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NEW MEXICO  
ENVIRONMENT DEPARTMENT

*Surface Water Quality Bureau*

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DAVE MARKLIN  
Secretary

BUTCH TONGATE  
Acting Deputy Secretary

**Certified Mail - Return Receipt Requested**

September 1, 2011

Mr. Cliff Teinert, Owner  
248 Breckenridge Road  
Albany, Texas 76430

RE: Industrial Stormwater; SIC 1442; NPDES Compliance Evaluation Inspection; Monte Verde Ranch; NPDES Permit No. NMU001759; August 10, 2011

Dear Mr. Teinert:

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 your cooperation and assistance during this inspection. If you have any questions about this inspection report, please contact me at (505) 827-2575.

Sincerely,

*/s/Daniel Valenta*

Daniel Valenta  
Surface Water Quality Bureau

Cc: Marcia Gail Adams, EPA, Enforcement Section (6EN-AS) by e-mail  
Carol Peters-Wagnon, EPA (6EN-WM) by e-mail  
Diana McDonald, EPA (6EN-WM) by e-mail  
Samual Tate, EPA, (6W-AS) by e-mail  
Sonia Hall, EPA (6EN) by e-mail  
Hannah Branning, EPA (6EN) by e-mail  
NMED District II by e-mail



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 <input type="text" value="N"/> 2 <input type="text" value="5"/> 3 <input type="text" value="N"/> <input type="text" value="M"/> <input type="text" value="U"/> 4 <input type="text" value="0"/> <input type="text" value="0"/> 5 <input type="text" value="1"/> <input type="text" value="7"/> 6 <input type="text" value="5"/> <input type="text" value="9"/> 7 <input type="text" value="1"/> 8 <input type="text" value="1"/> 9 <input type="text" value="0"/> 10 <input type="text" value="8"/> 11 <input type="text" value="1"/> 12 <input type="text" value="0"/> 13 <input type="text" value="1"/> 14 <input type="text" value="0"/> 15 <input type="text" value="17"/> 16 <input type="text" value="18"/> 17 <input type="text" value="~"/> 18 <input type="text" value="S"/> 19 <input type="text" value="2"/> 20 <input type="text" value="2"/>	Remarks	<input type="text" value="C"/> <input type="text" value="O"/> <input type="text" value="N"/> <input type="text" value="S"/> <input type="text" value="T"/> <input type="text" value="R"/> <input type="text" value="U"/> <input type="text" value="C"/> <input type="text" value="T"/> <input type="text" value="I"/> <input type="text" value="O"/> <input type="text" value="N"/> <input type="text" value="S"/> <input type="text" value="A"/> <input type="text" value="N"/> <input type="text" value="D"/> <input type="text" value="G"/> <input type="text" value="R"/> <input type="text" value="A"/> <input type="text" value="V"/> <input type="text" value="E"/> <input type="text" value="L"/>			
Inspection Work Days	Facility Evaluation Rating	BI	QA	Reserved	
67 <input type="text"/> <input type="text"/> <input type="text"/> 69	70 <input type="text"/>	71 <input type="text" value="N"/>	72 <input type="text" value="N"/>	73 <input type="text"/>	74 <input type="text"/>
		75 <input type="text"/>	76 <input type="text"/>		

#### 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	Permit Effective Date
<b>Monte Verde Ranch Sand/Gravel/Rock mine.</b> From the intersection of Hwy 64 and Hwy 38 Eagle Nest, NM, go south on 64 for seven miles. <b>COLFAX COUNTY</b>	<b>1500 Hours / 08-10-2011</b>	<b>9-29-2008</b>
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)	Exit Time/Date	Permit Expiration Date
<b>Mr. Cliff Teinert/ Owner/325-762-2575/Ranch 325-762-2596/cell 325-665-1990</b>	<b>1550/ 08-10-2011</b>	<b>9-29-2013</b>
Name, Address of Responsible Official/Title/Phone and Fax Number	Other Facility Data	
<b>Mr. Cliff Teinert/ Owner/325-762-2575/Ranch 325-762-2596/cell 325-665-1990</b>	<b>N. 36° 27' 29.30"</b> <b>W. -105° 16' 05.83"</b>	
Contacted	SIC 1442	
Yes <input type="text" value="*"/> No <input type="text"/>	Sector J	

#### Section C: Areas Evaluated During Inspection

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

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

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

1. PLEASE SEE FURTHER EXPLANATIONS FOR DETAILS

Name(s) and Signature(s) of Inspector(s)	Agency/Office/Telephone/Fax	Date
<b>DANIEL VALENTA</b> /s/Daniel Valenta	<b>NMED/SWQB 505-827-2575</b>	<b>9/1/2011</b>
Signature of Management QA Reviewer	Agency/Office/Phone and Fax Numbers	Date
<b>RICHARD E. POWELL</b> /s/Richard Powell	<b>505-827-2798</b>	<b>9/1/2011</b>

**Compliance Evaluation Inspection**  
**Monte Verde Ranch**  
**August 10, 2011**  
**NMU001759**

Further Explanations

Introduction

On August 10, 2011, Daniel Valenta of the New Mexico Environment Department (NMED), Surface Water Quality Bureau (SWQB) conducted a Compliance Evaluation Inspection (CEI) at a sand/gravel/rock mine located approximately 7 miles south of Eagle Nest, New Mexico. The purpose of this inspection was to document the facility's status regarding the National Pollution Discharge Elimination System (NPDES) permit requirements for "stormwater discharges associated with industrial activity" under 40 Code of Federal Regulations (CFR) 122.26(b)(14). This site may have industrial activities being conducted that meet the descriptions in Section J (Mineral Mining and Dressing) of the 2008 Multi-Sector General Permit (MSGP). Additional information from the U.S. Environmental Protection Agency (USEPA) on the Multi-Sector General Permit, factsheet and how to apply is available at [http://cfpub1.epa.gov/npdes/stormwater/msgp.cfm#permit\\_factsheet](http://cfpub1.epa.gov/npdes/stormwater/msgp.cfm#permit_factsheet). This CEI report is based on on-site observation by NMED personnel and verbal information provided by Mr. Cliff Teinert, Owner.

Storm water discharges from the facility may enter Cieneguilla Creek, thence to Eagle Nest Lake and thence to the Cimarron River in the Canadian River Basin. Cieneguilla Creek is in Segment 20.6.4.309 *State of New Mexico Standards for Interstate and Intrastate Surface Waters, 20.6.4 New Mexico Administrative Code* (NMAC). Cieneguilla Creek has a Total Maximum Daily Load (TMDL) for Temperature, Plant Nutrients, Bacteria (E. coli), Turbidity, and Sedimentation/Siltation. This segment includes the designated uses of domestic water supply, irrigation, high quality coldwater aquatic life, livestock watering, wildlife habitat, and primary contact; and public water supply on the Cimarron River upstream from Cimarron, on Eagle Nest Lake and on perennial reaches of Rayado creek and its tributaries.

An entrance interview was conducted at the site at approximately 1500 hours on August 10, 2011. The inspector presented credentials and discussed the purpose of the inspection. The inspector and Mr. Teinert toured the mining operation and upon completion, a brief exit interview to discuss the preliminary findings of this inspection was conducted. The inspector left the site at approximately 1550 hours on August 10, 2011.

Finding

The sand/gravel/rock mine located approximately 7 miles south of Eagle Nest, New Mexico was first mined in 1935. The site is now part of the Monte Verde Ranch owned by Mr. Cliff Teinert. The site can be broken into two areas, (see overview).

1. In reviewing the area with Mr. Teinert, the older part of the mine, close to Cieneguilla creek appears not to be actively mined except in one small area where rock was dug and removed. The sides of the mine leading to Cieneguilla Creek are vegetated with native shrubs along the slopes and with native grasses at the bottom. The site was not disturbed in these areas. Rainwater falling in the older mined area would pond and be retained within the site.

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2. The other part of the site which appears lighter in the aerial photograph is being actively mined. No rock separators, grizzlies, or rock crushers were present. But a backhoe and another piece of equipment are at the site. While the site is being mined, the operation appeared to be a small scale operation with no weight scale or office building present. The entrance to the site from Hwy 64 has a locked gate with no signs or marking. While taking pictures of the site from the road, Mr. Nate Kite left the property with a load of sand and gravel. I inquired as to the ownership of the property and his mining at the site. I was directed to the business of Kite Construction, Septic System Services. There I spoke with Mr. Cecil Kite, owner of the business. Mr. Kite said they were given permission to remove sand and gravel from the mine when needed for their jobs. When touring the site with Mr. Teinert, he acknowledged he has given Mr. Kite permission to remove material from the old mine.

It does not appear at this time there has been established a business primarily engaged in operating a sand and gravel operation. If the mine is being used commercially the operator needs to apply for and acquire a Multi-Sector General Permit (MSGP). Best Management Practices (BMP's) need to be installed and a Storm Water Pollution Prevention Plan (SWPPP) needs to be created for the site.

On-Site Activities

The site is adjacent to Cieneguilla Creek and is used primarily for construction sand and gravels mining (SIC 1442). Activities which occur at the facility result in the creation of various pollutant sources and potential pollutants which include, but are not limited to:

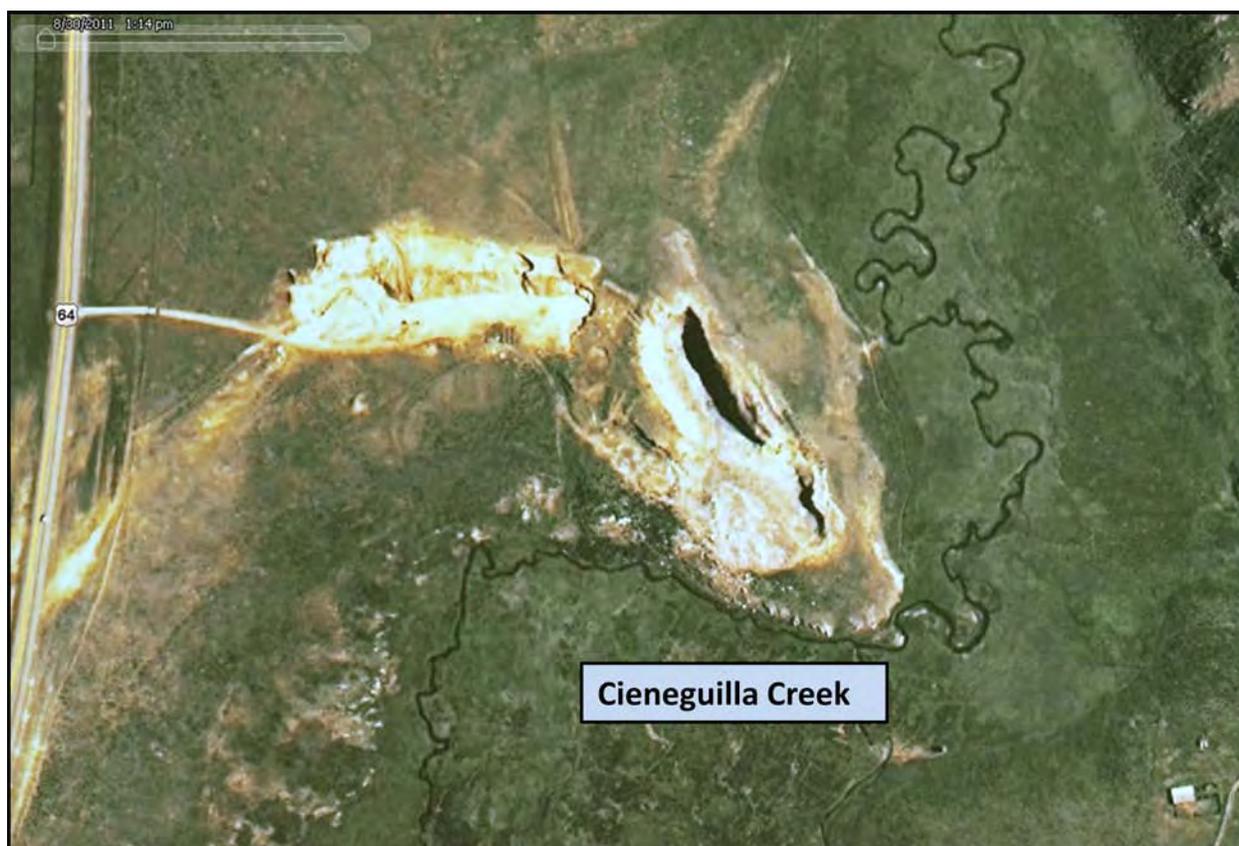
<b>Activities</b>	<b>Pollutant Sources</b>	<b>Pollutants</b>
<i>Site Preparation</i>	<i>Road construction</i>	<i>Dust, total suspended solids (TSS), total dissolved solids (TDS), turbidity</i>
	<i>Removal of overburden</i>	<i>Dust, TSS, TDS, turbidity, fines</i>
<i>Mineral Processing Activities</i>	<i>Rock sorting</i>	<i>Dust, TSS, TDS, turbidity, pH</i>
	<i>Raw material storage</i>	<i>Dust, TSS, TDS, turbidity</i>
	<i>Waste rock storage</i>	<i>Dust, TSS, TDS, turbidity, pH</i>
	<i>Raw or waste material transportation</i>	<i>Dust, TSS, TDS, turbidity</i>
<i>Equipment/Vehicle Maintenance</i>	<i>Fueling activities</i>	<i>Diesel/gas fuel, oil</i>
	<i>Parts cleaning</i>	<i>Solvents, oil, heavy metals, acid/alkaline wastes</i>
	<i>Waste disposal of oily rags, oil and gas filters, batteries, coolants, degreasers</i>	<i>Oil, heavy metals, solvents, acids</i>
	<i>Fluid replacement including hydraulic fluid, oil, transmission fluid, radiator fluids, and grease</i>	<i>Oil, arsenic, lead, cadmium, chromium, benzene, TCA, TCE, PAHs, solvents</i>

*Source: Excerpts from Industrial Stormwater Fact Sheet Series, Sector J: Mineral Mining and Processing Facilities, [http://www.epa.gov/npdes/pubs/sector\\_j\\_mineralmining.pdf](http://www.epa.gov/npdes/pubs/sector_j_mineralmining.pdf)*

There were no observed structural or stabilization BMPs for the disturbed mined area and material piles at this site.

**NMED/SWQB  
Site Overview**

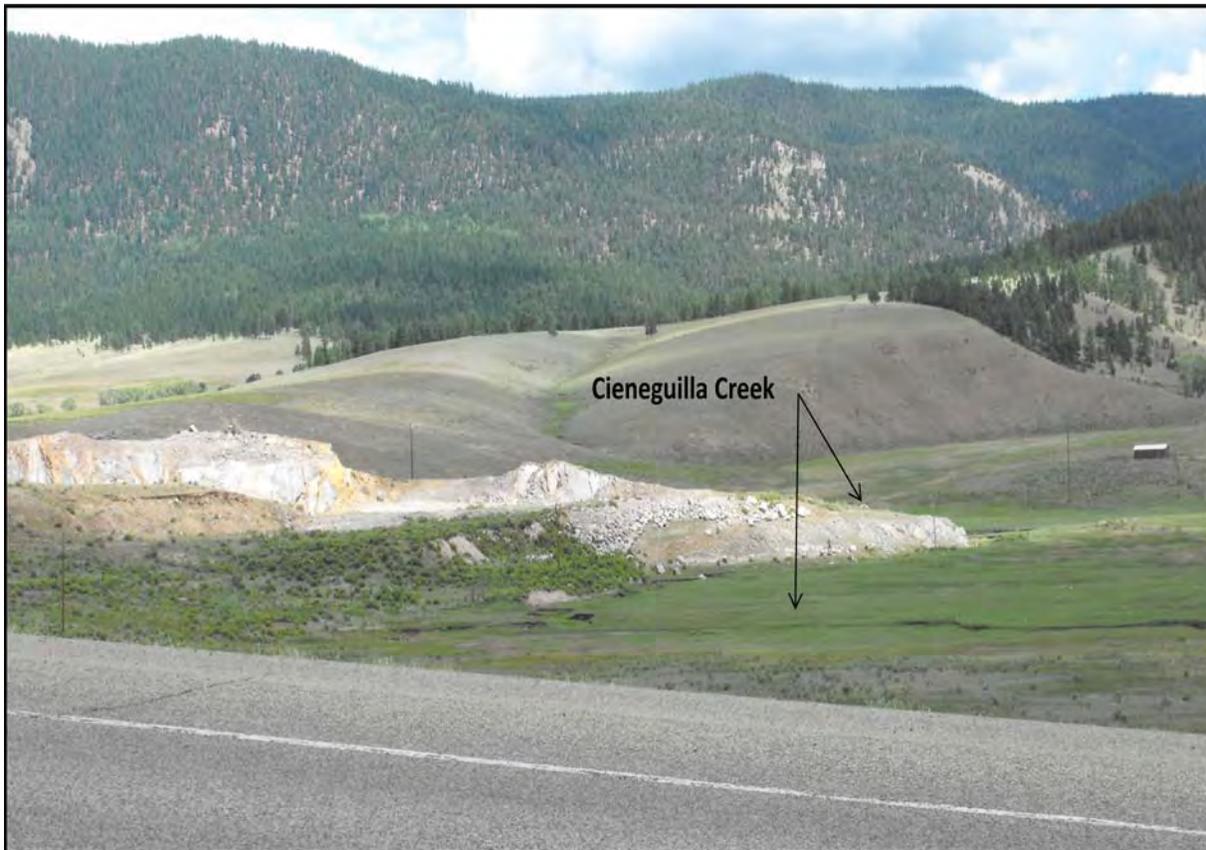
City/County: Eagle Nest, New Mexico /Colfax County	
Location: 7 miles south of Eagle Nest, NM on Hwy 64	
Subject: Overview of mine on Monte Verde Ranch along Cieneguilla Creek, taken 7/1/2005.	



**NMED/SWQB  
Official Photograph Log**

Photo # 1

Photographer: Daniel Valenta	Date: 8/10/2011	Time: 1349 hours
City/County: 7 miles south of Eagle Nest, NM/Colfax County		
Location: 7 miles south of Eagle Nest, NM on Hwy 64 facing north.		
Subject: Sand/Gravel/Rock mine on the Monte Verde Ranch alongside the Cieneguilla Creek.		



**NMED/SWQB  
Official Photograph Log**

Photo # 2

Photographer: Daniel Valenta	Date: 8/10/2011	Time: 1525 hours
City/County: 7 miles south of Eagle Nest, NM/Colfax County		
Location: East side of the Sand/Gravel/Rock mine on the Monte Verde Ranch, facing northeast.		
Subject: East side of mine, area slopes downward toward the Cieneguilla Creek.		

