NEW MEXICO ENVIRONMENT DEPARTMENT

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BUTCH TONGATE
Cabinet Secretary

J. C. BORREGO
Deputy Secretary

Certified Mail – Return Receipt Requested

June 7, 2017

Mr. Max Bower
Owner
GMD Development NM, LLC
412 Poceno Lane, El Paso, TX 79912

Re: Amador Project; CONSTRUCTION STORMWATER; SIC 1542; NPDES Compliance Evaluation Inspection; NPDES# NMR100003; May 12, 2016

Dear Mr. Bower:

Enclosed please find a copy of the report and check list for the referenced inspection that the New Mexico Environment Department (NMED) conducted at your facility on behalf of the U.S. Environmental Protection Agency (USEPA). This inspection report will be sent to the USEPA in Dallas for their review. These inspections are used by USEPA to determine compliance with the National Pollutant Discharge Elimination System (NPDES) permitting program in accordance with requirements of the federal Clean Water Act.

You are encouraged to review the inspection report, required to correct any problems noted during the inspection, and advised to modify your operational and/or administrative procedures, as appropriate. If you have comments on or concerns with the basis for the findings in the NMED inspection report, please contact us (see the address below) in writing within 30 days from the date of this letter. Further, you are encouraged to notify in writing both the USEPA and NMED regarding modifications and compliance schedules at the addresses below:

NPDES Enforcement Coordinator
Environmental Protection Agency, Region 6
NPDES Enforcement Branch (6EN-WM)
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

Program Manager
New Mexico Environment Department
Surface Water Quality Bureau (N2050)
Point Source Regulation Section
P.O. Box 5469
Santa Fe, New Mexico 87502

David Long is USEPA Region 6's Acting NPDES Enforcement Coordinator at the above address. If you have any questions about this inspection report, please contact Jennifer Foote at (505)827-0596 or at Jennifer.Foote@state.nm.us.

Sincerely,

/s/ Sarah Holcomb

Sarah Holcomb
Program Manager
Point Source Regulation Section
Surface Water Quality Bureau

cc: Carol Peters-Wagnon, USEPA (6EN-WM) by e-mail
David Long, USEPA (6EN-WM) by e-mail
Amy Andrews, USEPA (6EN-WM) by e-mail
David Esparza, USEPA (6EN-WM) by e-mail
Robert Houston, USEPA (6EN)
Darlene Whitten-Hill, USEPA (6EN) by e-mail
Michael Kesler, NMED District III by e-mail
Peter Bennett, City of Las Cruces, by e-mail
Max Bower, GMD Development NM, LLC, by e-mail

Form Approved
OMB No. 2040-0003
Approval Expires 7-31-85

NPDES Compliance Inspection Report

Section A: National Data System Coding

Transaction Code	NPDES	yr/mo/day	Inspec. Type	Inspector	Fac Type
1 N 2 5 3	N M R 1 0 0 0 0 3 11	12 1 7 0 5 1 2 17	18 }	19 S 20	2

Remarks: C O N S T R U C T I O N > 1 A C R E S

Inspection Work Days	Facility Evaluation Rating	BI	QA	Reserved
67 69	70 2	71 N 72	N 73 74	75 80

Section B: Facility Data

Name and Location of Facility Inspected *(For industrial users discharging to POTW, also include POTW name and NPDES permit number)*	Entry Time /Date	Permit Effective Date
Amador Project 336 S. Main St Las Cruces NM 88001 Dona Ana County	8:15am 5/12/17	2/16/2017
	Exit Time/Date 9:40am 5/12/17	Permit Expiration Date 2/16/2022

Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)	Other Facility Data
Max Bower-owner 575-993-9906 Sam Sanchez – field rep	SIC 1542
Name, Address of Responsible Official/Title/Phone and Fax Number Max Bower- GMD Development 575-993-9906 412 Poceno Lane, El Paso, TX 79912	Contacted Yes [x] No [ ] Long: 106.7783W Lat: 32.3073 N

Section C: Areas Evaluated During Inspection

(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

S	Permit	N	Flow Measurement	N	Operations & Maintenance	N	CSO/SSO
U	Records/Reports	N	Self-Monitoring Program	N	Sludge Handling/Disposal	N	Pollution Prevention
N	Facility Site Review	N	Compliance Schedules	N	Pretreatment	N	Multimedia
N	Effluent/Receiving Waters	N	Laboratory	M	Storm Water	N	Other:

Section D: Summary of Findings/Comments (Attach additional sheets if necessary)

1. The inspector arrived on site and explained the purpose of the inspection and presented credentials to Mr. Sam Sanchez. He provided the onsite SWPPP for review and later Mr. Max Bower arrived on site for the walk around tour. Mr. Bower explained that he was the authorized official of both Red Mesa (onsite operator) and GMD Development (owner) and that the third permittee (Renegade Construction) for the site was not active onsite at this date but would return to co-operator status in the future. An exit interview was conducted and the inspector left the site at 9:40am.

2. Please see checklist for further information.

Name(s) and Signature(s) of Inspector(s)	Agency/Office/Telephone/Fax	Date
Jennifer Foote */s/ Jennifer Foote*	**NMED/SWQB 505-827-0596**	**6/6/17**
Signature of Management QA Reviewer	**Agency/Office/Phone and Fax Numbers**	**Date**
Sarah Holcomb, Program Manager */s/ Sarah Holcomb*	**NMED/SWQB 505-827-2798**	**6/7/17**

Industrial Storm Water Worksheet (Construction) – State of New Mexico

National Database Information		General	
Inspection Type	CEI	Inspector Name	Jennifer Foote
NPDES ID Number	NMR100003:GMD Development NMR100006: Red Mesa	Telephone	505-827-0596
Inspection Date	5/12/17	Entry Time	8:15A
Inspector Type (check one)	☐EPA ☒State ☐ EPA Oversight	Exit Time	9:40A
Facility Type (check one)	☒Commercial / ☐Residential / ☐Municipal / ☐Industrial	Signature	*/s/ Jennifer Foote*

Facility Location Information				
Name/Location/Mailing Address	Amador Project 336 S. Main St., Las Cruces NM 88001			
Coordinates	Latitude	32.3073 N	Longitude	106.7783W
Receiving Waters	Las Cruces MS4 thence to Rio Grande			
Disturbed Area	1.5 acres	Start/Stop Dates	8/24/2016 to 8/31/2017	

Contact Information		
	Name(s)	Telephone
Name(s) and Role(s) of All Parties Meeting the Definition of Operator	Red Mesa Design& Development LLC-Owner GMD Development NM, LLC-Operator Renegade Construction-Operator-currently inactive	
Facility Contact	Red Mesa and GMD-Max Bower	575-993-9906
Authorized Official(s)	Red Mesa and GMD-Max Bower	575-993-9906

Site Information: *check all that apply*							
Nature of Project	☐Residential	☒Commercial / Industrial	☐Roadway	☐Private	☐Federal	☐State / Municipal	Other
Construction Stage	☐Clearing / Grubbing	☐Rough Grading	☐Infrastructure	☒Building (Vertical)	☐Final Grading	☐Final Stabilization	

Basic Permit Information			Basic SWPPP Information		
Permit Coverage	☒Y	☐N	SWPPP Prepared & Available? *Part 7.1.1, 7.2.1*	☒Y	☐N
Permit Type	☒General	☐Individual	SWPPP Contents Satisfactory?	☐Y	☒N
Notice Posted *Part 1.5*	☐Y	☒N	SWPPP Implementation Satisfactory?	☐Y	☒N
NOI Date	2/20/2017		SWPPP Date	2/23/2017	
Is NOI Satisfactory?	☒Y	☐N			

Additional Facility and Inspection Information *(optional)*

Permit numbers on posting are NMR12BK95(Renegade 2012 permit) and NMR100003. 2017 Required language is posted.

Per verbal communications with Max Bower- the third permitted contractor, Renegade Construction NMR100002, is currently offsite and has no responsibility for maintenance of controls until the next stage of demolition begins. SWPPP revision dated 2-20-17 states that "The developer and building contractor will be the general operator representative of all further site construction activities", however an NOI was filed by Renegade on 2/20/17 not an NOT (2012 permit now expired).

Industrial Storm Water Worksheet (Construction) – State of New Mexico

SWPPP Review *(can be completed in office)*			
General			**Notes:**
SWPPP Signed/Certified. Did all operators sign/certify the SWPPP? *Part 7.2.15, Appendix I.11*	☒ Y	☐ N	
SWPPP completed prior to NOI? *Part 7.1.1, Part 1.2.1*	☐ Y	☒ N	SWPPP signed 2/23/17. NOIs- NMR100003 certified 2/20/17 and NMR100006 certified on 2/21/2017. Project was previously covered under 2012 permit. Copy of previous plan was not provided.
Endangered Species Act. Does SWPPP include documentation supporting determination? *Part 7.2.14.1; Part 1.1.e, Appendix D*	☒ Y	☐ N	
Historic Properties. Does SWPPP include documentation supporting determination? *Part 7.2.14.2, Appendix E*	☒ Y	☐ N	
If applicable, documents contact with agency or office responsible for implementing Safe Drinking Water Act <u>underground injection control well(s)</u>? *Part 7.2.14.3, 40 CFR Parts 144 - 147*	☐ Y	☐ N	N/A
Post-Authorization Additions. Does SWPPP include: ➢ Copy of acknowledgement letter Y/N ➢ Copy of NOI Y/N ➢ Copy of permit Y/ N *Part 7.2.16.3*	☒ Y	☐ N	
If applicable, SWPPP describes compliance with any case-by-case basis USEPA imposed water quality-based effluent limitation requirements? *Part 3*	☐ Y	☐ N	N/A
If discharge to an impaired water, includes records of all data used to complete NOI: ➢ List of all impaired waters Y/N ➢ Pollutant(s) for which the surface water is impaired Y/N ➢ Whether a TMDL has been approved or established Y/N *Part 3.2.1, Appendix I.15*	☐ Y	☐ N	N/A

Industrial Storm Water Worksheet (Construction) – State of New Mexico

Required SWPPP modifications completed? ➢ Completed w/7 days Y/N ➢ Maintains modification records showing dates, name of person authorizing change and summary Y/N ➢ Signed/Certified Y/N ➢ Immediately notified other operators Y/N *Parts 7.4, 5.2.2, Appendix I.11.b*	☐ Y	☒ N	SWPPP included a revisions section with only one entry, dated before. Place Demolition/The Amador Project 336 S. Main Street Las Cruces, NM REVISIONS TO THE SWPPP Date: 20 February 2017 Authorized Signature: Description of Revision: The demolition of portion of the project has been completed by Renegade Construction the operator and will complete finished grades. Construction activities will now continue with building of the main structures on and off site utilities. The developer/Building Contractor will be the general operator representative of all further on site construction activities.
Records Retention. Have copies of inspection reports/all other documentation been retained as part of the SWPPP for 3 years from date permit coverage expires or is terminated? *Parts 4.1.7, 5.4.4, Appendix I.10.2, I.15*	☐ Y	☒ N	No inspection reports retained with SWPPP. Past SWPPP not provided.

Team & Activity Description			Notes:
Identifies stormwater team personnel and responsibilities? ➢ Personnel (by name or position) Y/N ➢ Individual responsibilities Y/N *Part 7.2.1*	☐ Y	☒ N	Does not identify individual responsibilities..
Is staff training documented? ➢ Training occurs prior to the commencement of earth-disturbing activities or pollutant-generating activities, whichever occurs first Y/N ➢ Ensures following understand the requirements of this permit and their specific responsibilities: o Personnel responsible for the design, installation, maintenance, and/or repair of controls/measures Y/N o Personnel responsible for the application and storage of treatment chemicals Y/N o Personnel responsible for conducting inspections Y/N o Personnel responsible for taking corrective actions Y/N ➢ At a minimum, training includes: o Location of all stormwater controls on the site required by this permit, and how maintained Y/N o Proper procedures to follow with respect to the permit's pollution prevention requirements Y/N o When and how to conduct inspections, record applicable findings, and take corrective actions Y/N *Parts 7.2.13, 6 and permit notes for emergency-related construction activities*	☐ Y	☒ N	Training log is blank.

Industrial Storm Water Worksheet (Construction) – State of New Mexico

Describes nature of construction activities? ➢ Size of the property Y/N ➢ Total area to be disturbed Y/N ➢ Construction support activity areas Y/N ➢ Maximum area to be disturbed at any one time Y/N *Part 7.2.2*	☒ Y	☐ N	SWPPP Plan states size is 1.5 acres.
If applicable, documents emergency-related projects? ➢ Cause of public emergency (e.g., natural disaster, extreme flooding conditions, etc.) Y/N ➢ Info substantiating occurrence (e.g., state disaster declaration or similar state or local declaration) Y/N ➢ Description of the construction necessary to reestablish effected public services Y/N *Parts 7.2.3, 1.2*	☐ Y	☐ N	N/A
Identifies (lists) other site operators and areas of site over which each has control? ➢ List and areas of site over which each has control Y/N *Part 7.2.4*	☐ Y	☒ N	Mr. Max Bower stated that Renegade Construction was temporarily inactive on the project. SWPPP did not indicate projected or actual dates where Operator was not responsible other than statement in revisions section dated 2-20-17(see modifications/revisions section above). Renegade applied for a 2017 CGP NOI on 2-20-17 and signed the plan on 2-23-17.
Describes sequence, estimated dates (departures) and duration of construction activities? ➢ Installation of control measures when operational Y/N ➢ Commencement/duration clearing & grubbing, mass grading, site preparation (excavating, cutting & filling), final grading, and creation of soil & vegetation stockpiles Y/N ➢ Cessation, temporarily or permanently, of construction activities on the site, or in designated portions of site Y/N ➢ Final/temporary stabilization areas of exposed soil Y/N ➢ Removal of temporary stormwater conveyances/channels and other stormwater control measures Y/N ➢ Removal of construction equipment and vehicles Y/N *Part 7.2.5*	☐ Y	☒ N	Table in SWPPP is blank.
Site Map			**Notes:**
Includes legible site map(s)? *Part 7.2.6*	☒ Y	☐ N	

➢ Boundaries of the property Y/N ➢ Locations construction activities will occur Y/N ➢ Locations earth-disturbing activities will occur (note any phasing) Y/N ➢ Approximate slopes before and after major grading (note steep slopes) Y/N ➢ Locations sediment, soil, or materials will be stockpiled Y/N ➢ Locations of crossings of surface waters Y/N ➢ Designated points vehicles exit onto paved roads Y/N ➢ Locations of structures/impervious surfaces upon completion Y/N ➢ Locations of construction support activity areas Y/N *Part 7.2.6.1*	☒ Y	☐ N	
➢ Locations of surface waters/wetlands, within or in immediate vicinity Y/N ➢ Indicates waters listed as impaired, and Tier 2, or Tier 3 Y/N *Part 7.2.6.2*	☐ Y	☐ N	N/A
➢ Boundary lines of natural buffers *Parts 7.2.6.3, 2.1.2.1a*	☐ Y	☐ N	N/A
➢ Areas of federally-listed critical habitat for endangered or threatened species *Part 7.2.6.4*	☐ Y	☐ N	N/A
➢ Topography Y/N ➢ Existing vegetative cover Y/N ➢ Drainage pattern of stormwater/authorized non-stormwater flow onto, over, and from site <u>before and after</u> major grading Y/N *Part 7.2.6.5*	☒ Y	☐ N	
➢ Stormwater and allowable non-stormwater discharge locations Y/N ➢ Locations of storm drain inlets on site and immediate vicinity Y/N ➢ Locations stormwater or allowable non-stormwater will be discharged to surface waters (including wetlands) on or near site Y/N *Part 7.2.6.6*	☒ Y	☐ N	
➢ Locations of potential pollutant-generating activities *Part 7.2.6.7, Part 7.2.7*	☒ Y	☐ N	
➢ Locations of control measures *Part 7.2.6.8*	☐ Y	☒ N	Storm drain on Amador Ave shown on map, but not indicated to have filter socks. Concrete wash out not shown. Site map does not show use of filter socks.
➢ Locations polymers, flocculants, or treatment chemicals will be used/stored *Part 7.2.6.9*	☐ Y	☐ N	N/A
Construction Site Pollutants			**Notes:**
Includes pollutant-generating activities list and description? *Part 7.2.7.1*	☒ Y	☐ N	

Includes inventory of pollutants or constituents? ➢ Inventory Y/N ➢ Potential spills/leaks Y/N ➢ Departures from manufacturer's specifications for applying fertilizers containing nitrogen & phosphorus Y/N *Parts 7.2.7.2, 2.3.5.1*	☐ Y	☒ N	Tables in plan have not been updated.
Identifies all sources of allowable non-stormwater discharges? *Parts 7.2.8, 1.3.d*	☐ Y	☐ N	N/A
If required (surface water wi/50 feet of earth disturbance), documents and describes <u>buffer compliance alternative</u> selected? ➢ Ensures that all discharges from the area of earth disturbance to the natural buffer are first treated by the site's erosion and sediment controls Y/N/NA ➢ Uses velocity dissipation devices, if necessary Y/N/NA ➢ Documents natural buffer width Y/N/NA ➢ Delineates, and clearly marks off, with flags, tape, or other similar marking device all natural buffer areas Y/N/NA ➢ Documents erosion and sediment control(s) used to achieve an equivalent sediment reduction Y/N/NA ➢ Documents any information relied upon to demonstrate equivalency Y/N/NA *Parts 7.2.9, 2.1.2, Appendix G*	☐ Y	☐ N	N/A
As applicable, describes and documents <u>buffer exceptions</u>? ➢ Describes rationale/why infeasible to provide and maintain an undisturbed natural buffer of any size Y/N/NA ➢ For linear project, describes buffer width retained and supplemental controls installed Y/N/NA ➢ Small residential lot options Y/N/NA ➢ Documents CWA Section 404 Permit, water-dependent structure/access disturbances Y/N *Parts 7.2.9; 2.1.2.1e, Appendix G*	☐ Y	☐ N	N/A
All Stormwater Control Measures			**Notes:**
Describes each measure? ➢ Type of measure to be installed and maintained, including design information Y/N ➢ Specific sediment controls installed and made operational prior to conducting earth-disturbing activities Y/N ➢ For exit points, stabilization techniques and any additional controls planned to remove sediment prior to vehicle exit Y/N ➢ For linear projects (if applicable), where/why it has been determined that the use of perimeter controls is practicable Y/N *Part 7.2.10.1*	☐ Y	☒ N	Provides a description and list of measures but specific controls installed table has not been filled in.

Industrial Storm Water Worksheet (Construction) – State of New Mexico

Erosion and Sediment Controls			Notes:
Minimizes <u>area of disturbance</u>? *Part 2.1.1.1*	☒ Y	☐ N	
Describes erosion and sediment control <u>design</u> requirements? ➢ Accounts for expected amount, frequency, intensity, duration of precipitation Y/N ➢ Accounts for nature of run-on and run-off (channelized peak flow rates & total volume at outlet) Y/N ➢ Accounts for range of soil particle sizes (distribution, erosivity and cohesiveness) Y/N ➢ Directs discharge to vegetated areas to increase sediment removal and infiltration unless infeasible Y/N/NA ➢ Uses velocity dissipation, if necessary Y/N ➢ Complies with State of New Mexico except Indian country requirements: o Includes site-specific BMPs/controls designed to prevent to the maximum extent practicable an increase in sediment yield/flow velocity from pre-construction, pre-development conditions both during and after construction Y/N o Selection based on appropriate soil loss prediction models (results in sediment yields/flow velocities, that to the maximum extent practicable, will not be greater than the sediment yield levels and flow velocities from pre-construction, pre-development conditions) Y/N *Parts 2.1.1.2, 9.4.1.1*	☒ Y	☐ N	
Describes erosion and sediment control <u>installation</u> requirements? ➢ Completes installation of downgradient stormwater/sediment controls by the time or immediately following earth-disturbance begins unless infeasible Y/N/NA ➢ Installs all other controls and makes operational as soon as conditions allow Y/N ➢ Uses good engineering practices and follows manufacturer's specifications or explain departures Y/N *Part 2.1.1.3*	☒ Y	☐ N	
Describes erosion and sediment control <u>maintenance</u> requirements? ➢ Initiates fix immediately and completed by close of next work day (routine maintenance) Y/N ➢ Installs new measure/significant repair no later than 7 calendar days or document why infeasible Y/N *Part 2.1.1.4*	☒ Y	☐ N	

Installs <u>perimeter controls</u> and describes maintenance (removes sediment before it has accumulated to 1/2 of the above-ground height)? *Part 2.1.2.2*	☐ Y	☒ N	Plan includes description but not implemented.
Minimizes <u>sediment track-out</u>? ➢ Restricts vehicle use to properly designated exit points? Y/N ➢ Uses appropriate stabilization techniques at all points that exit onto paved roads? Y/N ➢ Where necessary, uses additional measures to remove sediment prior to exit? Y/N/NA ➢ Removes tracked out sediment prior to the end of the same work day or if occurs on non-work day the next work day? Y/N *Part 2.1.2.3*	☒ Y	☐ N	
Controls discharges from <u>stockpiled sediment or soil</u>? ➢ Locates piles outside of buffers Y/N ➢ Locates piles separate from stormwater conveyances Y/N ➢ Uses temporary sediment barrier Y/N ➢ For piles that will be unused for 14 or more days, provide cover or appropriate temporary stabilization Y/N ➢ Does not hose down or sweep into stormwater conveyance unless connected to basin, trap, etc. Y/N ➢ Contains and securely protects pile from wind? Y/N *Part 2.2.5*	☒ Y	☐ N	Area is below grade.
Minimizes <u>dust</u>? *Part 2.1.2.5*	☒ Y	☐ N	
Minimizes disturbance of <u>steep slopes</u>? *Part 2.1.2.6*	☐ Y	☐ N	*N/A*
Preserves <u>topsoil</u>, unless infeasible? *Part 2.1.2.7*	☐ Y	☐ N	N/A

Minimizes <u>soil compaction</u> where final vegetative stabilization or infiltration installed? *Part 2.1.2.8*	☐ Y	☐ N	N/A
Protects <u>storm drain inlets</u> and describes maintenance requirements (removes sediment by the end of the same work day or end of the following work day)? *Part 2.1.2.9*	☒ Y	☐ N	
Describes <u>constructed conveyance channel</u> controls (if installed)? *Part 2.1.3.1*	☐ Y	☐ N	N/A
Describes <u>sediment basin</u> design (if installed) and maintenance (maintain at least ½ of capacity at all times)? *Part 2.1.3.2*	☐ Y	☐ N	N/A
Describes <u>treatment chemical</u> controls (if used)? *Part 2.1.3.3*	☐ Y	☐ N	N/A

Includes documentation for use of <u>treatment chemicals</u> (polymers, flocculants, or other treatment chemicals)? ➢ Lists all soil types expected to be exposed and locations where chemicals will be applied. Also include a list of soil types expected to be found in fill material to be used in same areas Y/N ➢ Lists all treatment chemicals and why the selection of these chemicals is suited to the soil characteristics Y/N ➢ If authorized by EPA to use cationic treatment chemicals, includes the specific controls and implementation procedures designed to ensure use of cationic treatment chemicals will not lead to a violation of water quality standards Y/N/NA ➢ Dosage/methodology to determine dosage Y/N ➢ Information from any applicable MSDS Y/N ➢ Schematic drawings of any chemically-enhanced or chemical treatment systems Y/N/NA ➢ Description of how chemicals will be stored Y/N ➢ References to applicable state or local requirements and copies of applicable manufacturer's specifications Y/N ➢ Description of training that personnel have received or will receive Y/N *Parts 7.2.10.2, 2.1.3.3h*	☐ Y	☐ N	N/A
Describes <u>dewatering</u> controls (if installed)? *Part 2.1.3.4*	☐ Y	☐ N	N/A
Stabilization Requirements			**Notes:**
Describes compliance with deadlines for vegetative and/or non-vegetative stabilization practices, including exceptions? <u>Deadline to Initiate</u> ➢ Initiates stabilization immediately (no later than end of next work day following earth-disturbing activities permanently/temporarily ceased) Y/N <u>Deadline to Complete</u> ➢ As soon as practicable, but no later 14 calendar days after initiation, completes stabilization (for vegetative, all activities to initially seed or plant, and/or for non-vegetative, installation or application) Y/N ➢ In arid, semi-arid or drought-stricken areas for permanent stabilization, immediately initiates, and within 14 calendar days completes non-vegetative stabilization measures to prevent erosion; and as soon as practicable completes all	☒ Y	☐ N	

activities necessary to initially seed or plant; and documents beginning/ending dates of the seasonally dry period, site conditions, and schedule Y/N/NA ➢ Documents/describes circumstances beyond control that prevent meeting deadlines Y/N/NA ➢ If discharging to sediment or nutrient-impaired waters or Tier 2~~, 2.5~~ or 3 waters, completes stabilization (vegetative or non-vegetative) wi/7 calendar days after temporary or permanent cessation Y/N/NA *Parts 7.2.10.3, 2.2.1, 3, 9.4.1.3*			
Describes compliance with vegetative (final) stabilization criteria? ➢ Provides uniform vegetation (e.g., evenly distributed, without large bare areas) perennial vegetative cover with a density of 70% of the native background vegetative cover for all unpaved areas / areas not covered by permanent structures Y/N ➢ Immediately after seeding or planting the area to be vegetatively stabilized, to the extent necessary to prevent erosion on the seeded or planted area, select, design, and install non-vegetative erosion controls that provide cover while vegetation is becoming established Y/N *Parts 7.2.10.3, 2.2.2.a, 3, 9.4.1.4*	☒ Y	☐ N	
If applicable, describes compliance with State of New Mexico, except Indian country, arid, semi-arid areas, or drought stricken option for final stabilization: ➢ Area seeded/planted must wi/3 yrs provides established vegetation that achieves 70% of the native background vegetative cover Y/N ➢ Selects, designs, and installs non-vegetative erosion controls that provide cover for at least 3 years without active maintenance Y/N ➢ Complies with notification, inspection maintenance, and reporting) Y/N *Parts 7.2.10.3, 2.2.2.b, 3, 9.4.1.5*	☐ Y	☐ N	N/A
If using, provides effective non-vegetative cover to stabilize? *Parts 7.2.10.3, 2.2.2.2*	☐ Y	☐ N	N/A

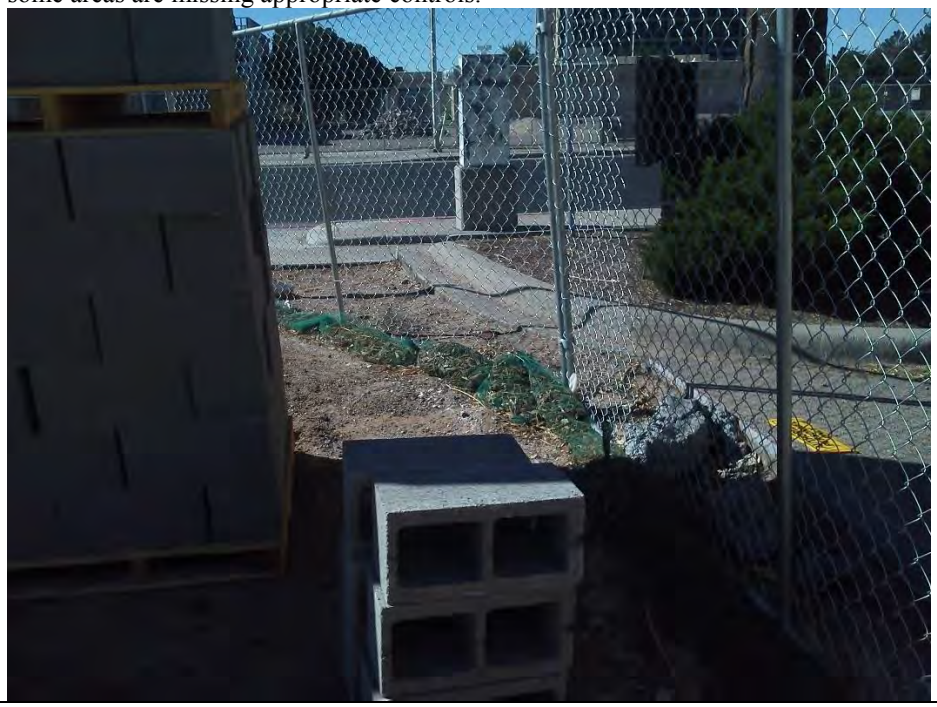
Pollution Prevention Procedures			**Notes:**
Describes procedures for <u>spill prevention and response</u>? *Parts 7.2.11.1, 2.3.4*	☒Y	☐N	
Describes procedures for <u>waste management</u>? *Part 7.2.11.2, 2.3.3.3*	☒Y	☐N	

Eliminates prohibited discharges? ➢ Concrete washout, unless managed by control in Part 2.3.3.4 Y/N ➢ Washout/cleanout of stucco, paint, form release oils, curing compounds and other materials unless managed by control in Part 2.3.3.4 Y/N ➢ Fuels, oils or other from vehicle and equipment O&M Y/N ➢ Soaps, solvents, or detergents used in vehicle and equipment washing Y/N ➢ Toxic or hazardous substances from spill/release Y/N *Part 2.3.1*	☒Y	☐N	
Properly maintains and protects all pollution prevention controls? *Part 2.3.2*	☒Y	☐N	
Complies with pollution prevention standards for certain activities? ➢ Fueling/maintenance of equipment or vehicles Y/N/NA ➢ Washing of equipment and vehicles Y/N/NA ➢ Storage, handling, disposal of materials, products and waste Y/N/NA ➢ Washing applicators/containers Y/N/NA ➢ Waste containers covered at end of day *Part 2.3.3*	☐Y	☒N	2017 CGP new requirement to cover waste containers, a minimum of at the end of day.
Minimizes discharge/complies with restrictions of <u>fertilizer application</u>? *Part 2.3.5*	☐Y	☐N	N/A
Inspections and Corrective Action			
SWPPP describes procedures for <u>inspection, maintenance, and corrective action</u>? ➢ Personnel conducting inspections Y/N ➢ Inspection schedule Y/N ➢ Reduction of inspection frequency Y/N/NA. As applicable: o location of the rain gauge or the address of weather station to obtain rainfall data Y/N/NA o beginning and ending dates of the seasonally-defined arid period for your area or the valid period of drought Y/N/NA o beginning and ending dates of frozen conditions Y/N/NA ➢ Inspection or maintenance checklists or other forms that will be used Y/N *Parts 7.2.12*	☒Y	☐N	
Inspections			**Notes:**
Inspections performed by "qualified" person? *Part 4.1.1*	☐Y	☒N	No documentation of inspections.
Conducts inspections at a minimum of required frequency unless reductions documented? ➢ Every 7 days <u>or</u> 14 days & w/in 24 hrs of a 0.25" rain event Y/N	☐Y	☒N	No documentation of inspections.

Part 4.1.2			
If applicable, conducts increased inspection frequency for sites with discharges to sediment or nutrient-impaired waters or Tier 2~~, 2.5~~ or 3 waters: ➢ Once every 7 days Y/N; <u>and</u> ➢ Within 24 hrs of a ≥ 0.25" rain event Y/N? *Parts 4.1.3, 3.3.2.1, 3.3.2*	☐Y	☐N	N/A
If allowable (begin/end dates recorded), documents reduced inspection frequency? ➢ Stabilized area - 1/mo in areas where stabilization has been completed Y/N/NA ➢ For arid/semi arid during seasonally dry period or drought-stricken areas - 1/mo and wi/24 hrs of the occurrence of a storm event ≥ 0.25" Y/N/NA ➢ For frozen conditions (runoff unlikely, disturbance suspended, areas stabilized) - suspends until thawing conditions Y/N/NA *Part 4.1.4.1 thru 3*	☐Y	☐N	N/A
Inspection areas includes: ➢ All cleared, graded, excavated, and not completed stabilization Y/N ➢ All controls/measures Y/N ➢ Material/waste/borrow/equipment storage and maintenance areas Y/N ➢ All areas stormwater typically flows Y/N ➢ All points of discharge Y/N ➢ All locations stabilization implemented Y/N/NA *Part 4.1.5*	☐Y	☒N	No documentation of inspections.
Inspection includes minimum requirements? ➢ Controls installed/operational Y/N ➢ Determines need to replace, repair, or maintain Y/N ➢ Conditions that could lead to spills, leaks, and accumulations of pollutants Y/N ➢ Identifies where new or modified controls are necessary Y/N ➢ At points of discharge, checks for visible erosion/sedimentation on banks Y/N/NA ➢ Identifies noncompliance Y/N ➢ If discharge is occurring: o Identifies all points of discharge Y/N o Observes/documents visual quality, including color, odor, floating, settled, or suspended solids, foam, oil sheen, and other of pollutants Y/N o Documents whether controls operating effectively, and describes controls not operating as intended or need maintenance Y/N ➢ Based on results of inspection, initiates corrective action under Part 5. *Part 4.1.6*	☐Y	☒N	No documentation of inspections.

Inspection reports: ➢ Completed within 24 hrs Y/N ➢ Includes inspection date Y/N ➢ Includes names/titles of personnel Y/N ➢ Includes summary of findings Y/N ➢ Includes applicable rain gauge reading Y/N/NA ➢ Signed and certified in accordance with Appendix I.11 Y/N *Part 4.1.7.1 and 2*	☐Y	☒N	No documentation of inspections.
Corrective Action			**Notes:**
Corrective action initiated immediately; and permanent solution completed no later than 7 calendar days from the time of discovery or if infeasible as soon as practicable? *Part 5*	☐ Y	☒ N	No documentation of Corrective Actions.
Within 24 hours of discovering the occurrence, completes a report of the following: ➢ Condition identified Y/N ➢ Nature of the condition identified Y/N ➢ Date and time of the condition identified and how it was identified Y/N *Part 5.4*	☐ Y	☒ N	No documentation of Corrective Actions.
Within 7 calendar days of discovering the occurrence, completes a report of the following: ➢ Follow-up actions taken to review the design, installation, and maintenance of stormwater controls, including the dates such actions occurred Y/N ➢ Summary of stormwater control modifications taken or to be taken Y/N ➢ Schedule of activities necessary to implement changes Y/N ➢ Date the modifications are completed or expected to be completed Y/N ➢ Notice of whether SWPPP modifications are required as a result of the condition identified or corrective action Y/N ➢ Signed and certified in accordance with Appendix I.11 Y/N *Parts 5.4.2, 5.4.3*	☐ Y	☒ N	No documentation of Corrective Actions.

Industrial Storm Water Worksheet (Construction) – State of New Mexico

Implementation *(complete in field)* ***(Narrative Description if Control Measures Installed, Operational, Effective and Maintained)***	
Erosion and Sediment Control Practices *Part 2.1*	
Minimize area of disturbance:	*(Provide brief description)* N/A.
Buffer compliance:	*(e.g., provide and maintain a 50-foot undisturbed natural buffer)* N/A
Perimeter controls:	*(e.g., filter berms, silt fences, temporary diversion dikes)* Silt fence not installed per details in plan. Silt fence only providing dust control and is not touching the ground. Some wattles have been installed but need maintenance. In general perimeter controls consist of the site being excavated to several inches below the adjacent asphalt, though some areas are missing appropriate controls. 

Exit point or sediment track out:	*(e.g, aggregate stone with an underlying geotextile or non-woven filter fabric, or turf mats, wheel washing, rumble strips, plates, sweeping)* Cobble trackout, plan states will be swept daily when needed. Minor tracking on day of inspection.
Stockpiled sediment or soil:	*(e.g., berms, dikes, fiber rolls, silt fences, sandbag, gravel bags)* Soil stockpile is located below grade.
Minimize dust:	*(e.g., application of water or other dust suppression techniques)* Water application.
Steep slopes:	*(e.g., standard erosion and sediment control practices, phasing disturbances, stabilization practices)* N/A
Preserve topsoil:	*(e.g., stockpiling or transfer of topsoil to other locations)* N/A
Soil compaction:	*(e.g., restrict vehicle / equipment use, soil conditioning techniques)* N/A
Storm drain inlet protection:	*(e.g., fabric filters, sandbags, concrete blocks, gravel barriers)* Storm drain on Amador Ave (outside of current site limits) has filter socks
Conveyance channels:	*(e.g., erosion controls, and velocity dissipation check dams, sediment traps, riprap, or grouted riprap at outlets)* N/A
Sediment basin:	*(e.g., outlet structures that withdraw from the surface, stabilization, erosion controls, velocity dissipation, kept at least ½ design capacity)* N/A

Industrial Storm Water Worksheet (Construction) – State of New Mexico

Erosion and Sediment Control Practices - Continued	
Treatment chemicals:	*(e.g., spill berms, decks, spill containment pallets, storing chemicals in covered area, spill kit available on site)* N/A
Dewatering:	*(e.g., sediment basins or sediment traps, sediment socks, dewatering tanks, tube settlers, weir tanks, or filtration systems (e.g., bag or sand filters) designed to remove sediment)* N/A
Other erosion and sediment controls or practices:	*(Provide brief description)* Site has been graded to be below adjacent paved areas.
Stabilization Practices *Part 2.2*	
Stabilization:	*(e.g., soil conditioning, application of seed or sod, planting of seedlings or other vegetation, application of fertilizer, watering, mulch, rolled erosion control products, control blankets, riprap, gabions, geotextiles)* N/A
Are stabilization measures initiated immediately? Y/N Are they completed within 14 days of construction cessation? Y/N	*(e.g. indicate "yes" or "no"; if not within 14 days of construction cessation, how long without stabilization measures?)* Site is active.
Pollution Prevention Measures *Part 2.3*	
Fueling and maintenance of vehicles:	*(e.g., locating activities away from surface waters and stormwater inlets or conveyances, providing secondary containment (e.g., spill berms, decks, spill containment pallets)and cover where appropriate, and/or having spill kits readily available)* N/A
Washing equipment & vehicles:	*(e.g., locating activities away from surface waters, stormwater, inlets, conveyances, sediment basin or sediment trap, using filtration devices, such as filter bags or sand filters, plastic sheeting, temporary roofs)* N/A
Washing applicators/containers (e.g., stucco, paint, concrete, form release oils, curing compounds, and other construction materials)	*(e.g., leak-proof container or pit, locate as far away as possible from surface waters, inlets or conveyances, designate areas)* N/A

Pollution Prevention Measures – Continued	
Storage, handling, disposal of construction materials, products and waste:	*Building products (e.g., asphalt sealants, copper flashing, roofing materials, adhesives, concrete admixtures):* No issues noted.

	Pesticides, herbicides, insecticides, fertilizers, and landscape materials: N/A
	Diesel fuel, oil, hydraulic fluids, other petroleum products, and other chemicals: No spills observed.
	Hazardous or toxic waste (e.g, paints, solvents, petroleum-based products, wood preservatives, additives, curing compounds, acids): No issues noted.
	Construction and domestic waste (e.g., packaging materials, scrap construction materials, masonry products, timber, pipe and electrical cuttings, plastics, styrofoam, concrete, and other trash or building materials): Some concrete was noted outside of washout areas. 2017 CGP Permit Section 2.3.3 requires dumpsters have lids or covers
	Sanitary waste: Porta potty on site.
Fertilizer application:	*(e.g., avoids applying before heavy rains, never applies to frozen ground, never applies to conveyance channels with flowing water)* N/A
Miscellaneous	
Evidence of not allowable non-storm water discharges or prohibited discharge?	*(Provide brief description and determine whether any non-storm water discharges allowable)* None observed.
Evidence of sediment deposition to surface waters or MS4?	*(e.g. significant turbidity observed in a receiving water body)* None observed. Rainfall Record in SWPPP was blank. Rainfall total for nearby raingage (https://www.cocorahs.org/ViewData/StationPrecipSummary.aspx NM-DA-203) for the period of 2-21-17 to 5-12-17 documented only 0.1 inches total precipitation.

Foote, Jennifer, NMENV

From: Long, David <Long.David@epa.gov>
Sent: Thursday, July 13, 2017 9:04 AM
To: Max Bower
Cc: Foote, Jennifer, NMENV; Martin Pillar, PE; Houston, Robert
Subject: RE: Update on Amador Project Stormwater Compliance

Mr. Bower,

Thank you for your update. I am copying this email to Robert Houston, EPA Supervisor for Storm Water Inspections to insure that this information is routed to the assigned EPA inspector. For all future stormwater issues, you should route your responses to Mr. Houston and copy me.

Please call or email if you have any questions.

Respectfully,

David Long
Environmental Scientist
USEPA 6EN-WM
1445 Ross Avenue
Dallas, Texas 75202
214.665.7323

From: Max Bower [mailto:maxbower@me.com]
Sent: Thursday, July 13, 2017 9:46 AM
To: Long, David <Long.David@epa.gov>
Cc: Jennifer Foote <jennifer.foote@state.nm.us>; Martin Pillar, PE <martin@pillarpe.com>
Subject: Update on Amador Project Stormwater Compliance

Mr Long:

Per the compliance inspection completed by Ms. Foote, on May 12th at 334 S. Main in Las Cruces, NM for the project known as "Amador Project", please consider the following abatements:

- all areas indicated in inspection where additional or repaired erosion control fencing was required has been installed;
- all areas where additional "waddles" where deemed necessary per the inspection have been installed;
- all areas along perimeter fencing that were deemed suseptable to storm water runoff have been shored with sandbags;
- updated SWIPP permits and site plans have been modified and updated to comply with our current scope of work;
- rain gauge has been posted and is being monitored regularly;

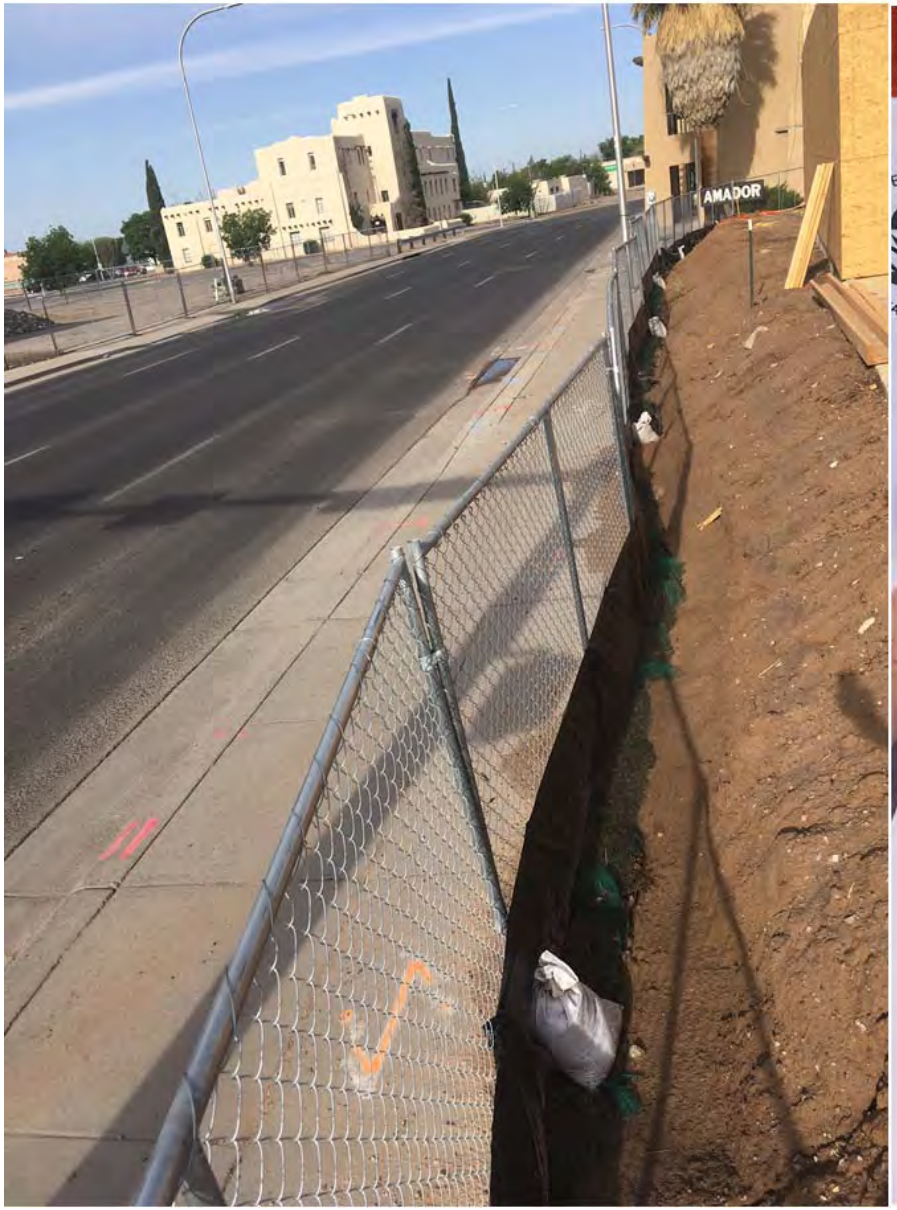
Please note that road construction around my project has begun and I am coordinating with the City's road contractor to maintain compliance regarding storm water runoff and soil erosion controls. Also, I have a full time worker responsible for site cleanup and storm water / erosion control at the project.

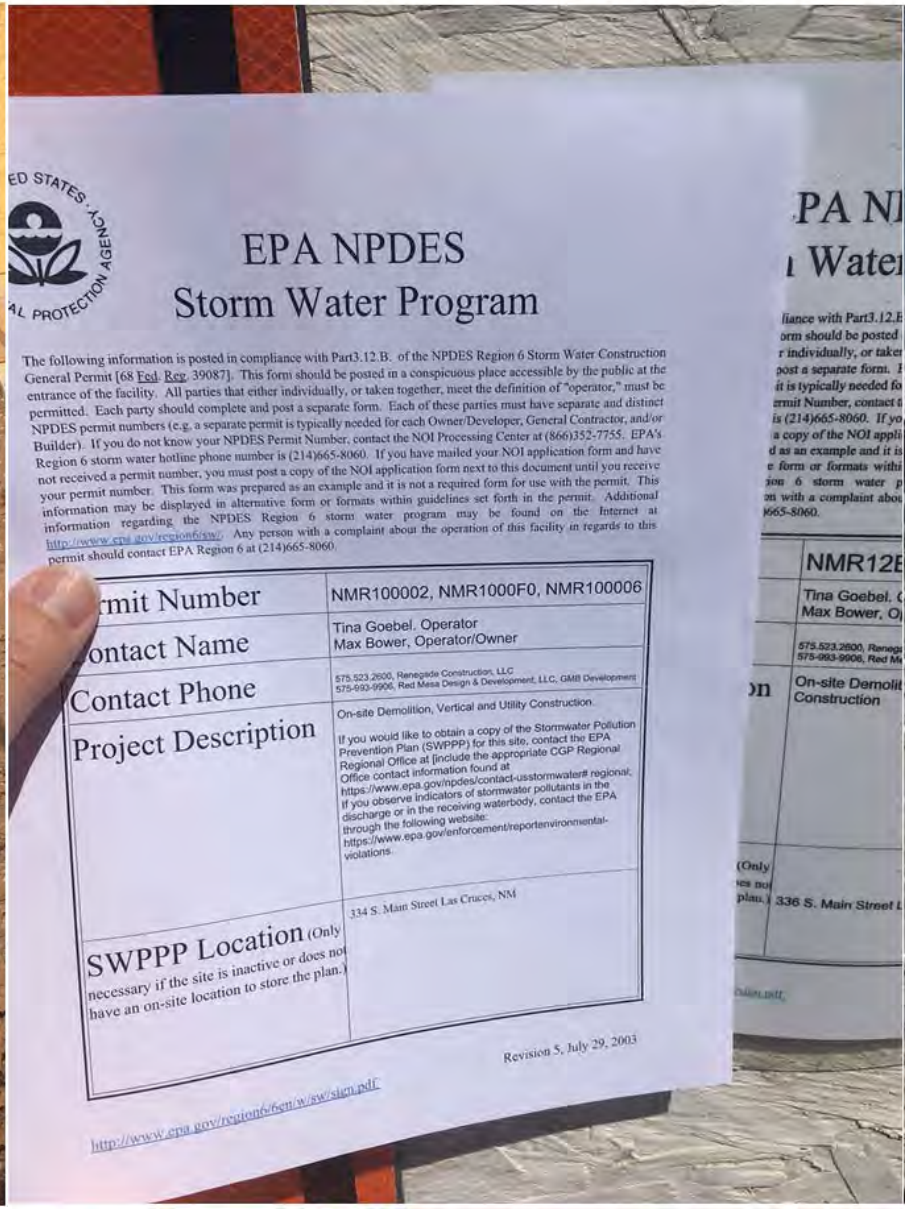
Please see attached photos regarding the above items. These alterations, additions and repairs were all completed by May 26th, 2017.

Please let me know what other info you need. Thanks.

Max Bower
Red Mesa Design and Development, LLC
PO Box 1112
Mesilla, NM 88046
(575) 993-9906
maxbower@me.com

Firestone
COMPLETE AUTO CARE





EPA NPDES
Storm Water Program

The following information is posted in compliance with Part3.12.B. of the NPDES Region 6 Storm Water Construction General Permit [68 Fed. Reg. 39087]. This form should be posted in a conspicuous place accessible by the public at the entrance of the facility. All parties that either individually, or taken together, meet the definition of "operator," must be permitted. Each party should complete and post a separate form. Each of these parties must have separate and distinct NPDES permit numbers (e.g. a separate permit is typically needed for each Owner/Developer, General Contractor, and/or Builder). If you do not know your NPDES Permit Number, contact the NOI Processing Center at (866)352-7755. EPA's Region 6 storm water hotline phone number is (214)665-8060. If you have mailed your NOI application form and have not received a permit number, you must post a copy of the NOI application form next to this document until you receive your permit number. This form was prepared as an example and it is not a required form for use with the permit. This information may be displayed in alternative form or formats within guidelines set forth in the permit. Additional information regarding the NPDES Region 6 storm water program may be found on the Internet at http://www.epa.gov/region6/sw/. Any person with a complaint about the operation of this facility in regards to this permit should contact EPA Region 6 at (214)665-8060.

rmit Number	NMR100002, NMR1000F0, NMR100006
ontact Name	Tina Goebel. Operator Max Bower, Operator/Owner
Contact Phone	575.523.2600, Renegade Construction, LLC 575-993-9906, Red Mesa Design & Development, LLC, GMB Development
Project Description	On-site Demolition, Vertical and Utility Construction.
SWPPP Location (Only necessary if the site is inactive or does not have an on-site location to store the plan.)	If you would like to obtain a copy of the Stormwater Pollution Prevention Plan (SWPPP) for this site, contact the EPA Regional Office at [include the appropriate CGP Regional Office contact information found at https://www.epa.gov/npdes/contact-usstormwater# regional; If you observe indicators of stormwater pollutants in the discharge or in the receiving waterbody, contact the EPA through the following website: https://www.epa.gov/enforcement/reportenvironmental-violations. 334 S. Main Street Las Cruces, NM

Revision 5, July 29, 2003

http://www.epa.gov/region6/6en/w/sw/sign.pdf

PA NI
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