



**ENVIRONMENT
DEPARTMENT**

**APPLICATION FOR A VARIANCE
FROM THE REQUIREMENTS OF THE
LIQUID WASTE DISPOSAL REGULATIONS**

NMED Permit No.
T A-010137

APR 27 2001

| | | |
|---|------------------------------------|-------------------------|
| SYSTEM OWNER'S NAME: Last, First and Middle Mooney Loraine B | HOME PHONE: 505.758.9650 | WORK PHONE: - |
| MAILING ADDRESS: Street/P.O. Box, city, State and Zip P O Box 1749 / Taos NM 87571-1749 | | |
| SYSTEM LOCATION: Address 1516 Whitewater Road / El Prado NM | | |
| VARIANCE REQUEST: | | |

RECEIVED
MAY 03 2001
N.M. ENVIRONMENTAL DISTRICT
APR 16 2001
N.M. ENVIRONMENTAL DISTRICT

I hereby apply to the NMED for a variance to the requirement(s) of the Liquid Waste Disposal Regulations. I believe that the issuance of a variance to the requested requirement(s) will not result in the degradation of any body of water or be a hazard to public health, and that the proposed system will provide public health and environmental protection at least equivalent to the minimum protection provided by the section from which I am requesting a variance.

Section of the Liquid Waste Disposal Regulations from which I am requesting a variance: Section 303 Setback Requirements

Justifications (Supporting Documentation May Accompany This Application)
As the enclosed Registration Application approved 24 July 1978, shows, the septic tank was installed fifteen (15) feet from the house. In 1987, I added a small office space and a new Trombe Wall, bringing the south wall of the house within three (3) feet of the septic tank. At no time before or after 1987 have the septic tank and leach field failed to function properly or caused public health problems.

My proposed variance submission date is: _____

Requests for information about the requested variance and comments may be submitted to the NMED Field Office located: New Mexico Environment Department/POBox 208/Taos NM 87571 Phone: 505.758.8808

All adjacent property owners, less than 1,000 feet from the liquid waste system, have been notified by: certified mail, door to door of my intent to apply for this variance. Attached is: _____ a copy of the notification letter with the certified mail return receipts, signature sheet with copy of document provided.

Applicant's Signature: Loraine B Mooney Date of Submission: 18 April 2001

NMED ACTION:
The Department will take action on this variance application after a minimum of ten working days but not later than 20 working days following receipt of the completed petition.

Date Completed Petition Received: 5-3-01

The Department has reviewed the request for a variance, and it appears that the proposed system will: MEET NOT MEET the requirements for granting a variance as specified in Section 202 of the Liquid Waste Disposal Regulations. The variance is hereby: Granted Granted Subject to Conditions Denied

Conditions: see response dated 05-31-01

Reasons: "
RECEIVED
MAY 07 2001

The variance will remain effective for the following period of time: " DISTRICT II

NMED Signature: Carole Walker HPM Date: 05-31-01

Date NMED notified the applicant: 05-31-01
persons making a written submission concerning this variance petition: NONE Ref.:

The applicant may request a hearing, in accordance with Section 203 of the Liquid Waste Disposal Regulations if dissatisfied with the action taken by the Department. The request must be made in writing within 15 working days of notice of the Department's decision.



State of New Mexico
ENVIRONMENT DEPARTMENT

Santa Fe Field Office
#4 Calle Medico
Santa Fe, New Mexico 87505
Telephone (505) 827-1840
Fax (505) 827-1839



GARY E. JOHNSON
GOVERNOR

PETER MAGGIORE
SECRETARY

May 31, 2001

Certified # Z 549 497 135

PAUL RITZMA
DEPUTY SECRETARY

Loraine B. Mooney
P.O. Box 1749
Taos, New Mexico 87571-1749

Mrs. Loraine Mooney:

This letter constitutes the New Mexico Environment Department's written response to your petition for a variance to Section 303-A (minimum setback from building to disposal field) of the New Mexico Environmental Improvement Board's "Liquid Waste Disposal Regulations".

It is the decision of the Department to grant your request given that relocating the tank two feet further away from the building's footing is potentially more detrimental to the environment and the integrity of the tank than if it were left in place. In this particular instance, the setback requirement is mainly intended to protect the structural integrity of the footing and thus this two foot encroachment into the setback does not pose an significant threat to the environment. This determination is contingent upon the construction method used on the new addition and is only valid if slab-type construction is utilized. If another type of foundation is used, please contact me at 827-1840.

Sincerely,

A handwritten signature in cursive script, appearing to read "Courte Voorhees".

Courte Voorhees
Acting District II Manager



EXISTING
DENIED

LIQUID WASTE PERMIT APPLICATION FOR A

NMED Permit Number: ~~TA 786148~~

TA 786137
TA 786148
1A01009C

NMED Inspection Required No Yes, Call 758 8808 for Appointment Date NMED Received: _____

SYSTEM OWNER'S NAME: Laq. Paul, MI Home Phone: _____ Business Phone: _____

MAILING ADDRESS: MOONEY LORRAINE R 505-758-9650 City: _____ State: _____ Zip Code: _____

PO Box 1749 TAOS NM 87571

SYSTEM LOCATION: Street Address/ Location - give directions to site _____ County: _____

1516 WINTERWATER RD EL PRADO TAOS

OFF OF MESA VISTA OFF BUREAU OF LAND MANAGEMENT

SUBDIVISION: THE MESA ESTATES UNIT 5 BLOCK: 8 LOT: 8 UNIFORM PROPERTY CODE: _____

TOWNSHIP: _____ RANGE: _____ SECTION: _____ QTR: _____ QTR: _____ QTR: _____ LATITUDE: _____ LONGITUDE: _____

INSTALLER'S NAME & FIRM: _____ PHONE: _____

ERNEST'S (GONZALES) GEN'L PLUMBING/MECHANICAL 758-7313

MAILING ADDRESS: Speed PO Box City: El Prado State: NM Zip Code: 87529

CID: 11416 (MIL) MM-98 MS-1 MS-3 Homeowner 48 MOONEY

I. PERMIT APPLICATION (attach on back of pink copy) NA

A. Proposed Liquid Waste System is for: New construction

B. Manufactured Housing (mobile) Yes No

C. Septic Tank Conventional Mound Holding Tank

II. WASTEWATER SOURCES & DESIGN FLOWS IN GALLONS PER DAY (gpd)

A. Proposed liquid waste system use and design flow: 150 gpd

Single family residence with 1 no. of bedrooms 150 gpd

Multiple family unit: no of units, no bedrooms per unit gpd

Other (type): _____ Flow sizing unit: _____ gpd

B. Are there other sewage sources on this property? Yes No gpd

TOTAL WASTEWATER FLOW ON PROPERTY: 150 GPD

III. SITE INFORMATION

A. Lot Size: 1 Acres Date of Record: 12/13/61

NMED retains white copy

B. Depth from Ground Surface to: _____

Seasonal High Water Table _____

Bedrock, Caliche, Tight Clay _____

Gravel, Cobbles, Highly permeable soil _____

C. Soil Description: (NMED may require soil texture description and percolation test record)

Texture: _____

Course sand or gravel: (give percolation rate below) _____

Sand: (give percolation rate below) _____ Fine Sand _____

Sandy Loam: _____ Loam: _____ Silty Loam: _____

Clay Loam: _____ Clay: _____

Other: (describe) SANDY CLAY

D. Domestic Water Source: On-site Public Shared

Irrigation: Wet or Flood Irrigated Area on the lot Yes No

IV. SYSTEM DESIGN

A. Treatment Unit: Septic Tank Capacity 1000 Gallons

Manufacturer: Eddies-Gonzales Certification No: MM98-02-221A

Other (specify): _____

B. Disposal System: Trench Bed Seepage Pit Mound

Evapotranspiration: _____ Other, specify: _____

Materials: Pipe and gravel Gravelless (specify) _____

25 per sq ft 78 in

C. Minimum required absorption area 200 sq ft

Trench or Bed width 3 ft. Gravel depth below distribution pipe 2 ft.

Total Trench or Bed Length 85 ft. Number of trenches: 1

Number of gravelless units N/A

D. Depth from ground surface to bottom of absorption area: _____ ft

RECEIVED
100 feet
210 feet
78 in
TAOS
NM ENVIRONMENT DEPT
EX 15 PM
12/13/01

V. SITE PLAN: Diagram the lot and liquid waste system. Show setbacks to the objects listed below within 200 feet of system and the direction of groundwater flow. Give distances from:

Treatment Unit to: _____ Disposal System to: _____
 ft. Property line _____ ft.
 ft. Property line _____ ft.
 ft. Buildings _____ ft.
 ft. Structures _____ ft.
 ft. Wells _____ ft.
 ft. Irrigation _____ ft.
 ft. Arroyos _____ ft.
 ft. Surface water _____ ft.

Distance
 NEARANCE
 ISSUED
 5-31-01
[Signature]

SEE ATTACHED
 SEE OLD DIAGRAM TH-78
 ON Rpt 4, MONEY EX. A
 LOT 8, BIKS UNIT 2
 TADMESE ESTATES

VI. The foregoing information is correct and true to the best of my knowledge. I understand that the issuing of this permit does not relieve me from the responsibility of complying with all applicable provisions of the New Mexico Plumbing Code and the New Mexico Liquid Waste Disposal Regulations. Obtaining this permit does not relieve me from the responsibility of obtaining any permits required by state, city or county regulation or ordinance or other requirements of state or federal law.

[Signature] Date 3 May 2001

Owner _____ Contractor _____ Other _____

VII. NMEED PERMIT A permit for construction of the liquid waste disposal system described herein is hereby:

Granted Granted subject to conditions Denied
 Conditions: Reasons for Denial: _____

EXISTING TANK FAILS TO MEET SETBACK TO
BLDG AS SET FORTH IN SECTION 303.1 - DISTAN

TO BLDG OR STRUCTURES
5/31-01
William C. Galen
 NMEED Representative _____ Date 5/4/01

NOTE: This permit may be canceled for failure to meet any condition specified; failure to complete the system within one year; for providing inaccurate or incomplete information; or for failure to notify NMEED that the system is completed. If you have questions call: _____

NMEED Inspection History _____ NMEED Representative _____ Date _____

VIII. NMEED FINAL APPROVAL:

The system described above _____ was _____ was not inspected.

NMEED Representative _____ Date _____

TH010437



INDIVIDUAL LIQUID WASTE DISPOSAL SYSTEM
REGISTRATION APPLICATION

TACOS

I. GENERAL INFORMATION

Name of Owner Lorraine B. Mooney Telephone _____

Mailing Address TACOS, N.M.

Contractor Ernest N. Gonzales Telephone 776-2396

Mailing Address Box 129 El Prado, N.M. 87529

Type of Establishment (individual home, trailer park, church, restaurant, other) individual home

Quantity of Liquid Waste (number of bedrooms or flow in gallons per day) 2 Bedrooms

Water Supply (community system, private well, other) private well

Application for Registration (proposed individual system or modification of an existing system?) ind. system

General Location and Directions to the Site In El Prado Mesa
about 1 mi on the National Guard
road

II. SOIL AND TERRAIN CHARACTERISTICS FOR ABSORPTION FIELD USE

Soil Depth in Feet (Do you have six feet of soil before you hit bedrock or an impermeable layer?) yes

Soil Texture (Is the upper six feet of soil generally gravel, sand, silt or clay?) gravel

Percolation Rate in Minutes Per Inch (The percolation rate may be estimated from soil maps. A percolation test may be necessary when soil maps are unavailable or when data indicates severe limitations to the use of absorption fields.) _____

Depth to Seasonal High Water Table in Feet (This depth may be estimated from soil maps. A measurement taken from a nearby well may be necessary when soil maps are unavailable.) 80 ft

Slope of the Ground (What is the greatest verticle drop in feet per 100 feet horizontal distance at the site for the absorption field?) 2 ft

Flooding Potential (Has the site for the absorption field been flooded in the last twenty-five years?) no

III. INDIVIDUAL SYSTEM DESIGN

Type of Individual System (septic tank, aerobic, privy, other) septic Tank

Tank Capacity in Gallons 1000 gal

Manufacturer of the Tank Ernest N. Gonzales

Tank Certification (New Mexico Mechanical Board or National Sanitation Foundation?) N.M.M.B. N.S.F.

Absorption Trench Size in Feet (length and width) 85 ft long 3 ft wide

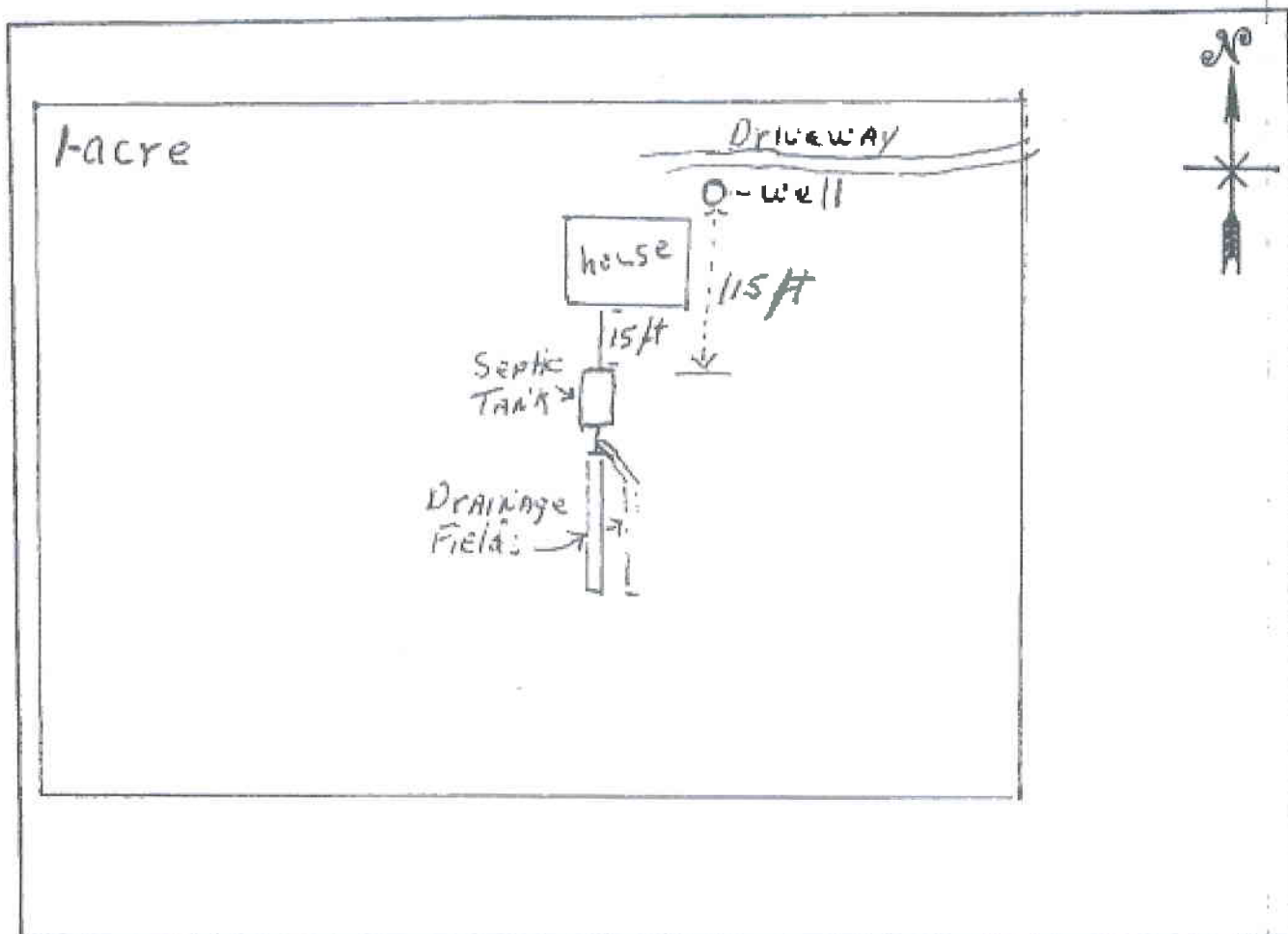
Absorption Trench Depth in Inches 48 in.

Depth of Gravel in Trench in Inches 24 in

IV. LAYOUT OF THE SYSTEM

Sketch the layout of the proposed system and the following landmarks within 200 feet:

1. Proposed or existing buildings, water wells and liquid waste disposal systems;
2. Lakes, reservoirs, streams, arroyos, other watercourses and expected direction of ground water flow; and
3. Dimensions of the parcel of land where the system is to be installed or modified.



V. REGISTRATION CERTIFICATION

The foregoing information is submitted to the field office of the Environmental Improvement Agency as required by Section 102, Subsection B of the Liquid Waste Disposal Regulations adopted by the Environmental Improvement Board (September 14, 1973). This information is correct and true to the best of my knowledge. I understand that the issuing of the registration certificate does not relieve me from the responsibility of complying with all applicable provisions of the Liquid Waste Disposal Regulations.

Signed: Ernest N. Gonzalez Date: 7-18-78
Owner or Contractor

This application has been received by the Environmental Improvement Agency, and a registration certificate is hereby issued. It appears that the proposed individual system will (MEET - NOT MEET) the requirements of Section 103 of the Liquid Waste Disposal Regulations for the following reasons:

Signed: [Signature] Date: 9-24-78
Environmentalist or Engineer