



NEW MEXICO
 ENVIRONMENT DEPARTMENT
Surface Water Quality Bureau



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DAVE MARTIN
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BUTCH TONGATE
 Deputy Secretary

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

June 11, 2012

Daniel Eyde, Chief Technology Officer and President
 St. Cloud Mining Company
 P.O. Box 1905
 Cortaro, Arizona 85652

RE: Industrial Storm Water, SIC 1479, NPDES Compliance Evaluation Inspection, St. Cloud Mining Company / St. Cloud Zeolite Operation-Winston Mill Site, NMR05GA97, April 26, 2012

Dear Mr. Eyde:

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; and the stormwater Multi-Sector General Permit for Industrial Activities.

Problems noted during this inspection are discussed 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. Further, you are encouraged to notify in writing, both the USEPA and NMED regarding modifications and compliance schedules at the addresses below:

Diana McDonald, USEPA (6EN-WM)
 U.S. Environmental Protection Agency
 Allied Bank Tower
 Region VI Enforcement Branch (6EN-WM)
 1445 Ross Avenue
 Dallas, Texas 75202-2733

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

I appreciate Audie Padilla, Zeolite Superintendent, St. Cloud Mining Company cooperation during this inspection. If you have any questions about this inspection report, please contact me at 505-827-0418.

Sincerely,

/s/Erin S. Trujillo

Erin S. Trujillo
 Surface Water Quality Bureau

- cc: Marcia Gail Adams, USEPA (6EN-AS) by e-mail
 Samuel Tates, EPA (6EN-AS) by e-mail
 Carol Peters-Wagnon, USEPA (6EN-WM) by e-mail
 Diana McDonald, USEPA (6EN-WM) by e-mail
 Darlene Whitten-Hill, USEPA (6EN-AS) by e-mail
 Mike Kesler, NMED District III Acting Manager by e-mail
 Audie Padilla, Zeolite Superintendent, St. Cloud Mining Company by e-mail



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

NPDES Compliance Inspection Report

Section A: National Data System Coding

Transaction Code	NPDES	yr/mo/day	Inspec. Type	Inspector	Fac Type
1 N 2 5 3 N M R 0 5 G A 9 7 11 12 1 2 0 4 2 6 17 18 ~ 19 S 20 2					
Remarks					
N O N - M E T A L L I C M I N E R A L M I N I N G					
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) St. Cloud Zeolite Operation-Winston Mill Site. From I-25S exit 89 or I-25N exit 83 to NM 181 to NM 52, travel west on NM 52 approximately 28.5 miles, at Winston take Republic Road south, then CR 5 south, then travel approximately 8 miles to CR 300A, travel west to facility office at plant/mill. Sierra County	Entry Time /Date 0900 hours / 04/26/2012	Permit Effective Date September 29, 2008
	Exit Time/Date 1600 hours / 04/26/2012	Permit Expiration Date September 29, 2013
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) Audie Padilla, Zeolite Superintendant, St. Cloud Mining Company / 575-743-5215, fax 575-743-3333	Other Facility Data West Facility Entrance Latitude 33.3000° Longitude -107.6742° SIC 1479, 1442, 2879	
Name, Address of Responsible Official/Title/Phone and Fax Number Daniel Eyde, St. Cloud Mining Company, P.O. Box 1905 Cortaro, Arizona 85652 / CTO and President / 520-744-8845, fax 520-744-7770	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)

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

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

- Upon arrival on the day of this inspection at approximately 0900 hours, the inspector made introductions, presented credentials and explained the purpose of the inspection to Mr. Padilla. Previous versions of a stormwater water pollution prevention plan (SWPPP) were made available for review during this inspection. The inspector toured the facility and conducted an exit interview to discuss preliminary findings with Mr. Padilla. A print out of an unsigned/uncertified SWPPP dated July 2008 was made available after the exit interview. The inspector left the facility at approximately 1600 hours on the day of this inspection. The 2008 SWPPP was reviewed following this inspection. This report is based on review of EPA's on-line notice of intent (eNOI) database, files maintained by the Permittee and NMED, and on-site observation by NMED personnel, and readily available information on-line, including information at <http://www.stcloudmining.com/> and <http://www.zeoponix.com/>.
- See attached checklist and photo log.

Name(s) and Signature(s) of Inspector(s) Erin S. Trujillo /s/Erin S. Trujillo	Agency/Office/Telephone/Fax NMED/SWQB/505-827-0418	Date 06/11/2012
Signature of Management QA Reviewer Richard E. Powell /s/Richard E. Powell	Agency/Office/Telephone/Fax NMED/SWQB/505-827-2798	Date 06/11/2012

NPDES Industrial Storm Water Checklist (MSGP)

National Database Information			General	
Inspection Type	Compliance Evaluation		Inspector Name	Erin S. Trujillo
NPDES ID Number	NMR05GA97		Telephone	505-827-0418
Inspection Date	04/26/2012		Entry Time	0900 hours
Inspector Type <i>(circle one)</i>	EPA	<input type="checkbox"/> State	Exit Time	1600 hours
Facility Sector/ SIC/Activity Code	Sector J / SIC 1479, 1442 Sector C / SIC 2879		Signature	/s/Erin S. Trujillo

Facility Location Information				
Name/Location/ Mailing Address	St. Cloud Zeolite Operation-Winston Mill Site / Mailing Address at P.O. Box 196, Winston, New Mexico 89743			
GPS Coordinates	Latitude	33.3000°	Longitude	-107.6742°
Receiving Water(s)	Stormwater discharges are to unclassified South Fork Cuchillo Negro Creek (South Fork); thence to Cuchillo Negro Creek; thence approximately 35 miles to the Rio Grande (Caballo Reservoir to Elephant Butte Reservoir) in Segment 20.6.5 103 NMAC of the Rio Grande Basin.			

Contact Information		
	Name(s)	Telephone
Name(s) and Role(s) of All Parties Meeting the Definition of Operator	St. Cloud Mining Company – Owner/Operator	520-744-8845
Facility Contact	Audie Padilla, Zeolite Superintendent, St. Cloud Mining Company	575-743-5215
Authorized Official(s)	Daniel Eyde, St. Cloud Mining Company	520-744-8845

Basic Permit Information			Basic SWPPP Information		
Permit Coverage	<input checked="" type="checkbox"/> Y	N	SWPPP Prepared & Available	<input checked="" type="checkbox"/> Y	N
Permit Type	<input type="checkbox"/> General	Individual	SWPPP Contents Satisfactory	Y	<input type="checkbox"/> N
Operational Date	~1990 (see notes below)		SWPPP Implementation Satisfactory	Y	<input type="checkbox"/> N
NOI/Application Date	12/22/2008		SWPPP Date	Updated July 2008	
If applicable, is no exposure certification on file?	Y	N	<i>Intentionally left blank</i>		

NPDES Industrial Storm Water Checklist (MSGP)

SWPPP Review			
<u>General</u>	Notes:		
Was the SWPPP completed prior to NOI submission?	Y	<input type="checkbox"/> N	Not documented. An updated signed/certified SWPPP with referenced figures and appendices was not found by the Permittee on-site representative during this inspection.
Copy of the NOI and acknowledgment letter from EPA?	Y	<input type="checkbox"/> N	See notes below.
Copy of the permit language?	Y	<input type="checkbox"/> N	Also, permit citations in SWPPP were incorrect/not updated for 2008 MSGP.
Have copies of inspection reports/all other documentation been retained as part of the SWPPP for 3 years from date permit coverage expires?	Y	<input type="checkbox"/> N	The eNOI processing center e-mail acknowledgement was on site. NOI and USEPA letters were not provided for review.
Does the SWPPP contain a signed/certified statement indicating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to precipitation, in accordance with the substantive requirements in 40 CFR 122.26(g)(4)(iii)? Applicable to: <ul style="list-style-type: none"> • Routine facility inspection (4.1.3) • Quarterly visual assessment (4.2.3) • Benchmark monitoring (6.2.1.3). 	Y	<input type="checkbox"/> N	
Does the SWPPP include copies of relevant parts of other documents (e.g., SPCC) referenced in the SWPPP?	Y	<input type="checkbox"/> N	Separate SPCC dated August 2005 was available on-site, but relevant parts were not included in SWPPP. Permittee on-site representative stated that SPCC needed to be updated.
Does the SWPPP include documentation to support eligibility under the Endangered Species Act?	Y	<input type="checkbox"/> N	
Does the SWPPP include documentation to support eligibility under the Historic Preservation Act?	Y	<input type="checkbox"/> N	
Does the SWPPP include documentation to support eligibility under NEPA (New Source)?	Y	<input type="checkbox"/> N	Not applicable
Did all "operators" sign/certify the SWPPP?	Y	<input type="checkbox"/> N	Certification language was incorrect (see Standard Conditions, Appendix B.11.B and E of the 2008 MSGP).
Is the storm water pollution prevention team identified (name or title)?	<input checked="" type="checkbox"/> Y	N	But, not updated with current leader (president) of St. Cloud Mining Company.
Are the storm water pollution prevention team's responsibilities identified?	<input checked="" type="checkbox"/> Y	N	But, not updated with current leader (president) of St. Cloud Mining Company.

NPDES Industrial Storm Water Checklist (MSGP)

Site Description		Notes:	
SWPPP provides a description of the facility's industrial activities?	Y	<input type="checkbox"/> N	No description of co-located activities. See notes below.
Is there a general location map (e.g., USGS quadrangle map) with enough detail to identify the location of the facility and all receiving waters for storm water discharges?	Y	<input type="checkbox"/> N	
Is there a site specific site map?	<input checked="" type="checkbox"/>	N	Notes below are based on print out portions of site map.
Does the site map contain the size of the property in acres?	Y	<input type="checkbox"/> N	
Does the site map contain the location and extent of significant structures and impervious surfaces?	<input checked="" type="checkbox"/>	N	
Does the site map contain directions of storm water flow (indicated by arrows)?	Y	<input type="checkbox"/> N	
Does the site map contain locations of all existing structural control measures?	Y	<input type="checkbox"/> N	One containment dike was not described in SWPPP and not shown on plan. Some containment ponds, labeled Z4, were not clearly labeled.
Does the site map contain locations of all receiving waters in the immediate vicinity of the facility, indicating if any of the waters are impaired, and if so, whether the waters have TMDLs established for them?	<input checked="" type="checkbox"/>	N	
Does the site map contain locations of all storm water conveyances including ditches, pipes and swales?	Y	<input type="checkbox"/> N	Some conveyances (e.g., drain inlets at plant, ditches and drainage along roads) not shown.
Does the site map contain locations of all potential pollutants and significant materials identified under Part 5.1.3.2?	Y	<input type="checkbox"/> N	Not at plant
Does the site map contain locations where significant spills or leaks identified under Part 5.1.3.3 have occurred?	Y	N	Not applicable/No significant spills or leaks identified
Does the site map contain locations of all storm water monitoring points?	Y	<input type="checkbox"/> N	No monitoring points, in this case, low water crossings labeled.
Does the site map contain locations of storm water inlets and outfalls, with a unique identification (e.g., 001, 002) for each outfall and if substantially identical?	Y	<input type="checkbox"/> N	See above. Also, map did not have outline of drainage (Part 8.J.6.2 Site Map of the 2008 MSGP states, "...outline of the drainage areas of each stormwater outfall within the facility with indications of the types of discharges from the drainage areas.")
Does the site map contain municipal separate storm sewers and where the facility discharges to them?	Y	N	Not applicable
Does the site map contain locations and descriptions of all non-storm water discharges?	Y	N	Not applicable/No non-stormwater discharges identified

NPDES Industrial Storm Water Checklist (MSGP)

<p>Does the site map contain locations of the following activities where these activities are exposed to precipitation?</p> <ul style="list-style-type: none"> • Fueling stations N • Vehicle and equipment maintenance and/or cleaning areas N • Loading/unloading areas N • Locations used for the treatment, storage or disposal of wastes N • Liquid storage tanks N • Processing and storage areas Y • Immediate access roads and rail lines used or travelled by carriers of raw materials, manufactured products, waste materials, or by-products used or created by the facility Y (Access Road) • Transfer areas for substances in bulk N • Machinery N 	Y	<input type="checkbox"/> N	<p>Specific activities at mill site, besides general label for processing and storage, were not identified on SWPPP site map. Additionally, Part 8.J.6.2 (site map) of the 2008 MSGP states, "Document in your SWPPP the locations of the following, as appropriate, ... outdoor equipment storage, fueling, and maintenance areas; materials handling areas; outdoor manufacturing, outdoor storage, and material disposal areas; outdoor chemicals and explosives storage areas; overburden, materials, soils, or waste storage areas; location of mine drainage dewatering or other process water; heap leach pads; off-site points of discharge for mine dewatering and process water; surface waters; boundary of tributary areas that are subject to effluent limitations guidelines; and location(s) of reclaimed areas."</p>
<p>Does the site map contain locations and sources of run-on to the site from adjacent property that contains significant quantities of pollutants?</p>	Y	N	<p>Not applicable / Run-on that contains significant quantities of pollutants was not documented in SWPPP</p>
<p>Does the SWPPP document areas at the facility where industrial materials or activities are exposed to storm water and from which allowable non-storm water discharges are released?</p>	<input checked="" type="checkbox"/> Y	N	<p>Y = Materials NA = Non-stormwater / No non-stormwater discharges documented in SWPPP</p>
<p>Does the SWPPP include a list of the industrial activities exposed to storm water (e.g., material storage; equipment fueling, maintenance, and cleaning; cutting steel beams)?</p>	<input checked="" type="checkbox"/> Y	N	
<p>Does the SWPPP include a list of pollutants and/or pollutant constituents associated with each identified activity?</p>	Y	<input checked="" type="checkbox"/> N	
<p>Does the SWPPP include documentation of where spills and leaks occurred for three years prior to the preparation of the SWPPP?</p>	Y	N	<p>No spills documented in SWPPP</p>

NPDES Industrial Storm Water Checklist (MSGP)

Site Description		Notes:	
Does the SWPPP include a non-storm water discharge evaluation in the SWPPP? Does it include: <ul style="list-style-type: none"> • Date N • Description of evaluation criteria N • List of the outfalls or onsite drainage points directly observed N • Different types of non-storm water discharges and source locations N • Actions taken such as a list of control measures for elimination NA 	Y	<input type="checkbox"/> N	Non-stormwater discharges generally discussed, none identified, but evaluation documentation did not include required evaluation information.
Does salt storage occur at this facility?	Y	<input type="checkbox"/> N	
Does the SWPPP include a summary of storm water sampling data for the previous permit term?	Y	<input type="checkbox"/> N	No sampling data for stormwater discharges documented in SWPPP.
Controls to Reduce Pollutants		Notes:	
Does the SWPPP include documentation of the location and type of control measures at the facility to comply with the requirements in Part 2?	Y	<input type="checkbox"/> N	For example, Part 2.1.2.5 Erosion and Sediment Controls of the 2008 MSGP states, "You must stabilize exposed areas." Stabilization measures are not specifically described.
Does the SWPPP include documentation that selection and design of control measures were based on a consideration of the practices and procedures in Part 2.1.1?	Y	<input type="checkbox"/> N	
Does the SWPPP include measures to minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff by either locating these industrial materials and activities inside or protecting them with storm resistant coverings?	<input checked="" type="checkbox"/> Y	N	
Does the SWPPP include good housekeeping measures (e.g., keeping all exposed areas that are potential sources of pollutants clean, using such measures as sweeping at regular intervals, keeping materials orderly and labeled, and storing materials in appropriate containers)?	<input checked="" type="checkbox"/> Y	N	

NPDES Industrial Storm Water Checklist (MSGP)

Controls to Reduce Pollutants		Notes:	
Does the SWPPP include a schedule for pickup and disposal of wastes and routine inspections of tanks and drums?	Y	<input type="checkbox"/> N	N = Schedule for pick up Y = Routine inspections
Does the SWPPP include preventative maintenance procedures, including regular inspections, testing, maintenance, and repair of all industrial equipment and systems, and control measures, and back-up practices should a runoff event occur while a control measure is off-line?	Y	<input type="checkbox"/> N	Daily facility logs retained on site, but preventative maintenance only generally discussed in SWPPP. Procedures for inspection (e.g., depths to remove accumulated solids in ponds) not specified. No back-up practices should a runoff event occur while a control measure is off-line included.
Does the SWPPP include a schedule for preventative maintenance procedures?	<input checked="" type="checkbox"/> Y	N	
Does the SWPPP include procedures for minimizing the potential for leaks, spills and other releases that may be exposed to storm water and develop plans for effective response to such spills if or when they occur?	<input checked="" type="checkbox"/> Y	N	
Does the facility implement procedures for plainly labeling containers (e.g., "Used Oil," "Spent Solvents," "Fertilizers and Pesticides," etc.) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur?	Y	<input type="checkbox"/> N	Not documented in SWPPP.
Does the facility implement preventative measures such as barriers between material storage and traffic areas, secondary containment provisions, and procedures for material storage and handling?	<input checked="" type="checkbox"/> Y	N	
Does the facility implement procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases?	<input checked="" type="checkbox"/> Y	N	
Does the facility train employees who may cause, detect, or respond to a spill or leak in these procedures and have necessary spill response equipment available?	<input checked="" type="checkbox"/> Y	N	
Does the facility document and follow procedures for notification of appropriate facility personnel, emergency response agencies, and regulatory agencies?	Y	<input type="checkbox"/> N	Not documented. No notifications, but some spill reporting telephone numbers in SPCC needed to be updated.

NPDES Industrial Storm Water Checklist (MSGP)

Controls to Reduce Pollutants		Notes:	
Does the SWPPP document erosion and sediment controls?	<input checked="" type="checkbox"/>	N	
Does the facility stabilize exposed areas and contain runoff using structural and/or non-structural control measures to minimize onsite erosion and sedimentation, and the resulting discharge of pollutants?	Y	<input checked="" type="checkbox"/>	Facility contains runoff using structural control measures. But, facility does not stabilize all exposed areas. SWPPP did not specify temporary or final stabilization measures for containment dikes or reclaimed areas.
Does the facility place flow velocity dissipation devices at discharge locations and within outfall channels where necessary to reduce erosion and/or settle out pollutants?	Y	<input checked="" type="checkbox"/>	Not documented. Consideration of flow velocity dissipation not documented in SWPPP.
If the facility stores salt at this facility, are the piles enclosed or covered? Does the facility implement appropriate measures (e.g., good housekeeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile?	Y	N	No salt storage
Employee Training – is there a schedule for regular (at least annually) employee training?	<input checked="" type="checkbox"/>	N	
Does training cover both the specific control measures used to achieve the effluent limits in Part 2 and monitoring, inspection, planning, reporting, and documentation requirements in other parts of the permit?	Y	<input checked="" type="checkbox"/>	Training on control measures and other 2008 MSGP requirements was documented in SWPPP or reviewed training logs. Part 8.J.6.4 Employee Training. All employee training(s) conducted in accordance with Part 8.J.5.1 must be documented with the SWPPP.
Does the facility ensure that waste, garbage, and floatable debris are not discharged to receiving waters by keeping exposed areas free of such materials or by intercepting them before they are discharged?	<input checked="" type="checkbox"/>	N	
Does the facility minimize generation of dust and off-site tracking of raw, final, or waste materials?	<input checked="" type="checkbox"/>	N	Water used to minimize dust at plant. But, SWPPP does not specify "efforts" or procedures to minimize dust and accumulation of fine grained materials.
Has the facility eliminated non-storm water discharges not authorized by an NPDES permit?	Y	N	No non-storm water discharges observed.

NPDES Industrial Storm Water Checklist (MSGP)

Notes on SWPPP Review

Site Description Summary: St. Cloud Mining Company mines and processes zeolite, in this case Clinoptilolite on site. The Permittee on-site representative stated that the mine and mill (mill, processing and packaging area) for a closed Silver Mine existed since 1983. The SPCC indicated that initial zeolite operation began January 1990. The SWPPP indicated that since February 1991, zeolite rock had been processed, packaged and transported from the site. St. Cloud Mining Company was incorporated in 2003 according to an on-line State of New Mexico Public Regulatory Commission query.

Zeolites are microporous, aluminosilicate minerals. As described on St. Cloud's web site, uses of zeolite include animal feeds, horticultural products, soil conditioners, odor control, hygiene products, floor-drying agents, mineral fillers, waste water treatment, air filtration media, modified and cation exchanged products. St. Cloud zeolite is primarily sold under private labeling arrangements through distributors, brokers, manufacturers and value-added resellers. St. Cloud zeolite is also sold direct to end users depending on volume and market arrangements. Bulk packaging occurs on site (e.g., approximately 1-ton and other super-sacks or directly loaded into bulk trucks).

Impoundments within the zeolite mining areas contained water, but there was no mine dewatering discharge observed on the day of this inspection or described in SWPPP. Some zeolite is blended with surfactant chemicals according to the Permittee on-site representative. Packaged 50 pound bags of ZeoPro™, labeled soil conditioner and fertilizer, was on site which is a combination of zeolite and synthetic apatite (a slow release form of phosphorus). Based on information from the Permittee on-site representative, phosphatic materials are not manufactured at the facility. Remaining aggregate and crusher fines from Sand and Gravel activities remained in an area south of South Fork Cuchillo Negro Creek (South Fork). According to the permittee on-site representative, sand and gravel mining in this area occurred 5 years ago for approximately 9 months for one off-site highway construction project.

The mill site and zeolite mine main pit is shown on aerial photograph imagery dated 10/08/1996. A dike along South Fork west of the mill site is visible on imagery dated 05/08/2009. This dike is not identified on the site map and was not listed on inspection forms. Disturbance for the zeolite east pit and sand and gravel area is visible on imagery dated 05/08/2009 (see Figures 1 and 2).

Primary and Co-located Activities (NOI and SWPPP): St. Cloud Mining Company had inactive and active non-metallic mineral mining, including zeolite mining areas undergoing reclamation, on site that meets the description of Mineral Industry in 40 CFR 122.26(b)(14)(iii) and MSGP Subsector J1 [see Standard Industrial Classification (SIC) 1442 Construction Sand and Gravel and Subsector J2 SIC 1479 Chemical and Fertilizer Mineral Mining, Not Elsewhere Classified]. In addition, the facility appears to have co-located agricultural chemical activities on site (see SIC 2879 Pesticides and Agricultural Chemicals, Not Elsewhere Classified) for establishments engaged in the formulation and preparation of ready-to-use agricultural chemicals, including soil conditioners.

The Permittee Notice of Intent (NOI), active NPDES Tracking No. NMR05GA97, to obtain permit coverage under the 2008 MSGP only lists SIC 1422. Available eNOI application summary for the Permittee previous NOI to obtain permit coverage under the 2000 MSGP, expired NPDES Tracking No. NMR05A721, referred to "crushed and broken stone, n.e.c." which corresponds to SIC 1429. Identifying primary and co-located activities is important, in this case, to determine applicable benchmark monitoring under the 2008 MSGP. Reviewed unsigned/uncertified October 2005 and updated July 2008 SWPPPs did not describe sand and gravel mining activities.

NPDES Industrial Storm Water Checklist (MSGP)

Inspections (Part 4)			
<u>General</u>	Notes:		
Routine Facility Inspections			
<p>Are routine facility inspections conducted at least quarterly while facility operating?</p>	Y	<input checked="" type="checkbox"/>	<p>Reviewed inspection reports did not document inspection of <i>“all areas of the facility where industrial materials or activities are exposed to stormwater, and of all stormwater control measures used to comply with the effluent limits contained in this permit”</i> (see Part 4.1.1 of the 2008 MSGP. Reviewed inspection reports available on the day of this inspection since 12/22/2008 only listed structural containment dike and pond measures. Inspection reports provided for review did not include reports for 1st Qtr 2009; 1st, 2nd, 3rd and 4th Qtr 2010; and 1st Qtr 2011. Inspection reports dated 04/01/2011 and 07/01/2011, refer to 1st and 2nd Qtr respectively; but the dates are in the 2nd and 3rd Qtr. Reviewed inspection reports and site maps did not document when clearing, grading and excavation activities occurred [see Part 8.J.4.2.1 (0Additional Inspection Requirements) of the 2008 MSGP].</p>
<p>Are inspections documented, including:</p> <ul style="list-style-type: none"> • Date and time Y Date; N Time • Name and signature of inspector Y • Weather information and a description of discharge occurring at the time of the inspection Y Weather; Discharge N • Previously unidentified discharges from site Not Documented (ND) • Control measures needing maintenance or repairs Y • Failed control measures that need replacement Y • Incidents of noncompliance observed ND • Additional control measures needed. Y 	Y	<input checked="" type="checkbox"/>	<p>Inspection reports had column for <i>“evidence of overtopping;”</i> however, reports did not document whether or not discharge occurred. Also, not all columns were completed some control measures on some inspection reports.</p>
<p>Exceptions, including (see 4.1.3):</p> <ul style="list-style-type: none"> • Inactive and unstaffed sites 	Y	N	<p>No inactive and unstaffed statement (signed and certified in accordance with Appendix B, Subsection 11) in SWPPP or provided for review during this inspection (see Parts 4.1.3 and 8.J.8.1 of the 2008 MSGP).</p>

NPDES Industrial Storm Water Checklist (MSGP)

Inspections		
Quarterly Visual Assessment		Low water crossings would convey stormwater from haul roads and stockpiles outside containment dike to South Fork. Inspection reports did not document if discharge occurred from the overtopping of control measures. Overtopping of pond Z-4a and containment dike Y-3 was noted on the inspection report dated 07/24/2009 with a reported precipitation of 0.6 inches on 07/23/2008. Overtopping of pond Z-4a was noted on the inspection reports dated 07/06/2006 and 07/07/2009 with reported precipitation of 2.4 inches between July 3-5, 2009 (plant closed for holiday) and 1 inch on 07/06/2009. Overtopping of pond Z-4a was noted on inspection report dated October of 2009 with reported precipitation on 08/10/2009.
Are quarterly visual assessments conducted?	Y	<input checked="" type="checkbox"/> N
Does the assessment consist of a sample collected: <ul style="list-style-type: none"> • Within the first 30 minutes of discharge • On discharges that occur at least 72 hours (3 days) from the previous discharge • Collected in a clean, clear glass or plastic container. 	Y	<input checked="" type="checkbox"/> N
Are assessments documented, including: <ul style="list-style-type: none"> • Sample location • Sample collection date/time & visual assessment date/time • Personnel collecting sample & performing assessment and their signature • Nature of the discharge (runoff or snowmelt) • Results of observations (including color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen and other obvious indicators) • Probable sources of contamination • If applicable, reason for not taking samples within 1st 30 minutes. 	Y	<input checked="" type="checkbox"/> N
Exceptions, including (see 4.2.3): <ul style="list-style-type: none"> • Adverse weather conditions • Climates with irregular storm water runoff • Areas subject to snow • Substantially identical outfalls (per 5.1.5.2) • Inactive and unstaffed sites. 	Y	<input checked="" type="checkbox"/> N

NPDES Industrial Storm Water Checklist (MSGP)

Inspections		
Comprehensive Site Inspections		
Are comprehensive site inspections conducted annually (start 9/29/08)?	Y	<input checked="" type="checkbox"/> N
Conducted by qualified personnel including at least one member of the storm water pollution prevention team?	Y	<input checked="" type="checkbox"/> N
Cover all areas of the facility?	Y	<input checked="" type="checkbox"/> N
Include a review of monitoring data? Do inspectors consider the results of the past year's visual and analytical monitoring when planning and conducting inspections?	Y	<input checked="" type="checkbox"/> N
Include observations of the following: <ul style="list-style-type: none"> • Industrial materials, residue, or trash that may have or could come into contact with storm water • Leaks or spills from industrial equipment, drums, tanks, and other containers • Offsite tracking of industrial or waste materials, or sediment where vehicles enter or exit the site • Tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas • Control measures needing replacement, maintenance, or repair • All storm water control measures observed. 	Y	<input checked="" type="checkbox"/> N
Are inspections documented, including: <ul style="list-style-type: none"> • Date of inspection • Names and titles of personnel making the inspection • Findings from examination of areas of facility from Part 4.3.1 • All observations relating to implementation of control measures • Any required revisions to the SWPPP resulting from inspection • Any incidents of noncompliance identified OR certification that facility is in compliance with the permit • A statement signed in accordance with Appendix B, Subsection 11 	Y	<input checked="" type="checkbox"/> N

NPDES Industrial Storm Water Checklist (MSGP)

Monitoring (Part 6)			
<u>General</u>	Notes:		
Does the SWPPP contain a procedure for conducting sector (and co-located) specific benchmark monitoring?	Y	<input checked="" type="checkbox"/> N	
Does the SWPPP contain procedures for conducting effluent limitations guidelines monitoring?	Y	N	Not applicable (no phosphate fertilizer manufacturing or mine dewatering discharge apparent on site).
Does the SWPPP contain a procedure for other monitoring (state or tribal specific; impaired waters; other as required)?	Y	N	Not applicable
Are samples analyzed in accordance with 40 CFR Part 136 methods?	Y	N	No benchmark samples collected/analyzed.
Benchmark Monitoring			Benchmark monitoring for Subsector J1 includes Nitrate plus Nitrite Nitrogen (0.68 mg/L); and Total Suspended Solids or TSS (100 mg/L); and Subsector J2 includes TSS 100 mg/L. Benchmark monitoring for Subsector C1 Agricultural Chemicals includes Nitrate plus Nitrite Nitrogen (0.68 mg/L), Total Lead (Hardness Dependent), Total Iron (1.0 mg/L), Total Zinc (Hardness Dependent), and Phosphorus (2.0 mg/L).
Does the monitoring consist of a sample collected: <ul style="list-style-type: none"> • Within the first 30 minutes of discharge • On discharges that occur at least 72 hours (3 days) from the previous discharge • Document the date and duration (in hours) of the rainfall event, rainfall total (snow - date only) for that rainfall • Prior to commingling. 	Y	<input checked="" type="checkbox"/> N	No benchmark samples collected/analyzed.
Is monitoring conducted during each of the first four full quarterly (calendar) monitoring periods following permit coverage?	Y	<input checked="" type="checkbox"/> N	No benchmark samples collected/analyzed.
Is the average of the first four quarterly samples < the parameter benchmark?	Y	<input checked="" type="checkbox"/> N	No benchmark samples collected/analyzed.

NPDES Industrial Storm Water Checklist (MSGP)

Monitoring			
Is the average of the first four quarterly samples > the parameter benchmark? <ul style="list-style-type: none"> Make the necessary modifications Continue quarterly monitoring Determine and document that no further pollutant reductions are technologically available and economically practicable and achievable, continue monitoring once per year, notify EPA Natural background pollutant level documentation 	Y	<input checked="" type="checkbox"/> N	No benchmark samples collected/analyzed.
Exceptions, including (see 6.1 & 6.2): <ul style="list-style-type: none"> Adverse weather conditions Climates with irregular storm water runoff Snowmelt Substantially identical outfalls (per 5.1.5.2) Inactive and unstaffed sites. 	Y	<input checked="" type="checkbox"/> N	No exceptions documented in SWPPP.
Effluent Limitations Monitoring			
Sampled once per year?	Y	N	Not applicable
Follow-up requirements if discharge exceeds effluent limit (see 6.3)?	Y	N	See above
Other Required Monitoring			
<ul style="list-style-type: none"> State or Tribal provisions Discharges to impaired waters Additional monitoring required by EPA. 	Y	N	Not applicable
Reporting (Part 7)			
<u>General</u>			Notes:
Is monitoring data reported to EPA within 30 days of receiving analytical results for the monitoring period?	Y	<input checked="" type="checkbox"/> N	No benchmark samples collected/analyzed.
Is the annual report submitted by 45 days after conducting the comprehensive site inspection?	Y	<input checked="" type="checkbox"/> N	Not documented/No annual report or submittal documentation in SWPPP.
If follow-up effluent limitations monitoring results exceed numeric limits, was a report submitted to EPA no later than 30 days after results were received?	Y	N	Not applicable

NPDES Industrial Storm Water Checklist (MSGP)

SWPPP Implementation	
<p>Measures to minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff</p>	<p><i>(e.g., use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away; locate materials, equipment, and activities so that leaks are contained in existing containment and diversion systems; clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants; use drip pans and absorbents under or around leaky vehicles and equipment or store indoors where feasible; use spill/overflow protection equipment; drain fluids from equipment and vehicles prior to on-site storage or disposal; perform all cleaning operations indoors, under cover, or in bermed areas that prevent runoff and run-on and also that capture any overspray; and ensure that all washwater drains to a proper collection system)</i></p> <p>Measures included:</p> <ol style="list-style-type: none"> 1. containment dikes; 2. containment ponds; 3. some products and fuel storage were in concrete secondary containment; 4. some products and chemicals were covered (stored inside buildings); 5. Inlets to storm drains at mill and processing areas had outlet to ditch then outlet to containment pond 6. Road along South Fork was elevated and portions are slightly banked with slope toward mining operations which would minimize runoff to South Fork. <p>However:</p> <ol style="list-style-type: none"> 1. No measures were observed at the inactive sand and gravel mining area. A low water crossing was near the inactive sand and gravel mining area. 2. Zeolite was outside bermed area near the low water crossing in western portion of the facility. 3. Removed overburden (spoil) from zeolite mining covered containment dike, measure labeled Y-1, at Zeolite East Pit.
<p>Good Housekeeping</p>	<p><i>(e.g., keeping all exposed areas that are potential sources of pollutants clean, using such measures as sweeping at regular intervals, keeping materials orderly and labeled, and storing materials in appropriate containers)</i></p> <p>No windblown trash or litter was observed. Covered trash cans at mill site were labeled, but labels were faded and appear to need re-painting. Substantial milled zeolite from mill operations exists on the ground in the processing area. Preventative maintenance procedures, including inspection, was not documented for accumulated solids around inlets. Some drums were not labeled. A large storage area containing drums and other equipment located above the plant did not appear orderly.</p>
<p>Preventative maintenance</p>	<p><i>(e.g., regular inspections, testing, maintenance, and repair of all industrial equipment and systems, and control measures, and back-up practices should a runoff event occur while a control measure is off-line)</i></p> <p>Accumulated solids from ponds are removed and disposed in mining areas according to Permittee on-site representative. However, SWPPP did not document specifications or maintenance requirements for ponds. No back-up practices documented in SWPPP.</p>

NPDES Industrial Storm Water Checklist (MSGP)

SWPPP Implementation	
Spill Prevention and Response	<p><i>(e.g., minimizing the potential for leaks, spills and other releases that may be exposed to storm water and develop plans for effective response to such spills if or when they occur)</i></p> <p>SPCC plan was available on site. No equipment leaks or spills were observed.</p>
Erosion and Sediment Controls	<p><i>(e.g., stabilize exposed areas and contain runoff using structural and/or non-structural control measures to minimize onsite erosion and sedimentation, flow velocity dissipation devices at discharge locations and within outfall channels)</i></p> <p>Some inactive mining areas were re-vegetated. Some containment dikes (berms) were located perpendicular to apparent flow direction to contain runoff. Portions of road along South Fork was elevated which would act as a low barrier to minimize runoff. However, portions of the containment dike along South Fork, especially in the area being re-worked, were not stabilized. In the area being re-worked, the stream channel bed was very disturbed. No temporary erosion and sediment controls were described in SWPPP or observed for the portion of the dike being re-worked/disturbed. Areas around mill site, including slopes where stormwater flow would be toward containment ponds, were not stabilized.</p>
Management of Runoff	<p><i>(e.g., divert, infiltrate, reuse, contain, or otherwise reduce storm water runoff, to minimize pollutants in discharges)</i></p> <p>Containment dikes (berms) and ponds used to contain runoff.</p>
Salt Storage Piles	<p><i>(e.g., enclose or cover piles appropriate measures (e.g., good housekeeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile)</i></p> <p>No salt storage piles observed.</p>

NPDES Industrial Storm Water Checklist (MSGP)

SWPPP Implementation	
Waste, Garbage and Floatable Debris	<p><i>(e.g., keep exposed areas free of such materials or by intercepting them before they are discharged)</i></p> <p>No windblown litter observed at facility. Covered trash cans were located at mill site. Ponds would also intercept garbage and debris.</p>
Evidence of non-storm water discharges	<p>No non-stormwater discharges observed during this inspection.</p>
Dust Generation and Vehicle Tracking of Industrial Materials	<p><i>(minimize generation of dust and off-site tracking of raw, final, or waste materials)</i></p> <p>Water sprayers exist on crusher equipment at mill site.</p>

NPDES Industrial Storm Water Checklist (MSGP)

Notes on SWPPP Implementation and Sector Specific Requirements

List and describe structural controls (*The selection, design, installation, and implementation of these control measures must be in accordance with good engineering practices and manufacturer's specifications*)

Practices and specifications for structural control measures (e.g., containment dikes, ponds, road grading, stabilization and reclamation) were not documented in SWPPP.

Figure 1: Aerial Photograph imagery dated 05/08/2009

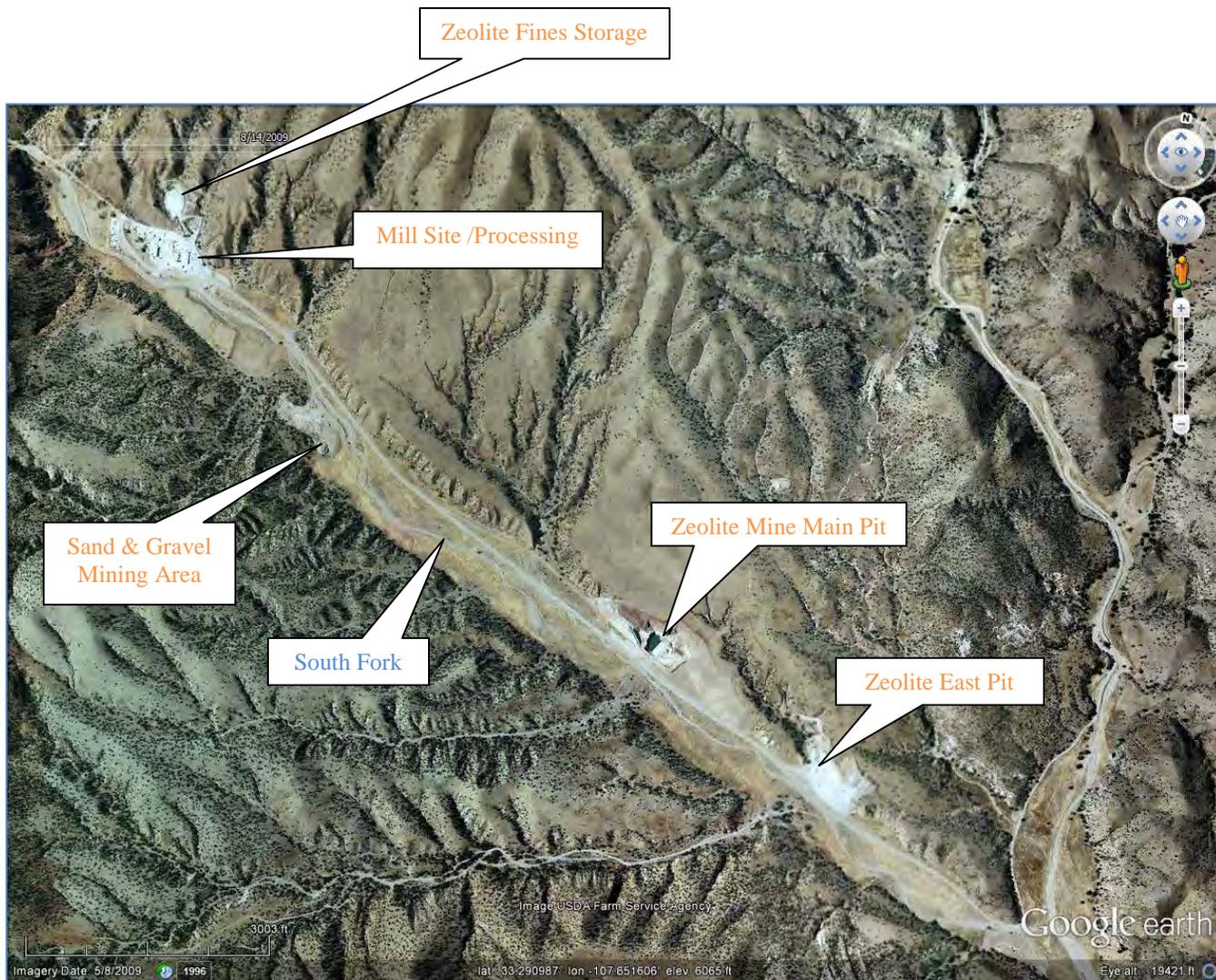


Figure 2: Mill Site/Processing and Zeolite Fines Storage Area
Aerial Photograph imagery dated 07/24/2011



NMED/SWQB Official Photograph Log Photo # 1		
Photographer: Erin S. Trujillo	Date: 04/26/2012	Time: 1245 hours
City/County: South of Winston / Sierra County		State: New Mexico
Location: St. Cloud Zeolite Operation, Winston Mill Site, NMR05GA97		
Subject: Zeolite was outside containment dike at control measure labeled Z-1 on site map. Road continues to low water crossing at South Fork Cuchillo Negro Creek (South Fork).		



NMED/SWQB Official Photograph Log Photo # 2		
Photographer: Erin S. Trujillo	Date: 04/26/2012	Time: 1318 hours
City/County: South of Winston / Sierra County		State: New Mexico
Location: St. Cloud Zeolite Operation, Winston Mill Site, NMR05GA97		
Subject: Overburden material from zeolite mining covered containment dike measure labeled Y-1 on site map.		



NMED/SWQB
Official Photograph Log
Photos # 3 and 4

Photographer: Erin S. Trujillo

Date: 04/26/2012

Time: 1341 hours

City/County: South of Winston / Sierra County

State: New Mexico

Location: St. Cloud Zeolite Operation, Winston Mill Site, NMR05GA97

Subject: Disturbed area, north of Zeolite East Pit, was not stabilized and had erosion rills. Example where direction of storm water flow was not indicated by arrows on site map.



Evidence of storm water flow along access road

NMED/SWQB
Official Photograph Log
Photo # 5

Photographer: Erin S. Trujillo

Date: 04/26/2012

Time: 1343 hours

City/County: South of Winston / Sierra County

State: New Mexico

Location: St. Cloud Zeolite Operation, Winston Mill Site, NMR05GA97

Subject: Photo taken from access road at entrance to Zeolite East Pit. There was no evidence that runoff had crossed the road and discharged into South Fork on the day of this inspection. But, additional measures may need to be considered for this area if increased flows or erosion are observed or anticipated.



NMED/SWQB
Official Photograph Log
Photos # 6

Photographer: Erin S. Trujillo

Date: 04/26/2012

Time: 1355 hours

City/County: South of Winston / Sierra County

State: New Mexico

Location: St. Cloud Zeolite Operation, Winston Mill Site, NMR05GA97

Subject: Photo taken from stream bed of the disturbed channel of South Fork. Disturbed area had substantially more fines that other observed segments of South Fork. No temporary erosion or sediment control measures observed. No documentation of Section 404 Clean Water Act permit, if applicable, or coordination with USACE, was contained in SWPPP.



NMED/SWQB Official Photograph Log Photos # 7		
Photographer: Erin S. Trujillo	Date: 04/26/2012	Time: 1355 hours
City/County: South of Winston / Sierra County		State: New Mexico
Location: St. Cloud Zeolite Operation, Winston Mill Site, NMR05GA97		
Subject: Containment pond east of Zeolite Plant appeared to be labeled Z-4b on site map printed for this inspection; however, a copy of a site map in Permittee files show this pond as Z-4c. Permittee needs to confirm proper labeling on documents.		



Erosion rills on slope that is not stabilized.

NMED/SWQB Official Photograph Log Photos # 8		
Photographer: Erin S. Trujillo	Date: 04/26/2012	Time: 1404 hours
City/County: South of Winston / Sierra County		State: New Mexico
Location: St. Cloud Zeolite Operation, Winston Mill Site, NMR05GA97		
Subject: Drum and equipment storage north of mill site below zeolite fines storage area was bermed, but area did not appear orderly.		



NMED/SWQB Official Photograph Log Photos # 9		
Photographer: Erin S. Trujillo	Date: 04/26/2012	Time: 1435 hours
City/County: South of Winston / Sierra County		State: New Mexico
Location: St. Cloud Zeolite Operation, Winston Mill Site, NMR05GA97		
Subject: Unlabeled drum storage in mill site. Material storage not protected (e.g., barriers) from vehicles.		



NMED/SWQB Official Photograph Log Photos # 10		
Photographer: Erin S. Trujillo	Date: 04/26/2012	Time: 1436 hours
City/County: South of Winston / Sierra County		State: New Mexico
Location: St. Cloud Zeolite Operation, Winston Mill Site, NMR05GA97		
Subject: Sparsely vegetated slopes with erosion rills at mill site along road.		



NMED/SWQB Official Photograph Log Photos # 11		
Photographer: Erin S. Trujillo	Date: 04/26/2012	Time: 1437 hours
City/County: South of Winston / Sierra County		State: New Mexico
Location: St. Cloud Zeolite Operation, Winston Mill Site, NMR05GA97		
Subject: Runoff from mill site enters containment ditch. Conveyance not identified on site map. Preventative maintenance procedures, including inspection, appears needed for ditch. Removal of solids did not appear required on the day of this inspection.		



NMED/SWQB Official Photograph Log Photos # 12		
Photographer: Erin S. Trujillo	Date: 04/26/2012	Time: 1440 hours
City/County: South of Winston / Sierra County		State: New Mexico
Location: St. Cloud Zeolite Operation, Winston Mill Site, NMR05GA97		
Subject: Containment pond was not clearly labeled on site maps and may be measure Z-4a or b on site map.		



NMED/SWQB Official Photograph Log Photos # 13		
Photographer: Erin S. Trujillo	Date: 04/26/2012	Time: 1440 hours
City/County: South of Winston / Sierra County		State: New Mexico
Location: St. Cloud Zeolite Operation, Winston Mill Site, NMR05GA97		
Subject: Erosion along road and plant diversion dike. Flow from this area was to pond shown in previous photo.		



NMED/SWQB Official Photograph Log Photos # 14		
Photographer: Erin S. Trujillo	Date: 04/26/2012	Time: 1446 hours
City/County: South of Winston / Sierra County		State: New Mexico
Location: St. Cloud Zeolite Operation, Winston Mill Site, NMR05GA97		
Subject: Zeolite surrounds inlet at mill site.		

