NEW MEXICO ENVIRONMENT DEPARTMENT

Surface Water Quality Bureau

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Acting Director
Resource Protection Division

February 13, 2013 ***Certified Mail - Return Receipt Requested***

Mr. Jason Skarsgard, President
Roshambo Construction, LLC
8220 San Pedro Dr. NE
Albuquerque, New Mexico 87113

RE: Construction Storm Water; SIC 1611; NPDES Compliance Evaluation Inspection; Roshambo Construction, LLC; NMU001839; January 16, 2013

Dear Mr. Skarsgard;

Enclosed, please find a copy of the report for the referenced inspection that the New Mexico Environment Department (NMED) conducted at a construction site for which you may be an "operator" (see 2012 Construction General Permit (CGP), Definitions, Appendix A). The NMED conducted this inspection 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 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 regarding modifications and compliance schedules both the USEPA (Diana McDonald, USEPA (6EN-WM), 1445 Ross Avenue, Dallas, Texas 75202-2733) and the NMED Surface Water Quality Bureau Program Manager (at the address above).

If you have any questions about this inspection report, please contact me at (505) 827-2575 or daniel.valenta@state.nm.us.

Sincerely,

/s/Daniel Valenta

Daniel Valenta
Environmental Scientist/Specialist
Surface Water Quality Bureau

Cc: Hannah Branning, EPA (6EN) by e-mail
Carol Peters-Wagnon, EPA (6EN-WM) by e-mail
Diana McDonald, EPA (6EN-WM) by e-mail
Darlene Whitten-Hill, EPA (6EN) by e-mail
Rashida Bowlin, EPA (6EN) by e-mail
NMED District I (Albuquerque) 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 9 11	12 1 3 0 1 1 6 17	18 }	19 S 20	2

Remarks: C O N S T R U C t I O N > 1 A C R E

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)*	Entry Time /Date	Permit Effective Date
Albuquerque Metal Recycling, Inc., 3339 2nd Street SW, Albuquerque, New Mexico, 87105 **Bernalillo County**	**1002/1-16-2013**	**2-16-2012**
	Exit Time/Date **1414/1-16-2013**	Permit Expiration Date **2-16-2017**

Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)

Mr. Steve Wood/Operations Manager/505-877-6110/fax 505-873-5421
Mr. Paul Wynn/Co-Owner/575-588-7933/ fax 575-588-9225

Other Facility Data

LAT 35° 02' 04.04" N

LONG 106° 39' 35.32" W

SIC 1611

Name, Address of Responsible Official/Title/Phone and Fax Number

Mr. Jason Skarsgard/President Roshambo Construction/ 8220 San Pedro Dr. NE, Albuquerque, New Mexico 87113/505-803-3757

Contacted: Yes [X] No [ ]

Section C: Areas Evaluated During Inspection

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

U	Permit	N	Flow Measurement	U	Operations & Maintenance	N	CSO/SSO
U	Records/Reports	U	Self-Monitoring Program	N	Sludge Handling/Disposal	N	Pollution Prevention
U	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)

1. **Messrs. Daniel Valenta and Bruce Yurdin of the New Mexico Environment Department (NMED), Surface Water Quality Bureau (SWQB) arrived on site at 1002 on 1/16/2013, conducted entrance interview with Messrs. Wood and Wynn during which the Mr. Valenta made introductions, showed credentials and explained the purpose of the inspection.**

2. **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.**

3. **An exit interview to discuss the preliminary finding of the inspection was conducted at approximately 1414 on 1/16/2013 with Messrs. Wood and Wynn at the facility.**

Name(s) and Signature(s) of Inspector(s)	Agency/Office/Telephone/Fax	Date
Daniel Valenta ***/s/Daniel Valenta***	**NMED/SWQB 505-827-2575**	2/13/2013
Signature of Management QA Reviewer	**Agency/Office/Phone and Fax Numbers**	**Date**
Richard Powell ***/s/Richard Powell***	**NMED/SWQB 505-827-2798**	2/13/2013

Roshambo Construction, LLC
January 16, 2013
NMU001839

Site Description

A construction project is ongoing at Albuquerque Metal Recycling. This 33 acre operation receives vehicles and various scrap metals for processing into recyclable sizes. Vehicles are flattened before receipt and batteries, gas tanks, and interiors are removed. White goods are not accepted until they have been processed to remove electronics and refrigerants. The operation does not accept hazardous materials. Scrap metal including metal frames, turnings pipes, structural pieces, storage containers and raw scrap are accepted for processing into useable size. They are stored on site until there are transportable amounts available. Materials such as copper, aluminum, and brass are separated for sale. Vehicle batteries are palletized and wrapped for offsite shipment and recycling, these are stored indoors until shipped. An onsite rail spur has open cars that are used for storage of processed metals pending bulk shipment to metal processing facilities.

Construction has been taking place to install new equipment and contour the site to allow better drainage. The grading and drainage plan is designed in connection with the installation of new ferrous and non-ferrous material shredders on the property. A new motor house adjacent to the ferrous shedder will contain the drive motor and control booth. Material excavated from the new containment ponds is being stored on a site west of the irrigation canal. As the site is cleared of material the site will be re-contoured. This material will also be stored in the area west of the facility (see photo 2). This construction project is ongoing.

The facility is located in the County's SE Valley. It's bounded on the west side by the Barr Irrigation Canal and on the east by 2th street. To the south is vacant land and to its north are other industrial uses. The site is relatively flat and there are no significant surface flows that cross the property, however the southeast corner of the site is a few feet lower than the rest of the site. Just to the south of the site there is an AH FEMA floodplain.

From the Grading and Drainage Plan blueprints in the existing condition the site generates approximately 49.7 cfs of runoff, according to Arid Land Hydrologic Modeling (AHYMO). This does not include the storage area on the west side of the facility. Runoff in the present condition appears to collect in various on-site local ponding areas that are spread throughout the site. The proposed intent of the re-grading is to design a center of site flow pattern down the middle of the site that will convey runoff from up gradient operations on the site's western portion into storage areas within the southwest portion of the site.

Finding

Roshambo Construction, LLC is the general contractor for the construction of the shop building and concrete motor house. They are a small firm with 2-4 employees in operation for approximately 4 years. Albuquerque Metal Recycling has coverage under the Multi-Sector General Permit (MSGP) NMR05G982, however per section 1.1.4.2 of the MSGP.

"Stormwater discharges associated with construction activity disturbing one acre or more are not eligible for coverage under this permit, unless in conjunction with mining activities or certain oil and gas extraction activities as specified in Sectors G, H, I, and J of this permit."

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The facility and contractor does not have the required coverage under the Construction General Permit (CGP) for the disturbance of one acre or more. The footprint of the disturbance includes the storage site for sediment removed in the construction of the detainment pond and the re-contouring of the facility. A recycling facility has been in operation at this site since 1960. As the top layers of sediment are removed from the site they are being stored on a property west of the site. No Best Management Practices (BMP's) have been installed to contain any run off from this area, (see photos 2-5).

All parties working at the site that fall under the definition of "Operator" need to have permit coverage.

Per 1.1.a; of the CGP

a. *You are an "operator" of the construction project for which discharges will be covered under this permit; Note: For the purposes of this permit, an "operator" is any party associated with a construction project that meets either of the following two criteria:*

1. *The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or*

2. *The party has day-to-day operational control of those activities at a project that are necessary to ensure compliance with the permit conditions (e.g., they are authorized to direct workers at a site to carry out activities required by the permit).*

Subcontractors generally are not considered operators for the purposes of this permit.

Note: Where there are multiple operators associated with the same project, all operators are required to obtain permit coverage. The following applies in these situations:

1. *If one operator has control over plans and specifications and a different operator has control over activities at the project site, they may divide responsibility for compliance with the terms of this permit as long as they develop a group SWPPP (see Part 7.1.1), which documents which operator has responsibility for each requirement of the permit.*

2. *If an operator only has operational control over a portion of a larger project (e.g., one of four homebuilders in a subdivision), the operator is responsible for compliance with all applicable effluent limits, terms, and conditions of this permit as it relates to the activities on their portion of the construction site, including protection of endangered species, critical habitat, and historic properties, and implementation of control measures described in the SWPPP in the areas under their control.*

3. *You must ensure either directly or through coordination with other permittees, that your activities do not render another party's pollutant discharge controls ineffective.*

4. *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*

NMED/SWQB
Official Photograph Log

Photo # 1

Photographer: Daniel Valenta	Date: 1/16/2013	Time: 1224 hours
City/County: Albuquerque/Bernalillo		
Location: Albuquerque Metal Recycling, 3339 2nd Street SW, Albuquerque, New Mexico, facing south.		
Subject: One of two sediment containment ponds dug at the site. Soil is stored at the west end of the site.		

NMED/SWQB
Official Photograph Log

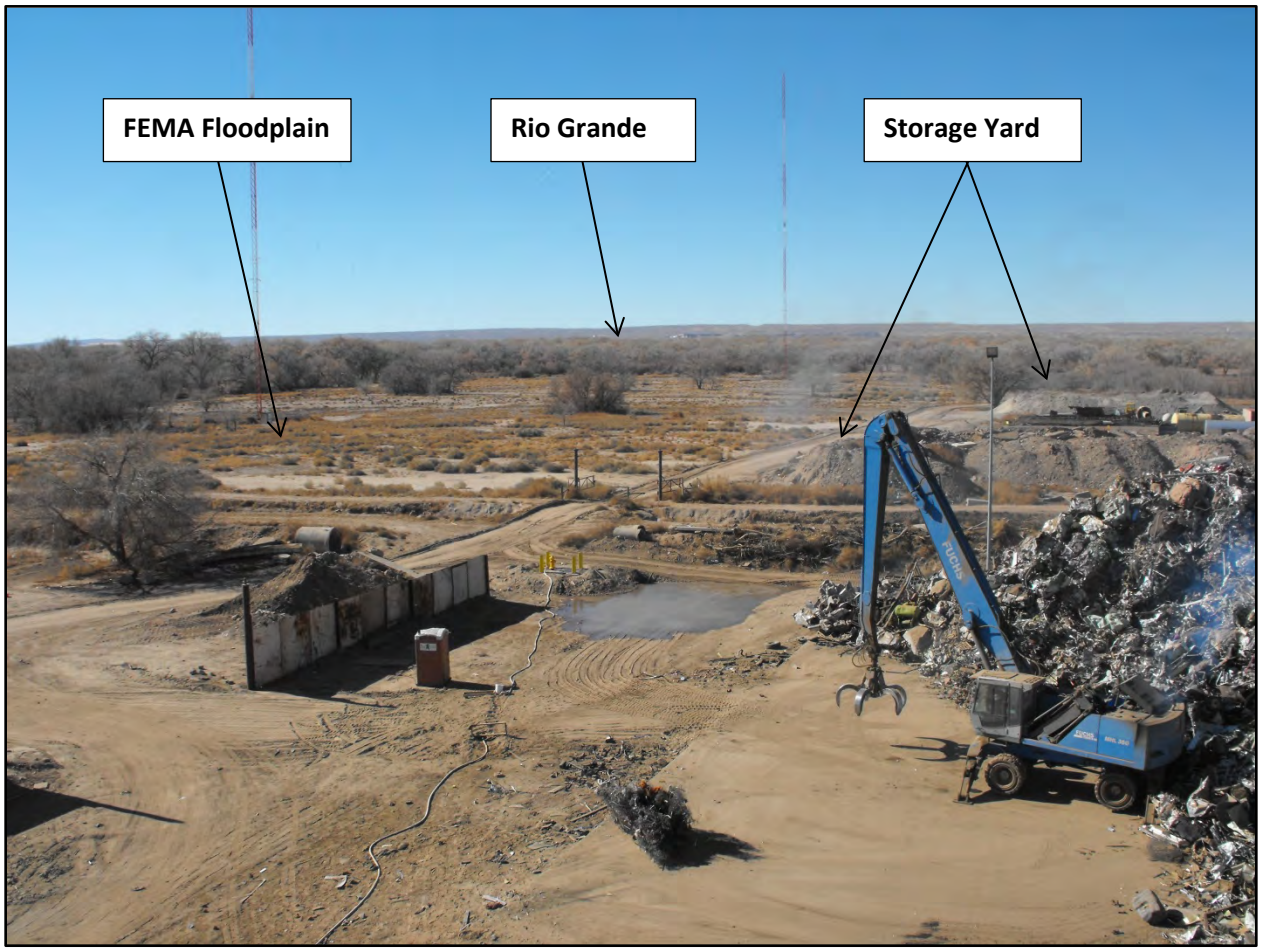
Photo # 2

Photographer: Daniel Valenta	Date: 1/16/2013	Time: 1245 hours
City/County: Albuquerque/Bernalillo		
Location: Albuquerque Metal Recycling, 3339 2nd Street SW, Albuquerque, New Mexico, facing west.		
Subject: Storage yard on west side of facility.		

NMED/SWQB
Official Photograph Log

Photo # 3

Photographer: Daniel Valenta	Date: 1/16/2013	Time: 1246 hours
City/County: Albuquerque/Bernalillo		
Location: Albuquerque Metal Recycling, 3339 2nd Street SW, Albuquerque, New Mexico, facing west.		
Subject: Storage yard on west side of facility.		



NMED/SWQB
Official Photograph Log

Photo # 4

Photographer: Daniel Valenta	Date: 1/16/2013	Time: 1319 hours
City/County: Albuquerque/Bernalillo		
Location: Albuquerque Metal Recycling, 3339 2nd Street SW, Albuquerque, New Mexico, facing east.		
Subject: One of the uncontained piles of dirt stored at the west side of the facility.		

NMED/SWQB
Official Photograph Log

Photo # 5

Photographer: Daniel Valenta	Date: 1/16/2013	Time: 1320 hours
City/County: Albuquerque/Bernalillo		
Location: Albuquerque Metal Recycling, 3339 2nd Street SW, Albuquerque, New Mexico, facing east.		
Subject: Pile of sediment and various materials stored on west side. When the needed equipment arrives this material will be screened and the metal removed.		