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Governor

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**NEW MEXICO  
ENVIRONMENT DEPARTMENT**

*Surface Water Quality Bureau*

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DAVE MARKLIN  
Secretary

BUTCH TONGATE  
Deputy Secretary

TOM SKIBITSKI  
Acting Director  
Resource Protection Division

**Certified Mail – Return Receipt Request**

January 14, 2013

Mr. Mark Mosher, Owner  
Phat Steel Inc.  
101 Calle Industrial  
Bernalillo, New Mexico 87004

**RE: Industrial Storm Water; SIC 3441; NPDES Compliance Evaluation Inspection; Phat Steel Inc.;  
NPDES Permit NMU001836; January 9, 2013**

Dear Mr. Mosher:

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 I 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	3	6	11	12	1	3	0	1	0	9	17	18 ~	19 S	20 2	
Remarks																								
F	A	B	R	I	C	A	T	E	D	S	T	R	U	C	T	U	R	A	L	M	E	T	A	L
Inspection Work Days						Facility Evaluation Rating						BI	QA	-----Reserved-----										
67					69	70	3					71	N	72	N	73								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)  <b>Phat Steel Inc., 101 Calle Industrial, Bernalillo, New Mexico 87004</b>  <b>Bernalillo County</b>	Entry Time /Date <b>1255 Hours / 1-9-2013</b>	Permit Effective Date <b>9-29-2008</b>
	Exit Time/Date <b>1334 Hours/ 1-9-2013</b>	Permit Expiration Date <b>9-29-2013</b>
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) <b>Mr. Mark Mosher/Owner/505-867-6737 fax 505-867-3008</b> <b>Mr. John Calvert/Shop Foreman/505-328-4285 fax 505-867-3008</b> <b>Mr. Robert Contreras/ Finance Manager/ 505-867-6737 fax 505-867-3008</b>	Other Facility Data <b>N. 35° 17' 37.18"</b> <b>W. -106° 33' 19.89"</b>  <b>SIC 3441</b> <b>Sector AA</b>	
Name, Address of Responsible Official/Title/Phone and Fax Number <b>Mr. Mark Mosher, 101 Calle Industrial, Bernalillo, New Mexico 87004/Owner/ 505-867-6737 fax 505-867-3008</b>	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	M	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	N	Other:

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

- Inspector arrived on site at 1255 on 1/9/2013, conducted entrance interview with Mr. John Calvert, 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 1330 on 1/9/2013 with Mr. John Calvert, and Mr. Robert Contreras at the site on 1/9/2013.

Name(s) and Signature(s) of Inspector(s) <b>DANIEL VALENTA /s/Daniel Valenta</b>	Agency/Office/Telephone/Fax <b>NMED/SWQB 505-827-2575</b>	Date <b>1/14/2013</b>
Signature of Management QA Reviewer <b>RICHARD E. POWELL /s/Richard Powell</b>	Agency/Office/Phone and Fax Numbers <b>505-827-2798</b>	Date <b>1/14/2013</b>

**Phat Steel Inc.**  
**NPDES Compliance Evaluation**  
**Inspection NMU001836**  
**January 9, 2013**

**Introduction:**

On January 9, 2013, a Compliance Evaluation Inspection (CEI) was conducted at Phat Steel Inc. at 101 Calle Industrial, Bernalillo, New Mexico in Sandoval County 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). Phat Steel Inc. is classified as fabricated structural metal (see Standard Industrial Classification [SIC] code 3441) that meets the description in Sector AA of the MSGP.

Upon arrival at 1255 hours on January 9, 2013, the inspector met with Mr. John Calvert, Shop Foreman. Shortly thereafter the Owner Mr. Mark Mosher arrived. The inspector presented his credentials, and explained the purpose of the inspection. The inspector informed Mr. Calvert and Mr. Mosher of the requirements of the Multi-Sector General Permit (MSGP).

Storm water may discharge from the facility into the stormwater inlets on the north side of the property (see photo 2) or into the City of Bernalillo stormwater system. This area may discharge to the Rio Grande in the Rio Grande Basin in Segment 20.6.4.106 of the State of New Mexico Standards for Interstate and Intrastate Surface Waters, New Mexico Administrative Code (NMAC). Designated uses are irrigation, marginal warmwater aquatic life, livestock watering, wildlife habitat and primary contact; and public water supply on the Rio Grande.

**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.

These control measures include site-specific best management practices (BMPs), maintenance plans, 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 kept on-site.

**Phat Steel Inc.**  
**NPDES Compliance Evaluation**  
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The industrial stormwater permit also requires collection of visual, analytical, and/or compliance monitoring data to determine the effectiveness of implemented BMPs. For more information on EPA's industrial stormwater permit go to [www.epa.gov/npdes/stormwater](http://www.epa.gov/npdes/stormwater) and click on "Industrial Activity."

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 stormwater 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 best management practices (BMPs) selected for each of the areas where industrial materials or activities are exposed to stormwater. 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 stormwater management practices, where appropriate.

An industrial stormwater fact sheet for Sector AA, Fabricated Metal Products Manufacturing Facilities including a summary of typical pollutants associated with activities and types of stormwater control measures (BMPs) used to minimize the discharge of those pollutants is available at USEPA's website: [http://www.epa.gov/npdes/pubs/sector\\_aa\\_fabmetal.pdf](http://www.epa.gov/npdes/pubs/sector_aa_fabmetal.pdf)

**Findings:**

Phat Steel is a private company in business at this location since 2006 and has 10 employees'. The site appeared to be fairly level with water pooling in the middle. The area appeared to be lower than the surrounding land. There were no containment berms or other BMP's in place at this time. All industrial processes/activities are performed under covered sheds, grinding, cutting, painting, welding, shaving, and treating. These areas are swept and the waste placed in containers to be landfilled. The area appeared clean and organized. The only material exposed to stormwater was various sizes of metal, raw material, and finished products. There are storm drains just outside the facility on the street, (see photo 2). These were reported to be plugged and not working. The condition of the drains is unknown at this time.

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

**Phat Steel Inc.**  
**NPDES Compliance Evaluation**  
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**January 9, 2013**

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

<b>Activity</b>	<b>Pollutant Source</b>	<b>Pollutants</b>
Tool workpiece interface/shaving, chipping	Used metal working fluid with fine metal dust	Total suspended solids (TSS), chemical oxygen demand (COD), oil and grease
Parts/tools cleaning, sand blasting, metal surface cleaning, removal of applied chemicals	Solvent cleaners, abrasive cleaners, alkaline cleaners, acid cleaners, rinse waters	Spent solvents, TSS, acid, alkaline waste, oil
Making structural components	Cutting, scraps, turnings, fines	Paints, spent solvents, heavy metals, TSS
Painting operations	Paint and paint thinner spills, sanding, spray painting. Empty containers, paint application wastes, spills, over spraying, storage areas	Paints, spent solvents, heavy metals, TSS, paint wastes, thinner, varnish, heavy metals, spent chlorinated solvents.
Cleanup of spills and drips	Used absorbent materials	TSS, spilled materials
Metal Preparation	Grinding, welding, sawing, shaving, brazing, bending cutting, etching	Steel scraps, aluminum scraps, brass, copper, dust, chips and borings, steel scale, Teflon, manganese.
Surface Treatment	Finishing, plating, case hardening, chemical coating, polishing, rinsing, abrasive cleaning	Acid, aromatic solvent, corn cob, lubricants, sand, oil, pH, nitrates, nitrites, carbon, phosphates, borates, nitrogen, oily sludge, nickel, chromium, hydrofluoric fluid.
Equipment/vehicle maintenance	Leaking fluids, fluids replacement	Oil and grease
Storage of uncoated structural steel	Structural steel being placed on porous pavement	aluminum, lead, zinc, copper, iron, oxide, oil, nickel, and manganese
Storage of galvanized steel directly on the ground	Galvanized material dripping/leaking	Zinc, nickel, cadmium and chromium
Storage areas	Unidentifiable drums/chemicals, extended exposure to weather conditions, tank corrosion and open containers	Benzene, toluene, xylene, and other volatile organics and solvents

**NMED/SWQB  
Site Overview**

City/County: Bernalillo/Sandoval County		
Location: 101 Calle Industrial, Bernalillo, New Mexico		
Subject: Phat Steel facility		



**NMED/SWQB  
Official Photograph Log**

Photo # 1

Photographer: Daniel Valenta	Date: 1/9/2013	Time: 1317 hours
City/County: Bernalillo/ Sandoval County		
Location: 101 Calle Industrial, Bernalillo, New Mexico, facing east.		
Subject: Storage yard of raw steel materials and finished items.		



**NMED/SWQB  
Official Photograph Log**

Photo # 2

Photographer: Daniel Valenta	Date: 1/9/2013	Time: 1316 hours
City/County: Bernalillo/ Sandoval County		
Location: 101 Calle Industrial, Bernalillo, New Mexico, facing west.		
Subject: West entrance of Phat Steel facility.		

