



**NEW MEXICO  
ENVIRONMENT DEPARTMENT**

***Surface Water Quality Bureau***

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Deputy Secretary**

**ERIKA SCHWENDER  
Director**

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**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

August 15, 2013

Mr. Tim Rabon, Owner  
Mesa Verde, Inc.  
P.O. Box 907  
Alamogordo, NM 88311-0907

Re: Industrial Storm Water, SIC 3272, NPDES Compliance Evaluation Inspection, Mesa Verde Concrete Batch Plant, NMU001859, July 23, 2013

Dear Mr. Rabon,

Enclosed please find a copy of the report for the referenced inspection that the New Mexico Environment Department (NMED) conducted at your facility on behalf of the U.S. Environmental Protection Agency (USEPA). This inspection report will be sent to the USEPA in Dallas, for their review. These inspections are used by USEPA to determine compliance with the National Pollutant Discharge Elimination System (NPDES) permitting program in accordance with requirements of the federal Clean Water Act.

Problems noted during this inspection are discussed in the Further Explanations section of the inspection report. You are encouraged to review the inspection report, and required to correct any problems noted during the inspection and to modify your operational and/or administrative procedures, as appropriate. Further, you are encouraged to notify, in writing, both USEPA (Diana McDonald, USEPA (6EN-WM), 1445 Ross Ave., Dallas, Texas 75202) and NMED (at above address) regarding modifications and compliance schedules.

The NPDES Storm Water Multi-Sector General Permit for Industrial Activities (MSGP-2008) was reissued on September 29, 2008. The MSGP, fact sheet and other information on the industrial storm water program can be downloaded at <http://cfpub2.epa.gov/npdes/stormwater/msgp.cfm>.

Thank you for the cooperation and assistance that Mr. Patrick Magill provided during my visit to your site. If you have any questions, please feel free to contact me at the above address or by telephone at (505) 222-9587.

Sincerely,  
*/s/ Sarah Holcomb*  
Sarah Holcomb  
Environmental Scientist/Specialist  
Surface Water Quality Bureau

Cc: Hannah Branning, USEPA (6EN-AS) via email      Darlene Whitten-Hill, USEPA, via email  
Rashida Bowlin, USEPA (6EN-AS) via email      NMED District III Manager, via email  
Carol Peters-Wagon, USEPA (6EN-WM) via email      Diana McDonald, USEPA (6EN-WM) via email



Compliance Evaluation Inspection  
Mesa Verde, Inc., Sector E  
NPDES Permit #NMU001859, July 23, 2013

**Further Explanations**

**Introduction**

On July 23, 2013, a Compliance Evaluation Inspection was conducted at the Mesa Verde Concrete Batch Plant (Standard Industrial Classification Code 3272) located in Ruidoso, NM by Sarah Holcomb (accompanied by Bruce Yurdin) of the State of New Mexico Environment Department (NMED) Surface Water Quality Bureau (SWQB). The purpose of this inspection was to document the operator's status regarding the NPDES multi-sector general storm water permit (MSGP) for industrial activities (this facility has industrial activities being conducted on site that meet the description of industrial activities in Sector E) and stormwater regulations at **40 Code of Federal Regulations (CFR) Part 122.26**.

The inspectors arrived at the facility at 0845 hours. An entrance interview was conducted with Mr. Patrick Magill, Ruidoso Operations Manager, during which the inspectors made introductions, presented her credentials and discussed the purpose of the inspection. Mr. Magill accompanied the inspectors on a tour of the facility and explained processes and management measures already in place.

Mesa Verde is primarily a road construction company and has a number of facilities around the state. The concrete batch plant in Ruidoso supports the main operations in Alamogordo.

Mesa Verde currently leases these 2.6 acres of land and started operations in May 2013.

Storm water from this facility discharges to an unnamed conveyance, thence to the Rio Ruidoso in segment 20.6.4.209 NMAC (*State of New Mexico Standards for Interstate and Intrastate Surface Waters*). Designated uses of the Rio Ruidoso in this section are irrigation, high quality coldwater aquatic life, livestock watering, domestic water supply, wildlife habitat, public water supply and primary contact.

This report is based on verbal information reported by the facility representative, on-site observations made by NMED personnel, and records maintained by NMED and the USEPA.

**Findings:**

*Section 301(a) of the Federal Water Pollution Control Act (a.k.a. the Clean Water Act) states that "Except as in compliance with this section and sections 302, 306, 307, 318, 402 and 404 of this Act, the discharge of any pollutant by any person shall be unlawful."*

*40 Code of Federal Regulations Part 122.21(a) Duty to apply (1) states: "Any person who discharges or proposes to discharge pollutants...must submit a complete application to the Director in accordance with this section and part 124 of this chapter."*

According to a review of EPA's NOI database, this facility did not have NPDES permit coverage on the date of this inspection. Storm water discharges from this facility can be regulated by either an individual NPDES permit or the Storm Water Multi-Sector General Permit for Industrial Activities (MSGP). This type of facility is covered under Sector E – Glass, Clay, Cement, Concrete and Gypsum Products – under SIC 3272 (Concrete Products, Except Block and Brick).

A Storm Water Pollution Prevention Plan (SWPPP) had been prepared but was not yet completely being implemented on site. A SWPPP should include the following information:

- **A description of potential pollutant sources** – includes a site map, an identification of the types of pollutants that are likely to be present in storm water discharges, an inventory of the types of materials handled at the site that potentially may be exposed to precipitation, a list of significant spills and leaks of toxic or hazardous pollutants, sampling data, a narrative description of the potential pollutant sources from specific activities at this facility, and identification of specific potential pollutants; and
- **A description of appropriate measures and controls** – includes the type and location of existing and proposed non-structural and structural BMPs (Best Management Practices) selected for each of the areas

where industrial materials or activities are exposed to storm water. Non-structural and structural BMPs to be described and implemented include such things as good housekeeping, preventative maintenance, spill prevention and response procedures, periodic inspections, employee training, record keeping, non-storm water evaluations and certifications, sediment and erosion control, as well as implementation/maintenance of traditional storm water management practices, where appropriate.

**Activities at this concrete manufacturing facility can result in the creation of various pollutant sources that include, but are not limited to, the following:**

- **Material storage at Concrete Manufacturing Facilities:** This activity can be a source of pollutants such as Total Suspended Solids (TSS), pH, and Chemical Oxygen Demand (COD). These pollutants can come from sources such as aggregate (sand and gravel), concrete, shale, clay, limestone, slate, slag and pumice.
- **Material Handling:** This activity can be a source of pollutants such as TSS, pH, COD, potassium, sulfate and oil and grease. These pollutants can come from sources such as exposed aggregate, concrete, shale, clay, slate, slag, pumice, and limestone as well as spills and leaks of cement, fly ash, admixtures, and baghouse settled dust.
- **Mixing Concrete:** This activity can be a source of pollutants such as TSS, pH, COD, lead, iron and zinc. These pollutants can come from sources such as spilled aggregate, cement and admixtures.
- **Casting/Forming Concrete Products:** This activity can be a source of pollutants such as TSS, pH, oil and grease, COD and BOD (biochemical oxygen demand). These pollutants can come from sources such as concrete, aggregate, form release agents, reinforcing steel, latex sealants, and bitumastic coatings.
- **Vehicle and Equipment Washing at Concrete Product Manufacturing Facilities:** This activity can be a source of pollutants such as TSS, pH, COD, oil and grease. These pollutants can come from sources such as residual aggregate, concrete, admixtures and oil and grease.

**If not properly managed or treated in accordance with an NPDES permit, activities associated with this facility could be a potential threat to water quality through storm water discharges.**

Among other things, this facility is required to monitor storm water discharges from this site in accordance with Part 8.E.4 (Sector-Specific Benchmarks) of the permit to include analytical results for Total Suspended Solids (TSS) and Total Iron.

### **Site Inspection Summary**

On the day of the inspection, some pollutant sources observed on site that were exposed outside and could potentially come into contact with storm water included: 1) aggregate piles, 2) the concrete batch plant, and 3) the current concrete washout pond.

An exit interview to discuss the preliminary findings of this inspection was conducted onsite with Mr. Magill at approximately 0940 hours. The inspector informed Mr. Magill of the requirements under the NPDES storm water program regarding permitting requirements, preparation of a SWPPP and installation of appropriate storm water runoff control practices (per the SWPPP).

NMED/SWQB

**Official Photograph Log**

Photo # 1

Photographer: Sarah Holcomb	Date: 7-23-2013	Time: 0926 hours
City/County: Ruidoso, Lincoln County		
Location: Mesa Verde concrete batch plant yard, Ruidoso, NM		
Subject: Facility is working to erect a concrete wall to prevent run-on from entering the site.		



NMED/SWQB

**Official Photograph Log**

Photo # 2

Photographer: Sarah Holcomb	Date: 7-23-2013	Time: 0936 hours
City/County: Ruidoso, Lincoln County		
Location: Mesa Verde concrete batch plant yard		
Subject: Mechanical concrete reclaimer to be installed in the current concrete washout pit on site.		



NMED/SWQB

**Official Photograph Log**

Photo # 3

Photographer: Sarah Holcomb	Date: 7-23-2013	Time: 0932 hours
City/County: Ruidoso, Lincoln County		
Location: Mesa Verde concrete batch plant yard		
Subject: Temporary concrete washout pit.		

