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NEW MEXICO
ENVIRONMENT DEPARTMENT

Surface Water Quality Bureau

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DAVE MARTIN
Secretary

BUTCH TONGATE
Deputy Secretary

JAMES H. DAVIS, Ph.D.
Director
Resource Protection Division

Certified Mail – Return Receipt Request

November 8, 2012

Mr. Ralph Hoffman, General Manager
Kinney Brick Co.
100 Prosperity, SE
Post Office Box 1804
Albuquerque, NM 87103

**RE: Industrial Stormwater Inspection; SIC 3251; NPDES Compliance Evaluation
Inspection; Kinney Brick Co.; NPDES Permit NMU001816; October 31, 2012**

Dear Mr. Hoffman:

Enclosed, please find a copy of the report for the referenced inspection that the New Mexico Environment Department (NMED), Surface Water Quality Bureau (SWQB), 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 the requirements of the federal Clean Water Act.

Problems noted during this inspection are discussed in the Further Explanation section of the inspection report. You are encouraged to review the inspection report and required to correct any problems noted during the inspection and 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 Avenue, Dallas Texas 75202) and NMED (at the address above) regarding modifications and compliance issues.

The NPDES Stormwater Multi-Sector General Permit (MSGP) for industrial activities was re-issued on September 29, 2008. The MSGP, fact sheet and other information in the industrial stormwater program can be accessed at <http://cfpub2.epa.gov/npdes/stormwater/msgp.cfm>.

Kinney Brick Co.
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November 8, 2012

If you have any questions about this inspection report, please do not hesitate to contact me at (505) 827-1041.

Sincerely,

/s/ Sandra Gabaldón

Sandra Gabaldón
Surface Water Quality Bureau

Cc: Carol Peters-Wagnon, (6EN-WM), USEPA, by email
Rashida Bowlin, (6EN-AS), USEPA, by email
Diana McDonald, (6EN-WM), USEPA, by email
Hannah Branning, (6EN-WC), USEPA, by email
Darlene Whitten-Hill, (6EN-AS), USEPA, by email
District I, NMED, by email



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"/> 0 <input type="text" value="0"/> 1 <input type="text" value="1"/> 8 <input type="text" value="1"/> 6 <input type="text" value="11"/> 12 <input type="text" value="1"/> 2 <input type="text" value="1"/> 0 <input type="text" value="3"/> 1 <input type="text" value="17"/> 18 <input type="text" value="~"/> 19 <input type="text" value="S"/> 20 <input type="text" value="2"/>	Remarks					
<input type="text" value="C"/> <input type="text" value="L"/> <input type="text" value="A"/> <input type="text" value="Y"/> <input type="text" value="P"/> <input type="text" value="R"/> <input type="text" value="O"/> <input type="text" value="D"/> <input type="text" value="U"/> <input type="text" value="C"/> <input type="text" value="T"/> <input type="text" value="S"/> <input type="text" value="S"/> <input type="text" value="E"/> <input type="text" value="C"/> <input type="text" value="T"/> <input type="text" value="O"/> <input type="text" value="R"/> <input type="text" value="E"/>						
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"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> 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) Kinney Brick Company 100 Prosperity, Southeast Albuquerque, NM 87103 BERNALILLO COUNTY	Entry Time /Date 1500 Hours – 10/31/2012	Permit Effective Date 9-29-2008
	Exit Time/Date 1545 Hours – 10/31/2012	Permit Expiration Date 9-29-2013
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) Shawn Sanchez, Sales Representative / (505) 877-4550 Ralph Hoffman, General Manager / (505) 877-4550 / (505) 877-4557	Other Facility Data	
Name, Address of Responsible Official/Title/Phone and Fax Number Ralph Hoffman, General Manager / (505) 877-4550 / (505) 877-4557 ralphh@kinneybrick.com Post Office Box 1804 Albuquerque, NM 87103	Contacted Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	GPS: N. 35.01506° W. -106.660278° Sector E SIC 3251

Section C: Areas Evaluated During Inspection

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

<input type="text" value="U"/> Permit	<input type="text" value="N"/> Flow Measurement	<input type="text" value="S"/> Operations & Maintenance	<input type="text" value="N"/> CSO/SSO
<input type="text" value="U"/> 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="S"/> 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="U"/> Storm Water	<input type="text"/> Other:

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

Name(s) and Signature(s) of Inspector(s) Sandra Gabaldón /s/ Sandra Gabaldon	Agency/Office/Telephone/Fax NMED/SWQB/(505) 827-1041 / (505) 827-0160	Date 11-08-2012
Signature of Management QA Reviewer Richard Powell /s/ Richard Powell	Agency/Office/Phone and Fax Numbers NMED/SWQB/ (505) 827-2798 / (505) 827-0160	Date 11-08-2012

Kinney Brick Company
NPDES Compliance Evaluation Inspection
NPDES Permit NMU001816
Inspection Date: October 31, 2012

Introduction:

On October 31, 2012, a Compliance Evaluation Inspection (CEI) was conducted at Kinney Brick Company, 100 Prosperity, Southeast, Albuquerque, New Mexico in Bernalillo County by Sandra Gabaldón, accompanied by Daniel Valenta of the New Mexico Environment Department (NMED), Surface Water Quality Bureau (SWQB). The purpose of this inspection is to document the facility's status regarding the National Pollutant Discharge Elimination System (NPDES) permit requirements for stormwater discharges associated with industrial activities under 40 CFR 122.26 and the industrial stormwater Multi-Sector General Permit (MSGP). Kinney Brick is a brick manufacturer (see Standard Industrial Classification [SIC] code 3251) that meets the description in Sector E of the MSGP.

Upon arrival at 1500 hours on October 31, 2012, the inspector met with Shawn Sanchez, Sales Representative, who contacted Mr. Ralph Hoffman, General Manager. Mr. Hoffman arrived on-site and Ms. Gabaldón presented her credentials, and explained the purpose of the inspection. The inspectors then toured the facility yard with Mr. Hoffman. Following the tour, an exit interview was held with Mr. Hoffman to discuss the preliminary findings.

This report is based on review of EPA's on-line notice of intent (NOI) database and on-site observation by NMED personnel along with verbal information provided by Mr. Hoffman.

Kinney Brick Company is located in southeast Albuquerque on approximately 11 acres and has been in business since 1928. Kinney Brick manufactures a wide variety of clay bricks used mostly for landscaping purposes.

There are several steps in processing clay bricks.

Raw materials are crushed and ground prior to manufacturing. Stones may be screened to ensure they are the correct size. Water is then added to raw materials to form "mud". The mud is formed into desired products. Following the forming process, the products are left to dry. Drying is necessary to reduce the moisture content prior to firing. A common method for reducing moisture content is air drying clay products in a controlled environment such as a drying chamber. Once dried, the product is then ready to be fired in kilns. Kinney Brick uses a periodic kiln in which they fire the product for a certain amount of time and then it is promptly removed. Each block is individually inspected for quality and stacked for distribution. Final products are stored outside and separated by product color and type.

Clean Water Act (CWA) and Industrial Stormwater Permit Requirements:

Section 301(a) of the Federal Water Pollution Control 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."* Federal regulations in 40 CFR part 122.21(a) Duty to Apply, 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."*

USEPA's MSGP was re-issued on September 29, 2008, (Federal Register/Vol. 73, No. 189/Monday, September 29, 2008 pg. 56572). This replaced the 2000 MSGP which expired on October 30, 2005. Common requirements for coverage under an industrial stormwater permit include the development of a written stormwater pollution prevention plan (SWPPP), implementation of best management practices (BMPs), and submittal of a Notice of Intent (NOI). The SWPPP includes a written assessment of potential sources of pollutants in stormwater runoff and includes best management practices that will be implemented to minimize such pollutants from discharging from your facility.

The plan also requires a site map, inspections, employee training and reporting. The procedures detailed in the SWPPP must be implemented by the facility and updated as necessary, with a copy of the SWPPP to be kept on-site.

The MSGP also requires monitoring to include visual and analytical data to determine the effectiveness of BMPs on site. For further information regarding the NPDES MSGP please visit EPA's website: www.epa.gov/npdes/stormwater and click on "industrial activity." Once you navigate to the MSGP on the website, you will also find various Fact Sheets for industrial activities. Concrete block manufacturing falls under Sector E. The Fact Sheet will provide further information regarding pollutants and requirements of the MSGP.

There are a number of factors that influence to what extent clay brick manufacturers can affect water quality. Some of these factors include: geographic location, topography, hydrogeology, extent of impervious surfaces, type of ground cover, outdoor activities, size of your facility, and the type and duration of precipitation events.

Some common activities, pollutant sources and pollutants that may be associated with this include:

<i>Clay Product Manufacturing</i>		
Storage of materials	Exposed ceramic parts, pyrophyllite ore, shale, ball clay, fire clay, kaolin, tile, silica, graphite, coke, coal, brick, sawdust, waste oil, and used solvents	TSS, COD, O&G, pH, lead, aluminum, zinc
Material handling, including loading/unloading	Exposed ceramic parts, liquid chemicals, ammonia, waste oil, used solvents, pyrophyllite ore, shale, ball clay, fire clay, kaolin, tile, alumina, silica, graphite, coke, coal, olivine, magnesite magnesium carbonate, brick, sawdust, and wooden pallets	TSS, COD, BOD, TKN, O&G, pH, lead, aluminum, zinc
Forming/drying clay products	Clay, shale, slag, cement, and lime	TSS, pH

The facility has material handling and storage exposed to weather conditions. This may cause pollutants such as TSS, COD, BOD, oil and grease, pH, lead, aluminum, and zinc. All finished products are stacked on wood pallets until they are sold. Manufacturing of brick occurs in covered areas (forming, drying).

Findings:

Your facility does not have permit coverage for the industrial activities associated with the manufacturing of clay brick. You are encouraged to review the permit, complete your SWPPP and apply for coverage under the eNOI system.

NMED/SWQB
Official Photograph Log
Photo #1

Photographer: Daniel Valenta	Date: October 31, 2012	Time: 1518 Hours
City/County: Albuquerque / Bernalillo		
Location: Kinney Brick Co., 100 Prosperity, NE; Albuquerque, NM		
Subject: Piles of clay, facing north.		

