NEW MEXICO
ENVIRONMENT DEPARTMENT

Surface Water Quality Bureau

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RON CURRY
Secretary
SARAH COTTRELL
Deputy Secretary

September 30, 2010

Mr. Joe Baker, VP
Southwest Dakotah Inc.
3148 S. Chrysler Ave.
Tucson, AZ 85713

RE: Construction Storm Water, SIC 1623, NPDES Compliance Evaluation Inspection, Southwest Dakotah Inc., Navajo Nation Municipal Pipeline, NMU001685, September 13, 2010

Dear Mr. Baker:

Enclosed, please find a copy of the report for the referenced inspection that the New Mexico Environment Department (NMED) conducted at a construction site for which you may be an "operator" (see Appendix A in permit). 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 checklist section of the inspection 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 USEPA (Diana McDonald, USEPA (6EN-WT), 1445 Ross Ave, Dallas, Texas, 75202) and NMED (at above address) regarding modifications and compliance schedules.

Thank you for your employees' cooperation during this inspection. 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
Surface Water Quality Bureau

Cc: Marcia Gail Adams, USEPA (6EN-AS) (by e-mail)
Samuel Tates, USEPA (6EN-AS) (by e-mail)
Carol Peters-Wagnon, USEPA (6EN-AS) (by e-mail)
Diana McDonald, USEPA (6EN-AS) (by e-mail)
Jennifer Ickes, NMED District 1 Manager (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 U 0 0 1 6 8 5 11	12 1 0 0 9 1 3 17	18 }	19 S 20	4

Remarks

C O N S T R U C T I O N ≥ 1 A C R E

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)*	Entry Time /Date	Permit Effective Date
NAVAJO NATION MUNICIPAL PIPELINE, FARMINGTON, SAN JUAN COUNTY; FROM I-25 TAKE HWY 550 WEST TO BLOOMFIELD. TURN WEST ON HWY 64. FOLLOW HWY 64 THROUGH FARMINGTON. TURN WEST TO STAY ON HWY 64. SITE #1 IS NEAR THE INTERSECTION OF HWY 64 AND LA PLATA HWY.	1320 HOURS / 9-13-2010	**7-1-2008**
	Exit Time/Date 1350 HOURS / 9-13-2010	Permit Expiration Date **6-30-2011**

Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)
N/A

Name, Address of Responsible Official/Title/Phone and Fax Number
MR. JOE BAKER, VP (520) 663-0970
3148 S. CHRYSLER AVE., TUCSON, AZ 85713

Contacted: Yes [*] No [ ]

Other Facility Data

GPS:
N. 36° 44' 2.48"
W. -108° 14' 48.48"

SIC:1623

Section C: Areas Evaluated During Inspection

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

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

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

1. INSPECTOR ARRIVED ON SITE AT 1320 HOURS ON 9-13-2010. NO ACTIVITY WAS CURRENTLY OCCURRING ON SITE.
2. SEE ATTACHED REPORT AND CHECKLIST.
3. THIS REPORT IS BASED ON REVIEW OF FILES MAINTAINED BY THE PERMITTEE AND NMED, ON SITE OBSERVATION BY NMED PERSONNEL, AND VERBAL INFORMATION PROVIDED BY THE FACILITY REPRESENTATIVES.
4. AN EXIT INTERVIEW TO DISCUSS THE PRELIMINARY FINDINGS OF THIS INSPECTION WAS CONDUCTED WITH MR. DOUG DOCKTOR OF THE BUREAU OF RECLAMATION ON 9-30-2010 OVER THE PHONE. A CALL WAS PLACED TO JOE BAKER WITH SOUTHWEST DAKOTAH FOR AN EXIT INTERVIEW ON 9-30-2010.

Name(s) and Signature(s) of Inspector(s)	Agency/Office/Telephone/Fax	Date
SARAH HOLCOMB ***/s/ Sarah Holcomb***	**NMED/SWQB 505-222-9587**	**9-30-2010**
Signature of Management QA Reviewer	**Agency/Office/Phone and Fax Numbers**	**Date**
RICHARD POWELL ***/s/ Sarah Holcomb***	**NMED/SWQB 505-827-2798**	**9-30-2010**

National Database Information			
Inspection Type	Compliance Evaluation		
NPDES ID Number	NMR10FS9I/NMU001685		
Inspection Date	9-13-2010		
Inspector Type *(circle one)*	EPA	State	EPA Oversight
Facility Type *(circle one)*	Commercial /Industrial	Residential	Municipal

General	
Inspector Name	Sarah Holcomb
Telephone	(505) 222-9587
Entry Time	1320 hours, 9-13-2010
Exit Time	1350 hours, 9-13-2010
Signature	*/s/ Sarah Holcomb*

Facility Location Information					
Name/Location/ Mailing Address	Navajo Nation Municipal Pipeline Along Hwy 64 through Farmington, NM. Mailing: 125 South Slate Street, Salt Lake City, UT 84138				
GPS Coordinates	Latitude	N. 36° 44’ 2.48”	Longitude	W. -108° 14’ 48.48”	
Receiving Water(s)	San Juan River in segment 20.6.4.401 NMAC				
Disturbed Area	At least 2 acres	Start Date	Jan 2009	Stop Date	Mar 2010?

Contact Information		
	Name(s)	Telephone
Name(s) and Role(s) of All Parties Meeting the Definition of Operator	Southwest Dakotah – general contractor Bureau of Reclamation - owner	
Facility Contact	Mr. Doug Docktor, Bureau of Reclamation (BOR)	505-324-5006
Authorized Official(s)	Mr. Larry Walkoviak, Regional Director, BOR Mr. Joe Baker, Southwest Dakotah (SD)	801-524-3600 520-663-0970

Site Information: *(circle all that apply)*							
Nature of Project	Residential	Commercial/ Industrial	Roadway	Private	Federal	State/ Municipal	Other
Construction Stage	Clearing/ Grubbing	Rough Grading	Infrastructure	Building Const.	Final Grading	Final Stabilization	

Basic Permit Information		
Permit Coverage *ESO Element 3 & 4*	Y	[N]
Permit Type	[General]	Individual
Permit notice/sign visibly posted including: copy of NOI, contact name & phone number, location of SWPPP *ESO Element 41*	Y	[N]
NOI Date	N/A	
If applicable, is waiver certification & approval on file?	Y	N

Basic SWPPP Information		
SWPPP Prepared & Available *ESO Element 5 & 30*	[Y]	N
SWPPP Contents Satisfactory *ESO Elements 5 - 31*	Y	[N]
SWPPP Implementation Satisfactory *ESO Elements 32 - 48*	Y	[N]
SWPPP Date	11-1-2008	
Intentionally left blank		

SWPPP Review *(can be completed in office)*

General			Notes:
Is there a SWPPP? *ESO Element 5*	[Y]	N	Inspector was able to see a draft copy of the SWPPP. The working copy was not available.
SWPPP completed prior to NOI submission? *ESO Element 6*	[Y]	N	
Copy of permit language? *ESO Element 25*	[Y]	N	
Is SWPPP consistent with state/tribal/local regulations and permits? *ESO Element 26*	Y	[N]	No RUSLE calculations were included because each drilling site was only to be 100 ft x 100 ft.
SWPPP updated to incorporate changes to State, Tribal, Local erosion plans? *ESO Element 27*	Y	[N]	
Have copies of inspection reports/all other documentation been retained as part of the SWPPP for 3 years from date permit coverage expires? *ESO Element 28*	[Y]	N	
Is a copy of the SWPPP on site or made available? *ESO Element 30*	Y	[N]	As above, working copy was not available. These observations are from seeing the template available from the stormwater contractor.
Did all "operators" sign/certify the SWPPP? *ESO Element 31*	Y	[N]	

Site Description			**Notes:**
SWPPP identifies potential sources of pollution? *ESO Element 7*	Y	N	Entry/exit points, clearing/grubbing, grading, utilities, structures, landscaping.
SWPPP identifies all operators and their areas of control? *ESO Element 8*	Y	N	
Is there a site description? *ESO Element 9*	Y	N	Drilling – maintenance related.
Nature/sequence of construction activity? *ESO Element 9A - 9B*	Y	N	
Total area of site and total area to be disturbed? *ESO Element 9C*	Y	N	3.4 acres disturbed/3.4 acres total.
Is there a general location map? *ESO Element 9D*	Y	N	
Is there a site map? *ESO Element 9E*	Y	N	
Drainage patterns/outfalls on site map? *ESO Element 9F*	Y	N	
Area of soil disturbance on site map? *ESO Element 9F*	Y	N	
Location of major structural controls on site map? *ESO Element 9F*	Y	N	
Location of storm water discharges to a surface water on site map? *ESO Element 9F*	Y	N	
Location of materials or equipment storage on site map (on-site or off-site)? *ESO Element 9F*	Y	N	
Location/description industrial activities? *ESO Element 9G*	Y	N	N/A
Name of Receiving water(s) or MS4 listed?	Y	N	*Note: Indicate whether receiving water is 303(d) listed.* **San Juan River in segment 20.6.4.401 NMAC (yes for *E. coli*)**
Does the SWPPP include dates of major grading activities, temporary/permanent construction cessation, and initiation of stabilization practices? *ESO Element 14*	Y	N	
Endangered Species Documentation? *ESO Element 23*	Y	N	Information is included but because NOI was never filed, inspector cannot assess whether it was appropriate.

Controls to Reduce Pollutants			**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? *ESO Element 10 A – C*	Y	N	
Does the SWPPP include a description of interim and permanent *stabilization practices* (e.g., seeding, mulching, riprap for the site)? *ESO Element 11; 12*	Y	N	
Does the SWPPP identify the contractor(s) and timing by which *stabilization practices* will be implemented? *ESO Element 13*	Y	N	
Does the SWPPP include a description of *structural practices* (e.g., vehicle track-out, silt fences, sediment traps, storm drain inlet protection) for the site? *ESO Element 15*	Y	N	
Does the SWPPP identify the contractor(s) and timing by which *structural practices* will be implemented? *ESO Element 10B - 10C*	Y	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)? *ESO Element 16*	Y	N	
Does SWPPP describe measures to prevent discharge of dredge/fill materials to waters of the U.S.? Does site have 404 permit? *ESO Element 17*	Y	N	Unsure if it was needed. A representative from the City of Farmington said the pipeline went under the river.
Does SWPPP describe measures to minimize off-site vehicle tracking and generation of dust? *ESO Element 18*	Y	N	
Does SWPPP describe controls for pollutants from storage of construction or waste materials? *ESO Element 19*	Y	N	
Does the SWPPP describe controls for pollutants from non-construction activities? *ESO Element 20*	Y	N	N/A
Does SWPPP identify allowable non-storm water discharges? *ESO Element 21*	Y	N	Entire list from the permit is included with no description of BMPs needed or assessment of what could actually occur on site.

Controls to Reduce Pollutants (cont'd)			**Notes:**
Does SWPPP ensure implementation of pollution prevention measures for non-storm water discharges? *ESO Element 22*	Y	N	SWPPP does not discuss BMPs needed for each potential non-stormwater discharge.
Is SWPPP revised when BMPs added/modified within 7 days after inspection reveals problems? *ESO Element 29*	Y	N	There is no documentation to show that BMPs are added or modified.

Inspections			**Notes:**
Inspections performed once every 14 days and within 24 hours of a rain event greater 0.5"? *ESO Element 32*	Y	N	Allegedly the project went on 3-4 months after inspections stopped being documented.
Inspections performed by qualified personnel? *ESO Element 33*	Y	N	No qualifications were listed in the template SWPPP for Rodger Barton.
All disturbed areas and/or used for storage and exposed to rain inspected? *ESO Element 34*	Y	N	
All pollution control measures inspected to ensure proper operation? *ESO Element 35*	Y	N	Measures were inspected, but never repaired/reevaluated by the contractor.
All discharge locations inspected if accessible, or if not accessible, are nearby downstream locations inspected? *ESO Element 36; 37*	Y	N	
Entrance/exit inspected for off-site tracking? *ESO Element 38*	Y	N	
Inspection report contains all required items and certified? *ESO Element 39; 40*	Y	N	The inspection reports were signed digitally. There was no authorization letter for Mr. Barton to sign inspection reports.

Notes on SWPPP Review

Site Description:

This project concerns the installation of a municipal water line to serve the Navajo Nation. SWQB had received a complaint regarding this project in December 2009 but it was thought the entire project was on Indian land. SWQB received another complaint regarding a city owned project that happened to be on the same piece of property. According to facility representatives, there were 6 drilling sites in total, and the site in question that triggered both complaints is located on city land. This inspection report only concerns that particular piece of property as a part of a larger common plan of development.

It appears that although a SWPPP was prepared for the project, the NOIs for both the Bureau of Reclamation as the owner, and for Southwest Dakotah Incorporated as the general contractor, were never filed. Neither entity had permit coverage for the entire duration of the project.

The site generated complaints because it was never stabilized. The city of Farmington had initiated a smaller water line project (only installing about 400' of water line, in a narrow trench) and the reporter thought that they had disturbed the entire area.

In reviewing site documentation from the SWPPP contractor, the inspector concentrated on the inspection reports, as those seemed most accurate. The reports were signed digitally, which cannot occur as the construction inspection reports are not included under EPA's CROMERR (Cross Media Electronic Reporting Rule). Until they are, reports must be signed at the time of the inspection in accordance with Appendix G.11.A of the permit.

It appears that inspections were conducted as required (every 14 days and within 24 hours of a 0.5" rain event), however inspections were abruptly stopped in December 2009. Allegedly the project continued for 3-4 months after that with no documented inspections.

The SWPPP contractor included pictures in all of his reports. The pictures document numerous problems that occurred during the project, including leaks and spills of materials that were not promptly cleaned up with BMPs being reassessed. There were numerous incidences of materials (including Super Gel-X, and Soda Ash, both of which are designated as being hazardous on the product packaging) being stored outside, exposed to the elements. The most serious issue documented in the inspection reports for this project is that drilling flushings were being pumped directly into the San Juan River.

As the inspector was not able to see the working copy of the SWPPP for the project, it must be assumed that the SWPPP was never signed and was never implemented on site. It appears that despite the best efforts of the SWPPP contractor to alert the BoR and Southwest Dakotah to issues that needed immediate attention, serious issues kept occurring without any documented fixes or cleanup of material spills.

SWPPP Implementation (*complete in field)*	
Stabilization Practices	
List and describe stabilization practices *ESO Element 43, 48*	*(e.g., seeding, mulching, geotextiles, sod stabilization)* None were observed on site.
Are stabilization measures initiated no more than 14 days after temporary or permanent construction cessation? *ESO Element 46*	*(e.g., indicate "yes" or "no"; if "yes", how long without stabilization measures?*) No.

Structural Practices	
List and describe structural controls *ESO Element 42, 43, 47*	*(e.g., silt fences, hay bales, storm drain inlet protection, sedimentation pond, rip rap, check dam, diversion structure, off-site vehicle track-out)* 1. None were in place by the time the inspector was able to make it out to this site.
Non-Structural Practices	
Street Cleaning *ESO Element 44*	*(e.g., describe measures taken to remove offsite accumulation of sediment)* Unknown.
Good Housekeeping & Waste Disposal Practices *ESO Element 45*	*(e.g., describe measures taken to prevent litter and debris from becoming a pollutant source)* Unknown.

NPDES Industrial Storm Water Worksheet (Construction)

Non-Structural Practices	
Equipment Wash/ Maintenance Area *ESO Elements 43*	*(provide brief description)* N/A
Concrete Washout Areas *ESO Elements 43*	*(provide brief description)* Unknown.

Miscellaneous	
Evidence of Sediment Deposition to Surface Waters **ESO Eligibility - if "yes," site not eligible for ESO*	*(e.g., significant turbidity observed in a receiving water body)* Yes – please see attached on site inspection report from the SWPPP contractor.
Pollution prevention measures for non-storm water discharges? **ESO Eligibility - If evidence of non-allowable non-storm water discharges, site not eligible for ESO*	(*provide brief description and determine whether/if non-storm water discharges allowable)* None were documented and there were no non-storm water discharges occurring at the time of this inspection. However, please see above documentation.
Has implementation of additional/modified BMPs been completed before next anticipated storm event? *ESO Element 43.C.1*	*(provide brief description)* No, it does not appear from the documentation available to the NMED inspector that BMPs had been reevaluated during the course of this project.

SWPPP Inspectors LLC: Stormwater Construction Site Inspection Report

General Information			
Project Name	Drill Site – Navajo Utility Line	NOI & Site Sign Posted: N	
NPDES Tracking No.	NMR100000	Location: Job Site	Farmington to Shiprock NM
Date of Inspection	3-26-2009	Start/End Time	10:30 AM 11:15 AM
Inspector's Name(s) Credentials/Qualifications	Rodger Barton, see certificate in SWPPP BS, MBA, LIC INS ADJ.		
Inspector's Title(s)	SWPPP Instructor, business owner,		
Inspector's Contact Information	505.818.7450 , rodger@swpppcompliance.com		
Describe present phase of construction & disturbed areas	Site 1: • Drilling at site 1 is complete.		
Type of Inspection ☒ Regular (14 Day) ☐ Storm (Rain, Snow)			
Weather Information			
Has it rained since the last inspection? Rain is being tracked on site. Not by an Internet site. ☐Yes ☐No If yes, provide: Storm Start Date & Time: Storm Duration (hrs): Approximate Rainfall (in):			
Weather at time of this inspection? Cloudy 53 degrees	Weather since the time of the last inspection? Cloudy / Cold		
Do you suspect that discharges may have occurred since the last inspection? Locations? ☐Yes ☒No			
Are there any discharges at the time of inspection? Locations of sediment or pollutant discharges? ☐Yes ☒No			

BMPs – Maintenance, Upgrade, Increased Measures, Repair, Failure, Corrective Actions

	BMP Description	BMP Installed and Operating Properly?	Corrective Action Needed: Corrective Action Log: Photos & notes are acceptable:	Date for corrective action/responsible person
1	Drive Pad / Rip Rap / Entrance & Exit	☐Yes ☒No	RIP RAP / Cobble should be brought to the site entrance. Thin layer is on site however it should be refreshed due to moisture from recent snow storms. Rock has sunk into the ground.	Please update.
2	Concrete Washout	☐Yes ☒No	NA, concrete will be poured at a later date. Concrete has not been poured as of today.	NA RB
3	Dumpster	☐Yes ☒No	1 small dumpster has been on site with hard plastic covers/panel lids.	Please update.
4	Port-A-Potty / Toilet	☒Yes ☐No	Port O Let is on site. Please stake to the ground.	Please update.

	BMP Description	BMP Installed and Operating Properly?	Corrective Action Needed: Corrective Action Log: Photos & notes are acceptable:	Date for corrective action/responsible person
5	Silt Fence / Wattles	☐Yes ☒No	Operator opted to not install either BMP type referenced.	Please update.
6	Storage – Materials	☒Yes ☐No	Storage area has not been designated. 1 trailer is on site.	Please update.
7	SWPPP Revisions, Modifications, CAL	☒Yes ☐No	SWPPP & inspections are being managed on and off site. On going activity.	On going activity.
8	Trash & Sweeping	☒Yes ☐No	Please continue to pick up trash & material debris as needed.	NA, on going activity. RB
9		☐Yes ☐No		
10		☐Yes ☐No		

Overall Site Issues

	BMP/activity	Implemented?	Maintained?	Corrective Action	Date for corrective action/responsible person
1	Are all slopes and disturbed areas not actively being worked properly stabilized?	☒Yes ☐No	☒Yes ☐No	No action necessary. Slope facing the river should be protected with wattle or silt fence, or loose hay.	NA RB
2	Are natural resource areas (e.g., streams, wetlands, mature trees, etc.) protected with barriers or similar BMPs?	☐Yes ☐No	☐Yes ☐No	None are near the site. Slope facing the river should be protected with wattle or silt fence Site has not been protected with BMPs.	NA RB
3	Are perimeter controls and sediment barriers adequately installed (keyed into substrate) and maintained?	☐Yes ☐No	☐Yes ☐No	Operator opted to not installed perimeter controls.	NA RB
4	Are discharge points and receiving waters free of sediment deposits?	☒Yes ☐No	☒Yes ☐No	All clear.	Discharge points are being inspected. 3-26-2009
5	Are storm drain inlets properly protected?	☐Yes ☐No	☐Yes ☐No	NA, NONE are presently installed near the site.	NA RB
6	Is there evidence of sediment being tracked into the street?	☐Yes ☒No	☒Yes ☐No	Yes, new layer of Cobble or RIP RAP should be brought on site.	Please update.

	BMP/activity	Implemented?	Maintained?	Corrective Action	Date for corrective action/responsible person
7	Is trash/litter from work areas collected and placed in covered dumpsters?	☒Yes ☐No	☒Yes ☐No	Dumpster should be brought on site.	Please update.
8	Are washout facilities (e.g., paint, stucco, concrete) available, clearly marked, and maintained?	☐Yes ☐No	☐Yes ☐No	None are on site.	Please update.
9	Are vehicle and equipment fueling, cleaning, and maintenance areas free of spills, leaks, or any other deleterious material?	☒Yes ☐No	☒Yes ☐No	Vehicle fueling & cleaning are not being presently conducted. Secondary containment bins which are also lined are being built and installed in the storage trailer. This is for small gas tanks and oil containers. The gas and oil are used for small equipment such as chainsaws or other small motorized equipment. The storage trailer is also being protected with wattles. **Please secure and store all containers with oil, gasoline, etc. in the storage trailers and the end of each work day.**	On going activity, no leaks, new bins are in place to collect any drips or fluid. Small gas and oil containers are being checked on a daily basis and will be replaced if leaks develop. *** In progress. 1 secondary container is in use. Advised to build 2 more to store other chemicals in the trailer. All contractor and subcontractor vehicles were inspected for leaks. None at the present time. All motorized equipment was check for leaks. None.
10	Are materials that are potential stormwater contaminants stored inside or under cover?	☐Yes ☐No	☐Yes ☐No	Storage trailer is on site. Wattles should be installed around the perimeter of the trailer.	Please update.
11	Are non-stormwater discharges (e.g., wash water, dewatering) properly controlled?	☒Yes ☐No	☒Yes ☐No	Activities are not taking place.	NA RB
12	Rain Gauge	☐Yes ☐No	☐Yes ☐No	Please install a rain	Please update.

	BMP/activity	Implemented?	Maintained?	Corrective Action	Date for corrective action/responsible person
				gauge.	
13	Retaining Walls	☐Yes ☐No	☐Yes ☐No	None are scheduled as part of the SWPPP.	NA RB

Items to consider:

1. **Please inspect all wattles for replacement.**
2. **Please place all chemicals such as paint, gasoline, etc. inside the storage trailers. All chemicals should be placed in secondary storage container such as buckets or large bins inside the storage trailers/containers.**
3. **Please monitor cold weather advisories in order to avoid leaks or spills from containers which will freeze and crack leaking the contents of the containers in the storage trailers or onto the ground.**

Certification statement:
"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Print name: Rodger Barton

Signature:

Date: 3 . 26 . 2009

Open drilling area – Please add information to the SWPPP to identify the controls, measures, and plans to stabilize the loose soil in this area. Please also identify the controls, measures, and plans to re-introduce vegetation to the immediate project area.

See tables in SWPPP.

Collection ponds – Water should be allowed to evaporate. All remnants of drilling materials should be collected and properly disposed of. Any material noted as biodegradable should also be collected and disposed of. GEL-X, etc. should not be allowed to sit or be combined with soil and buried.

Wattle should be introduced to this area to prevent erosion of soil, grass seed, plant seed, etc. 1 wattle line should run the length of the project.

This area should be seeded as well. Surface Roughening should also be applied. See Tab 3 for instructions.

Erosion control measures should be implemented along with seeding and vegetation.

Erosion control measures should be implemented along with seeding and vegetation.

Loose Soil – Soil in the immediate area is loose and must be stabilized. The tracks in the photos are 1" to 2" deep.

Erosion control measures should be implemented along with seeding and vegetation.
This area should be seeded as well. Surface Roughening should also be applied. See Tab 3 for instructions.

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Loose Soil – Soil in the immediate area is loose and must be stabilized. Erosion control measures should be implemented along with seeding and vegetation. This area should be seeded as well. Surface Roughening should also be applied. See Tab 3 for instructions.

Gel X – Material packaging notes that the contents are hazardous. Please note clean up activities. Please send me a copy of the clean up activities as listed on the MSDS sheets.

Soda Ash – Material packaging notes that the contents are hazardous. Please note clean up activities. Please send me a copy of the clean up activities as listed on the MSDS sheets.

Please send me a copy of the contract noting that flushings are allowed to enter the river. White residue from flushings should be collected and disposed of.

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