



NEW MEXICO
ENVIRONMENT DEPARTMENT



Surface Water Quality Bureau

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Certified Mail - Return Receipt Requested

January 2, 2013

Mr. Russell Casados, Owner
Russell Sand & Gravel Co. Inc.
P.O. Box 13124
Las Cruces, New Mexico 88013

RE: Industrial Storm Water; SIC 1429; NPDES Compliance Evaluation Inspection; Russell Sand & Gravel Company; NPDES Permit NMR05GR24; December 6, 2012

Dear Mrs. Casados,

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 Finding section of the 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
US Environmental Protection Agency, Region VI
Enforcement Branch (6EN-WM)
Allied Bank Tower
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

If you have any questions about this inspection report, please contact me at (505) 827-2575 or daniel.valenta@state.nm.us.

Sincerely,

/s/Daniel Valenta

Daniel Valenta
Environmental Scientist/Specialist
Surface Water Quality Bureau

Cc: Hannah Branning, EPA (6EN) by e-mail
Carol Peters-Wagnon, EPA (6EN-WM) by e-mail
Diana McDonald, EPA (6EN-WM) by e-mail
Darlene Whitten-Hill, EPA (6EN) by e-mail
Rashida Bowlin, EPA (6EN) by e-mail
Robert Italiano, NMED District II (Santa Fe) by e-mail



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

NPDES Compliance Inspection Report

Section A: National Data System Coding

Transaction Code	NPDES										yr/mo/day						Inspec. Type	Inspector	Fac Type									
1	N	2	5	3	N	M	R	0	5	G	R	2	4	11	12	1	2	1	2	0	6	17	18	~	19	S	20	2
Remarks																												
S A N D & G R A V E L F A C I L I T Y																												
Inspection Work Days						Facility Evaluation Rating						BI		QA		-----Reserved-----												
67						70						71		72		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) Russell Sand & Gravel, 150 CR 340, Los Ojos, New Mexico, 87551 Rio Arriba County	Entry Time /Date 1020/ 12-6-2012	Permit Effective Date 9-29-2008
	Exit Time/Date 1427/12-6/2012	Permit Expiration Date 9-29-2013
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) Mr. Russell Casados/Owner/ President/575-588-7933 fax 575-588-9225	Other Facility Data LAT 36° 43' 03.37" N LONG 106° 35' 22.96" W SIC 1442	
Name, Address of Responsible Official/Title/Phone and Fax Number Mr. Russell Casados, P.O. Box 13124, Las Cruces, New Mexico 88013 /Owner/ President/575-588-7933 fax 575-588-9225	Contacted Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	

Section C: Areas Evaluated During Inspection

(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

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

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

- Inspector arrived on site at 1020 on 12/6/2012, conducted entrance interview with Mr. Russell Casados, during which the Inspector made introductions, showed credentials and explained the purpose of the inspection.
- This report is based on a review of the files maintained by the permittee and NMED, on-site observations by NMED personnel, and verbal information provided by the facility's representative.
- An exit interview to discuss the preliminary finding of the inspection was conducted at approximately 1415 on 12/6/2012 with Mr. Casados at the site on 12/6/2012.

Name(s) and Signature(s) of Inspector(s) Daniel Valenta /s/Daniel Valenta	Agency/Office/Telephone/Fax NMED/SWQB 505-827-2575	Date 1/2/2013
Signature of Management QA Reviewer Richard Powell /s/Richard Powell	Agency/Office/Phone and Fax Numbers NMED/SWQB 505-827-2798	Date 1/2/2013

National Database Information		General	
Inspection Type	Compliance Evaluation	Inspector Name	Daniel Valenta
NPDES ID Number	NMR05GR24	Telephone	505-827-2575
Inspection Date	12/6/2012	Entry Time	1020
Inspector Type (circle one)	EPA <input type="checkbox"/> State <input checked="" type="checkbox"/> EPA Oversight	Exit Time	1427
Facility Sector/ SIC/Activity Code	Sector J/Mineral Mining & Dressing/1442	Signature	

Facility Location Information			
Name/Location/ Mailing Address	Russell Sand & Gravel Company 150 CR 340 Los Ojos, NM 87551		
GPS Coordinates	Latitude	36° 43' 03.37" N	Longitude 106° 35' 22.96" W
Receiving Water(s)	Rio Chama segment 20.6.4.119		

Contact Information		
	Name(s)	Telephone
Name(s) and Role(s) of All Parties Meeting the Definition of Operator	Russell Sand & Gravel/Site Operator	575-588-7933
Facility Contact	Mr. Russell Casados – Company Owner	575-588-7933
Authorized Official(s)	Mr. Russell Casados – Company Owner	575-588-7933

Basic Permit Information			Basic SWPPP Information		
Permit Coverage	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	SWPPP Prepared & Available	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N
Permit Type	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Individual	SWPPP Contents Satisfactory	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N
Operational Date	1994		SWPPP Implementation Satisfactory	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N
NOI/Application Date	10/28/09		SWPPP Date	Jan 2009	
If applicable, is no exposure certification on file?	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> 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	SWPPP dated 1/2009 NOI submitted 10/2009
Copy of the NOI and acknowledgment letter from EPA?	<input checked="" type="checkbox"/>	N	
Copy of the permit language?	<input checked="" type="checkbox"/>	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"/>	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). 	Y	N	N/A
Does the SWPPP include copies of relevant parts of other documents (e.g., SPCC) referenced in the SWPPP?	<input checked="" type="checkbox"/>	N	
Does the SWPPP include documentation to support eligibility under the Endangered Species Act?	<input checked="" type="checkbox"/>	N	Documentation in SWPPP to support selection of A on NOI.
Does the SWPPP include documentation to support eligibility under the Historic Preservation Act?	<input checked="" type="checkbox"/>	N	
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	SWPPP also describes the secondary industrial activities found on site and pollutions from them.
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"/>	
Does the site map contain the location and extent of significant structures and impervious surfaces?	Y	<input checked="" type="checkbox"/>	Missing sediment containment pond
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?	<input checked="" type="checkbox"/>	N	
Does the site map contain locations of all storm water conveyances including ditches, pipes and swales?	Y	<input checked="" type="checkbox"/>	Sediment containment pond not noted.
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	<input checked="" type="checkbox"/>	No significant spills or leaks noted.
Does the site map contain locations of all storm water monitoring points?	Y	<input checked="" type="checkbox"/>	
Does the site map contain locations of storm water inlets and outfalls, with a unique identification (e.g., 001, 002) for each outfall and if substantially identical?	Y	<input checked="" type="checkbox"/>	
Does the site map contain municipal separate storm sewers and where the facility discharges to them?	Y	<input checked="" type="checkbox"/>	Site discharges to the Rio Chama.
Does the site map contain locations and descriptions of all non-storm water discharges?	Y	<input checked="" type="checkbox"/>	Site has channels to drain what appears to be ground water and stormwater.

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 	<input checked="" type="checkbox"/>	N	
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 checked="" type="checkbox"/>	Berms around property.
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?	<input checked="" type="checkbox"/>	N	Groundwater appears to discharge from the property.
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"/>	N	
Does the SWPPP include a list of pollutants and/or pollutant constituents associated with each identified activity?	<input checked="" type="checkbox"/>	N	
Does the SWPPP include documentation of where spills and leaks occurred for three years prior to the preparation of the SWPPP?	<input checked="" 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. 	<input checked="" type="checkbox"/>	N	
Does salt storage occur at this facility?	Y	<input type="checkbox"/>	
Does the SWPPP include a summary of storm water sampling data for the previous permit term?	Y	<input type="checkbox"/>	
<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"/>	N	Berms and retention pond will be used.
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	Use of berms to prevent mingling of process water and ground/stormwater is listed.
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	Entire area is exposed to stormwater.
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	SWPPP describes training and practices to keep site orderly and clean. Potential sources of pollutants are labeled and stored in appropriate containers, waste containers are on site to contain and dispose of garbage.

NPDES Industrial Storm Water Checklist (MSGP)

Controls to Reduce Pollutants			Notes:
Does the SWPPP include a schedule for pickup and disposal of wastes and routine inspections of tanks and drums?	Y	<input type="checkbox"/> N	No schedule for pickup and disposal of wastes but describes routine quarterly inspections of site.
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	Activities described in SWPPP.
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 checked="" type="checkbox"/> Y	N	SWPPP describes inspection and maintenance of all storage tanks and procedures should a spill occur.
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	Secondary containment around fuel tank.
Does the facility implement procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases?	<input checked="" type="checkbox"/> Y	N	SWPPP describes procedures for controlling, cleaning, and checking for spills or releases.
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	Training program in place but unknown what the training includes.
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	Yes, supporting documentation included in the SWPPP.

NPDES Industrial Storm Water Checklist (MSGP)

Controls to Reduce Pollutants		Notes:	
Does the SWPPP document erosion and sediment controls?	Y	<input type="checkbox"/> N	Containment pond/berm not noted in SWPPP.
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 type="checkbox"/> N	Containment pond not maintained.
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 type="checkbox"/> N	Beaver dams on the channel leading to the river. Rock check dams noted in SWPPP but not seen.
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?	Y	<input type="checkbox"/> N	Unknown what training includes.
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 type="checkbox"/> N	Area clean of debris.
Does the facility minimize generation of dust and off-site tracking of raw, final, or waste materials?	<input checked="" type="checkbox"/> Y	N	Water truck is used to suppress dust.
Has the facility eliminated non-storm water discharges not authorized by an NPDES permit?	Y	<input type="checkbox"/> N	Ground water appears to flow from the site.

NPDES Industrial Storm Water Checklist (MSGP)

Notes on SWPPP Review

Site Description:

Russell Sand & Gravel Company is a New Mexico Corporation, a family-owned and operated company since 1994 whose main office is in Los Ojos, located in the Chama Valley and Rio Arriba County in Northern New Mexico. Their second location is in Las Cruces, located in Dona Ana County in Southern New Mexico. They specialize in the production of sand and gravel, concrete and asphalt. Their services include custom crushing, road construction, driveway construction, site development, earthwork, excavation, curb and gutter, bridge construction and paving. At the Rio Chama site, approximately 50 acres, the facility has a hot asphalt plant, rock crusher, processes and stores construction sand and gravel and has 4 to 5 employees.

Inspections (Part 4)			
General		Notes:	
Routine Facility Inspections			
Are routine facility inspections conducted at least quarterly while facility operating?	Y	<input checked="" type="checkbox"/>	
Are inspections documented, including: <ul style="list-style-type: none"> • Date and time YES • Name and signature of inspector YES • Weather information and a description of discharge occurring at the time of the inspection NO • Previously unidentified discharges from site YES • Control measures needing maintenance or repairs YES • Failed control measures that need replacement YES • Incidents of noncompliance observed YES • Additional control measures needed. YES 	Y	<input checked="" type="checkbox"/>	NOI signed 10/2009 Missing inspections: 4st quarter in 2009 1st quarter in 2010 4st quarter in 2010 4st quarter in 2011 1st quarter in 2012
Exceptions, including (see 4.1.3): <ul style="list-style-type: none"> • Inactive and unstaffed sites 	Y	<input checked="" type="checkbox"/>	SWPPP/map does not break site down into active and inactive areas.
Quarterly Visual Assessment			
Are quarterly visual assessments conducted?	Y	<input checked="" type="checkbox"/>	
Does the assessment consist of a sample collected: <ul style="list-style-type: none"> • Within the first 30 minutes of discharge 2 out of 4 • On discharges that occur at least 72 hours (3 days) from the previous discharge YES • Collected in a clean, clear glass or plastic container. YES 	Y	<input checked="" type="checkbox"/>	NOI signed 10/2009 Reports missing for 4 th quarter of 2009 1 st quarter of 2010 4 th quarter of 2010 1 st quarter of 2011 3 th quarter of 2011 4 th quarter of 2011 1 st quarter of 2012 2 th quarter of 2012 3 th quarter of 2012 4 th quarter of 2012

Inspections		
Are assessments documented, including: <ul style="list-style-type: none"> • Sample location NO • Sample collection date/time & visual assessment date/time YES • Personnel collecting sample & performing assessment and their signature NO • Nature of the discharge (runoff or snowmelt) YES • Results of observations (including color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen and other obvious indicators) YES • Probable sources of contamination YES • If applicable, reason for not taking samples within 1st 30 minutes. YES 	Y	<input checked="" type="checkbox"/> N
Exceptions, including (see 4.2.3): <ul style="list-style-type: none"> • Adverse weather conditions • Climates with irregular storm water runoff • Areas subject to snow • Substantially identical outfalls (per 5.1.5.2) • Inactive and unstaffed sites. 	Y	N
Comprehensive Site Inspections		
Are comprehensive site inspections conducted annually (start 9/29/08)?	Y	<input checked="" type="checkbox"/> N
Conducted by qualified personnel including at least one member of the storm water pollution prevention team?	<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?	<input checked="" type="checkbox"/> Y	N

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"/> Y	<input type="checkbox"/> N	
Does the SWPPP contain procedures for conducting effluent limitations guidelines monitoring?	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	
Does the SWPPP contain a procedure for other monitoring (state or tribal specific; impaired waters; other as required)	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	
Are samples analyzed in accordance with 40 CFR Part 136 methods?	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	Sample taken to lab.
Benchmark Monitoring			
Does the monitoring consist of a sample collected: <ul style="list-style-type: none"> • Within the first 30 minutes of discharge NO • On discharges that occur at least 72 hours (3 days) from the previous discharge YES • Document the date and duration (in hours) of the rainfall event, rainfall total (snow - date only) for that rainfall NO • Prior to commingling. NO 	Y	<input checked="" type="checkbox"/> N	Site appears to discharge constantly ground water mixed with any rainfall.
Is monitoring conducted during each of the first four full quarterly (calendar) monitoring periods following permit coverage?	Y	<input checked="" type="checkbox"/> N	Samples take on 12/2010 and 3/2011
Is the average of the first four quarterly samples < the parameter benchmark?	Y	<input checked="" type="checkbox"/> N	Nitrate plus nitrite nitrogen benchmark testing required, sample taken on 12/2010. Sample tested 3.687 mg/l benchmark monitoring concentration in permit is 0.68 mg/l. Sample taken on 3/2011 tested no detection. The average of two tests still exceeds benchmark. The TSS results for the first sample tested 96.0 mg/l and 23.0 mg/l in the second sample. The benchmark limit for TSS is 100.0 mg/l.

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 NO • Continue quarterly monitoring NO • Determine and document that no further pollutant reductions are technologically available and economically practicable and achievable, continue monitoring once per year, notify EPA NO • Natural background pollutant level documentation NO 	Y	<input checked="" type="checkbox"/>	
<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"/>	
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?	<input checked="" type="checkbox"/>	N	
Is the annual report submitted by 45 days after conducting the comprehensive site inspection?	Y	<input checked="" type="checkbox"/>	No documentation to suggest report was submitted.
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"/>	Second sample did not exceed the numeric limit however the average of the two samples still exceeded the benchmark limit.

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>All processing of raw materials, loading and unloading, and equipment fueling are done outdoors. Facility is bermed to prevent run on of sheet flow from outside property around site. Oils and other maintenance products are housed in secure area.</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>Procedures are listed in SWPPP; materials are marked, site is orderly.</p>
<p>Preventative maintenance</p>	<p><i>(e.g., regular inspections, testing, maintenance, and repair of all industrial equipment and systems, and control measures, and back-up practices should a runoff event occur while a control measure is off-line)</i></p> <p>SOP's present for the repair and preventative maintenance completed on site.</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>Spill procedures and response are discussed in SWPPP. No documentation in SWPPP of any spill event occurring. Emergency numbers and contact personnel listed in SWPPP.</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>Site is open to rainwater, BMP's in place to collect, slow, and detain rainwater to before draining off site. Berms in place to prevent on flow of rainwater from outside site.</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>See above.</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>

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>Waste container on site to collect garbage, site appeared free of debris and ordered.</p>
Evidence of non-storm water discharges	<p>Site appears to discharge groundwater continually.</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 use of water truck spraying the area.</p>

Notes on SWPPP Implementation and Sector Specific Requirements

Per the permit Part 6.1.2 Commingled Discharges.

“If discharges authorized by this permit commingle with discharges not authorized under this permit, any required sampling of the authorized discharges must be performed at a point before they mix with other waste streams, to the extent practicable.”

Per the permit Part 8-Section-Specific Requirements for Industrial Activity, 8.J.1. Covered Discharges from Active and Temporarily Inactive Facilities.

“All stormwater discharges, except for most stormwater discharges subject to the existing effluent limitation guideline at 40 CFR Part 436. Mine dewatering discharges composed entirely of stormwater or uncontaminated ground water seepage from: construction sand and gravel, industrial sand, and crushed stone mining facilities in Regions 1, 2, 3, 6, 9, and 10 are covered by this permit.”

Per 8.J.3.10 Uncontaminated – *“Free from the presence of pollutants attributable to industrial activity.”*

6.2.1.2 Benchmark Monitoring Schedule.

“Benchmark monitoring must be conducted quarterly, as identified in Part 6.1.7, for your first 4 full quarters of permit coverage commencing no earlier than April 1, 2009. Facilities in climates with irregular stormwater runoff, as described in Part 6.1.6, may modify this quarterly schedule provided that this revised schedule is reported to EPA when the first benchmark sample is collected and reported, and that this revised schedule is kept with the facility’s SWPPP as specified in Part 5.4.”

Subpart C—Construction Sand and Gravel Subcategory

SOURCE: 42 FR 35850, July 12, 1977

§ 436.31 Specialized definitions

(b) The term “mine dewatering” shall mean any water that is impounded or that collects in the mine and is pumped, drained or otherwise removed from the mine through the efforts of the mine operator. This term shall also include wet pit overflows caused solely by direct rainfall and ground water seepage. However, if a mine is also used for treatment of process generated waste water, discharges of commingled water from the mine shall be deemed discharges of process generated waste water.

Finding

- The facility has a number of channels crossing the active and inactivity parts of the facility (see site overview). One channel diverts irrigation water around the facility and another appears to drain ground water or “mine dewatering” from the site, see above definition. This is allowed under the permit if it is not contaminated or commingled with process water.
- The facility has a containment pond to separate process water from groundwater. The containment berms appeared to have failed, see inspection **NMU001831** completed on December 6, 2012.
- The permit requires benchmark sampling the first four quarterly to see what is discharging from the site no documents were found to suggest this requirement has been satisfied.
- Samples are taken downstream of this commingling.
- Per above 6.2.1.2, the NOI was signed on 10/2009 the first sample was taken on January 2011. The result for Nitrate plus Nitrite Nitrogen was 3.687 mg/l; the benchmark monitoring concentration is 0.68 mg/l for subsector J1. A second sample was taken in April 2011 that resulted in a Not Detected result. The average of these two samples is above the benchmark limit.

**NMED/SWQB
Site Overview**

City/County: Los Ojos/Rio Arriba County	
Location: Russell Sand & Gravel, Company, 150 County Rd. 340, Los Ojos, NM	
Subject: Overview of the facility.	



Discharge enters Rio Chama

Sand wash area, pond to contain process water, channel joins discharge stream.

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

Photographer: Daniel Valenta	Date: 12/6/2012	Time: 1255
City/County: Los Ojos/Rio Arriba County		
Location: Russell Sand & Gravel, Company, 150 County Rd. 340, Los Ojos, NM, facing southwest.		
Subject: Containment pond is alongside discharge channel to river.		



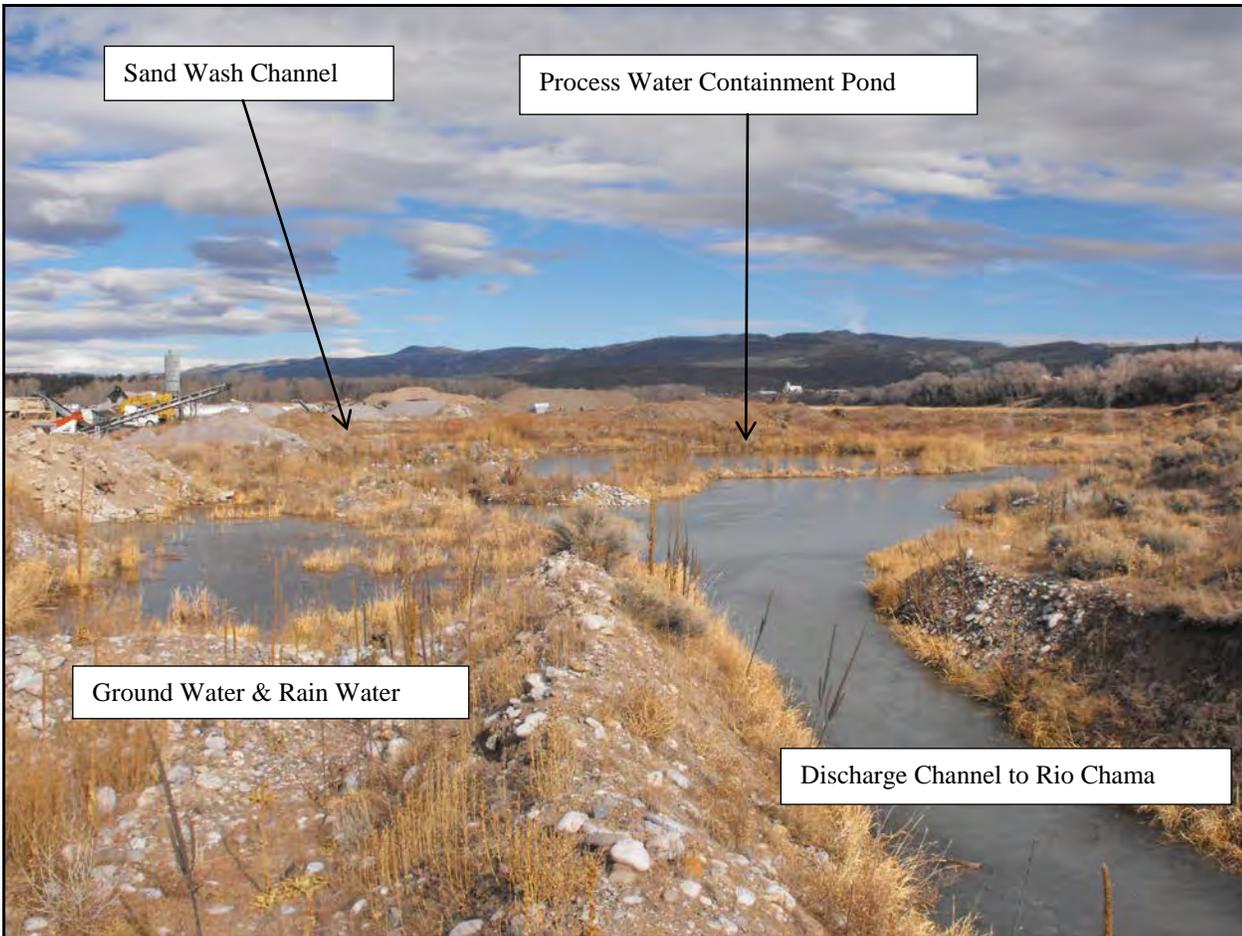
**NMED/SWQB
Official Photograph Log
Photo # 2**

Photographer: Daniel Valenta	Date: 12/6/2012	Time: 1256
City/County: Los Ojos/Rio Arriba County		
Location: Russell Sand & Gravel, Company, 150 County Rd. 340, Los Ojos, NM, facing southwest.		
Subject: Containment pond appeared to be flowing into the discharge channel.		



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

Photographer: Daniel Valenta	Date: 12/6/2012	Time: 1231
City/County: Los Ojos/Rio Arriba County		
Location: Russell Sand & Gravel, Company, 150 County Rd. 340, Los Ojos, NM, facing southeast.		
Subject: View of area before flowing to discharge point.		



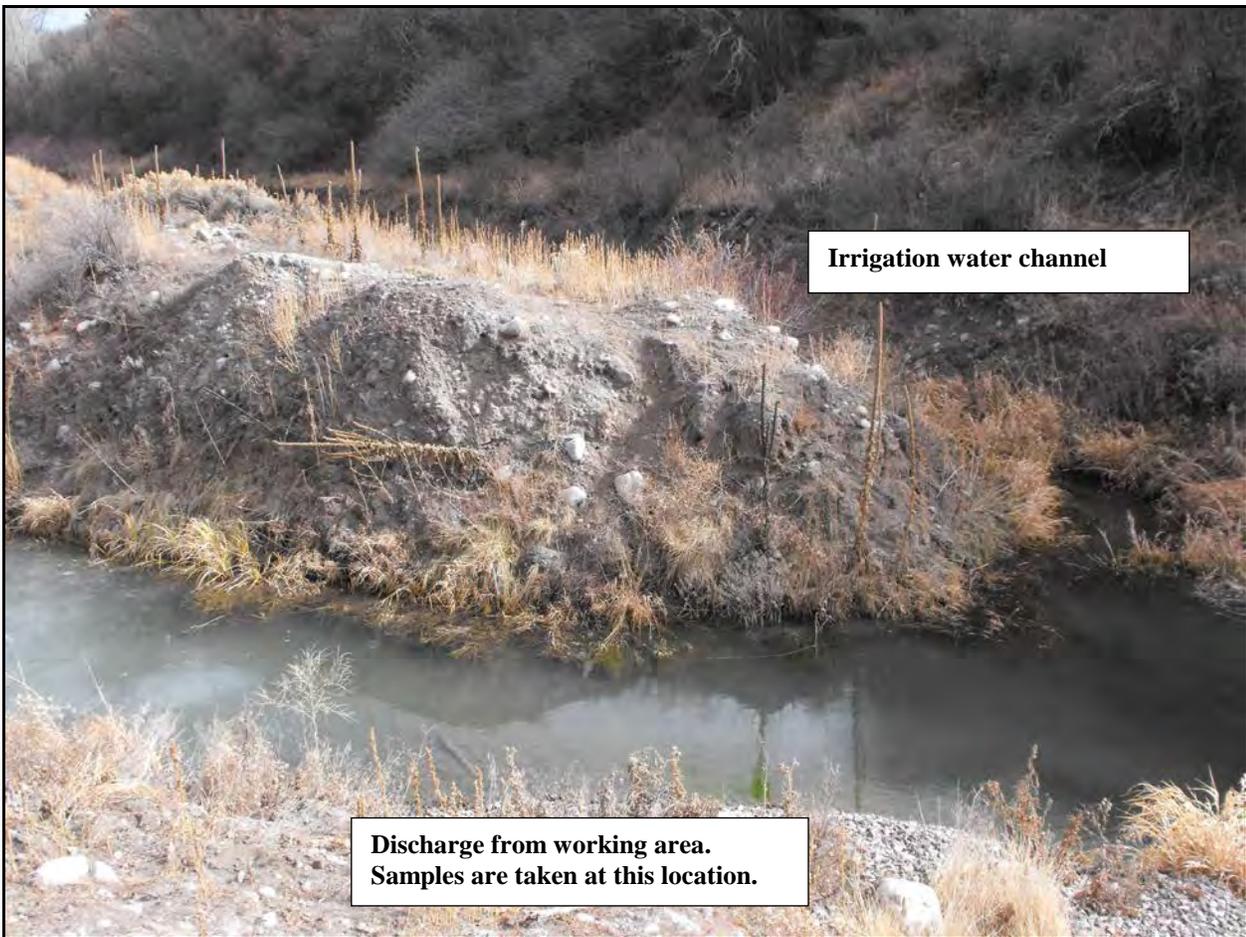
**NMED/SWQB
Official Photograph Log
Photo # 4**

Photographer: Daniel Valenta	Date: 12/6/2012	Time: 1259
City/County: Los Ojos/Rio Arriba County		
Location: Russell Sand & Gravel, Company, 150 County Rd. 340, Los Ojos, NM, facing northeast.		
Subject: Working area of facility, groundwater is exposed to contaminates, breach on berm allows release to discharge channel.		



**NMED/SWQB
Official Photograph Log
Photo # 5**

Photographer: Daniel Valenta	Date: 12/6/2012	Time: 1228
City/County: Los Ojos/Rio Arriba County		
Location: Russell Sand & Gravel, Company, 150 County Rd. 340, Los Ojos, NM, facing southeast.		
Subject: The irrigation bypass channel joins the channel that drains the above working area.		



**NMED/SWQB
Official Photograph Log
Photo # 6**

Photographer: Daniel Valenta	Date: 12/6/2012	Time: 1217
City/County: Los Ojos/Rio Arriba County		
Location: Russell Sand & Gravel, Company, 150 County Rd. 340, Los Ojos, NM, facing west.		
Subject: Channel discharges to the Rio Chama, see overview.		



QA/QC SUMMARY REPORT

Client: Mustafa D. Chudnoff Consult
 Project: RSG-SWPPP

Work Order: 1012824

Analyte	Result	Units	PQL	SPK Val	SPK ref	%Rec	LowLimit	HighLimit	%RPD	RPDLimit	Qual
Method: EPA Method 200.7: Metals											
Sample ID: 1012824-02BMSD		MSD									
Iron	1.538	mg/L	0.10	0.5	0.7854	150	70	130	1.91	20	S
Sample ID: MB-25039		MBLK									
Iron	ND	mg/L	0.020								
Sample ID: LCS-25039		LCS									
Iron	0.5099	mg/L	0.020	0.5	0	102	85	115			
Sample ID: 1012824-02BMS		MS									
Iron	1.509	mg/L	0.10	0.5	0.7854	145	70	130			S

Method: EPA Method 300.0: Anions											
Sample ID: MB		MBLK									
Nitrate (As N)+Nitrite (As N)	ND	mg/L	0.20								
Sample ID: LCS		LCS									
Nitrate (As N)+Nitrite (As N)	3.687	mg/L	0.20	3.5	0	105	90	110			

Method: OIL and GREASE											
Sample ID: MB-24999		MBLK									
Oil & Grease, Total Recoverable	ND	mg/L	1.0								
Sample ID: LCS-24999		LCS									
Oil & Grease, Total Recoverable	4.930	mg/L	1.0	5	0	98.6	79.3	109			
Sample ID: LCSD-24999		LCSD									
Oil & Grease, Total Recoverable	4.680	mg/L	1.0	5	0	93.6	79.3	109	5.20	14.2	

Method: SM 2540D: TSS											
Sample ID: MB-24988		MBLK									
Suspended Solids	ND	mg/L	10								
Sample ID: LCS-24988		LCS									
Suspended Solids	96.00	mg/L	10	96.6	0	99.4	82.9	110			

Qualifiers:

- E Estimated value
- J Analyte detected below quantitation limits
- ND Not Detected at the Reporting Limit
- H Holding times for preparation or analysis exceeded
- NC Non-Chlorinated
- R RPD outside accepted recovery limits

Hall Environmental Analysis Laboratory, Inc.

Date: 14-Apr-11

CLIENT: Mustafa D. Chudnoff Consult **Client Sample ID:** Los Ojos
Lab Order: 1103884 **Collection Date:** 3/22/2011 9:55:00 AM
Project: Los Ojos SWPPP **Date Received:** 3/23/2011
Lab ID: 1103884-01 **Matrix:** AQUEOUS

Analyses	Result	PQL	Qual	Units	DF	Date Analyzed
EPA METHOD 300.0: ANIONS						
Nitrate (As N)+Nitrite (As N)	ND	1.0		mg/L	5	Analyst: SRM 4/5/2011 6:01:57 PM
EPA METHOD 200.7: METALS						
Iron	0.48	0.020		mg/L	1	Analyst: RAGS 4/1/2011 10:38:45 AM
OIL AND GREASE						
Oil & Grease, Total Recoverable	ND	1.0		mg/L	1	Analyst: LRW 3/28/2011
SM4500-H+B: PH						
pH	8.12	0.100		pH units	1	Analyst: LJB 3/24/2011 5:47:00 PM
SM 2540D: TSS						
Suspended Solids	23	10		mg/L	1	Analyst: KS 3/24/2011 11:44:00 AM

Qualifiers:

- * Value exceeds Maximum Contaminant Level
- E Estimated value
- J Analyte detected below quantitation limits
- NC Non-Chlorinated
- PQL Practical Quantitation Limit
- B Analyte detected in the associated Method Blank
- H Holding times for preparation or analysis exceeded
- MCL Maximum Contaminant Level
- ND Not Detected at the Reporting Limit
- S Spike recovery outside accepted recovery limits