NEW MEXICO
ENVIRONMENT DEPARTMENT

Surface Water Quality Bureau

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Director

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

August 15, 2013

Mr. Sonny Holguin, Environmental Manager
Cemex, Inc.
1 McKelligan Canyon Rd.
El Paso, TX 79930

Re: Industrial Storm Water, SIC 3272, NPDES Compliance Evaluation Inspection, Cemex Ruidoso Concrete Batch Plant, NMR05GF64, July 23, 2013

Dear Mr. Holguin,

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 Mr. Leo Hernandez 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: Hannah Branning, USEPA (6EN-AS) via email
Rashida Bowlin, USEPA (6EN-AS) via email
Carol Peters-Wagnon, USEPA (6EN-WM) via email
Darlene Whitten-Hill, USEPA, via email
NMED District III Manager, via email
Diana McDonald, USEPA (6EN-WM) via email

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

NPDES Compliance Inspection Report

Section A: National Data System Coding

1	Transaction Code	2	NPDES	11	yr/mo/day	17	Inspec. Type	18	Inspector	19	Fac Type	20
	N	5	NMR05GF64	12	130723		~		S		2	

Remarks: CONCRETE BATCH PLANT

67	Inspection Work Days	69	70	Facility Evaluation Rating	71	BI	72	QA	73	74	75	Reserved	80
			2			N		N					

Section B: Facility Data

Name and Location of Facility Inspected *(For industrial users discharging to POTW, also include POTW name and NPDES permit number)*
CEMEX, INC.; RUIDOSO, LINCOLN COUNTY, NM: In Ruidoso, at the intersection of NM 48 (Sudderth Dr.) and NM 70, take Gavilan Canyon Rd headed north. Turn north on Close Rd. and the facility is on the right.

Entry Time /Date
0945 hours/7-23-2013

Permit Effective Date
9-29-2008

Exit Time/Date
1015 hours/7-23-2013

Permit Expiration Date
9-29-2013

Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)
Mr. Leo Hernandez, Operator (575) 257-4200

Other Facility Data

GPS at facility office:
N. 33° 19' 31.04"
W. -105° 37' 40.11"

SIC 3272

Name, Address of Responsible Official/Title/Phone and Fax Number
Mr. Sonny Holguin, Environmental Manager
1 McKelligan Canyon Rd., El Paso, TX 79930

Contacted
Yes [ ] No [*]

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
U	Records/Reports	S	Self-Monitoring Program	N	Sludge Handling/Disposal	N	Pollution Prevention
M	Facility Site Review	N	Compliance Schedules	N	Pretreatment	N	Multimedia
S	Effluent/Receiving Waters	N	Laboratory	M	Storm Water	N	Other:

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

1. **Inspectors arrived at the facility at 0945 hours on July 23, 2013, and conducted an entrance interview with Mr. Leo Hernandez, where the inspectors made introductions, presented credentials, and discussed the purpose of the inspection. Mr. Hernandez accompanied the inspectors on a tour of the site. The inspectors conducted an exit interview with Mr. Hernandez at the facility at approximately 1015 hours, where the preliminary findings of the inspection were discussed.**
2. **Please see report for further information.**

Name(s) and Signature(s) of Inspector(s)	Agency/Office/Telephone/Fax	Date
Sarah Holcomb */s/ Sarah Holcomb*	505-222-9587	8-15-2013
Signature of Management QA Reviewer	**Agency/Office/Phone and Fax Numbers**	**Date**
Bruce Yurdin */s/ Bruce Yurdin*	505-827-2795	8-14-2013

Compliance Evaluation Inspection
Cemex, Inc., Sector E
NPDES Permit #NMR05GF64, July 23, 2013

Further Explanations

Introduction

On July 23, 2013, a Compliance Evaluation Inspection was conducted at the Cemex Concrete Batch Plant (Standard Industrial Classification Code 3272) located in Ruidoso, NM by Sarah Holcomb (accompanied by Bruce Yurdin) of the State of New Mexico Environment Department (NMED) Surface Water Quality Bureau (SWQB). The purpose of this inspection was to document the operator's status regarding the NPDES multi-sector general storm water permit (MSGP) for industrial activities (this facility has industrial activities being conducted on site that meet the description of industrial activities in Sector E) and stormwater regulations at **40 Code of Federal Regulations (CFR) Part 122.26.**

The inspectors arrived at the facility at 0945 hours. An entrance interview was conducted with Mr. Leo Hernandez, Plant Operator, during which the inspectors made introductions, presented their credentials and discussed the purpose of the inspection. Mr. Hernandez accompanied the inspectors on a tour of the facility and explained processes and management measures already in place.

Storm water from this facility discharges to the Rio Ruidoso in segment 20.6.4.209 NMAC (*State of New Mexico Standards for Interstate and Intrastate Surface Waters*). Designated uses of the Rio Ruidoso in this section are irrigation, high quality coldwater aquatic life, livestock watering, domestic water supply, wildlife habitat, public water supply and primary contact.

This report is based on verbal information reported by the facility representative, on-site observations made by NMED personnel, and records maintained by NMED and the USEPA.

Findings:

Section 301(a) of the Federal Water Pollution Control Act (a.k.a. the Clean Water Act) states that "Except as in compliance with this section and sections 302, 306, 307, 318, 402 and 404 of this Act, the discharge of any pollutant by any person shall be unlawful."

40 Code of Federal Regulations Part 122.21(a) Duty to apply (1) states: "Any person who discharges or proposes to discharge pollutants…must submit a complete application to the Director in accordance with this section and part 124 of this chapter."

According to a review of EPA's NOI database, this facility did have NPDES permit coverage on the date of this inspection. Storm water discharges from this facility can be regulated by either an individual NPDES permit or the Storm Water Multi-Sector General Permit for Industrial Activities (MSGP). This type of facility is covered under Sector E – Glass, Clay, Cement, Concrete and Gypsum Products – under SIC 3272 (Concrete Products, Except Block and Brick).

A Storm Water Pollution Prevention Plan (SWPPP) had allegedly been prepared but was not available on site at the time of this inspection. Inspections and visual monitoring documentation was available, and was reviewed while the inspectors were on site. A SWPPP should include the following information:

- **A description of potential pollutant sources** – includes a site map, an identification of the types of pollutants that are likely to be present in storm water discharges, an inventory of the types of materials handled at the site that potentially may be exposed to precipitation, a list of significant spills and leaks of toxic or hazardous pollutants, sampling data, a narrative description of the potential pollutant sources from specific activities at this facility, and identification of specific potential pollutants; and
- **A description of appropriate measures and controls** – includes the type and location of existing and proposed non-structural and structural BMPs (Best Management Practices) selected for each of the areas where industrial materials or activities are exposed to storm water. Non-structural and structural BMPs to be described and implemented include such things as good housekeeping, preventative maintenance, spill prevention and response procedures, periodic inspections, employee training, record keeping, non-storm

water evaluations and certifications, sediment and erosion control, as well as implementation/maintenance of traditional storm water management practices, where appropriate.

Activities at this concrete manufacturing facility can result in the creation of various pollutant sources that include, but are not limited to, the following:

- **Material storage at Concrete Manufacturing Facilities:** This activity can be a source of pollutants such as Total Suspended Solids (TSS), pH, and Chemical Oxygen Demand (COD). These pollutants can come from sources such as aggregate (sand and gravel), concrete, shale, clay, limestone, slate, slag and pumice.
- **Material Handling:** This activity can be a source of pollutants such as TSS, pH, COD, potassium, sulfate and oil and grease. These pollutants can come from sources such as exposed aggregate, concrete, shale, clay, slate, slag, pumice, and limestone as well as spills and leaks of cement, fly ash, admixtures, and baghouse settled dust.
- **Mixing Concrete:** This activity can be a source of pollutants such as TSS, pH, COD, lead, iron and zinc. These pollutants can come from sources such as spilled aggregate, cement and admixtures.
- **Casting/Forming Concrete Products:** This activity can be a source of pollutants such as TSS, pH, oil and grease, COD and BOD (biochemical oxygen demand). These pollutants can come from sources such as concrete, aggregate, form release agents, reinforcing steel, latex sealants, and bitumastic coatings.
- **Vehicle and Equipment Washing at Concrete Product Manufacturing Facilities:** This activity can be a source of pollutants such as TSS, pH, COD, oil and grease. These pollutants can come from sources such as residual aggregate, concrete, admixtures and oil and grease.

If not properly managed or treated in accordance with an NPDES permit, activities associated with this facility could be a potential threat to water quality through storm water discharges.

Among other things, this facility is required to monitor storm water discharges from this site in accordance with Part 8.E.4 (Sector-Specific Benchmarks) of the permit to include analytical results for Total Suspended Solids (TSS) and Total Iron.

Site Inspection Summary

On the day of the inspection, some pollutant sources observed on site that were exposed outside and could potentially come into contact with storm water included: 1) aggregate piles, 2) the concrete batch plant, and 3) the steamer, which the inspectors had specific questions about. The inspector's concern was specifically regarding where the water from the steamer is discharged when it is changed out. Mr. Hernandez was a temporary employee at this location while the manager was on vacation and was unable to answer this process question. According to a later phone conversation with Mr. Isaac Sterks, who is normally at this facility, the steamer has not been used in a few years and that while it was in use, the water from the steamer was captured and not discharged to the Rio Ruidoso.

An exit interview to discuss the preliminary findings of this inspection was conducted onsite with Mr. Hernandez at approximately 1015 hours. The inspector informed Mr. Hernandez of the requirements under the NPDES storm water program regarding permitting requirements, preparation of a SWPPP and installation of appropriate storm water runoff control practices (per the SWPPP).

NMED/SWQB

Official Photograph Log
Photo # 1

Photographer: Sarah Holcomb	Date: 7-23-2013	Time: 0959 hours
City/County: Ruidoso, Lincoln County		
Location: Cemex concrete batch plant yard, Ruidoso, NM		
Subject: Batch plant operations. Rio Ruidoso is located behind the wall in the rear of the photo.		

NMED/SWQB

Official Photograph Log
Photo # 2

Photographer: Sarah Holcomb	Date: 7-23-2013	Time: 1008 hours
City/County: Ruidoso, Lincoln County		
Location: Cemex concrete batch plant yard		
Subject: Blue piping and tank is the rock steamer located at the back north corner of the yard. There is the potential to discharge TSS laden water directly to the Rio Ruidoso.		

NMED/SWQB

Official Photograph Log
Photo # 3

Photographer: Sarah Holcomb	Date: 7-23-2013	Time: 1010 hours
City/County: Ruidoso, Lincoln County		
Location: Cemex concrete batch plant yard		
Subject: Chemical storage outdoors. Acid wash shown in the tote is used for truck washing. Washing occurs in a part of the yard which drains to the concrete washout/water reuse basins.