



NEW MEXICO
ENVIRONMENT DEPARTMENT
Surface Water Quality Bureau



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Certified Mail Return Receipt Requested

February 26, 2013

Charles E. Hamilton, Director
James Hamilton Construction Co.
17 Ridge Road
Silver City, New Mexico 88062

RE: Industrial Storm Water, SIC 1442, NPDES Compliance Evaluation Inspection, James Hamilton Construction Co. / Caballo Offsite Aggregate Mine, NMU001838, January 31, 2013

Mr. Hamilton:

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, 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 the USEPA and NMED, regarding modifications and compliance schedules at the addresses below:

Diana McDonald (6EN-WM)
U.S. Environmental Protection Agency
Allied Bank Tower
Region VI Enforcement Branch
1445 Ross Avenue
Dallas, Texas 75202-2733

Program Manager
New Mexico Environment Department
Surface Water Quality Bureau
Point Source Regulation Section
P.O. Box 5469
Santa Fe, New Mexico 87502

I appreciate Edward Godfrey, Crushing Supervisor, James Hamilton Construction Co. cooperation during this inspection. If you have any questions about this inspection report, please contact me at 505-827-0418.

Sincerely,

/s/Erin S. Trujillo

Erin S. Trujillo
Surface Water Quality Bureau

cc: Rashida Bowlin, USEPA (6EN) by e-mail
Hannah Branning, USEPA (6EN-WC) by e-mail
Darlene Whitten-Hill, USEPA (6EN-WC) by e-mail
Carol Peters-Wagnon, USEPA (6EN-WM) by e-mail
Diana McDonald, USEPA (6EN-WM) by e-mail
Mike Kesler, NMED District III Las Cruces by e-mail
Michael Quintana, New Mexico State Land Office, Las Cruces by e-mail
Roy Newman, VP of Regulations, James Hamilton Construction Co. 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 8 11 12 1 3 0 1 3 1 17 18 ~ 19 S 20 2					
Remarks					
S A N D & G R A V E L M I N E & A S P H A L T					
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) James Hamilton Construction Co., Caballo Offsite Aggregate Mine. From I-25, take Exit 63, NM 152 West. Facility entrance is on NM 152 approximately 0.25 miles southwest of the interchange. Sierra County.	Entry Time /Date ~1345 hrs / 01/31/2013	Permit Effective Date September 29, 2008
	Exit Time/Date ~1620 hrs / 01/31/2013	Permit Expiration Date September 29, 2013
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) Edward Godfrey, Crushing Supervisor, James Hamilton Construction Co. / 575-388-1546	Other Facility Data Entrance on NM 152 Latitude 32.953680° Longitude -107.316501°	
Name, Address of Responsible Official/Title/Phone and Fax Number Charles E. Hamilton, Director / James Hamilton Construction Co., 17 Ridge Road, Silver City, New Mexico 88062 / 575-388-1546	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	SIC 1442 (Primary), SIC 2951 / MSGP Sectors J & D

Section C: Areas Evaluated During Inspection (S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

U	Permit	N	Flow Measurement	N	Operations & Maintenance	N	CSO/SSO
N	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)

- James Hamilton Construction Co. appeared to be the operator of primary and co-located industrial activities including inactive mining operations, active preparation of sand and gravel for construction uses, and manufacturing of asphalt mixtures and/or bituminous road materials, in this case base course road materials (SIC 1442 and SIC 2951) that meet the descriptions in Category 40 CFR 122.26(b)(14)(ii) and (iii); and Sector D1 (Asphalt Paving Materials) and Sector J1 (Construction Sand and Gravel), respectively of the USEPA Multi Sector General Permit (MSGP). On-site activities did not appear to be eligible for coverage under the USEPA industrial stormwater 2008 and 2012 Construction General Permit (see NPDES Tracking Nos. NMR10H882 and NMR12A764).
- Coverage under the USEPA Industrial Stormwater 2008 MSGP was not obtained by the date of James Hamilton Construction Co. signed lease of an inactive mine on 12/13/2010, the completion of a roadway project on 10/25/2011, or the date of this inspection.
- On the day of this inspection, plastic waste on site needed to be properly disposed and some on-site structural controls had been damaged and/or needed maintenance. Additional, alternative and/or modified structural controls appeared needed in areas where wattles or straw bale were damaged. Initiation and/or additional stabilization of slopes and disturbed areas also appeared needed.

Name(s) and Signature(s) of Inspector(s) Erin S. Trujillo /s/Erin S. Trujillo	Agency/Office/Telephone/Fax NMED/SWQB/505-827-0418	Date 02/26/2013
Signature of Management QA Reviewer Bruce J. Yurdin /s/Bruce J. Yurdin	Agency/Office/Phone and Fax Numbers NMED/SWQB/505-827-2795	Date 02/26/2013

**James Hamilton Construction Co. / Caballo Offsite Aggregate Mine
Compliance Evaluation Inspection – Industrial Stormwater
NPDES Tracking No. NMU001838
January 31, 2013**

Further Explanations

Introduction

On January 31, 2013, a Compliance Evaluation Inspection (CEI) was conducted at the James Hamilton Construction Co. Caballo Offsite aggregate mine, south of Truth or Consequences, New Mexico in Sierra County, New Mexico by Erin S. Trujillo of the New Mexico Environment Department (NMED) Surface Water Quality Bureau (SWQB). The purpose of this inspection was to document the operator's status regarding the National Pollutant Discharge Elimination System (NPDES) permit requirements for stormwater discharges and industrial activity under 40 Code of Federal Regulations (CFR) 122.26, including the industrial stormwater Multi-Sector General Permit (MSGP).

Upon arrival at approximately 1345 hours on the day of this inspection, Ms. Trujillo made introductions, stated the purpose of the inspection and presented credentials to Edward Godfrey, Crushing Supervisor, James Hamilton Construction Co. Mr. Godfrey and the inspector toured the facility. Following the tour, the inspector conducted an exit interview to discuss preliminary findings with Mr. Godfrey on site and Kim Frost, Office Manager, Silver City, 575-388-1546 by telephone. According to Mr. Godfrey, Ms. Frost manages environmental record keeping for the facility. The inspector left the facility at approximately 1620 hours on the day of this inspection.

Stormwater discharges to on-site unnamed unclassified tributaries, thence to unclassified Greenhorn Arroyo, thence approximately 1.4 miles to Caballo Reservoir in Segment 20.6.4.104 *State of New Mexico Standards for Interstate and Intrastate Surface Waters, 20.6.4 New Mexico Administrative Code* (NMAC) of the Rio Grande Basin. Designated uses of the Caballo Reservoir are irrigation storage, livestock watering, primary contact, warmwater aquatic life, and wildlife habitat. Caballo Reservoir is listed as not supporting warmwater aquatic life (2012 – 2014 *State of New Mexico Clean Water Act §303(d)/§305(b) Integrated Report, Appendix A, List of Assessed Surface Waters, US EPA approved May 8, 2012*). The probable causes of impairment are Mercury in fish tissue. The listed probable sources of impairment are atmospheric deposition – toxics and source unknown. The mercury in fish tissue listing is based on New Mexico current fish consumption advisories for this water body. Per United States Environmental Protection Agency (USEPA) guidance, these advisories demonstrate non-attainment of Clean Water Act (CWA) goals stating that all waters should be fishable. Therefore, the impaired designated use is the associated aquatic life even though human consumption of the fish is the actual concern.

This report is based on review of USEPA's on-line notice of intent (eNOI) database; files maintained by the operator and NMED; on-site observation by NMED personnel; verbal information provided by the on-site operator representative; and additional information provided by Ms. Frost and Roy Newman, Vice President of Regulations, James Hamilton Construction Co., following this inspection. Sources of readily available on-line information was also reviewed (e.g., Google Earth, New Mexico State Land Office, New Mexico Energy, Minerals and Natural Resource Department, New Mexico Department of Transportation, New Mexico Public Regulatory Commission, Weather Underground).

Federal CWA and NPDES

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 (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.”*

Eleven (11) categories of stormwater discharges associated with industrial activity are identified in 40 CFR 122.26(b)(14)(i)-(xi) that require coverage under an NPDES permit.

Industrial Stormwater Construction General Permit (CGP) and Eligibility (Overview)

Industrial Stormwater Category Ten (x) of 40 CFR 122.26(b)(14) is construction activity including clearing, grading and excavation activities. Large construction activity is defined in 40 CFR Part 122.26(b)(14)(x), as follows: *“Construction activity including clearing, grading and excavation, except operations that result in the disturbance of less than five acres of total land area. Construction activity also includes the disturbance of less than five acres of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb five acres or more.”*

USEPA issued a NPDES general permit that authorizes the discharge of pollutants in stormwater discharges associated with construction activity (also known as the “construction general permit” or “CGP”) for both small and large construction activity. A notice of intent (NOI) must be submitted to obtain coverage under the CGP. A Stormwater Pollution Prevention Plan (SWPPP) must be developed before submitting an NOI for permit coverage. Among other things, the SWPPP documents the selection, design, installation, and implementation of control measures that are being used to comply with the effluent limitations set forth in the CGP.

Part 1.3.A (Eligibility, Allowable Stormwater Discharges) of the 2008 CGP states, *“Subject to compliance with the terms and conditions of this permit, you are authorized to discharge pollutants in: 1. Stormwater discharges associated with large and small construction activity from “new projects” and “unpermitted ongoing projects” as defined in Appendix A;...3. Discharges from support activities (e.g., concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, borrow areas) provided: a. The support activity is directly related to the construction site required to have NPDES permit coverage for discharges of stormwater associated with construction activity; b. The support activity is not a commercial operation serving multiple unrelated construction projects by different operators, and does not operate beyond the completion of the construction activity at the last construction project it supports; and c. Pollutant discharges from support activity areas are minimized in compliance with Part 3.1.G....”*

USEPA NPDES CGP was re-issued effective February 16, 2012. Among other things, the 2012 CGP has restrictions on erosion and sediment control, pollution prevention, and stabilization; and requires a SWPPP, training, inspections, maintenance of control measures, corrective action, and record keeping. The 2012 CGP, NOI, Fact Sheet, and Federal Register notice can be downloaded at <http://cfpub.epa.gov/npdes/stormwater/cgp.cfm>.

Part 1 of the 2012 CGP states, *“To be covered under this permit, you must meet the eligibility conditions and follow the requirements for applying for permit coverage in this Part. 1.1. ELIGIBILITY CONDITIONS REQUIRED OF ALL PROJECTS. Only those projects that meet all of the following eligibility conditions may be covered under this permit: a. You are an “operator” of the construction project for which discharges will be covered under this permit....”* Part 1 of the 2012 CGP also states, *“If the operator of a “construction support activity” (see Part 1.3.c) is different than the operator of the main construction site, that operator is also required to obtain permit coverage.”*

Part 1.3 (Types of Discharges Authorized) of the 2012 CGP states, *“The following is a list of discharges that are allowed under the permit provided that appropriate stormwater controls are designed, installed, and maintained...c. Stormwater discharges from construction support activities (e.g., concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, borrow areas) provided: i. The support activity is directly related to the construction site required to have permit coverage for stormwater discharges; ii. The support activity is not a commercial operation, nor does it serve multiple unrelated construction projects; iii. The support activity does not continue to operate beyond the completion of the construction activity at the project it supports....”*

Industrial Stormwater Multi Sector General Permit (MSGP) Requirements (Overview)

Industrial Stormwater Category Two (ii) of 40 CFR 122.26(b)(14) includes facilities classified as Standard Industrial Classification (SIC) group 29 (petroleum & coal products). Category (iii) Mineral Industry includes facilities with SIC group 14 (non-metallic minerals except fuels), including active or inactive mining operations. SIC 1442 (Construction Sand and Gravel) includes establishments primarily engaged in operating sand and gravel pits and dredges, and in washing, screening, or otherwise preparing sand and gravel for construction uses. SIC 1499 (Miscellaneous Nonmetallic Minerals, Except Fuels) includes establishments primarily engaged in mining, quarrying, milling, or otherwise preparing nonmetallic minerals, except fuels. Fill dirt pits are also listed in SIC 1499. SIC 2951 (Asphalt Paving Mixtures and Blocks) includes establishments primarily engaged in manufacturing asphalt. Products listed in SIC 2951 include asphalt and asphaltic mixtures for paving, not made in refineries; and road materials, bituminous, not made in petroleum refineries.

USEPA Multi Sector General Permit (MSGP) was re-issued effective September 29, 2008 (Federal Register/Vol. 73, No. 189/Monday, September 29, 2008 pg. 56572) and replaced the 2000 MSGP which expired on October 30, 2005. More information on USEPA's MSGP permit is available at:

http://cfpub1.epa.gov/npdes/stormwater/msgp.cfm#permit_factsheet.

MSGP eligibility is limited to discharges from facilities in the "sectors" of industrial activity based on SIC codes and Industrial Activity Codes. Appendix D (Facilities and Activities Covered) of the 2008 MSGP lists:

<u>Sector J</u>	<u>Mineral Mining and Dressing</u>
J1	SIC 1442 Construction Sand and Gravel
J2	SIC 1499 Miscellaneous Nonmetallic Minerals, Except Fuels
<u>Sector D</u>	<u>Asphalt Paving Materials</u>
D1	SIC 2951 Asphalt Paving

To obtain permit coverage under the MSGP, an operator must complete a SWPPP that documents eligibility for permit coverage, and submit a NOI to the USEPA. Among other things, requirements in the MSGP include site-specific best management practices (BMPs), maintenance plans, inspections, employee training and reporting. BMPs include good housekeeping practices, minimizing exposure, erosion and sediment control, and management of runoff. The MSGP also requires collection of visual, analytical, and/or compliance monitoring data to determine the effectiveness of implemented BMPs, and reporting.

The following USEPA Industrial Stormwater Fact Sheets provide a brief summary of the NPDES industrial stormwater permitting program, the types of facilities included in that sector, a summary of typical pollutants associated with each sector, and types of stormwater control measures used to minimize the discharge of those pollutants:

http://www.epa.gov/npdes/pubs/sector_j_mineralmining.pdf
http://www.epa.gov/npdes/pubs/sector_d_asphalt.pdf

Examples of pollutant listed in the USEPA Industrial Stormwater Fact Sheets associated with mineral processing activities (e.g., rock sorting, rock crushing, raw material storage, waste rock storage, raw material loading, processing materials unloading, raw or waste material transportation) include dust and fines, total suspended solids (TSS), total dissolved solids (TDS), turbidity, pH, diesel/gas fuel, oil, and lime. Pollutants associated with mining reclamation activities (e.g., site preparation for stabilization and

fertilizers) include dust, TSS, TDS, turbidity, nitrogen, and phosphorus. Examples of pollutants associated with asphalt paving materials manufacturing activities [e.g., outdoor stockpiling of materials; exposure of aggregate (sand, stone, limestone, gravel, etc.) to precipitation; transport of materials by a conveyor or front-end loader; exposed materials and potential spills] include TSS, TDS, biochemical oxygen demand (BOD5), chemical oxygen demand (COD), oil and grease (O&G), benzene, methylene blue active substances (MBAS), metals, and pH.

Additional requirements that apply to the specific subsectors are in Part 8 of the 2008 MSGP. For sand and gravel, nonmetallic and asphalt paving material activities, the following benchmarks apply to both primary industrial activity and any co-located industrial activities, which describe site activities:

Subsector J1 Sand and Gravel Mining (SIC 1442)

Nitrate plus Nitrite Nitrogen 0.68 mg/L
Total Suspended Solids (TSS) 100 mg/L

Subsector J2 Nonmetallic Minerals (except fuels) Mining (SIC 1499)

Total Suspended Solids (TSS) 100 mg/L

Subsector D1 Asphalt Paving Materials (SIC 2951)

Total Suspended Solids (TSS) 100 mg/L

On-site Industrial Activity

The on-site operator representative described areas of the site which were disturbed by previous mining activities. Disturbance of the site on state trust land managed by the New Mexico State Land Office is visible on readily available on-line Google Earth imagery dated 06/30/2005 and 05/08/2009.

James Hamilton Construction Co., has a three year lease with the New Mexico State Land Office for the site that was signed 12/13/2010 and ends 12/13/2013 according to Mr. Newman.

“*Caballo Project*,” an aggregate mine, is registered with the New Mexico Energy, Minerals and Natural Resource Department Mining and Minerals Division (MMD) Mine Registration Program. James Hamilton Construction is listed as operator.

According to Mr. Newman, the activities at the Caballo Offsite location were associated with a New Mexico Department of Transportation (NMDOT) roadway project (mill and inlay) on I-25 from approximately mile point or post (MP) 58 to MP 71 (Control Number 1100300). NMDOT on-line Invitation to Bid description of the roadway project states, “*Construction Consists Of: ROADWAY REHABILITATION, Cold Milling w/Inlay (Flexible), Fog Sealing, Traffic Control (Phasing) and Miscellaneous Construction.*” According to Mr. Newman, the I-25 roadway project did not have one or more acres of earth-disturbing activities. A SWPPP for the Caballo Pits was signed and certified by Roy Newman, Vice President, James Hamilton Construction Co. on 01/07/2011. The title page of the SWPPP states, “*This Storm Water Pollution Prevention Plan (SWPPP) was developed in accordance with the requirements of the EPA’s National Pollutant Discharge Elimination System General Permit for Discharges from Large and Small Construction Activities dated January 8, 2009.*” James Hamilton Construction Co. submitted a NOI to obtain permit coverage for an estimated 96 acres of disturbance at the Caballo Offsite location under the 2008 CGP (NPDES Tracking No. NMR10H882 on 01/07/2011, modified on 04/13/2011 and 12/28/2011). According to Mr. Newman, the start of the roadway project was 01/24/2011. James Hamilton Construction Co. submitted a NOI to obtain permit coverage for an estimated 96 acres of disturbance at the Caballo Offsite location under the 2012 CGP (NPDES Tracking No. NMR12A764 on 06/28/2012).

According to the on-site operator representative, activities at the site by James Hamilton Construction Co. included construction sand and gravel mining and preparation, and manufacturing asphalt and asphalt road materials. According to Mr. Newman, NMDOT's letter of completion for the roadway project was dated 10/25/2011.

James Hamilton Construction Co. provided copies of reports of continued on-site inspections and maintenance of control measures or BMPs after 10/25/2011. Inspections were recorded on 10/26/2011, 11/23/2011, 12/26/2011, 1/27/2012, 2/7/2012, 3/16/2012, 04/13/2012, 05/02/2012, 06/08/2012, 07/25/2012, 08/20/2012, 09/20/2012, 10/19/2012, 11/19/2012, 12/12/2012, and 01/18/2013.

The report for the 10/26/2012 inspection states, "*No BMP list given for inspection.*" Information on the October 2012 report indicates "*obvious erosion.*" The report also indicates that controls existed at creek and need for maintenance. The report for the 11/23/2011 inspection indicates controls (waddle [sic] and berms) were in good condition. Access issues due to mud and snow, and "*non active site – waiting for final stabilization*" was indicated on the report for the 12/26/2011 inspection. Reports for inspections on 01/27/2012 and 02/07/2012, and 06/08/2013 thru 12/12/2012 lists dirt berm and wattles. Only "*straw bales in wash*" is listed on the report for the 03/16/2012 inspection. The need for stabilization was indicated on the report for the 04/13/2012 inspection. Straw bales and dirt berms were listed on the reports for the 04/13/2012 and 05/02/2012 inspection. The inspection on 01/18/2013 was 13 days prior to this inspection and lists site-specific BMPs as berms and ponds, and straw wattles. The need for maintenance was not indicated on the 01/18/2013 inspection report.

On the day of this inspection, most of the dark materials shown in areas of the site on an image dated 07/24/2011 were not observed except at the active crusher and base course stockpile. An on-site mobile crusher was in operation. According to the on-site operator representative, on-site materials were being processed to meet NMDOT base course specifications; the activities were not associated with an active construction project; and the materials would be used in other James Hamilton Construction Co. construction project(s) and/or sold to other entities.

Findings

Permit - Unsatisfactory

On the day of this inspection, the site had industrial activities, including outside storage and stockpiling of materials (e.g., overburden, raw material, intermediate products, finished products, byproducts and/or waste products) and material handling that would come into contact with stormwater.

James Hamilton Construction Co. appeared to be the operator of primary and co-located industrial activities including inactive mining operations, active preparation of sand and gravel for construction uses, and manufacturing of asphalt mixtures and/or bituminous road materials, in this case base course road materials (SIC 1442 and SIC 2951) that meet the descriptions in Category 40 CFR 122.26(b)(14)(ii) and (iii); and Sector D1 (Asphalt Paving Materials) and Sector J1 (Construction Sand and Gravel), respectively, of the MSGP. If mined and prepared materials are used for fill dirt, then co-located activities would also include descriptions (SIC 1499) in Sector J2 (Miscellaneous Nonmetallic Minerals, Except Fuels). On-site activities did not appear to be directly related to a construction site required to have permit coverage; and activities would serve multiple unrelated construction projects and/or serve as a commercial operation.

Coverage under the 2008 MSGP was not obtained by the date of James Hamilton Construction Co. lease of an inactive mine on 12/13/2010, the completion of a roadway project on 10/25/2011, or the date of this inspection. According to Roy Newman, James Hamilton Construction Co. was not aware that the activities were not eligible for coverage under the USEPA NPDES 2012 CGP or the need to obtain coverage under the USEPA NPDES industrial stormwater 2008 MSGP.

Facility Site Review - Marginal

After 12/13/2010, precipitation greater than 0.5 inches (0.81 inches) was recorded on 09/16/2011 in readily available on-line data at Weather Underground for Truth or Consequences, NM (Station ID KTCS, Latitude 32.24, Longitude -107.27, Elevation 4,852 Feet). Precipitation greater than 0.5 inches was also recorded at the same weather station on the following dates: 12/12/2011 (0.69 inches) and 07/23/2012 (0.66 inches), and 12/14/2012 (0.51 inches).

On the day of this inspection, structural control measures included trench, earth and/or rock berms, staked mulch wattle or socks, and straw bales. One low area or pond near a site boundary was observed. The on-site operator representative described that smaller sized aggregate material remaining from the mining operation was used in some disturbed areas of the inactive mine. Except in the immediate area of the active crusher, no generation of dust was observed. No windblown trash or debris was observed.

Some plastic material or sheeting was observed in the north-east portion of the site. Remaining plastic waste needed to be properly disposed. Some on-site structural controls had been damaged, and wattle with accumulated sediment to the top of the control measure needed to be maintained. Erosion was observed at site boundaries and slopes, including slopes of the disturbed mine area with smaller sized aggregate material from mining operations. Additional, alternative and/or modified structural controls appeared needed in areas that wattles or straw bale were damaged. As evidence by the damage, the use of straw materials in an area also used for livestock range and/or areas with wildlife needed to be evaluated. Additional controls above channels or in uplands appeared to be needed to minimize erosion or control sediment at site boundaries. Initiation and/or additional stabilization of disturbed slopes and areas also appeared needed.

NMED/SWQB
General Area Map

Created by: Erin Trujillo

Source: Google Earth Imagery dated 7/24/2011

City/County: South of Truth or Consequences / Sierra County

State: New Mexico

Location: James Hamilton Construction Co., Caballo Offsite Aggregate Mine and Asphalt Batch Plant, Southwest of I-25 and NM 152



NMED/SWQB
Historic Site Imagery

Created by: Erin Trujillo

Source: Google Earth On-line Imagery dated 06/30/2005

City/County: South of Truth or Consequences / Sierra County

State: New Mexico

Description: Area southwest of I-25 and NM 152 interchange in 2005. Visible disturbance is prior to James Hamilton Construction Co three year lease.



NMED/SWQB
Historic Site Imagery

Created by: Erin Trujillo

Source: Google Earth On-line Imagery dated 05/08/2009

City/County: South of Truth or Consequences / Sierra County

State: New Mexico

Description: Area southwest of I-25 and NM 152 interchange in 2009. Visible disturbance is prior to James Hamilton Construction Co three year lease.



NMED/SWQB
Historic Site Imagery

Created by: Erin Trujillo

Source: Google Earth On-line Imagery dated 07/24/2011

City/County: South of Truth or Consequences / Sierra County

State: New Mexico

Description: Activities (additional disturbance, equipment, vehicles, and stockpiles) southwest of I-25 and NM 152 interchange in 2011. Much of the materials and activities shown in this photo including dark material had been removed on the day of this inspection.



NMED/SWQB Official Photograph Log Photo # 1		
Photographer: Erin Trujillo	Date: 01/31/2013	Time: 1349 hours
City/County: South of Truth or Consequences / Sierra County		State: New Mexico
Location: James Hamilton Construction Co. / Caballo Offsite Aggregate Mine, Southwest of I-25 and NM 152		
Subject: Example of staked wood mulch wattle in braided tributary downstream of facility entrance road		



NMED/SWQB Official Photograph Log Photo # 2		
Photographer: Erin Trujillo	Date: 01/31/2013	Time: 1349 hours
City/County: South of Truth or Consequences / Sierra County		State: New Mexico
Location: James Hamilton Construction Co. / Caballo Offsite Aggregate Mine, Southwest of I-25 and NM 152		
Subject: Damage in mulch wattle in braided tributary downstream of facility entrance road.		



NMED/SWQB Official Photograph Log Photo # 3		
Photographer: Erin Trujillo	Date: 01/31/2013	Time: 1434 hours
City/County: South of Truth or Consequences / Sierra County		State: New Mexico
Location: James Hamilton Construction Co. / Caballo Offsite Aggregate Mine, Southwest of I-25 and NM 152		
Subject: According to the on-site operator representative, a ditch had been excavated in eastern portion of the site as a stormwater control measure. Vehicle tracks observed across the excavated ditch and associated low earth berm appeared to reduce the effectiveness of the control measure in this area.		



NMED/SWQB Official Photograph Log Photo # 4		
Photographer: Erin Trujillo	Date: 01/31/2013	Time: 1438 hours
City/County: South of Truth or Consequences / Sierra County		State: New Mexico
Location: James Hamilton Construction Co. / Caballo Offsite Aggregate Mine, Southwest of I-25 and NM 152		
Subject: Photo shows recently disturbed area (vehicle tracks), excavated trench and associated berm, active crushing area, and material stockpiles. Erosion rills shown in foreground of this photo did not continue past shown trench, berm or off site.		



NMED/SWQB Official Photograph Log Photo # 5		
Photographer: Erin Trujillo	Date: 01/31/2013	Time: 1446 hours
City/County: South of Truth or Consequences / Sierra County		State: New Mexico
Location: James Hamilton Construction Co. / Caballo Offsite Aggregate Mine, Southwest of I-25 and NM 152		
Subject: Example of erosion feature "headcut" at top of slope. Length of slope is not shown in photo, but continues toward on-site low area or pond. Pond at site boundary is shown in the next photo.		



NMED/SWQB Official Photograph Log Photo # 6		
Photographer: Erin Trujillo	Date: 01/31/2013	Time: 1454 hours
City/County: South of Truth or Consequences / Sierra County		State: New Mexico
Location: James Hamilton Construction Co. / Caballo Offsite Aggregate Mine, Southwest of I-25 and NM 152		
Subject: Gaps in wattle, but no erosion was observed on the slope below the pond in this area. As described by on-site operator representative, damage to the wattle was most likely caused by livestock.		



NMED/SWQB Official Photograph Log Photo # 7		
Photographer: Erin Trujillo	Date: 01/31/2013	Time: 1456 hours
City/County: South of Truth or Consequences / Sierra County		State: New Mexico
Location: James Hamilton Construction Co. / Caballo Offsite Aggregate Mine, Southwest of I-25 and NM 152		
Subject: Tributary channel at site boundary. This channel is located below area shown in next photo.		



NMED/SWQB Official Photograph Log Photo # 8		
Photographer: Erin Trujillo	Date: 01/31/2013	Time: 1500 hours
City/County: South of Truth or Consequences / Sierra County		State: New Mexico
Location: James Hamilton Construction Co. / Caballo Offsite Aggregate Mine, Southwest of I-25 and NM 152		
Subject: Erosion gully and rills in background of photo are in a disturbed area that drains toward pond at site boundary shown in Photo #6. According to the on-site operator representative, the berm in this photo previously continued across the disturbed area in foreground, and a portion of the berm was damaged (washed out) during a previous rain event.		



NMED/SWQB Official Photograph Log Photo # 9		
Photographer: Erin Trujillo	Date: 01/31/2013	Time: 1501 hours
City/County: South of Truth or Consequences / Sierra County		State: New Mexico
Location: James Hamilton Construction Co. / Caballo Offsite Aggregate Mine, Southwest of I-25 and NM 152		
Subject: Erosion (rills) at slope where small sized aggregate material from the mining operation was used in disturbed areas.		



NMED/SWQB Official Photograph Log Photo # 10		
Photographer: Erin Trujillo	Date: 01/31/2013	Time: 1507 hours
City/County: South of Truth or Consequences / Sierra County		State: New Mexico
Location: James Hamilton Construction Co. / Caballo Offsite Aggregate Mine, Southwest of I-25 and NM 152		
Subject: Looking southwest at erosion and control measures in inactive mine area. As described by on-site operator representative, damage to the straw bale was most likely caused by livestock.		



NMED/SWQB Official Photograph Log Photo # 11		
Photographer: Erin Trujillo	Date: 01/31/2013	Time: 1513 hours
City/County: South of Truth or Consequences / Sierra County	State: New Mexico	
Location: James Hamilton Construction Co. / Caballo Offsite Aggregate Mine, Southwest of I-25 and NM 152		
Subject: Accumulated sediment above mulch wattle shown in previous photo.		



NMED/SWQB Official Photograph Log Photo # 12		
Photographer: Erin Trujillo	Date: 01/31/2013	Time: 1520 hours
City/County: South of Truth or Consequences / Sierra County		State: New Mexico
Location: James Hamilton Construction Co. / Caballo Offsite Aggregate Mine, Southwest of I-25 and NM 152		
Subject: Looking southwest at disturbance in inactive mine area shown in Photo #10.		



NMED/SWQB Official Photograph Log Photo # 13		
Photographer: Erin Trujillo	Date: 01/31/2013	Time: 1532 hours
City/County: South of Truth or Consequences / Sierra County		State: New Mexico
Location: James Hamilton Construction Co. / Caballo Offsite Aggregate Mine, Southwest of I-25 and NM 152		
Subject: Recent vehicle tracks at material stockpile and plastic in north-east portion of disturbed mine area.		

