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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

October 6, 2011

Mr. Bruce Bumkens, Owner
La Tierra Interiors, Inc.
P.O. Box 1178
110 Denny's Road
Bernalillo, NM 87004

Re: Industrial Storm Water, SIC 3281, NPDES Compliance Evaluation Inspection, La Tierra Interiors Inc., NMU001766, September 29, 2011

Dear Mr. Bumkens,

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
Darlene Whitten-Hill, USEPA (6EN) via e-mail
Bill Chavez, Acting NMED District I Manager (via 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 N 2 5 3 N M U 0 0 1 7 6 6 11 12 1 1 0 9 2 9 17 18 ~ 19 S 20 2					
Remarks					
S E C T O R E					
Inspection Work Days	Facility Evaluation Rating	BI	QA	Reserved	
67 69	70 3	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) LA TIERRA INTERIORS INC., BERNALILLO, NM: FROM I-25, TAKE EXIT 242, TURN LEFT AND THEN TURN LEFT ONTO HWY 313 (CAMINO DEL PUEBLO). FOLLOW THROUGH TOWN TO SHOWROOM ON RIGHT. FABRICATION FACILITY IS LOCATED PAST THE SHOWROOM, TURN RIGHT ON CALLE INDUSTRIAL. SHOP IS ON LEFT AFTER HB REDI MIX FACILITY.	Entry Time /Date 0800 HOURS / 9-29-2011	Permit Effective Date 9-29-2008
	Exit Time/Date 0850 HOURS / 9-29-2011	Permit Expiration Date 9-29-2013
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) MR. BRUCE BUMKENS, OWNER (505) 867-0796	Other Facility Data	
Name, Address of Responsible Official/Title/Phone and Fax Number MR. BRUCE BUMKENS, OWNER (505) 867-0796 PO BOX 1178, 110 DENNY'S ROAD, BERNALILLO, NM 87004	GPS: N. 36° 17.784' W. -106° 33.219' SIC 3281	
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	S	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
N	Effluent/Receiving Waters	N	Laboratory	M	Storm Water	N	Other:

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

- PLEASE SEE REPORT FOR FURTHER EXPLANATIONS.
- SARAH HOLCOMB OF THE NMED SWQB ARRIVED ONSITE AT 0800 HOURS ON 9-29-2011 AND CONDUCTED AN ENTRANCE INTERVIEW WITH MR. BRUCE BUMKENS, OWNER, WHERE SHE MADE INTRODUCTIONS, PRESENTED CREDENTIALS AND EXPLAINED THE PURPOSE OF THE INSPECTION.
- AN EXIT INTERVIEW TO DISCUSS PRELIMINARY FINDINGS OF THE INSPECTION WAS CONDUCTED AT APPROXIMATELY 0840 HOURS WITH MR. BUMKENS AT THE FACILITY.

Name(s) and Signature(s) of Inspector(s) Sarah Holcomb /s/ Sarah Holcomb	Agency/Office/Telephone/Fax 505-222-9587	Date 10-6-2011
Signature of Management QA Reviewer Richard Powell /s/ Richard Powell	Agency/Office/Phone and Fax Numbers 505-827-2798	Date 10-6-2011

**Compliance Evaluation Inspection
La Tierra Interiors, Inc., Sector E
NPDES Permit #NMU001766, September 29, 2011**

Further Explanations

Introductions

On September 29, 2011, a Compliance Evaluation Inspection was conducted at the La Tierra Interiors Inc. facility (Standard Industrial Classification 3281) located in Bernalillo, 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**.

La Tierra Interiors Inc., was incorporated in 1992. The facility consists of two separate buildings. One building is a showroom and outdoor inventory of granite slabs, and the other building is the fabrication building.

Storm water from the showroom facility discharges into the Bernalillo Interior Drain thence to the Sandia Acequia, thence to the Rio Grande in 20.6.4.106 NMAC of the Middle Rio Grande Basin (*State of New Mexico Standards for Interstate and Intrastate Surface Waters*). Storm water from the fabrication building is generally kept on site (there is a large berm along the Sandia Acequia that prevents anything from getting into it, and the facility is graded such that most water most likely stays on site.) Designated uses of the Rio Grande in this section are irrigation, livestock watering, wildlife habitat, marginal warmwater aquatic life, and primary contact, and public water supply on the Rio Grande.

The inspector arrived at the facility at 0800 hours. The inspector conducted an entrance interview with Mr. Bruce Bumkens, Owner, during which the inspector made introductions, presented her credentials and discussed the purpose of the inspection. Mr. Bumkens took the inspector on a tour of the facility and explained processes and management measures already in place. The inspector conducted an exit interview with Mr. Bumkens at approximately 0840 hours to explain the permit requirements and preliminary findings of the inspection.

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."

According to information obtained by a review of the EPA NOI Database, and information received during this inspection, 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 Products – under SIC 3281 (Cut Stone and Stone Products).

A Storm Water Pollution Prevention Plan (SWPPP) had not been prepared 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 granite and stone fabrication facility can result in the creation of various pollutant sources that include, but are not limited to, the following:

- **Crushing/grinding of rock:** These activities can be a source of pollutants such as Total Suspended Solids (TSS) and pH. These pollutants can come from sources such as exposed or spilled rock and dust.
- **Material storage:** These activities can be a source of pollutants such as TSS, Chemical Oxygen Demand (COD), and pH. These pollutants can come from sources such as exposed rock, synthetic rock, and recycled rock.
- **Equipment and vehicle maintenance:** These activities can be a source of pollutants such as oil and grease, Biochemical Oxygen Demand (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) piles of waste materials, 2) piles of crushed/recycled granite/marble stored along the back of the showroom lot, and 3) slabs of rock stored outside.

For additional information on BMPs and SWPPPs for Sector E, 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 at the facility's offices with Mr. Bumkens. The inspector informed Mr. Bumkens 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). The inspector also sent a follow up email with specific information about the permit, a template SWPPP and guidance on how to properly fill out the SWPPP and the Notice of Intent (NOI) for permit coverage.