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Governor

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NEW MEXICO  
ENVIRONMENT DEPARTMENT

*Surface Water Quality Bureau*

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DAVE MARKLIN  
Secretary

BUTCH TONGATE  
Acting Deputy Secretary

**Certified Mail - Return Receipt Requested**

September 12, 2011

Mr. Stuart Hamilton, Mayor  
Village of Angel Fire  
3388 Mountain View Blvd.  
Angel Fire, NM 87710

RE: Industrial Storm Water; SIC 5093; NPDES Compliance Evaluation Inspection; Village of Angel Fire;  
NPDES Permit No. NMU001760; August 8, 2011

Dear Mayor Hamilton:

Enclosed please find a copy of the report 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.

Problems noted during this inspection are discussed in the Further Explanations section of the inspection report. You are encouraged to review the inspection report and required to correct any problems noted during the inspection and to modify your operational and/or administrative procedures, as appropriate. Further, you are encouraged to notify, in writing, both USEPA (Diana McDonald, USEPA (6EN-WM), 1445 Ross Ave., Dallas, Texas 75202) and NMED (at above address) regarding modifications and compliance schedules.

The NPDES Storm Water Multi-Sector General Permit for Industrial Activities (MSGP-2008) was reissued on September 29, 2008. The MSGP, fact sheet and other information on the industrial storm water program can be downloaded at <http://cfpub2.epa.gov/npdes/stormwater/msgp.cfm>.

Thank you for your cooperation and assistance during this inspection. If you have any questions about this inspection report, please contact me at (505) 827-2575.

Sincerely,

*/s/Daniel Valenta*

Daniel Valenta  
Surface Water Quality Bureau

Cc: Marcia Gail Adams, EPA, Enforcement Section (6EN-AS) by e-mail  
Carol Peters-Wagnon, EPA (6EN-WM) by e-mail  
Diana McDonald, EPA (6EN-WM) by e-mail  
Samual Tate, EPA, (6W-AS) by e-mail  
Darlene Whitten-Hill, (6EN) by e-mail

NMED District II by e-mail



### 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 U 0 0 1 7 6 0 11 12 1 1 0 8 0 8 17 18 ~ 19 S 20 2					
Remarks					
R E C Y C L I N G F A C I L I T Y					
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)  <b>Village of Angel Fire Recycling Center: From the intersection of 64 and 434 in Angel Fire, travel south on 434 one mile, past the airport, turn left on to Camino Grande, follow signs.</b>  <b>Colfax County</b>	Entry Time /Date <b>1350 Hours / 8-8-2011</b>	Permit Effective Date <b>9-29-2008</b>
	Exit Time/Date <b>1440/ 8-8-2011</b>	Permit Expiration Date <b>9-29-2013</b>
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)  <b>Butch Steinman/Transfer Station Director/575-377-6967 fax 575-377-0557</b> <b>Scott Gibson/ Recycling Supervisor/575-377-6967 fax 575-377-0557</b>	Other Facility Data  <b>N. 36° 24' 44.14"</b> <b>W. -105° 16' 57.45"</b>	
Name, Address of Responsible Official/Title/Phone and Fax Number  <b>Mr. Stuart Hamilton, 3388 Mountain View Blvd, Angel Fire, NM 87710/Mayor/575-377-3232 fax 575-377-5941</b>	SIC 5093 Sector N	
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)

U	Permit	N	Flow Measurement	N	Operations & Maintenance	N	CSO/SSO
U	Records/Reports	U	Self-Monitoring Program	N	Sludge Handling/Disposal	N	Pollution Prevention
M	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)

1. PLEASE SEE FURTHER EXPLANATIONS FOR DETAILS

Name(s) and Signature(s) of Inspector(s) <b>DANIEL VALENTA /s/Daniel Valenta</b>	Agency/Office/Telephone/Fax <b>NMED/SWQB 505-827-2575</b>	Date <b>9/12/2011</b>
Signature of Management QA Reviewer <b>RICHARD E. POWELL /s/Richard Powell</b>	Agency/Office/Phone and Fax Numbers <b>505-827-2798</b>	Date <b>9/12/2011</b>

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Further Explanations

Introduction

On August 8, 2011, Daniel Valenta of the New Mexico Environment Department (NMED), Surface Water Quality Bureau (SWQB) conducted a Compliance Evaluation Inspection (CEI) at the Village of Angel Fire Recycling Center. The purpose of this inspection was to document the facility's status regarding the National Pollution Discharge Elimination System (NPDES) permit requirements for "stormwater discharges associated with industrial activity" under 40 Code of Federal Regulations (CFR) 122.26(b) (14). This facility has industrial activities being conducted that meet the descriptions in Section N (Scrap Recycling Facilities) of the 2008 Multi-Sector General Permit (MSGP). Additional information from the U.S. Environmental Protection Agency (USEPA) on the Multi-Sector General Permit, factsheet and how to apply is available at [http://cfpub1.epa.gov/npdes/stormwater/msgp.cfm#permit\\_factsheet](http://cfpub1.epa.gov/npdes/stormwater/msgp.cfm#permit_factsheet). This CEI report is based on on-site observation by NMED personnel and verbal information provided by Mr. Scott Gibson, Recycling Supervisor.

Storm water discharges from the facility may enter Cieneguilla Creek, thence to Eagle Nest Lake and thence to the Cimarron River in the Canadian River Basin. Cieneguilla Creek is in Segment 20.6.4.309 *State of New Mexico Standards for Interstate and Intrastate Surface Waters, 20.6.4 New Mexico Administrative Code* (NMAC). Cieneguilla Creek has a Total Maximum Daily Load (TMDL) for Temperature, Plant Nutrients, Bacteria (E. coli), Turbidity, and Sedimentation/Siltation. This segment includes the designated uses of domestic water supply, irrigation, high quality coldwater aquatic life, livestock watering, wildlife habitat, and primary contact; and public water supply on the Cimarron River upstream from Cimarron, on Eagle Nest Lake and on perennial reaches of Rayado creek and its tributaries.

An entrance interview was conducted at the site at approximately 1350 hours on August 8, 2011. The inspector presented credentials and discussed the purpose of the inspection. The inspector and Mr. Gibson toured the recycling operation; Mr. Steinman was present at the end of the inspection. Upon completion a brief exit interview to discuss the preliminary findings of this inspection was conducted. The inspector left the site at approximately 1440 hours on August 8, 2011.

Findings:

The Village of Angle Fire Collection Center is a small municipal solid waste facility. It is not a landfill and they are limited as to the type and amount of material they will accept. The Center is a full-service recycling center for Angle Fire. In addition to a recycling program, the Collection Center also has a program to accept slash that has been cleared from property to reduce the hazards of forest fires spreading within the Village. The Collection Center is located next to the Cieneguilla Creek which has a TMDL, (see overview).

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**The Village of Angel Fire Recycling Center does not have permit coverage and has not prepared the required documents to file for and receive a permit or conducted the required inspections. Storm Water may drain from the facility and slash area into Cienguilla Creek by an existing bar ditch.**

Wood chips and other debris could be seen along the ditch most of its length. However before any storm water may discharge to the Cienguilla Creek it would have to go through a grassy area that may reduce the flow and rate of runoff. The site appeared well managed and ordered. Bailed material was stored under a shed; truck unloading area is in covered building.

**1. Permit Requirements: Requirement to obtain a permit**

*Section 301 (a) of the Federal Water Pollution Control Act (a.k.a. Clean Water Act) states that “Except as in compliance with this section and sections 302, 206, 207, 318, 402 and 404 of this Act, the discharge of any pollutant by any person shall be unlawful.”*

*40 Code of Federal Regulations Part 122.21 (a) Duty of apply (1) states “Any person who discharges or proposes to discharge pollutants ...must submit a complete application to the Director in accordance with this section and part 124 of this chapter.*

*In Part 1.3.1 of the MSGP, it states, “To obtain authorization under this permit, you must: Meet the eligibility requirements, submit a complete and accurate Notice of Intent (NOI) either using EPA’s electronic Notice of Intent system or using a paper form...and Develop a Stormwater Pollution Prevention Plan (SWPPP) according to the requirements of part 5 of this permit.*

**2. per Table 1.2 NOI Submittal Deadlines/Discharge Authorization Dates**

Table 1-2. NOI Submittal Deadlines/Discharge Authorization Dates		
Category	NOI Submission Deadline	Discharge Authorization Date <sup>1</sup>
<b><u>Existing Dischargers</u> – in operation as of October 30, 2005 and authorized for coverage under MSGP 2000.</b>	<b>No later than January 5, 2009.</b>	<b>30 days after EPA posts your NOI. Your authorization under the MSGP 2000 is automatically continued until you have been granted coverage under this permit or an alternative permit, or coverage is otherwise terminated.</b>
<u>New Dischargers or New Sources</u> - have commenced discharging between October 30, 2005 and January 5, 2009.	As soon as possible but no later than January 5, 2009.	30 days after EPA posts your NOI.

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**3. Per 1.2 of the Permit: Permit Compliance**

*Any noncompliance with any of the requirements of this permit constitutes a violation of the Clean Water Act. As detailed in Part 3 (Corrective Actions) of this permit, failure to take any required corrective actions constitute an independent, additional violation of this permit and the Clean Water Act.*

Storm water discharges from this facility can be regulated by either an individual NPDES permit or the Storm Water Multi-Sector General Permit for Industrial Activities (MSGP). This type of facility is covered under Section N – Scrap Recycling and Waste Recycling Facilities. A SWPPP had not been prepared in written form, was not available at the site for inspection, and was not being implemented on site.

1. A SWPPP should include the following information:

**A description of potential pollutant sources** – an identification of the types of pollutants that are likely to be present in storm water discharges, an inventory of the types of materials handled at the site that potentially may be exposed to precipitation, a list of significant spills and leaks of toxic or hazardous pollutants, sampling data, a narrative description of the potential pollutant sources from specific activities at the facility, and identification of specific potential pollutants; and

**A description of appropriate measures and controls** – includes the type and location of existing and proposed non-structural and structural BMPs (Best Management Practices) selected for each of the areas where industrial materials or activities are exposed to storm water. Non-structural and structural BMPs to be described and implemented include such things as good housekeeping, preventive maintenance, spill prevention and response procedures, periodic inspections, employee training, record keeping, non-storm water evaluations and certifications, sediment and erosion control, as well as implementation/maintenance of traditional storm water management practices, where appropriate.

2. Activities at this scrap recycling facility can result in the creation of various pollutant sources that include, but are not limited to, the following:

**Combustion Engines:** These activities can be a source of pollutants such as Accumulated particulate matter, oil/lubricants, fuel (gas/diesel), fuel additives, antifreeze (ethylene glycol), battery acid, and products of incomplete combustion. These pollutants can come from sources such as spills and/or leaks from fueling tanks, spills/leaks from oil/hydraulic fuel reservoirs, faulty/leaking hose connections, worn gaskets, leaking transmission crankcases and brake systems (if applicable), leaking battery casings and/or corroded terminals..

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**Material Handling Systems (forklifts, cranes, conveyors):** These activities can be a source of pollutants such as hydraulic fluids, oils, fuels and fuel additives, grease and other lubricants, accumulated particulate matter, chemical additives, mercury, lead, and battery fluids. These pollutants can come from sources such as normal operations including spills/leaks from fuel tanks, hydraulic and oil reservoirs due to malfunctioning parts, e.g., worn gaskets and parts, leaking hose connections and faulty seals. Damaged or faulty electrical switches (mercury filled), damaged or leaking battery cases including exposed corroded battery terminals, and damaged or worn battery housings.

**Stationary Scrap Processing Facilities (balers, briquetters, shredders, shearers, compactors, engine block/cast iron breaks, wire chopper, turnings crusher):** These activities can be a source of pollutants such as heavy metals, e.g., zinc, copper, lead, cadmium, chromium, and hydraulic fluids. These pollutants can come from sources such as normal equipment operations including leaks from hydraulic reservoirs, hose and fitting connections, worn gaskets, spills or leaks from fuel tanks, particulates/residue from scrap processing, malfunctioning pumps and motors, e.g., leaking gaskets, seals or pipe connections, and leaking oil-filled transformer casings.

**Hydraulic Equipment and Systems, balers/briquetter, shredders, shearers, compactors, engine block/cast iron breaker, wire chopper, and turnings crusher:** These activities can be a source of pollutants such as hydraulic fluids/oils, lubricants, particulate matter from combustion engines, PCBs (oil-filled electrical equipment components), and heavy metals (nonferrous, ferrous). These pollutants can come from sources such as particulate/residue from material processing, spills and/or leaks from fueling tanks, spills/leaks from oil/hydraulic fluid reservoirs, faulty/leaking hose connections/fittings and leaking gaskets.

**NMED/SWQB  
Site Overview**

City/County: Angel Fire, New Mexico /Colfax County	
Location: One mile south of intersection Hwy 64 and Hwy 434.	
Subject: Overview of Village of Angel Fire Collection Center along Cieneguilla Creek, taken 7/1/2005. Bar ditch from Collection Center that may discharge storm water to creek in red.	



**NMED/SWQB  
Official Photograph Log**

Photo # 1

Photographer: Daniel Valenta	Date: 8/8/2011	Time: 1406 hours
City/County: Angel Fire, New Mexico /Colfax County		
Location: Village of Angel Fire Collection Center, 55 Camino Grande, one mile south of intersection Hwy 64 and Hwy 434, facing north.		
Subject: Bar ditch that runs along the road and through the recycling facility. A blackish stain was left in the bottom of the ditch in this area.		

