



NEW MEXICO  
ENVIRONMENT DEPARTMENT

*Surface Water Quality Bureau*

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DAVE MARTIN  
Secretary

BUTCH TONGATE  
Acting Deputy Secretary

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**Certified Mail – Return Receipt Requested**

August 11, 2011

Ms. Janet Krolczyk, Director of Environmental Affairs  
Cemex, Inc.  
920 Memorial City Way, Suite 100  
Houston, TX 77024

**Re: Industrial Storm Water, SIC 3273, NPDES Compliance Evaluation Inspection, Cemex Westgate Facility, NMR05GF62, July 26, 2011**

Dear Ms. Krolczyk,

Enclosed please find a copy of the report for the referenced inspection that the New Mexico Environment Department (NMED) conducted at your facility on behalf of the U.S. Environmental Protection Agency (USEPA). This inspection report will be sent to the USEPA in Dallas, for their review. These inspections are used by USEPA to determine compliance with the National Pollutant Discharge Elimination System (NPDES) permitting program in accordance with requirements of the federal Clean Water Act.

Problems noted during this inspection are discussed in the Further Explanations section of the inspection report. You are encouraged to review the inspection report 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 (Diana McDonald, USEPA (6EN-WM), 1445 Ross Ave., Dallas, Texas 75202) and NMED (at above address) regarding modifications and compliance schedules.

The NPDES Storm Water Multi-Sector General Permit for Industrial Activities (MSGP-2008) was reissued on September 29, 2008. The MSGP, fact sheet and other information on the industrial storm water program can be downloaded at <http://cfpub2.epa.gov/npdes/stormwater/msgp.cfm>.

Thank you for the cooperation and assistance that your staff provided during my visit to your site. If you have any questions, please feel free to contact me at the above address or by telephone at (505) 222-9587.

Sincerely,  
/s/ Sarah Holcomb  
Sarah Holcomb  
Environmental Scientist/Specialist  
Surface Water Quality Bureau

Cc: Marcia Gail Adams, USEPA (6EN-AS) via e-mail  
Samuel Tate, USEPA (6EN-AS) via e-mail  
Carol Peters-Wagnon, USEPA (6EN-WM) via e-mail  
Diana McDonald, USEPA (6EN-WM) via e-mail  
Frank Fiore, NMED District III (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   F   6   2   11   12   1   1   0   7   2   6   17   18   C   19   S   20					
Remarks					
S   E   C   T   O   R   E					
Inspection Work Days	Facility Evaluation Rating	BI	QA	Reserved	
67       69	70	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) <b>CEMEX WESTGATE FACILITY, LAS CRUCES, NM: FROM I-25, TAKE THE N MAIN ST EXIT AND HEAD WEST. TURN RIGHT ON PICACHO. LEFT ON N 17<sup>TH</sup> ST. RIGHT ON COPPER. FOLLOW TO END OF STREET.</b>	Entry Time /Date 0900 HOURS / 7-26-2011	Permit Effective Date 9-29-2008
	Exit Time/Date 1145 HOURS / 7-26-2011	Permit Expiration Date 9-29-2013
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) MR. JAVIER SANCHEZ, PLANT MAINTENANCE MANAGER MR. OCTAVIO "SONNY" HOLGUIN, ENVIRONMENTAL MANAGER (915) 564-1563	Other Facility Data  GPS: N. 32° 18.146' W. 106° 48.488'  SIC 3273	
Name, Address of Responsible Official/Title/Phone and Fax Number * MS. JANET KROLCZYK, DIRECTOR OF ENVIRONMENTAL AFFAIRS 920 MEMORIAL CITY WAY, SUITE 100, HOUSTON, TX 77024 (713) 332-4047	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	S	Operations & Maintenance	N	CSO/SSO
M	Records/Reports	M	Self-Monitoring Program	N	Sludge Handling/Disposal	N	Pollution Prevention
S	Facility Site Review	N	Compliance Schedules	N	Pretreatment	N	Multimedia
S	Effluent/Receiving Waters	N	Laboratory	S	Storm Water	N	Other:

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

- PLEASE SEE REPORT FOR FURTHER EXPLANATIONS.
- \* JANET KROLCZYK MAY NOT BE THE CORRECT CORPORATE OFFICIAL TO SIGN NOTICE OF INTENT FORMS AND REPORTS - PLEASE SEE THE DEFINITION IN APPENDIX B.11 OF THE PERMIT.

Name(s) and Signature(s) of Inspector(s) Sarah Holcomb /s/ Sarah Holcomb	Agency/Office/Telephone/Fax 505-222-9587	Date 8-11-2011
Signature of Management QA Reviewer Richard Powell /s/ Richard Powell	Agency/Office/Phone and Fax Numbers 505-827-2798	Date 8-11-2011

National Database Information			General		
Inspection Type	CEI		Inspector Name	Sarah Holcomb	
NPDES ID Number	NMR05GF62		Telephone	505-222-9587	
Inspection Date	7-26-2011		Entry Time	0900 hours	
Inspector Type (circle one)	EPA	<input checked="" type="checkbox"/> State	EPA Oversight	Exit Time	1145 hours
Facility Sector/ SIC/Activity Code	Sector E, SIC 3273		Signature		

Facility Location Information				
Name/Location/ Mailing Address	Cemex 181 Westgate, Las Cruces, NM 88005			
GPS Coordinates	Latitude	32° 18.146'	Longitude	106° 48.488'
Receiving Water(s)	Rio Grande in 20.6.4.101 NMAC			

Contact Information		
	Name(s)	Telephone
Name(s) and Role(s) of All Parties Meeting the Definition of Operator	Cemex Westgate Facility	
Facility Contact	Javier Sanchez, Plant Maintenance Manager Octavio "Sonny" Holguin, Environmental Mgr.	915-564-1653
Authorized Official(s)	Janet Krolczyk, Environmental Director	713-332-4047

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 checked="" type="checkbox"/> General	Individual	SWPPP Contents Satisfactory	Y	<input checked="" type="checkbox"/> N
Operational Date	2002		SWPPP Implementation Satisfactory	<input checked="" type="checkbox"/> Y	N
NOI/Application Date	2-5-2009		SWPPP Date	5-11-2005	
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	2006
Copy of the NOI and acknowledgment letter from EPA?	Y	<input checked="" type="checkbox"/>	
Copy of the permit language?	Y	<input checked="" type="checkbox"/>	
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"/>	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"> <li>• Routine facility inspection (4.1.3)</li> <li>• Quarterly visual assessment (4.2.3)</li> <li>• Benchmark monitoring (6.2.1.3).</li> </ul>	Y	N	N/A
Does the SWPPP include copies of relevant parts of other documents (e.g., SPCC) referenced in the SWPPP?	Y	N	N/A
Does the SWPPP include documentation to support eligibility under the Endangered Species Act?	Y	<input checked="" type="checkbox"/>	Certified Criterion A with no documentation.
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?	Y	<input checked="" type="checkbox"/>	Mr. Holguin signed the SWPPP, but there was no authorization letter to allow him to do so.
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)

Site Description			Notes:
SWPPP provides a description of the facility's industrial activities?	<input checked="" type="checkbox"/>	N	Ready mix concrete facility, which includes processing area, truck rinse/wash, fueling stations and material storage.
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"/>	Site is 5.2 acres.
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?	Y	<input checked="" type="checkbox"/>	Three stormwater retention ponds are missing from the map.
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?	Y	<input checked="" type="checkbox"/>	
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	
Does the site map contain locations where significant spills or leaks identified under Part 5.1.3.3 have occurred?	Y	N	N/A
Does the site map contain locations of all storm water monitoring points?	<input checked="" type="checkbox"/>	N	There is one extra storm water monitoring point documented that does not actually exist.
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	<input checked="" type="checkbox"/>	
Does the site map contain locations and descriptions of all non-storm water discharges?	Y	<input checked="" type="checkbox"/>	

## 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"> <li>• Fueling stations <b>Yes</b></li> <li>• Vehicle and equipment maintenance and/or cleaning areas <b>Yes</b></li> <li>• Loading/unloading areas <b>No</b></li> <li>• Locations used for the treatment, storage or disposal of wastes <b>Yes</b></li> <li>• Liquid storage tanks <b>Yes</b></li> <li>• Processing and storage areas <b>Yes</b></li> <li>• 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 <b>Yes</b></li> <li>• Transfer areas for substances in bulk <b>Yes</b></li> <li>• Machinery <b>Yes</b></li> </ul>	Y	<input checked="" type="checkbox"/> N	<p>Loading and unloading areas were not specifically noted on the site map.</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>N/A – facility representatives stated that there is no run-on to the site.</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>	Y	N	<p>N/A</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>	<input checked="" type="checkbox"/> Y	N	

## NPDES Industrial Storm Water Checklist (MSGP)

Does the SWPPP include documentation of where spills and leaks occurred for three years prior to the preparation of the SWPPP?	Y	N	N/A
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<u>Site Description</u>			<u>Notes:</u>
Does the SWPPP include a non-storm water discharge evaluation in the SWPPP? Does it include: <ul style="list-style-type: none"> <li>Date</li> <li>Description of evaluation criteria</li> <li>List of the outfalls or onsite drainage points directly observed</li> <li>Different types of non-storm water discharges and source locations</li> <li>Actions taken such as a list of control measures for elimination.</li> </ul>	Y	<input type="checkbox"/> N	No non-stormwater discharge evaluation has been conducted yet.
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>			<u>Notes:</u>
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	
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"/> Y	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)

<b>Controls to Reduce Pollutants</b>			<b>Notes:</b>
Does the SWPPP include a schedule for pickup and disposal of wastes and routine inspections of tanks and drums?	<input checked="" type="checkbox"/> Y	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"/> Y	N	
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?	<input checked="" type="checkbox"/> Y	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"/> 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?	<input checked="" type="checkbox"/> Y	N	

## NPDES Industrial Storm Water Checklist (MSGP)

<b>Controls to Reduce Pollutants</b>			<b>Notes:</b>
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?	<input checked="" type="checkbox"/> Y	N	
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	According to the facility representative, the facility's storm water ponds allegedly act as their velocity dissipation devices.
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	N/A
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	<input checked="" type="checkbox"/> N	

## NPDES Industrial Storm Water Checklist (MSGP)

### Notes on SWPPP Review

#### **Site Description:**

Cemex's Westgate facility is a ready mixed concrete production facility that has been in production since they took over the site from Rio Grande Materials in 2002.

The NOI for the site's permit coverage was submitted on February 5, 2009, and was signed by Octavio Holguin, the Environmental Manager for the South Region of Cemex. According to Appendix B.11.A.1 of the permit, all applications, including NOIs, must be signed by a "president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation". Mr. Holguin indicated during the inspection that he most likely did not fit this description. The NOI must be resubmitted ASAP with the appropriate signature from a corporate official because the facility has essentially not had permit coverage under the MSGP since this NOI was submitted.

Mr. Holguin also signed other documents within the SWPPP, including the SWPPP itself, as well as inspection reports. These documents must also be signed by a corporate official, however, the permit allows in Appendix B.11.B that a "duly authorized representative" may be designated. If Mr. Holguin is to continue signing SWPPP documents, an authorization letter allowing him to do so (signed by a corporate official) must be placed in the SWPPP for future reference.

The facility certified Criterion A on their NOI for endangered species documentation purposes. It is likely that it would be more appropriate to certify Criterion E for this facility, the reason being that Criterion A says that without a doubt no endangered species are impacted by the facility's activities. This includes the "action area", which as defined by the permit, includes "all areas to be affected directly or indirectly by the stormwater discharges, allowable non-stormwater discharges, and stormwater discharge-related activities, and not merely the immediate area involved in these discharges and activities." Without a professional biologist's opinion, it would be difficult to certify that the action area is indeed not impacted by the facility. With the proper supporting documentation, the facility should be able to show that by installing the proper BMPs, there is not likely to be an impact on any endangered species in the area.

The site map for the facility needed updating as well. The size of the facility in acres was missing, as was information on the facility's stormwater retention ponds, locations of receiving waters (including the Las Cruces MS4) and where any non-stormwater discharges may be.

The facility staff had not yet conducted a non-stormwater discharge evaluation as required in Part 5.1.3.4 of the permit. This must be done as soon as possible.

## NPDES Industrial Storm Water Checklist (MSGP)

Inspections (Part 4)			
<u>General</u>	Notes:		
<b>Routine Facility Inspections</b>			
Are routine facility inspections conducted at least quarterly while facility operating?	<input checked="" type="checkbox"/> Y	N	
Are inspections documented, including: <ul style="list-style-type: none"> <li>• Date and time <b>Yes</b></li> <li>• Name and signature of inspector <b>Yes</b></li> <li>• Weather information and a description of discharge occurring at the time of the inspection <b>No</b></li> <li>• Previously unidentified discharges from site <b>N/A</b></li> <li>• Control measures needing maintenance or repairs <b>Yes</b></li> <li>• Failed control measures that need replacement <b>Yes</b></li> <li>• Incidents of noncompliance observed <b>Yes</b></li> <li>• Additional control measures needed. <b>Yes</b></li> </ul>	Y	<input type="checkbox"/> N	Weather information should be added to the inspection documentation.
Exceptions, including (see 4.1.3): <ul style="list-style-type: none"> <li>• Inactive and unstaffed sites</li> </ul>	Y	N	N/A
<b>Quarterly Visual Assessment</b>			
Are quarterly visual assessments conducted?	Y	<input type="checkbox"/> N	Facility representatives indicated that there was no runoff from the site in 2010.
Does the assessment consist of a sample collected: <ul style="list-style-type: none"> <li>• Within the first 30 minutes of discharge</li> <li>• On discharges that occur at least 72 hours (3 days) from the previous discharge</li> <li>• Collected in a clean, clear glass or plastic container.</li> </ul>	Y	N	N/A

## NPDES Industrial Storm Water Checklist (MSGP)

<b>Inspections</b>			
Are assessments documented, including: <ul style="list-style-type: none"> <li>• Sample location</li> <li>• Sample collection date/time &amp; visual assessment date/time</li> <li>• Personnel collecting sample &amp; performing assessment and their signature</li> <li>• Nature of the discharge (runoff or snowmelt)</li> <li>• Results of observations (including color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen and other obvious indicators)</li> <li>• Probable sources of contamination</li> <li>• If applicable, reason for not taking samples within 1<sup>st</sup> 30 minutes.</li> </ul>	Y	N	N/A
Exceptions, including (see 4.2.3): <ul style="list-style-type: none"> <li>• Adverse weather conditions</li> <li>• Climates with irregular storm water runoff</li> <li>• Areas subject to snow</li> <li>• Substantially identical outfalls (per 5.1.5.2)</li> <li>• Inactive and unstaffed sites.</li> </ul>	Y	N	Facility had not submitted an exception for location in an area with irregular stormwater runoff.
<b>Comprehensive Site Inspections</b>			
Are comprehensive site inspections conducted annually (start 9/29/08)?	Y	<input checked="" type="checkbox"/> N	Report was not submitted for 2009 but was for 2010.
Conducted by qualified personnel including at least one member of the storm water pollution prevention team?	<input checked="" type="checkbox"/>	N	
Cover all areas of the facility?	<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?	<input checked="" type="checkbox"/>	N	

## NPDES Industrial Storm Water Checklist (MSGP)

<b>Inspections</b>		
<p>Include observations of the following:</p> <ul style="list-style-type: none"> <li>Industrial materials, residue, or trash that may have or could come into contact with storm water</li> <li>Leaks or spills from industrial equipment, drums, tanks, and other containers</li> <li>Offsite tracking of industrial or waste materials, or sediment where vehicles enter or exit the site</li> <li>Tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas</li> <li>Control measures needing replacement, maintenance, or repair</li> <li>All storm water control measures observed.</li> </ul>	<input checked="" type="checkbox"/>	N
<p>Are inspections documented, including:</p> <ul style="list-style-type: none"> <li>Date of inspection</li> <li>Names and titles of personnel making the inspection</li> <li>Findings from examination of areas of facility from Part 4.3.1</li> <li>All observations relating to implementation of control measures</li> <li>Any required revisions to the SWPPP resulting from inspection</li> <li>Any incidents of noncompliance identified OR certification that facility is in compliance with the permit</li> <li>A statement signed in accordance with Appendix B, Subsection 11</li> </ul>	Y	<input type="checkbox"/>
<p>Javier Sanchez, the Westgate Maintenance Manager, is signing inspection reports without an authorization letter from a corporate official.</p>		

## NPDES Industrial Storm Water Checklist (MSGP)

<b>Monitoring (Part 6)</b>			
<u>General</u>	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	N/A
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?	<input checked="" type="checkbox"/>	N	
<b>Benchmark Monitoring</b>			
Does the monitoring consist of a sample collected: <ul style="list-style-type: none"> <li>• Within the first 30 minutes of discharge <b>No</b></li> <li>• On discharges that occur at least 72 hours (3 days) from the previous discharge <b>Yes</b></li> <li>• Document the date and duration (in hours) of the rainfall event, rainfall total (snow - date only) for that rainfall <b>No</b></li> <li>• Prior to commingling. <b>Yes</b></li> </ul>	Y	<input checked="" type="checkbox"/>	No documentation was made available to the inspectors that showed samples were collected within the first 30 minutes of discharge from the site.
Is monitoring conducted during each of the first four full quarterly (calendar) monitoring periods following permit coverage?	Y	<input checked="" type="checkbox"/>	Facility may be eligible for the irregular storm water runoff exception but has not sent in a request to EPA.
Is the average of the first four quarterly samples < the parameter benchmark?	Y	<input checked="" type="checkbox"/>	

## NPDES Industrial Storm Water Checklist (MSGP)

<b>Monitoring</b>			
Is the average of the first four quarterly samples > the parameter benchmark? <ul style="list-style-type: none"> <li>Make the necessary modifications</li> <li>Continue quarterly monitoring</li> <li>Determine and document that no further pollutant reductions are technologically available and economically practicable and achievable, continue monitoring once per year, notify EPA</li> <li>Natural background pollutant level documentation</li> </ul>	<input checked="" type="checkbox"/>	N	The facility documents that stormwater regularly exceeds the benchmark levels for Iron and TSS. The approach in their documentation is to increase sweeping frequency at the facility.
Exceptions, including (see 6.1 & 6.2): <ul style="list-style-type: none"> <li>Adverse weather conditions</li> <li>Climates with irregular storm water runoff</li> <li>Snowmelt</li> <li>Substantially identical outfalls (per 5.1.5.2)</li> <li>Inactive and unstaffed sites.</li> </ul>	Y	N	Facility should submit an exception to allow them to sample during the monsoon period.
<b>Effluent Limitations Monitoring</b>			N/A
Sampled once per year?	Y	N	
Follow-up requirements if discharge exceeds effluent limit (see 6.3)?	Y	N	
<b>Other Required Monitoring</b>			N/A
<ul style="list-style-type: none"> <li>State or Tribal provisions</li> <li>Discharges to impaired waters</li> <li>Additional monitoring required by EPA.</li> </ul>	Y	N	
<b>Reporting (Part 7)</b>			
<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"/>	
Is the annual report submitted by 45 days after conducting the comprehensive site inspection?	Y	<input checked="" type="checkbox"/>	
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"/>	Lack of rain prevented any follow up monitoring.

## NPDES Industrial Storm Water Checklist (MSGP)

<b>SWPPP Implementation</b>	
<p><b>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</b></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>A spill kit is located at the fueling area onsite. All vehicle maintenance is done indoors. Vehicles that are stored outside are inspected daily for leaks. All materials piles are contained within concrete pallets. All washwater from the washout process is contained in three sedimentation ponds.</p>
<p><b>Good Housekeeping</b></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>Raw materials are sprayed down with water once daily (in a manner that does not create runoff) for dust control.</p>
<p><b>Preventative maintenance</b></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>Trucks are inspected daily for leaks. Industrial equipment is also checked daily for proper operation. Repairs, if needed, are done asap.</p> <p>Pond maintenance is conducted as needed.</p> <p>Sweeping is conducted once per week.</p>

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<b>Spill Prevention and Response</b>	<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>Any liquid materials are stored within secondary containment outdoors. The area around the sedimentation ponds is walled in by concrete blocks to provide some containment incase the ponds were to ever overflow.</p>
<b>Erosion and Sediment Controls</b>	<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>Flow from the site is directed to one of three sediment ponds. All of the site is sprayed down daily for dust control.</p>
<b>Management of Runoff</b>	<p><i>(e.g., divert, infiltrate, reuse, contain, or otherwise reduce storm water runoff, to minimize pollutants in discharges)</i></p> <p>Most water is diverted to sedimentation ponds.</p> <p>Some runoff is diverted to the washout sedimentation ponds, which is in turn used (after settling) for dust control on site.</p>
<b>Salt Storage Piles</b>	<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 occurs at this facility.</p>

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<b>SWPPP Implementation</b>	
<b>Waste, Garbage and Floatable Debris</b>	<p><i>(e.g., keep exposed areas free of such materials or by intercepting them before they are discharged)</i></p> <p>Trash pick up is done weekly on Tuesdays and is contained in a dumpster onsite.</p>
<b>Evidence of non-storm water discharges</b>	<p>None observed on the date of this inspection.</p>
<b>Dust Generation and Vehicle Tracking of Industrial Materials</b>	<p><i>(minimize generation of dust and off-site tracking of raw, final, or waste materials)</i></p> <p>Sweeping is done once per week. A vacuum truck is brought to Las Cruces from the La Luz facility near Alamogordo, NM. The front asphalt area is swept as well as a nearby city culvert.</p>

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### **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)*

Site appeared to be in clean, orderly condition during this inspection. It appeared the regular maintenance occurred and the site was run in accordance with measures described in the SWPPP.

The facility should most likely apply for the arid area exemption for sampling in order to allow the 4 samples required for the year to be taken during the monsoon season.