SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

NEW MEXICO
ENVIRONMENT DEPARTMENT

Surface Water Quality Bureau

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RYAN FLYNN
Cabinet Secretary-Designate

BUTCH TONGATE
Deputy Secretary

Certified Mail – Return Receipt Requested

June 14, 2013

Aarron Spellbring, President
Spellbring Construction, Inc.
P.O. Box 1972
Farmington, New Mexico 87499

RE: Construction Storm Water, SIC 1541, NPDES Compliance Evaluation Inspection, Spellbring Construction Inc. / Tract 3, TLS Subdivision, Flora Vista, NMU001855, May 16, 2013

Dear Mr. Spellbring:

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 worksheet 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 regarding modifications and compliance schedules both the USEPA (Diana McDonald, USEPA (6EN-WM), 1445 Ross Avenue, Dallas, Texas 75202-2733) and Bruce Yurdin, Program Manager, Point Source Regulation Section, NMED Surface Water Quality (at the address above).

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
Jan Walker, USEPA (6EN-WC) 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
Robert Italiano, NMED District II Santa Fe by e-mail

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	NMU0018555		130516	}	S		2

Remarks																								
C	O	N	S	T	R	U	C	T	I	O	N		>	5		A	C	R	E	S					

67	69	70	71	72	73	74	75	80
Inspection Work Days		Facility Evaluation Rating	BI	QA			Reserved	
		2	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)*	Entry Time /Date	Permit Effective Date
Tract 3, TLS Subdivision, 51 County Road (CR) 3270, West of CR 350 (Crouch Mesa Road), Flora Vista, New Mexico 87415. San Juan County	~0850 hours / 05/16/2013	February 16, 2012
	Exit Time/Date ~0920 hours / 05/16/2013	Permit Expiration Date February 16, 2017

Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)		Other Facility Data
No on-site representative		NW Corner of Tract **Latitude** 36.753850° **Longitude** -108.081351°
Name, Address of Responsible Official/Title/Phone and Fax Number Aarron Spellbring, Spellbring Construction, Inc., P.O. Box 1972, Farmington, NM 87499 / President / 505-325-5600	Contacted Yes * No	**SIC 1541** (Primary Code for Construction Activity)

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
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)

1. Owner/Operator (Developer/General Contractor) - Spellbring Construction, Inc.
2. On the day of this inspection, the owner/operator did not have permit coverage under the USEPA Region 6, 2012 Construction General Permit (CGP) and did not submit a NOI to obtain permit coverage under the 2012 CGP at least 14 calendar days prior to commencing earth-disturbing activities.
3. A Notice of Intent (NOI) was submitted on behalf of Spellbring Construction, Inc. by Cheney, Walters, Echols, Inc., Farmington, New Mexico to obtain permit coverage for stormwater discharges under the USEPA Multi-Sector General Permit (MSGP) on 12/12/2012 (NPDES Tracking No. NMR05HS67). On-site construction activities (clearing and grubbing for future offices, warehouse, shop and storage yard) did not appear to be eligible for coverage under the USEPA industrial stormwater MSGP.
4. According to Mr. Spellbring, a Storm Water Pollution Prevention Plan (SWPPP) was prepared, but not implemented. A SWPPP was made available to this inspector on 05/28/2013.
5. Following this inspection, Spellbring Construction, Inc. submitted a NOI to obtain permit coverage under the 2012 CGP on 05/21/2013 (NPDES Tracking No. NMR12AK80).
6. See attached worksheet with notes and photo log.

Name(s) and Signature(s) of Inspector(s)	Agency/Office/Telephone/Fax	Date
Erin S. Trujillo */s/Erin S. Trujillo*	**NMED/SWQB/505-827-0418/505-827-0160**	**06/14/2013**
Signature of Management QA Reviewer	**Agency/Office/Phone and Fax Numbers**	**Date**
Bruce Yurdin */s/Bruce Yurdin*	**NMED/SWQB/505-827-2798/505-827-0160**	**06/14/2013**

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

National Database Information		General	
Inspection Type	CEI	Inspector Name	Erin S. Trujillo
NPDES ID Number	NMU001855	Telephone	505-827-0418
Inspection Date	05-16-2013	Entry Time	0850 hours
Inspector Type (circle one)	EPA [State] EPA Oversight	Exit Time	0920 hours
Facility Type (circle one)	[Commercial] / Residential / Municipal / Industrial	Signature	*/s/Erin S. Trujillo*

Facility Location Information				
Name/Location/Mailing Address	Tract 3, TLS Subdivision, 51 CR 3270, West of CR 350 (Crouch Mesa Road), Flora Vista, New Mexico 87415. San Juan County			
Coordinates	Latitude	36.753850°	Longitude	-108.081351°
Receiving Waters	Approximately 1,000 feet north-northwest to an unclassified unnamed tributary, thence to unclassified Hargis Arroyo, thence to Animas River in Segment 20.6.4.403 NMAC. Animas River is approximately 2.5- 3 miles north-northwest of the site.			
Disturbed Area	8 acres	Start/Stop Dates	December 2012 / 12/31/2013	

Contact Information		
	Name(s)	Telephone
Name(s) and Role(s) of All Parties Meeting the Definition of Operator	Spellbring Construction, Inc. - Owner/Operator	505-325-5600
Facility Contact	Aarron Spellbring, President, Spellbring Construction, Inc.	505-325-5600
Authorized Official(s)	Aarron Spellbring, President, Spellbring Construction, Inc.	505-325-5600

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	05/16/2013 [N]	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	[N]	SWPPP Implementation Satisfactory?	Y	[N]
				Prepared	Signed/Certified
NOI Date		NA	SWPPP Date	Nov 2012	NA
Is NOI Satisfactory?	Y	N			

Additional Facility and Inspection Information *(optional)*

Introduction: A Compliance Evaluation Inspection (CEI) was conducted by Erin S. Trujillo of the NMED on May 16, 2013 from approximately 0850 hours to 0920 hours at the approximately 8 acre disturbed Tract 3, TLS Subdivision, 51 County Road (CR) 3270, west of CR 350 (Crouch Mesa Road), Flora Vista, New Mexico 87415 in San Juan County, New Mexico. 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. There was no construction equipment or personnel on site. Observations were made of the site from roadway right of ways. No erosional features (rills or gullies were observed), but disturbed areas were not stabilized. The inspector made introductions and explained the purpose of the inspection to Mr. Aarron Spellbring, President, Spellbring Construction, Inc. by telephone on 05/17/2013.

This report is based on a review of the EPA online notice of intent (eNOI) database, review of files maintained by the Permittee and NMED, on-site observation by NMED personnel, and verbal information provided by the permittees' representatives. A stormwater pollution prevention plan (SWPPP) was provided by e-mail to this inspector on May 28, 2013 by Robert A. Echols, Jr., P.E., Vice President, Cheney Walters Echols, Inc., 909 West Apache, Farmington, New Mexico 87401.

Findings: Spellbring Construction, Inc. appeared to be an operator meeting both of the following 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).

On the day of this inspection, the Spellbring Construction, Inc. did not have permit coverage for stormwater discharges under the USEPA Region 6, 2012 Construction General Permit (CGP) and did not submit a NOI to obtain permit coverage under the 2012 CGP at least 14 calendar days prior to commencing earth-disturbing activities.

A Notice of Intent (NOI) was submitted on behalf of Spellbring Construction, Inc. by Cheney, Walters, Echols, Inc., Farmington, New Mexico to obtain permit coverage for stormwater discharges under the USEPA Multi-Sector General Permit (MSGP) on 12/12/2012 (NPDES Tracking No. NMR05HS67). On-site construction activities (clearing and grubbing and site grading for future offices, warehouse, shop and storage yard) did not appear to be eligible for coverage under the USEPA industrial stormwater MSGP. Spellbring Construction, Inc.'s permit coverage under the MSGP was still active (not terminated) as of writing of this report.

According to Mr. Spellbring, a Storm Water Pollution Prevention Plan (SWPPP) was prepared, but not implemented. A SWPPP was made available to this inspector on 05/28/2013.

Following this inspection, Spellbring Construction, Inc. submitted a NOI to obtain permit coverage under the 2012 CGP on 05/21/2013 (NPDES Tracking No. NMR12AK80).

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	SWPPP prepared by Cheney Walters Echols, Inc., Farmington, NM.
SWPPP completed prior to NOI? *Part 7.1.1, Part 1.2.1*	Y	N	Not applicable. No 2012 CGP NOI on the day of this inspection.
Endangered Species Act. Does SWPPP include documentation supporting determination? *Part 7.2.14.1; Part 1.1.e, Appendix D*	Y	N	Not documented. SWPPP included listed species dated 05/22/2008, but not criteria documentation (see Steps, Appendix D of 2012 CGP).
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	Not applicable.
Post-Authorization Additions. Does SWPPP include: ➢ Copy of acknowledgement letter **NA** ➢ Copy of NOI **NA** ➢ Copy of permit **Y** *Part 7.2.16.3*	Y	N	Not applicable. No 2012 CGP NOI on day of this inspection. Comment: November 2012 SWPPP e-mailed 05/28/2013 was updated with NOI submitted following this inspection. On-line application for MSGP was contained in SWPPP.
If applicable, SWPPP describes compliance with any case-by-case basis USEPA imposed water quality-based effluent limitation requirements? *Part 3*	Y	N	Not applicable
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	Not applicable. 1st receiving water is unnamed unclassified tributary that has not been assessed. Comment: SWPPP identifies San Juan River. Based on site observations, topography maps, and grading topography on SWPPP site map, it appears that runoff would be to the north-northwest toward Animas River.
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	Not applicable / no modifications
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	Not applicable / no inspections

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 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** ➢ Total area to be disturbed **Y** ➢ Construction support activity areas **NA** ➢ Maximum area to be disturbed at any one time **Y** *Part 7.2.2*	Y	N	SWPPP does not discuss "Construction Support Activities" (e.g., associated with concrete or asphalt batch plants, equipment staging yards, materials storage areas, excavated material disposal areas, and borrow areas).
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 ➢ Description of the construction necessary to reestablish effected public services Y/N *Parts 7.2.3, 1.2*	Y	N	Not applicable
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	Not applicable

Describes sequence, estimated dates (departures) and duration of construction activities? ➢ Installation of control measures when operational **N** ➢ Commencement/duration clearing & grubbing, mass grading, site preparation (excavating, cutting & filling), final grading, and creation of soil & vegetation stockpiles **N** ➢ Cessation, temporarily or permanently, of construction activities on the site, or in designated portions of site **N** ➢ Final/temporary stabilization areas of exposed soil **N** ➢ Removal of temporary stormwater conveyances/channels and other stormwater control measures **N** ➢ Removal of construction equipment and vehicles **N** *Part 7.2.5*	Y	N	SWPPP, including site map, lists general sequence, but does not describe estimated dates and duration from installation of BMPs to temporary stabilization using base course.

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

Site Map			Notes:
Includes legible site map(s)? *Part 7.2.6*	Y	N	
➢ Boundaries of the property **Y** ➢ Locations construction activities will occur **Y** ➢ Locations earth-disturbing activities will occur (note any phasing) **Y** ➢ Approximate slopes before and after major grading (note steep slopes) **Y** ➢ Locations sediment, soil, or materials will be stockpiled **NA** ➢ Locations of crossings of surface waters **NA** ➢ Designated points vehicles exit onto paved roads **Y** ➢ Locations of structures/impervious surfaces upon completion **NA** ➢ Locations of construction support activity areas **NA** *Part 7.2.6.1*	Y	N	
➢ Locations of surface waters/wetlands, within or in immediate vicinity NA ➢ Indicates waters listed as impaired, and Tier 2, ~~Tier 2.5,~~ or Tier 3 NA *Part 7.2.6.2*	Y	N	Not applicable
➢ Boundary lines of natural buffers *Parts 7.2.6.3, 2.1.2.1a*	Y	N	Not applicable
➢ Areas of federally-listed critical habitat for endangered or threatened species *Part 7.2.6.4*	Y	N	Not applicable
➢ Topography **Y** ➢ Existing vegetative cover **N** ➢ Drainage pattern of stormwater/authorized non-stormwater flow onto, over, and from site before and after major grading **N** *Part 7.2.6.5*	Y	N	
➢ Stormwater and allowable non-stormwater discharge locations **N** ➢ Locations of storm drain inlets on site and immediate vicinity **NA (inlets)** ➢ Locations stormwater or allowable non-stormwater will be discharged to surface waters (including wetlands) on or near site **NA** *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	Not applicable / Use of polymers, flocculants, or treatment chemicals not described in SWPPP

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

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** ➢ Potential spills/leaks **Y** ➢ Departures from manufacturer's specifications for applying fertilizers containing nitrogen & phosphorus 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	
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 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*	Y	N	Not applicable
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	Not applicable

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

All Stormwater Control Measures			Notes:
Describes each measure? ➢ Type of measure to be installed and maintained, including design information **Y** ➢ Specific sediment controls installed and made operational prior to conducting earth-disturbing activities **Y** ➢ For exit points, stabilization techniques and any additional controls planned to remove sediment prior to vehicle exit **Y** ➢ For linear projects (if applicable), where/why it has been determined that the use of perimeter controls is practicable **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	Not applicable, as described in SWPPP
Describes erosion and sediment control <u>design</u> requirements? ➢ Accounts for expected amount, frequency, intensity, duration of precipitation **Y** ➢ Accounts for nature of run-on and run-off (channelized peak flow rates & total volume at outlet) **Y** ➢ Accounts for range of soil particle sizes (distribution, erosivity and cohesiveness) **Y** ➢ Directs discharge to vegetated areas to increase sediment removal and infiltration unless infeasible **NA** ➢ Uses velocity dissipation, if necessary **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. **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) **N** *Parts 2.1.1.2, 9.4.1.1*	Y	[N]	Not documented. Appendix M of SWPPP included RUSLE Soil Loss Computations for water erosion: Pre = 0.2 t/yr (text) and 0.2 t/y (calculations) During = 0.8 t/yr (text) or 0.9 t/yr (calculations) Developed = 0.2 t/yr (text) or 0.3 t/y (calculations) Sediment yield calculation results for during and after construction were greater than the sediment yield levels from pre-construction, pre-development condition.
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** ➢ Installs all other controls and makes operational as soon as conditions allow **Y** ➢ Uses good engineering practices and follows manufacturer's specifications or explain departures **Y** *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) **N** ➢ Installs new measure/significant repair no later than 7 calendar days or document why infeasible **N** *Part 2.1.1.4*	Y	N	2012 CGP maintenance timeframe requirements not described
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	Y = Perimeter Controls N = 2012 CGP maintenance requirements
Minimizes <u>sediment track-out</u>? ➢ Restricts vehicle use to properly designated exit points? **Y** ➢ Uses appropriate stabilization techniques at all points that exit onto paved roads? **Y** ➢ Where necessary, uses additional measures to remove sediment prior to exit? **N** ➢ Removes tracked out sediment prior to the end of the same work day or if occurs on non-work day the next work day? **N** *Part 2.1.2.3*	Y	N	2012 CGP maintenance timeframe requirements not described
Controls discharges from <u>stockpiled sediment or soil</u>? ➢ 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	Not applicable / Need for stockpiles not described.
Minimizes <u>dust</u>? *Part 2.1.2.5*	Y	N	
Minimizes disturbance of <u>steep slopes</u>? *Part 2.1.2.6*	Y	N	See implementation.
Preserves <u>topsoil</u>, unless infeasible? *Part 2.1.2.7*	Y	N	If feasible, not described in SWPPP.
Minimizes <u>soil compaction</u> where final vegetative stabilization or infiltration installed? *Part 2.1.2.8*	Y	N	Not applicable. / Final stabilization using vegetation not described.
Protects <u>storm drain inlets</u> 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	Not applicable / Not described
Describes <u>constructed conveyance channel</u> controls (if installed)? *Part 2.1.3.1*	Y	N	Not applicable / Not described

Describes <u>sediment basin</u> design (if installed) and maintenance (maintain at least ½ of capacity at all times)? *Part 2.1.3.2*	Y	N	Not applicable / Not described
Describes <u>treatment chemical</u> controls (if used)? *Part 2.1.3.3*	Y	N	Not applicable / Use of treatment chemicals not described in SWPPP
Includes documentation for use of <u>treatment chemicals</u> (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 ➢ 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*	Y	N	Not applicable
Describes <u>dewatering</u> controls (if installed)? *Part 2.1.3.4*	Y	N	Not applicable / Need for dewatering not described in SWPPP.

Stabilization Requirements			Notes:
Describes compliance with deadlines for vegetative and/or non-vegetative stabilization practices, including exceptions? Deadline to Initiate ➢ Initiates stabilization immediately (no later than end of next work day following earth-disturbing activities permanently/temporarily ceased) Y/N Deadline to Complete ➢ 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 ➢ 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*	Y	N	2012 CGP deadlines not described
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	Not applicable / SWPPP indicates non-vegetative (6" compacted base course) for both temporary and permanent stabilization.

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	Not applicable / Not described in SWPPP
If using, provides effective non-vegetative cover to stabilize? *Parts 7.2.10.3, 2.2.2.2*	Y	N	

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

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 ➢ 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 ➢ Soaps, solvents, or detergents used in vehicle and equipment washing Y/N ➢ Toxic or hazardous substances from spill/release Y/N *Part 2.3.1*	Y	N	Does not appear applicable. SWPPP briefly describes concrete washout controls, but use of concrete is not described in activities.
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** ➢ Washing of equipment and vehicles **NA** ➢ Storage, handling, disposal of materials, products and waste **Y** ➢ Washing applicators/containers NA *Part 2.3.3*	Y	N	SWPPP describes off-site fueling and maintenance.
Minimizes discharge/complies with restrictions of <u>fertilizer application</u>? *Part 2.3.5*	Y	N	Not applicable / SWPPP does not describe use of fertilizer

Inspections and Corrective Action			
SWPPP describes procedures for <u>inspection, maintenance, and corrective action</u>? ➢ Personnel conducting inspections **N** ➢ Inspection schedule **N** ➢ Reduction of inspection frequency **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** *Parts 7.2.12*	Y	N	Inspection schedule (precipitation amounts), maintenance and corrective action requirements not updated for 2012 CGP requirements. Reduction of inspection frequency not applicable because not described in SWPPP. <u>Comment</u>: 2012 CGP form templates are available from http://cfpub.epa.gov/npdes/stormwater/swppp.cfm
Inspections			**Notes:**
Inspections performed by "qualified" person? *Part 4.1.1*	Y	N	Not documented
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	SWPPP not updated with 2012 CGP inspection frequency
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> ➢ Within 24 hrs of a ≥ 0.25" rain event Y/N? *Parts 4.1.3, 3.3.2.1, 3.3.2*	Y	N	Not applicable
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	Not applicable / Reduced inspection not described.
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	No written inspection reports documented / provided.

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 written inspection reports documented / provided.
Inspection reports: ➢ Completed within 24 hrs Y/N ➢ 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*	Y	N	No written inspection reports documented / provided.

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	Not documented. No written inspection or corrective action reports documented / provided.
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	See above
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	See above

Additional Notes on SWPPP Review *(optional)*

Operators: The construction activity site is on land currently owned by Saulsbury Ventures LLC. Based on conversations with Aarron Spellbring and Robert A. Echols, Jr., P.E., Vice President, Cheney Walters Echols, Inc., it does not appear that Saulsbury Ventures LLC was a party with operational control over construction plans and specifications, or day-to-day operational control for earth disturbing activities that occurred prior to this inspection.

Precipitation: Precipitation 0.25 inches or greater was recorded at KNMAZTEC4 weather station in Crouch Mesa, Aztec, NM at Latitude N 36°45'56 " (36.766 °), Longitude W108°3'37 " (-108.060°) at an elevation of 5876 feet on the following dates (Source: www.wunderground.com) :

01/26/2013 (0.67 in)
03/03/2013 (0.96 in)
04/05/2013 (0.89 in)
04/08/2013 (0.93 in)
04/09/2013 (0.42 in)
05/08/2013 (0.31 in)

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)* Entire site appears to have been disturbed as shown on Site Map.
Buffer compliance:	*(e.g., provide and maintain a 50-foot undisturbed natural buffer)* Not applicable
Perimeter controls:	*(e.g., filter berms, silt fences, temporary diversion dikes)* Perimeter controls (earth berm as shown on Site Map and silt fence described in SWPPP) were not observed on day of this inspection.
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 exit point or sediment track out controls as described by SWPPP and shown on Site Map observed on day of this inspection. Gravel road on west side of tract appeared finished. No exit points or sediment track out observed.
Stockpiled sediment or soil:	*(e.g., berms, dikes, fiber rolls, silt fences, sandbag, gravel bags)* Not applicable. No stockpiles described in SWPPP. None observed.
Minimize dust:	*(e.g., application of water or other dust suppression techniques)* No substantial dust observed on day of this inspection.
Steep slopes:	*(e.g., standard erosion and sediment control practices, phasing disturbances, stabilization practices)* SWPPP Appendix M states, "Approximately 5 % of the land has slopes that exceed 30%. Grading along the road on the west side of the tract was steep. No erosion rills or gullies observed. Comment: The 2012 CGP states "*Steep Slopes…where a state, Tribe, local government, or industry technical manual (e.g., stormwater BMP manual) has defined what is to be considered a "steep slope", this permit's definition automatically adopts that definition. Where no such definition exists, steep slopes are automatically defined as those that are 15 percent or greater in grade."*
Preserve topsoil:	*(e.g., stockpiling or transfer of topsoil to other locations)* No preservation of topsoil on site observed.
Soil compaction:	*(e.g., restrict vehicle / equipment use, soil conditioning techniques)* Not applicable.
Storm drain inlet protection:	*(e.g., fabric filters, sandbags, concrete blocks, gravel barriers)* Not applicable.

Conveyance channels:	*(e.g., erosion controls, and velocity dissipation check dams, sediment traps, riprap, or grouted riprap at outlets)* Not applicable / No conveyance channels described in SWPPP and none observed.
Sediment basin:	*(e.g., outlet structures that withdraw from the surface, stabilization, erosion controls, velocity dissipation, kept at least ½ design capacity)* Not applicable / No sediment basin described in SWPPP and none observed.

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)* Not applicable / No use of treatment chemicals described in SWPPP and none observed.
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)* Not applicable / No dewatering described in SWPPP and none observed.
Other erosion and sediment controls or practices:	*(Provide brief description)* None observed
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)* Coarser material was observed along road on west side of track. No stabilization observed (see photo log). No erosional features (rills or gullies) observed on the day of this inspection.
Are stabilization measures initiated immediately? **N Are they completed within 14 days of construction cessation**? **N**	*(e.g. indicate "yes" or "no"; if not within 14 days of construction cessation, how long without stabilization measures?)* Not documented.
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)* Not applicable / No fueling or maintenance of vehicles observed on the day of this inspection.
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)* Not applicable / No washing equipment & vehicles observed on the day of this inspection.
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)* Not applicable / No washing observed on the day of this inspection.

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):* Not applicable / No storage, handling, disposal of construction materials, products and waste on the day of this inspection.
	Pesticides, herbicides, insecticides, fertilizers, and landscape materials: Not applicable / None observed
	Diesel fuel, oil, hydraulic fluids, other petroleum products, and other chemicals: Not applicable / None observed
	Hazardous or toxic waste (e.g, paints, solvents, petroleum-based products, wood preservatives, additives, curing compounds, acids): Not applicable / None observed
	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 windblown construction or domestic trash observed.
	Sanitary waste: Not applicable. No sanitary waste control measures and no construction personnel on site on the day of this inspection.
Fertilizer application:	*(e.g., avoids applying before heavy rains, never applies to frozen ground, never applies to conveyance channels with flowing water)* Not applicable. No use of fertilizers described in SWPPP, and no fertilizer storage observed.
Miscellaneous	
Evidence of not allowable non-storm water discharges or prohibited discharge?	*(Provide brief description and determine whether any non-storm water discharges allowable)* None observed.
Evidence of sediment deposition to surface waters or MS4?	*(e.g. significant turbidity observed in a receiving water body)* None observed.

NMED/SWQB Official Photograph Log Photo # 1		
Photographer: Erin Trujillo	Date: 05/06/2013	Time: 0914 hours
City/County: Flora Vista / San Juan County		State: New Mexico
Location: Tract 3, TLS Subdivision, 51 County Road (CR) 3270, West of CR 350 (Crouch Mesa Road), Flora Vista, New Mexico 87415		
Subject: From northwest corner of tract from adjacent roadway, disturbed roadside ditch on north side of property. Some vegetation exists on disturbed area.		

NMED/SWQB Official Photograph Log Photo # 2		
Photographer: Erin Trujillo	Date: 05/06/2013	Time: 0915 hours
City/County: Flora Vista / San Juan County		State: New Mexico
Location: Tract 3, TLS Subdivision, 51 County Road (CR) 3270, West of CR 350 (Crouch Mesa Road), Flora Vista, New Mexico 87415		
Subject: From north side of tract from CR 3270, example of on-site disturbance (clearing and grubbing). Sign shown in previous photo.		

NMED/SWQB Official Photograph Log Photo # 3		
Photographer: Erin Trujillo	Date: 05/06/2013	Time: 0917 hours
City/County: Flora Vista / San Juan County		State: New Mexico
Location: Tract 3, TLS Subdivision, 51 County Road (CR) 3270, West of CR 350 (Crouch Mesa Road), Flora Vista, New Mexico 87415		
Subject: Gravel road on the west side of track. In this area, topography appeared to slope to the north (background of photo).		

NMED/SWQB Official Photograph Log Photo # 4		
Photographer: Erin Trujillo	Date: 05/06/2013	Time: 0917 hours
City/County: Flora Vista / San Juan County		State: New Mexico
Location: Tract 3, TLS Subdivision, 51 County Road (CR) 3270, West of CR 350 (Crouch Mesa Road), Flora Vista, New Mexico 87415		
Subject: From west side of tract, example of on-site grading.