



SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

NEW MEXICO
ENVIRONMENT DEPARTMENT

Surface Water Quality Bureau

Harold Runnels Building, N2050
1190 South St. Francis Drive (87505)
P.O. Box 5469, Santa Fe, NM 87502-5469
Phone (505) 827-0187 Fax (505) 827-0160
www.nmenv.state.nm.us



DAVE MARTIN
Secretary

BUTCH TONGATE
Deputy Secretary

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

Certified Mail – Return Receipt Request

December 18, 2012

Mr. Kenny Kalfin, President
Santa Fe Tortilla Company, LLC
18 Bisbee Court
Santa Fe, NM 87508

RE: Industrial Stormwater Inspection; SIC 2099; NPDES Compliance Evaluation Inspection; Santa Fe Tortilla Company, LLC; NPDES Permit NMU001826; November 29, 2012

Dear Mr. Kalfin:

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>.

Santa Fe Tortilla Company

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

Sincerely,

/s/ Sandra Gabaldon

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 II, NMED, by email



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 8 2 6 11 12 1 2 1 1 2 9 17 18 ~ 19 S 20 2					
Remarks					
M I S C F O O D P R E P A R A T I O N					
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) Santa Fe Tortilla Company 18 Bisbee Court Santa Fe, NM 87508 SANTA FE COUNTY	Entry Time /Date 1118 Hours / 11-29-2012	Permit Effective Date 9-29-2008
	Exit Time/Date 1208 Hours / 11-29-2012	Permit Expiration Date 9-29-2013
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) Gustavo Terrones, Plant Manager / (505) 473-7000 / (505) 471-1959	Other Facility Data	
Name, Address of Responsible Official/Title/Phone and Fax Number Kenny Kalfin, President /Owner 18 Bisbee Court Santa Fe, NM 87508 (505) 473-7000 / (505) 471-1959	Contacted Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	GPS: N. -35°35'47.93" W. -106°02'28.04" SECTOR U SIC 2099

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	N Self-Monitoring Program	N Sludge Handling/Disposal	N Pollution Prevention
M Facility Site Review	N Compliance Schedules	N Pretreatment	N Multimedia
N Effluent/Receiving Waters	N Laboratory	U Storm Water	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 12-18-2012
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 12-18-2012

Santa Fe Tortilla Company
NPDES Compliance Evaluation Inspection
NPDES Permit NMU001826
Inspection Date: November 29, 2012

Introduction:

On November 29, 2012, a Compliance Evaluation Inspection (CEI) was conducted at Santa Fe Tortilla Company, 18 Bisbee Court, Santa Fe, New Mexico in Santa Fe County by Sandra Gabaldón and 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). Santa Fe Tortilla Company is classified as Miscellaneous Food Preparation (see Standard Industrial Classification [SIC] code 2099) that meets the description in Sector U of the MSGP.

Storm water runoff from this facility may discharge to the Arroyo Hondo thence to the Santa Fe River in segment 20.6.4.113 of the *State of New Mexico Standards for Interstate and Intrastate Surface Waters*, in the Rio Grande Basin.

Upon arrival at 1118 hours on November 29, 2012, the inspector met with Mr. Kenny Kalfin, President. The inspector, Ms. Gabaldón, presented her credentials, and explained the purpose of the inspection. The inspector informed Mr. Kalfin of the requirements of the Multi-Sector General Permit (MSGP). Mr. Kalfin asked Mr. Gustavo Terrones, Plant Manager, to accompany NMED during the inspection. Mr. Terrones gave the inspectors a tour of the facility as well as outdoor storage areas.

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. Terrones.

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 development of a written stormwater pollution prevention plan (SWPPP), implementation of control measures, and submittal of a request for permit coverage, usually referred to as the Notice of Intent (NOI). The SWPPP is a written assessment of potential sources of pollutants in stormwater runoff and control measures that will be implanted at your facility to minimize the discharge of these pollutants in runoff from the 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. Baking products fall under Sector U. 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 food products can affect water quality. Some of these factors include: geographic location, topography, hydrogeology, extent of impervious surfaces, type of ground cover, outdoor activities, the size of your facility, and the type and duration of precipitation events.

Common activities, pollutant sources and associated pollutants that may be found at a food preparation facility such as this include:

Activity	Pollutant Source	Pollutant
Liquid storage containers (drums, carboys, and gallon jugs)	Outside containers	BOD, TSS, oil and greases, pH
	Open containers	
	External corrosion of the containers	
	Operator handling and transporting	
	Spills and leaks from damaged containers	
Solid storage containers (soils, holding bins, fiber drums, etc.)	Dust and particulates	BOD, TSS, pH
	Operator handling and transporting	
	Spills and leaks	
Air emissions	Oven emissions	BOD, TSS, oil and greases, pH
	Vents	
	Fine solids handling	
Solid waste	Dumpsters and trash cans	
Spent equipment, scraps, etc	BOD, TSS, oil and greases, pH, copper, manganese	
Wastewater	Treatment processes (e.g., hydraulic overflow)	BOD, TSS, oil and greases, pH, fecal coliform
	Outside piping and connections (couplings, flanges, hoses, valves, and pumps)	
Pest control	Outside application of pesticides, rodenticides, and insecticides	Miscellaneous insecticides, rodenticides, pesticides, etc., TKN
Illicit connections to the storm sewer	Process wastewaters	BOD, TSS, oil and greases, pH
	Process floor drains	
	Sanitary sewers	
	USTs	
Raw material unloading/ product loading	Container defects (bags, drums, bottles, crates)	Biochemical oxygen demand (BOD), total suspended solids (TSS), oil and grease, pH, nitrogen (TKN)
Raw material unloading/ product loading Liquid storage containers (i.e., above ground storage)	Spills and leaks during unloading/loading (tanks, rail cars)	Biochemical oxygen demand (BOD), total suspended solids (TSS), oil and grease, pH, nitrogen
	Failed connections (hoses and couplings)	
	Washdown of unloading/loading area	

tanks)	Failed piping and connections (couplings, flanges, hoses, and valves)	(TKN) BOD, TSS, oil and greases, pH
Liquid storage containers (i.e., above ground storage tanks)	External corrosion and structural failure	BOD, TSS, oil and greases, pH
	Spills and overflows due to operator error	

Findings:

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

This business produces traditional corn and flour tortillas along with tortilla chips at a brisk rate. Its product varieties include regular, multi-grain, flavored, low-carbohydrate, and fat-free tortillas. Santa Fe Tortilla sells its products to retail food stores and foodservice operators; its products can be found in major retail stores, throughout the southwest. Santa Fe Tortilla was founded in 2000 and has expanded to approximately 70 employees. The facility is open 24 hours a day, and employees work in 12 hour shifts. They produce, package and distribute from this site. Santa Fe Tortilla Company also has a warehouse in which they store raw materials such as flour, baking powder and salt.

Mr. Kalfin communicated to the inspectors during the introductions that there were no pollutants stored outdoors or exposed to precipitation. During the facility tour, it was noted that there were numerous 55-gallon barrels of what appeared to be used hydraulic fluid (empty containers with residue and no caps) as well as oven cleaner and ZEP CIP cleaner exposed to precipitation.

ZEP CIP Cleaner is classified as a hazardous waste and contains sodium hydroxide and potassium hydroxide. Each of these is caustic with a pH of 13-14. Its aquatic ecotoxicity is known to be acute LC50 25 ppm for trout with an exposure time of 24 hours and for other fish it is acute LC50 179 mg/L with an exposure time of 96 hours. Disposal of such waste must be in accordance with federal, state, and local environmental regulations.

There were also bins of flour tortillas as well as tortilla chips seen, uncovered. Mr. Terrones stated that these were removed daily and placed into covered dumpsters. There were also tortillas and tortilla chips seen on the ground, which did not appear to be placed into dumpsters.

New Mexico Environment Department/Surface Water Quality Bureau
Official Photo Log
Photo #1

Photographer: Daniel Valenta	Date: November 29, 2012	Time: 1137 Hours
City/County: Santa Fe/Santa Fe		
Location: Santa Fe Tortilla Company		
Subject: Oven Cleaner, ZEP CIP Cleaner and Lubriplate containers stored outdoors. Please note the staining from both the lubriplate as well as the ZEP CIP cleaner.		



New Mexico Environment Department/Surface Water Quality Bureau
Official Photo Log
Photo #2

Photographer: Daniel Valenta	Date: November 29, 2012	Time: 1139 Hours
City/County: Santa Fe/Santa Fe		
Location: Santa Fe Tortilla Company		
Subject: Hydraulic lubricants stored outdoors.		



New Mexico Environment Department/Surface Water Quality Bureau
Official Photo Log
Photo #3

Photographer: Daniel Valenta	Date: November 29, 2012	Time: 1140 Hours
City/County: Santa Fe/Santa Fe		
Location: Santa Fe Tortilla Company		
Subject: Close up view of hydraulic lubricants stored outdoors with no caps.		



New Mexico Environment Department/Surface Water Quality Bureau
Official Photo Log
Photo #4

Photographer: Daniel Valenta	Date: November 29, 2012	Time: 1140 Hours
City/County: Santa Fe/Santa Fe		
Location: Santa Fe Tortilla Company		
Subject: Open bins of tortillas. Please note tortillas on the pavement.		



New Mexico Environment Department/Surface Water Quality Bureau
Official Photo Log
Photo #5

Photographer: Daniel Valenta	Date: November 29, 2012	Time: Hours
City/County: Santa Fe/Santa Fe		
Location: Santa Fe Tortilla Company		
Subject: Corn tortilla chips on the ground.		



New Mexico Environment Department/Surface Water Quality Bureau
Official Photo Log
Photo #6

Photographer: Daniel Valenta	Date: November 29, 2012	Time: Hours
City/County: Santa Fe/Santa Fe		
Location: Santa Fe Tortilla Company		
Subject: Close up of corn tortilla chips.		

