



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

Mr. Royal Jones, President
Mesilla Valley Transportation
3590 W. Picacho Ave.
Las Cruces, NM 88007

Re: Industrial Storm Water, SIC 4213, NPDES Compliance Evaluation Inspection, Mesilla Valley Transportation, Inc., NMU001753, July 26, 2011

Dear Mr. Jones,

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 was 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 3 11 12 1 1 0 7 2 6 17 18 ~ 19 S 20 2 | | | | | |
| Remarks | | | | | |
| S E C T O R 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) MESILLA VALLEY TRANSPORTATION: FROM I-25, TAKE THE N. MAIN ST. EXIT. TURN RIGHT ON PICACHO AND FOLLOW ACROSS THE RIO GRANDE TO 3590. | Entry Time /Date 0830 HOURS / 7-26-2011 | Permit Effective Date 9-29-2008 |
| | Exit Time/Date 0848 HOURS / 7-26-2011 | Permit Expiration Date 9-29-2013 |
| Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) MR. LUIS GARCIA, VP OF ADMINISTRATIVE/HR (575) 524-2835 x 4203 | Other Facility Data | |
| Name, Address of Responsible Official/Title/Phone and Fax Number MR. ROYAL JONES, PRESIDENT (575) 3590 W. PICACHO AVE., LAS CRUCES, NM 88004 | Contacted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> * | LAT/LONG: N. 32° 18.665' W. -106° 50.028' SIC 4213 |

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
Mesilla Valley Transportation, Sector P
NPDES Permit #NMU001753, July 26, 2011**

Further Explanations

Introductions

On July 26, 2011, a Compliance Evaluation Inspection was conducted at the Mesilla Valley Transportation facility (Standard Industrial Classification 4213) located in Las Cruces, 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 P) and stormwater regulations at **40 Code of Federal Regulations (CFR) Part 122.26**.

Storm water from this facility discharges into the Rio Grande in 20.6.4.101 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 0830 hours. The inspector conducted an entrance interview with Mr. Luis Garcia, VP of Administrative/Human Resources, during which the inspector made introductions, presented her credentials and discussed the purpose of the inspection. Mr. Garcia explained that aside from the shop at the MVT trucking school facilities adjacent to the offices, there is no industrial activity at this location. The actual trucking activities are located at another location in El Paso, TX. However, the truck maintenance shop located at the facility's trucking school does require that the facility obtain permit coverage under the MSGP.

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 P – Land Transportation and Warehousing – under SIC 4213.

A Storm Water Pollution Prevention Plan (SWPPP) had not been prepared and was not being implemented onsite. 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 land transportation facility can result in the creation of various pollutant sources that include, but are not limited to, the following:

- **Fueling:** These activities can be a source of pollutants such as fuel, oil and heavy metals. These pollutants can come from sources such as spills and leaks during fuel delivery, spills caused by “topping off” fuel tanks, rainfall falling onto the fuel area or storm water running onto the fuel area, hosing or washing down the fuel area, or leaking storage tanks.
- **Vehicle and equipment maintenance:** These activities can be a source of pollutants such as chlorinated solvents, oil, heavy metals, acid/alkaline wastes, ethylene glycol, organics and arsenic. These pollutants can come from sources such as parts cleaning, waste disposal of greasy rags, oil filters, air filters, batteries, hydraulic fluids, transmission fluids, radiator fluids, degreasers, and spills of oil.
- **Outdoor vehicle and equipment storage and parking:** These activities can be a source of pollutants such as oil, hydraulic fluids, arsenic, heavy metals, organics and fuel. These pollutants can come from sources such as leaking vehicle fluids including hydraulic lines and radiators, leaking or improperly maintained locomotive on-board drip collection systems, and brake dust.
- **Painting areas:** These activities can be a source of pollutants such as paint, spent chlorinated solvents, dust and heavy metals. These pollutants can come from sources such as paint and paint thinner spills, spray painting, sanding or paint stripping and paint clean-up.
- **Vehicle or equipment washing areas:** These activities can be a source of pollutants such as oil, detergents, heavy metals, chlorinated solvents, phosphorus, salts, and suspended solids. These pollutants can come from sources such as washing or steam cleaning.
- **Liquid storage in above ground storage:** These activities can be a source of pollutants such as fuel, oil, heavy metals, and materials being stored. These pollutants can come from sources such as external corrosion and structural failure, installation problems, spills and overfills due to operator error, and failure of piping systems (pipes, pumps, flanges, couplings, hoses, and valves).

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) outdoor truck storage (awaiting maintenance) areas and 2) outdoor storage tanks.

This facility had a prior enforcement action from EPA issued on 1-21-2005 (CWA 06-2005-1798) in relation to not having obtained permit coverage under the MSGP. This was under NMU001432.

For additional information on BMPs and SWPPPs for Sector P, please refer to pages 50977-50984 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 facility with Mr. Garcia at approximately 0845 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 the inspection, the inspector also emailed information on the permit to Mr. Garcia, which included information on the application process, instructions on how to develop a SWPPP, and a fact sheet regarding why land transportation facilities are of a concern to water quality.