

NOTICE OF PROPOSED ACTION

by the

U.S. Environmental Protection Agency
Region 9, WTR-2-3
75 Hawthorne Street
San Francisco, CA 94105-3901

Public Notice #: NN-W-15-08
Public Notice Date: August 20, 2015
Comment Period Closes: September 19, 2015

The U.S. EPA is issuing a notice of proposed action under the Clean Water Act to reissue a National Pollutant Discharge Elimination System (NPDES) permit NN0028193 to: BHP Billiton Mine Management Company. P.O. Box 1717, Fruitland, NM 87416-1717

The BHP Billiton Mine Management Company (MMCo) operates the Navajo Mine for the Navajo Transitional Energy Company, LLC (NTEC) which owns the facility. The Navajo Mine facility is a surface coal mine located southwest of Farmington, NM and provides coal to the APS Four Corners Power Plant. MMCo is required to control all surface runoff water with the potential of being contaminated from contact with mining activities. EPA initially issued a NPDES permit to the Navajo Mine on March 28, 1977 and the most recent permit renewal was issued on March 5, 2008.

MMCo in its new NPDES application proposes to renew 13 existing outfalls and seeks approval of 26 new outfalls. The 13 existing outfalls and 12 of the 26 new outfalls are located within the currently approved Surface Mining Control and Reclamation Act (SMCRA) permit area. The remaining 14 outfalls are located within a new proposed SMCRA permit area. The new proposed SMCRA permit area will be considered a "new source" for purposes of the NPDES permit. The existing and proposed new controlled outfalls discharge to the Chaco River, and the San Juan River.

EPA is soliciting comments on the proposal. EPA will consider all comments received during the comment period before taking final action. To submit comments, or to obtain additional information including the proposed permit and administrative record, please contact:

Gary Sheth at (415) 972-3516 or Sheth.Gary@epa.gov or
EPA Region 9
Water Division (WTR-2-3)
75 Hawthorne Street
San Francisco, CA 94105
Website: <http://www.epa.gov/region09/water/npdes/pubnotices.html>

Please bring the foregoing notice to the attention of all persons who would be interested in this matter.