



NEW MEXICO
ENVIRONMENT DEPARTMENT

Surface Water Quality Bureau

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DAVE MARTIN
Secretary

BUTCH TONGATE
Acting Deputy Secretary

Certified Mail – Return Receipt Requested

August 9, 2011

Ms. Ellen Lindsey, Interim City Manager
City of Truth or Consequences
505 Sims Street
Truth or Consequences, NM 87901

Re: Industrial Storm Water, SIC 4952, NPDES Compliance Evaluation Inspection, Truth or Consequences WWTP, NMU001750, July 25, 2011

Dear Ms. Lindsey,

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 Tate, 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)



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 5 0 11 12 1 1 0 7 2 5 17 18 ~ 19 S 20 2					
Remarks					
M A J O R W W T P					
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) TRUTH OR CONSEQUENCES WWTP: FROM I-25, TAKE THE WILLIAMSBURG EXIT (EXIT 75) AND FOLLOW BROADWAY ST. TURN RIGHT ON HYDE AVE., AND RIGHT ON VEATER ST. PLANT ENTRANCE IS ON THE RIGHT.	Entry Time /Date 1045 HOURS / 7-25-2011	Permit Effective Date 9-29-2008
	Exit Time/Date 1545 HOURS / 7-25-2011	Permit Expiration Date 9-29-2013
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) MR. JESUS SALAYANDIA, SUPERINTENDENT (575) 894-7331 MS. LYNN STRAUGHN, LAB TECH	Other Facility Data LAT/LONG: N. 33° 06.835' W. -107° 16.915' SIC 4952	
Name, Address of Responsible Official/Title/Phone and Fax Number MS. ELLEN LINDSEY, INTERIM CITY MANAGER (575) 894-6673 X 320 505 SIMS ST., TRUTH OR CONSEQUENCES, NM 87091	Contacted Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	

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
S	Facility Site Review	N	Compliance Schedules	N	Pretreatment	N	Multimedia
S	Effluent/Receiving Waters	N	Laboratory	U	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) Sarah S. Holcomb /s/ Sarah Holcomb	Agency/Office/Telephone/Fax 505-222-9587	Date 8-9-2011
Signature of Management QA Reviewer Richard Powell /s/ Richard Powell	Agency/Office/Phone and Fax Numbers 505-827-2798	Date 8-9-2011

**Compliance Evaluation Inspection
Truth or Consequences WWTP, Sector T
NPDES Permit #NMU001750, July 25, 2011**

Further Explanations

Introductions

On July 25, 2011, a Compliance Evaluation Inspection was conducted at the Truth or Consequences WWTP facility (Standard Industrial Classification 4952) located in Truth or Consequences, 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 T) and stormwater regulations at **40 Code of Federal Regulations (CFR) Part 122.26**.

Storm water from this facility discharges into the Rio Grande in 20.6.4.103 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, livestock watering, wildlife habitat, marginal coldwater aquatic life, secondary contact and warmwater aquatic life.

The inspector arrived at the facility at 1045 hours. The inspector conducted an entrance interview with Mr. Jesus Salayandia, Superintendent, during which the inspector made introductions, presented her credentials and discussed the purpose of the inspection. Mr. Salayandia accompanied the inspector on a tour of the entire facility and explained processes and management measures already in place. The inspector conducted an exit interview with Ms. Ellen Lindsey, interim city manager at 1530 hours, 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. This is a repeat finding from a prior EPA inspection in 2010. 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 T – Treatment Works – under SIC 4952.

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 treatment works facility can result in the creation of various pollutant sources that include, but are not limited to, the following:

- **Preparation of biological and physical treatment processes:** These activities can be a source of pollutants such as Disinfectants, polymers and coagulants, alum, ferric chloride, sodium aluminate, soda ash, lime, sodium hypochlorite, and caustic soda. These pollutants can come from sources such as spills and leaks of process chemicals.
- **Soil amending and grass fertilizing:** These activities can be a source of pollutants such as commercial brands of balance fertilizers (6-6-6, 8-8-8 or 12-12-12), commercial sludge based products, nitrogen, other nutrients, phosphorus and ammonia. These pollutants can come from sources such as over-fertilizing.
- **Liquid storage in above ground storage:** These activities can be a source of pollutants such as aluminum sulfate, liquid chlorine, liquid polymer, fuel, and oil. These pollutants can come from sources such as external corrosion and structural failure, installation problems, spills and overfills due to operator error, failure of piping systems (pipes, pumps, flanges, couplings, hoses and valves), and leaks and spills during pumping of liquids from barges, trucks, or rail cars to a storage facility.
- **Pest Control:** These activities can be a source of pollutants such as diazinon, malathion, amdro, dimethylphthalate, diethyl phthalate, dichlorvos, carbaryl, skeetal, batex, and liquid copper. These pollutants can come from sources such as large quantities of pesticide application, pesticide storage.
- **Sludge Drying Beds and Storage Piles:** These activities can be a source of pollutants such as nitrate, TDS (Total Dissolved Solids), TSS (Total Suspended Solids), and ammonia. These pollutants can come from sources such as sludge.
- **Sludge Transfer:** These activities can be a source of pollutants such as nitrate, TDS, TSS, oil, fuel, hydraulic fluids and ammonia. These pollutants can come from sources such as sludge, vehicles and transfer equipment.
- **Incineration:** These activities can be a source of pollutants such as heavy metals, TDS and TSS. These pollutants can come from sources such as ash impoundments/piles.
- **Miscellaneous:** These activities can be a source of pollutants such as TSS, heavy metals, fecal coliform, nitrate and TSS. These pollutants can come from grit and scum piles from clarifiers, screens and exposed soil.

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) sludge and composting areas and 2) grit collection area at the headworks of the plant.

For additional information on BMPs and SWPPPs for Sector T, please refer to pages 51004-51007 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 at the City's offices with Mr. Salayandia and Ms. Lindsey at approximately 1530-1545 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).