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NEW MEXICO  
ENVIRONMENT DEPARTMENT

*Surface Water Quality Bureau*

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RON CURRY  
Secretary  
SARAH COTTRELL  
Deputy Secretary

September 14, 2010

Jim Mitchell, President  
J & H Services, Inc.  
516 Martinez Lane  
Albuquerque, NM 87107

**RE: Construction Storm Water, SIC 1623, NPDES Compliance Evaluation Inspection, J & H Services, Inc., Sangre De Cristo Regional MDWC & MSWA Water System Phase 3, NMR10H157, Anton Chico, New Mexico, September 7, 2010**

Dear Mr. Mitchell:

Enclosed, please find a copy of the report for the referenced inspection that the New Mexico Environment Department (NMED) Surface Water Quality Bureau (SWQB) conducted at a construction site for which you may be an "operator" (see Construction General Permit (CGP), Definitions, Appendix A). The NMED conducted this inspection 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 worksheet 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 Avenue, Dallas, Texas 75202-2733) and NMED Surface Water Quality Bureau Program Manager (address above) regarding modifications and compliance schedules.

I appreciate the cooperation of J & H Services, Inc. staff during the inspection. If you have any questions about this inspection report, please contact me at (505) 827-0418.

Sincerely,

/s/ Erin S. Trujillo  
Erin S. Trujillo  
Surface Water Quality Bureau

cc: Marcia Gail Adams, EPA (6EN-AS) by e-mail  
Samuel Tate, EPA (6EN-AS) by e-mail  
Carol Peters-Wagnon, EPA (6EN-WM) by e-mail  
Diana McDonald, USEPA (6EN-WM) by e-mail  
Robert Italiano NMED District II Manager by e-mail  
Manual Baca, Projects Coordinator, County of Guadalupe by e-mail (mbaca@guadco-nm.us)  
Jennifer White, Project Manager, J & H Services Inc. by e-mail (jhserv@msn.com)



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   1   0   H   1   5   7   11   12   1   0   0   9   0   7   17   18   }   19   S   20   2					
Remarks					
C   O   N   S   T   R   U   C   T   I   O   N   >   5   A   C   R   E   S					
Inspection Work Days	Facility Evaluation Rating	BI	QA	Reserved	
67       69	70   1	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) Sangre De Cristo Regional Mutual Domestic Water Consumers and Mutual Sewage Works Association (MDWC & MSWA) Water System Phase 3. From I-25, travel US 84 South, Take NM 386 west approx. 3 mi to dirt road before Pecos River bridge crossing (construction sand mining/borrow area). Water utility project is along NM 386 from approx. MP 5 (County Line) to and throughout Anton Chico, New Mexico. Guadalupe County and San Miguel County	Entry Time /Date <b>1032 hours / 09/07/2010</b>	Permit Effective Date June 30, 2008
	Exit Time/Date <b>1449 hours / 09/07/2010</b>	Permit Expiration Date June 30, 2011
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) -Alveno Horn and Leroy Mora, J & H Services, Inc. -Rolando Molinar / Proj. Superintendent, J & H Services, Inc. / 505-896-9428 & cell 575-512-6927 -Ricky Chavez / Inspector, Souder Miller & Associates, Inc., 1201 Parkway Dr, Santa Fe, NM 87507	Other Facility Data Central Location (Guadalupe Co): Latitude N35.1981° Longitude W105.1400°	
Name, Address of Responsible Official/Title/Phone and Fax Number -Jim Mitchell, J & H Services, Inc., 516 Martinez Lane NE, Albuquerque, New Mexico 87107 / President / 505-896-9428, cell 250-7673, fax 896-9429	Contacted Yes <input type="checkbox"/> * No <input type="checkbox"/>	Mining/Borrow Area (San Miguel Co.): Latitude N35.23847° Longitude W105.16373°  SIC 1623 (Primary Code for Construction Activity)

#### Section C: Areas Evaluated During Inspection

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

M	Permit	N	Flow Measurement	N	Operations & Maintenance	N	CSO/SSO
U	Records/Reports	N	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)

- Owner/Developer – County of Guadalupe (NPDES Tracking No. NMU001677)  
General Contractor – J & H Services, Inc. (NPDES Tracking No. NMR10H157)
- A Compliance Evaluation Inspection (CEI) was conducted by Erin S. Trujillo of the NMED SWQB on September 7, 2010 at the above-referenced water utility system construction project in Anton Chico, New Mexico and supporting construction sand mining/borrow area in Tecolote Creek upstream and adjacent to the Pecos River. This report is based on a review of the EPA online notice of intent (eNOI) database, review of files maintained by the Permittee and NMED, on-site observation by NMED personnel, and verbal information provided by the permittee and operator's representatives.
- See attached worksheet with notes and photo log. A separate EPA Form 3560-3 report will be submitted for each owner/operator.

Name(s) and Signature(s) of Inspector(s) <b>Erin S. Trujillo</b>	Agency/Office/Telephone/Fax <b>NMED/SWQB/505-827-0418/505-827-0160</b>	Date <b>09/14/2010</b>
/s/ Erin S. Trujillo		
Signature of Management QA Reviewer <b>Richard E. Powell /s/ Richard E. Powell</b>	Agency/Office/Phone and Fax Numbers <b>NMED/SWQB/505-827-2798/505-827-0160</b>	Date <b>09/14/2010</b>

## NPDES Industrial Storm Water Worksheet (Construction)

National Database Information				General			
Inspection Type	Compliance Inspection			Inspector Name	Erin S. Trujillo		
NPDES ID Number	NMR10H157 and NMU001677			Telephone	505-827-0418		
Inspection Date	09/07/2010			Entry Time	1032 hours		
Inspector Type <i>(circle one)</i>	EPA	<input type="checkbox"/> State	EPA Oversight	Exit Time	1449 hours		
Facility Type <i>(circle one)</i>	Commercial/ Industrial	Residential	<input type="checkbox"/> Municipal	Signature	/s/ Erin S. Trujillo		
Facility Location Information							
Name/Location/ Mailing Address	Sangre De Cristo Regional Mutual Domestic Water Consumers and Mutual Sewage Works Association (MDWC & MSWA) Water System Phase 3, Anton Chico, NM						
GPS Coordinates	Latitude	N35.1981°	Longitude	W105.1400°			
Receiving Water(s)	Tecolote Creek and Cañon de Oso, thence to Pecos River (20.6.4.211 NMAC) in the Pecos Headwaters Basin						
Disturbed Area	~17 ac	Start Date	07/10/2010	Stop Date	03/18/2011		
Contact Information							
	Name(s)			Telephone			
Name(s) and Role(s) of All Parties Meeting the Definition of Operator	-Guadalupe County (Owner/Developer) -J & H Services, Inc. (Operator/Gen. Contractor)			575-472-3306 505-896-9428			
Facility Contact	-Manuel Baca, Proj Coordinator, Guadalupe Co. -Jennifer White, Proj Manager, J&H Services, Inc.			575-472-3306 505-263-6625			
Authorized Official(s)	-Andy Madrid, Manager, Guadalupe Co. -Jim Mitchell, President, J&H Services, Inc.			505-472-3306 505-896-9428			
Site Information: <i>(circle all that apply)</i>							
Nature of Project	<input type="checkbox"/> Residential	<input type="checkbox"/> Commercial/ Industrial	<input type="checkbox"/> Roadway	<input type="checkbox"/> Private	<input type="checkbox"/> Federal	<input checked="" type="checkbox"/> State/ <input checked="" type="checkbox"/> Municipal	<input type="checkbox"/> Other
Construction Stage	<input type="checkbox"/> Clearing/ Grubbing	<input type="checkbox"/> Rough Grading	<input checked="" type="checkbox"/> Infrastructure	<input type="checkbox"/> Building Const.	<input type="checkbox"/> Final Grading	<input type="checkbox"/> Final Stabilization	
Basic Permit Information				Basic SWPPP Information			
Permit Coverage <i>ESO Element 3 &amp; 4</i>	<input checked="" type="checkbox"/> Y NMR10H157	<input type="checkbox"/> N NMU001677		SWPPP Prepared & Available <i>ESO Element 5 &amp; 30</i>	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	
Permit Type	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Individual		SWPPP Contents Satisfactory <i>ESO Elements 5 - 31</i>	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N	
Permit notice/sign visibly posted including: copy of NOI, contact name & phone number, location of SWPPP <i>ESO Element 41</i>	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N		SWPPP Implementation Satisfactory <i>ESO Elements 32 - 48</i>	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N	
NOI Date	07/07/2010 NMR10H157	No NOI NMU001677		SWPPP Date	06/24/2010		
If applicable, is waiver certification & approval on file?	<input type="checkbox"/> Y	<input type="checkbox"/> N		<i>Intentionally left blank</i>			

## NPDES Industrial Storm Water Worksheet (Construction)

<b>SWPPP Review</b> <i>(can be completed in office)</i>			
<u>General</u>	<b>Notes:</b>		
Is there a SWPPP? <i>ESO Element 4</i>	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	SWPPP prepared by Ryan Jones, Inspections Plus, Inc., Albuquerque, New Mexico
SWPPP completed prior to NOI submission? <i>ESO Element 5</i>	Y	<input checked="" type="checkbox"/> N	County of Guadalupe did not complete SWPPP. J & H Services, Inc. completed (signed/certified) SWPPP on 07/12/2010, but not prior to submitting an NOI.
Copy of permit language? <i>ESO Element 24</i>	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	
Is SWPPP consistent with state/tribal/local regulations and permits? <i>ESO Element 25</i>	Y	<input checked="" type="checkbox"/> N	SWPPP did include documentation consistent with NM certification requirements in CGP Part 10.D.1.b (use of appropriate soil loss prediction models) for utility project. But, predictions were not re-run to incorporate construction sand mining/borrow area.
SWPPP updated to incorporate changes to State, Tribal, Local erosion plans? <i>ESO Element 26</i>	Y	<input checked="" type="checkbox"/> N	During construction soil loss predictions were based on dirt berms that were not installed. SWPPP was also not updated for added construction sand mining/borrow area to document implementation of NM certification requirements in CGP Part 10.D.1.b (i.e., rationale for selecting, design, implementation, and maintenance of BMPs was not specified).
Have copies of inspection reports/all other documentation been retained as part of the SWPPP for 3 years from date permit coverage expires? <i>ESO Element 27</i>	Y	<input checked="" type="checkbox"/> N	SWPPP did not have J & H Services, Inc. operator signature/certification page or EPA authorization letter (permit coverage beginning on 07/14/2010).
Is a copy of the SWPPP on site or made available? <i>ESO Element 29</i>	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	
Did all "operators" sign/certify the SWPPP? <i>ESO Element 30</i>	Y	<input checked="" type="checkbox"/> N	N – County of Guadalupe Y – J & H Services, Inc.
<u>Site Description</u>	<b>Notes:</b>		
SWPPP identifies potential sources of pollution? <i>ESO Element 6</i>	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	
SWPPP identifies all operators and their areas of control? <i>ESO Element 7</i>	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	
Is there a site description? <i>ESO Element 8</i>	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	
Nature/sequence of construction activity? <i>ESO Element 8A – 8B</i>	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	
Total area of site and total area to be disturbed? <i>ESO Element 8C</i>	Y	<input checked="" type="checkbox"/> N	SWPPP provided estimated disturbance (14.5 acres for water utility construction), but was not updated with construction sand mining/borrow area (~2.5 acres)
Is there a general location map? <i>ESO Element 8D</i>	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	
Is there a site map? <i>ESO Element 8E</i>	Y	<input checked="" type="checkbox"/> N	Site map(s) not updated with support activities, in this case, excavated material borrow and disposal in Tecolote Creek and disturbance adjacent to Pecos River.

## NPDES Industrial Storm Water Worksheet (Construction)

<u>Site Description (cont'd)</u>			Notes:
Drainage patterns/outfalls on site map? <i>ESO Element 8F</i>	Y	<input type="checkbox"/>	Not updated.
Area of soil disturbance on site map? <i>ESO Element 8F</i>	Y	<input type="checkbox"/>	Not updated.
Location of major structural controls on site map? <i>ESO Element 8F</i>	Y	<input type="checkbox"/>	Not updated.
Location of storm water discharges to a surface water on site map? <i>ESO Element 8F</i>	Y	<input type="checkbox"/>	Not updated.
Location of materials or equipment storage on site map (on-site or off-site)? <i>ESO Element 8F</i>	Y	<input type="checkbox"/>	Not updated.
Location/description industrial activities? <i>ESO Element 8G</i>	Y	<input type="checkbox"/>	Not updated.
Name of Receiving water(s) or MS4 listed?	<input checked="" type="checkbox"/>	N	<i>Note: Indicate whether receiving water is 303(d) listed. Both Tecolote Creek &amp; Cañon de Oso are tributaries of Pecos River. Pecos River from Santa Rosa Reservoir to Tecolote Creek does not support marginal warmwater aquatic life w/listed probable causes of impairment due to sedimentation/siltation (TMDL 2004).</i>
Does the SWPPP include dates of major grading activities, temporary/permanent construction cessation, and initiation of stabilization practices? <i>ESO Element 13</i>	Y	<input type="checkbox"/>	Exploratory potholing started 07/10/2010; and utility construction and sand mining/borrow area disturbance started on approximately 07/20/10 according to on-site permittee representative.
Endangered Species Documentation? <i>ESO Element 22</i>	Y	<input type="checkbox"/>	J & H Services, Inc. certified NOI under criterion E. SWPPP did not document that endangered species eligibility obligations were still satisfied for additional construction sand mining/borrow area activities.
<u>Controls to Reduce Pollutants</u>			Notes:
Does the SWPPP include a description of all pollution control measures (BMPs) that will be implemented to control pollutants in storm water discharges, including sequence and which operator responsible for implementation? <i>ESO Element 9 A - C</i>	Y	<input type="checkbox"/>	See notes below on stabilization.
Does the SWPPP include a description of interim and permanent <i>stabilization practices</i> (e.g., seeding, mulching, riprap for the site)? <i>ESO Element 10; 11</i>	Y	<input type="checkbox"/>	See additional notes on SWPPP review below.

## NPDES Industrial Storm Water Worksheet (Construction)

<b>Controls to Reduce Pollutants (cont'd)</b>	<b>Notes:</b>		
Does the SWPPP identify the contractor(s) and timing by which <i>stabilization practices</i> will be implemented? <i>ESO Element 12</i>	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	See additional notes on SWPPP review below.
Does the SWPPP include a description of <i>structural practices</i> (e.g., vehicle track-out, silt fences, sediment traps, storm drain inlet protection) for the site? <i>ESO Element 14</i>	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	
Does the SWPPP identify the contractor(s) and timing by which <i>structural practices</i> will be implemented? <i>ESO Element 10B - 10C</i>	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	
Does the SWPPP identify storm water management measures to address storm water runoff once the construction is completed (e.g., retention ponds, velocity dissipation controls)? <i>ESO Element 15</i>	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	
Does SWPPP describe measures to prevent discharge of dredge/fill materials to waters of the U.S.? Does site have 404 permit? <i>ESO Element 16</i>	Y	<input checked="" type="checkbox"/> N	Control measures described in SWPPP were intended to cover any temporary support activity, but there were no measures described for discharge of solid materials, in this case, stockpiling of borrow and waste sand and gravel, in Tecolote Creek. There was no documentation that discharge of dredged or fill material was authorized by a Section 404 permit. Also, there was no documentation in SWPPP if possible fill materials from the construction of the utility line through Cañon de Oso (NM 386 near MP 5) would be authorized by a Section 404 permit.
Does SWPPP describe measures to minimize off-site vehicle tracking and generation of dust? <i>ESO Element 17</i>	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	
Does SWPPP describe controls for pollutants from storage of construction or waste materials? <i>ESO Element 18</i>	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	
Does the SWPPP describe controls for pollutants from non-construction activities? <i>ESO Element 19</i>	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	
Does SWPPP identify allowable non-storm water discharges? <i>ESO Element 20</i>	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	
Does SWPPP ensure implementation of pollution prevention measures for non-storm water discharges? <i>ESO Element 21</i>	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	
Is SWPPP revised when BMPs added/modified within 7 days after inspection reveals problems? <i>ESO Element 28</i>	Y	<input type="checkbox"/> N	No inspections documented. See additional notes below.

## NPDES Industrial Storm Water Worksheet (Construction)

<u>Inspections</u>			<b>Notes:</b>
Inspections performed once every 7 days, or every 14 days within 24 hours of a rain event greater 0.5"? <i>ESO Element 31</i>	Y	<input checked="" type="checkbox"/> N	No inspections. From the date of initial potholing disturbance on 07/10/2010 according to on-site permittee representatives to the date of this inspection, four (4) inspections should have been performed including one within 24 hours of a rain event greater than 0.5".  Based on rainfall information provided by the on-site construction inspector, one rain event (approximately 2 inches) occurred in August of 2010. This information is consistent with archived radar in the area readily available at <a href="http://www.weatherunderground.com">http://www.weatherunderground.com</a> for August 23, 2010.
Inspections performed by qualified personnel? <i>ESO Element 32</i>	Y	<input checked="" type="checkbox"/> N	No inspections.
All disturbed areas and/or used for storage and exposed to rain inspected? <i>ESO Element 33</i>	Y	<input checked="" type="checkbox"/> N	No inspections.
All pollution control measures inspected to ensure proper operation? <i>ESO Element 34</i>	Y	<input checked="" type="checkbox"/> N	No inspections.
All discharge locations inspected if accessible, or if not accessible, are nearby downstream locations inspected? <i>ESO Element 35; 36</i>	Y	<input checked="" type="checkbox"/> N	No inspections.
Entrance/exit inspected for off-site tracking? <i>ESO Element 37</i>	Y	<input checked="" type="checkbox"/> N	No inspections.
Inspection report contain all required items and certified? <i>ESO Element 38; 39</i>	Y	<input checked="" type="checkbox"/> N	No inspections.

## NPDES Industrial Storm Water Worksheet (Construction)

### Notes on SWPPP Review

Upon arrival at J & H Services, Inc. construction sand mining/borrow area in Tecolote Creek and adjacent to Pecos River at 1032 hours on September 7, 2010, the inspector made introductions, presented credentials and explained purpose of the inspection to Mr. Horn and Mr. Mora. Upon Mr. Molinar's arrival, the inspector made introductions, presented credentials, explained purpose of the inspection, and toured the construction sand mining/borrow area. Before leaving the construction sand mining/borrow area, the inspector discussed preliminary findings with the on-site permittee representatives. The inspector toured the water utility construction project including the equipment and material yard in Anton Chico with Mr. Molinar. Preliminary findings were discussed with Mr. Mitchell and Ms. White by telephone and Mr. Molinar on-site throughout the inspection. The inspector left the site at approximately 1449 hours on the day of the inspection. The inspector discussed preliminary findings by telephone with Mr. Baca and in a follow up telephone call with Ms. White on September 8, 2010.

County of Guadalupe is the owner/developer of the Sangre De Cristo Regional Mutual Domestic Water Consumers and Mutual Sewage Works Association (MDWC & MSWA) Water System Phase 3 construction activity having operational control over construction plans and specifications. The County of Guadalupe contracted with a consultant (Souder Miller & Associates, Inc.) for inspection oversight during construction. J & H Services, Inc. is the general contractor with day to day operational control. On-site permittee representatives stated that Souder Miller & Associates, Inc. was to conduct SWPPP inspections; however, qualifications of Souder Miller & Associates, Inc. inspectors was not documented in SWPPP.

J & H Services, Inc. obtained a permit from the Board of Trustee's of the Anton Chico Land Grant to remove sand in Tecolote Creek. Based on information provided by on-site permittee representatives, construction sand mining/borrow activities were dedicated to the construction activities for the Sangre De Cristo Regional MDWC & MSWA Water System Phase 3 project. The construction sand mining/borrow activities would not serve multiple unrelated construction projects by different operators and would not extend beyond the completion of the water utility project.

SWPPP did not describe interim stabilization, in this case soil tackifier; or permanent stabilization measures estimated to be completed by 03/15/2011. The 2008 CGP states, *"In arid and semi-arid areas only, all soil disturbing activities at the site have been completed and both of the following criteria have been met: a. Temporary erosion control measures (e.g., degradable rolled erosion control product) are selected, designed, and installed along with an appropriate seed base to provide erosion control for at least three years without active maintenance by you, b. The temporary erosion control measures are selected, designed, and installed to achieve 70 percent vegetative coverage within three years."* Permittees can use temporary erosion controls as described in item 3 of the Appendix A definition of "Final Stabilization" as a method for final stabilization under the permit only under additional State of New Mexico certification requirements in Part 9.D.1.f. The 2008 CGP states, *"You must implement the control measures from commencement of construction activity until final stabilization is complete."*

# NPDES Industrial Storm Water Worksheet (Construction)

<b>SWPPP Implementation</b> <i>(complete in field)</i>	
<b><u>Stabilization Practices</u></b>	
<p><b>List and describe stabilization practices</b> <i>ESO Element 42, 48</i></p>	<p><i>(e.g., seeding, mulching, geotextiles, sod stabilization)</i></p> <p>Except for a few pavement crossings which have been replaced, no other stabilization practices were observed.</p>
<p><b>Are stabilization measures initiated no more than 14 days after temporary or permanent construction cessation?</b> <i>ESO Element 45</i></p>	<p><i>(e.g., indicate "yes" or "no"; if "yes", how long without stabilization measures?)</i></p> <p>Construction had not ceased more than 14 days based on information provided by the on-site permittee representative.</p>
<b><u>Structural Practices</u></b>	
<p><b>List and describe structural controls</b> <i>ESO Element 41, 42, 46</i></p>	<p><i>(e.g., silt fences, hay bales, storm drain inlet protection, sedimentation pond, rip rap, check dam, diversion structure, off-site vehicle track-out)</i></p> <p>No structural controls observed.</p> <p>Dirt berms shown on the SWPPP site map (down sloped side of disturbance) and berms w/mulch socks placed at down slope sides of debris piles described in SWPPP were not installed. No other structural controls (e.g., sediment basins, temporary swales, sedimentation ponds) to address increased stormwater runoff along disturbed areas was observed.</p>

## NPDES Industrial Storm Water Worksheet (Construction)

<b><u>Non-Structural Practices</u></b>	
<b>Street Cleaning</b> <small>ESO Element 43</small>	<small>(e.g., describe measures taken to remove offsite accumulation of sediment)</small> No substantial sediment accumulation on NM 386 was observed.
<b>Good Housekeeping &amp; Waste Disposal Practices</b> <small>ESO Element 44</small>	<small>(e.g., describe measures taken to prevent litter and debris from becoming a pollutant source)</small> No windblown trash or litter was observed. A dumpster near the equipment and material storage yard was used by the general contract to dispose of construction trash according to on-site permittee representative. Sanitary and toilet facilities were provided at housing rented by the general contractor.
<b>Equipment Wash/Maintenance Area</b> <small>ESO Elements 42</small>	<small>(provide brief description)</small> No equipment wash observed. On-site representatives stated that heavy equipment (front end loader and dump trucks) was not parked overnight in Tecolote Creek. No oil or grease spills were observed in Tecolote Creek or adjacent to the Pecos River. A mobile re-fueling truck in the equipment and material storage yard provided some protection from elements and included a trough to collect small spills from nozzles and hoses. However, no spill kits or drip pans as described by the SWPPP were on-site.  Small oil spills on the ground were observed near the mobile re-fueling truck and an a hose was on the ground unprotected from vehicle traffic (See Photo #6). Oil and grease spills need to be removed and properly disposed to prevent chemicals that could be exposed to stormwater from becoming a pollutant source in stormwater discharges.
<b>Concrete Washout Areas</b> <small>ESO Elements 42</small>	<small>(provide brief description)</small> No concrete washout observed.
<b><u>Miscellaneous</u></b>	
<b>Evidence of Sediment Deposition to Surface Waters</b> <small>*ESO Eligibility - if "yes," site not eligible for ESO</small>	<small>(e.g., significant turbidity observed in a receiving water body)</small> Tecolote Creek was not flowing on the day of the inspection and there was no significant turbidity observed in the Pecos River at the confluence with Tecolote Creek. But, sediment deposition from construction sand mining/borrow activities and stockpiling had occurred in the watercourse of Tecolote Creek.
<b>Pollution prevention measures for non-storm water discharges?</b> <small>*ESO Eligibility - If evidence of non-allowable non-storm water discharges, site not eligible for ESO</small>	<small>(provide brief description and determine whether/if non-storm water discharges allowable)</small> No non-stormwater discharges observed.
<b>Has implementation of additional/modified BMPs been completed before next anticipated storm event?</b> <small>ESO Element 43.C.1</small>	<small>(provide brief description)</small> No. Construction activities were occurring in the Tecolote Creek watercourse and near the Pecos River. It would not be unreasonable to anticipate rain events (summer thunderstorms) from July through September.

## NPDES Industrial Storm Water Worksheet (Construction)

### Notes on SWPPP Implementation

A notice of the plan's location was not posted near an entrance of the construction site, or for linear projects, the sign or other notice was not posted at a publicly accessible location near the active part of the construction project. The location of the SWPPP had changed (i.e., different than that submitted to EPA in the NOI). Notice of the SWPPP's location was not posted near the main entrance at the construction site.

Part 3 Effluent Limits of the 2008 CGP states, "You must implement the control measures from commencement of construction activity until final stabilization is complete." Part 5.10.A Maintaining an Updated Plan of the 2008 CGP states, "*The SWPPP must be modified: A. To reflect modifications to stormwater control measures made in response to a change in design, construction, operation, or maintenance at the construction site that has or could have a significant effect on the discharge of pollutants to the waters of the United States that has not been previously addressed in the SWPPP. B. If during inspections or investigations by site staff, or by local, state, tribal or federal officials, it is determined that the existing stormwater controls are ineffective in eliminating or significantly minimizing pollutants in stormwater discharges from the construction site. C. Based on the results of an inspection, as necessary to properly document additional or modified BMPs designed to correct problems identified. Revisions to the SWPPP must be completed within seven (7) calendar days following the inspection.*"

# NPDES Industrial Storm Water Worksheet (Construction)

NMED/SWQB Official Photograph Log Photo # 1		
Photographer: Charles Dentino, NMED SWQB	Date: 09/02/2010	Time: 1457 hours
City/County: North of Tecolotito / San Miguel County		State: New Mexico
Location: Confluence of Tecolote Creek and Pecos River		
Subject: Photograph taken prior to NPDES inspection provided for information. Not all disturbance at the confluence and banks of the Pecos River can be attributed to the general contractor's construction sand mining/borrow activities. The road adjacent to Pecos River and Tecolote Creek and that crosses Tecolote Creek is used by others to access the area. On-site permittee representatives stated that the road adjacent to the Pecos River and along Tecolote Creek was maintained by J & H Services, Inc. for their heavy equipment to haul sand. Arrows point to recent tire tracks/cutting and stockpile directly adjacent to Pecos River on 09/02/2010. Sand and gravel stockpile likely from recent activities shown in this photo on 09/02/2010 had been removed by 09/07/2010.		



# NPDES Industrial Storm Water Worksheet (Construction)

NMED/SWQB  
Official Photograph Log  
Photo # 2

Photographer: Erin S. Trujillo

Date: 09/07/2010

Time: approximately 1100 hours

City/County: North of Tecolotito / San Miguel County

State: New Mexico

Location: Sangre De Cristo Regional MDWC & MSWA Water System Phase 3, Construction Sand Mining/Borrow Area

Subject: Looking downstream at sand and gravel stockpile in Tecolote Creek (location is approximately 1,000 feet upstream from the confluence of Tecolote Creek and Pecos River). Stockpile would not meet compaction specifications for the water utility line and was moved by the general contractor to this upstream location according to on-site permittee representatives.



# NPDES Industrial Storm Water Worksheet (Construction)

<b>NMED/SWQB Official Photograph Log Photo # 3</b>		
Photographer: Erin S. Trujillo	Date: 09/07/2010	Time: btw approx 1100-1115 hours
City/County: North of Tecolotito / San Miguel County		State: New Mexico
Location: Sangre De Cristo Regional MDWC & MSWA Water System Phase 3, Construction Sand Mining/Borrow Area		
Subject: Looking downstream at recent disturbance from construction sand mining and stockpile activities in and along the bank of Tecolote Creek by the general contractor.		



# NPDES Industrial Storm Water Worksheet (Construction)

NMED/SWQB Official Photograph Log Photo # 4		
Photographer: Erin S. Trujillo	Date: 09/07/2010	Time: btw approx 1115-1130 hours
City/County: North of Tecolotito / San Miguel County		State: New Mexico
Location: Sangre De Cristo Regional MDWC & MSWA Water System Phase 3, Construction Sand Mining/Borrow Area		
Subject: Looking upstream at Tecolote Creek from the confluence at Pecos River. Arrow points to limits of J & H Services, Inc. construction sand mining in Tecolote Creek approximately 140 feet upstream from the confluence at Pecos River.		



# NPDES Industrial Storm Water Worksheet (Construction)

NMED/SWQB Official Photograph Log Photo # 5		
Photographer: Erin S. Trujillo	Date: 09/07/2010	Time: btw approx 1115-1130 hours
City/County: North of Tecolotito / San Miguel County		State: New Mexico
Location: Confluence of Tecolote Creek and Pecos River		
Subject: Looking downstream at confluence and north bank of Pecos River on day of inspection. Arrow points to approximate area shown in Photo 1.		



# NPDES Industrial Storm Water Worksheet (Construction)

NMED/SWQB Official Photograph Log Photo # 6		
Photographer: Erin S. Trujillo	Date: 09/07/2010	Time: approximately 1245 hours
City/County: Anton Chico / Guadalupe County		State: New Mexico
Location: Sangre De Cristo Regional MDWC & MSHA Water System Phase 3		
Subject: Mobile re-fueling truck at equipment and material yard in Anton Chico. Arrows point to oil spills on ground. Hose on ground with green fuel nozzle is not protected from possible damage by vehicle traffic.		

