NEW MEXICO
ENVIRONMENT DEPARTMENT

Surface Water Quality Bureau

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DAVE MARTIN
Secretary

RAJ SOLOMON, P.E.
Deputy Secretary

Certified Mail – Return Receipt Requested

July 29, 2011

Mr. David Hernandez and Mr. Ruben Olivas, Owners
DE Ready Mix, Inc.
5300 Del Rey Blvd.,
Las Cruces, NM 88012

Re: Industrial Storm Water, SIC 3273, NPDES Compliance Evaluation Inspection, DE Ready Mix, Inc., NMU001748, July 14, 2011

Dear Mr. Hernandez and Mr. Olivas,

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 (Diana McDonald, USEPA (6EN-WM), 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 that you provided during my visit to your site. 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
Environmental Scientist/Specialist
Surface Water Quality Bureau

Cc: Marcia Gail Adams, USEPA (6EN-AS) via e-mail
Samuel Tates, USEPA (6EN-AS) via e-mail
Carol Peters-Wagnon, USEPA (6EN-WM) via e-mail
Diana McDonald, USEPA (6EN-WM) via e-mail
Frank Fiore, NMED District III (via e-mail)

Form Approved
OMB No. 2040-0003
Approval Expires 7-31-85

NPDES Compliance Inspection Report

Section A: National Data System Coding

1	Transaction Code	2	NPDES	11	12	yr/mo/day	17	18	Inspec. Type	19	Inspector	20	Fac Type
	N	5	NMU0017481			110714			~		S		2

Remarks: SAND AND GRAVEL SIC 3273

Inspection Work Days	Facility Evaluation Rating	BI	QA	Reserved
67–69	70: 2	71: N	72: N	73–80

Section B: Facility Data

Name and Location of Facility Inspected *(For industrial users discharging to POTW, also include POTW name and NPDES permit number)*
DE READY MIX INC., HATCH PLANT: FROM I-25, TAKE THE HATCH EXIT AND TURN LEFT. TAKE THE DIRT ACCESS ROAD TO THE SAND AND GRAVEL PIT.

Entry Time /Date: 1036 HOURS / 7-14-2011
Exit Time/Date: 1240 HOURS / 7-14-2011
Permit Effective Date: 9-29-2008
Permit Expiration Date: 9-29-2013

Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)
MR. RUBEN OLIVAS, OWNER (575) 382-8105
MR. DAVID HERNANDEZ, OWNER
MR. BRIAN OLIVAS, QUALITY CONTROL MANAGER

Other Facility Data
LAT/LONG:
N. 32° 41.828'
W. -107° 10.602'

Name, Address of Responsible Official/Title/Phone and Fax Number
MR. DAVID HERNANDEZ AND MR. RUBEN OLIVAS (575) 382-8105
5300 DEL REY BLVD., LAS CRUCES, NM 88012

Contacted: Yes [*] No [ ]

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
S	Effluent/Receiving Waters	N	Laboratory	M	Storm Water	N	Other:

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

1. **PLEASE SEE FURTHER EXPLANATIONS FOR FURTHER DETAIL.**

Name(s) and Signature(s) of Inspector(s)	Agency/Office/Telephone/Fax	Date
Sarah S. Holcomb */s/ Sarah Holcomb*	505-222-9587	7-29-2011
Signature of Management QA Reviewer	**Agency/Office/Phone and Fax Numbers**	**Date**
Richard Powell */s/ Richard Powell*	505-827-2798	7-29-2011

EPA Form 3560-3 (Rev. 9-94) Previous editions are obsolete.

Compliance Evaluation Inspection
DE Ready Mix, Sector E
NPDES Permit #NMU001748, July 14, 2011

Further Explanations

Introductions

On July 14, 2011, a Compliance Evaluation Inspection was conducted at the DE Ready Mix, Inc. facility (Standard Industrial Classification 3273) located in Hatch, 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 E) and stormwater regulations at **40 Code of Federal Regulations (CFR) Part 122.26.**

DE Ready Mix has operated this sand and gravel pit since 2010 and the company is currently working to establish a concrete batch plant on the same piece of land as well. Sand and gravel is mined and crushed at this location, then hauled out to aid in the production of commercial concrete.

Storm water from this facility discharges into an unnamed arroyo, thence to the Rio Grande (about 0.74 miles away) in 20.6.4.101 NMAC of the Lower 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 primary contact.

The inspector arrived at the facility at 1036 hours. The inspector conducted an entrance interview with Mr. Brian Olivas, Quality Control Manager, once he arrived on site around 1100 hours, during which the inspector made introductions, presented her credentials and discussed the purpose of the inspection. Mr. Olivas accompanied the inspector on a tour of the entire facility and explained processes and management measures already in place. Mr. Ruben Olivas and Mr. David Hernandez arrived on site closer to noon, and the inspector conducted an exit interview with all three parties, explaining the permit requirements and giving other permit specific information.

This report is based on verbal information reported by the facility representatives, 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 E – Glass, Clay, Cement, Concrete, and Gypsum Product Manufacturing – under SIC 3272 and 3273.

A Storm Water Pollution Prevention Plan (SWPPP) had allegedly been prepared in written form, however, it 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 sand and gravel facility can result in the creation of various pollutant sources that include, but are not limited to, the following:

- **Material Storage at Concrete Product Manufacturing Facilities**: These activities can be a source of pollutants such as TSS (Total Suspended Solids), COD (Chemical Oxygen Demand) and pH. These pollutants can come from sources such as Exposed aggregate (sand and gravel), concrete, shale, clay, limestone, slate, slag and pumice.
- **Material Handling at Concrete Product Manufacturing Facilities:** These activities can be a source of pollutants such as TSS, COD, pH, lead, iron and zinc. These pollutants can come from sources such as exposed aggregate, concrete, shale, clay, slate, slag, pumice and limestone, as well as spills or leaks of cement, fly ash, admixtures and baghouse settled dust.
- **Mixing Concrete:** These activities can be a source of pollutants such as TSS, pH, COD, lead, iron and zinc. These pollutants can come from sources such as spilled aggregate, cement and admixture.
- **Vehicle and Equipment Washing at Concrete Product Manufacturing Facilities**: These activities can be a source of pollutants such as oil and grease, Biochemical Oxygen Demand (BOD), TSS, COD, and pH. These pollutants can come from sources such as residual aggregate, concrete, admixture and oil and grease.
- **Equipment and Vehicle Maintenance:** These activities can be a source of pollutants such as oil and grease, BOD, COD, pH, lead, iron, zinc, aluminum, arsenic, cadmium, chromium and benzene. These pollutants can come from sources such as gasoline, diesel, fuel, fuel oil, parts cleaning, waste disposal of solvents, oily rags, oil and gas filters, batteries, coolants, degreasers and fluid replacement, including lubricating fluids, hydraulic fluid, oil, transmission fluid, radiator fluids, solvents and grease.

If not properly managed or treated in accordance with an NPDES permit, activities associated with the activities at this facility could be 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) sand and gravel mining areas and 2) an area of the site where leaky equipment had been parked.

For additional information on BMPs and SWPPPs for Sector F, please refer to pages 50867-50877 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 Messrs. Olivas and Mr. Hernandez at approximately 1230-1240 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 the company 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. Olivas in case there were questions at a later time.