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DAVE MARTIN
Secretary

RAJ SOLOMON, P.E.
Deputy Secretary

Certified Mail – Return Receipt Requested

August 3, 2011

David Acree, President
Sky Ute Sand & Gravel, LLC
175 Mercado Street, Ste 225
Durango, CO 81301

RE: Industrial Storm Water, SIC 1442, NPDES Compliance Evaluation Inspection, Sky Ute Sand & Gravel, LLC /
Link Pit, NMR05GC40, June 29, 2011

Dear Mr. Acree,

Enclosed, please find a copy of the report for the referenced inspection that the New Mexico Environment Department (NMED) Surface Water Quality Bureau (SWQB) 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 this case the industrial stormwater Multi-Sector General Permit (MSGP), in accordance with requirements of the federal Clean Water Act.

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 (6EN-WM)
U.S. Environmental Protection Agency
Allied Bank Tower
Region VI Enforcement Branch
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 Ms. Nancy Klootwyk, Southern Ute Indian Tribe Growth Fund and your 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 Bates, EPA (6EN-AS) by e-mail
Carol Peters-Wagnon, USEPA (6EN-WM) by e-mail
Diana McDonald, USEPA (6EN-WM) by e-mail
Robert Italiano, NMED District 2 Manager by e-mail

NPDES Industrial Storm Water Checklist (MSGP)

National Database Information			General	
Inspection Type	Compliance Evaluation		Inspector Name	Erin S. Trujillo
NPDES ID Number	NMR05GC40		Telephone	505-827-0418
Inspection Date	06/29/2011		Entry Time	1255 hours
Inspector Type <i>(circle one)</i>	EPA	State	EPA Oversight	Exit Time
Facility Sector/ SIC/Activity Code	Sector J / SIC 1442 / J1		Signature	<i>/s/Erin S. Trujillo</i>

Facility Location Information				
Name/Location/ Mailing Address	Sky Ute Sand & Gravel, LLC, Link Pit near Waterflow / #22 CR 6830, San Juan County, New Mexico			
GPS Coordinates	Latitude	36.747823°	Longitude	108.455136°
Receiving Water(s)	San Juan River from Navajo boundary at Hogback to Animas River in Segment 20.6.4.401 NMAC			

Contact Information		
	Name(s)	Telephone
Name(s) and Role(s) of All Parties Meeting the Definition of Operator	Sky Ute Sand & Gravel, LLC	970-563-5711
Facility Contact	David Acree, President, Sky Ute Sand & Gravel, LLC	970-563-5711
Authorized Official(s)	David Acree, President. Sky Ute Sand & Gravel, LLC	970-563-5711

Basic Permit Information			Basic SWPPP Information		
Permit Coverage	<input checked="" type="checkbox"/> 2008	N	SWPPP Prepared & Available	<input checked="" type="checkbox"/>	N
Permit Type	General	Individual	SWPPP Contents Satisfactory	Y	<input checked="" type="checkbox"/>
Operational Date	05/13/2008		SWPPP Implementation Satisfactory	Y	<input checked="" type="checkbox"/>
NOI/Application Date	01/05/2009		SWPPP Date	01/05/2009	
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?	<input checked="" type="checkbox"/> Y	N	SWPPP prepared by Southern Ute Indian Tribe Growth Fund, Safety & Environmental Compliance Management Group in December 2008.
Copy of the NOI and acknowledgment letter from EPA?	<input checked="" type="checkbox"/> Y	N	
Copy of the permit language?	<input checked="" type="checkbox"/> Y	N	
Have copies of inspection reports/all other documentation been retained as part of the SWPPP for 3 years from date permit coverage expires?	<input checked="" type="checkbox"/> Y	N	
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). 	<input checked="" type="checkbox"/> Y	N	But, there are gaps and possible discrepancies (or inconsistencies) in certification statements compared to other documentation. See notes below.
Does the SWPPP include copies of relevant parts of other documents (e.g., SPCC) referenced in the SWPPP?	Y	<input checked="" type="checkbox"/> N	SWPPP refers to Southern Ute Growth Fund "Spill Response, Reporting and Prevention Procedures" manual.
Does the SWPPP include documentation to support eligibility under the Endangered Species Act?	<input checked="" type="checkbox"/> Y	N	
Does the SWPPP include documentation to support eligibility under the Historic Preservation Act?	<input checked="" type="checkbox"/> Y	N	
Does the SWPPP include documentation to support eligibility under NEPA (New Source)?	Y	N	Not applicable.
Did all "operators" sign/certify the SWPPP?	Y	<input checked="" type="checkbox"/> N	Changes to SWPPP with hand written annotations starting 06/09/2011 not signed/certified (see Appendix B.11.B of 2008 MSGP).
Is the storm water pollution prevention team identified (name or title)?	<input checked="" type="checkbox"/> Y	N	
Are the storm water pollution prevention team's responsibilities identified?	<input checked="" type="checkbox"/> Y	N	

NPDES Industrial Storm Water Checklist (MSGP)

Site Description			Notes:
SWPPP provides a description of the facility's industrial activities?	<input checked="" type="checkbox"/>	N	
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?	<input checked="" type="checkbox"/>	N	
Is there a site specific site map?	<input checked="" type="checkbox"/>	N	
Does the site map contain the size of the property in acres?	Y	<input checked="" type="checkbox"/>	Map (not to scale) does not show the size of the property in acres. SWPPP states site is 21 acres with 15.5 acres anticipated to be mined.
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)?	<input checked="" type="checkbox"/>	N	
Does the site map contain locations of all existing structural control measures?	<input checked="" type="checkbox"/>	N	
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?	Y	N	Y = Receiving Waters; N = TMDL info not on site map, but on general map
Does the site map contain locations of all storm water conveyances including ditches, pipes and swales?	<input checked="" type="checkbox"/>	N	But, it was noted that previous site maps did not show location of pipe at an access road from settling pond to site boundary. Pipe had been removed before this inspection. See non-stormwater notes below.
Does the site map contain locations of all potential pollutants and significant materials identified under Part 5.1.3.2?	<input checked="" type="checkbox"/>	N	But, topsoil stockpile northeast of Inactive Pit ID #2 not shown in correct location relative to berm.
Does the site map contain locations where significant spills or leaks identified under Part 5.1.3.3 have occurred?	Y	N	No spills identified in SWPPP.
Does the site map contain locations of all storm water monitoring points?	<input checked="" type="checkbox"/>	N	
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?	<input checked="" type="checkbox"/>	N	
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	None identified in SWPPP. See non-stormwater notes below.

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 • Vehicle and equipment maintenance and/or cleaning areas • Loading/unloading areas • Locations used for the treatment, storage or disposal of wastes • Liquid storage tanks • Processing and storage areas • 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 • Transfer areas for substances in bulk • Machinery 	<input checked="" type="checkbox"/>	N	
<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>	<input checked="" type="checkbox"/>	N	
<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"/>	N	
<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"/>	N	
<p>Does the SWPPP include a list of pollutants and/or pollutant constituents associated with each identified activity?</p>	<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>	<input checked="" type="checkbox"/>	N	No spills.

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 Y • Description of evaluation criteria Y • List of the outfalls or onsite drainage points directly observed Y • Different types of non-storm water discharges and source locations NA • Actions taken such as a list of control measures for elimination. NA 	<input checked="" type="checkbox"/>	N	See non-stormwater notes below.
Does salt storage occur at this facility?	Y	<input checked="" type="checkbox"/>	
Does the SWPPP include a summary of storm water sampling data for the previous permit term?	Y	N	No sampling data.
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 checked="" type="checkbox"/>	Location and type of stabilization not described (see Part 2.1.2.5 of 2008 MSGP Erosion and Sediment Controls— <i>"You must stabilize exposed areas"</i>). Hydromulch and stow mulch discussed to be placed where erosion evident, but seeding and soil roughened locations not described or shown on current map.
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?	<input checked="" 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"/>	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"/>	N	

Controls to Reduce Pollutants			Notes:
Does the SWPPP include a schedule for pickup and disposal of wastes and routine inspections of tanks and drums?	<input checked="" type="checkbox"/>	N	
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?	<input checked="" type="checkbox"/>	N	
Does the SWPPP include a schedule for preventative maintenance procedures?	<input checked="" type="checkbox"/>	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"/>	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?	<input checked="" type="checkbox"/>	N	
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"/>	N	
Does the facility implement procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases?	<input checked="" type="checkbox"/>	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"/>	N	Yes, but training not documented annually per SWPPP. SWPPP included stormwater and SPCC training sign in sheet dated 03/24/2010. Section 7.1.9 of SWPPP stated training will be conducted annually.
Does the facility document and follow procedures for notification of appropriate facility personnel, emergency response agencies, and regulatory agencies?	Y	N	No notifications documented.

Controls to Reduce Pollutants			Notes:
Does the SWPPP document erosion and sediment controls?	<input checked="" type="checkbox"/> Y	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"/> N	See above notes on stabilization.
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?	<input checked="" type="checkbox"/> Y	N	
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"/> Y	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?	<input checked="" type="checkbox"/> Y	N	
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"/> Y	N	
Does the facility minimize generation of dust and off-site tracking of raw, final, or waste materials?	<input checked="" type="checkbox"/> Y	N	
Has the facility eliminated non-storm water discharges not authorized by an NPDES permit?	Y	N	No non-stormwater discharges identified.

Notes on SWPPP Review

Erin Trujillo of the NMED SWQB conducted a Compliance Evaluation Inspection (CEI) at the above-reference facility along the San Juan River near Waterflow, New Mexico. The inspector arrived at the facility at approximately 0900 hours on the day of this inspection, but the facility was unstaffed. The inspector made arrangements to meet David Acree, President, Sky Ute Sand & Gravel, LLC at the site. Upon return and arrival at the site at approximately 1255 hours, the inspector made introductions, presented credentials and explained the purpose of the inspection to Mr. Acree. The inspector, Mr. Acree and Ms. Nancy Klootwyk, Senior Environmental Compliance Specialist, Southern Ute Indian Tribe Growth Fund toured the site. During the inspection, preliminary findings were discussed with Mr. Acree and Ms. Klootwyk. The inspector left the site at approximately 1545 hours on the day of this inspection. This inspection report is based on information provided by the permittee's on-site representatives; USEPA's eNOI database; observations made by the NMED inspector; and records and reports kept by the permittee and NMED.

Site Description:

Sand and gravel mining had occurred at the site since approximately 1995 prior to leasing/operation by Sky Ute Sand & Gravel, LLC on 05/13/2008 according to the permittee's on-site representative. Work or other activity related to extraction had ceased on the day of this inspection. Processed (washed and sorted) material was stockpiled. SWPPP was updated to indicate that Sky Ute Sand & Gravel, LLC had sold equipment and stockpiled materials to be moved off site no later than 04/15/2012. Based on information from the operator's on-site representative, a new operator has not taken over responsibility for the facility. It was noted that responsibilities and control measures for future removal activities was not included in the SWPPP.

SWPPP Availability:

A SWPPP was not immediately available at the time the inspector arrived at the site to conduct an inspection. Part 5.3 of 2008 MSGP states, "You must retain a copy of the current SWPPP required by this permit at the facility, and it must be immediately available...at the time of an onsite inspection or upon request...."

Statements of Inactive/Unstaffed:

The inactive/unstaffed change in status starting 05/01/2009 statement was not signed/certified until 09/18/2009. Permittee's NOI Question D.7 certified 08/19/2009 indicates facility was "presently active." A statement confirming status from 08/19/2009 to 12/16/2010 was not contained in SWPPP. Therefore, there was no statement documenting conditional exemptions for the Sept 2009, Oct thru Dec 2009, Jan thru August 2010 and November 2010 Routine Inspections; or 4th Qtr 2009, 1st, 2nd and 4th Qtr 2010 Qtr Visual Assessments. Routine inspections were to be done monthly when active according to the SWPPP. It was noted that benchmark monitoring MDMRs submitted 10/06/2009, 01/15/2010 and 04/04/2011 indicated the site was inactive. However, benchmark monitoring DMRs submitted on 07/16/2010 did not indicate the site was inactive. Statement of change of status to inactive/unstaffed starting 12/16/2010 was signed/certified on 12/15/2010 and active starting 06/09/2011 was signed/certified 06/10/2011.

Total Maximum Daily Load (TMDL):

Stormwater water discharges from this facility to the San Juan River is not correctly stated as indicated on the Permittee's NOI and SWPPP. San Juan River from Navajo Boundary at Hogback to Animas River is in 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). This segment includes the designated uses of public water supply, industrial water supply, irrigation, livestock watering, wildlife habitat, primary contact, marginal coldwater aquatic life and warmwater aquatic life. This segment of San Juan River does not support secondary contact. Listed probable causes of impairment is E. coli bacteria. Listed probable sources of impairment included drought-related impacts, municipal point source discharges, on-site treatment systems (septic systems and similar de-centralized systems), and rangeland grazing. Total Maximum Daily Load (TMDL) prepared for San Juan River Watershed Part One (Navajo Nation Boundary at the Hogback to Navajo Dam) approved by USEPA on August 26, 2005 included the assessment unit adjacent to this facility (NM-2401_10) for fecal coliform and E. coli bacteria. This assessment unit for San Juan River is not impaired for Stream Bottom Deposits (Sedimentation/Siltation) as of writing of this report.

Non-Stormwater Discharges:

No non-stormwater discharges were noted on written certification dated 09/18/2009 or written certification dated 01/27/2011 for evaluation of southern property boundary, in this case, Outfall 001. A pipe that previously existed from a settling pond to the west site boundary could have allowed non-stormwater flow off site. Operator's on-site representatives did not believe that the water level in the settling pond had ever been high enough to flow out the pipe. However, the non-stormwater evaluation did not document inspection of entire site perimeter or pipe.

Inspections (Part 4)		
General	Notes:	
Routine Facility Inspections		
Are routine facility inspections conducted at least quarterly while facility operating?	Y	<input checked="" type="checkbox"/> N
Are inspections documented, including: <ul style="list-style-type: none"> • Date and time • Name and signature of inspector • Weather information and a description of discharge occurring at the time of the inspection • Previously unidentified discharges from site • Control measures needing maintenance or repairs • Failed control measures that need replacement • Incidents of noncompliance observed • Additional control measures needed. 	<input checked="" type="checkbox"/> Y	N
Exceptions, including (see 4.1.3): <ul style="list-style-type: none"> • Inactive and unstaffed sites 	Y	<input checked="" type="checkbox"/> N
Quarterly Visual Assessment		
Are quarterly visual assessments conducted?	<input checked="" type="checkbox"/> Y	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	N

Inspections			
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	N	See above.
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	See above notes on statements for inactive/unstaffed sites.
Comprehensive Site Inspections			
Are comprehensive site inspections conducted annually (start 9/29/08)?	<input checked="" type="checkbox"/> Y	N	
Conducted by qualified personnel including at least one member of the storm water pollution prevention team?	<input checked="" type="checkbox"/> Y	N	
Cover all areas of the facility?	<input checked="" type="checkbox"/> Y	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	N	No monitoring data.

Inspections		
<p>Include observations of the following:</p> <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. 	<input checked="" type="checkbox"/>	N
<p>Are inspections documented, including:</p> <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 	<input checked="" type="checkbox"/>	N

Monitoring (Part 6)			
General			Notes:
Does the SWPPP contain a procedure for conducting sector (and co-located) specific benchmark monitoring?	<input checked="" type="checkbox"/>	N	
Does the SWPPP contain procedures for conducting effluent limitations guidelines monitoring?	Y	N	Not applicable – No effluent limitations
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 discharge reported. No monitoring
Benchmark Monitoring			
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	N	No discharge reported. No monitoring.
Is monitoring conducted during each of the first four full quarterly (calendar) monitoring periods following permit coverage?	Y	<input checked="" type="checkbox"/>	
Is the average of the first four quarterly samples < the parameter benchmark?	Y	N	See above.

Monitoring			
<p>Is the average of the first four quarterly samples > the parameter benchmark?</p> <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	N	See above.
<p>Exceptions, including (see 6.1 & 6.2):</p> <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	See above notes on statements for inactive/unstaffed sites.
Effluent Limitations Monitoring			
Sampled once per year?	Y	N	Not applicable - No effluent limitations
Follow-up requirements if discharge exceeds effluent limit (see 6.3)?	Y	N	Not applicable - No effluent limitations
Other Required Monitoring			
<ul style="list-style-type: none"> • State or Tribal provisions • Discharges to impaired waters • Additional monitoring required by EPA. 	Y	N	No discharge reported. No monitoring. See notes above on impaired waters.
Reporting (Part 7)			
General		Notes:	
Is monitoring data reported to EPA within 30 days of receiving analytical results for the monitoring period?	Y	N	No discharge reported. No monitoring.
Is the annual report submitted by 45 days after conducting the comprehensive site inspection?	Y	<input checked="" type="checkbox"/> N	SWPPP does not document the submittal (e.g., electronic or certified mail receipt) of annual reports.
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 - No effluent limitations.

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>Site uses berm and pits, except for portion of top soil stockpile in eastern portion of site (see Photo 1). Revisions to site map, additional control measure and/or relocation of topsoil stockpile in accordance with site map appears needed.</p> <p>Diagrams and Section 5 of SWPPP show earthen berm to be at least three feet tall. Portions of the earthen berm needed maintenance or repair to meet specifications in SWPPP (see Photos 2 and 3).</p> <p>Drum stored in covered shelter. Two covered drum storage units on site.</p>
<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>Remaining materials were kept orderly and fuel storage labeled.</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>Not applicable on day of this inspection. It was noted that responsibilities and control measures for future preventative maintenance during equipment and sand and gravel removal was not described in SWPPP.</p>

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>Fuel storage tank was labeled and had secondary containment. Overpack drum and spill kit near fuel tank.</p> <p>It was noted that responsibilities and control measures (e.g., training, spill response) during equipment and sand and gravel removal was not described in SWPPP. For example, no leaks or spills observed; but, need for drip pan or absorbent around mobile fuel tank should be considered.</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>Section 4.1.1 of SWPPP states “any reclamation topsoil will be removed and stockpiled for reclamation activities.” No erosion rills or gullies observed, but some topsoil stockpiles were not stabilized (see Photos 1 and 4).</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>Stormwater in retention ditch flows to pit. Berms and pits used to contain stormwater on site.</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.</p>

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 trash or debris observed.</p>
Evidence of non-storm water discharges	<p>No non-stormwater discharges observed on day of 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>No off-site tracking from previous vehicle use or dust observed on day of this inspection.</p>

Notes on SWPPP Implementation and Sector Specific Requirements
<p>List and describe structural controls <i>(The selection, design, installation, and implementation of these control measures must be in accordance with good engineering practices and manufacturer's specifications)</i></p> <p>See notes above on berms.</p>

**NMED/SWQB
Official Photograph Log
Photo # 1**

Photographer: Erin S. Trujillo	Date: 06/29/2011	Time: 1326 hours
City/County: Near Waterflow / San Juan County		State: New Mexico
Location: Sky Ute Sand & Gravel, LLC, Link Pit, NMR05GC40		
Subject: Two stockpiles (background of photo) located outside berm. Based on information from operator's on-site representative, stockpile (left side of photo) is topsoil shown on map inside berm. Stockpile not stabilized.		



**NMED/SWQB
Official Photograph Log
Photo # 2**

Photographer: Erin S. Trujillo	Date: 06/29/2011	Time: 1336 hours
City/County: Near Waterflow / San Juan County		State: New Mexico
Location: Sky Ute Sand & Gravel, LLC, Link Pit, NMR05GC40		
Subject: Portion of berm shown on current site map had not been constructed or maintained as described in SWPPP.		



**NMED/SWQB
Official Photograph Log
Photo # 3**

Photographer: Erin S. Trujillo	Date: 06/29/2011	Time: 1347 hours
City/County: Near Waterflow / San Juan County		State: New Mexico
Location: Sky Ute Sand & Gravel, LLC, Link Pit, NMR05GC40		
Subject: Portion of berm shown on current site map was not three feet high as described in SWPPP.		



**NMED/SWQB
Official Photograph Log
Photo # 4**

Photographer: Erin S. Trujillo	Date: 06/29/2011	Time: 1351 hours
City/County: Near Waterflow / San Juan County		State: New Mexico
Location: Sky Ute Sand & Gravel, LLC, Link Pit, NMR05GC40		
Subject: Topsoil stockpile was not stabilized.		

