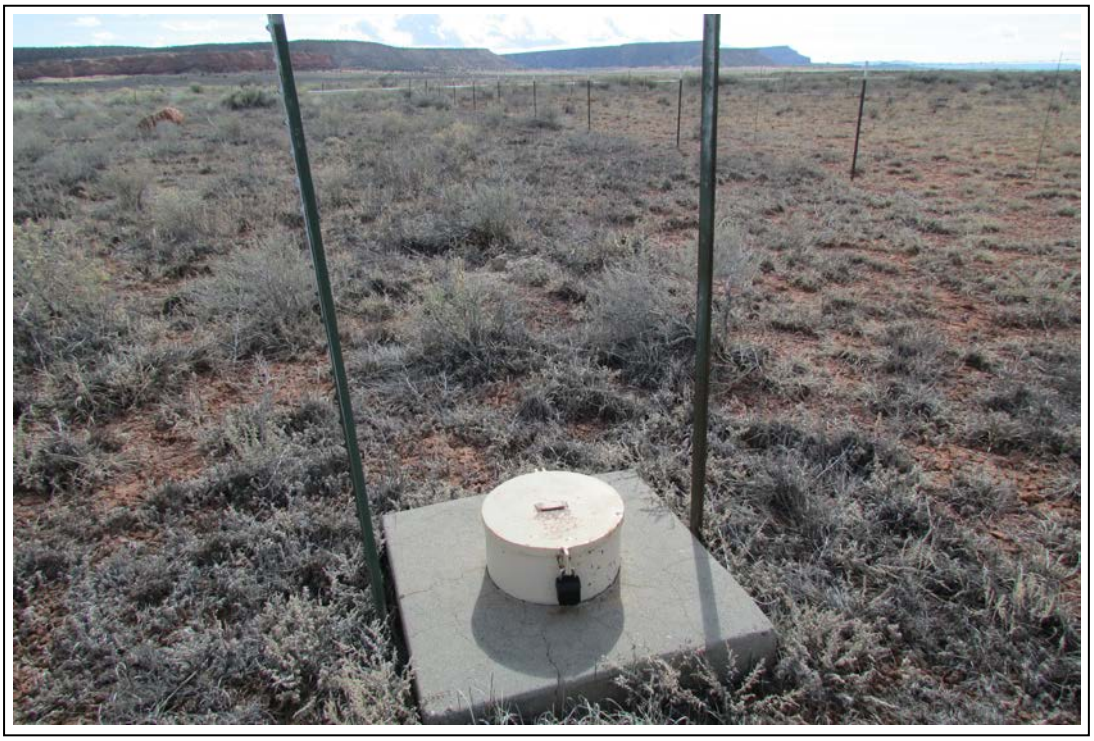
7. View to southeast along pipeline route

8. View to south of livestock water tank

9. View of livestock water tank

10. View of water trough at livestock water tank

11. View toward presumed water well for servicing livestock water tank



12. Monitor well located near the northeast corner of the subject property

13. View to east of CR 19 and beyond

14. View to north from northern boundary of subject property

15. View to south along eastern boundary of the subject property

16. View to west of the Escalante Generating Station and McKinley Paper Company entrance

Appendix E

Statement of Qualifications

John Bunch, P.G.

Senior Scientist

EDUCATION

B.A., Geology, 1993
University of New Mexico

B.A., Psychology, 1988
University of New Mexico

REGISTRATIONS

Professional Geologist No. 3051, Wyoming

New Mexico Construction Industries Division GS-29- Soil Remediation No. 943006

AFFILIATIONS

National Groundwater Association

New Mexico Geological Society

Mr. Bunch specializes in providing geologic, hydrogeologic, and regulatory compliance services to clients in New Mexico, Arizona, and Texas. He prepares a variety of technical reports and proposals for the following type of projects: hydrogeologic investigations, Phase 1 and II environmental investigations, preliminary and detailed site investigations, corrective action/remedial design plans and reclamation proposals.

Site Assessments and Remediation of Petroleum Contamination, Multiple Sites, New Mexico: Managed multiple gasoline-contaminated sites that were regulated by the NMED PSTB. Work included preliminary and secondary investigations, monitor well installations, free-product removal, soil excavation, natural attenuation monitoring, groundwater modeling, GPS mobile mapping, remediation systems engineering, field analysis, PSTB documentation, report and permit preparation, and coordination with the client and PSTB to ensure cost-effective cleanup and site closure.

Site Assessments and Remediation of Petroleum Contamination/Hazardous Materials, New Mexico Department of Transportation (NMDOT), Various Sites, New Mexico: Performed numerous Phase I and Phase II investigations and remedial action at various NMDOT patrol yards throughout the state of New Mexico. The assessments and remediation have included the following: hydrogeologic investigations, contaminated soil delineation and removal, remedial action system analysis and feasibility studies, conceptual remedial action design and pilot studies, water quality analysis, mobile mapping and GIS, construction management, and report preparation.

Site Assessments and Remediation of Petroleum Contamination/Hazardous Materials, New Mexico Oil Conservation Division, Multiple Sites, New Mexico: Performed numerous Phase I and Phase II investigations and remedial action at various abandoned oil and gas processing and production sites throughout the state of New Mexico. The assessments and remediation have included the following: investigation and cleanup of large waste pits and oil sludge lagoons, hydrogeologic investigations, cleanup and disposal of large aboveground storage tanks, asbestos investigation and abatement, contaminated soil delineation and removal, NORM surveys, water quality analysis, mobile mapping and GIS, construction management, and report preparation.

General Petroleum Superfund Site, New Mexico Oil Conservation Division, Eunice, New Mexico: Performed Phase I and II investigations and remedial action at the abandoned General Petroleum oil and gas processing and production plant. The assessments and subsequent remediation were performed at the site as a brownfields redevelopment project for the City of Eunice, under the direction of the Oil Conservation Division (OCD). Using ASTM and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) regulations, developed a comprehensive Quality Assurance Project Plan (QAPP) for the site. Data quality objectives were included in the field sampling and

analysis plan. Also developed a Health and Safety Plan (HASP) that addressed the hazards associated with the site, including a 24-inch buried natural gas pipeline known to contain hydrogen sulfide (H2S), multiple high-pressure natural gas lines and crude oil pipelines, asbestos coated material (ACM) piping, highly contaminated soil, leaking aboveground storage tanks (ASTs), and operating heavy equipment.

Managed multiple project phases and subcontractors at the site. These phases included, but were not limited to: hydrogeologic investigation including soil borings and monitoring well installation, investigation, and cleanup of a 2.5-acre waste pit and oil sludge lagoons (which included the removal of more than 50,000 cubic yards of petroleum-contaminated soils), cleanup and disposal of large aboveground storage tanks, asbestos investigation and abatement, naturally occurring radioactive material (NORM) survey, water quality analysis, mobile mapping and GIS, construction management, and report preparation.

Brownfield Redevelopment - Former Phil Carrell Chevrolet Dealership, Carlsbad, New Mexico: This project started with a Phase I and II ESA involving a large commercial property made up of four separately leased tracts of land. The Phase II revealed extensive soil and groundwater contamination from leaking underground storage tanks. It was revealed during this investigation that hydrocarbons impacting the soil and groundwater were present beneath the former UST location and the building. Approximately 1,000 cubic yards of soil was removed. Mr. Bunch submitted a remedial action plan to the New Mexico Environment Department (NMED)/Ground Water Quality Bureau and NMED Petroleum Storage Tank Bureau in order to address the soil and groundwater contamination at the site. The plan was approved and a dual-phase pump-and-treat/soil vapor extraction system was installed and operated at the site.

Phase II Investigation, Carlito Springs, Bernalillo County Public Works, Tijeras, New Mexico: Completed a Phase II environmental site assessment for a 198-acre site located near the Village of Tijeras in Bernalillo County, New Mexico. Implemented a sampling and analysis plan (field sampling plan and quality assurance project plan) that was approved by the U.S. Environmental Protection Agency (EPA), Region 6. The scope of services included an inspection of the subject property; advancement of soil borings to determine the extent of volatile and semivolatile organics, lead, polychlorinated biphenyls (PCBs), asbestos, and petroleum hydrocarbon contamination; and completion of a groundwater monitoring well to assess groundwater impact at the subject property.

Stage II Abatement, La Cueva Patrol Yard, New Mexico Department of Transportation, La Cueva, New Mexico: As project manager, submitted a Stage II Abatement plan (as directed by the NMED GWQB) to remediate groundwater impacted by salt from a salt storage area at the La Cueva Patrol Yard. The scope included advancing soil borings and monitoring wells to delineate the salt plume and monitoring natural attenuation. Additionally, a water supply well was installed to provide nearby residents with drinking water. The work also included field analysis, documentation, and communications and recommendations to the NMDOT.

Julie Kutz

Senior Biologist/NEPA Specialist

EDUCATION

B.S., Biology, University of New Mexico, 1997

Diploma, Civil and Surveying Technologies, Albuquerque Technical Vocational Institute (Now Central New Mexico Community College), 1988

REGISTRATIONS

Toxic Substances Control Act (TSCA) Title II and Asbestos Hazard Emergency Response Act (AHERA) Accredited Asbestos Inspector

Ms. Kutz has 25 years of experience as a professional in the environmental and engineering field, including 15 years in environmental science. Expertise includes environmental impact analysis and environmental compliance/ permitting for National Environmental Policy Act (NEPA), Clean Water Act, and other regulatory documentation requirements. Projects include environmental impact statements (EISs), environmental assessments (EAs), categorical exclusions, and biological assessments/evaluations (BA/Es). Regularly interacts with government agencies at federal, state, and local levels. Performs biological surveys and threatened and endangered presence/absence surveys, and is certified to conduct wetland delineations per the U.S. Army Corps of Engineers (USACE) standards.

Environmental Baseline Survey(EBS) for Lands Adjacent to Cannon Air Force Base, Curry County, New Mexico: Lead preparer for performing an EBS for the purpose of documenting the apparent environmental conditions for approximately 2,340 acres of land located adjacent to Cannon Air Force Base (AFB), Curry County, New Mexico. The EBS is providing information to the State of New Mexico for their efforts to purchase private property adjacent to CAFB for the purpose of gifting the land to the base. The EBS incorporates both the guidelines provided in Air Force Instruction (AFI) 32-7066 for performance of an EBS and the guidelines provided by the American Society for Testing and Materials (ASTM) Standard E 1527-05 for performance of Phase I ESA. In addition to the records search, property owner and government agency interviews, groundwater, soil, lead paint, and suspect asbestos material sampling are being conducted to complete the EBS. Ms. Kutz is also investigating the degree to which threatened and endangered species could potentially interfere with future land use by CAFB and coordinating the potential presence of cultural resources.

Sunport Boulevard Extension Environmental Assessment, Biological Report, and Initial Site Assessment, Bernalillo County, New Mexico: Team lead for the preparation of an EA in conformance with NEPA for a federally funded roadway extension project (2010-2012). Bernalillo County is proposing to extend the current roadway to provide a regional transportation link, improve connectivity, and relieve traffic congestion in the area. The project area includes the South Valley Superfund Site, and therefore required careful agency and responsible party coordination. The project area is also located near high-minority, low-income communities; therefore, an increased focus on environmental justice issues was necessary. As part of the EA, completed a biological report (BR) and an initial site assessment (ISA) for hazardous materials. The EA was signed by the Federal Highway Administration (FHWA) in September 2011. Prepared the Input Synopsis and the request for a Finding of No Significant Impact (FONSI), which is currently under review by the FHWA.

Initial Site Assessment for CR 3900/NCM 3900 Corridor Improvements, San Juan County, New Mexico, New Mexico Department of Transportation: Task lead for the preparation of an ISA for the improvements of CR3900/NCM3900. The ISA evaluated hazardous materials in the project area and was conducted in accordance with NMDOT and ASTM guidelines.

Initial Site Assessment for I-25 and Rio Bravo Boulevard Interchange, Albuquerque, New Mexico, New Mexico Department of Transportation: Task lead for the preparation of an ISA for the reconstruction of Rio Bravo Boulevard from Broadway Boulevard to the I-25 Interchange. The ISA evaluated hazardous materials in the project area and was conducted in accordance with the NMDOT Hazardous Material Assessment Handbook, June 2007, and the ASTM Standard Practice for Environmental Site Assessments (Standard E 1527-05).

Environmental Permitting for Mesa del Sol Demonstration Smart Grid Project, Albuquerque, New Mexico: Team lead for the overall permitting requirements for the demonstration project to connect a smart grid to an existing office building. The project uses solar energy and incorporates a system of generators and a battery system for energy storage. Prepared an air quality permit for a minor source, which was included in the environmental permitting requirements, and submitted it to the City of Albuquerque (jurisdictional agency) for the client.

Hatch Solar Energy Center I Environmental Permitting, Hatch, New Mexico, Nextera Energy: Team lead for the overall permitting requirements for the 41-acre 5MW solar facility near Hatch, New Mexico. Based on the assessment completed in the preliminary stage of the project, concurrence was sought and obtained from the U.S. Fish and Wildlife, the New Mexico State Historic Preservation Office, the New Mexico Department of Game and Fish, and the USACE. The project obtained a No Permit Required concurrence for air quality issues from the New Mexico Environment Department (NMED) Air Quality Bureau, and a liquid waste permit was prepared and submitted to the NMED Liquid Waste Bureau. Prepared and submitted a Conditional Use Permit to the Village of Hatch, where the permit was approved. Team member in the preparation of a Storm Water Pollution Prevention Plan for construction of the site.

Initial Site Assessment for the McMahon Boulevard Extension, Albuquerque, New Mexico, City of Albuquerque: Task lead for the preparation of an ISA for the extension of McMahon Boulevard. The ISA evaluated hazardous materials in the project area and was conducted in accordance with NMDOT and ASTM guidelines.

Environmental Investigation for County Road Projects, Sierra County, New Mexico: Performed ecological site surveys, agency coordination, and reporting for the EI for Sierra County as part of environmental documentation for NMDOT funding. The report evaluated potential environmental impacts for multiple county road improvement projects. Topics covered included wetlands, invasive species, hazardous materials, threatened and endangered species, and Clean Water Act 404/401 permitting. The project also included performing biological surveys for the Chiricahua leopard frog in order to evaluate construction activity impacts on the listed species.