



SUSANA MARTINEZ  
Governor  
JOHN A. SANCHEZ  
Lieutenant 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.nmenv.state.nm.us](http://www.nmenv.state.nm.us)



RYAN FLYNN  
Cabinet Secretary  
BUTCH TONGATE  
Deputy Secretary

November 24, 2014

Mr. Juel Jordahl, Owner  
Tri Delta Iron & Metal  
2226 P.O. Box  
Farmington, New Mexico  
87401

**RE: Tri Delta Iron & Metals; Minor; Industrial Permit; SIC 5093; NPDES Compliance Evaluation Inspection; NPDES NMU001880; October 27, 2014**

Dear Mr. Jordahl:

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 listed in 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.

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

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Tri Delta Iron & Metals  
NMU001880

Sincerely,

*/s/Bruce Yurdin*

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

Cc: Rashida Bowlin, USEPA (6EN-AS) by e-mail  
Carol Peters-Wagnon, USEPA (6EN-WM) by e-mail  
Racquel Douglas, USEPA (6EN-WM) by e-mail  
Brent Larsen, USEPA (6WQ-PP) by e-mail  
Gladys Gooden-Jackson, USEPA (6EN-WC) e-mail  
Trais Kliphuis, NMED by e-mail  
James Hogan, NMED by e-mail  
Robert Italiano, NMED by e-mail



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

### NPDES Compliance Inspection Report

#### Section A: National Data System Coding

Transaction Code			NPDES										yr/mo/day					Inspec. Type		Inspector		Fac Type							
1	N	2	5	3	N	M	U	0	0	1	8	8	0	11	12	1	4	1	0	2	7	17	18	~	19	S	20	2	
Remarks																													
S C R A P M E T A L R E C Y C L I N G																													
Inspection Work Days						Facility Evaluation Rating						BI		QA		Reserved													
67						70	2	71	N	72	N	73			74	75													80

#### Section B: Facility Data

Name and Location of Facility Inspected (For industrial users discharging to POTW, also include POTW name and NPDES permit number)		Entry Time /Date		Permit Effective Date	
Mr. Juel Jordahl/ Owner/ Tri Delta Iron & Metal/ 28 County Road 6743, Fruitland  San Juan County		1010 Hours / 10-27-2014		9-29-2008	
		Exit Time/Date		Permit Expiration Date	
		1305 Hours/ 10-27-2014		9-29-2013	
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)				Other Facility Data	
Mr. Juel Jordahl/ Owner/612-750-4480 fax 651-762-1041 Mr. Martinez, On Site Sub-Contractor				N. 36° 44' 53.17" W. -108° 25' 47.90"	
Name, Address of Responsible Official/Title/Phone and Fax Number				SIC 5093 Sector N	
Mr. Juel Jordahl, P.O. Box 2226, Farmington, New Mexico 87401/ Owner/612-750-4480 fax 651-762-1041				Contacted Yes <input checked="" type="checkbox"/> No <input 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
N	Records/Reports	N	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)

The Tri Delta Iron & Metal facility did not obtain permit coverage under the USEPA NPDES industrial stormwater 2008 Multi-Sector General Permit (MSGP) when available.

Name(s) and Signature(s) of Inspector(s)		Agency/Office/Telephone/Fax		Date	
DANIEL VALENTA /s/Daniel Valenta		NMED/SWQB 505-827-2575		11/18/2014	
Signature of Management QA Reviewer		Agency/Office/Phone and Fax Numbers		Date	
SARAH HOLCOMB /s/Sarah Holcomb		NMED/SWQB 505-827-2798		11/18/2014	

**Tri Delta Iron & Metals**  
**NPDES Tracking No. NMU001880**  
**October 27, 2014**

**Further Explanation**

**Introduction**

On October 27, 2014, a Compliance Evaluation Inspection (CEI) was conducted at the Tri Delta Iron & Metals facility at 28 County Road 6743, Fruitland, New Mexico in San Juan County by Mr. Daniel Valenta of the New Mexico Environment Department (NMED) Surface Water Quality Bureau (SWQB). With the Inspector were Ms. Janine Kramer, Hazardous Waste Bureau (HWB-NMED); Mr. Don Meyer, HWB-NMEB; Mr. Jim Jones, Farmington Field Office-NMED; Mr. Juel Jordahl, Business Owner; and Junior Martinez, Subcontractor.

The purpose of this inspection was to document the operator's status regarding the National Pollutant Discharge Elimination System (NPDES) permit requirements for stormwater discharges associated with industrial activity under 40 Code of Federal Regulations (CFR) 122.26 and the industrial stormwater Multi-Sector General Permit (MSGP).

Tri Delta Iron & Metals is a Scrap Recycling facility (see Standard Industrial Classification (SIC) code 5093) that meets the description in Category 40 CFR 122.26(b)(14)(vi), and Sector N of the MSGP. Mr. Jordahl explained the facility is a mining industry scrap and salvage company. Mr. Jordahl purchases equipment at auctions and then resells the equipment. Equipment not sold is dismantled and sold as scrap.

According to Mr. Jordahl, he has used the property approximately 3.5 to 4 years. The property is approximately 20 acres; however, only 13 acres is useable for storage. The property is located on a plateau with an approximately 600 foot drop. At the bottom was an irrigation diversion channel that ran parallel to the San Juan River. Prior to use as storage for scrap and mining equipment, the property was used as a dairy. A soil berm was located on the south side of the edge of the property above the irrigation channel and river, reducing the possibility of contaminants getting to the river. NMED inspectors, accompanied by Mr. Jordahl, conducted a complete inspection of the useable property.

The site was storing many above ground storage tanks that Mr. Jordahl stated are empty. Inspectors checked several of them and confirmed they were empty. On site were various engines, steel drag lines, steel pipes, large pieces of mining equipment, transformers, hoses, portable substations as well as aluminum parts. Near the used oil containers was a group of several transformers. None of these transformers were certified as non-PCB and one of the transformers was leaking, (see photo 4). Mr. Jordahl was advised by the HWB he would need to determine if the transformer oil contained PCBs and remediate the release. The site had typical salvage yard petroleum releases.

Stormwater may discharge from the site into the irrigation ditch and thence to the San Juan River in the San Juan River Basin, Segment 20.6.4.401 of the State of New Mexico Standards for Interstate and Intrastate Surface Waters, 20.6.4 New Mexico Administrative Code (NMAC). Designated uses are public water supply, industrial water supply, irrigation, livestock watering, wildlife habitat, marginal coldwater aquatic life, primary contact, and warmwater aquatic life.

Upon arrival at the facility at 1010 hours the inspector made introductions and stated the purpose of the inspection with Mr. Jordahl, facility owner, credentials were presented. The Inspectors and Mr. Jordahl toured the facility.

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Following the tour an on-site exit interview to discuss preliminary findings was conducted with Mr. Jordahl. The Inspector left the facility at approximately 1305 hours. This report is based on review of EPA's on-line notice of intent (eNOI) database, files maintained by NMED, and on-site observation by NMED personnel, and verbal information provided by the facility owner.

**Clean Water Act (CWA) and Industrial Stormwater Permit Requirements**

Section 301 (a) of the Federal Water Pollution Control Act states that *"Except as in compliance with this section and sections 302, 306, 307, 318, 402 and 404 of this Act, the discharge of any pollutant by any person shall be unlawful."* Federal regulations in 40 CFR Part 122.21(a) Duty to 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."*

Industrial stormwater has been regulated since the promulgation of EPA's 1990 stormwater regulations, which established NPDES permit requirements for "stormwater discharges associated with industrial activity." EPA's first MSGP for stormwater discharges associated with industrial activity was issued on September 29, 1995, and has since been reissued in 2000 and 2008. The 2008 MSGP expired at midnight on September 29, 2013. The Federal Register notice announcing the proposed reissuance of the MSGP was published on September 27, 2013. Because of this timing, the new MSGP was not finalized prior to the expiration of the 2008 MSGP. Facilities that obtained coverage under the 2008 MSGP prior to its expiration were automatically granted an administrative continuance of permit coverage; the administrative continuance will remain in effect until a new permit is issued. Therefore, facilities already covered under the 2008 MSGP are not required to submit a new Notice of Intent (NOI) for permit coverage until the new MSGP is issued, and these facilities must continue to comply with all of the requirements in the 2008 permit, including requirements for monitoring and reporting. Until the new MSGP is issued, however, "new" facilities (*i.e.*, those facilities not covered under the 2008 MSGP) that begin discharging industrial stormwater after September 29, 2013 are unable to file an NOI for general permit coverage. The No Action Assurance (NAAs) Memorandum dated March 27, 2014 covered these newly-discharging facilities, provided that these facilities: (1) meet the 2008 MSGP eligibility criteria; (2) notify the appropriate EPA permitting authority of their operator status and their intention to operate in accordance with the 2008 MSGP; and (3) comply with all requirements of the 2008 MSGP, including, but not limited to, stormwater pollution prevention plan (SWPPP) development and implementation and proper installation and maintenance of best management practices.

An industrial stormwater fact sheet for Sector N: Scrap Recycling and Waste Recycling Facilities including a summary of typical pollutants associated with activities and types of stormwater control measures (BMPs) used to minimize the discharge of those pollutants is available at USEPA's website: [http://www.epa.gov/npdes/pubs/sector\\_n\\_scraprecycling.pdf](http://www.epa.gov/npdes/pubs/sector_n_scraprecycling.pdf)

**Pollutants Associated With Material Stockpiling.**

The 1995 MSGP published in the Federal Register Volume 60, No. 189 on Friday 29, 1995, page 50953 details in depth the pollutants associated with the various regulated sectors. During material stockpiling, including the unloading and loading areas, the potential exists for some types of inbound recyclable materials to deposit residual fluids on the ground.

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Used automotive engines, radiators, brake fluid reservoirs, transmission housings, and lead-acid from batteries may contain residual fluids that, if not properly managed, can eventually come in contact with storm water.

Another concern of outdoor stockpiling, including unloading and loading areas, is associated with deterioration of materials. Metal surfaces that are stockpiled for extended periods may be subject to corrosion. Corrosion is the deterioration of metal surfaces that typically results in the loss of metal to a solution, i.e., water. The following metals are referred to in the 1995 MSGP sector N as the galvanic (or electromotive) series and have a tendency to corrode and become soluble in water; magnesium, aluminum, cadmium, zinc, steel or iron, cast iron, chromium, tin, lead, nickel, soft and silver solder, copper, stainless, steel, silver, gold, platinum, brass and bronze.

For some metals, the extent and rate of corrosion is dependent on whether it occurs in an oxygen-starved or oxygen-abundant atmosphere. Corrosion of stockpiled materials at scrap recycling facilities is a potential source of pollutants given that metals such as copper, lead, nickel, zinc, chromium and cadmium were frequently detected in sampling data. In addition, the majority of these metals are associated with recyclable materials handled by the scrap recycling industry.

Another significant concern is the acceptance and temporary storage of scrap lead acid batteries from automotive vehicles and equipment. If a battery casing becomes cracked or damaged, special precautions are necessary to ensure that the contents do not come in contact with storm water runoff. This includes battery terminals with visible corrosion. In all cases, used batteries should be handled and stored in such a manner as to prevent exposure to either precipitation or runoff.

**Findings:**

- Mr. Jordahl stated he has been operating at the site for 3.5 to 4 years, and has never obtained MSGP coverage for his stormwater discharges. The facility may not fall under the definition of newly-discharging facility due to the facility being in operation prior to September 29, 2014 and may be ineligible for covered under the NAA first issued on September 27, 2013 and reissued again on March 27, 2014.
- The site had typical salvage yard petroleum releases however the volume and type of fluid spilled in the disturbed areas (see photos 2&6) is unknown.
- The dirt berm along the south edge of the facility was intact and preventing stormwater from leaving the property except for an area in the southwest corner (overview and photo 7). Here there were small erosion rills and some debris. It appeared to the Inspector that water discharging at this point was only sheet flow that fell in the vicinity and not a collection of water from across the site. It is unknown how long the berm has been breached and the amount of water the site may have discharged. However note the vegetation in this area appears to be well established.

NMED/SWQB  
Overview of Site

City/County: Fruitland/San Juan	
Location: 28 County Road 6743, Fruitland, New Mexico	
Subject: Tri Delta Iron & Metal sits on the north bank of the San Juan River.	



**NMED/SWQB  
Official Photograph Log**

Photo # 1

Photographer: Daniel Valenta	Date: 10-27-2014	Time: 1038 hours
City/County: Fruitland/San Juan		
Location: 28 County Road 6743, Fruitland, New Mexico, facing north.		
Subject: Tri Delta Iron & Metal storage yard. Various equipment, storage tanks, engines, motors, pumps, can be found throughout the site.		



**NMED/SWQB  
Official Photograph Log**

Photo # 2

Photographer: Daniel Valenta	Date: 10-27-2014	Time: 1042 hours
City/County: Fruitland/San Juan		
Location: 28 County Road 6743, Fruitland, New Mexico, facing northeast.		
Subject: Tri Delta Iron & Metal storage yard. Battery acid was reported to have been spilled in this area. The soil has been disturbed; the white powder on the ground is washing detergent.		



**NMED/SWQB  
Official Photograph Log**

Photo # 3

Photographer: Daniel Valenta	Date: 10-27-2014	Time: 1051 hours
City/County: Fruitland/San Juan		
Location: 28 County Road 6743, Fruitland, New Mexico, facing south.		
Subject: Tri Delta Iron & Metal storage yard. Various storage tanks are scattered around the site. The San Juan River flows below the bluff.		



**NMED/SWQB  
Official Photograph Log**

Photo # 4

Photographer: Daniel Valenta	Date: 10-27-2014	Time: 1119 hours
City/County: Fruitland/San Juan		
Location: 28 County Road 6743, Fruitland, New Mexico, facing northwest.		
Subject: Tri Delta Iron & Metal storage yard. A transformer was leaking oily material from its side. The transformer was not labeled as PCB free.		



**NMED/SWQB  
Official Photograph Log**

Photo # 5

Photographer: Daniel Valenta	Date: 10-27-2014	Time: 1209 hours
City/County: Fruitland/San Juan		
Location: 28 County Road 6743, Fruitland, New Mexico, east side of property, facing east.		
Subject: Tri Delta Iron & Metal storage yard. On the east side of the property there was various materials pushed over the berm, tin roofing, wire, lumber, and what appeared to be very weathered manure.		



**NMED/SWQB  
Official Photograph Log**

Photo # 6

Photographer: Daniel Valenta	Date: 10-27-2014	Time: 1133 hours
City/County: Fruitland/San Juan		
Location: 28 County Road 6743, Fruitland, New Mexico, east side of property, facing east.		
Subject: Tri Delta Iron & Metal storage yard. In this area various types of spills were reported to have occurred. The ground was ripped up and turned, a bioremediation additive Micro-Blaze has been spread on the ground.		



**NMED/SWQB  
Official Photograph Log**

Photo # 7

Photographer: Daniel Valenta	Date: 10-27-2014	Time: 1101 hours
City/County: Fruitland/San Juan		
Location: 28 County Road 6743, Fruitland, New Mexico, east side of property, facing southeast.		
Subject: Tri Delta Iron & Metal storage yard. Retention berm breached in the southwest corner.		

