



SUSANA MARTINEZ
Governor
JOHN A. SANCHEZ
Lt. Governor

NEW MEXICO ENVIRONMENT DEPARTMENT

Harold Runnels Building
1190 South St. Francis Drive (87505)
P.O. Box 5469, Santa Fe, NM 87502-5469
Phone (505) 827-0187 Fax (505) 827-0160
www.env.nm.gov



RYAN FLYNN
Cabinet Secretary
BUTCH TONGATE
Deputy Secretary

Certified Mail - Return Receipt Requested

March 30, 2016

Mr. Mark H. Goldstone
Project Manager
Blattner Energy Inc.
392 County Road 50
Avon, Minnesota 56310

Re: Chaves County Solar Project; Major; Construction Stormwater; SIC 1522; NPDES Compliance Evaluation Inspection; NPDES Permit NMR12BC12; March 10, 2016

Dear Mr. Goldstone:

Enclosed please find a copy of the report for the referenced inspection that the New Mexico Environment Department (NMED) conducted at a construction site for which you may be an "operator" (see Appendix A in permit). The NMED conducted this inspection 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.

Problems noted during this inspection are listed in the checklist section of the inspection report. You are encouraged to review the inspection report, required to correct any problems noted during the inspection, and 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 above) in writing within 30 days from the date of this letter. Further, notify in writing both USEPA (Racquel Douglas, USEPA (6EN), 1445 Ross Ave., Dallas, Texas, 75202), NMED (at the above address) regarding modifications and compliance schedules.

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Mr. Goldstone
March 30, 2016

If you have any questions about this inspection report, please contact Daniel Valenta at 505-827-2575 or at daniel.valenta@state.nm.us.

Sincerely,

/s/Bruce Yurdin

Bruce J. Yurdin
Program Manager
Point Source Regulation Section
Surface Water Quality Bureau

Cc: Carol Peters-Wagnon (6EN-AS) by email
Everett Spencer, USEPA (6EN-AS) by email
Darlene Whitten-Hill, USEPA (6EN-AS) by email
Racquel Douglas, USEPA (6EN-WM) by email
William Chavez, NMED District I Manager, by email



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 | 2 | B | C | 1 | 2 | 11 | 12 | 1 | 6 | 0 | 3 | 1 | 0 | 17 | 18 | } | 19 | S | 20 | 2 |
| Remarks | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| C O N S T R U C T I O N > 1 A C R E | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Inspection Work Days | | | | | | Facility Evaluation Rating | | | | | | BI | | QA | | -----Reserved----- | | | | | | | | | | | | |
| 67 | | | | | | 70 | | | | | | 71 | | 72 | | 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) Chaves County Solar Project, 445 Wrangler Road, Roswell, New Mexico Chaves County | Entry Time /Date 1144 hours/3-10-2016 | Permit Effective Date 2-16-2012 |
| | Exit Time/Date 1416 hours/3-10-2016 | Permit Expiration Date 2-16-2017 |
| Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) Chris Werderitch/Field Construction Manager/Blattner Energy, Inc. Jordan Peterson/Field Supervisor/NextEra Energy/320-249-4616 | Other Facility Data GPS: N. 33.4389 W. -104.4388 SIC: 1522 | |
| Name, Address of Responsible Official/Title/Phone and Fax Number Mr. Mark Goldstone, 392 County Road 50, Avon, MN 56310, MN 56310/Project Manager/ 320-356-2054/ fax 320-356-7392 | Contacted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | |

Section C: Areas Evaluated During Inspection

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

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

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

- This report is based on review of files maintained by the permittee and NMED, on site observation by NMED personal and verbal information provided by the facility's representative.
- Arriving on site at approximately 1144, accompanied by Sandra Gabaldon, the inspector made introductions, presented credentials and explained the purpose of the inspection to Mr. Chris Werderitch. A short exit interview was conducted at the site with Mr. Werderitch. The inspector left the site at approximately 1416.

| | | |
|---|--|--------------------------|
| Name(s) and Signature(s) of Inspector(s) Daniel Valenta /s/Daniel Valenta | Agency/Office/Telephone/Fax NMED/SWQB 505-827-2575 | Date 3/30/2016 |
| Signature of Management QA Reviewer Sarah Holcomb /s/Sarah Holcomb | Agency/Office/Phone and Fax Numbers NMED/SWQB 505-827-2798 | Date 3/30/2016 |

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

| National Database Information | | General | |
|--------------------------------|--|----------------|----------------|
| Inspection Type | CEI | Inspector Name | Daniel Valenta |
| NPDES ID Number | NMR12BC12 | Telephone | 505-827-2575 |
| Inspection Date | 3/10/2016 | Entry Time | 1144 |
| Inspector Type (circle one) | EPA State EPA Oversight | Exit Time | 1416 |
| Facility Type (circle one) | Commercial / Residential / Municipal / Industrial | Signature | |

| Facility Location Information | | | | |
|-------------------------------|--|------------------|-----------------------------|----------|
| Name/Location/Mailing Address | Chaves County Solar Project/445 Wrangler Road, Roswell, NM 56310/ | | | |
| Coordinates | Latitude | 33.4389 | Longitude | 104.4388 |
| Receiving Waters | Berrendo Creek thence Rio Hondo thence Pecos River in Segment 20.6.4.206 | | | |
| Disturbed Area | 568 acres | Start/Stop Dates | (11/2/2015) to (12/15/2016) | |

| Contact Information | | |
|---|---|------------------------------|
| | Name(s) | Telephone |
| Name(s) and Role(s) of All Parties Meeting the Definition of Operator | Blattner Energy, Inc. NextEra Energy, Inc | 320-356-2054 561-691-3057 |
| Facility Contact | Loren Magnus Chris Werderitch Jordan Peterson | 320-293-8878 320-249-4616 |
| Authorized Official(s) | Mark H. Goldstone | 320-356-2054 |

| Site Information: <i>circle all that apply</i> | | | | | | | |
|--|---------------------|--------------------------------|-----------------------|---------------------|---------------|---------------------|-------|
| 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 | | SWPPP Prepared & Available? <i>Part 7.1.1, 7.2.1</i> | Y | |
| Permit Type | General | | SWPPP Contents Satisfactory? | | N |
| Notice Posted (visible, font large, NPDES Permit tracking#, contact name & phone #) <i>Part 1.5</i> | | N | SWPPP Implementation Satisfactory? | Y | |
| NOI Date | 10/14/2015 | | SWPPP Date | 10/23/2015 | |
| Is NOI Satisfactory? | Y | | | | |

| Additional Facility and Inspection Information (<i>optional</i>) |
|--|
| |

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

| SWPPP Review (<i>can be completed in office</i>) | | | |
|---|--------|---|---|
| General | Notes: | | |
| SWPPP Signed/Certified. Did all operators sign/certify the SWPPP? <i>Part 7.2.15, Appendix I.11</i> | | N | SWPP was not signed. |
| SWPPP completed prior to NOI? <i>Part 7.1.1, Part 1.2.1</i> | Y | | |
| Endangered Species Act. Does SWPPP include documentation supporting determination? <i>Part 7.2.14.1; Part 1.1.e, Appendix D</i> | | N | No documentation to support selection of C. |
| Historic Properties. Does SWPPP include documentation supporting determination? <i>Part 7.2.14.2, Appendix E</i> | Y | | |
| If applicable, documents contact with agency or office responsible for implementing Safe Drinking Water Act <u>underground injection control well(s)</u>? <i>Part 7.2.14.3, 40 CFR Parts 144 -147</i> | Y | N | n/a |
| Post-Authorization Additions. Does SWPPP include: ➤ Copy of acknowledgement letter Y ➤ Copy of NOI Y ➤ Copy of permit Y <i>Part 7.2.16.3</i> | Y | | |
| If applicable, SWPPP describes compliance with any case-by-case basis USEPA imposed water quality-based effluent limitation requirements? <i>Part 3</i> | 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 ➤ Pollutant(s) for which the surface water is impaired Y ➤ Whether a TMDL has been approved or established Y <i>Part 3.2.1, Appendix I.15</i> | Y | | |
| Required SWPPP modifications completed? ➤ Completed w/7 days Y ➤ Maintains modification records showing dates, name of person authorizing change and summary Y/N ➤ Signed/Certified Y/N ➤ Immediately notified other operators Y/N <i>Parts 7.4, 5.2.2, Appendix I.11.b</i> | Y | N | n/a, no changes indicated. |
| 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? <i>Parts 4.1.7, 5.4.4, Appendix I.10.2, I.15</i> | Y | N | n/a, active site. |

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

| Team & Activity Description | | | Notes: |
|--|---|----------|--|
| Identifies stormwater team personnel and responsibilities? ➤ Personnel (by name or position) Y ➤ Individual responsibilities Y <i>Part 7.2.1</i> | Y | | |
| Is staff training documented? ➤ Training occurs prior to the commencement of earth-disturbing activities or pollutant-generating activities, whichever occurs first N ➤ Ensures following understand the requirements of this permit and their specific responsibilities: ○ Personnel responsible for the design, installation, maintenance, and/or repair of controls/measures N ○ Personnel responsible for the application and storage of treatment chemicals N ○ Personnel responsible for conducting inspections N ○ Personnel responsible for taking corrective actions N ➤ At a minimum, training includes: ○ Location of all stormwater controls on the site required by this permit, and how maintained N ○ Proper procedures to follow with respect to the permit's pollution prevention requirements N ○ When and how to conduct inspections, record applicable findings, and take corrective actions N <i>Parts 7.2.13, 6 and permit notes for emergency-related construction activities</i> | | N | No training is documented, training log blank. |
| Describes nature of construction activities? ➤ Size of the property Y ➤ Total area to be disturbed Y ➤ Construction support activity areas n/a ➤ Maximum area to be disturbed at any one time Y <i>Part 7.2.2</i> | Y | | |
| 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 <i>Parts 7.2.3, 1.2</i> | 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 <i>Part 7.2.4</i> | Y | | |

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

| Describes sequence, estimated dates (departures) and duration of construction activities? ➤ Installation of control measures when operational N ➤ Commencement/duration clearing & grubbing, mass grading, site preparation (excavating, cutting & filling), final grading, and creation of soil & vegetation stockpiles N ➤ Cessation, temporarily or permanently, of construction activities on the site, or in designated portions of site N ➤ Final/temporary stabilization areas of exposed soil N ➤ Removal of temporary stormwater conveyances/channels and other stormwater control measures N ➤ Removal of construction equipment and vehicles N <i>Part 7.2.5</i> | N | No estimated dates for activates or finial stabilization. |
|---|----------|---|
| Site Map | | Notes: |
| Includes legible site map(s)? <i>Part 7.2.6</i> | Y | |
| ➤ Boundaries of the property Y ➤ Locations construction activities will occur Y ➤ Locations earth-disturbing activities will occur (note any phasing) N ➤ Approximate slopes before and after major grading (note steep slopes) N ➤ Locations sediment, soil, or materials will be stockpiled N ➤ Locations of crossings of surface waters n/a ➤ Designated points vehicles exit onto paved roads Y ➤ Locations of structures/impervious surfaces upon completion N ➤ Locations of construction support activity areas N <i>Part 7.2.6.1</i> | N | |
| ➤ Locations of surface waters/wetlands, within or in immediate vicinity n/a ➤ Indicates waters listed as impaired, and Tier 2, Tier 2.5 , or Tier 3 n/a <i>Part 7.2.6.2</i> | Y | N n/a |
| ➤ Boundary lines of natural buffers <i>Parts 7.2.6.3, 2.1.2.1a</i> | Y | N n/a |
| ➤ Areas of federally-listed critical habitat for endangered or threatened species <i>Part 7.2.6.4</i> | N | |
| ➤ Topography Y ➤ Existing vegetative cover N ➤ Drainage pattern of stormwater/authorized non-stormwater flow onto, over, and from site <u>before and after</u> major grading N <i>Part 7.2.6.5</i> | N | |

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

| | | | |
|--|---|---------------|--|
| <ul style="list-style-type: none"> ➤ Stormwater and allowable non-stormwater discharge locations N ➤ Locations of storm drain inlets on site and immediate vicinity n/a ➤ Locations stormwater or allowable non-stormwater will be discharged to surface waters (including wetlands) on or near site N <p><i>Part 7.2.6.6</i></p> | | N | No discharge outfalls noted for entire site. |
| <ul style="list-style-type: none"> ➤ Locations of potential pollutant-generating activities <p><i>Part 7.2.6.7, Part 7.2.7</i></p> | | N | |
| <ul style="list-style-type: none"> ➤ Locations of control measures <p><i>Part 7.2.6.8</i></p> | Y | | |
| <ul style="list-style-type: none"> ➤ Locations polymers, flocculants, or treatment chemicals will be used/stored <p><i>Part 7.2.6.9</i></p> | | N | |
| Construction Site Pollutants | | Notes: | |
| <p>Includes pollutant-generating activities list and description?</p> <p><i>Part 7.2.7.1</i></p> | Y | | |
| <p>Includes inventory of pollutants or constituents?</p> <ul style="list-style-type: none"> ➤ Inventory Y ➤ Potential spills/leaks Y ➤ Departures from manufacturer's specifications for applying fertilizers containing nitrogen & phosphorus n/a <p><i>Parts 7.2.7.2, 2.3.5.1</i></p> | Y | | |
| <p>Identifies all sources of allowable non-stormwater discharges?</p> <p><i>Parts 7.2.8, 1.3.d</i></p> | | N | |
| <p>If required (surface water w/50 feet of earth disturbance), documents and describes <u>buffer compliance alternative</u> selected?</p> <ul style="list-style-type: none"> ➤ 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 <p><i>Parts 7.2.9, 2.1.2, Appendix G</i></p> | Y | N | n/a |

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

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|---|---|---------------|--|
| <p>As applicable, describes and documents <u>buffer exceptions</u>?</p> <ul style="list-style-type: none"> ➤ 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 <p><i>Parts 7.2.9; 2.1.2.1e, Appendix G</i></p> | Y | N | n/a |
| All Stormwater Control Measures | | Notes: | |
| <p>Describes each measure?</p> <ul style="list-style-type: none"> ➤ Type of measure to be installed and maintained, including design information Y ➤ Specific sediment controls installed and made operational prior to conducting earth-disturbing activities Y ➤ For exit points, stabilization techniques and any additional controls planned to remove sediment prior to vehicle exit Y ➤ For linear projects (if applicable), where/why it has been determined that the use of perimeter controls is practicable n/a <p><i>Part 7.2.10.1</i></p> | Y | | |
| Erosion and Sediment Controls | | Notes: | |
| <p>Minimizes <u>area of disturbance</u>?</p> <p><i>Part 2.1.1.1</i></p> | Y | | |
| <p>Describes erosion and sediment control <u>design requirements</u>?</p> <ul style="list-style-type: none"> ➤ Accounts for expected amount, frequency, intensity, duration of precipitation Y ➤ Accounts for nature of run-on and run-off (channelized peak flow rates & total volume at outlet) Y ➤ Accounts for range of soil particle sizes (distribution, erosivity and cohesiveness) Y ➤ Directs discharge to vegetated areas to increase sediment removal and infiltration unless infeasible NA ➤ Uses velocity dissipation, if necessary n/a ➤ Complies with State of New Mexico except Indian country requirements: <ul style="list-style-type: none"> ○ 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 N ○ 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) N <p><i>Parts 2.1.1.2, 9.4.1.1</i></p> | | N | SWPPP does not address the requirements under 9.4.1.1. |

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

| | | | |
|--|---|---|-----|
| <p>Describes erosion and sediment control <u>installation</u> requirements?</p> <ul style="list-style-type: none"> ➤ Completes installation of downgradient stormwater/sediment controls by the time or immediately following earth-disturbance begins unless infeasible Y ➤ Installs all other controls and makes operational as soon as conditions allow Y ➤ Uses good engineering practices and follows manufacturer’s specifications or explain departures Y <p><i>Part 2.1.1.3</i></p> | Y | | |
| <p>Describes erosion and sediment control <u>maintenance</u> requirements?</p> <ul style="list-style-type: none"> ➤ Initiates fix immediately and completed by close of next work day (routine maintenance) Y ➤ Installs new measure/significant repair no later than 7 calendar days or document why infeasible Y <p><i>Part 2.1.1.4</i></p> | Y | | |
| <p>Installs <u>perimeter controls</u> and describes maintenance (removes sediment before it has accumulated to 1/2 of the above-ground height)?</p> <p><i>Part 2.1.2.2</i></p> | Y | | |
| <p>Minimizes <u>sediment track-out</u>?</p> <ul style="list-style-type: none"> ➤ Restricts vehicle use to properly designated exit points? Y ➤ Uses appropriate stabilization techniques at all points that exit onto paved roads? Y ➤ Where necessary, uses additional measures to remove sediment prior to exit? 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 <p><i>Part 2.1.2.3</i></p> | Y | | |
| <p>Controls discharges from <u>stockpiled sediment or soil</u>?</p> <ul style="list-style-type: none"> ➤ Locates piles outside of buffers n/a ➤ Locates piles separate from stormwater controls Y/N ➤ Uses temporary sediment barrier Y ➤ Where practicable, provides cover or temporary stabilization n/a ➤ Does not hose down or sweep into stormwater conveyance unless connected to basin, trap, etc. n/a ➤ Contains and securely protects pile from wind? N <p><i>Part 2.1.2.4</i></p> | | N | |
| <p>Minimizes <u>dust</u>?</p> <p><i>Part 2.1.2.5</i></p> | | N | |
| <p>Minimizes disturbance of <u>steep slopes</u>?</p> <p><i>Part 2.1.2.6</i></p> | Y | N | n/a |
| <p>Preserves <u>topsoil</u>, unless infeasible?</p> <p><i>Part 2.1.2.7</i></p> | Y | | |

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

| | | | |
|---|---|---|-----|
| Minimizes <u>soil compaction</u> where final vegetative stabilization or infiltration installed? <i>Part 2.1.2.8</i> | Y | | |
| 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)? <i>Part 2.1.2.9</i> | Y | N | n/a |
| Describes <u>constructed conveyance channel</u> controls (if installed)? <i>Part 2.1.3.1</i> | Y | N | n/a |
| Describes <u>sediment basin</u> design (if installed) and maintenance (maintain at least ½ of capacity at all times)? <i>Part 2.1.3.2</i> | Y | N | n/a |
| Describes <u>treatment chemical</u> controls (if used)? <i>Part 2.1.3.3</i> | Y | N | n/a |
| Includes documentation for use of <u>treatment chemicals</u> (polymers, flocculants, or other treatment chemicals)? <ul style="list-style-type: none"> ➤ 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 <i>Parts 7.2.10.2, 2.1.3.3h</i> | Y | N | n/a |
| Describes <u>dewatering</u> controls (if installed)? <i>Part 2.1.3.4</i> | Y | N | n/a |

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

| Stabilization Requirements | Notes: |
|--|-----------------|
| <p>Describes compliance with deadlines for vegetative and/or non-vegetative stabilization practices, including exceptions?</p> <p><u>Deadline to Initiate</u></p> <ul style="list-style-type: none"> ➤ Initiates stabilization immediately (no later than end of next work day following earth-disturbing activities permanently/temporarily ceased) N <p><u>Deadline to Complete</u></p> <ul style="list-style-type: none"> ➤ 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) 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 activities necessary to initially seed or plant; and documents beginning/ending dates of the seasonally dry period, site conditions, and schedule N ➤ Documents/describes circumstances beyond control that prevent meeting deadlines N ➤ If discharging to sediment or nutrient-impaired waters or Tier 2, 2.5 or 3 waters, completes stabilization (vegetative or non-vegetative) w/7 calendar days after temporary or permanent cessation NA <p><i>Parts 7.2.10.3, 2.2.1, 3, 9.4.1.3</i></p> | <p>N</p> |
| <p>Describes compliance with vegetative (final) stabilization criteria?</p> <ul style="list-style-type: none"> ➤ 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 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 N <p><i>Parts 7.2.10.3, 2.2.2.a, 3, 9.4.1.4</i></p> | <p>N</p> |

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

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|--|---|---------------|---------------|
| <p>If applicable, describes compliance with State of New Mexico, except Indian country, arid, semi-arid areas, or drought stricken option for final stabilization:</p> <ul style="list-style-type: none"> ➤ Area seeded/planted must w/3 yrs provides established vegetation that achieves 70% of the native background vegetative cover N ➤ Selects, designs, and installs non-vegetative erosion controls that provide cover for at least 3 years without active maintenance N ➤ Complies with notification, inspection maintenance, and reporting) N <p><i>Parts 7.2.10.3, 2.2.2.b, 3, 9.4.1.5</i></p> | | N | |
| <p>If using, provides effective non-vegetative cover to stabilize?</p> <p><i>Parts 7.2.10.3, 2.2.2.2</i></p> | Y | | |
| Pollution Prevention Procedures | | Notes: | |
| <p>Describes procedures for <u>spill prevention and response</u>?</p> <p><i>Parts 7.2.11.1, 2.3.4</i></p> | Y | | Very limited. |
| <p>Describes procedures for <u>waste management</u>?</p> <p><i>Part 7.2.11.2, 2.3.3.3</i></p> | | N | |
| <p>Eliminates prohibited discharges?</p> <ul style="list-style-type: none"> ➤ Concrete washout, unless managed by control in Part 2.3.3.4 N ➤ Washout/cleanout of stucco, paint, form release oils, curing compounds and other materials unless managed by control in Part 2.3.3.4 N ➤ Fuels, oils or other from vehicle and equipment O&M Y ➤ Soaps, solvents, or detergents used in vehicle and equipment washing N ➤ Toxic or hazardous substances from spill/release Y <p><i>Part 2.3.1</i></p> | | N | Very limited. |
| <p>Properly maintains and protects all pollution prevention controls?</p> <p><i>Part 2.3.2</i></p> | Y | | |
| <p>Complies with pollution prevention standards for certain activities?</p> <ul style="list-style-type: none"> ➤ Fueling/maintenance of equipment or vehicles Y ➤ Washing of equipment and vehicles N ➤ Storage, handling, disposal of materials, products and waste Y ➤ Washing applicators/containers N <p><i>Part 2.3.3</i></p> | | N | |
| <p>Minimizes discharge/complies with restrictions of <u>fertilizer application</u>?</p> <p><i>Part 2.3.5</i></p> | | N | |

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

| Inspections and Corrective Action | | |
|---|--------|-------------------------------------|
| <p>SWPPP describes procedures for <u>inspection, maintenance, and corrective action</u>?</p> <ul style="list-style-type: none"> ➤ Personnel conducting inspections Y ➤ Inspection schedule Y ➤ Reduction of inspection frequency NA. As applicable: <ul style="list-style-type: none"> ○ location of the rain gauge or the address of weather station to obtain rainfall data Y ○ beginning and ending dates of the seasonally-defined arid period for your area or the valid period of drought NA ○ beginning and ending dates of frozen conditions NA ➤ Inspection or maintenance checklists or other forms that will be used Y <p><i>Parts 7.2.12</i></p> | Y | |
| Inspections | Notes: | |
| <p>Inspections performed by “qualified” person? <i>Part 4.1.1</i></p> | N | No documentation of qualifications. |
| <p>Conducts inspections at a minimum of required frequency unless reductions documented?</p> <ul style="list-style-type: none"> ➤ Every 7 days <u>or</u> 14 days & w/in 24 hrs of a 0.25” rain event Y <p><i>Part 4.1.2</i></p> | Y | |
| <p>If applicable, conducts increased inspection frequency for sites with discharges to sediment or nutrient-impaired waters or Tier 2, 2.5 or 3 waters:</p> <ul style="list-style-type: none"> ➤ Once every 7 days Y; <u>and</u> ➤ Within 24 hrs of a ≥ 0.25” rain event Y? <p><i>Parts 4.1.3, 3.3.2.1, 3.3.2</i></p> | Y | |
| <p>If allowable (begin/end dates recorded), documents reduced inspection frequency?</p> <ul style="list-style-type: none"> ➤ 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 w/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 <p><i>Part 4.1.4.1 thru 3</i></p> | Y | N n/a |
| <p>Inspection areas includes:</p> <ul style="list-style-type: none"> ➤ All cleared, graded, excavated, and not completed stabilization Y ➤ All controls/measures Y ➤ Material/waste/borrow/equipment storage and maintenance areas Y ➤ All areas stormwater typically flows Y ➤ All points of discharge N ➤ All locations stabilization implemented NA <p><i>Part 4.1.5</i></p> | N | No outfalls identified. |

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

| | | | |
|--|---|--|--|
| <p>Inspection includes minimum requirements?</p> <ul style="list-style-type: none"> ➤ Controls installed/operational Y ➤ Determines need to replace, repair, or maintain Y ➤ Conditions that could lead to spills, leaks, and accumulations of pollutants Y ➤ Identifies where new or modified controls are necessary Y ➤ At points of discharge, checks for visible erosion/sedimentation on banks NA ➤ Identifies noncompliance Y ➤ If discharge is occurring: n/a <ul style="list-style-type: none"> ○ Identifies all points of discharge ○ Observes/documents visual quality, including color, odor, floating, settled, or suspended solids, foam, oil sheen, and other of pollutants ○ Documents whether controls operating effectively, and describes controls not operating as intended or need maintenance Y ➤ Based on results of inspection, initiates corrective action under Part 5. <p><i>Part 4.1.6</i></p> | Y | | |
| <p>Inspection reports:</p> <ul style="list-style-type: none"> ➤ Completed within 24 hrs Y ➤ Includes inspection date Y ➤ Includes names/titles of personnel Y ➤ Includes summary of findings Y ➤ Includes applicable rain gauge reading Y ➤ Signed and certified in accordance with Appendix I.11 Y <p><i>Part 4.1.7.1 and 2</i></p> | Y | | |

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

| Corrective Action | Notes: | |
|--|--------|--|
| <p>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?</p> <p><i>Part 5</i></p> | Y | |
| <p>Within 24 hours of discovering the occurrence, completes a report of the following:</p> <ul style="list-style-type: none"> ➤ Condition identified Y ➤ Nature of the condition identified Y ➤ Date and time of the condition identified and how it was identified Y <p><i>Part 5.4</i></p> | Y | |
| <p>Within 7 calendar days of discovering the occurrence, completes a report of the following:</p> <ul style="list-style-type: none"> ➤ Follow-up actions taken to review the design, installation, and maintenance of stormwater controls, including the dates such actions occurred Y ➤ Summary of stormwater control modifications taken or to be taken Y ➤ Schedule of activities necessary to implement changes Y ➤ Date the modifications are completed or expected to be completed Y ➤ Notice of whether SWPPP modifications are required as a result of the condition identified or corrective action Y ➤ Signed and certified in accordance with Appendix I.11 Y <p><i>Parts 5.4.2, 5.4.3</i></p> | Y | |

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

Additional Notes on SWPPP Review (*optional*)

Empty space for additional notes on SWPPP Review.

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

| Implementation <i>(complete in field)</i> <i>(Narrative Description if Control Measures Installed, Operational, Effective and Maintained)</i> | |
|--|---|
| Erosion and Sediment Control Practices Part 2.1 | |
| Minimize area of disturbance: | <i>(Provide brief description)</i> Yes |
| Buffer compliance: | <i>(e.g., provide and maintain a 50-foot undisturbed natural buffer)</i> n/a |
| Perimeter controls: | <i>(e.g., filter berms, silt fences, temporary diversion dikes)</i> Yes |
| Exit point or sediment track out: | <i>(e.g., aggregate stone with an underlying geotextile or non-woven filter fabric, or turf mats, wheel washing, rumble strips, plates, sweeping)</i> Yes, needs cleaning. |
| Stockpiled sediment or soil: | <i>(e.g., berms, dikes, fiber rolls, silt fences, sandbag, gravel bags)</i> Yes |
| Minimize dust: | <i>(e.g., application of water or other dust suppression techniques)</i> Blowing dust is a problem at this site due to high winds. |
| Steep slopes: | <i>(e.g., standard erosion and sediment control practices, phasing disturbances, stabilization practices)</i> n/a |
| Preserve topsoil: | <i>(e.g., stockpiling or transfer of topsoil to other locations)</i> Yes |
| Soil compaction: | <i>(e.g., restrict vehicle / equipment use, soil conditioning techniques)</i> Yes |
| Storm drain inlet protection: | <i>(e.g., fabric filters, sandbags, concrete blocks, gravel barriers)</i> n/a |
| Conveyance channels: | <i>(e.g., erosion controls, and velocity dissipation check dams, sediment traps, riprap, or grouted riprap at outlets)</i> n/a |
| Sediment basin: | <i>(e.g., outlet structures that withdraw from the surface, stabilization, erosion controls, velocity dissipation, kept at least 1/2 design capacity)</i> n/a |

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

| Erosion and Sediment Control Practices - Continued | |
|--|--|
| Treatment chemicals: | <i>(e.g., spill berms, decks, spill containment pallets, storing chemicals in covered area, spill kit available on site)</i> n/a |
| Dewatering: | <i>(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)</i> n/a |
| Other erosion and sediment controls or practices: | <i>(Provide brief description)</i> n/a |
| Stabilization Practices Part 2.2 | |
| Stabilization: | <i>(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)</i> Active site. |
| Are stabilization measures initiated immediately? Y/N Are they completed within 14 days of construction cessation? Y/N | <i>(e.g. indicate “yes” or “no”; if not within 14 days of construction cessation, how long without stabilization measures?)</i> Active site. |
| Pollution Prevention Measures Part 2.3 | |
| Fueling and maintenance of vehicles: | <i>(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)</i> Yes |
| Washing equipment & vehicles: | <i>(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)</i> n/a |
| Washing applicators/containers (e.g., stucco, paint, concrete, form release oils, curing compounds, and other construction materials) | <i>(e.g., leak-proof container or pit, locate as far away as possible from surface waters, inlets or conveyances, designate areas)</i> Yes |

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

| Pollution Prevention Measures – Continued | |
|--|---|
| Storage, handling, disposal of construction materials, products and waste: | <p><i>Building products (e.g., asphalt sealants, copper flashing, roofing materials, adhesives, concrete admixtures):</i></p> <p>Yes</p> |
| | <p><i>Pesticides, herbicides, insecticides, fertilizers, and landscape materials:</i></p> <p>n/a</p> |
| | <p><i>Diesel fuel, oil, hydraulic fluids, other petroleum products, and other chemicals:</i></p> <p>Yes</p> |
| | <p><i>Hazardous or toxic waste (e.g. paints, solvents, petroleum-based products, wood preservatives, additives, curing compounds, acids):</i></p> <p>Yes</p> |
| | <p><i>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):</i></p> <p>Yes</p> |
| | <p><i>Sanitary waste:</i></p> <p>Yes</p> |
| Fertilizer application: | <p><i>(e.g., avoids applying before heavy rains, never applies to frozen ground, never applies to conveyance channels with flowing water)</i></p> <p>n/a</p> |
| Miscellaneous | |
| Evidence of not allowable non-storm water discharges or prohibited discharge? | <p><i>(Provide brief description and determine whether any non-storm water discharges allowable)</i></p> <p>No evidence of discharge.</p> |
| Evidence of sediment deposition to surface waters or MS4? | <p><i>(e.g. significant turbidity observed in a receiving water body)</i></p> <p>No evidence of discharge.</p> |

**NMED/SWQB
Official Photograph Log**

Photo # 1

| | | |
|--|----------------------|------------------|
| Photographer: Daniel Valenta | Date: March 10, 2016 | Time: 1510 hours |
| City/County: Roswell/ Chaves | | |
| Location: 445 Wrangler Rd | | |
| Subject: Solar panels are installed on the support arms. | | |



**NMED/SWQB
Official Photograph Log**

Photo # 2

| | | |
|--|----------------------|------------------|
| Photographer: Daniel Valenta | Date: March 10, 2016 | Time: 1411 hours |
| City/County: Roswell/ Chaves | | |
| Location: 445 Wrangler Rd | | |
| Subject: Some areas of the site has more disturbed soil than other, area was not regraded. | | |



**NMED/SWQB
Official Photograph Log**

Photo # 3

| | | |
|------------------------------------|----------------------|------------------|
| Photographer: Daniel Valenta | Date: March 10, 2016 | Time: 1354 hours |
| City/County: Roswell/ Chaves | | |
| Location: 445 Wrangler Rd | | |
| Subject: Track out needs cleaning. | | |



**NMED/SWQB
Official Photograph Log**

Photo # 4

| | | |
|---|----------------------|------------------|
| Photographer: Daniel Valenta | Date: March 10, 2016 | Time: 1354 hours |
| City/County: Roswell/ Chaves | | |
| Location: 445 Wrangler Rd | | |
| Subject: Dirt storage piles are required to be stabilized if left inactive for more than 14 days. | | |



Response to Inspection on March 10, 2016

Received April 25, 2016



20 April, 2016

Mr. Bruce J. Yurdin
Program Manager
Harold Runnels Bldg.
1190 South St. Francis Drive (87505)
P.O. Box 5469
Santa Fe, New Mexico 87502-5469

RECEIVED

APR 25 2016

SURFACE WATER
QUALITY BUREAU

Dear Mr. Yurdin,

On 10 March 2016, Daniel Valenta, an inspector from the New Mexico Environment Department (NMED) visited the Roswell/Chaves Solar construction site on the outskirts of Roswell, NM. His findings were contained in two NPDES Compliance Inspection Reports, one for the Roswell Solar portion of the project, and one for the Chaves County Solar portion of the project, each dated 29 March, 2016.

In response to these two reports, Blattner Energy Inc. (BEI) contacted RRC Engineering (RRC), the engineering firm BEI contracted to create the initial Roswell/Chaves SWPPPs, and asked them to respond to Mr. Valenta's comments. RRC revised both SWPPP documents and developed a cover sheet noting each action taken in response to Mr. Valenta's comments.

Copies of the initial NMED Chaves County report, revised Chaves County SWPPP, and RRC's Chaves County SWPPP cover sheet are enclosed with this letter. Per your instructions, copies have also been sent to Raquel Douglas, USEPA (6EN).

Please let me know if BEI has addressed your department's concerns satisfactorily. BEI is a leader in renewable energy construction, nationwide. We take pride in being good neighbors to the communities we work in, as well as in being proper stewards of the environment. We enjoy working in NM and look forward to additional projects in your great state.

Best Regards,

A handwritten signature in blue ink, appearing to read 'Mark Goldstone'.

Mark Goldstone
Project Manager
Blattner Energy Inc.

320-356-2054
320-241-2843

Cover Letter - Amended Chaves County Solar SWPPP

RRC Engineering prepared the Roswell Solar and Chaves County Solar SWPPP's for our client, Blattner Energy, Inc. (BEI), and assisted them with the filing of the NOI with Region 6 of the EPA. At the time of the preparation of the NOI and the SWPPP, RRC Engineering was not able to locate any New Mexico State program or information and was instructed to file directly with Region 6.

It is understood that Mr. Daniel Valenta from the New Mexico Environment Department visited the active Roswell and Chaves County Solar projects on March 29, 2016 for the purposes of an audit. During that visit Mr. Valenta concluded that the majority of both SWPPPs prepared by RRC Engineering were being properly implemented and that the site BMPs and procedures were in compliance.

Mr. Valenta did, however, indicate that there were elements of both SWPPPs that were lacking. Please review the responses below regarding each comment, and the corresponding action taken.

Lenwood S. Adams, P.E., CFM, CAPM
RRC Engineering

Chaves County Solar Project Audit Comments List

Note: NextEra Energy, Inc. is listed on Page 1 of the report as meeting the definition of Operator. That would be correct if the facility, after construction, falls under an industrial storm water permit. However, that is not the case. After construction there will be no operations on the site involving handling of any potential pollutants or any further ground disturbance.

During construction, Blattner Energy Inc. meets the definition of Operator and NextEra Energy Inc. meets the definition of Owner. The Operator is responsible for implementation of the SWPPP.

Page 2, block 1: BEI and all subcontractors working on earth disturbing activities should sign the SWPPP

Page 2, block 3: Added Figure 4 to Appendix A which shows the Roswell and Chaves Solar Projects outline in reference to the approximate location of the critical habitat and the closest distance from each project to the closest boundary of the critical habitat. Critical Habitat locations are 0.5 to 1.5 miles east of the sites.

Page 3, block 2, bullet point 1: BEI will conduct appropriate training prior to commencement of earth-disturbing activities documenting the training using the training log provided within Appendix C of the SWPPP.

Page 3, block 2, bullet point 2: When conducting training, BEI will insure that all personal involved are aware and understand their specific responsibilities.

Page 3, block 2, bullet point 3: Added additional text in the SWPPP to Section 7 Training.

Page 4, block 1: Added additional text in the SWPPP to Section 2.3 Sequence and Estimated Dates of Construction Activities.

Page 4, block 2, bullet points 3-5: Added earth-disturbance callouts, slopes and approximate stockpile locations to figures 2 and 3, within Appendix A.

Page 4, block 2, bullet points 8 and 9: Added section 3.4 Impervious Cover.

Page 4, block 5: Added Figure 4 to Appendix A which shows the Roswell and Chaves Solar Projects outline in reference to the approximate location of the critical habitat and the closest distance from each project to the closest boundary of the critical habitat.

Page 4, block 6: Added vegetation cover callout to Figure 4, within Appendix A. Flow direction is already noted by arrows on Figures 2 and 3, within Appendix A.

Page 5, block 1: Added note to Figures 2 and 3 stating that stormwater runoff is limited to low velocity sheet flow. No specified discharge location on site. No surface waters are located on or near the site.

Page 5, blocks 2 and 4: Added note to Figures 2 and 3 stating that no pollutant generating activities occur on-site. Also, no polymers, flocculants or treatment chemicals will be stored on-site.

Page 5, block 7: Added text to Section 2.5 Allowable Non-Stormwater Discharges.

Page 6, block 3, bullet 6: Added text to Section 4.1 Sediment Controls. Added text to Section 4.1 Sediment Controls.

Page 7, blocks 5 and 6: Added text to Section 4.7 Stockpiled Sediment or Soil.

Page 9, blocks 1 and 2: Added text to Section 2.3 Sequence and Estimated Dates of Construction Activities. Added text to Section 4.4 Permanent Sediment Controls. Updated text in Appendix E, Notes page.

Page 10, block 1: Added text to Sections 4.4 Permanent Sediment Controls and 6.1 Inspection Personnel and Procedures.

Page 10, block 4: Added Section 5.2 Waste Management.

Page 10, blocks 5, 7 and 8: Added text to Section 4.5 Potential Pollutants.

Page 11, block 2: When performing inspections, BEI will include their "qualified" person credentials.

Page 11, block 6: Inspection form in Appendix E mentions inspecting for discharges at the time of inspection. Added words "discharge points" to inspection form.

Storm Water Pollution Prevention Plan (SWPPP)

For Construction Activities At:

CHAVES SOLAR PROJECT

SWPPP Prepared For:



Blattner Energy, Inc.
392 County Road 50
Avon, MN 56310

SWPPP Prepared By:



3801 Doris Lane
Round Rock, TX 78664
512.992.2087 | www.RRCcompanies.com

SWPPP Preparation Date:

November 10, 2015

**Modified:
April 6, 2016**

Estimated Project Dates:

Project Start Date: November 2, 2015

Project Completion Date: December 30, 2016

In Compliance with:

EPA General Permit for Discharges from Construction Activities

Issue Date: February 16, 2012

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SECTION 1: CONTACT INFORMATION/RESPONSIBLE PARTIES

1.1 Operator(s), Contractor(s)/Subcontractor(s) and Emergency Contacts

Operator

Blattner Energy, Inc.
Mr. Mark Goldstone
392 County Road 50
Avon, MN 56310
Phone: (320) 356-2054
Fax: (320) 356-7392
mgoldstone@blattnerenergy.com

Contractor

Blattner Energy, Inc.
Mr. Mark Goldstone
392 County Road 50
Avon, MN 56310
Phone: (320) 356-2054
Fax: (320) 356-7392
mgoldstone@blattnerenergy.com

Subcontractor(s)

Morse Electric
Mr. Randy Rients
1390 Gateway Blvd
Beloit, WI 53511
Phone: (608) 856-7286
rrients@themorsegroup.com

Emergency 24-Hour Contact:

Blattner Energy, Inc.
Mr. Mark Goldstone
392 County Road 50
Avon, MN 56310
Phone: (320) 356-2054
Fax: (320) 356-7392

Chaves County Sheriff's Office
1 St. Mary's Pl.
Roswell, NM 88203
Phone: (575) 622-2117



1.2 Stormwater Team

Oversight and Implementation:

Blattner Energy, Inc.
Mr. Mark Goldstone
392 County Road 50
Avon, MN 56310
Phone: (320) 356-2054
Fax: (320) 356-7392
mgoldstone@blattnerenergy.com

Maintenance Lead:

Blattner Energy, Inc.
Mr. Fernando Ramos
445 Wrangler Road
Roswell, NM 88201
Phone: (320) 557-5099
framos@blattnerenergy.com

Inspection:

Blattner Energy, Inc.
Loren Magnus
445 Wrangler Road
Roswell, NM 88201
Phone: (320) 293-8878
lorenm@blattnerenergy.com



SECTION 2: SITE EVALUATION, ASSESSMENT, AND PLANNING

2.1 Project Site Information

This phase of the project will consist of the construction of an approximately 70 MWac solar project with underground collection and associated equipment within the project site. The project will employ single-axis tracking ground mount photovoltaic array systems. The project will also utilize a centrally mounted inverters and transformers for the site. The total disturbed area will be about 1,246 acres located in Chaves County, New Mexico. The project is bounded on the west by Wrangler Rd., on the north by E. Pine Lodge Rd., on the East by Refuge Rd. and on the south by Zinnia Road.

Current land use is primarily pasture land. The project site vicinity map is shown on Figure 1, within Appendix A.

2.2 Construction Activities

The main construction activities associated with the project will be installation of the solar panels and construction of site access roads. Temporary and permanent erosion controls are required and shall be installed during and after the construction phase. Major construction activities and anticipated sequences at the project site include:

General Site Grading: Cut and fill will be performed onsite for grading purposes. The grading activities will consist of vegetation stripping, soil removal and soil compaction where required. Excess topsoil will be spread over the site upon completion of grading activities for reseeding. Silt fences or wattles will capture any potential sediment runoff from the construction. Following completion of construction activities, the area will be reseeded with a local perennial plant seed mix.

Access Road Construction: Construction of access roads and site grading represents the largest potential for land disturbance during construction activities, and generally will consist of vegetation stripping, soil removal and soil compaction. Excess topsoil shall be used as berms or spread over the site for reseeding. Silt fences will capture any potential sediment runoff from the construction. Culverts shall be installed at intersections of drainage ways and roadways. Following completion of construction activities, the area will be reseeded with a local perennial plant seed mix.

Solar Panel Construction: Solar panels are mounted on piles. Vegetation will likely be disturbed in the area where solar panels are installed. If drilling is required for the piles, the excess soil should be removed from the solar array areas and distributed to other site areas and reseeded.

Underground Electrical Cable Installation: Installation of electrical conveyance cables shall be underground, along access roads where possible.

2.3 Sequence and Estimated Dates of Construction Activities

- Estimated Start of Construction Disturbance which includes roadway clearing and grubbing and grading: November 2, 2015
- Estimated completion of stormwater control measures and when they will be made operational: January 10, 2016. Stormwater controls shall be installed as shown in Figures 2 and 3, within Appendix A. Stormwater controls shall be installed by the time earth disturbing activities begin in that area.
- Estimated End Date of Construction Disturbance December 30, 2016
- Final or temporary stabilization of areas of exposed soil shall be initiated immediately (no later than the end of the next working day) and completed by January 13, 2017 (14 days).
- Removal of temporary stormwater controls and/or construction equipment and cessation of pollutant generating activities shall be completed once final stabilization has been completed: January 13, 2017.

2.4 Surface Soils

Surficial soils generally vary throughout the project site. The northern portion of the site consists of primarily Holloman loam and Holloman-Gypsum. The southern portion of the site varies from Holloman loam, Atoka loam, Reeves loam and Reakor sandy loam. The western portion of the site generally consists of Reakor sandy loam, Atoka loam and Holloman-Gypsum. The eastern portion of the site generally consists of Bigetty loam, Reakor loam and Holloman-Gypsum.

A surficial soils map with legend and soils description is included in Appendix A.

2.5 Allowable Non-Stormwater Discharges

List of Allowable Non-Stormwater Discharges Present at the Site:

- Water used for dust control
- Potable water
- Vehicle and equipment wash with no discharge of soaps, solvents or detergents
- Discharges from firefighting activities

SECTION 3: DISCHARGE AND COMPLIANCE WITH OTHER FEDERAL REQUIREMENTS

3.1 Endangered Species Protection

The New Mexico Department of Game and Fish and the US Fish and Wildlife Service have identified a total of 12 species listed as endangered within Chaves County. Utilizing the Critical Habitat Mapper provided online by the Fish and Wildlife Service the nearest critical habitat is located along the Pecos River in the Bitter Lake National Wildlife Refuge. The project site boundary is located approximately 2,800 feet from the boundary of the wildlife refuge. The site is located in reference to the critical habitat in Figure 4, within Appendix A.

3.2 Discharge Information and Water Quality

The project site is located within the Upper Pecos-Long Arroyo Watershed and the (USEPA Hydrologic Unit Code 13060007) and the Rio Hondo Watershed (USEPA Hydrologic Unit Code 13060008). The site generally drains to the south to the Rio Hondo River and the southeast to the Pecos River.

The portion of the Pecos River that flows closest to the site is listed impaired according to the New Mexico Environment Department for DDT and PCB pollutants. A TMDL has not been completed for that portion of the river. The Pecos River is not listed as a Tier 2, 2.5 or 3 water.

The Pecos River is located approximately 3,300 feet from the closest boundary of the project site and no observable streams or creeks flow from the project site to the Pecos River.

The Rio Hondo River is located approximately 3,700 feet south of the closest project boundary. The Rio Hondo River is not listed as impaired by the New Mexico Environment Department. No observable creeks or streams flow from the project site to the Rio Hondo River.

3.3 Historic Properties

The National Register of Historic Places has 16 listings for Roswell, NM. There are no historically registered places listed within or near the immediate vicinity of the project site.

3.4 Impervious Cover

Impervious cover is approximately less than 0.01% of the total project area and consists only of driven piles and inverters.

SECTION 4: EROSION AND SEDIMENT CONTROLS

4.1 Sediment Controls

During construction of access roads, laydown yards, collector systems and solar panels, temporary erosion control procedures shall be utilized including but not limited to the following:

- Silt fence/wattle
- Seeding
- Dust control
- Erosion blanket
- Surface roughening

The site generates non-erosive (low velocity) and low peak flow volume stormwater runoff. Due to the low peak flow and non-erosive velocity, temporary sediment controls shall consist of silt fences or wattles to control sediment and stormwater runoff. Permanent sediment controls shall consist of reestablishing natural vegetation cover in the few areas where fill was added to the site.

Site flow velocities are low. The minimum calculated velocity onsite is 0.5 ft/s and the maximum calculated velocity is 1.76 ft/s. The average on-site velocity was determined to be 1.04 ft/s. Due to the relatively low velocities, soil loss is determined to be negligible. Silt fences or wattles are recommended along portions of the site where water will flow offsite.

4.2 Buffer Compliance

There are no surface waters within 50 feet of the project's earth disturbances.

4.3 Temporary Sediment Controls

Temporary erosion and sediment controls shall consist of using silt fence, seeding, dust control, erosion blanket, or surface roughening. Wattles can be used as an alternative to silt fence if preferred.

Silt fences or wattles shall be installed along the portions of the project boundary where sediment is expected to flow off site via stormwater discharge and could have a detrimental impact on the surrounding area as shown in Figures 2 and 3, within Appendix A.

Silt Fence, wattle and construction entrance details are including within Appendix F.

Due to the semi-arid nature of the area, dust should be controlled with water or other dust-suppressant materials during the construction phase.

4.4 Permanent Sediment Controls

Final stabilization of temporarily disturbed area shall consist of loosening or ripping compacted soil and establishing a uniform perennial vegetative cover. Temporary erosion control devices shall be removed during final stabilization. Due to semi-arid nature of the region, non-vegetative erosion control methods shall be employed if vegetative cover is not feasible including but not limited to the following:

- Decomposed granite
- Degradable mulches
- Geotextiles
- Rock slope protection

Disturbed areas are to be revegetated with seeds approved by the New Mexico Department of Transportation (NMDOT) 2016 Zone 5 Seed List: Southern Desertic Basins, Plains, and Mountains shall be utilized. Revegetation should cover at least 70% of density of original vegetation in disturbed area. Erosion control measures shall be installed upslope from reseeded areas until vegetation is established within 3 years.

Final erosion and stabilization controls will be initiated following completion of construction activities by the end of the next work day. Final stabilization shall be completed no later than 14

calendar days after completion of soil disturbing activities which includes all initial seeding activities or installation of non-vegetative stabilization.

Vegetation in the solar panel array will only be disturbed by foot traffic and light vehicles which will not destroy the vegetation. Establishing new vegetation in the solar panel array areas will not be required.

The site is located within a semi-arid region and construction will extend into the seasonal dry period. The seasonal dry period is approximately from November until April. The stabilization schedule is described in section 2.3.

If unable to complete final stabilization within 14 calendar days for reasons outside your control (i.e. weather), the following deadlines may be used instead:

- Immediately initiate and complete within 14 days, installation of temporary non-vegetative stabilization measures.
- Complete all soil conditioning, seeding, watering mulching and all other activities related to reseeded as soon as circumstances on the site allow.
- Document the reasons that prevented the final stabilization deadline to be met.

4.5 Potential Pollutants

Other potential pollutants and corresponding control measures are listed in the table below.

| Potential Pollutant Source | Control Measures |
|--------------------------------------|--|
| Off-site vehicle tracking | Off-site vehicle tracking will be minimized by the Construction Entrance. |
| Construction material stored on site | Construction material stored on site will be covered and maintained within the BMPs. |
| Construction waste stored on site | Construction waste stored on site will be located within the BMPs. |

Concrete usage will be minimal onsite for construction. If a concrete washout is utilized, washout shall be bermed and plastic-lined. No stucco, paint, form release oils, curing compounds or other similar pollutants shall be utilized during construction. If vehicles washing occurs, soaps, solvents or detergents are prohibited.

If fertilizer is to be used for revegetation purposes, fertilizer shall be applied at a rate consistent with manufacturers requirements, apply at the appropriate time of the year, avoid applying prior to heavy rains, avoid applying on frozen ground, follow all other federal, state and local guidelines.

4.6 Sediment Track-Out

Construction sediment track-out on to existing roadways by construction equipment and vehicles shall be prevented by placing coarse aggregate material at the construction entrance/exit during the construction phase.

4.7 Stockpiled Sediment or Soil

Any stockpiled soils are temporary and will be used to fill in the areas noted on Figures 2 and 3. Any additional soil will be used for reseeded. While soil is stockpiled, sediment control listed in section 4.1 shall be employed around stockpiled soil and wetted during dust control efforts to protect from wind.

4.8 Minimize Dust

The semi-arid nature of the region leads to a need for dust suppression during construction activities. Dust will be controlled using water trucks during the construction phase.

4.9 Chemicals

Chemicals will be stored in a controlled environment with appropriate MSDS sheets.

Fuel Storage: Fuel storage tanks will not exceed 1,000 gallons, if any are utilized. If fuel storage tanks are placed on the site, the tanks will be located within an earthen berm lined with non-permeable geotextile material of sufficient volume to contain the contents of the tank and a 100-year storm volume.

SECTION 5: POLLUTION PREVENTION STANDARDS

5.1 Spill Prevention and Response

A spill bucket with absorbent material should be located near all equipment, chemical storage or handling. All spills should be cleaned up immediately and spills greater than one gallon shall be recorded in this document and the clean-up and disposal method described. Larger spills shall be reported to the Environmental Coordinator.

5.2 Waste Management

All solid waste including, but not limited to, crates, cardboard, construction debris, plastic wrapping, pipes and wire waste shall properly be contained at appropriate collection points and properly disposed on a regular basis. Care should be taken to avoid the spread of material that can be windblown from this site area or containers.

In the unlikely event that sediment is required to be removed from the site, the contractor shall properly dispose of the sediment in off-site locations determined by the contractor.

SECTION 6: INSPECTION AND CORRECTIVE ACTION

6.1 Inspection Personnel and Procedures

Loren Magnus will be conducting the inspections and qualifications are contained in Appendix D.

Inspection Schedule

An inspection will be performed throughout the site every 7 calendar days and within 24 hours of a storm event with precipitation measuring 0.25 inches or greater.

A site walk-through should be performed inspection prior to an anticipated storm event. If there is considerable work activity near an erosion control device, then the device should be checked to insure that the device has not been damaged as needed.

An inspection form is included in Appendix E.

For areas of the site that undergone temporary or final stabilization, inspections shall be conducted at least once a month until the coverage is terminated. Once permanent reseeding has been completed, an inspection shall be conducted annually until notice of termination is filed.

SECTION 7: TRAINING

Prior to commencement of earth disturbing activities or pollutant generating activities, personnel involved in design, installation, maintenance and/or repair of stormwater controls, personnel conducting inspections, and personnel responsible for taking corrective actions shall undergo training.

At a minimum, personnel must be trained to understand the following as related to scope of job duties:

- The location of all stormwater controls on the site and how they will be maintained
- The proper procedures to follow with respect to permit's pollution prevention requirements; and
- When and how to conduct inspections, record application findings and take corrective actions.

A training log is contained in Appendix C.

SECTION 8: CERTIFICATION AND NOTIFICATION

This document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete.

Name

Title:

Signature

Date:

SWPPP APPENDICES

Attach the following documentation to the SWPPP:

Appendix A – Site Maps

Appendix B – SWPPP Amendment Log

Appendix C – Training Log

Appendix D – SWPPP Certification

Appendix E – Site Inspection Forms

Appendix F – BMP Details and Examples

Appendix G - National Pollutant Discharge Elimination System General Permit for Discharges from Construction Activities

Appendix H – Construction Notice to be posted

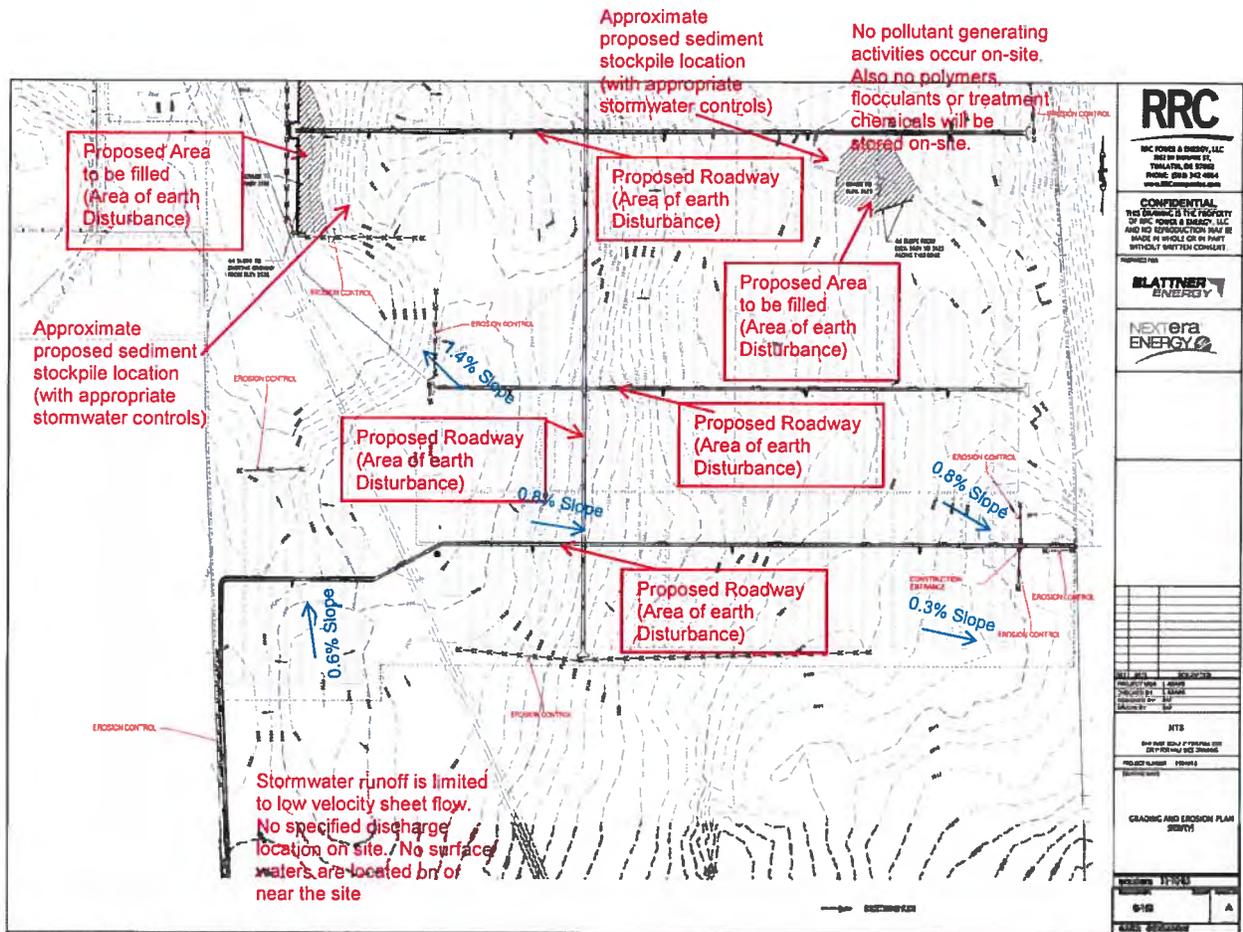


Figure 3: Site Layout South

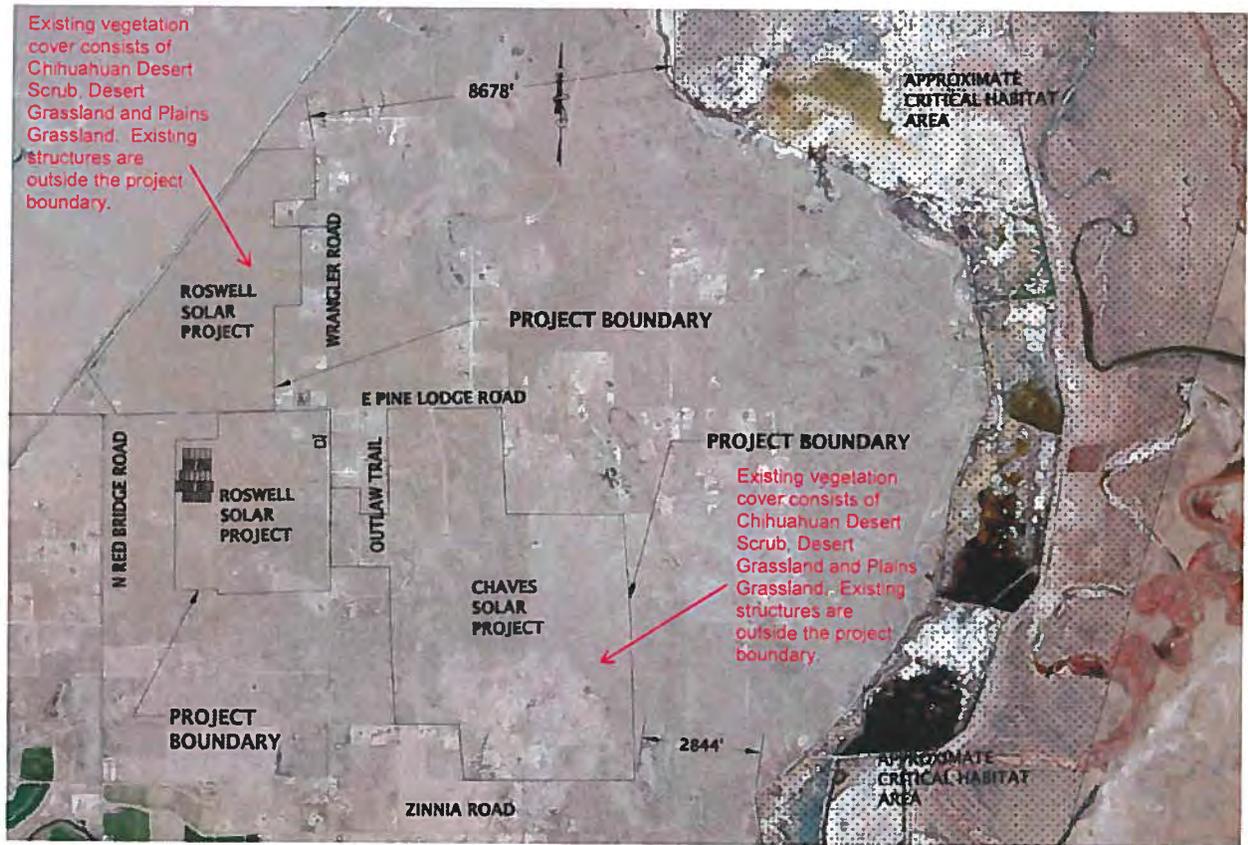
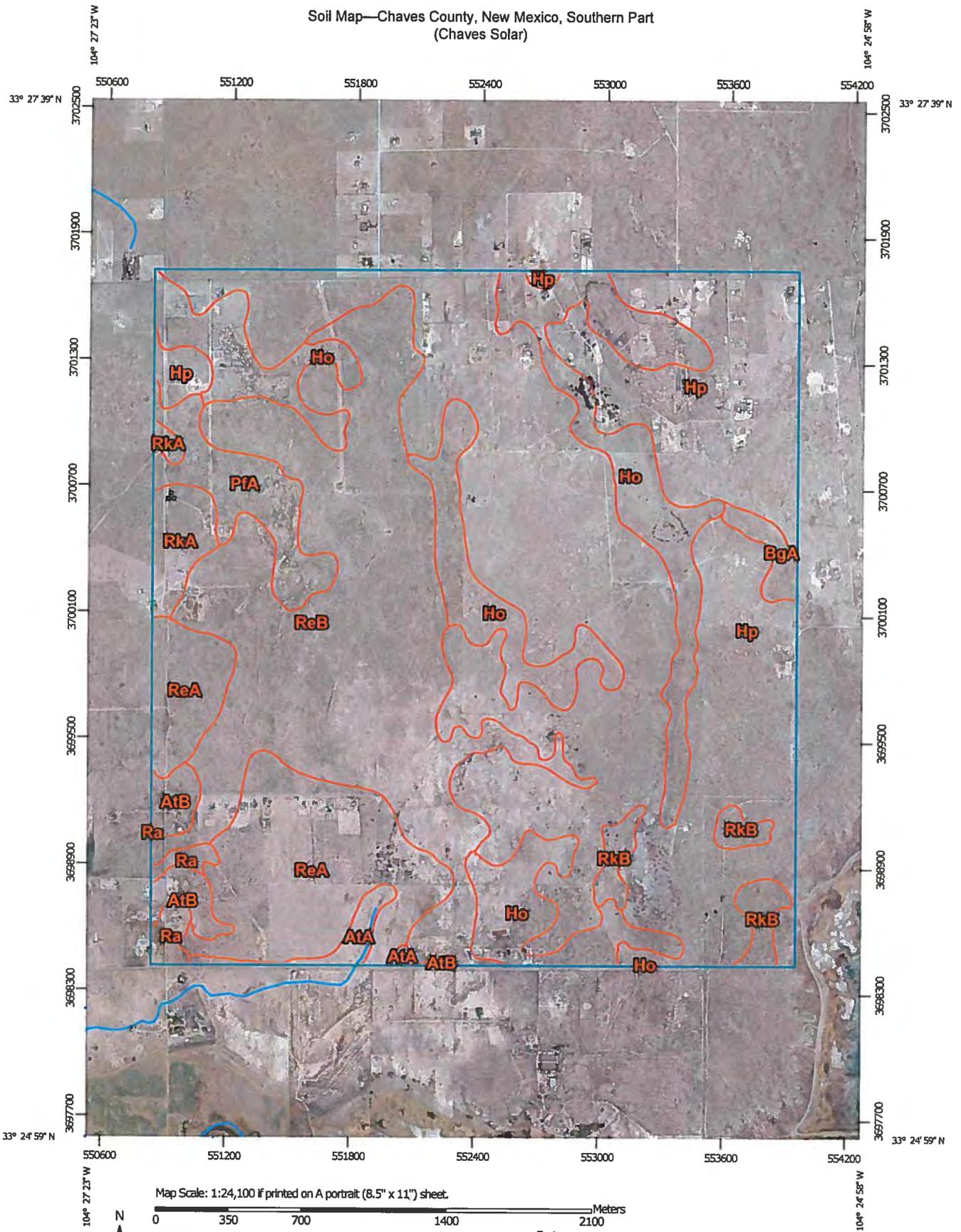


Figure 4: Site in Reference to Critical Habitat Area

Soil Map—Chaves County, New Mexico, Southern Part
(Chaves Solar)



Soil Map—Chaves County, New Mexico, Southern Part
(Chaves Solar)

MAP LEGEND

| | | | |
|---|------------------------|---|-----------------------|
|  | Area of Interest (AOI) |  | Spoil Area |
|  | Soils |  | Stony Spot |
|  | Soil Map Unit Polygons |  | Very Stony Spot |
|  | Soil Map Unit Lines |  | Wet Spot |
|  | Soil Map Unit Points |  | Other |
| Special Point Features | |  | Special Line Features |
|  | Blowout | Water Features | |
|  | Borrow Pit |  | Streams and Canals |
|  | Clay Spot | Transportation | |
|  | Closed Depression |  | Rails |
|  | Gravel Pit |  | Interstate Highways |
|  | Gravelly Spot |  | US Routes |
|  | Landfill |  | Major Roads |
|  | Lava Flow |  | Local Roads |
|  | Marsh or swamp | Background | |
|  | Mine or Quarry |  | Aerial Photography |
|  | Miscellaneous Water | | |
|  | Perennial Water | | |
|  | Rock Outcrop | | |
|  | Saline Spot | | |
|  | Sandy Spot | | |
|  | Severely Eroded Spot | | |
|  | Sinkhole | | |
|  | Slide or Slip | | |
|  | Sodic Spot | | |

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000. Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Chaves County, New Mexico, Southern Part
Survey Area Data: Version 11, Sep 26, 2014

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 30, 2010—Mar 29, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

| Chaves County, New Mexico, Southern Part (NM666) | | | |
|--|---|----------------|----------------|
| Map Unit Symbol | Map Unit Name | Acres in AOI | Percent of AOI |
| AtA | Atoka loam, 0 to 1 percent slopes | 18.9 | 0.7% |
| AtB | Atoka loam, 1 to 3 percent slopes | 34.9 | 1.4% |
| BgA | Bigetty loam, 0 to 1 percent slopes | 16.8 | 0.7% |
| Ho | Holloman loam, thick solum | 372.2 | 14.6% |
| Hp | Holloman-Gypsum land complex, 0 to 3 percent slopes | 1,116.4 | 43.7% |
| PfA | Pecos silty clay loam, nonsaline, 0 to 1 percent slopes | 75.0 | 2.9% |
| Ra | Reakor sandy loam | 18.6 | 0.7% |
| ReA | Reakor loam, 0 to 1 percent slopes | 250.5 | 9.8% |
| ReB | Reakor loam, 1 to 3 percent slopes | 568.6 | 22.3% |
| RkA | Reeves loam, 0 to 1 percent slopes | 39.8 | 1.6% |
| RkB | Reeves loam, 1 to 3 percent slopes | 40.6 | 1.6% |
| Totals for Area of Interest | | 2,552.3 | 100.0% |

Appendix C –SWPPP Training Log

Storm Water Pollution Prevention Training Log

Project Name:

Project Location:

Instructor's Name(s):

Instructor's Title(s):

Course Location: _____ Date: _____

Course Length (hours): _____

Stormwater Training Topic: *(check as appropriate)*

- Sediment and Erosion Controls**
- Emergency Procedures**
- Stabilization Controls**
- Inspections/Corrective Actions**
- Pollution Prevention Measures**

Specific Training Objective: _____

Attendee Roster: *(attach additional pages as necessary)*

| No. | Name of Attendee | Company |
|-----|------------------|---------|
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |
| 8 | | |
| | | |

Appendix D – SWPPP Certification

Appendix E – Site Inspection Forms

Stormwater Construction Site Inspection Report

| General Information | | | |
|---|--|-----------------------|---|
| Project Name | | | |
| NPDES Tracking No. | | Location | |
| Date of Inspection | | Start/End Time | |
| Inspector's Name(s) | | | |
| Inspector's Title(s) | | | |
| Inspector's Contact Information | | | |
| Inspector's Qualifications | | | |
| Describe present phase of construction | | | |
| Type of Inspection: <input type="checkbox"/> Regular <input type="checkbox"/> Pre-Storm Event <input type="checkbox"/> During Storm Event <input type="checkbox"/> Post-Storm Event | | | |
| Weather Information | | | |
| Has there been a storm event since the last inspection? <input type="checkbox"/> Yes <input type="checkbox"/> No | | | |
| If yes, provide: | | | |
| Storm Start Date & Time: | | Storm Duration (hrs): | Approximate Amount of Precipitation (in): |
| Weather at time of this inspection? <input type="checkbox"/> Clear <input type="checkbox"/> Cloudy <input type="checkbox"/> Rain <input type="checkbox"/> Sleet <input type="checkbox"/> Fog <input type="checkbox"/> Snow <input type="checkbox"/> High Winds <input type="checkbox"/> Other Temperature: | | | |
| Have any discharges at discharge points (if any) or anywhere on-site occurred since the last inspection? <input type="checkbox"/> Yes <input type="checkbox"/> No | | | |
| If yes, describe: | | | |
| Are there any discharges at discharge points (if any) or anywhere on-site at the time of inspection <input type="checkbox"/> Yes <input type="checkbox"/> No | | | |
| If yes, describe: | | | |

Site-specific BMPs

- Number the structural and non-structural BMPs identified in your SWPPP on your site map and list them below (add as many BMPs as necessary). Carry a copy of the numbered site map with you during your inspections. This list will ensure that you are inspecting all required BMPs at your site.
- Describe corrective actions initiated, date completed, and note the person that completed the work in the Corrective Action Log.

| Number | BMP | BMP Installed? | BMP Maintenance Required? | Corrective Action Needed and Notes |
|--------|-----|--|--|------------------------------------|
| 1 | | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| 2 | | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| 3 | | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| 4 | | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| 5 | | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| 6 | | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| 7 | | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| 8 | | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| 9 | | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | |

| Number | BMP | BMP Installed? | BMP Maintenance Required? | Corrective Action Needed and Notes |
|--------|-----|--|--|------------------------------------|
| 10 | | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| 11 | | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| 12 | | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| 13 | | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| 14 | | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | |

Non-Compliance

Describe any incidents of non-compliance not described above:

CERTIFICATION STATEMENT

This document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name

Title:

Signature

Date:

Appendix F – BMP Details and Examples

BMP locations, details and erosion control notes are contained within the Civil Plan Set. Pertinent sheets are included in this SWPPP appendix as a reference.

Appendix G – National Pollutant Discharge Elimination System General Permit for Discharges from Construction Activities

Appendix H – Construction Notice to be posted

CONSTRUCTION SITE NOTICE

FOR THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
EPA GENERAL PERMIT FOR DISCHARGES FROM CONSTRUCTION ACTIVITIES

The following information is posted in compliance with the EPA General Permit for Discharges from Construction Activities issued February 16, 2012.

| | |
|---|--|
| Contact Name and Phone Number | |
| Project Description (Physical address or description of the site's location, estimated start date and projected end date, or date that disturbed soils will be stabilized) | |
| Location of Storm Water Pollution Prevention Plan | |

For Construction Sites Authorized the following certification must be completed:

I _____ certify under penalty of law that I have read and understand the eligibility requirements for claiming and authorization under the EPA General Permit for Discharges from Construction Activities and agree to comply with the terms of this permit. A storm water pollution prevention plan has been developed and implemented according to the permit requirements. A copy of this signed notice is supplied to the operator of the MS4 if discharges enter an MS4 system. I am aware there are significant penalties for providing false information or for conducting unauthorized discharges, including the possibility of fine and imprisonment for knowing violations.

Signature and Title

Date