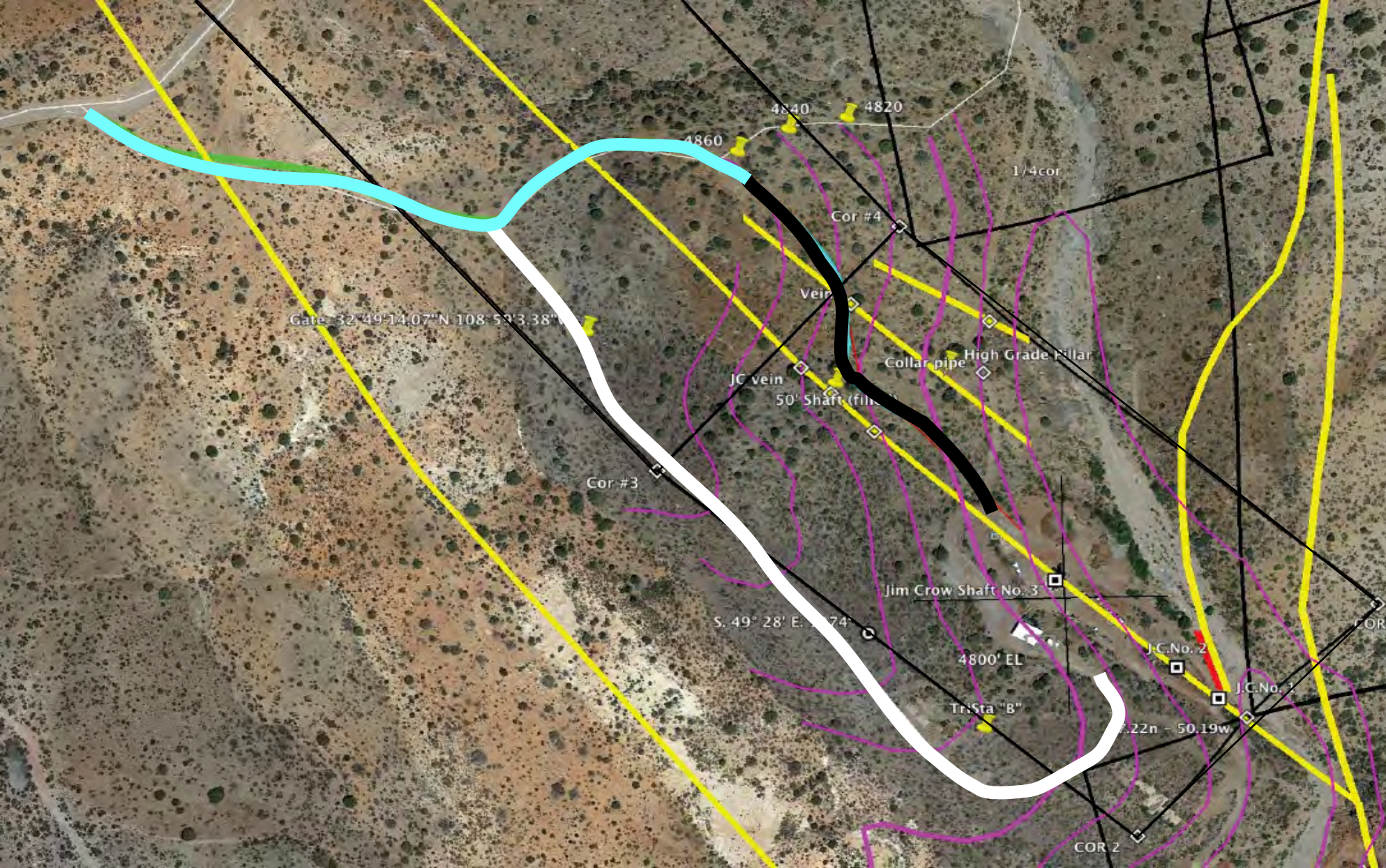
Ennis, David, EMNRD

From: Richard Billingsley <richardbillingsley9@gmail.com>
Sent: Wednesday, December 31, 2014 3:42 AM
To: Ennis, David, EMNRD
Cc: Rhonda Bell; joan GentryJohns('61); Joy Merz
Subject: Jim Crow Mine road
Attachments: J.C. road change.pdf

D. J.,

A portion of the road (about 1500 feet shown in white) entering and exiting the Jim Crow mine is not amenable to haulage. It has places that the grade exceeds 15%. We therefore, plan to relocate the road. We need to build about 800 feet of new road (at 8% grade shown in black) between the Jim Crow Shaft and the Gold King Shaft connecting to the old existing road (shown in blue).

Richard Billingsley


4840
4820
4860
1/4cor
Cor #4
Vein
High Grade Pillar
Collar pipe
JC vein
50' Shaft (fil
Cor #3
Jim Crow Shaft No. 3
S. 49° 28' E.
4800' EL
J.C.No. 2
J.C.No. 1
Trista "B"
COR 2

Ennis, David, EMNRD

From: Richard Billingsley <richardbillingsley9@gmail.com>
Sent: Monday, January 19, 2015 3:21 AM
To: Ennis, David, EMNRD
Cc: Rhonda Bell; Joan GentryJohns('61); Joy Merz
Subject: Re: Jim Crow Mine road and pond

DJ,

Answers to your questions about New Haul Road:

1. What is the total expected width of the new haul road including the berm on the outside edge?

Twenty feet

2. Les stated that the plan is to build the road using wall rock (waste rock) material obtained from the Jim Crow mine. What type of rock is expected? Does the wall rock contain sulfides like pyrite?

We cannot see any significant sulfides (any greater than what is in the surface rock). We have sent samples for analysis.

3. Is the new proposed haul road located entirely on claims owned by JC Imperial?

Yes

4. Les stated during the field visit on 1/14/2015 that a 30" drainage culvert will be installed in the unnamed arroyo approximately 400 feet NW of the mine site. What heavy equipment will be used to place this culvert (e.g. a crane?). What material will the culvert be made of (e.g. concrete, corrugated metal, etc.)?

Front end loader will be used to place the culvert. The culvert is galvanized, corrugated steel.

5. The application states that approximately 1,500 feet of the old entry road will be reclaimed. Please briefly describe how the road will be reclaimed by JC Imperial (e.g. ripped, disced, barricaded from future use with a earth berm or gate, seeded, etc.). MMD can provide you with a seed mix.

Ripped, disced, barricaded, seeded as per your recommendations.

6. Les and Nathan took me to the proposed location for the new pond (32.81397, -108.981465), which is approximately 1,500 feet S/SW of the current water holding pond. What diameter and type of pipe will be used to pump water to this location?

Four inch.

7. How will the new pipe to the new pond be placed (e.g. by hand, dragged behind an ATV, loader, etc.)?

By Hand.

8. What will the dimensions of the new pond be?

100 feet by 100 feet by 5 feet deep.

9. MMD records show the proposed location of the new pond to be on private, patented land not owned by JC Imperial. Who is the owner of the patent and the owner(s) of the land that will be crossed by the water pipeline? Does JC Imperial have permission to use the land that will be crossed by the water pipe and holding pond?

Micrex Development Co. owns the patented claim. We shall obtain written permission from them before we proceed with construction.

10. How will the old holding pond be reclaimed? Please describe equipment and techniques you will use.

Crawler excavator and front end loader will restore the pond berms to original contour and seeded as per your requirements.

Richard Billingsley

On Jan 16, 2015, at 4:24 PM, Ennis, David, EMNRD <David.Ennis@state.nm.us> wrote:

Hello Richard,

I was recently out at the Jim Crow with Les and Nathan and we discussed the road and pond that JC Imperial wants to construct. MMD has the following technical questions about the Jim Crow modification requested by JC Imperial, LLC:

New Haul Road Questions:

1. What is the total expected width of the new haul road including the berm on the outside edge?

2. Les stated that the plan is to build the road using wall rock (waste rock) material obtained from the Jim Crow mine. What type of rock is expected? Does the wall rock contain sulfides like pyrite?

3. Is the new proposed haul road located entirely on claims owned by JC Imperial?

4. Les stated during the field visit on 1/14/2015 that a 30" drainage culvert will be installed in the unnamed arroyo approximately 400 feet NW of the mine site. What heavy equipment will be used to place this culvert (e.g. a crane?). What material will the culvert be made of (e.g. concrete, corrugated metal, etc.)?

Old Road Reclamation:

5. The application states that approximately 1,500 feet of the old entry road will be reclaimed. Please briefly describe how the road will be reclaimed by JC Imperial (e.g. ripped, disced, barricaded from future use with a earth berm or gate, seeded, etc.). MMD can provide you with a seed mix.

New Pond and Old Pond Questions:

6. Les and Nathan took me to the proposed location for the new pond (32.81397, -108.981465), which is approximately 1,500 feet S/SW of the current water holding pond. What diameter and type of pipe will be used to pump water to this location?

7. How will the new pipe to the new pond be placed (e.g. by hand, dragged behind an ATV, loader, etc.)?

8. What will the dimensions of the new pond be?

9. MMD records show the proposed location of the new pond to be on private, patented land not owned by JC Imperial. Who is the owner of the patent and the owner(s) of the land that will be crossed by the water pipeline? Does JC Imperial have permission to use the land that will be crossed by the water pipe and holding pond?

10. How will the old holding pond be reclaimed? Please describe equipment and techniques you will use.

MMD will require a $250 modification fee before your application can be processed; please provide the check at your earliest convenience.

Give me a call when you're working on these and we can talk about anything you might have questions about.

Thanks,
DJ

From: Richard Billingsley [mailto:richardbillingsley9@gmail.com]
Sent: Wednesday, December 31, 2014 3:42 AM
To: Ennis, David, EMNRD
Cc: Rhonda Bell; joan GentryJohns('61); Joy Merz
Subject: Jim Crow Mine road

D. J.,

A portion of the road (about 1500 feet shown in white) entering and exiting the Jim Crow mine is not amenable to haulage. It has places that the grade exceeds 15%. We therefore, plan to relocate the road. We need to build about 800 feet of new road (at 8% grade shown in black) between the Jim Crow Shaft and the Gold King Shaft connecting to the old existing road (shown in blue).

Richard Billingsley

Subject: RE: New Application for Water Discharge at JC Imperial

From: Llewellyn, George, NMENV (george.llewellyn@state.nm.us)

To: jcimperialmine@yahoo.com;

Date: Wednesday, January 14, 2015 11:58 AM

Rhonda:

Please see the attached Notice of Intent (NOI) to Discharge Form. Please attach the most recent JC Mine water quality analysis and a map showing the location of the new pond. Please send the completed application, results of the water analysis and map to George Llewellyn at New Mexico Environment Department, 3082 E. 32nd Street Bypass, Suite D, Silver City, NM 88061. Also, please

If you have any questions, please contact me at 575-956-1549.

From: Rhonda Bell [mailto:jcimperialmine@yahoo.com]
Sent: Friday, January 09, 2015 10:05 AM
To: Llewellyn, George, NMENV
Subject: New Application for Water Discharge at JC Imperial

Good Morning Mr. Llewellen,

Per Les Billingsley's request, could you please send me a new application for the water discharge permit?

Thanks,

Rhonda

1. **Name and mailing address of person proposing to discharge:**

Leslie Billingsley
53 Carlisle Rd.
Duncan, AZ 85534

Work Phone: 928-965-5277
Cell/Home Phone: 928-359-9313
Fax:
Email: bjpro@aznex.net

2. **Name of facility:**

Jim Crow / Imperial Mine

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

Section 23, Township 17 South, Range 21 West.

4. **Type of operation generating the discharge (e.g., truck wash, food processing plant, restaurant, etc.):**

Underground Mine de-watering

5. **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:**

Pumps in mine pump water out through 4" pipe to "Recharge Basin" where it soaks back into the aquafir and the mine.

6. **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:**

None

7. **Describe all components of wastewater processing, treatment, storage, and disposal system (e.g., grease interceptor, lagoon, septic tank/leachfield, etc.) Include sizes, site layout map, plans and specifications, etc. if available:**

Same as 5 above

8. **Estimated maximum daily discharge volume in gallons per day (or other units):**

10,000 gallons per day

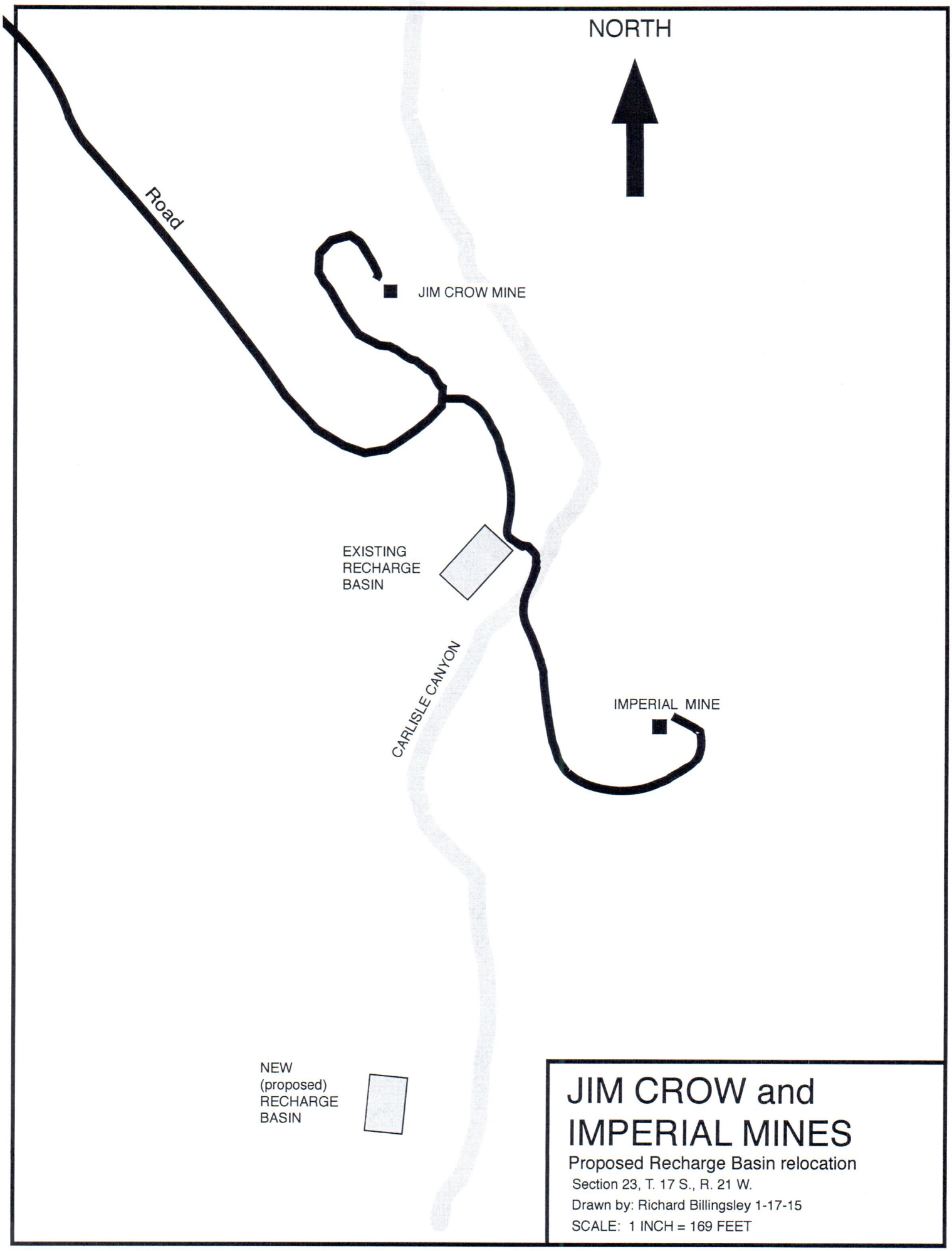
9. **Estimated depth to ground water (ft):** 50'-70'

Signature: Leslie A Billingsley **Date:** 1-19-2015

Printed name: Leslie Billingsley **Title:** Manager

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

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


NORTH
Road
JIM CROW MINE
EXISTING
RECHARGE
BASIN
CARLISLE CANYON
IMPERIAL MINE
NEW
(proposed)
RECHARGE
BASIN
JIM CROW and
IMPERIAL MINES
Proposed Recharge Basin relocation
Section 23, T. 17 S., R. 21 W.
Drawn by: Richard Billingsley 1-17-15
SCALE: 1 INCH = 169 FEET

TURNER
LABORATORIES INC.

September 30, 2009

Joy J Merz
Merz, Joy J
5502 E 7th St
Tucson, AZ 85711

TEL (520) 790-4913
FAX (520) 750-1611

Work Order No.: 09H0814

RE: Jim Crow Water

Dear Joy J Merz,

Turner Laboratories, Inc. received 1 sample(s) on 08/25/2009 for the analyses presented in the following report.

All results are intended to be considered in their entirety, and Turner Laboratories, Inc. is not responsible for use of less than the complete report. Results apply only to the samples analyzed. Samples will be disposed of 30 days after issue of our report unless special arrangements are made.

The pages that follow may contain sensitive, privileged or confidential information intended solely for the addressee named above. If you receive this message and are not the agent or employee of the addressee, this communication has been sent in error. Please do not disseminate or copy any of the attached and notify the sender immediately by telephone. Please also return the attached sheet(s) to the sender by mail.

Please call if you have any questions.

Respectfully submitted,

Turner Laboratories, Inc.
ADHS License AZ0066

Terri L. Garcia

Terri Garcia
Technical Director

Client: Merz, Joy J
Project: Jim Crow Water
Work Order: 09H0814
Date Received: 08/25/2009

Work Order Sample Summary

Lab Sample ID	Client Sample ID	Matrix	Collection Date/Time
09H0814-01	Jim Crow Water	Ground Water	08/22/2009 1200

Client: Merz, Joy J
Project: Jim Crow Water
Work Order: 09H0814
Date Received: 08/25/2009

Case Narrative

H3	Sample was received and analyzed past holding time.
ND	Not Detected at or above the PQL
PQL	Practical Quantitation Limit
DF	Dilution Factor

Turner Laboratories, Inc.

Date: 09/30/2009

Client: Merz, Joy J
Project: Jim Crow Water
Work Order: 09H0814
Lab Sample ID: 09H0814-01

Client Sample ID: Jim Crow Water
Collection Date/Time: 08/22/2009 1200
Matrix: Ground Water

Analyses	Result	PQL	Qual	Units	DF	Prep Date	Analysis Date	Analyst
pH-E150.1								
pH (pH Units)	7.4	0.0		-	1	08/25/2009 1047	08/25/2009 1047	KRK
Temperature (°C)	24			-	1	08/25/2009 1047	08/25/2009 1047	KRK
ICP Total Metals-E200.7								
Aluminum	ND	2.0		mg/L	1	08/26/2009 1015	08/27/2009 1714	RAD
Barium	ND	0.050		mg/L	1	08/26/2009 1015	08/27/2009 1714	RAD
Boron	ND	0.10		mg/L	1	08/26/2009 1015	08/27/2009 1714	RAD
Cadmium	ND	0.0020		mg/L	1	08/26/2009 1015	08/27/2009 1714	RAD
Chromium	ND	0.030		mg/L	1	08/26/2009 1015	08/27/2009 1714	RAD
Cobalt	ND	0.10		mg/L	1	08/26/2009 1015	08/27/2009 1714	RAD
Copper	ND	0.020		mg/L	1	08/26/2009 1015	08/27/2009 1714	RAD
Iron	0.51	0.30		mg/L	1	08/26/2009 1015	08/27/2009 1714	RAD
Lead	ND	0.040		mg/L	1	08/26/2009 1015	08/27/2009 1714	RAD
Manganese	0.52	0.020		mg/L	1	08/26/2009 1015	08/27/2009 1714	RAD
Molybdenum	ND	0.010		mg/L	1	08/26/2009 1015	08/27/2009 1714	RAD
Nickel	ND	0.070		mg/L	1	08/26/2009 1015	08/27/2009 1714	RAD
Silver	ND	0.010		mg/L	1	08/26/2009 1015	08/27/2009 1714	RAD
Zinc	0.043	0.040		mg/L	1	08/26/2009 1015	08/27/2009 1714	RAD
GFAA Total Metals-E200.9								
Arsenic	0.0053	0.0050		mg/L	1	08/26/2009 1015	08/27/2009 1817	RAD
CVAA Total Mercury-E245.1								
Mercury	ND	0.0010		mg/L	1	09/03/2009 0825	09/03/2009 1523	RAD
Anions by Ion Chromatography-E300								
Chloride	10	1.0		mg/L	1	08/25/2009 1000	08/25/2009 1642	JM
Fluoride	0.83	0.50		mg/L	1	08/25/2009 1000	08/25/2009 1642	JM
Nitrogen, Nitrate (As N)	ND	1.0	H3	mg/L	1	08/25/2009 1000	08/25/2009 1642	JM
Sulfate	190	50		mg/L	10	08/26/2009 1100	08/26/2009 2029	JM
Total Dissolved Solids (Residue, Filterable)-SM2540 C								
Total Dissolved Solids (Residue, Filterable)	510	20		mg/L	1	08/26/2009 1100	08/28/2009 1130	JM
Cyanide-SM4500-CN BE								
Cyanide	ND	0.10		mg/L	1	08/31/2009 0700	09/01/2009 1500	JM
ICP Total Metals-SW6010B								

Client: Merz, Joy J
Project: Jim Crow Water
Work Order: 09H0814
Lab Sample ID: 09H0814-01

Client Sample ID: Jim Crow Water
Collection Date/Time: 08/22/2009 1200
Matrix: Ground Water

Analyses	Result	PQL	Qual	Units	DF	Prep Date	Analysis Date	Analyst
Selenium	ND	0.040		mg/L	1	08/26/2009 1015	08/27/2009 1714	RAD

TURNER LABORATORIES, INC.
2445 N. Coyote Drive, Suite 104
Tucson, Arizona 85745
(520) 882-5880
Fax: (520) 882-9788
www.turnerlabs.com

CHAIN OF CUSTODY/LABORATORY ANALYSIS REQUEST FORM

TURNER WORK ORDER # 0910814 DATE _____ PAGE _____ OF _____

PROJECT NAME: Jim Crow #
CONTACT NAME: Joy J. MERZ
COMPANY NAME:
ADDRESS: 5502 E. 7th St.
Tuc. Az 85711 PHONE 520 790 4913 FAX 520 750-1611
SAMPLER'S SIGNATURE: Joy J Merz

SAMPLE I.D.	DATE	TIME	LAB I.D.	SAMPLE MATRIX*	NUMBER OF CONTAINERS
Jim Crow WATER	8/22/09	12:00			1

CIRCLE ANALYSIS REQUESTED AND/OR CHECK THE APPROPRIATE BOX

Base Neutrals ☐ 625/8270 Acids ☐ Volatile Organics 624/524.2/8260 TTHMS ☐ HAA5 ☐ Pesticides ☐ 8081 PCB's ☐ 8082 NO3 ☐ TKN ☐ Oil and Grease Grav. 1664A ☐ TCLP Analysis Semi VOA ☐ VOA ☐ Pest. ☐ Metals Total ☐ TCLP ☐ Dissolved ☐ RCRA8 ☐ Total ☐ Cyanide Amen. ☐ WAD ☐ Total ☐ SDWA/INORGANICS PRIMARY ☐ SECONDARY ☐ Coliform Colilert ☐ MPN ☐ HPC ☐ Cl2 ☐ COD ☐ TSS ☐ BOD ☐ SEE ATTACHED

1. RELINQUISHED BY:
Signature: Joy J Merz
Printed Name: Joy J. MERZ
Firm:
Date/Time: Aug. 25, 2009 10:00 AM

2. RECEIVED BY:
Signature:
Printed Name:
Firm:
Date/Time:

3. RELINQUISHED BY:
Signature:
Printed Name:
Firm:
Date/Time:

4. RECEIVED BY:
Signature:
Printed Name: Brooke Lindsey
Firm: TURNER LABORATORIES, INC.
Date/Time: 8-25-09 1000

TURNAROUND REQUIREMENTS:
____ Standard (approx. 10 days)*
____ Next Day ____ 2 Day ____ 5 Day*
____ Email Preliminary Results To:
* Working Days

REPORT REQUIREMENTS:
____ I. Routine Report
____ II. Report (includes DUP, MS, MSD, as required, may be charged as samples)
____ III. Date Validation Report (Includes All Raw Data) Add 10% to invoice

INVOICE INFORMATION:
Account ____Y ____N
P.O. #
Bill to:

SAMPLE RECEIPT:
Total Containers: 1
Temperature: 2.7
☐ Wet Ice ☑ Blue Ice

* LEGEND
DW = DRINKING WATER
GW = GROUNDWATER
SD = SOLID
SG = SLUDGE
SL = SOIL
ST = STORMWATER
WW = WASTEWATER

SPECIAL INSTRUCTIONS/COMMENTS:

Compliance Analysis:	☐ Yes ☐ No	Custody Seals	☐	Preservation Confirmation	☐
ADEQ Forms:	☐ Yes ☐ No	Container Intact	☑	Appropriate Head Space	☐
Mail ADEQ Forms:	☐ Yes ☐ No	COC / Labels Agree	☑	Received Within Hold Time	☑

882-9788

C. The standards are not intended as maximum ranges and concentrations for use, and nothing herein contained shall be construed as limiting the use of waters containing higher ranges and concentrations.
[2-18-77; 20.6.2.3101 NMAC - Rn, 20 NMAC 6.2.III.3101, 1-15-01]

20.6.2.3102: [RESERVED]
[12-1-95; 20.6.2.3102 NMAC - Rn, 20 NMAC 6.2.III.3102, 1-15-01]

20.6.2.3103 STANDARDS FOR GROUND WATER OF 10,000 mg/l TDS CONCENTRATION OR LESS: The following standards are the allowable pH range and the maximum allowable concentration in ground water for the contaminants specified unless the existing condition exceeds the standard or unless otherwise provided in Subsection D of Section 20.6.2.3109 NMAC. Regardless of whether there is one contaminant or more than one contaminant present in ground water, when an existing pH or concentration of any water contaminant exceeds the standard specified in Subsection A, B, or C of this section, the existing pH or concentration shall be the allowable limit, provided that the discharge at such concentrations will not result in concentrations at any place of withdrawal for present or reasonably foreseeable future use in excess of the standards of this section. These standards shall apply to the dissolved portion of the contaminants specified with a definition of dissolved being that given in the publication *"methods for chemical analysis of water and waste of the U.S. environmental protection agency,"* with the exception that standards for mercury, organic compounds and non-aqueous phase liquids shall apply to the total unfiltered concentrations of the contaminants.

A. **Human Health Standards**-Ground water shall meet the standards of Subsection A and B of this section unless otherwise provided. If more than one water contaminant affecting human health is present, the toxic pollutant criteria as set forth in the definition of toxic pollutant in Section 20.6.2.1101 NMAC for the combination of contaminants, or the Human Health Standard of Subsection A of Section 20.6.2.3103 NMAC for each contaminant shall apply, whichever is more stringent. Non-aqueous phase liquid shall not be present floating atop of or immersed within ground water, as can be reasonably measured.

(1) Arsenic (As).....0.1 mg/l
(2) Barium (Ba).....1.0 mg/l
(3) Cadmium (Cd).....0.01 mg/l
(4) Chromium (Cr).....0.05 mg/l
(5) Cyanide (CN).....0.2 mg/l
(6) Fluoride (F).....1.6 mg/l
(7) Lead (Pb).....0.05 mg/l
(8) Total Mercury (Hg).....0.002 mg/l
(9) Nitrate (NO_3 as N).....10.0 mg/l
(10) Selenium (Se).....0.05 mg/l
(11) Silver (Ag).....0.05 mg/l
(12) ~~Uranium (U)~~.....0.03 mg/l
(13) ~~Radioactivity: Combined Radium-226 & Radium-228~~.....30 pCi/l
(14) Benzene.....0.01 mg/l
(15) Polychlorinated biphenyls (PCB's).....0.001 mg/l
(16) Toluene.....0.75 mg/l
(17) Carbon Tetrachloride.....0.01 mg/l
(18) 1,2-dichloroethane (EDC).....0.01 mg/l
(19) 1,1-dichloroethylene (1,1-DCE).....0.005 mg/l
(20) 1,1,2,2-tetrachloroethylene (PCE).....0.02 mg/l
(21) 1,1,2-trichloroethylene (TCE).....0.1 mg/l
(22) ethylbenzene.....0.75 mg/l
(23) total xylenes.....0.62 mg/l
(24) methylene chloride.....0.1 mg/l
(25) chloroform.....0.1 mg/l
(26) 1,1-dichloroethane.....0.025 mg/l
(27) ethylene dibromide (EDB).....0.0001 mg/l
(28) 1,1,1-trichloroethane.....0.06 mg/l
(29) 1,1,2-trichloroethane.....0.01 mg/l
(30) 1,1,2,2-tetrachloroethane.....0.01 mg/l
(31) vinyl chloride.....0.001 mg/l

(32) PAHs: total naphthalene plus monomethylnaphthalenes ..... 0.03 mg/l
(33) benzo-a-pyrene ..... 0.0007 mg/l

B. **Other Standards for Domestic Water Supply**

(1) Chloride (Cl) ..... 250.0 mg/l
(2) Copper (Cu) ..... 1.0 mg/l
(3) Iron (Fe) ..... 1.0 mg/l
(4) Manganese (Mn) ..... 0.2 mg/l
(5) Phenols ..... 0.005 mg/l
(7) Sulfate (SO_4) ..... 600.0 mg/l
(8) Total Dissolved Solids (TDS) ..... 1000.0 mg/l
(9) Zinc (Zn) ..... 10.0 mg/l
(10) pH ..... between 6 and 9

C. **Standards for Irrigation Use - Ground water shall meet the standards of Subsection A, B, and C of this section unless otherwise provided.**

(1) Aluminum (Al) ..... 5.0 mg/l
(2) Boron (B) ..... 0.75 mg/l
(3) Cobalt (Co) ..... 0.05 mg/l
(4) Molybdenum (Mo) ..... 1.0 mg/l
(5) Nickel (Ni) ..... 0.2 mg/l

[2-18-77, 1-29-82, 11-17-83, 3-3-86, 12-1-95; 20.6.2.3103 NMAC - Rn, 20 NMAC 6.2.III.3103, 1-15-01; A, 9-26-04]

[Note: For purposes of application of the amended numeric uranium standard to past and current water discharges (as of 9-26-04), the new standard will not become effective until June 1, 2007. For any new water discharges, the uranium standard is effective 9-26-04.]

20.6.2.3104 DISCHARGE PERMIT REQUIRED: Unless otherwise provided by this Part, no person shall cause or allow effluent or leachate to discharge so that it may move directly or indirectly into ground water unless he is discharging pursuant to a discharge permit issued by the secretary. When a permit has been issued, discharges must be consistent with the terms and conditions of the permit. In the event of a transfer of the ownership, control, or possession of a facility for which a discharge permit is in effect, the transferee shall have authority to discharge under such permit, provided that the transferee has complied with Section 20.6.2.3111 NMAC, regarding transfers. [2-18-77, 12-24-87, 12-1-95; Rn & A, 20.6.2.3104 NMAC - 20 NMAC 6.2.III.3104, 1-15-01; A, 12-1-01]

20.6.2.3105 EXEMPTIONS FROM DISCHARGE PERMIT REQUIREMENT: Sections 20.6.2.3104 and 20.6.2.3106 NMAC do not apply to the following:

A. Effluent or leachate which conforms to all the listed numerical standards of Section 20.6.2.3103 NMAC and has a total nitrogen concentration of 10 mg/l or less, and does not contain any toxic pollutant. To determine conformance, samples may be taken by the agency before the effluent or leachate is discharged so that it may move directly or indirectly into ground water; provided that if the discharge is by seepage through non-natural or altered natural materials, the agency may take samples of the solution before or after seepage. If for any reason the agency does not have access to obtain the appropriate samples, this exemption shall not apply;

B. Effluent which is discharged from a sewerage system used only for disposal of household and other domestic waste which is designed to receive and which receives 2,000 gallons or less of liquid waste per day;

C. Water used for irrigated agriculture, for watering of lawns, trees, gardens or shrubs, or for irrigation for a period not to exceed five years for the revegetation of any disturbed land area, unless that water is received directly from any sewerage system;

D. Discharges resulting from the transport or storage of water diverted, provided that the water diverted has not had added to it after the point of diversion any effluent received from a sewerage system, that the source of the water diverted was not mine workings, and that the secretary has not determined that a hazard to public health may result;

E. Effluent which is discharged to a watercourse which is naturally perennial; discharges to dry arroyos and ephemeral streams are not exempt from the discharge permit requirement, except as otherwise provided in this section;

F. Those constituents which are subject to effective and enforceable effluent limitations in a National Pollutant Discharge Elimination System (NPDES) permit, where discharge onto or below the surface of the ground so that water contaminants may move directly or indirectly into ground water occurs downstream from the outfall