NEW MEXICO
ENVIRONMENT DEPARTMENT

Surface Water Quality Bureau

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Resource Protection Division

Certified Mail - Return Receipt Requested

April 8, 2013

Mr. Thomas Wade, President
Palo Duro Homes, Inc.
4420 Tower Rd SW, Suite A
Albuquerque, NM 87121-3571

Re: Construction Stormwater, SIC 1542, NPDES Compliance Evaluation Inspection, Palo Duro Homes, Inc., Bluffview Valley Subdivision Construction Project, NPDES Permit NMU001850, March 28, 2013

Dear Mr. Wade,

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 Appendix A in permit). 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 noted in the checklist 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 USEPA (Diana McDonald, USEPA (6EN-WT), 1445 Ross Ave., Dallas, Texas, 75202), NMED (at above address) regarding modifications and compliance schedules.

I want to thank you for the assistance of Mr. Willas Manwill during this inspection. If you have any questions, please feel free to contact me at sarah.holcomb@state.nm.us or by telephone at (505) 222-9587.

Sincerely,
/s/ Sarah Holcomb
Sarah Holcomb
Surface Water Quality Bureau

Cc: Rashida Bowlin, USEPA (6EN-AS) by email
Carol Peters-Wagnon (6EN-AS) by email
Diana McDonald, USEPA (6EN-AS) by email
Darlene Whitten-Hill, USEPA (6EN-AS) by email
Bob Italiano, NMED District 2 Manager, by email
Hannah Branning, USEPA (6EN-AS) by email

EPA

Form Approved
OMB No. 2040-0003
Approval Expires 7-31-85

NPDES Compliance Inspection Report

Section A: National Data System Coding

1	2	3	11	12	17	18	19	20
Transaction Code	NPDES		yr/mo/day		Inspec. Type	Inspector		Fac Type
N	5	NMU0018501		130328	}	S		2

Remarks: CONSTRUCTION > 5 ACRES

67	69	70	71	72	73	74	75	80
Inspection Work Days		Facility Evaluation Rating	BI	QA	----------Reserved----------			
		1	N	N				

Section B: Facility Data

Name and Location of Facility Inspected *(For industrial users discharging to POTW, also include POTW name and NPDES permit number)*
BLUFFVIEW VALLEY SUBDIVISION, Farmington, San Juan County, NM: From Hwy 64, turn north on Andrea Dr., then turn east on Katherine Dr. The model home is located to the north on Laurie Dr.

Entry Time /Date
1215 hours / 3-28-2013

Permit Effective Date
2-16-2012

Exit Time/Date
1600 hours / 3-28-2013

Permit Expiration Date
2-16-2017

Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)
Mr. Willas Manwill, Animas Valley Land and Water Co., LLC, Operations Mgr. 505-325-2435

Other Facility Data

SIC: 1542

GPS: N. 36° 42' 51.2"
W -108° 7' 57.7"

Name, Address of Responsible Official/Title/Phone and Fax Number
Mr. Thomas Wade, President, Palo Duro Homes, Inc. (505) 505-750-7256
4420 Tower Rd. SW, Suite A, Albuquerque, NM 87121-3571

Contacted
Yes [ ] No [*]

Section C: Areas Evaluated During Inspection

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

N	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	M	Storm Water	N	Other:

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

1. **Inspector arrived at the site at 1215 hours on 3-28-2013 and conducted an entrance interview with Ms. Samantha ? of Palo Duro Homes, where she presented credentials, made introductions and discussed the purpose of the inspection. There was an old copy of the Palo Duro SWPPP onsite, which the inspector reviewed. Mr. Willas Manwill arrived onsite with their copy of their SWPPP midway through the inspection. An exit interview was conducted with Mr. Willas Manwill and Mr. Fred Whistle of Animas Valley Land and Water Co., LLC at their offices the same day at 1530 hours where the inspector discussed the preliminary findings of the inspection. On 4-2-2013, the inspector made contact with Mr. Jerry Wade, Operations Manager for Palo Duro Homes, and explained the inspection findings to him as well.**
2. **Please see report for further details.**

Name(s) and Signature(s) of Inspector(s)	Agency/Office/Telephone/Fax	Date
Sarah Holcomb ***/s/ Sarah Holcomb***	**505-222-9587**	**4-8-2013**
Signature of Management QA Reviewer	**Agency/Office/Phone and Fax Numbers**	**Date**
Bruce Yurdin ***/s/ Bruce Yurdin***	**505-827-2795**	**4-8-2013**

Industrial Storm Water Worksheet (Construction) – State of New Mexico

National Database Information		General	
Inspection Type	CEI	Inspector Name	S. Holcomb
NPDES ID Number	NMR12A053/NMU001850	Telephone	505-222-9587
Inspection Date	3-28-2013	Entry Time	1215 hours
Inspector Type (circle one)	EPA [State] EPA Oversight	Exit Time	1600 hours
Facility Type (circle one)	Commercial / [Residential] / Municipal / Industrial	Signature	*/s/ Sarah Holcomb*

Facility Location Information				
Name/Location/Mailing Address	Bluffview Valley Subdivision: Andrea Dr/Katherine Dr., Farmington, NM 87410 Mailing: (AVLWC) PO Box 5520, Farmington, NM 87499 (Palo Duro Homes) 4420 Tower Rd. SW Suite A, Albuquerque, NM 87121-3571			
Coordinates	Latitude	N. 36° 42' 51.2"	Longitude	W. -108° 7' 57.7"
Receiving Waters	Farmington MS4 (Unnamed Intermittent)thence to the San Juan River in segment 20.6.4.408 NMAC.			
Disturbed Area	80 acres	Start/Stop Dates	8-23-2000 to 12-31-2020	

Contact Information		
	Name(s)	Telephone
Name(s) and Role(s) of All Parties Meeting the Definition of Operator	Animas Valley LWC, LLC (AV) Palo Duro Homes Inc. (PD)	General Contractor Owner
Facility Contact	Mr. Willas Manwill (AV) Mr. Fred Whistle (AV)	505-325-2435
Authorized Official(s)	Mr. (AV) Mr. Thomas Wade (PD)	505-325-2435 505-750-7256

Site Information: *circle all that apply*							
Nature of Project	[Residential]	Commercial / Industrial	Roadway	[Private]	Federal	State / Municipal	Other
Construction Stage	Clearing / Grubbing	Rough Grading	Infrastructure	[Building] (Vertical)	[Final] Grading	Final Stabilization	

Basic Permit Information			Basic SWPPP Information		
Permit Coverage	[Y] AV	[N] PD	SWPPP Prepared & Available? *Part 7.1.1, 7.2.1*	[Y]	N
Permit Type	[General]	Individual	SWPPP Contents Satisfactory?	Y	[N]
Notice Posted (visible, font large, NPDES Permit tracking#, contact name & phone #) *Part 1.5*	[Y] AV	[N] PD	SWPPP Implementation Satisfactory?	Y	[N]
NOI Date	5-9-12		SWPPP Date	2-21-2011	
Is NOI Satisfactory?	Y	[N]			

Additional Facility and Inspection Information *(optional)*

The original platted subdivision was intended to be 550 acres. However, this platting effort was primarily to secure the land. Many parts of the subdivision are not suitable for construction. Many of the construction pads are located along Laurie Rd., and many are finished. AVLWC was responsible for infrastructure construction and plans to stabilize and NOT. An old SWPPP (from 2000) was kept at the model home for Palo Duro, but the questions answered in this checklist refer to AVLWC's most recent SWPPP, revised in 2011.

Industrial Storm Water Worksheet (Construction) – State of New Mexico

SWPPP Review *(can be completed in office)*			
General			**Notes:**
SWPPP Signed/Certified. Did all operators sign/certify the SWPPP? *Part 7.2.15, Appendix I.11*	Y	N	No signatures were contained in either SWPPP.
SWPPP completed prior to NOI? *Part 7.1.1, Part 1.2.1*	Y	N	
Endangered Species Act. Does SWPPP include documentation supporting determination? *Part 7.2.14.1; Part 1.1.e, Appendix D*	Y	N	The certification under B was based on an Environmental Review conducted by Cinnamon Oil Field Services in August 2000.
Historic Properties. Does SWPPP include documentation supporting determination? *Part 7.2.14.2, Appendix E*	Y	N	
If applicable, documents contact with agency or office responsible for implementing Safe Drinking Water Act underground injection control well(s)? *Part 7.2.14.3, 40 CFR Parts 144 -147*	Y	N	N/A
Post-Authorization Additions. Does SWPPP include: ➢ Copy of acknowledgement letter Y/N ➢ Copy of NOI Y/N ➢ Copy of permit Y/ N *Part 7.2.16.3*	Y	N	
If applicable, SWPPP describes compliance with any case-by-case basis USEPA imposed water quality-based effluent limitation requirements? *Part 3*	Y	N	N/A
If discharge to an impaired water, includes records of all data used to complete NOI: ➢ List of all impaired waters Y/N ➢ Pollutant(s) for which the surface water is impaired Y/N ➢ Whether a TMDL has been approved or established Y/N *Part 3.2.1, Appendix I.15*	Y	N	
Required SWPPP modifications completed? ➢ Completed w/7 days Y/N ➢ Maintains modification records showing dates, name of person authorizing change and summary Y/N ➢ Signed/Certified Y/N ➢ Immediately notified other operators Y/N *Parts 7.4, 5.2.2, Appendix I.11.b*	Y	N	No records of SWPPP modifications needed.
Records Retention. Have copies of inspection reports/all other documentation been retained as part of the SWPPP for 3 years from date permit coverage expires or is terminated? *Parts 4.1.7, 5.4.4, Appendix I.10.2, I.15*	Y	N	

Industrial Storm Water Worksheet (Construction) – State of New Mexico

Team & Activity Description			Notes:
Identifies stormwater team personnel and responsibilities? ➢ Personnel (by name or position) Y/N ➢ Individual responsibilities Y/N *Part 7.2.1*	Y	N	
Is staff training documented? ➢ Training occurs prior to the commencement of earth-disturbing activities or pollutant-generating activities, whichever occurs first Y/N ➢ Ensures following understand the requirements of this permit and their specific responsibilities: o Personnel responsible for the design, installation, maintenance, and/or repair of controls/measures Y/N o Personnel responsible for the application and storage of treatment chemicals Y/N/NA o Personnel responsible for conducting inspections Y/N o Personnel responsible for taking corrective actions Y/N ➢ At a minimum, training includes: o Location of all stormwater controls on the site required by this permit, and how maintained Y/N o Proper procedures to follow with respect to the permit's pollution prevention requirements Y/N o When and how to conduct inspections, record applicable findings, and take corrective actions Y/N *Parts 7.2.13, 6 and permit notes for emergency-related construction activities*	Y	N	
Describes nature of construction activities? ➢ Size of the property Y/N ➢ Total area to be disturbed Y/N ➢ Construction support activity areas Y/N/NA ➢ Maximum area to be disturbed at any one time Y/N *Part 7.2.2*	Y	N	Original platted subdivision: 550.27 acres Originally 150 acres disturbed, with 565 lots. Laurie St. Construction: 80 acres disturbed.
If applicable, documents emergency-related projects? ➢ Cause of public emergency (e.g., natural disaster, extreme flooding conditions, etc.) Y/N ➢ Info substantiating occurrence (e.g., state disaster declaration or similar state or local declaration) Y/N	Y	N	N/A

➢ Description of the construction necessary to reestablish effected public services Y/N *Parts 7.2.3, 1.2*			
Identifies (lists) other site operators and areas of site over which each has control? ➢ List and areas of site over which each has control Y/N *Part 7.2.4*	Y	N	
Describes sequence, estimated dates (departures) and duration of construction activities? ➢ Installation of control measures when operational Y/N ➢ Commencement/duration clearing & grubbing, mass grading, site preparation (excavating, cutting & filling), final grading, and creation of soil & vegetation stockpiles Y/N ➢ Cessation, temporarily or permanently, of construction activities on the site, or in designated portions of site Y/N/NA ➢ Final/temporary stabilization areas of exposed soil Y/N ➢ Removal of temporary stormwater conveyances/channels and other stormwater control measures Y/N ➢ Removal of construction equipment and vehicles Y/N *Part 7.2.5*	Y	N	
Site Map			**Notes:**
Includes legible site map(s)? *Part 7.2.6*	Y	N	
➢ Boundaries of the property Y/N ➢ Locations construction activities will occur Y/N ➢ Locations earth-disturbing activities will occur (note any phasing) Y/N ➢ Approximate slopes before and after major grading (note steep slopes) Y/N ➢ Locations sediment, soil, or materials will be stockpiled Y/N/NA ➢ Locations of crossings of surface waters Y/N/NA ➢ Designated points vehicles exit onto paved roads Y/N ➢ Locations of structures/impervious surfaces upon completion Y/N ➢ Locations of construction support activity areas Y/N/NA *Part 7.2.6.1*	Y	N	
➢ Locations of surface waters/wetlands, within	Y	N	

Industrial Storm Water Worksheet (Construction) – State of New Mexico

or in immediate vicinity Y/N ➢ Indicates waters listed as impaired, and Tier 2~~, Tier 2.5,~~ or Tier 3 Y/N *Part 7.2.6.2*			
➢ Boundary lines of natural buffers *Parts 7.2.6.3, 2.1.2.1a*	Y	N	
➢ Areas of federally-listed critical habitat for endangered or threatened species *Part 7.2.6.4*	Y	N	
➢ Topography Y/N ➢ Existing vegetative cover Y/N ➢ Drainage pattern of stormwater/authorized non-stormwater flow onto, over, and from site <u>before and after</u> major grading Y/N *Part 7.2.6.5*	Y	N	
➢ Stormwater and allowable non-stormwater discharge locations Y/N ➢ Locations of storm drain inlets on site and immediate vicinity Y/N (future) ➢ Locations stormwater or allowable non-stormwater will be discharged to surface waters (including wetlands) on or near site Y/N *Part 7.2.6.6*	Y	N	
➢ Locations of potential pollutant-generating activities *Part 7.2.6.7, Part 7.2.7*	Y	N	
➢ Locations of control measures *Part 7.2.6.8*	Y	N	
➢ Locations polymers, flocculants, or treatment chemicals will be used/stored *Part 7.2.6.9*	Y	N	N/A
Construction Site Pollutants			**Notes:**
Includes pollutant-generating activities list and description? *Part 7.2.7.1*	Y	N	
Includes inventory of pollutants or constituents? ➢ Inventory Y/N ➢ Potential spills/leaks Y/N ➢ Departures from manufacturer's specifications for applying fertilizers containing nitrogen & phosphorus Y/N/NA *Parts 7.2.7.2, 2.3.5.1*	Y	N	
Identifies all sources of allowable non-stormwater discharges? *Parts 7.2.8, 1.3.d*	Y	N	No non-storm water discharges were noted in the plan.
If required (surface water wi/50 feet of earth disturbance), documents and describes <u>buffer compliance alternative</u> selected? ➢ Ensures that all discharges from the area of earth disturbance to the natural buffer are	Y	N	There was no documentation to comply with the buffer requirement. This site would discharge to an unnamed intermittent arroyo that flows through the middle of the site. This arroyo leads to the San Juan River, approximately 1 mile away. Please see Photo #1

first treated by the site's erosion and sediment controls Y/N/NA ➢ Uses velocity dissipation devices, if necessary Y/N/NA ➢ Documents natural buffer width Y/N/NA ➢ Delineates, and clearly marks off, with flags, tape, or other similar marking device all natural buffer areas Y/N/NA ➢ Documents erosion and sediment control(s) used to achieve an equivalent sediment reduction Y/N/NA ➢ Documents any information relied upon to demonstrate equivalency Y/N/NA *Parts 7.2.9, 2.1.2, Appendix G*			for a Google Earth view of the discharge situation.
As applicable, describes and documents <u>buffer exceptions</u>? ➢ Describes rationale/why infeasible to provide and maintain an undisturbed natural buffer of any size Y/N/NA ➢ For linear project, describes buffer width retained and supplemental controls installed Y/N/NA ➢ Small residential lot options Y/N/NA ➢ Documents CWA Section 404 Permit, water-dependent structure/access disturbances Y/N *Parts 7.2.9; 2.1.2.1e, Appendix G*	Y	N	
All Stormwater Control Measures		**Notes:**	
Describes each measure? ➢ Type of measure to be installed and maintained, including design information Y/N ➢ Specific sediment controls installed and made operational prior to conducting earth-disturbing activities Y/N ➢ For exit points, stabilization techniques and any additional controls planned to remove sediment prior to vehicle exit Y/N ➢ For linear projects (if applicable), where/why it has been determined that the use of perimeter controls is practicable Y/N/NA *Part 7.2.10.1*	Y	N	
Erosion and Sediment Controls		**Notes:**	
Minimizes <u>area of disturbance</u>? *Part 2.1.1.1*	Y	N	Plan states that native vegetation will be preserved to the extent allowable.
Describes erosion and sediment control <u>design requirements</u>? ➢ Accounts for expected amount, frequency, intensity, duration of precipitation Y/N ➢ Accounts for nature of run-on and run-off (channelized peak flow rates & total volume at outlet) Y/N ➢ Accounts for range of soil particle sizes (distribution, erosivity and cohesiveness) Y/N	Y	N	

➢ Directs discharge to vegetated areas to increase sediment removal and infiltration unless infeasible Y/N/NA ➢ Uses velocity dissipation, if necessary Y/N/NA ➢ Complies with State of New Mexico except Indian country requirements: o Includes site-specific BMPs/controls designed to prevent to the maximum extent practicable an increase in sediment yield/flow velocity from pre-construction, pre-development conditions both during and after construction Y/N o Selection based on appropriate soil loss prediction models (results in sediment yields/flow velocities, that to the maximum extent practicable, will not be greater than the sediment yield levels and flow velocities from pre-construction, pre-development conditions) Y/N *Parts 2.1.1.2, 9.4.1.1*			
Describes erosion and sediment control <u>installation</u> requirements? ➢ Completes installation of downgradient stormwater/sediment controls by the time or immediately following earth-disturbance begins unless infeasible Y/N/NA ➢ Installs all other controls and makes operational as soon as conditions allow Y/N ➢ Uses good engineering practices and follows manufacturer's specifications or explain departures Y/N *Part 2.1.1.3*	Y	N	
Describes erosion and sediment control <u>maintenance</u> requirements? ➢ Initiates fix immediately and completed by close of next work day (routine maintenance) Y/N ➢ Installs new measure/significant repair no later than 7 calendar days or document why infeasible Y/N *Part 2.1.1.4*	Y	N	
Installs <u>perimeter controls</u> and describes maintenance (removes sediment before it has accumulated to 1/2 of the above-ground height)? *Part 2.1.2.2*	Y	N	
Minimizes <u>sediment track-out</u>? ➢ Restricts vehicle use to properly designated exit points? Y/N ➢ Uses appropriate stabilization techniques at	Y	N	No documentation of efforts to remove trackout sediment. Cannot confirm if this was completed by the end of the workday.

all points that exit onto paved roads? Y/N ➢ Where necessary, uses additional measures to remove sediment prior to exit? Y/N/NA ➢ Removes tracked out sediment prior to the end of the same work day or if occurs on non-work day the next work day? Y/N *Part 2.1.2.3*			
Controls discharges from stockpiled sediment or soil? ➢ Locates piles outside of buffers Y/N ➢ Locates piles separate from stormwater controls Y/N ➢ Uses temporary sediment barrier Y/N ➢ Where practicable, provides cover or temporary stabilization Y/N ➢ Does not hose down or sweep into stormwater conveyance unless connected to basin, trap, etc. Y/N ➢ Contains and securely protects pile from wind? Y/N *Part 2.1.2.4*	Y	N	N/A
Minimizes dust? *Part 2.1.2.5*	Y	N	
Minimizes disturbance of steep slopes? *Part 2.1.2.6*	Y	N	
Preserves topsoil, unless infeasible? *Part 2.1.2.7*	Y	N	N/A
Minimizes soil compaction where final vegetative stabilization or infiltration installed? *Part 2.1.2.8*	Y	N	Not discussed.
Protects storm drain inlets and describes maintenance requirements (removes sediment by the end of the same work day or end of the following work day)? *Part 2.1.2.9*	Y	N	No storm drain inlets noted on site.
Describes constructed conveyance channel controls (if installed)? *Part 2.1.3.1*	Y	N	N/A
Describes sediment basin design (if installed) and maintenance (maintain at least ½ of capacity at all times)? *Part 2.1.3.2*	Y	N	N/A
Describes treatment chemical controls (if used)? *Part 2.1.3.3*	Y	N	N/A
Includes documentation for use of treatment chemicals (polymers, flocculants, or other treatment chemicals)? ➢ Lists all soil types expected to be exposed and locations where chemicals will be applied. Also include a list of soil types expected to be found in fill material to be used in same areas Y/N	Y	N	N/A

➢ Lists all treatment chemicals and why the selection of these chemicals is suited to the soil characteristics Y/N ➢ If authorized by EPA to use cationic treatment chemicals, includes the specific controls and implementation procedures designed to ensure use of cationic treatment chemicals will not lead to a violation of water quality standards Y/N/NA ➢ Dosage/methodology to determine dosage Y/N ➢ Information from any applicable MSDS Y/N ➢ Schematic drawings of any chemically-enhanced or chemical treatment systems Y/N/NA ➢ Description of how chemicals will be stored Y/N ➢ References to applicable state or local requirements and copies of applicable manufacturer's specifications Y/N ➢ Description of training that personnel have received or will receive Y/N *Parts 7.2.10.2, 2.1.3.3h*			
Describes <u>dewatering</u> controls (if installed)? *Part 2.1.3.4*	Y	N	N/A
Stabilization Requirements		**Notes:**	
Describes compliance with deadlines for vegetative and/or non-vegetative stabilization practices, including exceptions? <u>Deadline to Initiate</u> ➢ Initiates stabilization immediately (no later than end of next work day following earth-disturbing activities permanently/temporarily ceased) Y/N <u>Deadline to Complete</u> ➢ As soon as practicable, but no later 14 calendar days after initiation, completes stabilization (for vegetative, all activities to initially seed or plant, and/or for non-vegetative, installation or application) Y/N ➢ In arid, semi-arid or drought-stricken areas for permanent stabilization, immediately initiates, and within 14 calendar days completes non-vegetative stabilization measures to prevent erosion; and as soon as practicable completes all activities necessary to initially seed or plant; and documents beginning/ending dates of the seasonally dry period, site conditions, and schedule Y/N/NA ➢ Documents/describes circumstances beyond control that prevent meeting deadlines Y/N/NA	Y	N	No discussion of stabilization deadlines for compliance with the permit. According to the permittee's representatives, AVLWC has not done any work in some time.

➢ If discharging to sediment or nutrient-impaired waters or Tier 2~~, 2.5~~ or 3 waters, completes stabilization (vegetative or non-vegetative) wi/7 calendar days after temporary or permanent cessation Y/N/NA *Parts 7.2.10.3, 2.2.1, 3, 9.4.1.3*			
Describes compliance with vegetative (final) stabilization criteria? ➢ Provides uniform vegetation (e.g., evenly distributed, without large bare areas) perennial vegetative cover with a density of 70% of the native background vegetative cover for all unpaved areas / areas not covered by permanent structures Y/N ➢ Immediately after seeding or planting the area to be vegetatively stabilized, to the extent necessary to prevent erosion on the seeded or planted area, select, design, and install non-vegetative erosion controls that provide cover while vegetation is becoming established Y/N *Parts 7.2.10.3, 2.2.2.a, 3, 9.4.1.4*	Y	N	
If applicable, describes compliance with State of New Mexico, except Indian country, arid, semi-arid areas, or drought stricken option for final stabilization: ➢ Area seeded/planted must wi/3 yrs provides established vegetation that achieves 70% of the native background vegetative cover Y/N ➢ Selects, designs, and installs non-vegetative erosion controls that provide cover for at least 3 years without active maintenance Y/N ➢ Complies with notification, inspection maintenance, and reporting) Y/N *Parts 7.2.10.3, 2.2.2.b, 3, 9.4.1.5*	Y	N	This option was not selected in the SWPPP the inspector reviewed.
If using, provides effective non-vegetative cover to stabilize? *Parts 7.2.10.3, 2.2.2.2*	Y	N	This option was not selected.
Pollution Prevention Procedures			**Notes:**
Describes procedures for <u>spill prevention and response</u>? *Parts 7.2.11.1, 2.3.4*	Y	N	
Describes procedures for <u>waste management</u>? *Part 7.2.11.2, 2.3.3.3*	Y	N	
Eliminates prohibited discharges? ➢ Concrete washout, unless managed by control in Part 2.3.3.4 Y/N (future) ➢ Washout/cleanout of stucco, paint, form release oils, curing compounds and other materials unless managed by control in Part 2.3.3.4 Y/N ➢ Fuels, oils or other from vehicle and equipment O&M Y/N	Y	N	Not clear from the documentation provided in the SWPPP.

➢ Soaps, solvents, or detergents used in vehicle and equipment washing Y/N/NA ➢ Toxic or hazardous substances from spill/release Y/N *Part 2.3.1*			
Properly maintains and protects all pollution prevention controls? *Part 2.3.2*	Y	N	
Complies with pollution prevention standards for certain activities? ➢ Fueling/maintenance of equipment or vehicles Y/N/NA ➢ Washing of equipment and vehicles Y/N/NA ➢ Storage, handling, disposal of materials, products and waste Y/N/NA ➢ Washing applicators/containers Y/N/NA *Part 2.3.3*	Y	N	No construction occurring on site for AVLWC at this time. For the sites under Palo Duro Homes purview, there were none of these discharges occurring on their sites now.
Minimizes discharge/complies with restrictions of <u>fertilizer application</u>? *Part 2.3.5*	Y	N	N/A

Inspections and Corrective Action			
SWPPP describes procedures for <u>inspection, maintenance, and corrective action</u>? ➢ Personnel conducting inspections Y/N ➢ Inspection schedule Y/N ➢ Reduction of inspection frequency Y/N/NA. As applicable: o location of the rain gauge or the address of weather station to obtain rainfall data Y/N/NA o beginning and ending dates of the seasonally-defined arid period for your area or the valid period of drought Y/N/NA o beginning and ending dates of frozen conditions Y/N/NA ➢ Inspection or maintenance checklists or other forms that will be used Y/N *Parts 7.2.12*	Y	N	However, this schedule was carried over from the old 2008 permit, and was not updated for the 2012 permit. Please refer to the Tier 2 discussion, which indicates that since this discharge goes into the Farmington MS4, which then discharges into a Tier 2 water (Tier 1 for E. coli and temperature), the increased inspection frequency should apply in this case.
Inspections			**Notes:**
Inspections performed by "qualified" person? *Part 4.1.1*	Y	N	
Conducts inspections at a minimum of required frequency unless reductions documented? ➢ Every 7 days <u>or</u> 14 days & w/in 24 hrs of a 0.25" rain event Y/N *Part 4.1.2*	Y	N	
If applicable, conducts increased inspection frequency for sites with discharges to sediment or nutrient-impaired waters or Tier 2~~, 2.5~~ or 3 waters: ➢ Once every 7 days Y/N; <u>and</u>	Y	N	Should be conducting inspections once every 7 days and within 24 hours of a 0.25" rain event.

➢ Within 24 hrs of a ≥ 0.25" rain event Y/N? *Parts 4.1.3, 3.3.2.1, 3.3.2*			
If allowable (begin/end dates recorded), documents reduced inspection frequency? ➢ Stabilized area - 1/mo in areas where stabilization has been completed Y/N/NA ➢ For arid/semi arid during seasonally dry period or drought-stricken areas - 1/mo and wi/24 hrs of the occurrence of a storm event ≥ 0.25" Y/N/NA ➢ For frozen conditions (runoff unlikely, disturbance suspended, areas stabilized) - suspends until thawing conditions Y/N/NA *Part 4.1.4.1 thru 3*	Y	N	N/A
Inspection areas includes: ➢ All cleared, graded, excavated, and not completed stabilization Y/N ➢ All controls/measures Y/N ➢ Material/waste/borrow/equipment storage and maintenance areas Y/N ➢ All areas stormwater typically flows Y/N ➢ All points of discharge Y/N ➢ All locations stabilization implemented Y/N/NA *Part 4.1.5*	Y	N	
Inspection includes minimum requirements? ➢ Controls installed/operational Y/N ➢ Determines need to replace, repair, or maintain Y/N ➢ Conditions that could lead to spills, leaks, and accumulations of pollutants Y/N ➢ Identifies where new or modified controls are necessary Y/N ➢ At points of discharge, checks for visible erosion/sedimentation on banks Y/N/NA ➢ Identifies noncompliance Y/N ➢ If discharge is occurring: o Identifies all points of discharge Y/N o Observes/documents visual quality, including color, odor, floating, settled, or suspended solids, foam, oil sheen, and other of pollutants Y/N o Documents whether controls operating effectively, and describes controls not operating as intended or need maintenance Y/N ➢ Based on results of inspection, initiates corrective action under Part 5. *Part 4.1.6*	Y	N	No documentation of conditions of storm water when there is a discharge.
Inspection reports: ➢ Completed within 24 hrs Y/N ?	Y	N	Cannot determine whether the inspection forms were completed within 24 hours.

➢ Includes inspection date Y/N ➢ Includes names/titles of personnel Y/N ➢ Includes summary of findings Y/N ➢ Includes applicable rain gauge reading Y/N/NA ➢ Signed and certified in accordance with Appendix I.11 Y/N *Part 4.1.7.1 and 2*			

Corrective Action			**Notes:**
Corrective action initiated immediately; and permanent solution completed no later than 7 calendar days from the time of discovery or if infeasible as soon as practicable? *Part 5*	Y	N	No corrective actions identified in paperwork.
Within 24 hours of discovering the occurrence, completes a report of the following: ➢ Condition identified Y/N ➢ Nature of the condition identified Y/N ➢ Date and time of the condition identified and how it was identified Y/N *Part 5.4*	Y	N	No corrective actions identified in paperwork.
Within 7 calendar days of discovering the occurrence, completes a report of the following: ➢ Follow-up actions taken to review the design, installation, and maintenance of stormwater controls, including the dates such actions occurred Y/N ➢ Summary of stormwater control modifications taken or to be taken Y/N ➢ Schedule of activities necessary to implement changes Y/N ➢ Date the modifications are completed or expected to be completed Y/N ➢ Notice of whether SWPPP modifications are required as a result of the condition identified or corrective action Y/N ➢ Signed and certified in accordance with Appendix I.11 Y/N *Parts 5.4.2, 5.4.3*	Y	N	No corrective actions identified in paperwork.

Additional Notes on SWPPP Review *(optional)*

This construction project was first platted for a subdivision in the late 90s. The entire area is 550.27 acres, and according to the permittee's representative, it was platted to prevent the county from taking the land. Much of the platted area is unsuitable for development (i.e. much of it is platted over an arroyo).

The operators at this site are the development company, Animas Valley Land and Water Company, LLC, and Palo Duro Homes, which is the builder. Development was actually started in 2000 by the Constar Consolidated Co., which was bought out by Animas Valley in 2008.

The inspector could not find that Palo Duro Homes had obtained permit coverage for this development. There are approximately 60 homes already completed. Some of these homes may have been completed under a previous developer name, Artistic Homes, which is a sister company to Palo Duro Homes. Artistic Homes did have permit coverage under the old CGP (NMR10G634) and NOT'ed out of that permit on 9-29-2011 using the reason that another operator had assumed control of the site. However, they did not renew permit coverage under either the 2008 or 2012 CGP. The SWPPP located on site for Palo Duro had not been updated since 2003, and it referred to contractors/developers that were no longer on site. Many items in the plan needed to be updated. Since the plan was so out of date and there was no record of inspections or other follow-up paperwork, this inspection report concentrates on the plan provided by Animas Valley LWC.

The inspector reviewed eligibility requirements for coverageunder this permit, one of which being the qualifications under the Endangered Species Act. The original developer, Constar Consolidated, had obtained an environmental report generated by Cinnamon Oil Field Services in August 2000 to justify certifying their eligibility for Criterion B under this permit. However, the plan did not refer to the "other operator" who had obtained valid certification for coverage under the plan.

Even though the Animas Valley LWC SWPPP had been updated in 2011, it did not contain updates realting to the new CGP issued by EPA on February 15, 2012. Many of the key components of the permit update include establishing buffer areas when work is conducted next to a surface water, as well as increased inspection frequencies when discharge is into a Tier 2 stream. Animas Valley LWC did a good job of inspection and upkeep under the 2008 permit until their stormwater manager left the company in 2012. Since his departure, only 2 inspections had been completed for the 2012 calendar year.

There were numerous other items (as detailed in the previous part of the checklist) that need to be updated in the SWPPP as a result of this inspection.

Industrial Storm Water Worksheet (Construction) – State of New Mexico

Implementation *(complete in field)* ***(Narrative Description if Control Measures Installed, Operational, Effective and Maintained)***	
Erosion and Sediment Control Practices *Part 2.1*	
Minimize area of disturbance:	*(Provide brief description)* The plan stats that vegetation will be maintained where possible. This area is sandy with not much vegetation to begin with. It was difficult to tell how well this was implemented.
Buffer compliance:	*(e.g., provide and maintain a 50-foot undisturbed natural buffer)* Buffers were not being implemented at the time of this inspection.
Perimeter controls:	*(e.g., filter berms, silt fences, temporary diversion dikes)* Perimeter controls were present in the form of mulch socks. They appeared to be in good condition.
Exit point or sediment track out:	*(e.g, aggregate stone with an underlying geotextile or non-woven filter fabric, or turf mats, wheel washing, rumble strips, plates, sweeping)* No sediment trackout was in place at the time of this inspection. The road was paved up to a point.
Stockpiled sediment or soil:	*(e.g., berms, dikes, fiber rolls, silt fences, sandbag, gravel bags)* None was observed at the time of this inspection.
Minimize dust:	*(e.g., application of water or other dust suppression techniques)* No measures to implement dust suppression were observed during this inspection, but there was also no active construction observed.
Steep slopes:	*(e.g., standard erosion and sediment control practices, phasing disturbances, stabilization practices)* N/A
Preserve topsoil:	*(e.g., stockpiling or transfer of topsoil to other locations)* It did not appear that topsoil had been preserved. Again, the site was sandy and it did not appear that there was topsoil in place to preserve.
Soil compaction:	*(e.g., restrict vehicle / equipment use, soil conditioning techniques)* There was no documentation that this was occurring and since there was no active construction at this time, it was unclear if this has been practiced.
Storm drain inlet protection:	*(e.g., fabric filters, sandbags, concrete blocks, gravel barriers)* There was no storm drain inlets noted during the inspection.
Conveyance channels:	*(e.g., erosion controls, and velocity dissipation check dams, sediment traps, riprap, or grouted riprap at outlets)* N/A
Sediment basin:	*(e.g., outlet structures that withdraw from the surface, stabilization, erosion controls, velocity dissipation, kept at least ½ design capacity)* N/A

Erosion and Sediment Control Practices - Continued	
Treatment chemicals:	*(e.g., spill berms, decks, spill containment pallets, storing chemicals in covered area, spill kit available on site)* N/A
Dewatering:	*(e.g., sediment basins or sediment traps, sediment socks, dewatering tanks, tube settlers, weir tanks, or filtration systems (e.g., bag or sand filters) designed to remove sediment)* N/A
Other erosion and sediment controls or practices:	*(Provide brief description)* Surface roughening had been done on many portions of the site.
Stabilization Practices *Part 2.2*	
Stabilization:	*(e.g., soil conditioning, application of seed or sod, planting of seedlings or other vegetation, application of fertilizer, watering, mulch, rolled erosion control products, control blankets, riprap, gabions, geotextiles)* It did not appear that any stabilization had taken place at the time, except for what individual homeowners may have done to their properties.
Are stabilization measures initiated immediately? Y/N Are they completed within 14 days of construction cessation? Y/N	*(e.g. indicate "yes" or "no"; if not within 14 days of construction cessation, how long without stabilization measures?)* There is no documentation to show that stabilization measures are implemented immediately.
Pollution Prevention Measures *Part 2.3*	
Fueling and maintenance of vehicles:	*(e.g., locating activities away from surface waters and stormwater inlets or conveyances, providing secondary containment (e.g., spill berms, decks, spill containment pallets)and cover where appropriate, and/or having spill kits readily available)* No active construction at this time.
Washing equipment & vehicles:	*(e.g., locating activities away from surface waters, stormwater, inlets, conveyances, sediment basin or sediment trap, using filtration devices, such as filter bags or sand filters, plastic sheeting, temporary roofs)* No active construction at this time.
Washing applicators/containers (e.g., stucco, paint, concrete, form release oils, curing compounds, and other construction materials)	*(e.g., leak-proof container or pit, locate as far away as possible from surface waters, inlets or conveyances, designate areas)* No active construction at this time.

Pollution Prevention Measures – Continued	
Storage, handling, disposal of construction materials, products and waste:	*Building products (e.g., asphalt sealants, copper flashing, roofing materials, adhesives, concrete admixtures):* No active construction at this time.
	Pesticides, herbicides, insecticides, fertilizers, and landscape materials: N/A
	Diesel fuel, oil, hydraulic fluids, other petroleum products, and other chemicals: No active construction at this time.

	Hazardous or toxic waste (e.g, paints, solvents, petroleum-based products, wood preservatives, additives, curing compounds, acids): No active construction at this time.
	Construction and domestic waste (e.g., packaging materials, scrap construction materials, masonry products, timber, pipe and electrical cuttings, plastics, styrofoam, concrete, and other trash or building materials): No active construction at this time.
	Sanitary waste: No active construction at this time.
Fertilizer application:	*(e.g., avoids applying before heavy rains, never applies to frozen ground, never applies to conveyance channels with flowing water)* N/A
Miscellaneous	
Evidence of not allowable non-storm water discharges or prohibited discharge?	*(Provide brief description and determine whether any non-storm water discharges allowable)* No non-stormwater discharges noted at the time of this inspection.
Evidence of sediment deposition to surface waters or MS4?	*(e.g. significant turbidity observed in a receiving water body)* It was difficult to tell at the time of this inspection.