



NEW MEXICO  
ENVIRONMENT DEPARTMENT



*Surface Water Quality Bureau*

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January 3, 2011

Southeast Readi-Mix Products, Inc.  
Mr. Garth Goody, President  
3001 S. Boyd Drive,  
P.O. Box 1987  
Carlsbad, NM 88220

**Re: Storm Water Compliance Inspection, SIC 3273, NPDES Multi-Sector General Permit  
#NMU001703, December 9, 2010**

Dear Mr. Goody,

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 Adams, 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 to the inspector during our visit to your site. If you have any questions, please feel free to contact me at the above address or by telephone at (505) 827-2575.

Sincerely,

*/s/Daniel Valenta*

Daniel Valenta  
Environmental Scientist/Specialist  
Surface Water Quality Bureau

Cc: Marcia Adams, USEPA (6EN-AS) via e-mail  
Samuel Tates, USEPA (6SF) via e-mail  
Carol Peters-Wagnon, USEPA (6EN-WM) via e-mail  
Diana McDonald, USEPA (6EN-WM) via e-mail



### 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   7   0   3   11   12   1   0   1   2   0   8   17   18   ~   19   S   20   2																					
Remarks																					
C O N C R E T E P R O D U C T S																					
Inspection Work Days					Facility Evaluation Rating					BI	QA	-----Reserved-----									
67         69					70   2					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 <b>1400 hours/12-8-2010</b>	Permit Effective Date <b>9-29-2008</b>
<b>Southeast Read-Mix Products, 3001 Boyd Drive, P. O. Box 1987, Carlsbad, NM 88221 From State Hwy 180/62 turn west on Kircher Dr. turn north on Boyd drive, mixing towers can be seen from intersection.</b>		Exit Time/Date <b>1450 hours/12-8-2010</b>	Permit Expiration Date <b>9-29-2013</b>
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)		Other Facility Data	
<b>Jerry Rogers/General Manager/ 575-885-2181/575-361-1765/fax 575-887-2228</b>		<b>GPS: N. 32° 23' 20.99" W. -104° 14' 19.13"</b>	
Name, Address of Responsible Official/Title/Phone and Fax Number		Contacted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<b>Mr. Garth Goody, 3001 S. Boyd Drive, Carlsbad, NM 88220/Owner/3001 S. Boyd Drive/575-885-2181/fax 575-887-2228</b>		<b>SIC: 3273 Activity code: E2</b>	

#### Section C: Areas Evaluated During Inspection

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

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

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

- FACILITY HAS NOT APPLIED FOR AND RECEIVED REQUIRED NPDES PERMIT COVERAGE.
- SEE ATTACHED REPORT AND FURTHER EXPLANATIONS.

Name(s) and Signature(s) of Inspector(s)	Agency/Office/Telephone/Fax	Date
Daniel Valenta /s/Daniel Valenta	NMED/SWQB 505-827-2575	1/3/2011
Signature of Management QA Reviewer	Agency/Office/Phone and Fax Numbers	Date
Richard Powell /s/Richard Powell	NMED/SWQB 505-827-2798	1/3/2011

**Compliance Evaluation Inspection**  
**Southeast Readi-Mix Products, Inc.**  
**December 8, 2010**  
**NMU001703**

**Further Explanations**

**Introduction**

On December 8, 2010, a Compliance Evaluation Inspection was conducted at Southeast Readi-Mix Products, Inc. (Standard Industrial Classification 3273, Activity Code E2) located at 3001 S. Boyd Drive., Carlsbad, New Mexico by Daniel Valenta of the State of New Mexico Environment Department (NMED) Surface Water Quality Bureau (SWQB). The purpose of this inspection was to document the operator's status regarding the NPDES multi-sector general storm water permit (MSGP) for industrial activities. This facility has industrial activities being conducted on-site that meet the description of industrial activities in Sector E of the MSGP and stormwater regulations at **40 Code of Federal Regulations (CFR) Part 122.26**.

Facilities primarily engaged in manufacturing concrete products, including ready mixed concrete, are identified as SIC group 327. Although concrete product facilities in SIC group 327 produce a variety of final products, they all have common raw materials and activities. Concrete products manufacturers combine cement, aggregate, and water to form concrete. Aggregate generally consists of: sand, gravel, crushed stone, cinder, shale, slag, clay, slate, pumice, vermiculite, scoria, perlite, diatomite, barite, limonite, magnetite, or ilmenite. Admixtures including fly ash, calcium chloride, triethanolamine, calcium salt, lignosulfonic acid, vinsol, saponin, keratin, sulfonated hydrocarbon, fatty acid glyceride, vinyl acetate, and styrene copolymer of vinyl acetate may be added to obtain desired characteristics, such as slower or more rapid curing times. Typically, aggregate is received in bulk quantities by rail, truck, or barge. It is stored outside, and kept moist, until it is conveyed to distribution bins. The first stage in the manufacturing process is proportioning cement, aggregate, admixtures and water, and then transporting the product to a rotary drum, or pan mixer.

The active portion of the property is estimated to be an acre. The property slopes towards the northwest where there are three impoundment ponds/depressions. The site appeared to be designed to contain stormwater under normal rainfall conditions. Stormwater would gravity flow to the northwest depression; if this over filled it would flow into a lower containment area. The land below this area is undisturbed with a heavy growth of shrubs/weeds/grass. There is a concrete truck washout area just above the first bermed impoundment. The General Manager seemed unaware of these BMP's on site. The area was not maintained and large piles of dirt, concrete, and sand were scattered around. Berms have not been maintained and some piles of dirt would prevent contaminated stormwater from flowing to the BMP's. In the present state the effectiveness of the stormwater BMP's is in question.

The Carlsbad area is located within the Chihuahuan Desert range, the annual average precipitation at Carlsbad is 14.15 inches. Rainfall is fairly evenly distributed throughout the year. The wettest month of the year is September with an average rainfall of 2.90 Inches. Dark Canyon Draw, just below and alongside the site is an ephemeral stream that discharges to the Pecos River approximately 2 miles away. The site is in the Pecos River Basin in Segment 20.6.4.203 NMAC.

An entrance interview was conducted with Jerry Rogers, General Manager, at approximately 1400 hours on December 8, 2010. The inspector made introductions, presented his credentials and discussed the purpose of the inspection. An exit interview to discuss the preliminary findings of this inspection was conducted at approximately 1450 hours on December 8, 2010 with Jerry Rogers. This report is based on a review of the files maintained by the permittee and NMED, on-site observation by NMED personnel and verbal information provided by the General Manager.

**Compliance Evaluation Inspection  
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**Findings:**

**Southeast Read-Mix Products, Inc. does not have permit coverage and has not prepared the required documents to file for and receive a permit or conducted the required inspections.**

**1. Permit Requirements: Requirement to obtain a permit**

- *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, 206, 207, 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 of 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.*
- *In Part 1.3.1 of the MSGP, it states, “To obtain authorization under this permit, you must: Meet the eligibility requirements, submit a complete and accurate Notice of Intent (NOI) either using EPA’s electronic Notice of Intent system or using a paper form...and Develop a Stormwater Pollution Prevention Plan (SWPPP) according to the requirements of part 5 of this permit.*

**2. Per Table 1.2 NOI Submittal Deadlines/Discharge Authorization Dates**

Table 1-2. NOI Submittal Deadlines/Discharge Authorization Dates		
Category	NOI Submission Deadline	Discharge Authorization Date1
<b><u>Existing Dischargers</u> – in operation as of October 30, 2005 and authorized for coverage under MSGP 2000.</b>	<b>No later than January 5, 2009.</b>	<b>30 days after EPA posts your NOI. Your authorization under the MSGP 2000 is automatically continued until you have been granted coverage under this permit or an alternative permit, or coverage is otherwise terminated.</b>
<u>New Dischargers or New Sources</u> - have commenced discharging between October 30, 2005 and January 5, 2009.	As soon as possible but no later than January 5, 2009.	30 days after EPA posts your NOI.
<u>New Dischargers or New Sources</u> - commence discharging after January 5, 2009.	A minimum of 60 days prior to commencing discharge, or a minimum of 30 days if your SWPPP is posted on the Internet during this period and the Internet address (i.e., URL) to your SWPPP is provided on the NOI form.	If you post your SWPPP on the Internet, 30 days after EPA posts your NOI. Otherwise, 60 days after EPA posts your NOI.

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**3. Per 1.2 of the Permit: Permit Compliance**

- *Any noncompliance with any of the requirements of this permit constitutes a violation of the Clean Water Act. As detailed in Part 3 (Corrective Actions) of this permit, failure to take any required corrective actions constitute an independent, additional violation of this permit and the Clean Water Act.*

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 E – Glass, Clay, Cement, Concrete, and Gypsum Products. A 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 SWPPP should include the following**

- **Identification of the staff pollution prevention members** (by name and title).
- **A list of industrial activities at your site.**
- **A description of all potential pollutant sources.**
- **A general location map** that includes the location of your facility and receiving waters to which your facility discharges.
- **A site map** to include the size of the property in acres, the location and extent of significant structures and impervious surfaces, directions of stormwater flow, locations of all existing structural control measures, locations of all receiving waters in the immediate vicinity of your facility, location of all stormwater conveyances including ditches, pipes and swales, location of potential pollutant sources identified, locations where significant spills or leaks have occurred, location of all stormwater monitoring points, location of stormwater inlets and outfalls with unique identification codes for each outfall, locations and descriptions of all non-stormwater discharges, locations of fueling stations, vehicle and equipment maintenance, loading and unloading areas, location used for treatment or disposal of wastes, liquid storage tanks, processing and storage areas, access roads, machinery, and locations and sources of run-on to your site from adjacent property that contains significant quantities of pollutants.
  
- **Description of structural controls/practices**
- **Good housekeeping practices**
- **Maintenance**
- **Spill prevention and Response procedures**
- **Erosion and sediment controls**
- **Management of run-on**
- **Sector specific requirements (Sector E)**
- **Employee Training**
- **Non-stormwater discharges**
- **Waste, garbage and floatable debris**
- **Dust generation and vehicle tracking of industrial materials**
- **All inspection reports**
- **Copy of the NOI**
- **Copy of the permit**

**NMED/SWQB  
Official Photograph Log**

Photo # 1

Photographer: Daniel Valenta	Date: 12/8/2010	Time: 1437 hours
City/County: Carlsbad/Eddy County		
Location: 3001 S. Boyd Drive, Carlsbad, New Mexico, Southeast Read-Mix Products, Inc.		
Subject: Process water and stormwater contained in upper depression, picture taken facing northeast.		



**NMED/SWQB  
Official Photograph Log**

Photo # 2

Photographer: Daniel Valenta	Date: 12/8/2010	Time: 1434 hours
City/County: Carlsbad/Eddy County		
Location: 3001 S. Boyd Drive, Carlsbad, New Mexico, Southeast Read-Mix Products, Inc.		
Subject: Process water and stormwater contained in upper depression, picture taken facing north.		



**NMED/SWQB  
Official Photograph Log**

Photo # 3

Photographer: Daniel Valenta	Date: 12/8/2010	Time: 1433 hours
City/County: Carlsbad/Eddy County		
Location: 3001 S. Boyd Drive, Carlsbad, New Mexico, Southeast Read-Mix Products, Inc.		
Subject: Cement truck wash area, process water along with any stormwater flows to unmaintained bermed containment ponds, picture taken facing west.		

