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Lieutenant Governor

**NEW MEXICO
ENVIRONMENT DEPARTMENT**

Surface Water Quality Bureau

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DAVE MARKLIN
Secretary

BUTCH TONGATE
Deputy Secretary

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

Certified Mail - Return Receipt Requested

January 2, 2013

Mr. Christopher Baker, Publisher
The Taos News
226 Albright
Taos, New Mexico 87571

**RE: Industrial Storm Water; SIC 2711; NPDES Compliance Evaluation Inspection; The Taos News;
NPDES Permit NMU001827; December 13, 2012**

Dear Mr. Baker:

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 Finding 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>.

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: Carol Peters-Wagnon, EPA by e-mail
Diana McDonald, EPA by e-mail
Hannah Branning, EPA by e-mail
Rashida Bowlin, EPA by e-mail
Darlene Whitten-Hill, EPA, 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 N	2 5	3 N	M	U	0	0	1	8	2	7	11	12	1	2	1	2	1	3	17	18 ~	19 S	20 2		
Remarks																								
N E W S P A P E R S S E C T O R X																								
Inspection Work Days						Facility Evaluation Rating						BI	QA	-----Reserved-----										
67						70	2					71	N	72	N	73			74			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) The Taos News, 226 Albright St. Taos, New Mexico 87571 Taos County	Entry Time /Date 1410 Hours / 12-13-2012	Permit Effective Date 9-29-2008
	Exit Time/Date 1423 Hours/ 12-13-2012	Permit Expiration Date 9-29-2013
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) Mr. Christopher Baker/Publisher/505-758-2241 ext.110 fax 505-758-9647	Other Facility Data N. 36° 23' 41.15" W. -105° 34' 26.50"	
Name, Address of Responsible Official/Title/Phone and Fax Number Mr. Christopher Baker, 226 Albright Street, Taos, New Mexico/Publisher/505-758-2241 ext.110 fax 505-758-9647	SIC 2711 Sector X	
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	N	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	S	Storm Water	N	Other:

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

- Inspector arrived on site at 1410 hours on 12/13/2012, conducted entrance interview with Mr. Christopher Baker, during which the Inspector made introductions, showed credentials and explained the purpose of the inspection.
- This report is based on a review of the files maintained by the permittee and NMED, on-site observations by NMED personnel, and verbal information provided by the facility's representative.
- An exit interview to discuss the preliminary finding of the inspection was conducted at approximately 1423 hours on 12/13/2012 with Mr. Christopher Baker at the site on 12/13/2012.

Name(s) and Signature(s) of Inspector(s) DANIEL VALENTA /s/Daniel Valenta	Agency/Office/Telephone/Fax NMED/SWQB 505-827-2575	Date 1/2/2013
Signature of Management QA Reviewer RICHARD E. POWELL /s/Richard Powell	Agency/Office/Phone and Fax Numbers 505-827-2798	Date 1/2/2013

The Taos News
NPDES Compliance Evaluation Inspection
NPDES Permit NMU001827
December 13, 2012

Introduction

On December 13, 2012, a Compliance Evaluation Inspection (CEI) was conducted at The Taos News, 226 Albright Street, Taos, New Mexico in Taos County by Daniel Valenta and Sandra Gabaldon, of the New Mexico Environment Department (NMED), Surface Water Quality Bureau (SWQB). The purpose of this inspection was 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). The Taos News is classified under Newspaper, Publishing, and Printing (see Standard Industrial Classification [SIC] code 2711) that meet the description in Sector X of the MSGP.

Upon arrival at 1410 hours on December 13, 2012, the inspector met with Mr. Christopher Baker, Publisher. The inspector, Mr. Daniel Valenta, presented his credentials, and explained the purpose of the inspection. The inspector informed Mr. Baker of the requirements of the Multi-Sector General Permit (MSGP).

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. Baker.

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. Newspaper, Publishing, or Printing falls under Sector X. 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 publishing/printing activities can affect water quality. Some of these factors include: geographic location, topography, hydrogeology, extent of

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impervious surfaces, type of ground cover, outdoor activities, the size of your facility, and the type and duration of precipitation events. Some common pollutants associated with the publishing/printing industry include: solvents, heavy metals (dust and sludge), and ink.

Findings:

The Taos News does not have permit coverage for the industrial activities associated with a newspaper, publishing, or printing (see Standard Industrial Classification [SIC] code 2711) facility.

The industrial stormwater program requires permit coverage for a number of specified types of industrial activities. If you are regulated under the industrial permitting program, you must either obtain permit coverage or submit a no exposure certification form. If you are eligible for a no exposure exclusion for permitting under 40 CFR 122.26 (g), you are no longer required to have a permit upon acceptance of a complete and accurate no exposure certification by EPA. Mr. Baker was informed of the no exposure certification which can be filed for online at <http://cfpub.epa.gov/npdes/stormwater/msgpenoi.cfm>

Submission of a No Exposure Certification constitutes notice that the facility does not require permit authorization due to the existence of a condition of no exposure. This certification must be completed and submitted to EPA once every five years and can only be done so if the condition of no exposure continues to exist at the facility.

A condition of no exposure exists at an industrial facility when all industrial materials and activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. Industrial materials or activities include, but are not limited to, material handling equipment or activities, industrial machinery, raw materials, intermediate products, by-products, final products, or waste products. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product or waste product.

A No Exposure Certification must be provided for each facility qualifying for the no exposure exclusion. In addition, the exclusion from NPDES permitting is available on a facility-wide basis only, not for individual outfalls. If any industrial activities or materials are or will be exposed to precipitation, the facility is not eligible for the No Exposure exclusion. By signing and submitting a No Exposure Certification form, the facility is certifying that a condition of no exposure exists at its facility or site, and is obligated to comply with the terms and conditions of 40 CFR 122.26(g).

The outside of the facility was reviewed, no industrial activities present. No materials or waste was found that could come in contact with stormwater.