



NEW MEXICO
ENVIRONMENT DEPARTMENT



Surface Water Quality Bureau

SUSANA MARTINEZ
Governor
JOHN SANCHEZ
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

DAVE MARTIN
Secretary
RAJ SOLOMOM, P.E.
Deputy Secretary

Certified Mail - Return Receipt Requested

June 9, 2011

Kathleen R. Guion
Division President of Store Operation and Development
Dollar General Corporation
100 Mission Ridge
Goodlettsville, TN 37072

RE: Construction Storm Water; SIC 1611; NPDES Compliance Evaluation; Dollar General Retail Store; NMU001734; May 12, 2011

Dear Kathleen Guion:

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 2008 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 attached further explanations. 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, 6EN-AS, USEPA, 1445 Ross Avenue, Dallas, Texas 75202-2733) and NMED Surface Water Quality Bureau Program Manager (address above) regarding modifications and compliance schedules.

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
Surface Water Quality Bureau

CC: Carol Peters-Wagnon, USEPA by email
Marcia Adams, USEPA by email
Diana McDonald, USEPA by email
Samuel Tates, USEPA by email
NMED, District II by email



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 7 3 4 11 12 1 1 0 5 1 2 17 18 }				19 S 20 2	
Remarks					
C O N S T R U C T I O N > 1 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)	Entry Time /Date 1100/5-12-11	Permit Effective Date 6-30-08
Dollar General Retail Store/ From Santa Fe on US 25 east, approximately 30 miles, exit State Hwy 63 north to Pecos, construction site is at the intersection of State Hwy 50 and State Hwy 63 in Pecos.	Exit Time/Date 1150/5-12-11	Permit Expiration Date 6-30-11
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)	Other Facility Data	
Mr. Mark Glass/ Superintendent/ Van Tassel Proctor Construction/ cell 501-804-8630/501-219-8899 Mr. Melvin Varela/General Contractor/505-757-2149	Construction Site	
Name, Address of Responsible Official/Title/Phone and Fax Number	LAT 35.57659 N LONG -105.67764W	
Kathleen R. Guion, 100 Mission Ridge, Goodlettsville, TN 37072/ Division President of Store Operation and Development/615-855-4000 fax 615-386-9936	SIC CODE - 1611	
	Contacted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

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)

Daniel Valenta of the NMED/SWQB arrived on site at 1100 hours on 5/12/2011, the inspector conducted an entrance interview with Mr. Mark Glass, Superintendent, where he presented his credentials and explained the purpose of the inspection. An exit interview to discuss the preliminary finding on the inspection was conducted with Mr. Glass and Mr. Melvin Varela at approximately 1150 hours on 5/12/2011 at the construction site.

- This report is based on review of files maintained by the permittee, EPA NOI Database, on site observation by NMED personal and verbal information provided by the facility's representative.

Name(s) and Signature(s) of Inspector(s)	Agency/Office/Telephone/Fax	Date
DANIEL VALENTA /s/Daniel Valenta	NMED/SWQB 505-827-2575	6/9/2011
Signature of Management QA Reviewer	Agency/Office/Phone and Fax Numbers	Date
RICHARD POWELL /s/Richard Powell	NMED/SWQB 505-827-2798	6/9/2011

National Database Information		General	
Inspection Type	Compliance Evaluation	Inspector Name	Daniel Valenta
NPDES ID Number	NMU001734, NMU001735, NMR10HD16, NMU001736	Telephone	(505) 827-2575
Inspection Date	5/12/2011	Entry Time	1100
Inspector Type (circle one)	EPA <input type="checkbox"/> State <input checked="" type="checkbox"/> EPA Oversight	Exit Time	1145
Facility Type (circle one)	<input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> Municipal	Signature	/s/Daniel Valenta

Facility Location Information					
Name/Location/ Mailing Address	Dollar General Retail Store NM State Hwy 50 & NM State Hwy 6 Pecos, NM 87552				
GPS Coordinates	Latitude	35.57659	Longitude	-105.67764	
Receiving Water(s)	Alamitos Canyon to the Pecos River in the Pecos River Basin, NMAC 20.6.4.217 Assessment Unit NM-2214.A_003 has a TMDL for turbidity and temperature.				
Disturbed Area	1.5	Start Date	4/21/11	Stop Date	10/31/11

Contact Information		
	Name(s)	Telephone
Name(s) and Role(s) of All Parties Meeting the Definition of Operator	Owner: Dollar General Corp. Developer: Faith Construction Inc. General Contractor: VP Construction General Contractor: Melvin Varela	615-855-4000 918-830-4365 501-219-8899 505-757-2149
Facility Contact	Site Supervisor: Mark Glass General Contractor: Melvin Varela	505-975-7756 505-757-2149
Authorized Official(s)	Dollar General Corp: Kathleen Guion Faith Construction Inc: Michael Russell V P Construction: Mr. Ted Van Tassel General Contractor: Melvin Varela	615-855-4000 918-830-4365 501-219-8899 505-757-2149

Site Information: (circle all that apply)							
Nature of Project	Residential	<input checked="" type="checkbox"/> Commercial/ Industrial	Roadway	Private	Federal	State/ Municipal	Other
Construction Stage	Clearing/ Grubbing	Rough Grading	Infrastructure	<input checked="" type="checkbox"/> Building <input checked="" type="checkbox"/> Const.	Final Grading	Final Stabilization	

Basic Permit Information			Basic SWPPP Information		
Permit Coverage <i>ESO Element 3 & 4</i>	<input checked="" type="checkbox"/> Faith Const.	<input type="checkbox"/> Dollar General VPC Mr. Varela	SWPPP Prepared & Available <i>ESO Element 5 & 30</i>	Y	<input type="checkbox"/>
Permit Type	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Individual	SWPPP Contents Satisfactory <i>ESO Elements 5 - 31</i>	Y	<input type="checkbox"/>
Permit notice/sign visibly posted including: copy of NOI, contact name & phone number, location of SWPPP <i>ESO Element 41</i>	Y	<input type="checkbox"/>	SWPPP Implementation Satisfactory <i>ESO Elements 32 - 48</i>	Y	<input type="checkbox"/>
NOI Date	4/15/11		SWPPP Date	4/20/11	
If applicable, is waiver certification & approval on file?	Y	N	<i>Intentionally left blank</i>		

SWPPP Review (can be completed in office)					
General			Notes:		
Is there a SWPPP? <i>ESO Element 5</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/> N			
SWPPP completed prior to NOI submission? <i>ESO Element 6</i>	Y	<input type="checkbox"/>	SWPPP signed 4/20/11 NOI submitted 4/15/11		
Copy of permit language? <i>ESO Element 25</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/> N			
Is SWPPP consistent with state/tribal/local regulations and permits? <i>ESO Element 26</i>	Y	<input type="checkbox"/>	Part 10 of the permit requires site specific BMPs that are designed to prevent to the maximum extent practicable an increase in the sediment yield from pre-construction, pre-development conditions to assure that applicable standards of 20.6.4. NMAC are met. No data is included in SWPPP to demonstrate this condition has been met. Runoff coefficient increases from 0.40 to 0.62 after construction.		
SWPPP updated to incorporate changes to State, Tribal, Local erosion plans? <i>ESO Element 27</i>	Y	<input type="checkbox"/>			
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 28</i>	Y	<input type="checkbox"/>	Construction ongoing, no inspection reports included with the SWPPP.		
Is a copy of the SWPPP on site or made available? <i>ESO Element 30</i>	Y	<input type="checkbox"/>	SWPPP was not available at site or readily available.		
Did all "operators" sign/certify the SWPPP? <i>ESO Element 31</i>	Y	<input type="checkbox"/>	Only operator to sign was Faith Construction.		

Site Description		Notes:
SWPPP identifies potential sources of pollution? <i>ESO Element 7</i>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	
SWPPP identifies all operators and their areas of control? <i>ESO Element 8</i>	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Faith Construction is listed as having control of all development activities within project boundaries.
Is there a site description? <i>ESO Element 9</i>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	
Nature/sequence of construction activity? <i>ESO Element 9A - 9B</i>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	
Total area of site and total area to be disturbed? <i>ESO Element 9C</i>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	1.5 acres
Is there a general location map? <i>ESO Element 9D</i>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	
Is there a site map? <i>ESO Element 9E</i>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Does not include entire disturbed area.
Drainage patterns/outfalls on site map? <i>ESO Element 9F</i>	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	No outfalls listed.
Area of soil disturbance on site map? <i>ESO Element 9F</i>	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Site map does not include entire site.
Location of major structural controls on site map? <i>ESO Element 9F</i>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Noted on site map are sediment logs, earth dikes, waddles or equivalent BMP around existing storm drain inlets, sediment basin, and stabilized construction entrance.
Location of storm water discharges to a surface water on site map? <i>ESO Element 9F</i>	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	
Location of materials or equipment storage on site map (on-site or off-site)? <i>ESO Element 9F</i>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	
Location/description industrial activities? <i>ESO Element 9G</i>	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	n/a
Name of Receiving water(s) or MS4 listed?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<i>Note: Indicate whether receiving water is 303(d) listed.</i> Entire site will drain into Alamitos Canyon and thus the Pecos River. This segment of the Pecos River has a TMDL for turbidity and temperature.
Does the SWPPP include dates of major grading activities, temporary/permanent construction cessation, and initiation of stabilization practices? <i>ESO Element 14</i>	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Activity noted on sequence of construction events timeline, no estimated dates.
Endangered Species Documentation? <i>ESO Element 23</i>	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	The permittee checked A on the NOI, no documentation provided to support selection. Endangered and threatened species are found in San Miguel county.

<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 10 A – C</i>	Y	<input type="checkbox"/> N	SWPPP lists the use of silt fence, straw bale, diversion channel dike, slope drain, drop inlet protection, culvert protection, check dam, sediment trap, and triangular sediment filter dike. None of these BMP's was on site the day of the inspection.
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 11; 12</i>	<input checked="" type="checkbox"/> Y	N	SWPPP lists seeding, mulching, surface roughening, erosion control mat, and a buffer strip.
Does the SWPPP identify the contractor(s) and timing by which <i>stabilization practices</i> will be implemented? <i>ESO Element 13</i>	Y	<input type="checkbox"/> N	
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 15</i>	<input checked="" type="checkbox"/> Y	N	SWPPP lists the use of silt fence, straw bale, diversion channel dike, slope drain, drop inlet protection, culvert protection, check dam, sediment trap, and triangular sediment filter dike. None of these BMP's was on site the day of the inspection.
Does the SWPPP identify the contractor(s) and timing by which <i>structural practices</i> will be implemented? <i>ESO Element 10B - 10C</i>	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 16</i>	<input checked="" type="checkbox"/> Y	N	SWPPP describes the use of seeding, mulching, surface roughening , erosion control mats, and buffer strips.
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 17</i>	Y	N	n/a
Does SWPPP describe measures to minimize off-site vehicle tracking and generation of dust? <i>ESO Element 18</i>	<input checked="" type="checkbox"/> Y	N	Yes, SWPPP describes the use of rocked stabilized construction entrance however only BMP on site is a cattle guard.
Does SWPPP describe controls for pollutants from storage of construction or waste materials? <i>ESO Element 19</i>	Y	N	No construction or waste materials stored on site.
Does the SWPPP describe controls for pollutants from non-construction activities? <i>ESO Element 20</i>	Y	<input type="checkbox"/> N	
Does SWPPP identify allowable non-storm water discharges? <i>ESO Element 21</i>	<input checked="" type="checkbox"/> Y	N	

Controls to Reduce Pollutants (cont'd)		Notes:
Does SWPPP ensure implementation of pollution prevention measures for non-storm water discharges? <i>ESO Element 22</i>	Y <input checked="" type="checkbox"/> N	
Is SWPPP revised when BMPs added/modified within 7 days after inspection reveals problems? <i>ESO Element 29</i>	Y <input type="checkbox"/> N	No inspections documented.

Inspections		Notes:
Inspections performed once every 7 days, or every 14 days within 24 hours of a rain event greater 0.5"? <i>ESO Element 32</i>	Y <input checked="" type="checkbox"/> N	No inspections documented, SWPPP describes inspections will be performed on a weekly basis.
Inspections performed by qualified personnel? <i>ESO Element 33</i>	Y <input type="checkbox"/> N	Unknown, no inspections documented.
All disturbed areas and/or used for storage and exposed to rain inspected? <i>ESO Element 34</i>	Y <input type="checkbox"/> N	Unknown, no inspections documented.
All pollution control measures inspected to ensure proper operation? <i>ESO Element 35</i>	Y <input type="checkbox"/> N	Unknown, no inspections documented.
All discharge locations inspected if accessible, or if not accessible, are nearby downstream locations inspected? <i>ESO Element 36; 37</i>	Y <input type="checkbox"/> N	Unknown, no inspections documented.
Entrance/exit inspected for off-site tracking? <i>ESO Element 38</i>	Y <input type="checkbox"/> N	Unknown, no inspections documented.
Inspection report contain all required items and certified? <i>ESO Element 39; 40</i>	Y <input checked="" type="checkbox"/> N	

SWPPP Implementation (*complete in field*)

Stabilization Practices

**List and describe
stabilization practices**
ESO Element 43, 48

(e.g., seeding, mulching, geotextiles, sod stabilization)

Active construction site, no stabilization practices in use.

SWPPP describes: seeding, mulching, surface roughening, erosion control mat, and a buffer strip.

**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?)

Active construction site.

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)

SWPPP lists the use of silt fence, straw bale, diversion channel dike, slope drain, drop inlet protection, culvert protection, check dam, sediment trap, and triangular sediment filter dike.

None of these BMP's was on site the day of the inspection, (see photos).

Non-Structural Practices

Street Cleaning
ESO Element 44

(e.g., describe measures taken to remove offsite accumulation of sediment)

A cattle guard at the entrance, very little sediment on street.

<u>Non-Structural Practices</u>	
<p>Good Housekeeping & Waste Disposal Practices ESO Element 45</p>	<p><i>(e.g., describe measures taken to prevent litter and debris from becoming a pollutant source)</i> Site appeared clean and orderly.</p> <p>SWPPP listed and described the procedures for the placement of sanitary facilities, equipment maintenance, protected chemical and material storage areas, spill prevention plan, protection of trees, concrete waste management, solid waste management, hazardous waste management, dust control, and stabilized construction entrance/exit.</p>
<p>Equipment Wash/Maintenance Area ESO Elements 43</p>	<p><i>(provide brief description)</i></p> <p>Equipment not washed or maintained on site.</p>
<p>Concrete Washout Areas ESO Elements 43</p>	<p><i>(provide brief description)</i></p> <p>No concrete wash area on site although described in SWPPP.</p>
<u>Miscellaneous</u>	
<p>Evidence of Sediment Deposition to Surface Waters *ESO Eligibility - if "yes," site not eligible for ESO</p>	<p><i>(e.g., significant turbidity observed in a receiving water body)</i></p> <p>No</p>

Miscellaneous

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)

Only BMP in place was the cattle guard at the entrance/exit, (see photos).

Has implementation of additional/modified BMPs been completed before next anticipated storm event?

ESO Element 43.C.1

(provide brief description)

Only BMP in place was the cattle guard at the entrance/exit, (see photos).

Notes on SWPPP Implementation

There appeared to be no implementation of the SWPPP at the site.

NMED/SWQB
Site Overview

City/County: Pecos/San Miguel County	
Location: NM State Hwy 50/223 & NM State Hwy 63	
Subject: Overview of construction site and surface waters.	



**NMED/SWQB
Official Photograph Log**

Photo # 1

Photographer: Daniel Valenta	Date: 5/12/11	Time: 1135 hours
City/County: Pecos/San Miguel County		
Location: Northwest corner of NM State Hwy 50/223 & NM State Hwy 63, Pecos, New Mexico		
Subject: Site of Dollar General store, preparing site for pouring foundation, picture taken facing east.		



**NMED/SWQB
Official Photograph Log**

Photo # 2

Photographer: Daniel Valenta	Date: 5/12/11	Time: 1127 hours
City/County: Pecos/San Miguel County		
Location: Northwest corner of NM State Hwy 50/223 & NM State Hwy 63, Pecos, New Mexico. Picture taken facing north.		
Subject: East side of the property facing State Hwy 63, no BMP's as described in SWPPP to contain sediment from leaving the construction site.		



**NMED/SWQB
Official Photograph Log**

Photo # 3

Photographer: Daniel Valenta	Date: 5/12/11	Time: 1126 hours
City/County: Pecos/San Miguel County		
Location: Northwest corner of NM State Hwy 50/223 & NM State Hwy 63, Pecos, New Mexico. Picture taken facing east.		
Subject: South side of the property facing State Hwy 63, no BMP's as described in SWPPP to contain sediment from leaving the construction site.		



**NMED/SWQB
Official Photograph Log**

Photo # 4

Photographer: Daniel Valenta	Date: 5/12/11	Time: 1126 hours
City/County: Pecos/San Miguel County		
Location: Northwest corner of NM State Hwy 50/223 & NM State Hwy 63, Pecos, New Mexico. Picture taken facing east.		
Subject: North side of the property facing Alamitos Canyon, no BMP's as described in SWPPP to contain sediment from leaving the construction site.		

