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**NEW MEXICO
ENVIRONMENT DEPARTMENT**

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RAJ SOLOMON, P.E.
Acting Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

January 6, 2011

Mr. David M. Shoup
Constructors, Inc., President
3003 S. Boyd Drive
Carlsbad, New Mexico 88220

**Re: Storm Water Compliance Inspection, SIC 1442, NPDES Multi-Sector General Permit
#NMR05GD15, December 8, 2011**

Dear Mr. Shoup:

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 Clean Waters Act.

Problems noted during this inspection are discussed in the Further Explanations section of the inspection report. You are encouraged to review the inspection report; and required to correct any problems noted during the inspection and to modify your operational and/or administrative procedures, as appropriate. Further, you are encouraged to notify in writing, both USEPA and NMED regarding modifications and compliance schedules.

The NPDES Storm Water Multi-Sector General Permit for Industrial Activities (MSGP) was re-issued effective September 29, 2008 (see **Federal Register/Vol. 73, No. 189/Monday, September 29, 2008** pg. 56572). For questions regarding permitting please see: <http://cfpub.epa.gov/npdes/stormwater/msgp>.

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

Sincerely,

/s/Daniel Valenta

Daniel Valenta
Environmental Scientist/Specialist
Surface Water Quality Bureau

cc: Marcia Adams, USEPA (6EN-AS) via e-mail
Samuel Tate, USEPA (6SF) via e-mail
Carol Peters-Wagnon, USEPA (6EN-WM) via e-mail
Diana McDonald, USEPA (6EN-WM) via e-mail
District IV, Roswell NMED, via e-mail



NPDES Compliance Inspection Report

Section A: National Data System Coding

Transaction Code	NPDES										yr/mo/day				Inspec. Type	Inspector	Fac Type														
1	N	2	5	3	N	M	R	0	5	G	D	1	5	11	12	1	0	1	2	0	8	17	18	~	19	S	20	2			
Remarks																															
S A N D & G R A V E L																															
Inspection Work Days						Facility Evaluation Rating						BI		QA		Reserved															
67						70						71		72		73		74		75		76		77		78		79		80	

Section B: Facility Data

Name and Location of Facility Inspected (For industrial users discharging to POTW, also include POTW name and NPDES permit number)		Entry Time /Date	Permit Effective Date
Constructors, Inc., Valentine Pit, on West Hidalgo Road, Carlsbad, New Mexico		0840 / 12-8-2010	September 29, 2008
From Carlsbad - State Hwy180/62, turn west on Hidalgo/Co Rd 672 for approximately 1.5 miles, site on left.		Exit Time/Date	Permit Expiration Date
		1245 / 12-8-2010	September 29, 2013
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)			Other Facility Data
Charles Yslas/Safety Officer/Human Resources/575-622-1080/575-637-6445			Latitude N 32° 21 49.20 Longitude W 104° 15 38.14 SIC 1442 Sector J
Name, Address of Responsible Official/Title/Phone and Fax Number			
Mr. David M. Shoup, Constructors, Inc., 3003 S. Boyd Drive, Carlsbad, New Mexico 88220/Owner/575-885-8838/575-234-1140			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)

S	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
N	Effluent/Receiving Waters	N	Laboratory	U	Storm Water	N	Other:

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

- Inspector arrived on site at 0840 on 12/8/10, conducted an entrance interview with Mr. Yslas, during which the Inspector made introductions, showed credentials and explained the purpose of the inspection. SWPPP was not available at the site or in the city of Carlsbad but had to be brought in from the city of Hobbs. The Owner, Mr. Shoup was not available; an exit interview was conducted at the company's office at 1235 on 12/8/10 with the SWPPP consultant Jules Doubraba.
- This report is based on a review of the files maintained by the permittee and NMED, on site observations by NMED and personnel, verbal in information provided by the facility's representative.

Name(s) and Signature(s) of Inspector(s)	Agency/Office/Telephone/Fax	Date
Daniel Valenta /s/Daniel Valenta	NMED/SWQB/505-827-2575	1/6/2011
Signature of Management QA Reviewer	Agency/Office/Phone and Fax Numbers	Date
Richard E. Powell /s/Richard Powell	NMED/SWQB/505-827-2798 and 827-0160	1/6/2011

NPDES Industrial Storm Water Checklist (MSGP)

National Database Information			General	
Inspection Type	Compliance Evaluation		Inspector Name	Daniel Valenta
NPDES ID Number	NMR05GD15		Telephone	505-827-2575
Inspection Date	12/8/10		Entry Time	0840
Inspector Type <i>(circle one)</i>	EPA	State	EPA Oversight	Exit Time
Facility Sector/ SIC/Activity Code	Sector J SIC1442			1245
			Signature	

Facility Location Information				
Name/Location/ Mailing Address	Constructors, Inc., Valentine Pit West Hidalgo Road Carlsbad, NM 88220			
GPS Coordinates	Latitude	N 32° 21' 49.20"	Longitude	W 104° 15' 38.14"
Receiving Water(s)	Dark Canyon Draw thus to the Pecos River 20.6.4.218			

Contact Information		
	Name(s)	Telephone
Name(s) and Role(s) of All Parties Meeting the Definition of Operator	Mr. David Shoup – President Constructors Inc.	575-885-8838
Facility Contact	Mr. Charles Yslas – Safety Officer Mr. Jules Doubraba – SWPPP Consultant	575-622-1080 575-318-6210
Authorized Official(s)	Mr. David Shoup – President Mr. Don Winters – Vice-President	575-885-8838 575-885-8838

Basic Permit Information			Basic SWPPP Information		
Permit Coverage	<input checked="" type="checkbox"/>	N	SWPPP Prepared & Available	<input checked="" type="checkbox"/>	N
Permit Type	General	Individual	SWPPP Contents Satisfactory	Y	N
Operational Date	2007		SWPPP Implementation Satisfactory	Y	N
NOI/Application Date	01/05/2009		SWPPP Date	12/10/2008	
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?	<input checked="" type="checkbox"/>	N	NOI – 01/05/2009 SWPPP – 12/10/2008
Copy of the NOI and acknowledgment letter from EPA?	Y	<input checked="" type="checkbox"/>	No acknowledgment letter.
Copy of the permit language?	<input checked="" type="checkbox"/>	N	Permit on internet.
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 checked="" type="checkbox"/>	No inspection reports.
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	N	N/A
Does the SWPPP include copies of relevant parts of other documents (e.g., SPCC) referenced in the SWPPP?	Y	<input checked="" type="checkbox"/>	
Does the SWPPP include documentation to support eligibility under the Endangered Species Act?	Y	<input checked="" type="checkbox"/>	No documentation to support selection of A on NOI.
Does the SWPPP include documentation to support eligibility under the Historic Preservation Act?	Y	<input checked="" type="checkbox"/>	
Does the SWPPP include documentation to support eligibility under NEPA (New Source)?	Y	N	N/A
Did all “operators” sign/certify the SWPPP?	<input checked="" type="checkbox"/>	N	
Is the storm water pollution prevention team identified (name or title)?	<input checked="" type="checkbox"/>	N	
Are the storm water pollution prevention team’s responsibilities identified?	<input checked="" type="checkbox"/>	N	

NPDES Industrial Storm Water Checklist (MSGP)

<u>Site Description</u>			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?	Y	<input checked="" type="checkbox"/>	
Is there a site specific site map?	<input checked="" type="checkbox"/>	N	A map was submitted after the inspection on 12/13/2010.
Does the site map contain the size of the property in acres?	Y	<input checked="" type="checkbox"/>	
Does the site map contain the location and extent of significant structures and impervious surfaces?	Y	<input checked="" type="checkbox"/>	
Does the site map contain directions of storm water flow (indicated by arrows)?	<input checked="" type="checkbox"/>	N	Map details the use of Dark Canyon Draw as a sediment trap. Where the Draw leaves the site is the outflow outfall.
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	<input checked="" type="checkbox"/>	
Does the site map contain locations of all storm water conveyances including ditches, pipes and swales?	<input checked="" type="checkbox"/>	N	
Does the site map contain locations of all potential pollutants and significant materials identified under Part 5.1.3.2?	Y	<input checked="" type="checkbox"/>	
Does the site map contain locations where significant spills or leaks identified under Part 5.1.3.3 have occurred?	Y	<input checked="" type="checkbox"/>	
Does the site map contain locations of all storm water monitoring points?	<input checked="" type="checkbox"/>	N	Only one monitoring point.
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	Only one monitoring point.
Does the site map contain municipal separate storm sewers and where the facility discharges to them?	Y	N	N/A
Does the site map contain locations and descriptions of all non-storm water discharges?	Y	N	N/A, water truck is used for dust suppression, no discharge of non-storm water observed.

NPDES Industrial Storm Water Checklist (MSGP)

Site Description			Notes:
<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 	Y	<input type="checkbox"/> N	<p>Site map does not include locations of:</p> <ul style="list-style-type: none"> Fueling station Processing and storage areas Machinery Scrap area Used oil in containers
Does the site map contain locations and sources of run-on to the site from adjacent property that contains significant quantities of pollutants?	Y	<input type="checkbox"/> N	
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?	Y	<input type="checkbox"/> N	In the dedicated scrap area, three old transformers are stored. They are open at the top to rain and not listed on the SWPPP.
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)?	<input checked="" type="checkbox"/> Y	N	
Does the SWPPP include a list of pollutants and/or pollutant constituents associated with each identified activity?	<input checked="" type="checkbox"/> Y	N	
Does the SWPPP include documentation of where spills and leaks occurred for three years prior to the preparation of the SWPPP?	Y	<input type="checkbox"/> N	

NPDES Industrial Storm Water Checklist (MSGP)

<u>Site Description</u>		Notes:	
Does the SWPPP include a non-storm water discharge evaluation in the SWPPP? Does it include: <ul style="list-style-type: none"> • Date • Description of evaluation criteria • List of the outfalls or onsite drainage points directly observed • Different types of non-storm water discharges and source locations • Actions taken such as a list of control measures for elimination. 	Y	<input type="checkbox"/> N	
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	
<u>Controls to Reduce Pollutants</u>		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?	<input checked="" type="checkbox"/> Y	N	Berms used to direct flows toward unused pits.
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	Open sand and gravel operation, inclosed storage area houses maintenance materials and equipment supplies.
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	Trash receptacles are available and emptied when needed. Port-a-potty is maintained by contractor and daily inspections are made of moving equipment for leaks and routine maintenance. Fuel tanks are inspected daily when filled.

NPDES Industrial Storm Water Checklist (MSGP)

<u>Controls to Reduce Pollutants</u>		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	No schedule in SWPPP but describes waste cans emptied as needed. SWPPP describes daily inspection of fueling areas.
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 type="checkbox"/> Y	N	No back-up practices are described if a runoff event occurs.
Does the SWPPP include a schedule for preventative maintenance procedures?	Y	<input type="checkbox"/> N	No schedule included.
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 type="checkbox"/> Y	N	SWPPP describes inspection and maintenance of all storage tanks and fueling areas.
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	Containers of used oil found with no labels, SWPPP describes that used oil and filters would be removed from the site.
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?	Y	<input type="checkbox"/> N	Secondary containment at fuel storage area, missing at scrap yard, used oil site.
Does the facility implement procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases?	Y	<input type="checkbox"/> N	SWPPP describes removal of used oil and filters, and use of containment drip pans. There was an approximately 10 ft X 5 ft, what appeared to be oil stained area at site.
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?	Y	<input type="checkbox"/> N	No documentation was found showing training of employees regarding spills or spill response.
Does the facility document and follow procedures for notification of appropriate facility personnel, emergency response agencies, and regulatory agencies?	Y	<input type="checkbox"/> N	No documentation included in the SWPPP.

NPDES Industrial Storm Water Checklist (MSGP)

<u>Controls to Reduce Pollutants</u>			Notes:
Does the SWPPP document erosion and sediment controls?	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	SWPPP describes berms around the site and containment/settling ponds. Map documents the use of the draw as a sediment trap.
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	Stormwater is contained throughout the majority of the site. Onsite erosion present as water flows to the lower containment pits. Berm is breached along draw, sediment discharges to draw, (see photo 1-2).
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"/> N	Draw is filled with natural vegetation which acts as filter and flow velocity dissipation device.
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	<input type="checkbox"/> N	N/A
Employee Training – is there a schedule for regular (at least annually) employee training?	Y	<input checked="" type="checkbox"/> N	No documentation in SWPPP.
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"/> N	No documentation in 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?	Y	<input checked="" type="checkbox"/> N	Discussed in SWPPP, a large majority of the site is orderly with no waste, garbage, or floatable debris, except the above noted waste oil and scrap area.
Does the facility minimize generation of dust and off-site tracking of raw, final, or waste materials?	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	Dirt road before paved area, the paved road is cleaned when needed.
Has the facility eliminated non-storm water discharges not authorized by an NPDES permit?	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	

NPDES Industrial Storm Water Checklist (MSGP)

Notes on SWPPP Review

Further Explanations

The Valentine Pit is an 89 acre site south of Carlsbad, New Mexico. The site has been owned and operated in the past by at least two other companies. Most activity occurs in the south portion of the site with active mining and dressing. There are large excavated pits along the south and west side. Stormwater that falls in these areas gravity flows to these low spots with no outfalls observed. Dark Canyon runs along the east side and flows north joining with Little McKittrick Draw for approximately 3.5 miles before discharging to the Pecos River below the Bataan Recreation Area, Water Quality Standard 20.6.4.218. This section has been found to be impaired for PCBs in fish tissue.

A berm had been installed along the north and east side to prevent stormwater from discharging to Dark Canyon Draw. The berm had been breached (see photo 2 & 3) and did not appear to be maintained.

A site map and cover letter was sent after the inspection on 12/13/2010 by Lawrence Coll, Consultant for the site. From his documents the SWPPP includes using Dark Canyon Draw, **an ephemeral tributary to the Pecos River**, as a BMP to catch and retain stormwater discharges, (see photo 1). In an e-mail discussing the north side of the site, *“This dense undergrowth of grasses and bushes filters that stormwater for approximately 3/10 mile before it leaves the site, providing the preferred BMP for erosion control as well as protection of the water system.”* The sites outfall, noted in the map, is where the Draw leaves the property not where stormwater from an active industrial site enters the Draw.

Due to the site sloping toward the southwest, the vast majority of any runoff is contained in pits. Rain falling on a strip of exposed sediment and mined material on the north and east side has the greatest possibility of discharging to the Draw. Visual evidence was found of discharges occurring into the draw.

NPDES Industrial Storm Water Checklist (MSGP)

Inspections (Part 4)			
<u>General</u>	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. 	Y	<input checked="" type="checkbox"/> N	No inspections documented in SWPPP.
Exceptions, including (see 4.1.3): <ul style="list-style-type: none"> • Inactive and unstaffed sites 	Y	N	N/A
Quarterly Visual Assessment			
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	No samples collected.

NPDES Industrial Storm Water Checklist (MSGP)

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	<input 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 type="checkbox"/> N	
Comprehensive Site Inspections			
Are comprehensive site inspections conducted annually (start 9/29/08)?	Y	<input type="checkbox"/> N	No site inspections documented in SWPPP.
Conducted by qualified personnel including at least one member of the storm water pollution prevention team?	Y	<input type="checkbox"/> N	
Cover all areas of the facility?	Y	<input 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 type="checkbox"/> N	

NPDES Industrial Storm Water Checklist (MSGP)

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. 	Y	<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 	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	<input checked="" type="checkbox"/> N	
Does the SWPPP contain a procedure for other monitoring (state or tribal specific; impaired waters; other as required)	Y	N	N/A
Are samples analyzed in accordance with 40 CFR Part 136 methods?	Y	<input checked="" type="checkbox"/> N	No samples taken.
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	<input checked="" type="checkbox"/> N	Benchmark monitoring required, no samples taken.
Is monitoring conducted during each of the first four full quarterly (calendar) monitoring periods following permit coverage?	Y	<input checked="" type="checkbox"/> N	
Is the average of the first four quarterly samples < the parameter benchmark?	Y	N	Unknown, no samples taken.

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	N	Unknown, no samples taken.
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"/>	
Effluent Limitations Monitoring			
Sampled once per year?	Y	<input checked="" type="checkbox"/>	
Follow-up requirements if discharge exceeds effluent limit (see 6.3)?	Y	<input checked="" type="checkbox"/>	
Other Required Monitoring			
<ul style="list-style-type: none"> State or Tribal provisions Discharges to impaired waters Additional monitoring required by EPA. 	Y	N	N/A
Reporting (Part 7)			
General		Notes:	
Is monitoring data reported to EPA within 30 days of receiving analytical results for the monitoring period?	Y	<input checked="" type="checkbox"/>	No monitoring data acquired.
Is the annual report submitted by 45 days after conducting the comprehensive site inspection?	Y	<input checked="" type="checkbox"/>	No annual inspection conducted.
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	<input checked="" type="checkbox"/>	No samples taken.

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>Being an active mining and dressing site all actives are exposed to the elements. The northeast area along the Draw is not being mined but used as a material storage and parking area. There are several small enclosed building used for storage and other needs.</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>Junk storage area and waste oil containers need attention, the majority of the site was ordered and debris free.</p> <p>No documentation in SWPPP to verify inspections or housekeeping.</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>The only preventative maintenance that occurs is maintenance on the heavy equipment and the screening/dressing equipment. SWPPP describes these areas as inspected daily.</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>There was an approximately a 10 ft X 5 ft, what appeared to be oil stained area at site. Fuel tank had secondary containment. Procedure was in place on how to respond to spills if or when they occurred.</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>The excavated areas are used to contain storm water and storage of materials, no outfalls observed. Area surrounding site has undisturbed natural vegetation that provides some erosion control and sediment filtration.</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>Structural controls are created as part of the process of removing the overburden and placing it to create earthen dikes around the site of the industrial activity. This diverts any off-site storm water and non-storm water away from the site. Rock is mined and crushed as the product of the industrial activity, further creating a depression which should retain the majority of the storm water. No water is used in the mining process and material is dry shifted.</p> <p>Included in the plan is using Dark Canyon Draw to contain storm water runoff along the northeast side of the 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>N/A</p>

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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>Scrap storage area and waste oil containers need attention; the majority of the site was orderly and debris free.</p>
Evidence of non-storm water discharges	<p>No evidence of non-storm water discharges observed.</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>Dust is suppressed with the use of an onsite water truck, road is cleaned when needed.</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)*

Those areas excavated in the past are now being used to contain stormwater that falls on the majority of the site. Unmaintained berms were still in place on the northeast side of the property.

Dark Canyon Draw is being used as a structural control. Stormwater is allowed to discharge directly into the Draw.

**NMED/SWQB
Site Overview**

(Obtained from Google Earth)

Location: Valentine Pit, West Hidalgo Road, Carlsbad, New Mexico/Eddy County

Subject: Overview of the proximity of the Valentine Pit to Dark Canyon Draw.

Little McKittrick Draw



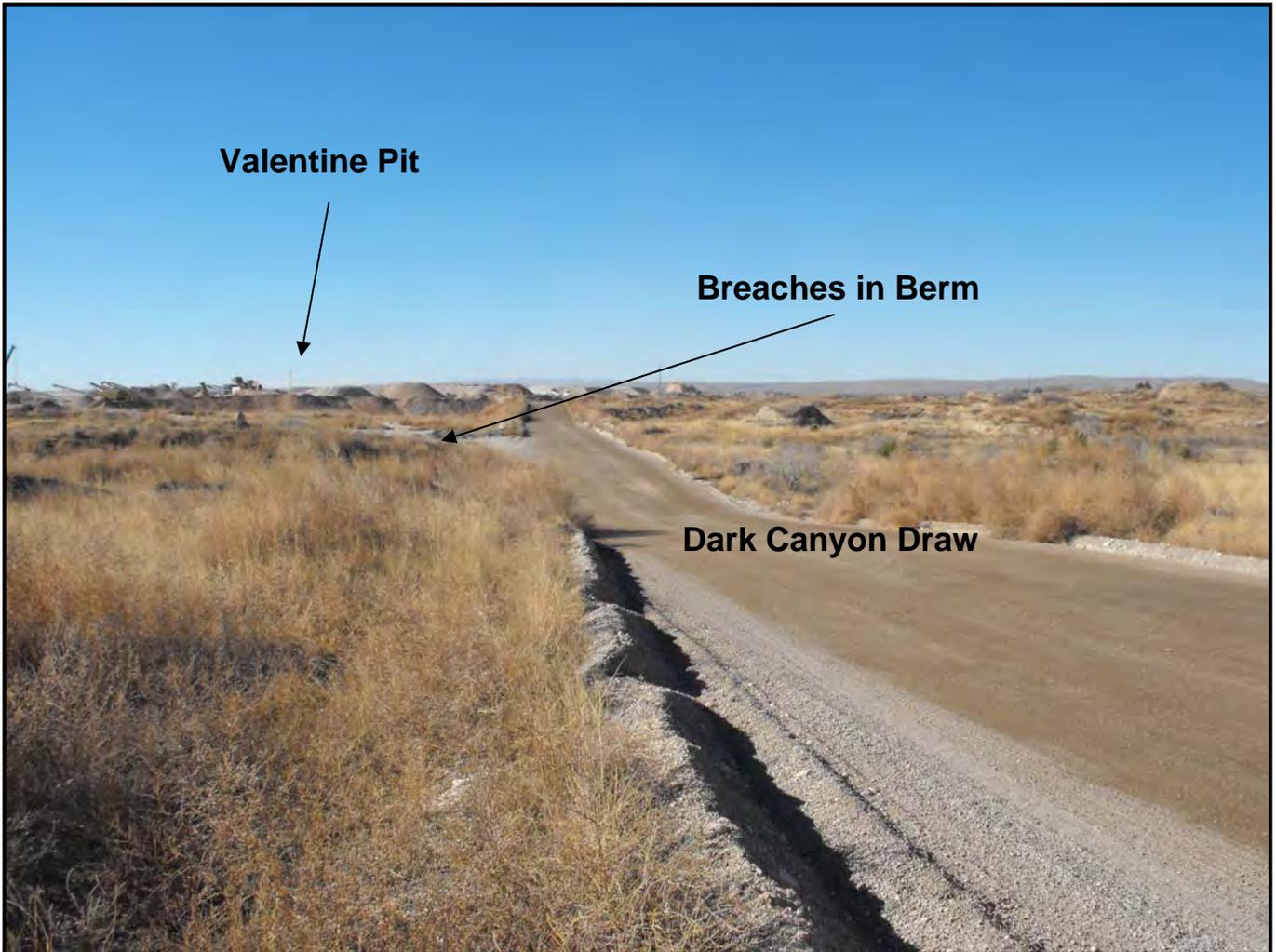
**Dark Canyon
Draw**

Valentine Pit

**NMED/SWQB
Official Photograph Log**

Photo # 1

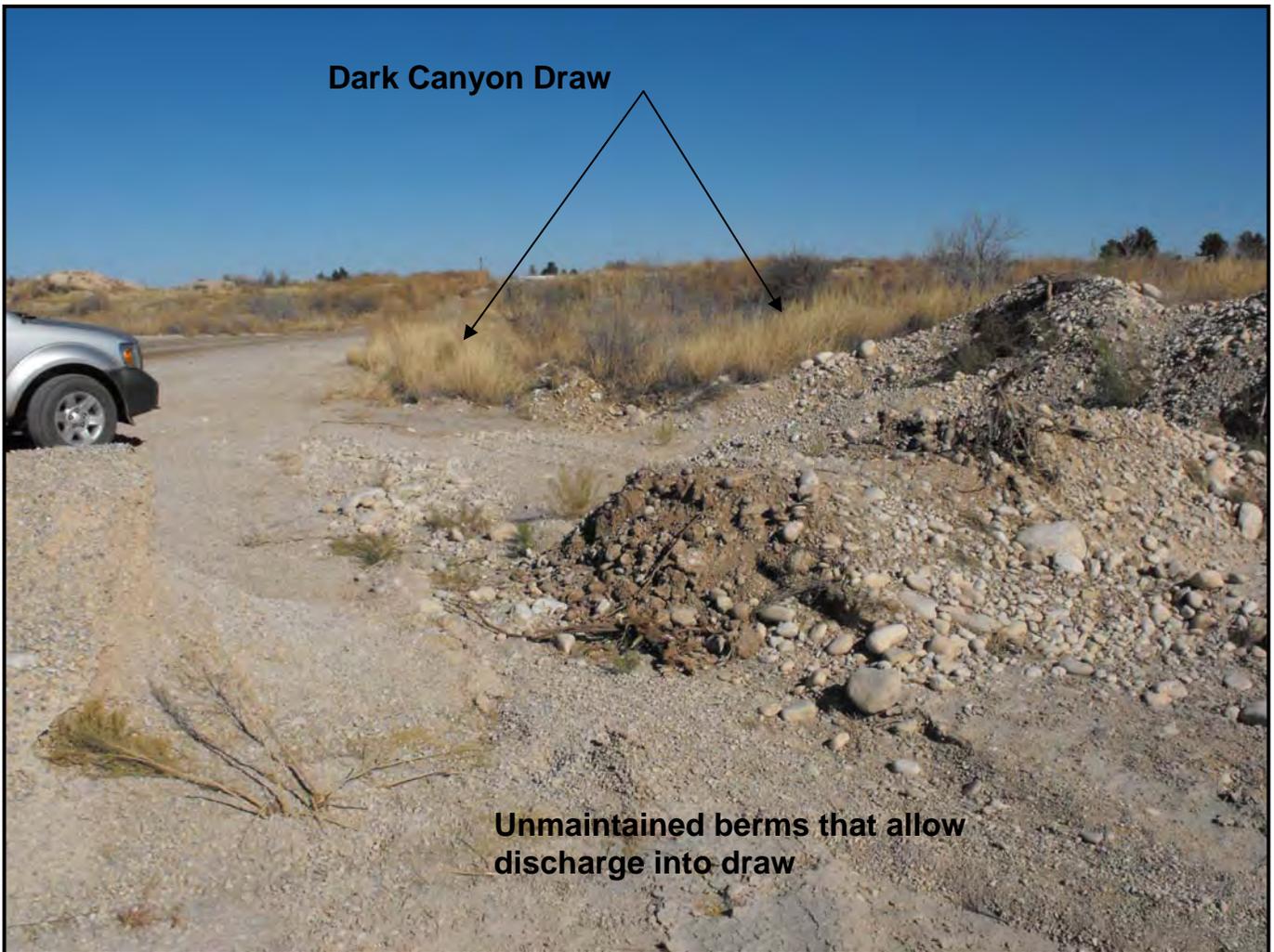
Photographer: Daniel Valenta	Date: 12/8/2010	Time: 0956 hours
City/County: Carlsbad, New Mexico/Eddy County		
Location: Valentine Sand & Gravel Pit, West Hidalgo Road, Carlsbad, New Mexico		
Subject: Facing southwest toward the Valentine Pit sand and gravel operation.		



**NMED/SWQB
Official Photograph Log**

Photo # 2

Photographer: Daniel Valenta	Date: 12/8/2010	Time: 1230 hours
City/County: Carlsbad, New Mexico/Eddy County		
Location: Valentine Sand & Gravel Pit, West Hidalgo Road, Carlsbad, New Mexico		
Subject: Facing northeast away from the Valentine Pit, unmaintained berm between site above and draw.		



**NMED/SWQB
Official Photograph Log**

Photo # 3

Photographer: Daniel Valenta	Date: 12/8/2010	Time: 1228 hours
City/County: Carlsbad, New Mexico/Eddy County		
Location: Valentine Sand & Gravel Pit, West Hidalgo Road, Carlsbad, New Mexico		
Subject: Facing southwest at the edge of the Dark Canyon Draw, unmaintained berm to prevent stormwater from flowing downhill into the draw.		

