



SUSANA MARTINEZ  
Governor

JOHN A. SANCHEZ  
Lieutenant Governor

**NEW MEXICO  
ENVIRONMENT DEPARTMENT**

*Surface Water Quality Bureau*

**Harold Runnels Building, N2050  
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)**



DAVE MAKIIN  
Secretary

BUTCH TONGATE  
Deputy Secretary

JAMES H. DAVIS, Ph.D.  
Director  
Resource Protection Division

Certified Mail – Return Receipt Requested

August 17, 2012

Mr. David Partridge, Vice President  
Chevron Mining, Inc.  
116 Inverness Drive East Suite 207  
Englewood, Colorado 80112

**Re: Minor Non-Municipal, SIC 1221, NPDES Compliance Evaluation Inspection, Chevron Mining, Inc./York Canyon Mine, NM0000205, August 7, 2012**

Dear Mr. Partridge,

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, 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 and NMED regarding modifications and compliance schedules.

My thanks for the help and cooperation of Mr. Cameron Twing of TriHydro Corporation during this inspection. If you have any questions, please feel free to contact me at the above address or by telephone at (505) 222-9587.

Sincerely,  
*/s/ Sarah S. Holcomb*  
Sarah S. Holcomb  
Surface Water Quality Bureau

CC: Carol Peters-Wagnon, USEPA (6EN-WM) by email  
Rashida Bowlin, USEPA (6EN-AS) by email  
Diana McDonald, USEPA (6EN-WM) by email  
Larry Giglio, USEPA (6EN-P) by email  
Dave Clark, EMNRD, MMD, Coal Program, by email  
Steve Linse, Trihydro Corporation, by email  
Bob Italiano, NMED District II Manager, by email  
Hannah Branning, USEPA (6EN-AS), by email

Darlene Whitten-Hill, USEPA (6EN-AS), 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 <input type="text" value="N"/> 2 <input type="text" value="5"/> 3 <input type="text" value="N"/> <input type="text" value="M"/> <input type="text" value="0"/> <input type="text" value="0"/> <input type="text" value="0"/> <input type="text" value="0"/> <input type="text" value="2"/> <input type="text" value="0"/> <input type="text" value="5"/> 11 <input type="text" value="1"/> 12 <input type="text" value="2"/> <input type="text" value="0"/> <input type="text" value="8"/> <input type="text" value="0"/> <input type="text" value="7"/> 17 18 <input type="text" value="C"/> 19 <input type="text" value="S"/> 20 <input type="text" value="2"/>	Remarks					
<input type="text" value="B"/> <input type="text" value="I"/> <input type="text" value="T"/> <input type="text" value="U"/> <input type="text" value="M"/> <input type="text" value="I"/> <input type="text" value="N"/> <input type="text" value="O"/> <input type="text" value="U"/> <input type="text" value="S"/> <input type="text" value="C"/> <input type="text" value="O"/> <input type="text" value="A"/> <input type="text" value="L"/> <input type="text" value="M"/> <input type="text" value="I"/> <input type="text" value="N"/> <input type="text" value="E"/>						
Inspection Work Days	Facility Evaluation Rating	BI	QA	Reserved		
67 <input type="text"/> <input type="text"/> <input type="text"/> 69	70 <input type="text" value="3"/>	71 <input type="text" value="N"/>	72 <input type="text" value="N"/>	73 <input type="text"/>	74 <input type="text"/>	
				75 <input type="text"/>	80 <input type="text"/>	

#### 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>CHEVRON MINING, INC./YORK CANYON MINE, 3310 HIGHWAY 555, RATON, NM, COLFAX COUNTY; FROM I-25, TAKE EXIT 450 AT RATON. TRAVEL 33 MILES WEST ON HWY 555. OFFICE: 216 PARK AVE., RATON, NM 87740.</b>	Entry Time /Date <b>0730 hours / 8-7-2012</b>	Permit Effective Date 12-1-2008
	Exit Time/Date <b>1230 hours / 8-7-2012</b>	Permit Expiration Date 11-30-2013
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) <b>Mr. Cameron Twing, Trihydro Corporation (307) 745-7474</b>	Other Facility Data	
Name, Address of Responsible Official/Title/Phone and Fax Number Mr. David W. Partridge, Vice President, Chevron Mining, Inc. 116 Inverness Drive East, Englewood, CO 80112	At mine office: Lat 36° 52 12.3	
	Long -104° 55 15.2 SIC 1221	
Contacted Yes <input type="checkbox"/> No <input type="checkbox"/> *		

#### Section C: Areas Evaluated During Inspection

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

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

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

1. PLEASE SEE REPORT FOR FURTHER EXPLANATIONS.

Name(s) and Signature(s) of Inspector(s) <b>Sarah Holcomb /s/ Sarah Holcomb</b>	Agency/Office/Telephone/Fax NMED/SWQB 505-222-9587	Date <b>8-17-2012</b>
Signature of Management QA Reviewer	Agency/Office/Phone and Fax Numbers	Date

EPA Form 3560-3 (Rev. 9-94) Previous editions are obsolete.

## SECTION A - PERMIT VERIFICATION

PERMIT SATISFACTORILY ADDRESSES OBSERVATIONS  
DETAILS: S  M  U  NA (FURTHER EXPLANATION ATTACHED NO)

1. CORRECT NAME AND MAILING ADDRESS OF PERMITTEE

 Y  N  NA

2. NOTIFICATION GIVEN TO EPA/STATE OF NEW DIFFERENT OR INCREASED DISCHARGES

 Y  N  NA

3. NUMBER AND LOCATION OF DISCHARGE POINTS AS DESCRIBED IN PERMIT

 Y  N  NA

4. ALL DISCHARGES ARE PERMITTED

 Y  N  NA

## SECTION B - RECORDKEEPING AND REPORTING EVALUATION

RECORDS AND REPORTS MAINTAINED AS REQUIRED BY PERMIT.  
DETAILS: S  M  U  NA (FURTHER EXPLANATION ATTACHED YES)

1. ANALYTICAL RESULTS CONSISTENT WITH DATA REPORTED ON DMRs.

 Y  N  NA

2. SAMPLING AND ANALYSES DATA ADEQUATE AND INCLUDE.

 S  M  U  NA

a) DATES, TIME(S) AND LOCATION(S) OF SAMPLING

 Y  N  NA

b) NAME OF INDIVIDUAL PERFORMING SAMPLING

 Y  N  NA

c) ANALYTICAL METHODS AND TECHNIQUES.

 Y  N  NA

d) RESULTS OF ANALYSES AND CALIBRATIONS.

 Y  N  NA

e) DATES AND TIMES OF ANALYSES.

 Y  N  NA

f) NAME OF PERSON(S) PERFORMING ANALYSES.

 Y  N  NA

3. LABORATORY EQUIPMENT CALIBRATION AND MAINTENANCE RECORDS ADEQUATE.

 S  M  U  NA

4. PLANT RECORDS INCLUDE SCHEDULES, DATES OF EQUIPMENT MAINTENANCE AND REPAIR.

 S  M  U  NA

5. EFFLUENT LOADINGS CALCULATED USING DAILY EFFLUENT FLOW AND DAILY ANALYTICAL DATA.

 Y  N  NA

## SECTION C - OPERATIONS AND MAINTENANCE

TREATMENT FACILITY PROPERLY OPERATED AND MAINTAINED.  
DETAILS: S  M  U  NA (FURTHER EXPLANATION ATTACHED NO)

1. TREATMENT UNITS PROPERLY OPERATED.

 S  M  U  NA

2. TREATMENT UNITS PROPERLY MAINTAINED.

 S  M  U  NA

3. STANDBY POWER OR OTHER EQUIVALENT PROVIDED.

 S  M  U  NA

4. ADEQUATE ALARM SYSTEM FOR POWER OR EQUIPMENT FAILURES AVAILABLE.

 S  M  U  NA

5. ALL NEEDED TREATMENT UNITS IN SERVICE

 S  M  U  NA

6. ADEQUATE NUMBER OF QUALIFIED OPERATORS PROVIDED.

 S  M  U  NA

7. SPARE PARTS AND SUPPLIES INVENTORY MAINTAINED.

 S  M  U  NA

8. OPERATION AND MAINTENANCE MANUAL AVAILABLE.

 Y  N  NA

STANDARD OPERATING PROCEDURES AND SCHEDULES ESTABLISHED.

 Y  N  NA

PROCEDURES FOR EMERGENCY TREATMENT CONTROL ESTABLISHED.

Y  N  NA

## SECTION C - OPERATIONS AND MAINTENANCE (CONT'D)

9. HAVE BYPASSES/OVERFLOWS OCCURRED AT THE PLANT OR IN THE COLLECTION SYSTEM IN THE LAST YEAR?  Y  N  NA  
 IF SO, HAS THE REGULATORY AGENCY BEEN NOTIFIED?  Y  N  NA  
 HAS CORRECTIVE ACTION BEEN TAKEN TO PREVENT ADDITIONAL BYPASSES/OVERFLOWS?  Y  N  NA

10. HAVE ANY HYDRAULIC OVERLOADS OCCURRED AT THE TREATMENT PLANT?  Y  N  NA  
 IF SO, DID PERMIT VIOLATIONS OCCUR AS A RESULT?  Y  N  NA

## SECTION D - SELF-MONITORING

PERMITTEE SELF-MONITORING MEETS PERMIT REQUIREMENTS.  S  M  U  NA (FURTHER EXPLANATION ATTACHED YES).  
 DETAILS:

1. SAMPLES TAKEN AT SITE(S) SPECIFIED IN PERMIT.  Y  N  NA

2. LOCATIONS ADEQUATE FOR REPRESENTATIVE SAMPLES.  Y  N  NA

3. FLOW PROPORTIONED SAMPLES OBTAINED WHEN REQUIRED BY PERMIT.  Y  N  NA

4. SAMPLING AND ANALYSES COMPLETED ON PARAMETERS SPECIFIED IN PERMIT.  Y  N  NA

5. SAMPLING AND ANALYSES PERFORMED AT FREQUENCY SPECIFIED IN PERMIT.  Y  N  NA

6. SAMPLE COLLECTION PROCEDURES ADEQUATE  Y  N  NA

a) SAMPLES REFRIGERATED DURING COMPOSITING.  Y  N  NA

b) PROPER PRESERVATION TECHNIQUES USED.  Y  N  NA

c) CONTAINERS AND SAMPLE HOLDING TIMES CONFORM TO 40 CFR 136.3.  Y  N  NA

7. IF MONITORING AND ANALYSES ARE PERFORMED MORE OFTEN THAN REQUIRED BY PERMIT, ARE THE RESULTS REPORTED IN PERMITTEE'S SELF-MONITORING REPORT?  Y  N  NA

## SECTION E - FLOW MEASUREMENT

PERMITTEE FLOW MEASUREMENT MEETS PERMIT REQUIREMENTS.  S  M  U  NA (FURTHER EXPLANATION ATTACHED NO).  
 DETAILS:

1. PRIMARY FLOW MEASUREMENT DEVICE PROPERLY INSTALLED AND MAINTAINED.  Y  N  NA  
 TYPE OF DEVICE Estimate

2. FLOW MEASURED AT EACH OUTFALL AS REQUIRED.  Y  N  NA

3. SECONDARY INSTRUMENTS (TOTALIZERS, RECORDERS, ETC.) PROPERLY OPERATED AND MAINTAINED.  Y  N  NA

4. CALIBRATION FREQUENCY ADEQUATE.  Y  N  NA  
 RECORDS MAINTAINED OF CALIBRATION PROCEDURES.  Y  N  NA  
 CALIBRATION CHECKS DONE TO ASSURE CONTINUED COMPLIANCE.  Y  N  NA

5. FLOW ENTERING DEVICE WELL DISTRIBUTED ACROSS THE CHANNEL AND FREE OF TURBULENCE.  Y  N  NA

6. HEAD MEASURED AT PROPER LOCATION.  Y  N  NA

7. FLOW MEASUREMENT EQUIPMENT ADEQUATE TO HANDLE EXPECTED RANGE OF FLOW RATES.  Y  N  NA

## SECTION F – LABORATORY

PERMITTEE LABORATORY PROCEDURES MEET PERMIT REQUIREMENTS.  S  M  U  NA (FURTHER EXPLANATION ATTACHED NO).  
 DETAILS:

1. EPA APPROVED ANALYTICAL PROCEDURES USED (40 CFR 136.3 FOR LIQUIDS, 503.8(b) FOR SLUDGES)  Y  N  NA

**SECTION F - LABORATORY (CONT'D)**

- 2. IF ALTERNATIVE ANALYTICAL PROCEDURES ARE USED, PROPER APPROVAL HAS BEEN OBTAINED  Y  N  NA
- 3. SATISFACTORY CALIBRATION AND MAINTENANCE OF INSTRUMENTS AND EQUIPMENT.  S  M  U  NA
- 4. QUALITY CONTROL PROCEDURES ADEQUATE.  S  M  U  NA
- 5. DUPLICATE SAMPLES ARE ANALYZED. 100 % OF THE TIME.  Y  N  NA
- 6. SPIKED SAMPLES ARE ANALYZED. 100 % OF THE TIME.  Y  N  NA
- 7. COMMERCIAL LABORATORY USED.  Y  N  NA

LAB NAME TESTAMERICA LABORATORIES, INC.  
 LAB ADDRESS 4955 YARROW STREET, ARVADA, CO 80002  
 PARAMETERS PERFORMED ALUMINUM, DISSOLVED ALUMINUM, GROSS ALPHA, HARDNESS

**SECTION G - EFFLUENT/RECEIVING WATERS OBSERVATIONS.**  S  M  U  NA (FURTHER EXPLANATION ATTACHED NO.)

OUTFALL NO.	OIL SHEEN	GREASE	TURBIDITY	VISIBLE FOAM	FLOAT SOL.	COLOR	OTHER
001							NO FLOW
005-007							NO FLOW

RECEIVING WATER OBSERVATIONS

**SECTION H - SLUDGE DISPOSAL**

SLUDGE DISPOSAL MEETS PERMIT REQUIREMENTS.  S  M  U  NA (FURTHER EXPLANATION ATTACHED NO.)  
 DETAILS:

- 1. SLUDGE MANAGEMENT ADEQUATE TO MAINTAIN EFFLUENT QUALITY.  S  M  U  NA
- 2. SLUDGE RECORDS MAINTAINED AS REQUIRED BY 40 CFR 503.  S  M  U  NA
- 3. FOR LAND APPLIED SLUDGE, TYPE OF LAND APPLIED TO: \_\_\_\_\_ (e.g., FOREST, AGRICULTURAL, PUBLIC CONTACT SITE)

**SECTION I - SAMPLING INSPECTION PROCEDURES** (FURTHER EXPLANATION ATTACHED \_\_\_).

- 1. SAMPLES OBTAINED THIS INSPECTION.  Y  N  NA
- 2. TYPE OF SAMPLE OBTAINED  
 GRAB \_\_\_\_\_ COMPOSITE SAMPLE \_\_\_\_\_ METHOD \_\_\_\_\_ FREQUENCY \_\_\_\_\_
- 3. SAMPLES PRESERVED.  Y  N  NA
- 4. FLOW PROPORTIONED SAMPLES OBTAINED.  Y  N  NA
- 5. SAMPLE OBTAINED FROM FACILITY'S SAMPLING DEVICE.  Y  N  NA
- 6. SAMPLE REPRESENTATIVE OF VOLUME AND MATURE OF DISCHARGE.  Y  N  NA
- 7. SAMPLE SPLIT WITH PERMITTEE.  Y  N  NA

8. CHAIN-OF-CUSTODY PROCEDURES EMPLOYED.

Y  N  NA

9. SAMPLES COLLECTED IN ACCORDANCE WITH PERMIT.

Y  N  NA

**Compliance Evaluation Inspection  
Chevron Mining, Inc./York Canyon Mine  
NPDES Permit NM0000205, August 7, 2012**

**Further Explanations**

**Introduction**

On August 7, 2012, a Compliance Evaluation Inspection (CEI) was conducted at the Chevron Mining, Inc. (former Pittsburg & Midway Coal Mining Company)/York Canyon Mine located near Raton, New Mexico by Sarah S. Holcomb of the State of New Mexico Environment Department (NMED). York Canyon is classified as a minor discharger under the federal Clean Water Act, Section 402 National Pollutant Discharge Elimination System (NPDES) permit program and is assigned permit number NM0000205. This permit allows process water and mine drainage discharges to receiving waters named York Canyon which is an ephemeral tributary to the Vermejo River; thence to the Canadian River in Segment 20.6.4.309 NMAC of the Canadian River Basin.

The NMED performs a certain number of CEIs for the U.S. Environmental Protection Agency (USEPA) each year. The purpose of this inspection is to provide USEPA with information to evaluate the permittee's compliance with their NPDES permit. This report is based on review of files maintained by the permittee and NMED, on-site observation by NMED personnel, and verbal information provided by the permittee's representatives.

An entrance interview was conducted with Mr. Cameron Twing of Trihydro Corporation at approximately 0730 hours on August 7, 2012. Trihydro Corporation is the reclamation and operational contractor for Chevron. The inspector made introductions, presented her credentials and discussed the purpose of the inspection.

**Further Explanations**

Note: The sections are arranged according to the format of the enclosed EPA Inspection Checklist (Form 3560-3), rather than being ranked in order of importance.

**Section B – Recordkeeping and Reporting – Overall rating of “Marginal”**

The permit requires in Part I.A.1:

Effluent Characteristics		Discharge Limitations				Monitoring Requirements	
		lbs/day, unless noted		mg/l, unless noted		Measurement Frequency	Sample Type
Pollutant	Storet Code	30-day avg	Daily max	30-day avg	Daily max		
Flow	50050	Report MGD	Report MGD	***	***	1/month	Estimate
Total Aluminum	01105	N/A	N/A	N/A	0.75	1/year	Grab
Dissolved Aluminum	01106	N/A	N/A	N/A	Report	1/year	Grab
Adjusted Gross Alpha	80029	N/A	N/A	N/A	15 pCi/L	1/year	Grab

The permit requires in Part I.B, Reporting of Monitoring Results (Minor Discharges):

*Monitoring information shall be on Discharge Monitoring Report Form(s) 3320-1 as specified in Part III.D.4 of this permit and shall be submitted quarterly. Each quarterly submittal shall include separate forms for each month of the reporting period.*

**Findings** for Monitoring and Reporting:

Chevron has been approved to enter their monitoring data into EPA's NetDMR system, and has been doing so since the end of 2010. Prior to the on-site inspection, the inspector reviewed those submissions in the database. The DMRs for all of 2012 for York Canyon's outfalls had not been submitted to NetDMR. This was corrected the day after the inspection.

It does not appear that Chevron submitted a yearly DMR for Outfall 001 into the NetDMR system. The inspector requested analytical data for the past three years from both York Canyon and Ancho outfalls, and from that data, there is analytical data for aluminum and gross alpha, however, it was not reported for year 2010 (December 1, 2009 to November 30, 2010). This report must be submitted as soon as possible.

**Section D – Self Monitoring – overall rating of “Satisfactory”**

The permit requires in Part III.D.5:

*If the permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report (DMR). Such increased monitoring frequency shall also be indicated on the DMR.*

**Findings** for Self Monitoring:

Although the permit only requires that aluminum monitoring and gross alpha monitoring is done once per year, the permittee's representatives sampled quite often in 2010, resulting in four samples for aluminum and five samples for gross alpha. When the 2010 yearly report is submitted, the permittee must ensure that this data is reported correctly.