



New Mexico Environment Department

Ground Water Discharge Permitting for Uranium Mines
Jonas Armstrong, Water Protection Division Director
Water and Natural Resources Committee

September 29, 2026



Regulatory Framework

The New Mexico Water Quality Act (WQA), Sections 74-6-1 to -17 NMSA 1978, protects surface and ground water quality.

- ❑ Creates the Water Quality Control Commission (WQCC)
- ❑ WQCC Regulations (20.6.2 NMAC) adopted in 1977
- ❑ Establish Ground Water and Surface Water Standards



Administrative Framework

New Mexico Environment Department

Water Protection Division

Ground Water Quality Bureau

Mining Environmental
Compliance Section

□ Discharge Permits:

- Regulatory document that prescribes the discharge limits and monitoring and reporting requirements of a facility that discharges to groundwater
- May require monitoring well(s)



Regulatory Authority

WQCC Regulations protect New Mexico's groundwater (10,000 mg/L TDS or less)

- ❑ Require Discharge Permits for discharges which may impact groundwater quality
- ❑ Assure compliance with WQCC Regulations and Discharge Permit conditions
- ❑ Require abatement plans in the event of groundwater contamination



Regulatory Authority

Groundwater quality standards in 20.6.2.3103 NMAC

- Uranium mining-relevant standards:
 - Uranium: 30 $\mu\text{g/L}$
 - Combined Ra-226/228: 5 pCi/L
 - Gross alpha (excl. radon and uranium): 15 pCi/L



Unsure if You Need a Discharge Permit?

Submit a Notice of Intent to Discharge (NOI)

 New Mexico Environment Department
Ground Water Quality Bureau

**Ground Water Quality Bureau
Notice of Intent to Discharge**

For Department use Only:
Agency Interest Number _____
PRD Assigned _____

1. Name and mailing address of person proposing to discharge (Responsible Person):

Work Phone: _____
Cell/Home Phone: _____
Fax: _____
Email: _____

2. Name and Position of person Completing Form:

Work Phone: _____
Cell/Home Phone: _____
Fax: _____
Email: _____

3. Name of facility:

4. Physical location of the discharge (if applicable, give street address, township, range, section, distance from closest town or landmark, directions to facility, location map):

5. Type of operation generating the discharge (e.g., agricultural facility, domestic wastewater discharge, industrial discharge, mining operation, etc.):

6. Source(s) of the discharge. Describe how the wastewater, sludge, or other discharges processed and/or disposed at your facility are generated. Identify all sources. Attach additional pages if needed:

7. Expected contaminants in the discharge (e.g., nitrate-nitrogen, metals, organic compounds, salts, etc.) Include estimated concentration if known, and copies of results of laboratory analyses, if available:

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Notice of Intent

 New Mexico Environment Department
Ground Water Quality Bureau

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8. Describe all components of wastewater processing, treatment, storage, and disposal system (e.g., pre-treatment units, impoundment(s), septic tank/leachfield, etc.). Include sizes, site layout map, plans, and specifications, etc. if available:

9. Estimated maximum daily discharge volume in gallons per day. Provide water usage records or system sizing criteria if available:

10. Estimated depth to ground water (ft): _____ Source of information: _____

11. Current Total Dissolved Solids Concentration in Groundwater: _____

Signature: _____ Date: _____
Printed name: _____ Title: _____

Certification by Responsible Person
I, _____, hereby certify that the information and data submitted in this application are true and accurate as possible, to the best of my knowledge and professional expertise and experience.

Signed this ____ day of _____, upon my oath or affirmation, before a notary of the State of _____

Please return this form to:
NMED Ground Water Quality Bureau
P.O. Box 6408
Santa Fe, New Mexico 87502-5469

Telephone: 505-827-2900
Fax: 505-827-2965

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Notice of Intent

Form available here: <https://www.env.nm.gov/forms/>



Discharge Permit Application



NEW MEXICO ENVIRONMENT DEPARTMENT
GROUND WATER QUALITY BUREAU



GROUNDWATER DISCHARGE PERMIT
APPLICATION
MINE FACILITY (NON COAL)

You may fill out this application manually, or a Microsoft Word version may be downloaded from www.env.nm.gov/gwb (forms) and filled out electronically. Instructions for completing the application are included herein and in the **Supplemental Instructions** found at www.env.nm.gov/gwb (forms). Timely processing of an application is contingent upon the technical completeness of the submission. Failure to provide all of the information pursuant to applicable regulations, 20.6.2.3106 and 20.6.7 NMAC, following notice of technical deficiency, may result in denial of an application.

This application is to be utilized by both non-copper mine facilities and copper mine facilities and therefore refers to both 20.6.2.3106 and 20.6.7 NMAC requirements. These references are provided to assist the applicant in submitting an application inclusive of all required specifications NMED deems necessary to determine technical completeness. Reference(s) to 20.6.7 NMAC is intended only to provide guidance to non-copper mine facilities as to what the required specifications are and what type(s) of information is preferred to supplement the application.

INTRODUCTION

Facility Name: _____

For Existing Discharge Permits:

DP Number: _____

Expiration Date: _____

Type of Application (check all that apply)

- ☐ New – new facility
- ☐ New – existing (unpermitted) facility
- ☐ Renewal
- ☐ Modification “modification” includes a change in the location of a discharge, and/or increase in the quantity of the discharge, and/or a change in the quality of the discharge.
- ☐ Closure

If this application is to modify or renew and modify a Discharge Permit, what is the reason for modification of the Discharge Permit? Describe the proposed changes that would result in a modification.

GWQB – Date of Receipt
(Department use only)

Fees Included with Application

Pursuant to either 20.6.2.3114 NMAC (for non-copper mine facilities) or 20.6.7.9 NMAC (for copper mine facilities), all applicants are required to submit (1) a **Filing Fee** and (2) a **Permit Fee**. A **Filing Fee** is due with submission of the application; a **Permit Fee** will be assessed by NMED with permit issuance. Applicable permit fees and filing fees are listed in 20.6.2.3114 NMAC (for non-copper mine facilities) and 20.6.7.9 NMAC (for copper mine facilities). **Make checks payable to: NMED-Ground Water Quality Bureau.**

Send application and fees to the following address:

Program Manager
Mining Environmental Compliance Section
Ground Water Quality Bureau
New Mexico Environment Department
P.O. Box 5469
Santa Fe, NM 87502-5469

Copies of Application

An applicant applying for a Discharge Permit shall submit to the address listed above both paper copy(ies) and an electronic copy of the signed application and all supporting documentation as follows:

Paper Copy Requirements

- ☐ All non-copper mine facilities shall submit two (2) paper copies – completed and signed –
- ☐ Per 20.6.7.10.E NMAC, all copper mine facilities shall submit one (1) paper copy – completed and signed –

Electronic Copy Requirements

- ☐ (All facilities) Electronic copy in portable document format (PDF) of the signed application and all supporting documentation (designs, maps, logs), on the following media (choose one):
 - ☐ Compact disc (CD)/DVD
 - ☐ Flash drive

Applicant's Signature

Signature must be that of the person listed as the legally responsible party on this application (Part I.A.2.a).

I, the applicant, attest under penalty of law to the truth of the information and supporting documentation contained in this application for a Groundwater Discharge Permit.

Signature: _____ Date: _____

Printed Name: _____ Title: _____

If the person or entity submitting the application is NOT the owner or operator of the facility, a certification that the person is duly authorized to submit the application on behalf of the owner or operator must be provided [20.6.7.11.B NMAC]

- ☐ Certification Attached. Label as “Attachment IA-1”
- ☐ Not Applicable

Form available here: <https://www.env.nm.gov/forms/>



Discharge Permit Application Types

New Permit

- No discharge permit associated with the site
- New facility or new discharge at existing facility

Renewal

- Existing discharge permit that will soon expire
- No changes occurred or planned during permit term

Modification

- Existing discharge permit
- Changes have occurred or are planned

Renewal and Modification

- Existing discharge permit that will soon expire
- Changes have occurred or are planned in the upcoming permit term

UIC General Permit

- Underground Injection Control activities only
- For Groundwater Remediation and Cleanups



More About Modifications

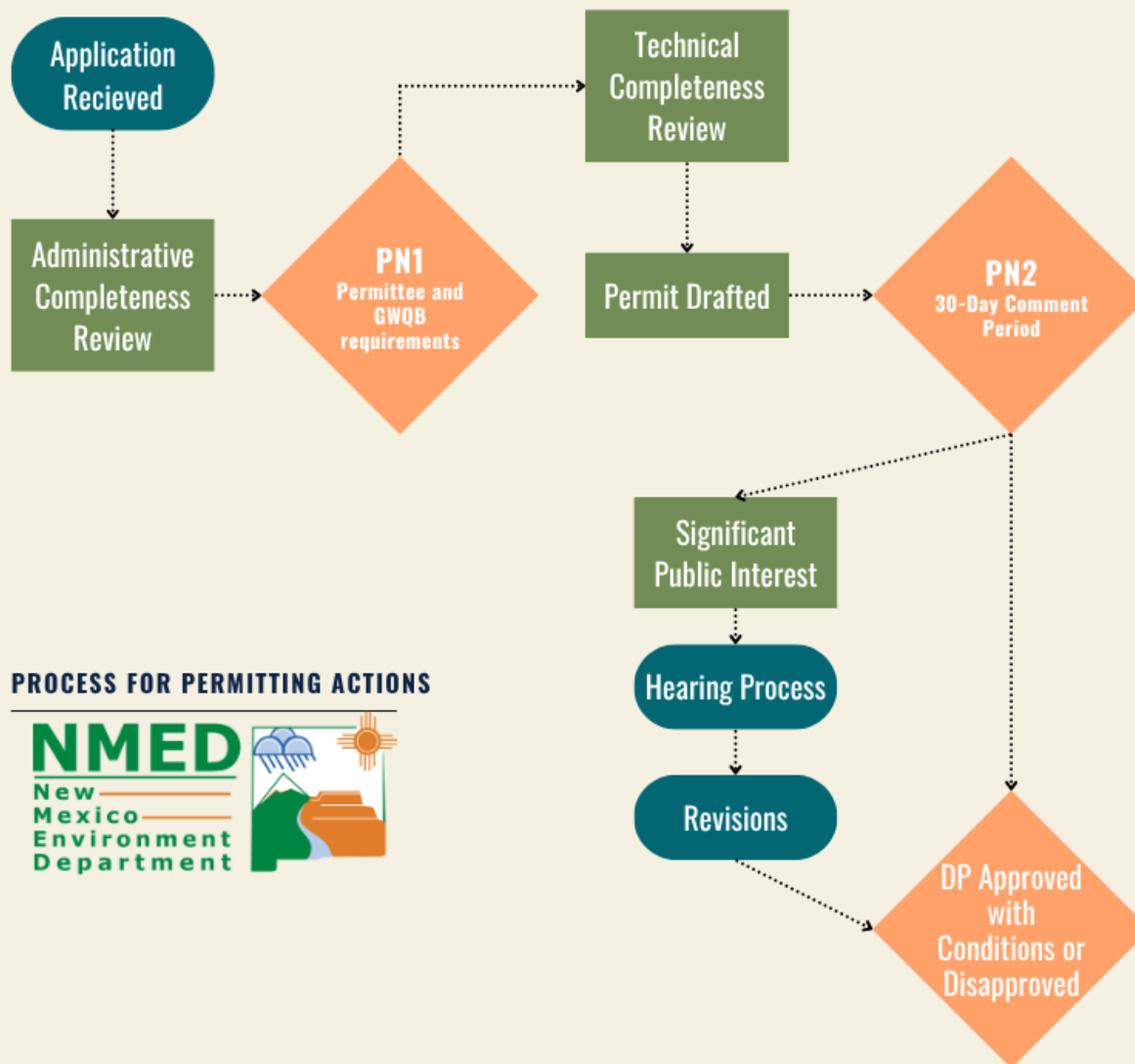
A modification is a change in quality, quantity, or location of discharge.

- ❑ NMED reserves the right to require a permit modification if NMED determines the requirements of 20.6.2 NMAC or the standards of 20.6.2.3103 NMAC are being or may be violated.
- ❑ A Discharge Permit can be modified during the 5-year term period.
- ❑ All applications for modification must go through the entire permitting and public notice processes.

NMED may require more restrictive conditions than what is proposed in the application.



Discharge Permitting Process





Public Notice 1 (PN-1)

- New, Renewal/Modification and Modification
 - ▣ 2'x3' synopsis sign at discharge location
 - ▣ Post flyer at off-site location
 - ▣ Mail flyer to property owners within 1/3 mile
 - ▣ Mail flyer to discharge site property owner
 - ▣ Publish synopsis in local paper

- Renewal only
 - ▣ Mail flyer to discharge site property owner
 - ▣ Publish synopsis in local paper

All Permitting Actions Require a PN-1 Affidavit Submission by permittee.



Public Notice 2 (PN-2)

- NMED notifies the public and interested parties of the availability of a Draft Permit
- 30-day comment period
 - ▣ Allows for public comment
 - ▣ Public can request a hearing
- Once complete, the permit is either issued or advanced through the public hearing process

In some cases, a Preliminary Draft is provided to the permittee for review and comments.



Discharge Permit Approval

- NMED's permitting process typically takes 1-3 years
- Discharge Permits are issued for a 5-year term
- Permit conditions may require installations or submissions be completed by a certain date:
 - Monitoring Well Installations
 - Monitoring Reports (Quarterly, Semi-Annually, Annually)
 - New Impoundments
 - Plans and Specifications (50%, 95%, as built)



Other Permitting Required

- Energy, Minerals and Natural Resources Department; Mining and Minerals Division
- Environmental Protection Agency
- Nuclear Regulatory Commission



Questions?

