



NEW MEXICO
ENVIRONMENT DEPARTMENT

Surface Water Quality Bureau

BILL RICHARDSON
Governor
DIANE DENISH
Lieutenant Governor

Harold Runnels Building, N2050
1190 South St. Francis Drive (87505)
P.O. Box 5469, Santa Fe, NM 87502-5469
Phone (505) 827-0187 Fax (505) 827-0160
www.nmenv.state.nm.us



RON CURRY
Secretary
SARAH COTTRELL
Deputy Secretary

December 8, 2010

Mr. John Nims, CEO
US Cotton LLC
531 Cotton Blossom Circle
Gastonia, NC 28054

Re: Industrial Storm Water, SIC 2299, NPDES Compliance Evaluation Inspection, US Cotton LLC, NMU001697, December 3, 2010

Dear Mr. Nims,

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

Problems noted during this inspection are discussed in the Further Explanations section of the inspection report. You are encouraged to review the inspection report and required to correct any problems noted during the inspection and to modify your operational and/or administrative procedures, as appropriate. Further, you are encouraged to notify, in writing, both USEPA (Marcia Gail Bohling, USEPA (6EN-WC), 1445 Ross Ave., Dallas, Texas 75202) and NMED (at above address) regarding modifications and compliance schedules.

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

Thank you for the cooperation and assistance provided during my visit from Mr. Jay Hackney, Plant Manager. If you have any questions, please feel free to contact me at the above address or by telephone at (505) 222-9587.

Sincerely,

Sarah Holcomb
Environmental Scientist/Specialist
Surface Water Quality Bureau

Cc: Marcia Gail Bohling, USEPA (6EN-AS) via e-mail
Stacey Bennett-Dwyer, USEPA (6EN-AS) via e-mail
Carol Peters-Wagnon, USEPA (6EN-WM) via e-mail
Diana McDonald, USEPA (6EN-WM) via e-mail

**Compliance Evaluation Inspection
US Cotton LLC, Sector V
NPDES Permit #NMU001697, December 3, 2010**

Further Explanations

Introductions

On December 3, 2010, a Compliance Evaluation Inspection was conducted at the US Cotton LLC Manufacturing facility (Standard Industrial Classification 2299, North American Industrial Classification Code 31323) located in Rio Rancho, New Mexico by Sarah Holcomb of the State of New Mexico Environment Department (NMED) Surface Water Quality Bureau (SWQB). The purpose of this inspection was to document the operator's status regarding the NPDES multi-sector general storm water permit (MSGP) for industrial activities (this facility has industrial activities being conducted on-site that meet the description of industrial activities in Sector V) and stormwater regulations at **40 Code of Federal Regulations (CFR) Part 122.26**.

US Cotton has been in business since 1983, and established their Rio Rancho facility in 1990. This facility is engaged in the manufacturing of cotton cosmetic products, such as q-tips and round cotton cosmetic pads.

Storm water from this facility discharges to the Rio Rancho MS4, thence to the Montoyas Arroyo, thence to the Rio Grande in 20.6.4.106 NMAC of the Rio Grande Basin (*State of New Mexico Standards for Interstate and Intrastate Surface Waters*). Designated uses of the Rio Grande in this section are irrigation, marginal warmwater aquatic life, livestock watering, wildlife habitat and secondary contact.

The inspector arrived at the facility at 0845 hours. The inspector conducted an entrance interview with Mr. Jay Hackney, Plant Manager, during which the inspector made introductions, presented her credentials and discussed the purpose of the inspection. Mr. Hackney accompanied the inspector on a tour of the entire facility and explained processes and waste management measures already in place.

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

Findings:

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

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

This facility did not have NPDES permit coverage on the date of this inspection. Storm water discharges from this facility can be regulated by either an individual NPDES permit or the Storm Water Multi-Sector General Permit for Industrial Activities (MSGP). This type of facility is covered under Section V – Textile Mill Products – under SIC 2299.

A Storm Water Pollution Prevention Plan (SWPPP) had not been prepared in written form, was not available at the site for inspection, and was not being implemented on site. A SWPPP should include the following information:

- **A description of potential pollutant sources** – includes a site map, an identification of the types of pollutants that are likely to be present in storm water discharges, an inventory of the types of materials handled at the site that potentially may be exposed to precipitation, a list of significant spills and leaks of toxic or hazardous pollutants, sampling data, a narrative description of the

potential pollutant sources from specific activities at the facility, and identification of specific potential pollutants; and

- **A description of appropriate measures and controls** – includes the type and location of existing and proposed non-structural and structural BMPs (Best Management Practices) selected for each of the areas where industrial materials or activities are exposed to storm water. Non-structural and structural BMPs to be described and implemented include such things as good housekeeping, preventive maintenance, spill prevention and response procedures, periodic inspections, employee training, record keeping, non-storm water evaluations and certifications, sediment and erosion control, as well as implementation/maintenance of traditional storm water management practices, where appropriate.

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

- **Raw Material Storage and Handling:** These activities can be a source of pollutants such as TSS (Total Suspended Solids), pH, oil and grease, COD (Chemical Oxygen Demand), BOD5 (Biochemical Oxygen Demand), lead, chromium and zinc. These pollutants can come from sources such as wool, cotton, synthetics, rayon, other fibers, coal/wood piles, fuels, oil and lubricants.
- **Storage or Handling of Materials for Dyeing:** These activities can be a source of pollutants such as copper, phenols, lead, chromium, zinc, aluminum, and acids. These pollutants can come from sources such as dyes, dye preservatives and pigments.
- **Storage and Handling of Materials for Scouring and Cleaning:** These activities can be a source of pollutants such as BOD5, COD, TSS, oil and grease, sulfides, phenols, pH, and chromium. These pollutants can come from sources such as wool, scouring agents, and detergents.
- **Storage and Handling of Materials for Bleaching, Printing, Finishing, and Other Activities:** These activities can be a source of pollutants such as BOD5, COD, TSS, oil and grease, sulfides, phenols, pH, chromium, hydrogen peroxide, and acids. These pollutants can come from sources such as dyes, bleaches, detergents, finishing agents, and printing products.
- **Equipment usage:** This activity can be a source of pollutants such as oil, grease and lead. These pollutants can come from sources such as malfunctioning equipment, and stockpiled obsolete equipment.

If not properly managed or treated in accordance with an NPDES permit, activities associated with the treatment of wastewater at this facility are a potential threat to water quality through storm water discharges.

Site Inspection Summary

The MSGP was reissued in 2008.

On the day of the inspection, some pollutant sources observed on site that were exposed outside and could potentially come into contact with storm water included: 1) oil stored outside in buckets (including residue from an oil spill from one of the facility air compressors); and 2) empty gas cans that were stored next to an air compressor that is no longer present on site.

For additional information on BMPs and SWPPPs for Sector V, please refer to pages 51020-51024 in the document entitled *Final NPDES Storm Water Multi-Sector General Permit for Industrial Activities (Federal Register/Vol. 60, No. 189, Friday, September 29, 1995)*. This document can be downloaded from “Storm Water Archived Publications” at:

https://cfpub2.epa.gov/npdes/docs.cfm?view=archivedprog&program_id=6&sort=date_published. This is an older, discontinued permit (1995 MSGP) but contains helpful background information that was not carried over to either the 2000 or 2008 MSGP.

An exit interview to discuss the preliminary findings of this inspection was conducted on-site with Mr. Hackney at approximately 0920 hours. The inspector informed the facility representative of the requirements under the NPDES storm water program regarding permitting requirements, preparation of a SWPPP, and installation of appropriate storm water runoff control practices (per the SWPPP).

After returning to the office, the inspector sent Mr. Hackney an email with information on the permitting process, including links to the permit, an example Storm Water Pollution Prevention Plan, guidance documents, Best Management Practices and how to file for coverage using the eNOI system. The inspector also left a business card with Mr. Hackney in case there were questions at a later time.