Supplement II
to the Environmental Assessment for the
SOUTHWEST VALLEY FLOOD DAMAGE REDUCTION PROJECT,
Albuquerque, Bernalillo County, New Mexico

APPENDICES

APPENDIX A

Nationwide Permit Summary

US Army Corps of Engineers®
Albuquerque District

NATIONWIDE PERMIT 33
Temporary Construction, Access, and Dewatering
Effective Date: March 19, 2012
Expiration Date: March 18, 2017
(NWP Final Notice, 77 FR 10278, para. 33)

Temporary Construction, Access, and Dewatering. Temporary structures, work, and discharges, including cofferdams, necessary for construction activities or access fills or dewatering of construction sites, provided that the associated primary activity is authorized by the Corps of Engineers or the U.S. Coast Guard. This NWP also authorizes temporary structures, work, and discharges, including cofferdams, necessary for construction activities not otherwise subject to the Corps or U.S. Coast Guard permit requirements. Appropriate measures must be taken to maintain near normal downstream flows and to minimize flooding. Fill must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. The use of dredged material may be allowed if the district engineer determines that it will not cause more than minimal adverse effects on aquatic resources. Following completion of construction, temporary fill must be entirely removed to an area that has no waters of the United States, dredged material must be returned to its original location, and the affected areas must be restored to pre-construction elevations. The affected areas must also be revegetated, as appropriate. This permit does not authorize the use of cofferdams to dewater wetlands or other aquatic areas to change their use. Structures left in place after construction is completed require a separate section 10 permit if located in navigable waters of the United States. (See 33 CFR part 322.)

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity (see general condition 31). The pre-construction notification must include a restoration plan showing how all temporary fills and structures will be removed and the area restored to pre-project conditions. (Sections 10 and 404)

NATIONWIDE PERMIT GENERAL CONDITIONS

General Conditions: The following general conditions must be followed in order for any authorization by a NWP to be valid:

1. **Navigation.** (a) No activity may cause more than a minimal adverse effect on navigation.

(b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.

(c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. **Aquatic Life Movements.** No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate

through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species.

3. **Spawning Areas.** Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.

4. **Migratory Bird Breeding Areas.** Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.

5. **Shellfish Beds.** No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWPs 4 and 48, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.

6. **Suitable Material.** No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the Clean Water Act).

7. **Water Supply Intakes.** No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

8. **Adverse Effects from Impoundments.** If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

9. **Management of Water Flows.** To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization and storm water management activities, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

10. **Fills Within 100–Year Floodplains.** The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

11. **Equipment.** Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

12. **Soil Erosion and Sediment Controls.** Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow.

13. **Removal of Temporary Fills.** Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

14. **Proper Maintenance.** Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.

15. **Single and Complete Project.** The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

16. **Wild and Scenic Rivers.** No activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, unless the appropriate federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status. Information on Wild and Scenic Rivers may be obtained from the appropriate federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service).

17. **Tribal Rights.** No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

18. **Endangered Species.** (a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical habitat of such species. No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless Section 7 consultation addressing the effects of the proposed activity has been completed.

(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA. Federal permittees must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will review the documentation and determine whether it is sufficient to address ESA compliance for the NWP activity, or whether additional ESA consultation is necessary.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species or designated critical habitat might be affected or is in the vicinity of the project, or if the project is located in designated critical habitat, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect federally-listed endangered or threatened species or designated critical habitat, the pre-construction notification must include the name(s) of the endangered or threatened species that might be affected by the proposed work or that utilize the designated critical habitat that might be affected by the proposed work. The district engineer will determine whether the proposed activity "may affect" or will have "no effect" to listed species and designated critical habitat and will notify the non-federal applicant of the Corps' determination within 45 days of receipt of a complete pre-construction notification. In cases where the non-federal applicant has identified listed species or critical habitat that might be affected or is in the vicinity of the project, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification the proposed activities will have "no effect" on listed species or critical habitat, or until Section 7 consultation has been completed. If the non-federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(d) As a result of formal or informal consultation with the FWS or NMFS the district engineer may add species-specific regional endangered species conditions to the NWPs.

(e) Authorization of an activity by a NWP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the U.S. FWS or the NMFS, The Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word "harm" in the definition of "take" means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

(f) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the U.S. FWS and NMFS or their world wide web pages at *http://www.fws.gov/*, or *http://www.fws.gov/ipac* and *http://www.noaa.gov/fisheries.html*, respectively.

19. **Migratory Birds and Bald and Golden Eagles.** The permittee is responsible for obtaining any "take" permits required under the U.S. Fish and Wildlife Service's regulations governing compliance with the

Migratory Bird Treaty Act or the Bald and Golden Eagle Protection Act. The permittee should contact the appropriate local office of the U.S. Fish and Wildlife Service to determine if such “take” permits are required for a particular activity.

20. **Historic Properties.** (a) In cases where the district engineer determines that the activity may affect properties listed, or eligible for listing, in the National Register of Historic Places, the activity is not authorized, until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

(b) Federal permittees should follow their own procedures for complying with the requirements of Section 106 of the National Historic Preservation Act. Federal permittees must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will review the documentation and determine whether it is sufficient to address section 106 compliance for the NWP activity, or whether additional section 106 consultation is necessary.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the authorized activity may have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties may be affected by the proposed work or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of or potential for the presence of historic resources can be sought from the State Historic Preservation Officer or Tribal Historic Preservation Officer, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of Section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts, which may include background research, consultation, oral history interviews, sample field investigation, and field survey. Based on the information submitted and these efforts, the district engineer shall determine whether the proposed activity has the potential to cause an effect on the historic properties. Where the non-federal applicant has identified historic properties on which the activity may have the potential to cause effects and so notified the Corps, the non-federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects or that consultation under Section 106 of the NHPA has been completed.

(d) The district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA Section 106 consultation is required. Section 106 consultation is not required when the Corps determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). If NHPA section 106 consultation is required and will occur, the district engineer will notify the non-federal applicant that he or she cannot begin work until Section 106 consultation is completed. If the non-federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(e) Prospective permittees should be aware that section 110k of the NHPA (16 U.S.C. 470h–2(k)) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

21. **Discovery of Previously Unknown Remains and Artifacts.** If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum

extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the federal, Tribal and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

22. **Designated Critical Resource Waters.** Critical resource waters include NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after notice and opportunity for public comment, additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment.

(a) Discharges of dredged or fill material into waters of the United States are not authorized by NWPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, and 52 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.

(b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, and 38, notification is required in accordance with general condition 31, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only after it is determined that the impacts to the critical resource waters will be no more than minimal.

23. **Mitigation.** The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that adverse effects on the aquatic environment are minimal:

(a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the adverse effects to the aquatic environment are minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse effects of the proposed activity are minimal, and provides a project-specific waiver of this requirement. For wetland losses of 1/10-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in minimal adverse effects on the aquatic environment. Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.

(1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in minimal adverse effects on the aquatic environment.

(2) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, wetland restoration should be the first compensatory mitigation option considered.

(3) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2)–(14) must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)).

(4) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan only needs to address the baseline conditions at the impact site and the number of credits to be provided.

(5) Compensatory mitigation requirements (e.g., resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of components of a compensatory mitigation plan.

(d) For losses of streams or other open waters that require pre-construction notification, the district engineer may require compensatory mitigation, such as stream rehabilitation, enhancement, or preservation, to ensure that the activity results in minimal adverse effects on the aquatic environment.

(e) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2-acre, it cannot be used to authorize any project resulting in the loss of greater than 1/2-acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that a project already meeting the established acreage limits also satisfies the minimal impact requirement associated with the NWPs.

(f) Compensatory mitigation plans for projects in or near streams or other open waters will normally include a requirement for the restoration or establishment, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, riparian areas may be the only compensatory mitigation required. Riparian areas should consist of native species. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to establish a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or establishing a riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.

(g) Permittees may propose the use of mitigation banks, in-lieu fee programs, or separate permittee-responsible mitigation. For activities resulting in the loss of marine or estuarine resources, permittee-responsible compensatory mitigation may be environmentally preferable if there are no mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee-responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management.

(h) Where certain functions and services of waters of the United States are permanently adversely affected, such as the conversion of a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse effects of the project to the minimal level.

24. **Safety of Impoundment Structures.** To ensure that all impoundment structures are safely designed, the district engineer may require non-federal applicants to demonstrate that the structures comply with established state dam safety criteria or have been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

25. **Water Quality.** Where States and authorized Tribes, or EPA where applicable, have not previously certified compliance of an NWP with CWA Section 401, individual 401 Water Quality Certification must be obtained or waived (see 33 CFR 330.4(c)). The district engineer or State or Tribe may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

26. **Coastal Zone Management.** In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). The district engineer or a State may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

27. **Regional and Case-By-Case Conditions.** The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific

conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

28. **Use of Multiple Nationwide Permits.** The use of more than one NWP for a single and complete project is prohibited, except when the acreage loss of waters of the United States authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-acre.

29. **Transfer of Nationwide Permit Verifications.** If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature: "When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below."

(Transferee)

(Date)

30. **Compliance Certification.** Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:

(a) A statement that the authorized work was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions;

(b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and

(c) The signature of the permittee certifying the completion of the work and mitigation.

31. **Pre-Construction Notification.** (a) Timing. Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 30 day period to request the additional information necessary to make the PCN complete. The request must specify the information needed to make the PCN complete. As a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

(1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or

(2) 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the

permittee was required to notify the Corps pursuant to general condition 18 that listed species or critical habitat might be affected or in the vicinity of the project, or to notify the Corps pursuant to general condition 20 that the activity may have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is “no effect” on listed species or “no potential to cause effects” on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or Section 106 of the National Historic Preservation (see 33 CFR 330.4(g)) has been completed. Also, work cannot begin under NWPs 21, 49, or 50 until the permittee has received written approval from the Corps. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee’s right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) Contents of Pre-Construction Notification: The PCN must be in writing and include the following information:

(1) Name, address and telephone numbers of the prospective permittee;

(2) Location of the proposed project;

(3) A description of the proposed project; the project’s purpose; direct and indirect adverse environmental effects the project would cause, including the anticipated amount of loss of water of the United States expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. The description should be sufficiently detailed to allow the district engineer to determine that the adverse effects of the project will be minimal and to determine the need for compensatory mitigation. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the project and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);

(4) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many waters of the United States. Furthermore, the 45-day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;

(5) If the proposed activity will result in the loss of greater than 1⁄10-acre of wetlands and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining why the adverse effects are minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

(6) If any listed species or designated critical habitat might be affected or is in the vicinity of the project, or if the project is located in designated critical habitat, for non-federal applicants the PCN must include the name(s) of those endangered or threatened species that might be affected by the proposed work or utilize the designated critical habitat that may be affected by the proposed work. federal applicants must provide documentation demonstrating compliance with the Endangered Species Act; and

(7) For an activity that may affect a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, for non-federal applicants the PCN must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property. Federal applicants must provide documentation demonstrating compliance with Section 106 of the National Historic Preservation Act.

(c) Form of Pre-Construction Notification: The standard individual permit application form (Form ENG 4345) may be used, but the completed application form must clearly indicate that it is a PCN and must include all of the information required in paragraphs(b)(1) through (7) of this general condition. A letter containing the required information may also be used.

(d) Agency Coordination: (1) The district engineer will consider any comments from federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the project's adverse environmental effects to a minimal level.

(2) For all NWP activities that require pre-construction notification and result in the loss of greater than 1/2-acre of waters of the United States, for NWP 21, 29, 39, 40, 42, 43, 44, 50, 51, and 52 activities that require pre-construction notification and will result in the loss of greater than 300 linear feet of intermittent and ephemeral stream bed, and for all NWP 48 activities that require pre-construction notification, the district engineer will immediately provide (e.g., via email, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate federal or state offices (U.S. FWS, state natural resource or water quality agency, EPA, State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Office (THPO), and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to telephone or fax the district engineer notice that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the pre-construction notification. The district engineer will fully consider agency comments received within the specified time frame concerning the proposed activity's compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure the net adverse environmental effects to the aquatic environment of the proposed activity are minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.

(3) In cases of where the prospective permittee is not a federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by Section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act.

(4) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of pre-construction notifications to expedite agency coordination.

D. District Engineer's Decision

1. In reviewing the PCN for the proposed activity, the district engineer will determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. For a linear project, this determination will include an evaluation of the individual crossings to determine whether they individually satisfy the terms and conditions of the NWP(s), as well as the cumulative effects caused by all of the crossings authorized by NWP. If an applicant requests a waiver of the 300 linear foot limit on impacts to intermittent or ephemeral streams or of an otherwise applicable limit, as provided for in NWPs 13, 21, 29, 36, 39, 40, 42, 43, 44, 50, 51 or 52, the district engineer will only grant the waiver upon a written determination that the NWP activity will result in minimal adverse effects. When making minimal effects determinations the district engineer will consider the direct and indirect effects caused by the NWP activity. The district engineer will also consider site specific factors, such as the environmental setting in the vicinity of the NWP activity, the type of resource that will be affected by the NWP activity, the functions provided by the aquatic resources that will be affected by the NWP activity, the degree or magnitude to which the aquatic resources perform those functions, the extent that aquatic resource functions will be lost as a result of the NWP activity (e.g., partial or complete loss), the duration of the permanent), the importance of the aquatic resource functions to the region (e.g., watershed or ecoregion), and mitigation required by the district engineer. If an appropriate functional assessment method is available and practicable to use, that assessment method may be used by the district engineer to assist in the minimal adverse effects determination. The district engineer may add case-specific special conditions to the NWP authorization to address site-specific environmental concerns.

2. If the proposed activity requires a PCN and will result in a loss of greater than 1/10-acre of wetlands, the prospective permittee should submit a mitigation proposal with the PCN. Applicants may also propose compensatory mitigation for projects with smaller impacts. The district engineer will consider any proposed compensatory mitigation the applicant has included in the proposal in determining whether the net adverse environmental effects to the aquatic environment of the proposed activity are minimal. The compensatory mitigation proposal may be either conceptual or detailed. If the district engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse effects on the aquatic environment are minimal, after considering mitigation, the district engineer will notify the permittee and include any activity-specific conditions in the NWP verification the district engineer deems necessary. Conditions for compensatory mitigation requirements must comply with the appropriate provisions at 33 CFR 332.3(k). The district engineer must approve the final mitigation plan before the permittee commences work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation. If the prospective permittee elects to submit a compensatory mitigation plan with the PCN, the district engineer will expeditiously review the proposed compensatory mitigation plan. The district engineer must review the proposed compensatory mitigation plan within 45 calendar days of receiving a complete PCN and determine whether the proposed mitigation would ensure no more than minimal adverse effects on the aquatic environment. If the net adverse effects of the project on the aquatic environment (after consideration of the compensatory mitigation proposal) are determined by the district engineer to be minimal, the district engineer will provide a timely written response to the applicant. The response will state that the project can proceed under the terms and conditions of the NWP, including any activity-specific conditions added to the NWP authorization by the district engineer.

3. If the district engineer determines that the adverse effects of the proposed work are more than minimal, then the district engineer will notify the applicant either: (a) That the project does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an individual permit; (b) that the project is authorized under the NWP subject to the applicant's submission of a mitigation plan that would reduce the adverse effects on the aquatic environment to the minimal level; or (c) that the project is authorized under the NWP with specific modifications or conditions. Where the district engineer determines that mitigation is required to ensure no more than minimal adverse effects occur to the aquatic environment, the activity will be authorized within the 45-day PCN period, with activity-specific conditions that state the mitigation requirements. The authorization will include the necessary conceptual or detailed mitigation or a requirement that the applicant submit a mitigation plan that would reduce the adverse effects on the aquatic environment to the minimal level. When mitigation is required, no work in waters of the United States may occur until the district engineer has approved a specific mitigation plan or has determined that prior approval of a final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation.

E. Further Information

1. District Engineers have authority to determine if an activity complies with the terms and conditions of an NWP.

2. NWPs do not obviate the need to obtain other federal, state, or local permits, approvals, or authorizations required by law.

3. NWPs do not grant any property rights or exclusive privileges.

4. NWPs do not authorize any injury to the property or rights of others.

5. NWPs do not authorize interference with any existing or proposed federal project.

F. Definitions

Best management practices (BMPs): Policies, practices, procedures, or structures implemented to mitigate the adverse environmental effects on surface water quality resulting from development. BMPs are categorized as structural or non-structural.

Compensatory mitigation: The restoration (re-establishment or rehabilitation), establishment (creation), enhancement, and/or in certain circumstances preservation of aquatic resources for the purposes of offsetting unavoidable adverse impacts which remain after all appropriate and practicable avoidance and minimization has been achieved.

Currently serviceable: Useable as is or with some maintenance, but not so degraded as to essentially require reconstruction.

Direct effects: Effects that are caused by the activity and occur at the same time and place.

Discharge: The term "discharge" means any discharge of dredged or fill material.

Enhancement: The manipulation of the physical, chemical, or biological characteristics of an aquatic resource to heighten, intensify, or improve a specific aquatic resource function(s). Enhancement results in the gain of selected aquatic resource function(s), but may also lead to a decline in other aquatic resource function(s). Enhancement does not result in a gain in aquatic resource area.

Ephemeral stream: An ephemeral stream has flowing water only during, and for a short duration after, precipitation events in a typical year. Ephemeral stream beds are located above the water table year-round. Groundwater is not a source of water for the stream. Runoff from rainfall is the primary source of water for stream flow.

Establishment (creation): The manipulation of the physical, chemical, or biological characteristics present to develop an aquatic resource that did not previously exist at an upland site. Establishment results in a gain in aquatic resource area.

High Tide Line: The line of intersection of the land with the water's surface at the maximum height reached by a rising tide. The high tide line may be determined, in the absence of actual data, by a line of oil or scum along shore objects, a more or less continuous deposit of fine shell or debris on the foreshore or berm, other physical markings or characteristics, vegetation lines, tidal gages, or other suitable means that delineate the general height reached by a rising tide. The line encompasses spring high tides and other high tides that occur with periodic frequency but does not include storm surges in which there is a departure from the normal or predicted reach of the tide due to the piling up of water against a coast by strong winds such as those accompanying a hurricane or other intense storm.

Historic Property: Any prehistoric or historic district, site (including archaeological site), building, structure, or other object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria (36 CFR part 60).

Independent utility: A test to determine what constitutes a single and complete non-linear project in the Corps regulatory program. A project is considered to have independent utility if it would be constructed absent the construction of other projects in the project area. Portions of a multi-phase project that depend upon other phases of the project do not have independent utility. Phases of a project that would be constructed even if the other phases were not built can be considered as separate single and complete projects with independent utility.

Indirect effects: Effects that are caused by the activity and are later in time or farther removed in distance, but are still reasonably foreseeable.

Intermittent stream: An intermittent stream has flowing water during certain times of the year, when groundwater provides water for stream flow. During dry periods, intermittent streams may not have flowing water. Runoff from rainfall is a supplemental source of water for stream flow.

Loss of waters of the United States: Waters of the United States that are permanently adversely affected by filling, flooding, excavation, or drainage because of the regulated activity. Permanent adverse effects include permanent discharges of dredged or fill material that change an aquatic area to dry land, increase the bottom elevation of a waterbody, or change the use of a waterbody. The acreage of loss of waters of the United States is a threshold measurement of the impact to jurisdictional waters for determining whether a project may qualify for an NWP; it is not a net threshold that is calculated after considering compensatory mitigation that may be used to offset losses of aquatic functions and services. The loss of stream bed includes the linear feet of stream bed that is filled or excavated. Waters of the United States temporarily filled, flooded, excavated, or drained, but restored to pre-construction contours and elevations after construction, are not included in the measurement of loss of waters of the United States. Impacts resulting from activities eligible for exemptions under Section 404(f) of the Clean Water Act are not considered when calculating the loss of waters of the United States.

Non-tidal wetland: A non-tidal wetland is a wetland that is not subject to the ebb and flow of tidal waters. The definition of a wetland can be found at 33 CFR 328.3(b). Non-tidal wetlands contiguous to tidal waters are located landward of the high tide line (i.e., spring high tide line).

Open water: For purposes of the NWPs, an open water is any area that in a year with normal patterns of precipitation has water flowing or standing above ground to the extent that an ordinary high water mark can be determined. Aquatic vegetation within the area of standing or flowing water is either non-emergent, sparse, or absent. Vegetated shallows are considered to be open waters. Examples of "open waters" include rivers, streams, lakes, and ponds.

Ordinary High Water Mark: An ordinary high water mark is a line on the shore established by the fluctuations of water and indicated by physical characteristics, or by other appropriate means that consider the characteristics of the surrounding areas (see 33 CFR 328.3(e)).

Perennial stream: A perennial stream has flowing water year-round during a typical year. The water table is located above the stream bed for most of the year. Groundwater is the primary source of water for stream flow. Runoff from rainfall is a supplemental source of water for stream flow.

Practicable: Available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.

Pre-construction notification: A request submitted by the project proponent to the Corps for confirmation that a particular activity is authorized by nationwide permit. The request may be a permit application, letter, or similar document that includes information about the proposed work and its anticipated environmental effects. Pre-construction notification may be required by the terms and conditions of a nationwide permit, or by regional conditions. A pre-construction notification may be voluntarily submitted in cases where pre-construction notification is not required and the project proponent wants confirmation that the activity is authorized by nationwide permit.

Preservation: The removal of a threat to, or preventing the decline of, aquatic resources by an action in or near those aquatic resources. This term includes activities commonly associated with the protection and maintenance of aquatic resources through the implementation of appropriate legal and physical mechanisms. Preservation does not result in a gain of aquatic resource area or functions.

Re-establishment: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former aquatic resource. Reestablishment results in rebuilding a former aquatic resource and results in a gain in aquatic resource area and functions.

Rehabilitation: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/historic functions to a degraded aquatic resource. Rehabilitation results in a gain in aquatic resource function, but does not result in a gain in aquatic resource area.

Restoration: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded aquatic resource. For the purpose of tracking net gains in aquatic resource area, restoration is divided into two categories: reestablishment and rehabilitation.

Riffle and pool complex: Riffle and pool complexes are special aquatic sites under the 404(b)(1) Guidelines. Riffle and pool complexes sometimes characterize steep gradient sections of streams. Such stream sections are recognizable by their hydraulic characteristics. The rapid movement of water over a course substrate in riffles results in a rough flow, a turbulent surface, and high dissolved oxygen levels in the water. Pools are deeper areas associated with riffles. A slower stream velocity, a streaming flow, a smooth surface, and a finer substrate characterize pools.

Riparian areas: Riparian areas are lands adjacent to streams, lakes, and estuarine-marine shorelines. Riparian areas are transitional between terrestrial and aquatic ecosystems, through which surface and subsurface hydrology connects riverine, lacustrine, estuarine, and marine waters with their adjacent wetlands, non-wetland waters, or uplands. Riparian areas provide a variety of ecological functions and services and help improve or maintain local water quality. (See general condition 23.)

Shellfish seeding: The placement of shellfish seed and/or suitable substrate to increase shellfish production. Shellfish seed consists of immature individual shellfish or individual shellfish attached to shells or shell fragments (i.e., spat on shell). Suitable substrate may consist of shellfish shells, shell fragments, or other appropriate materials placed into waters for shellfish habitat.

Single and complete linear project: A linear project is a project constructed for the purpose of getting people, goods, or services from a point of origin to a terminal point, which often involves multiple crossings of one or more waterbodies at separate and distant locations. The term "single and complete

project" is defined as that portion of the total linear project proposed or accomplished by one owner/developer or partnership or other association of owners/developers that includes all crossings of a single water of the United States (i.e., a single waterbody) at a specific location. For linear projects crossing a single or multiple waterbodies several times at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. However, individual channels in a braided stream or river, or individual arms of a large, irregularly shaped wetland or lake, etc., are not separate waterbodies, and crossings of such features cannot be considered separately.

Single and complete non-linear project: For non-linear projects, the term "single and complete project" is defined at 33 CFR 330.2(i) as the total project proposed or accomplished by one owner/developer or partnership or other association of owners/developers. A single and complete non-linear project must have independent utility (see definition of "independent utility"). Single and complete non-linear projects may not be "piecemealed" to avoid the limits in an NWP authorization.

Stormwater management: Stormwater management is the mechanism for controlling stormwater runoff for the purposes of reducing downstream erosion, water quality degradation, and flooding and mitigating the adverse effects of changes in land use on the aquatic environment.

Stormwater management facilities: Stormwater management facilities are those facilities, including but not limited to, stormwater retention and detention ponds and best management practices, which retain water for a period of time to control runoff and/or improve the quality (i.e., by reducing the concentration of nutrients, sediments, hazardous substances and other pollutants) of stormwater runoff.

Stream bed: The substrate of the stream channel between the ordinary high water marks. The substrate may be bedrock or inorganic particles that range in size from clay to boulders. Wetlands contiguous to the stream bed, but outside of the ordinary high water marks, are not considered part of the stream bed.

Stream channelization: The manipulation of a stream's course, condition, capacity, or location that causes more than minimal interruption of normal stream processes. A channelized stream remains a water of the United States.

Structure: An object that is arranged in a definite pattern of organization. Examples of structures include, without limitation, any pier, boat dock, boat ramp, wharf, dolphin, weir, boom, breakwater, bulkhead, revetment, riprap, jetty, artificial island, artificial reef, permanent mooring structure, power transmission line, permanently moored floating vessel, piling, aid to navigation, or any other manmade obstacle or obstruction.

Tidal wetland: A tidal wetland is a wetland (i.e., water of the United States) that is inundated by tidal waters. The definitions of a wetland and tidal waters can be found at 33 CFR 328.3(b) and 33 CFR 328.3(f), respectively. Tidal waters rise and fall in a predictable and measurable rhythm or cycle due to the gravitational pulls of the moon and sun. Tidal waters end where the rise and fall of the water surface can no longer be practically measured in a predictable rhythm due to masking by other waters, wind, or other effects. Tidal wetlands are located channelward of the high tide line, which is defined at 33 CFR 328.3(d).

Vegetated shallows: Vegetated shallows are special aquatic sites under the 404(b)(1) Guidelines. They are areas that are permanently inundated and under normal circumstances have rooted aquatic vegetation, such as seagrasses in marine and estuarine systems and a variety of vascular rooted plants in freshwater systems.

Waterbody: For purposes of the NWPs, a waterbody is a jurisdictional water of the United States. If a jurisdictional wetland is adjacent—meaning bordering, contiguous, or neighboring—to a waterbody determined to be a water of the United States under 33 CFR 328.3(a)(1)–(6), that waterbody and its adjacent wetlands are considered together as a single aquatic unit (see 33 CFR 328.4(c)(2)). Examples of "waterbodies" include streams, rivers, lakes, ponds, and wetlands.

ADDITIONAL INFORMATION

For additional information concerning the nationwide permits or for a written determination regarding a specific project, please contact the office below:

In New Mexico:

Chief, Regulatory Division
Albuquerque District, US Army Corps of Engineers
4101 Jefferson Plaza, NE
Albuquerque, NM 87109-3435
Telephone: (505) 342-3282

In Southeastern Colorado:

Southern Colorado Regulatory Office
200 S. Santa Fe Avenue, Suite 301
Pueblo, CO 81003
Telephone: (719) 543-9459

In Southern New Mexico and Western Texas:

Las Cruses Regulatory Office
505 S. Main St., Suite 142
Las Cruces, NM 88001
Telephone: (575) 556-9939

In Northwestern New Mexico and within the San Luis Valley of Colorado:

Durango Regulatory Office
1970 E. 3rd Avenue, Suite 109
Durango, CO 81301
Telephone: (970) 259-1582

Information about the U.S. Army Corps of Engineers regulatory program, including nationwide permits, may also be accessed on our Internet page: http://www.spa.usace.army.mil/reg/

This nationwide permit is effective March 19, 2012, and expires on March 18, 2017.

Summary Version: March 19, 2012

NEW MEXICO
ENVIRONMENT DEPARTMENT

Surface Water Quality Bureau

SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

Harold Runnels Building, N2050
1190 South St. Francis Drive (87505)
P.O. Box 5469, Santa Fe, NM 87502-5469
Phone (505) 827-0187 Fax (505) 827-0160
www.nmenv.state.nm.us

DAVE MARTIN
Secretary

BUTCH TONGATE
Deputy Secretary

JAMES H. DAVIS, Ph.D.
Director
Resource Protection Division

April 13, 2012

CERTIFIED MAIL NO. 700801830 0003 4175 8463

Mr. Allan Steinle
U.S. Army Corps of Engineers
Albuquerque District, Regulatory Branch
4101 Jefferson Plaza NE
Albuquerque, New Mexico 87109-3434

Re: Clean Water Act Section 401 Water Quality Certification
United States Army Corps of Engineers 2012 Nationwide Permits

Dear Mr. Steinle:

The New Mexico Environment Department (NMED) has examined both the February 21, 2012 final notice of the Reissuance of Nationwide Permits (NWPs) under the Clean Water Act (CWA) §404, issued by the U.S. Army Corps of Engineers ("Corps") (*see* 77 FR 10184) and the February 23, 2012 Corps Albuquerque District public notice of the final NWPs and NMED's intent to consider certification of those permits under the CWA §401 (Certification). Certification is required by CWA §401 to ensure that the NWPs are consistent with state law, comply with the state Water Quality Standards (20.6.4 NMAC), the Water Quality Management Plan/Continuing Planning Process, including Total Maximum Daily Loads (TMDLs), and the Antidegradation Policy. Certification is also required to comply with General Condition 25 (Water Quality) and General Condition 27 (Regional and Case-By-Case Conditions) of the NWPs.

The following conditions are necessary to assure compliance with the applicable provisions of the Clean Water Act §§301, 302, 303, 306, and 307 and with applicable requirements of State law. Compliance with the terms and conditions of the permit and this certification will provide reasonable assurance that the permitted activities will be conducted in a manner which will not violate applicable water quality standards and the water quality management plan and will be in compliance with the antidegradation policy. The State of New Mexico certifies that the discharge will comply with these provisions and requirements upon inclusion of the following conditions in the permit:

Conditional Section 401 Certification of NWPs:

1. Activities in intermittent and perennial surface waters of the state require notification to the NMED Surface Water Quality Bureau. The notification must include: 1) detailed construction plans (including proposed in-channel excavations and temporary diversions); 2) a description of potential adverse water quality impacts (including turbidity, which is a measurement of the amount of suspended material in water, as well as oil, grease, or hydraulic fluid, and all other potential contaminants); 3) a description of methods to be used to prevent water quality impacts (including detailed Best Management Practices, which must be designed to minimize sediment, oil, grease, and other pollutants from entering the water); 4) any surface water monitoring procedures; and 5) for any unavoidable surface water impacts, conceptual mitigation plans.

2. Fuel, oil, hydraulic fluid, lubricants, and other petrochemicals must not be stored within the 100-year floodplain and must have a secondary containment system capable of containing twice the volume of the product. Appropriate spill clean-up materials such as booms and absorbent pads must be available on-site at all times during construction.

3. All heavy equipment used in the project area must be pressure washed and/or steam cleaned before the start of the project and inspected daily for leaks. A written log of inspections and maintenance must be completed and maintained throughout the project period. Leaking equipment must not be used in or near surface water. Refuel equipment at least 100 feet from surface water.

4. Work in the stream channel should be limited to periods of no flow. Work during low-flow periods must have prior approval by the NMED. Requests for such approval must describe planned methods to minimize turbidity and to avoid spills. Releases from dams must be incorporated into the work schedule to avoid working in high water.

5. Temporary crossings should be restricted to a single location and perpendicular to and at a narrow point of the channel to minimize disturbance. Heavy equipment must be operated from the bank or work platforms and not enter surface water, unless otherwise approved in writing by NMED. Heavy equipment must not be parked within the stream channel. Unless otherwise approved by NMED, directional borehole (horizontal) drilling must be used instead of open-cut trenching for the placement of utility lines or other buried structures crossing the channel. Requests for such approval of deviations must include a description of planned methods to minimize turbidity, to avoid spills, and to salvage any drilling equipment that cannot be withdrawn from beneath the channel.

6. Unless otherwise approved by NMED, flowing water must be temporarily diverted around the work area, but remain within the existing channel to minimize erosion and turbidity and to provide for aquatic life movement. Diversion structures must be non-erodible, such as sand bags, water bladders, concrete barriers, or channel lined with geotextile or plastic sheeting. Dirt cofferdams are not acceptable diversion structures. Requests for such approval of deviations must include descriptions of planned methods to minimize turbidity,

to avoid spills, and to provide a continuous zone of passage for aquatic life through or around the project area in which the water quality meets all applicable criteria including turbidity.

7. All asphalt, concrete, drilling fluids and muds, and other construction materials must be properly handled and contained to prevent releases to surface water. Poured concrete must be fully contained in mortar-tight forms and/or placed behind non-erodible cofferdams to prevent contact with surface or ground water. Appropriate measures must be used to prevent wastewater from concrete batching, vehicle wash-down, or aggregate processing entering the watercourse. Dumping of any waste materials in or near watercourses is prohibited.

8. Protective measures must be used to prevent blast, ripped or excavated soil or rock from entering surface water. Construction excavation dewatering discharges are to be uncontaminated and include all practicable erosion control measures and turbidity control techniques.

9. Work or the use of heavy equipment in wetlands must be avoided or minimized unless the impacts are to be mitigated. Construction activities in wetlands must be scheduled during low water or winter (frozen) conditions. Unless otherwise approved by NMED, wetland crossings must be restricted to a single location and constructed perpendicular to and at a narrow point of the wetland. Requests for such approval of deviations must include descriptions of planned methods to minimize turbidity and avoid spills. Wetland vegetation and excavated material (top soil) must be retained and reused to improve seeding success. Permeable fills should be designed and installed when practicable, and flows to wetlands must not be permanently disrupted. Fill materials must be clean and consist of coarse material with minimal fines. Ditches or culverts in wetlands must have properly designed, installed and maintained siltation or sedimentation structures at the outfall.

10. During repair, demolition, treatments, or cleaning activities of bridges or associated structures (e.g., deck, pier, abutment, and wing walls), materials must be kept out of the channel. Before removing a bridge or related structures, impermeable containment material (e.g., plastic sheet, canvas, tarpaulins or other catchment devices) must be secured under the bridge and on the banks to capture any debris that may fall into the stream channel. Sandblasting operations must include vacuum systems or the bridge and associated structures must be completely bagged to collect all lead paint and concrete debris. Any debris that falls onto the containment area or channel must be properly disposed in accordance with the New Mexico Solid Waste Regulations (20.9.1 NMAC). Applicable Material Safety Data Sheets of water repellants and surface finish treatments must be maintained at the project area.

11. Bridges, culverts and structures at stream crossings must be properly designed, installed and maintained to allow passage of sediment, bedload, and woody debris, and to prevent erosion problems or diversion of the stream from its natural channel. Unless otherwise approved by NMED, projects must not alter the natural stream channel size or shape (width, depth, gradient, direction or meander pattern), streamflow velocity (sediment transport rates), or water flow capacity. Requests for such approval of deviations must include descriptions of

planned methods to minimize turbidity and avoid spills, as well as to stabilize modified hydraulic geometry.

12. Culverts at stream crossings must be designed and installed to prevent upstream headcutting, downstream channel incision, and erosion of the streambanks or the crossing. Culverts should be designed to pass 100-year flow events. Culvert design must allow for the passage of fish and other aquatic organisms. The road grade at culvert stream crossings must prevent the diversion of the stream from its channel in the event of culvert failure due to plugging or the exceedance of capacity. If the flow overtops the road, it must return to its natural channel instead of running down the road into a new channel.

13. Excavated trenches must be backfilled and compacted to match the bulk density and elevation of the adjacent undisturbed soil.

14. Unless otherwise approved by NMED, all areas adjacent to the watercourse that are disturbed because of the project, including temporary access roads, stockpiles and staging areas, must be restored to pre-project elevations. Disturbed areas outside the channel that are not otherwise physically protected from erosion must be reseeded or planted with native vegetation. Stabilization measures including vegetation are required at the earliest practicable date, but by the end of first full growing season following construction. Native woody riparian and/or wetland species must be used in areas that support such vegetation. Measures to prevent damage by beavers, wildlife, or livestock are required until trees are established. Plantings must be monitored and replaced for an overall survival rate of at least 80 percent by the end of the second growing season. Once established, native plants adapted to the site must be able to thrive with no supplemental water or treatment. Requests for approval of deviation from this condition must include descriptions of planned methods to minimize turbidity and avoid spills, as well as final grading plans.

15. A copy of this Certification must be kept at the project site during all phases of construction. All contractors involved in the project must be provided a copy of this certification and made aware of the conditions prior to starting construction.

16. The NMED must be notified at least five days before starting construction to allow time to schedule monitoring or inspections. The NMED must be notified immediately if the project results in an exceedence of applicable Standards.

Denial of Certification of NWPs

NMED denies Certification of NWPs for any activities in Outstanding National Resource Waters (ONRW) designated in 20.6.4.9 NMAC, and NWP 16 (Return Water From Upland Contained Disposal Areas). Although state WQS provide for temporary and short-term degradation of water quality in an ONRW under very limited circumstances if approved by the Water Quality Control Commission as specified at 20.6.4.8.A NMAC, the approval process required for these activities does not lend itself for use for projects covered under these NWPs. This condition is necessary to ensure that no degradation is allowed in ONRWs by requiring proposed discharges

of dredged or fill material to be reviewed under the individual permit process. Also, in accordance with General Condition 25 of the Nationwide Permits, a project-specific Certification must be obtained (see 33 CFR 330.4(c)) for discharges authorized under NWP 16 prior to construction. The NMED requires a complete CWA §404 application prior to commencing the water quality certification review in these cases. This certification process will be conducted pursuant to NMAC 20.6.2.2002.

Please contact Neal Schaeffer of my staff at (505)476-3017 should you have any question.

Sincerely,

James P. Bearzi
Chief
Surface Water Quality Bureau

JPB: cns

xc: Tom Nystrom, Wetlands, Region 6, USEPA
Jill Wick, New Mexico Department of Game and Fish
U.S. Fish and Wildlife Service
401 Certification File 897

Region 6
1445 Ross Avenue
Dallas, Texas 75202-2733 **NPDES Permit No. NMS000101**

AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. 1251 et. seq; the "Act"), the co-permittees as listed below,

City of Albuquerque
Department of Municipal Development
P.O. Box 1293
Albuquerque, NM 87103

Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA)
2600 Prospect NE
Albuquerque, NM 87107

New Mexico Department of Transportation
District III
P.O. Box 91750
Albuquerque, NM 87199-1750

University of New Mexico
Department of Safety, Health and Environmental Affairs
1801 Tucker Street N.E.
Albuquerque, NM 87131

are authorized to discharge from all portions of the Albuquerque Municipal Separate Storm Sewer System (MS4) owned or operated by any permittee listed above, to waters of the United States, in accordance with the Storm Water Management Program(s), effluent limitations, monitoring requirements, and other conditions set forth in Parts I, II, III, IV, V, VI, VII, and VIII herein.

This is a renewal NPDES permit issued for these portions of the municipal separate storm sewer system.

This permit shall become effective on March 1, 2012

This permit and the authorization to discharge shall expire the earlier of (1) ninety (90) days following the effective date of a watershed-based permit for the regulated Middle Rio Grande MS4s in the Albuquerque area or (2) at midnight February 28, 2017

Issued on January 31, 2012

William K. Honker, P.E.
Acting Director
Water Quality Protection Division

Prepared by

Suzanna M. Perea
Environmental Scientist
NPDES Permits and TMDLs Branch

ALBUQUERQUE MUNICIPAL SEPARATE STORM SEWER SYSTEM

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PART VII DEFINITIONS

APPENDICES CURRENT PERMITTEE SWMPs

PART I. INDIVIDUAL PERMIT CONDITIONS

A. DISCHARGES AUTHORIZED UNDER THIS PERMIT

1. **Permit Area**. This permit covers all areas within the corporate boundary of the City of Albuquerque served by, or otherwise contributing to discharges from the municipal separate storm sewer system (MS4) owned and/or operated by the permittees. For AMAFCA this also includes MS4s located in the Albuquerque urbanized area outside the Albuquerque corporate boundary. For purposes of this permit, "permittee," "permittees" and/or "co-permittees" may refer to the City of Albuquerque (COA), Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA), New Mexico Department of Transportation (NMDOT), and University of New Mexico (UNM), as a group or as separate entities.

2. **Authorized Discharges**. This permit authorizes stormwater discharges to waters of the United States from all MS4s owned and/or operated within the corporate boundary of the City of Albuquerque served by, or otherwise contributing to discharges from the MS4..

3. **Authorized Non-Stormwater Discharges**. The following non-stormwater discharges need not be prohibited unless determined by the permittees, U.S. Environmental Protection Agency (EPA), or New Mexico Environment Department (NMED) to be significant contributors of pollutants to the municipal separate storm sewer system (MS4). Any such discharge that is identified as significant contributor pollutants to the MS4, or as causing or contributing to a water quality standards violation, must be addressed as an illicit discharge under the illicit discharge and improper disposal practices established pursuant to Part I.C.5.e of this permit. For all of the discharges listed below, not treated as illicit discharges, the permittee must document the reason these discharges are not expected to be significant contributors of pollutants to the MS4. This documentation may be based on either the nature of the discharge or any pollution prevention/treatment requirements placed on such discharges by the permittee.

a. potable water sources, including routine water line flushing;
b. lawn, landscape, and other irrigation waters provided all pesticides, herbicides and fertilizers have been applied in accordance with approved manufacturing labeling and any applicable permits for discharges associated with pesticide, herbicide and fertilizer application;
c. diverted stream flows;
d. rising ground waters;
e. uncontaminated groundwater infiltration (as defined at 40 CFR §35.2005 (20));
f. uncontaminated pumped groundwater;
g. foundation and footing drains;
h. air conditioning or compressor condensate;
i. springs;
j. water from crawl space pumps;
k. individual residential car washing;
l. flows from riparian habitats and wetlands;
m. dechlorinated swimming pool discharges;
n. street wash waters that do not contain detergents and where no un-remediated spills or leaks of toxic or hazardous materials have occurred;
o. discharges or flows from fire fighting activities (does not include discharges from fire fighting training activities); and,
p. other similar occasional incidental non-stormwater discharges (e.g. non-commercial or charity car washes, etc.).

B. SPECIAL CONDITIONS

1. **Compliance with Water Quality Standards**. Pursuant to Clean Water Act §402(p)(3)(B)(iii) and 40 CFR §122.44(d)(1), this permit includes provisions to ensure that discharges from the permittee's MS4 do not cause or contribute to exceedances of applicable surface water quality standards, in addition to requirements to control discharges to the maximum extent practicable (MEP) set forth in Part I.C. Permittees shall address stormwater management through development of the Stormwater Management Program (SWMP) that shall include the following elements and specific requirements included in PART VI, Tables III, IV and V.

a. Permittee's discharges shall not cause or contribute to an exceedance of surface water quality standards (including numeric and narrative water quality criteria) applicable to the receiving

waters. In determining whether the SWMP is effective in meeting this requirement or if enhancements to the plan are needed, the permittee shall consider available monitoring data, visual assessment, and site inspection reports.

b. Applicable surface water quality standards for discharges from the permittees' MS4 are those that are in place upon the effective date of this permit found at New Mexico Administrative Code §20.6.4. Discharges from various portions of the MS4 also flow downstream into waters with Pueblo of Isleta and Pueblo of Sandia Water Quality Standards;

c. In the event that EPA determines that a discharge from the MS4 causes or contributes to an exceedance of applicable surface water quality standards and notifies the permittee of such an exceedance, the permittee shall, within sixty (60) days of notification, submit to EPA, NMED, Pueblo of Isleta and Pueblo of Sandia, a report that describes controls that are currently being implemented and additional controls that will be implemented to prevent pollutants sufficient to ensure that the discharge will no longer cause or contribute to an exceedance of applicable surface water quality standards. The permittee shall implement such additional controls upon notification by EPA and shall incorporate such measures into their SWMP as described in Part I.C of this permit. NMED or the affected Tribe may provide information documenting exceedances of applicable water quality standards caused or contributed to by the discharges authorized by this permit to EPA Region 6 and request EPA take action under this paragraph.d. Dissolved Oxygen: The permittees shall take measures to address concerns regarding discharges to receiving waters of the Rio Grande, including modifications to the North Diversion Channel, by developing and implementing a strategy to eliminate conditions that cause or contribute to exceedances of applicable dissolved oxygen water quality standards in waters of the United States. The permittees shall, in accordance with schedules in Part VI, Table III:

   (i) Identify structural elements, natural or man-made topographical and geographical formations, MS4 operations activities, or oxygen demanding pollutants contributing to reduced dissolved oxygen in the receiving waters of the Rio Grande. Both dry and wet weather discharges shall be addressed. . Assessment may be made using available data or collecting additional data;

   (ii) Develop and implement controls, as necessary, to eliminate structural elements or the discharge of pollutants at levels that cause or contribute to exceedances of applicable water quality standards for dissolved oxygen in waters of the United States; and

   (iii) Provide an initial progress report to EPA within six (6) months of the permit effective date. Subsequent progress reports shall be included in the Annual Report. Each progress report shall include the information in Part VI, Table III.

e. PCBs in San Jose Drain and North Diversion Channel: The permittees shall address concerns regarding PCBs in the San Jose Drain and North Diversion Channel drainage areas by performing activities to identify and eliminate controllable sources of PCBs that cause or contribute to exceedances of applicable water quality standards in waters of the United States in accordance with the schedules in Part VI, Table IV.

f. Temperature: The permittees shall take measures to address concerns regarding discharges to the Rio Grande, by developing and implementing a strategy to eliminate conditions that cause or contribute to exceedances of applicable temperature water quality standards in waters of the United States. The permittees shall, in accordance with schedules in Part VI, Table V:

   (i) Identify structural elements, post construction design standards, or pollutants contributing to raised temperatures in the receiving waters of the Rio Grande. Both dry and wet weather discharges shall be addressed. Assessment may be made using available data or collecting additional data;

   (ii) Develop and implement controls to eliminate structural elements, post construction design standards, or the discharge of pollutants at levels that cause or contribute to exceedances of applicable water quality standards for temperature in waters of the United States; and

   (iii) Provide an initial progress report to EPA within six (6) months of the permit effective date. Subsequent progress reports shall be included in the Annual Report. Each progress report shall include the information in Part VI, Table V.

2. **Discharges to Impaired Waters**. Impaired waters are those that have been identified pursuant to Section 303(d) of the Clean Water Act as not meeting applicable surface water quality standards. This may include both waters with EPA-approved Total Maximum Daily Loads (TMDLs) and those for which a TMDL has not yet been approved. For the purposes of this permit, the conditions for discharges to impaired waters also extend to controlling pollutants in MS4 discharges to tributaries to the listed impaired waters in the proximity of Albuquerque.

a. Existing Discharges to an Impaired Water without an Approved TMDL. If the permittee's MS4 discharges to an impaired water without an approved TMDL, the permittee shall comply with Parts I.B.1 and I.C of this permit and address in its SWMP and annual reports how the discharge of the pollutant(s) identified as causing the impairment will be controlled such that they do not cause or contribute to the impairment. The permittee shall:

   (i) Evaluate the potential for discharges from the MS4 to impaired waters to contribute to the pollutant(s) of concern;

   (ii) Identify additional or modified controls in the SWMP to ensure that discharges do not cause or contribute to the impairment; and

   (iii) Implement identified additional controls and include the status of each in the annual report.

b. Existing Discharges to an Impaired Water with an Approved TMDL. If the permittee's MS4 discharges to an impaired water with an approved TMDL and a waste load allocation (WLA) has been established that applies specifically to its MS4 discharges, or more generally to discharges from MS4s, the permittee shall comply with the requirements of Parts I.B.1 and I.C and specific controls to support the achievement of the WLA. The permittee shall include these controls in their SWMP and address in their SWMP and annual reports how the discharge of the pollutant(s) identified as causing the impairment will be controlled such that they comply with the requirements of Parts I.B.1 and I.C. If EPA determines more stringent requirements are necessary to support achievement of the WLA, EPA will incorporate such requirements through a modification to this permit pursuant to Part V of this permit or by incorporation into the next permit.

   (i) If the approved TMDL does not include a WLA applicable to discharges from the permittee's MS4, the permittee shall comply with Parts I.B.1 and I.C of this permit and address in their SWMP and annual reports how the discharge of the pollutant(s) identified as causing the impairment will be controlled such that they do not cause or contribute to the impairment. Unless otherwise notified by EPA or NMED, compliance with the requirements of Parts I.B and I.C of this permit shall be presumed to be adequate to meet the requirements of the approved TMDL.

   (ii) Applicable TMDLs for discharges from the permittee's MS4 are those that are approved by EPA as of the effective date of this permit. See also Part I.B.2.c below.

   (iii) The permittee shall highlight in their annual reports all control measures currently being implemented or planned to be implemented to control the pollutants identified in approved TMDLs.

c. Bacteria TMDL. The permittees shall implement measures necessary to bring MS4 discharges into compliance with the Middle Rio Grande Total Maximum Daily Load (TMDL) for Bacteria. Specific permit requirements to implement the TMDL are included in PART VI, Tables II.A and II.B.

   A new bacteria TMDL for the Middle Rio Grande was approved by the New Mexico Water Quality Control Commission on April 13, 2010, and by EPA on June 30, 2010. The new TMDL modifies: 1) the indicator parameter for bacteria from fecal coliform to *E. coli*, and 2) the way the WLAs are assigned.

3. **U.S. Fish and Wildlife Service Biological Opinion**. To ensure actions required by this permit are not likely to jeopardize the continued existence of any endangered or threatened species or adversely affect its critical habitat, permittees shall meet the following requirements, included in PART VI, Table VI, and include in the SWMP:

a. Complete the remedial action selected for the North Diversion Channel Embayment within eighteen (18) months of this permit's effective date;

b. Conduct continuous monitoring of dissolved oxygen (DO) and temperature in the North Diversion Channel Embayment and at one (1) location in the Rio Grande downstream of the mouth of the North Diversion Channel within the action area (e.g., Rio Bravo Bridge) to verify the remedial action is successful for the duration of the permit. It is recommended that continuous monitoring data be provided online for public review;

c. Provide the FWS with the following data and information on all qualifying storm events: date of any qualifying stormwater event(s), DO value in Embayment, DO value at downstream monitoring station, flow rate in the North Diversion Channel, daily flow rate in the Rio Grande, and sum of silvery minnows taken;

d. Describe, in annual reports, all standard operating procedures, quality assurance plans, maintenance, and implementation schedules to assure that timely and accurate water temperature, DO, oxygen saturation, and flow data are collected, summarized, evaluated and reported;

e. Provide the FWS with electronic copies of all incidental take, interim, and annual reports required by this permit no later than March 31st for the preceding calendar year ending December 31st to nmesfo@fws.gov or by mail to the New Mexico Ecological Services Field Office, 2105 Osuna Road NE, Albuquerque, New Mexico 87113; and,

f. Participate with EPA and the FWS in an annual meeting (may be via teleconference) during the permit period to review the remedial action progress, information gathered, and incidental take estimates associated with qualifying storm events.

C. STORMWATER MANAGEMENT PROGRAM (SWMP)

1. **General Requirements**. The permittees shall continue implementation of the existing SWMP, and where necessary modify or revise existing elements and/or develop new elements to comply with all discharges from the MS4 authorized in Part I.A. The updated SWMP shall satisfy all requirements of this permit, and be implemented in accordance with Section 402(p)(3)(B) of the Clean Water Act (Act), and the Stormwater Regulations (40 CFR §122.26 and §122.34). This permit does not extend any compliance deadlines set forth in the previous permit effective December 1, 2003.

2. **Legal Authority**. Each permittee shall implement the legal authority granted by the State to control discharges to and from those portions of the MS4 over which it has jurisdiction. The difference in each co-permittee's jurisdiction and legal authorities, especially with respect to third parties, may be taken into account in developing the scope of program elements and necessary agreements (i.e. Joint Powers Agreement). Permittees may use a combination of statute, ordinance, permit, contract, order, interagency or inter-jurisdictional agreement(s) with co-permittees to:

a. Control the contribution of pollutants to the MS4 by stormwater discharges associated with industrial activity and the quality of stormwater discharged from sites of industrial activity;

b. Control the discharge of stormwater and pollutants associated with land disturbance and development activities, both during the construction phase and after site stabilization has been achieved (post-construction), consistent with Part I.C.5.a and Part I.C.5.b.

c. Prohibit illicit discharges and sanitary sewer overflows to the MS4 and require removal of such discharges consistent with Part I.C.5.e;

d. Control the discharge of spills and prohibit the dumping or disposal of materials other than stormwater (e.g. industrial and commercial wastes, trash, used motor vehicle fluids, leaf litter, grass clippings, animal wastes, etc.) into the MS4;

e. Control, through interagency or inter-jurisdictional agreements among permittees, the contribution of pollutants from one (1) portion of the MS4 to another;

f. Require compliance with conditions in ordinances, permits, contracts and/or orders; and

g. Carry out all inspection, surveillance and monitoring procedures necessary to maintain compliance with permit conditions.

3. **Shared Responsibility**.

a. The SWMP, in addition to any interagency or inter-jurisdictional agreement(s) among permittees, (e.g., the Joint Powers Agreement to be entered into by the permittees), shall clearly identify the roles and responsibilities of each permittee.

b. Implementation of the SWMP may be achieved through participation with other permittees, public agencies, or private entities in cooperative efforts to satisfy the requirements of Part I.C in lieu of creating duplicate program elements for each individual permittee.

(i) Implementation of one (1) or more of the control measures may be shared with another entity, or the entity may fully take over the measure. A permittee may rely on another entity only if:

(1) the other entity, in fact, implements the control measure;

(2) the control measure, or component of that measure, is at least as stringent as the corresponding permit requirement; or,

(3) the other entity agrees to implement the control measure on the permittee's behalf. Written acceptance of this obligation is expected. The permittee must maintain this obligation as part of the SWMP description. If the other entity agrees to report on the minimum measure, the permittee must supply the other entity with the reporting requirements in Part III.H of this permit. The permittee remains responsible for compliance with the permit obligations if the other entity fails to implement the control measure component.

c. Each permittee shall provide adequate finance, staff, equipment, and support capabilities to fully implement its SWMP and all requirements of this permit.

4. **Measurable Goals**. The permittees shall control the discharge of pollutants from its MS4. The permittee shall implement the provisions set forth in Part I.C.5 below, and shall at a minimum incorporate into the SWMP the control measures listed in Part I.C.5 below. The SWMP shall include measurable goals, including interim milestones, for each control measure, and as appropriate, the months and years in which the MS4 will undertake the required actions and the frequency of the action.

5. **Control Measures**.

a. Construction Site Stormwater Runoff Control. The permittees shall coordinate with all departments and boards with jurisdiction over the planning, review, permitting, or approval of public and private construction activities within the permit area to ensure that the construction stormwater runoff control program controls or eliminates erosion and maintains sediment on site. Planning documents include, but are not limited to; comprehensive or master plans, subdivision ordinances, general land use plan, zoning code, transportation master plan, specific area plans, such as sector plan, site area plans, corridor plans, or unified development ordinances. The program shall address stormwater management during construction and include in the SWMP a description of the mechanism(s) utilized to comply with each of the following elements and the schedules contained in Table I.A:

(i) an ongoing program to assess, implement, and enforce the existing program to control stormwater discharges from construction activities that result in a land disturbance of greater than or equal to one (1) acre. Construction activities disturbing less than one (1) acre must be included in the program if that construction activity is part of a larger common plan of development or sale that may disturb one (1) acre or more. Permittees shall update the "NPDES Stormwater Management Guidelines for Construction and Industrial Activities Handbook" to be consistent with promulgated construction and development effluent limitation guidelines;

(ii) a procedure or system to review, update, and/or enact an ordinance(s) or other appropriate legal authority mechanism, that addresses stormwater runoff from construction sites one (1) acre or greater, to require developers and construction site operators to implement an erosion and sediment control program, control waste and properly dispose of wastes, such as

discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality;

(iii) procedures for review of all site plans and pre-construction review meetings that consider stormwater controls or management practices of potential water quality impacts and ensure consistency with local and State sediment and erosion control requirements. The site plan review must be conducted prior to commencement of construction activities, and include a review of the site design, the planned operations at the construction site, the planned control measures during the construction phase (including the technical criteria for selection of the control measures), and the planned controls to be used to manage runoff created after the development. The review procedure must incorporate procedures for the consideration of potential water quality impacts; procedures for pre-construction review; and, procedures for receipt and consideration of information submitted by the public. The site plan review procedure must also include evaluation of opportunities for use of green infrastructure practices and when the opportunity exists, encourage project proponents to incorporate such practices into the site design to mimic the pre-development hydrology of the previously undeveloped site. For purposes of this permit, monitoring pre-development hydrology shall be met by capturing the 90^{th} percentile storm event runoff (consistent with any limitations on that capture). Include a reporting requirement of the number of plans had opportunities to implement GI and how many incorporated GI.

(iv) procedure for development of an application process whereby the construction site operator describes the sediment and erosion control measures to be taken on the site. The application shall include a listing of all water bodies into which the construction site will discharge and whether or not they are on the 303(d) list for impaired waters;

(v) procedures for site inspection (during construction) and enforcement of control measures, including provisions to ensure proper construction, operation, maintenance, and repair. The procedures must clearly define who is responsible for site inspections; who has the authority to implement enforcement procedures; and the steps utilized to identify priority sites for inspection and enforcement based on the nature of the construction activity. If a construction site operator fails to comply with procedures or policies established by the permittee, the permittee may request EPA enforcement assistance. Permittees shall:

(1) annually conduct site inspections of 100 percent of all construction projects cumulatively disturbing one (1) or more acres. Site inspections are to be followed by any necessary compliance or enforcement action. Follow-up inspections are to be conducted to ensure corrective maintenance has occurred; and, all projects must be inspected at completion for confirmation of final stabilization; and,

(2) describe sanctions and enforcement mechanism(s) for violations of permit requirements and penalties with detail regarding corrective action follow-up procedures, including enforcement escalation procedures for recalcitrant or repeat offenders.

(vi) procedure for providing education and training for permittee personnel involved in the planning, review, permitting, and/or approval of construction site plans, inspections and enforcement. Education and training shall also be provided for developers, construction site operators, contractors and supporting personnel, including requiring a stormwater pollution prevention plan for construction sites within the permitee's jurisdiction; and,

(vii) procedures for keeping records of and tracking all regulated construction activities within the MS4, i.e. site reviews, inspections, inspection reports, warning letters and other enforcement documents. A summary of the number and frequency of site reviews, inspections (including inspector's checklist for oversight of sediment and erosion controls and proper disposal of construction wastes) and enforcement activities that are conducted annually and cumulatively during the permit term shall be included in each annual report.

b. Post-Construction Stormwater Management in New Development and Redevelopment.. The permittees shall coordinate with all departments and boards with jurisdiction over the planning, review, permitting, or approval of public and private new development and redevelopment projects/activities within the permit area to ensure the hydrology associated with new development and redevelopment sites mimic the pre-development hydrology of the previously undeveloped site, except in instances where the pre-development hydrology requirement conflicts

with state water rights appropriation requirements.. For purposes of this permit, monitoring pre-development hydrology shall be met by capturing the 90th percentile storm event runoff (consistent with any limitations on that capture) which under undeveloped natural conditions would be expected to infiltrate or evapotranspirate on-site and result in little, if any, off-site runoff. (Note: This permit does not prevent permittees from requiring additional controls for flood control purposes. Planning documents include, but are not limited to: comprehensive or master plans, subdivision ordinances, general land use plan, zoning code, transportation master plan, specific area plans, such as sector plan, site area plans, corridor plans, or unified development ordinances.

The permittee shall protect the physical, chemical and biological integrity of receiving waters, and their designated uses from the impacts of stormwater discharges through the implementation of watershed protection elements and site and neighborhood design elements. The purpose of watershed protection elements is to manage the impacts of stormwater on receiving waters that occur because of regional or watershed-scale management decisions. The primary purpose of site and neighborhood design elements is to manage the impacts of stormwater on receiving waters that occur because of site and neighborhood design management decisions. The technical principles of these management practices have many complementary similarities, and must be implemented in tandem.

The program shall address post-construction stormwater management and include the following elements in the SWMP and comply with the schedules contained in Table I.B:

(i) procedure or system to review and update, as necessary, the existing program to ensure that stormwater controls or management practices for new development and redevelopment projects/activities disturbing greater than or equal to one (1) acre, including projects less than one (1) acre that are part of a larger common plan of development or sale, continue to meet the requirements and objectives of the permit;

(ii) procedure or system to review, update, and/or enact an ordinance(s) or other appropriate legal authority mechanism, as necessary to ensure implementation of the SWMP.

(iii) assessment of all existing codes, ordinances, planning documents and other applicable regulations, for impediments to the use of green infrastructure practices. The permittee shall develop a report of the assessment findings, which is to be used to provide information to the permittee, of the regulation changes necessary to remove impediments and allow implementation of green infrastructure practices. The assessment shall include a list of the identified impediments, necessary regulation changes, and recommendations and proposed schedules to incorporate policies and standards to relevant documents and procedures to maximize infiltration, recharge, water harvesting, habitat improvement, and hydrological management of stormwater runoff;

(iv) implementation and enforcement, via ordinance and/or other enforceable mechanism(s), of site design standards that capture the 90th percentile storm event runoff to ensure the hydrology associated with new development and redevelopment sites mimic the pre-development hydrology of the previously undeveloped site except in instances where full compliance with the pre-development hydrology requirement conflicts with state water rights appropriations requirements. Management of runoff volume may be achieved by canopy interception, soil amendments, rainfall harvesting, engineered infiltration, extended filtration, other appropriate techniques, and any combination of these practices. Pre-development runoff values may be achieved through on-site utilization of practices including dry swales, bioretention, rain tanks and cisterns, soil amendments, roof top disconnections, permeable pavement, porous concrete, permeable pavers, reforestation, grass channels, green roofs or other green infrastructure practices as appropriate.

For projects/activities that cannot meet the pre-development runoff values requirement on site, four (4) alternatives are available; off-site mitigation, payment in lieu, partial compliance with a determination that full compliance cannot be achieved consistent with state water rights appropriations requirements, and an alternative option submitted to and approved by EPA. If these alternatives are chosen, the permittee must develop and apply criteria for determining the circumstances under which these alternatives will be available. A

determination that standards cannot be met on site may not be based solely on the difficulty or cost of implementing measures, but must include multiple criteria that rule out an adequate combination of the practices set forth in this section, such as: too small a lot outside of the building footprint to create the necessary infiltrative capacity even with amended soils; soil instability as documented by a thorough geotechnical analysis; a site use that is inconsistent with capture and reuse of stormwater; other physical conditions; or, to comply with state or local requirements for on-site flood control structures that leave insufficient area for use of green infrastructure techniques. This permit does not prevent imposition of more stringent requirements related to flood control. Where both the 90th percentile storm event capture requirement and flood control requirements on site cannot be met due to site conditions, the 90th percentile storm event capture requirements may be met through a combination of on-site and off-site controls. Where state water rights appropriations limit the ability to fully meet the 90th percentile standard on site, measures to minimize increased runoff consistent with requirements under water rights laws must still be implemented. In instances where an alternative to complete pre-development runoff values on site is chosen, technical justification as to the infeasibility of on-site management is required to be documented.

(a) *Off-site mitigation.* Runoff practices achieving pre-development runoff values may be implemented at another location within the MS4 area, approved by the permittee. The permittee shall identify priority areas within the MS4 in which mitigation projects can be completed. Off-site mitigation must be for retrofit or redevelopment projects, and cannot be applied to new development. The permittee shall determine who will be responsible for long-term maintenance on off-site mitigation projects.

(b) *Payment in lieu.* Payment in lieu may be made to the permittee, who will apply the funds to a public stormwater project. MS4s shall maintain a publicly accessible database of approved in lieu projects.

(c) *Partial Implementation.* Partial compliance may be implemented given the permittee provides a written determination from the New Mexico Office of the State Engineer that full compliance cannot be achieved consistent with water rights appropriations requirements.

(d) *Other.* In a situation where alternative options (a) through (c) above are not feasible, the permittees may submit to the EPA for approval, an alternative option that meets the 90th percentile pre-development hydrology values.

(v) citations and descriptions of design standards for structural and non-structural controls to control pollutants in stormwater runoff, including discussion of the methodology used during design for estimating impacts to water quality and selecting structural and non-structural controls;

(vi) estimation of the number of acres of impervious area (IA) and directly connected impervious area (DCIA). For the purpose of this part, IA includes conventional pavements, sidewalks, driveways, roadways, parking lots, and rooftops. DCIA is the portion of IA with a direct hydraulic connection to the permitee's MS4 or a waterbody via continuous paved surfaces, gutters, pipes, and other impervious features. DCIA typically does not include isolated impervious areas with an indirect hydraulic connection to the MS4 (e.g., swale or detention basin) or that otherwise drain to a pervious area. The permittee shall report the tabulated results and its estimation methodology in the first annual report. Beginning with the second year annual report and in each subsequent annual report, the permittee shall estimate the number of acres of IA and DCIA that have been added or removed during the prior year. The permittee shall include in its estimates the additions and reductions resulting from development, redevelopment, or retrofit projects undertaken directly by the permittee; or by private developers and other parties in a voluntary manner on in compliance with the permittee's regulations;

(vii) an inventory and priority ranking of MS4-owned property and infrastructure (including public right-of-way) that may have the potential to be retrofitted with control measures designed to control the frequency, volume, and peak intensity of stormwater discharges to and from its MS4. In determining the potential for retrofitting, the permittee shall consider factors such as the complexity and cost of implementation, public safety, access for maintenance purposes,

subsurface geology, depth to water table, proximity to aquifers and subsurface infrastructure including sanitary sewers and septic systems, and opportunities for public use and education. In determining its priority ranking, the permittee shall consider factors such as schedules for planned capital improvements to storm and sanitary sewer infrastructure and paving projects; current storm sewer level of service and control of discharges to impaired waters, first or second order streams, and critical receiving water (drinking water supply sources). A report on those MS4-owned properties and infrastructure that have been retrofitted with control measures designed to control the frequency, volume, and peak intensity of stormwater discharges shall be submitted beginning with the third year annual report and each subsequent annual report. The permittee may also include in its annual report non-MS4 owned property that has been retrofitted with control measures designed to control the frequency, volume, and peak intensity of stormwater discharges;

(viii) incorporation of watershed protection elements into all relevant policy and/or planning documents as they come up for regular review. If a relevant planning document is not scheduled for review during the term of this permit, the permittee must identify the elements that cannot be implemented until that document is revised, and provide to EPA and NMED a schedule for incorporation and implementation not to exceed five years from the effective date of this permit. As applicable to each permittee's MS4 jurisdiction, policy and/or planning documents must include the following:

(a) A description of master planning and project planning procedures to control the discharge of pollutants to and from the MS4.

(b) Minimize the amount of impervious surfaces (roads, parking lots, roofs, etc.) within each watershed, by controlling the creation, extension and widening of parking lots, roads and associated development.

(c) Identify environmentally and ecologically sensitive areas that provide water quality benefits and serve critical watershed functions within the MS4 and ensure requirements to preserve, protect, create and/or restore these areas are developed and implemented during the plan and design phases of projects in these identified areas. These areas may include, but are not limited to critical watersheds, riparian corridors, headwaters, floodplains, wetlands, and areas with endangered species concerns and historic properties. Stakeholders shall be consulted as appropriate.

(d) Implement stormwater management practices that protect water quality impacts to streams, including disconnecting discharges to surface waters from impervious surfaces such as parking lots.

(e) Implement stormwater management practices that protect and enhance groundwater recharge.

(f) Seek to avoid or prevent hydromodification of streams and other water bodies caused by development, including roads, highways, and bridges.

(g) Develop and implement policies to protect native soils, prevent topsoil stripping, and prevent compaction of soils.

(ix) procedures for site inspection and enforcement to ensure proper long-term operation, maintenance, and repair of stormwater management practices that are put into place after the completion of construction projects/activities. Procedure(s) shall include the requirement that as-built plans be submitted within ninety (90) days of completion of construction projects/activities that include controls designed to manage the stormwater associated with the completed site (post-construction stormwater management). Procedure(s) may include the use of dedicated funds or escrow accounts for development projects or the adoption by the permittee of all privately owned control measures. This may also include the development of maintenance contracts between the owner of the control measure and the permittee. The maintenance contract shall include verification of maintenance practices by the owner, allows the MS4 owner/operator to inspect the maintenance practices, and perform maintenance if inspections indicate neglect by the owner. Include a summary and analysis of all maintenance, inspections and enforcement, and the number and frequency of inspections performed annually shall be included in each annual report;

(x) procedure to develop and implement an educational program for project developers regarding designs to control water quality effects from stormwater, and a training program for plan review staff regarding stormwater standards, site design techniques and controls, including training regarding Green Infrastructure practices. Training may be developed independently or obtained from outside resources, i.e. federal, state, or local experts; and,

(xi) a cumulative listing of the annual modifications made to the Post-Construction Stormwater Management Program during the permit term, and a cumulative listing of annual revisions to administrative procedures made or ordinances enacted during the permit term shall be included in each annual report.

c. Pollution Prevention/Good Housekeeping for Municipal/Co-permitee Operations.. The permittee shall implement, review and enhance their current pollution prevention practices and develop and implement new source control procedures as detailed in this part to control the amount of pollutants in stormwater contributing to or discharging from its MS4. The permittee shall implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or controlling pollutant runoff from municipal operations due to activities, including but not limited to, park and open space maintenance, roadways and parking lots, fleet and building maintenance, new construction and land disturbances, operation and maintenance of industrial facilities owned and operated by permittees, and stormwater system maintenance. The program shall include the following elements and comply with the schedules contained in Part VI, Table I.C:

(i) Maintenance activities, maintenance schedules, and long-term inspection procedures for measures to control floatables and other pollutants to the MS4. Permittees shall:

(1) provide an updated list of all stormwater quality facilities by drainage basin, including location and description;

(2) enhance the Inspection and Maintenance Program by coordinating with maintenance personnel to ensure that a target number of structures per basin are inspected and maintained per quarter; and,

(3) enhance the existing program to control the discharge of floatables and trash from the MS4 by implementing source control of floatable in industrial and commercial areas.

(ii) Measures to control or eliminate the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, waste transfer stations, fleet or maintenance shops with outdoor storage areas, and salt and sand storage locations and snow disposal areas. Permittees shall modify the following as necessary:

(1) the existing operational manual for de-icing activities addressing alternate materials and methods to control impacts to stormwater quality;

(2) roadway, debris control and roadside vegetation management practices;

(3) the existing program to control pollution in stormwater runoff from equipment and vehicle maintenance yards and maintenance center operations located within the MS4;

(4) the street sweeping program. Assess possible benefits from changing frequency or timing of sweeping activities or utilizing different equipment for sweeping activities; and

(5) the description of procedures used by permittees to target roadway areas most likely to contribute pollutants to and from the MS4 (i.e., runoff discharges directly to sensitive receiving water, roadway receives majority of de-icing material, roadway receives excess litter, roadway receives greater loads of oil and grease).

(iii) Procedures to properly dispose of waste removed from the MS4 and municipal operations, including dredge spoil, accumulated sediments, floatables, and other debris. Permittees shall modify the following as necessary:

(1) the standard operating procedures for collection of used motor vehicle fluids (at a minimum oil and antifreeze) and toxics (including paint, solvents, fertilizers, pesticides, herbicides, and other hazardous materials) used in permittee operations or discarded in the MS4, for recycle, reuse, or proper disposal;

(2) the standard operating procedures for the disposal of accumulated sediments, floatables, and other debris collected from the MS4 and during permittee operations to ensure proper disposal; and

(3) the existing litter source control program to include public awareness campaigns targeting the permittee audience.

(iv) Procedures to ensure that new flood management projects are assessed for impacts on water quality and existing projects are re-assessed for incorporation of additional water quality protection devices or practices. The potential of retro-fitting existing structural flood control devices to provide additional pollutant removal from stormwater shall be evaluated routinely to ensure new and/or innovative practices are implemented where applicable. Structural controls for pollutant removal must be located offline or prior to a discharge entering a water of the United States and not built as a treatment unit located in a water of the United States. Permittees shall:

(1) review and revise, as necessary, the technical criteria guidance document and program for the assessment of water quality impacts and incorporation of water quality controls into future flood control projects.

(a) Describe how new flood control projects are assessed for water quality impacts.

(b) Provide citations and descriptions of design standards that ensure water quality controls are incorporated in future flood control projects.

(c) Include method for permittees to update standards with new and/or innovative practices.

(d) Describe master planning and project planning procedures and design review procedures.

(2) review and revise, as necessary, the criteria, procedures and schedule to evaluate existing flood control devices, structures and drainage ways to assess the potential of retrofitting to provide additional pollutant removal from stormwater. Implement routine review to ensure new and/or innovative practices are implemented where applicable.

(3) include in each annual report, a cumulative summary of retrofit evaluations conducted during the permit term on existing flood control devices, structures and drainage ways to benefit water quality. Update the SWMP to include a schedule (with priorities) for identified retrofit projects.

(v) Procedures to control the discharge of pollutants related to: 1) the storage and application of pesticides, herbicides, and fertilizers applied, by the permittee's employees or contractors, to public right of ways, parks, and other municipal property; and 2) commercial application and distribution of pesticides, herbicides, and fertilizers where permittee(s) hold jurisdiction over lands not directly owned by that entity (e.g. incorporated city). Permittees shall:

(1) review and revise, as necessary, the procedures and internal policies in place to ensure that herbicide and pesticide applicators doing business within the permittee’s jurisdiction have been properly trained and certified, are encouraged to use the least toxic products, and control use and application rates according to applicable requirements; and

(2) provide an updated description of the data monitoring system for all permittee departments utilizing pesticides, herbicides and fertilizers.

(vi) Procedures to control industrial runoff from facilities owned or operated by the permittees and ultimately discharge to the MS4. Monitoring shall comply with requirements found in Part I.C.5.d. Permittees shall include:

(1) a list of municipal/permittee operations impacted by this program,

(2) a map showing the industrial facilities owned and operated by the MS4,

(3) a list of the industrial facilities (other than large construction activities defined as industrial activity) that will be included in the industrial runoff control program by category and by basin, and

(4) the permit authorization number or a MSGP NOI form for each facility.

(vii) Development and implementation of an employee training program to incorporate pollution prevention and good housekeeping techniques into everyday operations and maintenance activities. Develop a tracking procedure and ensure that employee turnover is considered when determining frequency of training.

d. Industrial and High Risk Runoff. (Applicable to facilities other than those owned or operated by the permittee(s) (Part I.C.5.c)). The permittee shall continue implementation and enforcement of the Industrial and High Risk Runoff program, assess the overall success of the program, and document both direct and indirect measurements of program effectiveness in annual reporting required in Part III.H. (Note: If no such facilities are in a co-permittees jurisdiction, that co-permittee may certify that this program element does not apply.) The program shall include the following elements in the SWMP and comply with the schedules contained in Table I.D:

(i) identify and control pollutants in stormwater discharges to the MS4 from municipal landfills; other treatment, storage, or disposal facilities for municipal waste (e.g. transfer stations, incinerators, etc.); hazardous waste treatment, storage, disposal and recovery facilities; facilities that are subject to EPCRA Title III, Section 313; and any other industrial or commercial discharge the permittee(s) determines are contributing a substantial pollutant loading to the MS4. The permittee shall modify the following as necessary:

(1) the list of the facilities included in the program, by category and basin;

(2) the schedules and frequency of inspection for listed facilities. Facility inspections may be carried out in conjunction with other municipal programs (e.g. pretreatment inspections of industrial users, health inspections, fire inspections, etc.), but must include random inspections for facilities not normally visited by the municipality;

(3) the priorities for inspections and procedures used during inspections (e.g. inspection checklist, review for NPDES permit coverage; review of stormwater pollution prevention plan; etc.);

(ii) describe the current monitoring program for stormwater discharges from the facilities identified in the program included in Part I.C.5.d, in accordance with Part III.C. The permittee shall modify the following as necessary:

(1) monitoring frequency,

(2) parameters and

(3) entity performing monitoring and analyses (MS4 permittees or subject facility). The monitoring program may include a waiver of monitoring for parameters at individual facilities based on a “no-exposure” certification;

(iii) establish and implement control measures for such discharges.

e. Illicit Discharges and Improper Disposal. The permittees shall implement and enforce an Illicit Discharge Detection and Elimination (IDDE) program to systematically detect and eliminate illicit discharges (as defined at 40 CFR 122.26(b)(2)) entering the MS4, and to implement defined procedures to prevent illicit connections and illegal dumping into the MS4. Note that the term “illicit discharge” also covers illegal or improper disposal or dumping of wastes into the MS4. Illicit discharges into the MS4 shall be effectively prohibited and appropriate enforcement procedures and actions shall be implemented. Within three (3) years, the permittee shall enhance the existing program to utilize procedures and methodologies consistent with those described in “Illicit Discharge Detection and Elimination, A Guidance Manual for Program Development and Technical Assessments,” by The Center for Watershed Protection and R. Pitt, dated 2004, as a model for development and implementation of the Illicit Discharges and Improper Disposal Program. The following elements shall be included in the SWMP and comply with the schedules contained in Table I.E:

(i) Illicit discharges to the MS4 are prohibited, and any such discharge subject to the NPDES permitting program violates the Clean Water Act §301(a) prohibition on discharge of pollutants without an NPDES permit and remains in violation until eliminated (or becoming authorized under an NPDES permit). The permittees shall prohibit through ordinance or

other regulatory mechanism, non-stormwater discharges into the stormwater system and implementation of appropriate enforcement procedures and actions (including enforcement escalation procedures for recalcitrant or repeat offenders). The program must include procedures for coordination with adjacent municipalities and/or state, tribal, or federal regulatory agencies to address situations where investigations indicate the illicit discharge originates outside the MS4s jurisdiction. If an illicit discharger fails to comply with procedures or policies established by the permittee, the permittee may rely on EPA and the state environmental agency for assistance in enforcement of this provision of the permit.

Upon detection (including receipt of notification by any party of an illicit discharge), the permittee shall investigate suspected significant and/or severe illicit discharges within forty-eight (48) hours and all other suspected illicit discharges at the earliest time practicable. The permittee shall eliminate such discharges as expeditiously as possible; and, require immediate cessation of illicit discharges upon confirmation of responsible parties in accordance with its legal authorities. Where elimination of an illicit discharge within thirty (30) days of its confirmation is not possible, the permittee shall establish an expeditious schedule for its elimination. No later than six (6) months after confirmation, such discharges shall be eliminated or appropriate enforcement actions shall be initiated by the permittee. In the interim, the permittee shall take all reasonable and prudent measures to control the discharge of pollutants to its MS4 from the identified illicit source(s).

(ii) The sources of non-stormwater listed in Part I.A.3 of this permit need not be eliminated from discharging to the MS4 provided that the permittee determines that these discharges are not significant contributors of pollutants to the MS4. These non-stormwater discharges must not be reasonably expected (based on information available to the permittees) to be significant sources of pollutants to the MS4, because of either the nature of the discharges or conditions the permittee has established for allowing these discharges to the MS4 (e.g. a charity car wash with appropriate controls on frequency, proximity to sensitive waterbodies, controls on the wash water, etc.). Discharges regulated by a separate NPDES permit and discharges for which an NPDES permit application has been submitted need not be addressed as illicit discharges by the permittees nor prohibited from entering the Municipal Separate Storm Sewer System.

(iii) The permittee shall review complaint records for the past permit term and develop a targeted source reduction program for those categories of illicit discharge/improper disposal incidents, that have occurred more than twice in two (2) or more years from different locations, e.g., for improper disposal of paint waste: provide targeted outreach to painting contractors, develop handout regarding proper brush cleaning to be provided to all building supply stores upon sale of paint and brushes; for improper used oil disposal: develop handout for auto parts stores to provide upon sale of oil filters and motor oil, etc.

(iv) The permittee (NMDOT) shall review within six (6) months, and expeditiously revise as necessary, within no more than two (2) years, the existing permitting/certification program to ensure that any entity applying for the use of Right of Way implements controls in their construction and maintenance procedures to control pollutants entering the MS4.

(v) The Illicit Discharge Detection and Elimination (IDDE) program shall be a written document revised as necessary to be inclusive of the elements described below. If the IDDE program does not contain all the elements outlined in this permit, the IDDE program shall include written documentation or rationale as to why an element is not applicable to the permittee. The permittee shall maintain all records used to develop the IDDE program as described in Part I.C.7.

(1) The permittee shall implement the IDDE program to prohibit illicit discharges and investigate suspected illicit discharges. The written IDDE program shall include a reference or citation of the authority the permittee will use to implement all aspects of the IDDE program. Failure to have exercised authority granted under State law (e.g., ability to pass ordinances) shall not be considered a lack of legal authority.

(2) The permittees shall maintain a map of their portion of the MS4 identifying all discharge points into waters of the United States and into major drainage channels draining more than twenty (20) percent of the MS4 area (City of Albuquerque only). To make the IDDE

system more effective and less costly to administer in the long term, the permittees are strongly encouraged to record the system map and basin delineation on a Geographic Information System (GIS) mapping system. Once delineated, each catchment or basin shall be assessed based on currently available data to determine the potential for illicit discharges.

If the boundaries of the catchment or basin extend beyond the boundaries of the MS4, the permittee is encouraged to work with neighboring MS4s to ensure an accurate assessment for potential illicit discharges.

The permittee shall delineate the MS4 into catchments or basins and assess the illicit discharge potential of all catchments or basins. The permittee may draw from existing information about the MS4 for initial characterization of the illicit discharge potential of all catchments or basins of the MS4. In the situation where there are known illicit discharges, the permittee shall identify these catchments or basins as Problem Catchments/Basins.

Within one (1) year, the permittee shall develop and submit to EPA and NMED (and Pueblo of Sandia for North Diversion Channel only) an initial priority ranking of the MS4 catchments or basins. EPA recommends that the permittee consider the perceived severity of the known or suspected pollution, the current or intended uses of receiving waters, and impairment status in the development of its priority ranking. For each Problem Catchment/Basin, the permittee shall provide all available documented evidence, including monitoring results, of illicit discharges and sewer overflows; completed, ongoing or planned corrective measures addressing the documented illicit discharges and sewer overflows; and, a schedule for completing and verifying measures correcting the documented illicit discharges and sewer overflows.

(3) The permittee shall implement specific inspection, screening, monitoring and response/enforcement activities to support the permitee's required assessments of its SWMP, and to complete requirements of the IDDE Program.

Upon the effective date of this permit, the permittee shall begin implementation of activities described in this part. The permittee shall complete implementation of the IDDE activities, described in this part, for one-third (1/3) of its total MS4 service area no later than three (3) years from the effective date of this permit and for 100 percent of the MS4 within five (5) years from the effective date of this permit. The permittee shall cause the removal of all identified illicit discharges and sewer overflows pursuant to Part I.C.5.e of this permit. Within six (6) months, of the effective date of this permit, the permittee shall submit as part of its updated SWMP, a description of the means, methods, quality assurance and controls protocols, and schedule for successfully implementing the required screening, field monitoring, laboratory analysis, investigations, and analysis evaluation of data collected.

(a) The permittee shall update a written systematic procedure for system screening, follow-up activities to locate source of suspected illicit discharges, or improper disposal, eliminating or requiring elimination of illicit discharges (including enforcement procedures) and to document the elimination of the illicit connection or discharge. Screening frequencies for individual basins shall be based on the priority ranking within the MS4 system. Priorities for activities for further investigation and elimination of illicit discharges and improper disposal shall be based on the results of dry weather field screening, the magnitude and nature of the suspected discharge, the sensitivity of the receiving water; and/or other relevant factors. System screening procedures may be a combination of testing, visual monitoring and/or evaluation for basins with low potential based on past history and initial screening results. The permittee shall take into account any limitations regarding accessibility of the monitoring locations such as safety and access to private property when developing this procedure. The written systematic procedure shall be updated as soon as possible, but no later than six (6) months from the effective date of the permit.

(b) The permittee shall begin systematically locating illicit discharges using the procedure developed in accordance with this part no later than one (1) year from the

effective date of the permit. The permittee is required to complete the IDDE activities implementation for Problem Catchments defined in Part I.C.5.e.(v)(2) within three (3) years and for the remainder of the system within five (5) years from the effective date of the permit.

(4) Methods for informing the general public of hazards associated with illegal discharges and improper disposal of waste, including training for public employees.

f. Control of Floatables Discharges (e.g. litter and other human-generated solid refuse). The floatables control program shall include source controls and, where necessary, structural controls. Permittees shall include the following elements in the SWMP and comply with the schedules contained in Table I.F:

(i) synthesize findings from the 2005 AMAFCA/COA Floatable and Gross Pollutant Study to develop a schedule for implementation of controls or additional study; and

(ii) estimate the annual volume of floatables and trash removed from each control facility and characterize the floatable type.

g. Waste Collection Programs. Programs to collect used motor vehicle fluids (at a minimum, oil and antifreeze) for recycle, reuse, or proper disposal, and to collect household hazardous waste materials (including paint, solvents, fertilizers, pesticides, herbicides, and other hazardous materials) for recycle, reuse, or proper disposal. Such programs shall be readily available to all private residents and shall be publicized and promoted on a regular basis. Where available, collection programs operated by third parties or co-permittees may be a component of the programs. Permittees shall enhance these programs by establishing the following elements as a goal in the SWMP and comply with the schedules contained in Table I.G:

(i) Increasing the frequency of the collection days hosted;

(ii) Expanding the program to include commercial fats, oils and greases; and

(iii) Coordinating program efforts between applicable permittee departments.

h. Spill Prevention and Response. The permittee shall continue implementation of the program to prevent, contain, and respond to spills that may discharge into the MS4, and enhance as necessary.

(i) Where discharge of material resulting from a spill is necessary to prevent loss of life, personal injury, or severe property damage, the permittee(s) shall take, or insure the party responsible for the spill takes, all reasonable steps to control or prevent any adverse effects to human health or the environment.

(ii) The spill response program may include a combination of spill response actions by the permittee(s) (and/or another public or private entity), and legal requirements for private entities within the permittee's municipal jurisdiction.

i. Public Education and Outreach on Stormwater Impacts. The permittees shall continue implementation of the joint public education program, assess the overall success of the program, and document both direct and indirect measurements of program effectiveness in annual reporting required in Part III.H. The program shall include the following elements in the SWMP and comply with the schedules contained in Table I.H:

(i) increase public awareness about stormwater pollution including its causes and effects, and actions that citizens, commercial, industrial and institutional entities may take to control the impact of stormwater pollution on water quality;

(ii) promote, publicize and facilitate the various elements of the SWMP through varied public education and outreach methods including public websites. The permittee shall make information available for non-English speaking residents, where appropriate;

(iii) disseminate information to the general public regarding the proper handling, disposal and recycling of used motor vehicle fluids, household hazardous waste, grass clippings, car wash waters, and proper use of fertilizers, pesticides, and herbicides, and oil and toxics used on roadways, including information on the steps to report illicit discharges and/or improper disposal of materials;

(iv) educate pet owners about proper disposal of pet waste; and

(v) educate owners and operators of commercial, industrial, and institutional facilities regarding their responsibility to control pollutants in stormwater discharges from their property to the MS4;

Where necessary the existing program shall be modified or revised to include:

(1) a detailed description of the program and outreach activities, including methods for disseminating information; target audiences; target pollutants and sources addressed in the program; how target pollutants and sources were selected; estimation of people with whom you intend to communicate; and a schedule and/or frequency of activities;

(2) the development and implementation of a program to promote, publicize and facilitate the use of Green Infrastructure Practices;

(3) an examination of impediments to implementing an integrated public education program (including all permittee departments and programs within the MS4) regarding litter reduction, recycling and proper disposal (including yard waste, HHW, and used motor vehicle fluids), and green infrastructure practices (including xeriscaping, reduced water consumption, and subsequent reduction in pesticide/herbicide use);

(4) a plan to leverage resources by combining outreach efforts with small MS4s in the Albuquerque Urbanized area; and

(5) a plan to target outreach to stakeholders such as the Middle Rio Grande Water Quality Work Group, the Middle Rio Grande Bosque Initiative, the Middle Rio Grande Endangered Species Act Collaborative Program, the Middle Rio Grande-Albuquerque Reach Watershed Group, as well as the Pueblos of Sandia and Isleta and Albuquerque Bernalillo County Water Utility Authority.

For the purposes of this permit:

(vi) Traditional municipal entities such as cities, counties and tribes, etc. must address the general public being served by the MS4;

(vii) Nontraditional municipalities such as universities, hospital complexes, prisons, special districts, etc. and federal facilities must address the community served by the MS4. For example, a university must address the faculty, other staff, students, and visitors, while military base must address military personnel (and dependents), contractors, employees, tenants, visitors, etc; and

(viii) Departments of transportation must address the community working on or served by the transportation network within the MS4 including employees, contractors, and the general public.

j. Public Involvement and Participation. The permittee shall develop and implement, within one (1) year, a plan to encourage public involvement and provide opportunities for participation in the review, modification and implementation of the SWMP; develop and implement a process by which public comments to the plan are received and reviewed by the person(s) responsible for the SWMP; and, make the SWMP available to the public and to the operator of any MS4 or Tribal authority receiving discharges from the MS4. The plan shall include the following elements in the SWMP and comply with the schedules contained in Table I.I:

(i) a detailed description of the general plan for informing the public of involvement and participation opportunities, including types of activities; target audiences; how interested parties may access the SWMP; and how the public was involved in development of the SWMP;

(ii) the development and implementation of at least one (1) assessment of public behavioral change following a public education and/or participation event;

(iii) a process to solicit involvement by environmental groups and civic organizations interested in water quality-related issues, including but not limited to the Middle Rio Grande Water Quality Work Group, the Middle Rio Grande Bosque Initiative, the Middle Rio Grande Endangered Species Act Collaborative Program, the Middle Rio Grande-Albuquerque Reach Watershed

Group, the Pueblos of Sandia and Isleta, Albuquerque Bernalillo County Water Utility Authority, UNM Colleges and Schools, and Chartered Student Organizations; and,

(iv) an evaluation of opportunities to utilize volunteers for stormwater pollution prevention activities and awareness throughout the metropolitan area.

6. **Stormwater Management Program Review and Modification**.

a. Program Review. Each permittee shall participate in an annual review of its SWMP in conjunction with preparation of the annual report required in PART III.H. Results of the review shall be discussed in the annual report and shall include an assessment of:

(i) SWMP implementation, progress in achieving measurable goals, and compliance with program elements and other permit conditions;

(ii) the effectiveness of its SWMP, and any necessary modifications, in complying with the permit, including requirements to control the discharge of pollutants, and comply with water quality standards and any applicable approved TMDLs; and the adequacy of staff, funding levels, equipment, and support capabilities to fully implement the SWMP and comply with permit conditions.

(1) Project staffing requirements, in man hours, for the implementation of the MS4 program during the upcoming year.

(2) Staff man hours used during the previous year for implementing the MS4 program. Man hours may be estimated based on staff assigned, assuming a forty (40) hour work week.

b. Program Modification. The permittee(s) may modify its SWMP with prior notification or request to the EPA and NMED in accordance with this section.

(i) Modifications adding, but not eliminating, replacing, or jeopardizing fulfillment of any components, controls, or requirements of its SWMP may be made by the permittee(s) at any time upon written notification to the EPA.

(ii) Modifications replacing or eliminating an ineffective or unfeasible component, control or requirement of its SWMP, including monitoring and analysis requirements described in Part V, may be requested in writing at any time. If request is denied, the EPA will send a written explanation of the decision. Modification requests shall include the following:

(1) a description of why the SWMP component is ineffective, unfeasible (including cost prohibitions), or unnecessary to support compliance with the permit;

(2) expectations on the effectiveness of the proposed replacement component; and

(3) an analysis of how the proposed replacement component is expected to achieve the goals of the component to be replaced.

(iii) Modifications resulting from schedules contained in PART VI may be requested following completion of an interim task or final deadline.

(iv) Modification requests or notifications shall be made in writing, signed in accordance with PART IV.H by all directly affected permittees, and include a certification that all permittees were given an opportunity to comment on the proposed modification prior to submittal to the EPA.

c. Program Modifications Required by EPA. Modifications requested by EPA shall be made in writing, set forth the time schedule for the permittee(s) to develop the modifications, and offer the permittee(s) the opportunity to propose alternative program modifications to meet the objective of the requested modification. The EPA may require changes to the SWMP as needed to:

(i) Address impacts on receiving water quality caused, or contributed to, by discharges from the MS4;

(ii) Include more stringent requirements necessary to comply with new State or Federal statutory or regulatory requirements; or

(iii) Include such other conditions deemed necessary by the EPA to comply with the goals and requirements of the Clean Water Act.

d. Transfer of Ownership, Operational Authority, or Responsibility for SWMP Implementation: The permittee(s) shall implement the SWMP:

(i) On all new areas added to their portion of the MS4 (or for which they become responsible for implementation of stormwater quality controls) as expeditiously as possible, but not later than one (1) year from addition of the new areas. Implementation may be accomplished in a phased manner to allow additional time for controls that cannot be implemented immediately;

(ii) Within ninety (90) days of a transfer of ownership, operational authority, or responsibility for SWMP implementation, the permittee(s) shall have a plan for implementing the SWMP on all affected areas. The plan may include schedules for implementation; and

(iii) Information on all new annexed areas and any resulting updates required to the SWMP shall be submitted in the annual report.

7. **Retention of Program Records**. The permittee shall retain SWMP records developed in accordance with Part I.D and Part VI for at least five (5) years after coverage under this permit terminates.

PART II. NUMERIC DISCHARGE LIMITATIONS

A. DISCHARGE LIMITATIONS. Reserved

PART III. MONITORING AND REPORTING REQUIREMENTS

A. STORM EVENT DISCHARGE MONITORING

1. **Representative Monitoring**. Monitoring shall be conducted on representative outfalls, internal sampling stations, and/or in-stream monitoring locations to characterize the quality of stormwater discharges from the MS4.

a. Monitoring Requirements: Refer to Tables XII.A and XII.B

b. Monitoring Location Descriptions: Refer to Table XII.C

c. Alternate representative monitoring locations may be substituted for just cause during the term of the permit. Requests for approval of alternate monitoring locations shall be made to the EPA in writing and include the rationale for the requested monitoring station relocation. Unless disapproved by the EPA, use of an alternate monitoring location (except for those with numeric effluent limitations) may commence thirty (30) days from the date of the request. For monitoring locations where numeric effluent limitations have been established, the permit must be modified prior to substitution of alternate monitoring locations. Six (6) samples shall be collected during the first year of monitoring at substitute monitoring locations.

2. **Representative Monitoring - Rapid Bioassessment Option**. The permittee(s) has the option of developing and implementing a rapid bioassessment monitoring program.

a. The permittee(s) shall obtain all necessary aquatic wildlife collection permits from appropriate State, Tribal and/or Federal agencies.

b. Permittee(s) utilizing the rapid bioassessment monitoring option shall conduct monitoring of the separate storm sewer system as described in Part III.A.1, except bacteria.

c. If the permittee(s) elects to develop and implement a rapid bioassessment monitoring program, the permittee(s) shall submit an approvable monitoring program to EPA no later than one (1) year from the effective date of this permit. An approvable program must include:

   i. Monitoring of at least two (2) locations in the Rio Grande receiving, directly or indirectly, stormwater discharges from the MS4 plus a reference site located within the same ecological region as the MS4; and

   ii. Monitoring of each station at least twice per year, with monitoring conducted at essentially the same time periods each year.

d. Unless disapproved by the EPA within sixty (60) days, a proposed rapid bioassessment monitoring plan meeting the criteria herein shall be deemed approved and the permittee(s) may implement the alternate rapid bioassessment program.

e. The permittee(s) shall notify the EPA and NMED (addresses provided in Part III.J, in writing, at least fourteen (14) days prior to commencing an alternate rapid bioassessment monitoring program.

3. **Additional Monitoring Sites**. Within six (6) months of the permit effective date, the permittee(s) shall develop a plan utilizing wet and dry weather screening, industrial and high risk monitoring, and representative monitoring results to identify at least three (3) additional monitoring sites within the MS4.

a. Additional monitoring sites shall be located at sensitive areas or areas indicated as potential sources of pollution to the MS4.

b. Monitoring may be for specific pollutants and for abbreviated periods of time.

c. The SWMP shall be updated to include the additional monitoring sites identified. Monitoring of pollutants listed at Tables XII.A and XII.B shall comply with the required monitoring frequency beginning with the subsequent monitoring period or follow the monitoring strategy (pollutants and

monitoring frequency) developed in accordance with Part III.A.3.b above. Monitoring results shall be reported in the Annual Report.

4. **Storm Event Data**. For Part III.A.1 and any additional sampling conducted for Part III.A.3, quantitative data shall be collected to estimate pollutant loadings and event mean concentrations for each parameter sampled. Records shall be maintained of all analytical results, the date and duration (in hours) of the storm event(s) sampled; rainfall measurements or estimates (in inches) of the storm event which generated the sampled runoff; the duration (in hours) between the storm event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) storm event; and an estimate of the total volume (in gallons) of the discharge sampled.

5. **Sample Type, Collection, and Analysis**. The following requirements apply only to storm event discharge samples collected for Parts III.A.1 and III.A.3.

a. Composite Samples: Flow-weighted composite samples shall be collected as follows:

   i. Composite Method – Flow-weighted composite samples may be collected manually or automatically. For both methods, equal volume aliquots may be collected at the time of sampling and then flow-proportioned and composited in the laboratory, or the aliquot volume may be collected based on the flow rate at the time of sample collection and composited in the field.

   ii. Sampling Duration – Samples shall be collected for at least the first three (3) hours of discharge. Where the discharge lasts less than three (3) hours, the entire discharge must be sampled.

   iii. Aliquot Collection – A minimum of three (3) aliquots per hour, separated by at least fifteen (15) minutes, shall be collected. Where more than three (3) aliquots per hour are collected, comparable intervals between aliquots shall be maintained (e.g. six aliquots per hour, at least seven (7) minute intervals).

b. Grab Samples: Grab samples shall be taken during the first two (2) hours of discharge.

c. Representative Storm Events: Samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least seventy-two (72) hours from the previously measurable (greater than 0.1 inch rainfall) storm event.

   The required seventy-two (72) hour storm event interval is waived where the preceding measurable storm event did not result in a measurable discharge. The required seventy-two (72) hour storm event interval is also waived where the permittee(s) documents that less than a seventy-two (72) hour interval is representative for local storm events during the season when sampling is being conducted.

d. Analytical Methods: Analysis and collection of samples shall be done in accordance the methods specified at 40 CFR §136. Where an approved 40 CFR §136 method does not exist, any available method may be used unless a particular method or criteria for method selection (such as sensitivity) has been specified in the permit. The minimum quantification levels (MQLs) at Table XII.B are to be used for reporting pollutant data for NPDES permit applications and/or compliance reporting.

6. **Seasonal Loadings and Event Mean Concentrations**. All necessary sampling data shall be collected to provide estimates for each major outfall (or appropriate sub-watershed) of seasonal pollutant loadings and event mean concentrations for a representative storm event for the parameters listed in Table XII.A - Representative Monitoring Annual Requirements and XII.B – Representative Monitoring Biennial Requirements. This information may be estimated from the representative monitoring locations and shall take into consideration land uses and drainage areas for the outfall. A cumulative estimate of seasonal loadings and event mean concentrations shall be developed each year and reported in each annual report.

B. FLOATABLES MONITORING. The permittees shall establish locations for monitoring floatable material in discharges to and/or from their MS4. Floatable material shall be monitored at least twice per year, as described at Part VI, Table VII and below, and the amount of collected material shall be estimated in cubic yards.

1. Albuquerque/AMAFCA - two (2) stations (one (1) station should be located in the North Diversion Channel system above the Pueblo of Sandia), and
2. NMDOT and UNM - one (1) station each.

C. INDUSTRIAL AND HIGH RISK RUNOFF MONITORING. Each permittee shall monitor stormwater discharges from Type 1 and 2 industrial facilities which discharge to the MS4 provided such facilities are located in their jurisdiction. (Note: If no such facilities are in a co-permittee's jurisdiction, that co-permittee may certify that this program element does not apply.) Permittees shall:

1. Conduct analytical monitoring of Type 1 facilities that discharge to the MS4. Type 1 facilities are municipal landfills; hazardous waste treatment, disposal and recovery facilities; facilities that are subject to EPCRA Title III, Section 313; and industrial facilities the permittee(s) determines are contributing a substantial pollutant loading to the MS4.

a. The following parameters shall be monitored:
   - any pollutants limited in an existing NPDES permit for a subject facility;
   - oil and grease;
   - chemical oxygen demand (COD);
   - pH;
   - biochemical oxygen demand, five-day (BOD_5);
   - total suspended solids (TSS);
   - total phosphorous;
   - total Kjeldahl nitrogen (TKN);
   - nitrate plus nitrite nitrogen;
   - any discharge information required under 40 CFR §122.21(g)(7)(iii) and (iv);
   - total cadmium;
   - total chromium;
   - total copper;
   - total lead;
   - total nickel;
   - total silver;
   - total zinc; and,
   - PCBs.

b. Frequency of monitoring shall be established by the permittee(s), but may not be less than once per year;

c. In lieu of the above parameter list, the permittee(s) may alter the monitoring requirement for any individual Type 1 facility:

   i. To coincide with the corresponding industrial sector-specific monitoring requirements of the 2008 Multi-Sector General Stormwater Permit or any applicable general permit issued after September 2008. This exception is not contingent on whether a particular facility is actually covered by the general permit; or

   ii. To coincide with the monitoring requirements of any individual permit for the stormwater discharges from that facility, and

   iii. Any optional monitoring list must be supplemented by pollutants of concern identified by the permittee(s) for that facility.

2. Conduct appropriate monitoring (e.g. analytic, visual), as determined by the permittee(s), at Type 2 facilities that discharge to the MS4. Type 2 facilities are other municipal waste treatment, storage, or disposal facilities (e.g. POTWs, transfer stations, incinerators) and industrial or commercial facilities the permittee(s) believed contributing pollutants to the MS4. The permittee shall include in

each annual report, a list of parameters of concern and monitoring frequencies required for each type of facility;

3. May use analytical monitoring data, on a parameter-by-parameter basis, that a facility has collected to comply with or apply for a State or NPDES discharge permit (other than this permit), so as to avoid unnecessary cost and duplication of effort;

4. May allow the facility to test only one (1) outfall and to report that the quantitative data also apply to the substantially identical outfalls if:

a. A Type 1 or Type 2 industrial facility has two (2) or more outfalls with substantially identical effluents, and

b. Demonstration by the facility that the stormwater outfalls are substantially identical, using one (1) or all of the following methods for such demonstration. The NPDES Stormwater Sampling Guidance Document (EPA 833-B-92-001), available on EPA's website at provides detailed guidance on each of the three options: (1) submission of a narrative description and a site map; (2) submission of matrices; or (3) submission of model matrices.

5. May accept a copy of a "no exposure" certification from a facility made to EPA under 40 CFR §122.26(g), in lieu of analytic monitoring.

D. TOXICITY MONITORING TO PROTECT LISTED THREATENED AND ENDANGERED SPECIES (24-HOUR ACUTE NOEC FRESHWATER). It is unlawful and a violation of this permit for a permittee or a designated agent, to manipulate test samples in any manner, to delay sample shipment, or to terminate or to cause to terminate a toxicity test. Once initiated, all toxicity tests must be completed unless specific authority has been granted by EPA or NMED.

1. Conduct monitoring to collect samples and test stormwater for its toxic effects on the fathead minnow *(Pimephales promalas*) and *daphnia pulex*. The monitoring strategy shall include all elements of Part III.D and specific requirements in Part VI, Table VIII:

a. include monitoring of one (1) storm event per year, at minimum, for the NPDES permit term,

b. comply with EPA 24-hour LC_{50} acute toxicity monitoring and testing described below,

c. provide EPA with monitoring data, in accordance with the annual reporting requirements in PART III.H,

d. notify the EPA immediately upon the detection of any toxicity (addresses provided in Part III.J). Toxicity is defined as an LC_{50} of <100 percent effluent, and

e. compile a final report to be submitted to EPA four (4) years and six (6) months from the effective date of that permit that contains:

   i. all results of toxicity testing,

   ii. an evaluation of the toxicants (if any), and

   iii. the permittees actions to eliminate that toxicity, including activities ongoing during the current permit term and any needed activities which would extend past the five (5) year permit term.

2. **Scope and Methodology**

a. The permittee shall test the effluent for toxicity in accordance with the provisions in this section.

APPLICABLE TO:	North Diversion Channel where it enters the main channel of the Rio Grande, with permission of the Pueblo of Sandia
CRITICAL DILUTION (%):	100%
EFFLUENT DILUTION SERIES (%):	0%, 12.5%, 25%, 50% 75%, 100%
SAMPLE TYPE:	Grab

TEST SPECIES/METHODS: 40 CFR §136

Daphnia pulex acute static non-renewal 24-hour definitive toxicity test using EPA-821-R-02-012, or the latest update thereof. A minimum of five (5) replicates with eight (8) organisms per replicate must be used in the control and in each effluent dilution of this test.

Pimephales promelas (Fathead minnow) acute static non-renewal 24-hour definitive toxicity test using EPA-821-R-02-012, or the latest update thereof. A minimum of five (5) replicates with eight (8) organisms per replicate must be used in the control and in each effluent dilution of this test.

b. The LC_{50} is defined as the effluent concentration which causes fifty (50) percent or greater mortality at the end of the exposure period. Test failure is defined as a demonstration fifty (50) percent or greater mortality at test completion (24 hours).

c. This permit may be reopened to require whole effluent toxicity limitations, chemical specific effluent limitations, additional testing, and/or other appropriate actions to address toxicity.

d. This permit does not establish requirements to automatically increase the WET testing frequency after a test failure, or to begin a toxicity reduction evaluation (TRE) in the event of multiple test failures. However, upon failure of any WET test, the permittee must report (addresses provided in Part III.G) the test results to EPA and NMED, Surface Water Quality Bureau, in writing, within five (5) business days of notification the test failure. EPA will determine appropriate action if necessary.

3. **Required Toxicity Testing Conditions**

a. Test Acceptance: The permittee shall repeat a test, including the control and all effluent dilutions, if the procedures and quality assurance requirements defined in the test methods or in this permit are not satisfied, including the following additional criteria:

   i. Each toxicity test control (0% effluent) must have a survival equal to or greater than ninety (90) percent.

   ii. The percent coefficient of variation between replicates shall be forty (40) percent or less in the control (0% effluent) for: *Daphnia pulex* survival test; and Fathead minnow survival test.

   iii. The percent coefficient of variation between replicates shall be forty (40) percent or less in the critical dilution, unless significant lethal effects are exhibited for: *Daphnia pulex* survival test; and Fathead minnow survival test.

   Test failure may not be construed or reported as invalid due to a coefficient of variation value of greater than forty (40) percent. A repeat test shall be conducted within the required reporting period of any test determined to be invalid.

b. Statistical Interpretation: For the *Daphnia pulex* survival test and the Fathead minnow survival test, the statistical analyses used to determine if there is a statistically significant difference between the control and the critical dilution shall be in accordance with the methods for determining the LC_{50} EPA-821-R-02-012 or the most recent update thereof.

c. Samples and Composites

   i. The permittee shall collect one (1) grab composite sample from the monitoring location listed at Item 2.a above.

   ii. The maximum holding time for any effluent sample shall not exceed thirty-six (36) hours. The toxicity test must be initiated within thirty-six (36) hours after the collection of grab sample. Samples shall be chilled to six (6) degrees Centigrade during collection, shipping, and/or storage.

   iii. The permittee must collect samples such that the effluent samples are representative of any periodic storm event discharged on an intermittent basis.

4. **Reporting**

a. The permittee shall prepare a full report of the results of all tests conducted pursuant to this Part in accordance with the Report Preparation Section of EPA-821-R-02-012, for every valid or invalid toxicity test initiated, whether carried to completion or not. The permittee shall retain each full report pursuant to the provisions of PART IV.P of this permit. The permittee shall submit full reports upon the specific request of the Agency. For any test which fails, is considered invalid or which is terminated early for any reason, the full report must be submitted for agency review.

b. A valid test for each species must be reported during each reporting period specified in PART III.H of this permit unless the permittee is performing a TRE which may increase the frequency of testing and reporting. Only ONE (1) set of biomonitoring data for each species is to be recorded for each reporting period. The data submitted should reflect the LOWEST Survival results for each species during the reporting period. All invalid tests, repeat tests (for invalid tests), and retests (for tests previously failed) performed during the reporting period must be attached for review.

c. The permittee shall report the following results of each valid toxicity test. Submit retest information, if required, clearly marked as such. Only results of valid tests are to be reported.

i. *Pimephales promelas* (Fathead minnow)

1) If the No Observed Effect Concentration (NOEC) for survival is less than the critical dilution.

2) Report the NOEC value for survival.

3) Report the highest (critical dilution or control) Coefficient of Variation.

ii. *Daphnia pulex*

1) If the NOEC for survival is less than the critical dilution.

2) Report the NOEC value for survival.

3) Report the highest (critical dilution or control) Coefficient of Variation.

E. WET WEATHER SCREENING OF MS4. Each permittee shall identify, investigate, and address areas within its jurisdiction that may be contributing excessive levels of pollutants to the Municipal Separate Storm Sewer System as a result of wet weather discharges. Results of the wet weather screening shall be provided in each annual report. The wet weather screening program shall be described in the SWMP and comply with the schedules contained in Table IX:

1. shall screen one-third (1/3) of the drainage area of MS4 within three (3) years of the effective date of this permit and complete screening 100 percent of the MS4 within five (5) years;

2. shall include sufficient screening points to adequately assess pollutant levels from all areas of the MS4 and at least five (5) screening points along each major drainage channel that drains 20 percent or more of the land area within the City of Albuquerque;

3. shall screen for BOD_5, sediment or a parameter addressing sediment (e.g., TSS or turbidity), *E. coli*, Oil and Grease, nutrients, and any pollutant that has been identified as a cause of impairment of a waterbody receiving discharges from that portion of the MS4;

4. shall specify the sampling and non-sampling techniques to be used for initial screening and follow-up purposes. Sample collection and analysis need not conform to the requirements of 40 CFR Part 136;

5. An assessment of wet weather screening results (including data from the previous permit term) shall be performed and benchmarked against national stormwater databases and data collected for the representative monitoring program;

6. Wet weather monitoring shall be performed only when the predicted (or actual) rainfall magnitude of a storm event is greater than 0.25 inches and an antecedent dry period of at least forty-eight (48)

hours after a rain event greater than 0.1 inch in magnitude is satisfied. Monitoring methodology will consist of collecting a minimum of four (4) grab samples spaced at a minimum interval of fifteen (15) minutes each commencing as soon as practicable after discharge commences. Individual grab samples shall be preserved and delivered to the laboratory where samples will be combined into a single composite sample from each monitoring location; and,

7. At the time of sampling, the permittee shall record any observed erosion of stream banks, scouring or sedimentation in streams, such as sand bars or deltas.

F. DRY WEATHER DISCHARGE SCREENING OF MS4. Each permittee shall identify, investigate, and address areas within its jurisdiction that may be contributing excessive levels of pollutants to the Municipal Separate Storm Sewer System as a result of dry weather discharges (i.e., discharges from separate storm sewers that occur without the direct influence of runoff from storm events , e.g. illicit discharges, allowable non-stormwater, groundwater infiltration, etc.). Results of the assessment shall be provided in each annual report. This program may be coordinated with the illicit discharge detection and elimination program. The dry weather screening program shall be described in the SWMP and comply with the schedules contained in Table X:

1. shall screen one-third (1/3) of the drainage area of MS4 within three (3) years of the effective date of this permit and complete screening 100 percent of the MS4 within five (5) years;

2. shall include sufficient screening points to adequately assess pollutant levels from all areas of the MS4 and at least five (5) screening points along each major drainage channel that drains 20 percent or more of the land area within the City of Albuquerque;

3. shall screen for, at a minimum, BOD_5, sediment or a parameter addressing sediment (e.g., TSS or turbidity), *E. coli*, Oil and Grease, nutrients, and any pollutant that has been identified as a cause of impairment of a waterbody receiving discharges from that portion of the MS4;

4. shall specify the sampling and non-sampling techniques to be used for initial screening and follow-up purposes. Sample collection and analysis need not conform to the requirements of 40 CFR Part 136; and,

5. shall be performed only when an antecedent dry period of at least seventy-two (72) hours after a rain event greater than 0.1 inch in magnitude is satisfied. Monitoring methodology shall consist of collecting a minimum of four (4) grab samples spaced at a minimum interval of fifteen (15) minutes each. Grab samples will be combined into a single composite sample from each station, preserved, and delivered to the laboratory for analysis. A flow weighted automatic composite sample may also be used.

G. IMPAIRED RECEIVING WATERS WET WEATHER ASSESSMENT OF POTENTIAL WATER QUALITY IMPACTS. The permittees shall conduct wet weather monitoring to gather information on the response of impaired receiving waters to wet weather discharges from the MS4. Results of the assessment shall be provided in each annual report. The receiving water impact assessment program shall be described in the SWMP and comply with the schedules contained in Table XI:

1. shall perform annual in-stream wet weather monitoring for all constituents listed at Part VI. Tables XII.A and XII.B at all locations tributary to impaired waters (at the point where they enter the Rio Grande and if originating outside the MS4, where it enters the MS4) listed under CWA §303(d), plus one (1) location located upstream of the MS4. Specific monitoring locations shall be established by the permittee and may take advantage of monitoring stations/efforts utilized by the permittees or others and data collected at such stations to satisfy part, or all, of this requirement provided the data collection by that party meets the requirements of this part;

2. shall perform annual in-stream wet weather monitoring for the impaired water pollutant(s) of concern at one (1) location upstream of the MS4 and one (1) downstream of the last MS4 drainage area entering the impaired water;

3. shall perform wet weather monitoring for the impaired water pollutant(s) of concern at 100 percent of the MS4 drainage areas tributary to the impaired waterbody within five (5) years from the effective date and for at least one-third (1/3) of those MS4 areas within three (3) years;

4. wet weather monitoring shall be performed only when the predicted (or actual) rainfall magnitude of a storm event is greater than 0.25 inches and an antecedent dry period of at least forty-eight (48) hours after a rain event greater than 0.1 inch in magnitude is satisfied. Monitoring methodology will consist of collecting a minimum of four (4) grab samples spaced at a minimum interval of fifteen (15) minutes each. Individual grab samples shall be preserved and delivered to the laboratory where samples will be combined into a single composite sample from each monitoring location.

5. monitoring methodology at each MS4 monitoring location shall consist of a minimum of four (4) grab samples spaced at a minimum interval of fifteen (15) minutes each (or a flow weighted automatic composite), collected during any portion of the monitoring location's discharge hydrograph (i.e. first flush, rising limb, peak, and falling limb) after a discernable increase in flow at the tributary inlet. In order to accommodate the timely completion of all required monitoring, no minimum rainfall magnitude or antecedent dry period criterion need be established beyond the requirement that qualifying storm events be sufficient in magnitude to generate stormwater runoff and resultant discharge at the monitoring locations or discernable increased flow at tributary inlets to be monitored.

H. ANNUAL REPORT. Each permittee shall contribute to the preparation of an annual system-wide report to be submitted by no later than **April 1st.** The report shall cover the previous year from **January 1st to December 31st** and include the below separate sections, with an overview for the entire MS4 and subsections for each permittee. Additionally, the year one (1) and year four (4) annual report shall include submittal of a complete SWMP revision.

1. **SWMP(s) status of implementation**: shall include the status of compliance with all schedules established under this permit and the status of actions required in Parts I, III, and VI.

2. **SWMP revisions**: shall include revisions, if necessary, to the assessments of controls and the fiscal analysis reported in the permit application under 40 CFR §122.26(d)(2)(iv), §122.26(d)(2)(v), and §122.34 are to be included, as well as a cumulative list of all SWMP revisions during the permit term.

3. **Performance assessment**: shall include:

a. an assessment of performance in terms of measurable goals, including, but not limited to, a description of the number and nature of enforcement actions and inspections, public education and public involvement efforts;

b. a summary of the data, including monitoring data, that is accumulated throughout the monitoring year (**October 1 to September 30**); actual values of representative monitoring results shall be included, if results are above minimum quantification level (MQL); and

c. an identification of water quality improvements or degradation.

4. **Annual expenditures**: for the reporting period, with a breakdown for the major elements of the stormwater management program and the budget for the year following each annual report.

5. **Annual Report Responsibilities**: Preparation and submittal of a system-wide report shall be coordinated by the City of Albuquerque. The report shall indicate which, if any, permittee(s) have failed to provide the required information on the portions of the MS4 for which they are responsible to the City of Albuquerque.

a. Joint responsibility for report submission shall be limited to participation in preparation of the overview for the entire system and inclusion of the identity of any permittee who failed to provide input to the annual report.

b. Individual permittees shall be individually responsible for content of the report relating to the portions of the MS4 for which they are responsible and for failure to provide information for the system-wide annual report no later than March 1st of each year. The annual report shall be signed and certified, in accordance with Part IV.H and include a statement or resolution that the

permittee's governing body or agency (or delegated representative) has reviewed or been apprised of the content of the Annual Report. Annual report shall be due no later than April 1st of each year.

I. CERTIFICATION AND SIGNATURE OF REPORTS. All reports required by the permit and other information requested by the EPA shall be signed and certified in accordance with Part IV.H.

J. REPORTING: WHERE AND WHEN TO SUBMIT

1. Representative monitoring results (Part III.A.1) and toxicity monitoring results (Part III.D.1) obtained during the reporting period running from **October 1st** to **September 30th** shall be submitted on discharge monitoring report (DMR) forms along with the annual report required by Part III.H. For the representative monitoring results, a separate DMR form is required for each monitoring period (season) specified in Part III.A.1.

2. Signed copies of DMRs required under Part III, the Annual Report required by Part III.H, and all other reports required herein, shall be submitted to:

U.S. EPA, Region 6
Compliance Assurance and Enforcement Division
Water Enforcement Branch (6EN-WC)
1445 Ross Avenue
Dallas, Texas 75202-2733

3. Requests for SWMP updates, modifications in monitoring locations, or application for an individual permit shall, be submitted to:

U.S. EPA, Region 6
Water Quality Protection Division
Operations Support Office (6WQ-O)
1445 Ross Avenue
Dallas, Texas 75202-2733

4. Additional Notification. Permittee(s) shall also provide copies of DMRs, annual reports, requests for SWMP updates, items for compliance with permit requirements for TMDL implementation (Tables I, II.A, II.B1 and 2, II.C, III, IV, and V), programs or changes in monitoring locations, and all other reports required herein, to:

New Mexico Environment Department
Surface Water Quality Bureau
1190 St. Francis Drive
P.O. Box 5469
Santa Fe, New Mexico 87502

Scott Bulgrin, Water Quality Manager
Pueblo of Sandia
481 Sandia Loop
Bernalillo, NM 87004

Natural Resources Department Director
Pueblo of Isleta
P.O. Box 1270
Isleta, NM 87022

PART IV. STANDARD PERMIT CONDITIONS

A. DUTY TO COMPLY. The permittee(s) must comply with all conditions of this permit insofar as those conditions are applicable to each permittee, either individually or jointly. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

B. PENALTIES FOR VIOLATIONS OF PERMIT CONDITIONS. The EPA will adjust the Civil and administrative penalties listed below in accordance with the Civil Monetary Penalty Inflation Adjustment Rule (Federal Register: Dec. 31, 1996, Volume 61, No. 252, pages 69359-69366, as corrected, March 20, 1997, Volume 62, No. 54, pages 13514-13517) as mandated by the Debt Collection Improvement Act of 1996 for inflation on a periodic basis. This rule allows EPA's penalties to keep pace with inflation. The Agency is required to review its penalties at least once every four years thereafter and to adjust them as necessary for inflation according to a specified formula. The civil and administrative penalties listed below were adjusted for inflation starting in 1996.

1. **Criminal Penalties**.

a. Negligent Violations: The Act provides that any person who negligently violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a fine of not less than $2,500 nor more than $25,000 per day of violation, or by imprisonment for not more than one (1) year, or both.

b. Knowing Violations: The Act provides that any person who knowingly violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a fine of not less than $5,000 nor more than $50,000 per day of violation, or by imprisonment for not more than three (3) years, or both.

c. Knowing Endangerment: The Act provides that any person who knowingly violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act and who knows at that time that he is placing another person in imminent danger of death or serious bodily injury is subject to a fine of not more than $250,000, or by imprisonment for not more than fifteen (15) years, or both.

d. False Statement: The Act provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Act or who knowingly falsifies, tampers with, or renders inaccurate, any monitoring device or method required to be maintained under the Act, shall upon conviction, be punished by a fine of not more than $10,000 or by imprisonment for not more than two (2) years, or by both. If a conviction is for a violation committed after a first conviction of such person under this paragraph, punishment shall be by a fine of not more than $20,000 per day of violation, or by imprisonment of not more than four (4) years, or by both. (See Section 309(c)(4) of the Act).

2. **Civil Penalties**. The Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a civil penalty not to exceed $27,500 per day for each violation.

3. **Administrative Penalties**. The Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to an administrative penalty, as follows:

a. Class I penalty: Not to exceed $11,000 per violation nor shall the maximum amount exceed $27,500.

b. Class II penalty: Not to exceed $11,000 per day for each day during which the violation continues nor shall the maximum amount exceed $137,500.

C. DUTY TO REAPPLY. If the permittee wishes to continue an activity regulated by this permit after the permit expiration date, the permittee must apply for and obtain a new permit. The application shall be submitted at least 180 days prior to expiration of this permit. The EPA may grant permission to submit an application less than 180 days in advance but no later than the permit expiration date. Continuation of expiring permits shall be governed by regulations promulgated at 40 CFR §122.6 and any subsequent amendments.

D. NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

E. DUTY TO MITIGATE. The permittee(s) shall take all reasonable steps to control or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

F. DUTY TO PROVIDE INFORMATION. The permittee(s) shall furnish to the EPA, within a time specified by the EPA, any information which the EPA may request to determine compliance with this permit. The permittee(s) shall also furnish to the EPA upon request copies of records required to be kept by this permit.

G. OTHER INFORMATION. When the permittee becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in any report to the EPA, he or she shall promptly submit such facts or information.

H. SIGNATORY REQUIREMENTS. For a municipality, State, or other public agency, all DMRs, SWMPs, reports, certifications or information either submitted to the EPA or that this permit requires be maintained by the permittee(s), shall be signed by either a:

1. principal executive officer or ranking elected official; or
2. duly authorized representative of that person. A person is a duly authorized representative only if:

a. The authorization is made in writing by a person described above and submitted to the EPA.

b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company. A duly authorized representative may thus be either a named individual or any individual occupying a named position.

3. If an authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new written authorization satisfying the requirements of this paragraph must be submitted to the EPA prior to or together with any reports, information, or applications to be signed by an authorized representative.

4. Certification: Any person signing documents under this section shall make the following certification: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

I. PENALTIES FOR FALSIFICATION OF MONITORING SYSTEMS. The Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by fines and imprisonment described in Section 309 of the Act.

J. OIL AND HAZARDOUS SUBSTANCE LIABILITY. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under section 311 of the Act or section 106 of CERCLA.

K. PROPERTY RIGHTS. The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

L. SEVERABILITY. The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

M. REQUIRING A SEPARATE PERMIT.

1. The EPA may require any co-permittee authorized by this permit to obtain a separate NPDES permit. Any interested person may petition the EPA to take action under this paragraph. The Director may require any co-permittee authorized to discharge under this permit to apply for a separate NPDES permit only if the co-permittee has been notified in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form (as necessary), a statement setting a deadline for the co-permittee to file the application, and a statement that on the effective date of the separate NPDES permit, coverage under this permit shall automatically terminate. Separate permit applications shall be submitted to the address shown in Part III.J. The EPA may grant additional time to submit the application upon request of the applicant. If an owner or operator fails to submit, prior to the deadline of the time extension, a separate NPDES permit application as required by the EPA, then the applicability of this permit to the co-permittee is automatically terminated at the end of the day specified for application submittal.

2. Any co-permittee authorized by this permit may request to be excluded from the coverage of this permit by applying for a separate permit. The co-permittee shall submit a separate application as specified by 40 CFR §122.26(d) with reasons supporting the request to the Director. Separate permit applications shall be submitted to the address shown in Part III.J. The request may be granted by the issuance of a separate permit if the reasons cited by the co-permittee are adequate to support the request.

N. STATE / ENVIRONMENTAL LAWS.

1. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by section 510 of the Act.

2. No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.

O. PROPER OPERATION AND MAINTENANCE. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit and with the requirements of stormwater management programs. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by a permittee only when necessary to achieve compliance with the conditions of the permit.

P. MONITORING AND RECORDS.

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

2. The permittee shall retain records of all monitoring information including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation,

copies of the reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the EPA at any time.

3. Records of monitoring information shall include:

a. The date, exact place, and time of sampling or measurements;

b. The initials or name(s) of the individual(s) who performed the sampling or measurements;

c. The date(s) analyses were performed;

d. The time(s) analyses were initiated;

e. The initials or name(s) of the individual(s) who performed the analyses;

f. References and written procedures, when available, for the analytical techniques or methods used; and

g. The results of such analyses, including the bench sheets, instrument readouts, computer disks or tapes, etc., used to determine these results.

Q. MONITORING METHODS. Monitoring must be conducted according to test procedures approved under 40 CFR §136, unless other test procedures have been specified in this permit. The minimum quantification levels (MQLs) at Table XI.B are to be used for reporting pollutant data for NPDES permit applications and/or compliance reporting.

R. INSPECTION AND ENTRY. The permittee shall allow the EPA or an authorized representative of EPA, or the State, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;

2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit;

3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Act, any substance or parameters at any location.

S. PERMIT ACTIONS. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

T. ADDITIONAL MONITORING BY THE PERMITTEE(S). If the permittee monitors more frequently than required by this permit, using test procedures approved under 40 CFR §136 or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report (DMR). Such increased monitoring frequency shall also be indicated on the DMR.

U. ARCHEOLOGICAL AND HISTORIC SITES. This permit does not authorize any stormwater discharges nor require any controls to control stormwater runoff which are not in compliance with any historic preservation laws.

1. In accordance with the Albuquerque Archaeological Ordinance (Section 2-12-2, 14-16-5, and 14-14-3-4), an applicant for either:

a. A preliminary platt for any subdivision that is five acres or more in size; or

b. A site development plan or master development plan for a project that is five acres or more in size on property that is zoned SU-1 Special Use, IP Industrial Park, an SU-2 zone that requires site plan review, PC Planned Community with a site, or meets the Zoning Code definition of a Shopping Center must first obtain either a Certificate of No Effect or a Certificate of Approval from the City Archaeologist. Details of the requirements for a Certificate of No Effect or a Certificate of Approval are described in the ordinance. Failure to obtain a certificate as required by ordinance shall subject the property owner to the penalties of §1-1-99 ROA 1994.

2. If municipal excavation and/or construction projects implementing requirements of this permit will result in the disturbance of previously undisturbed land, and the project is not required to have a separate NPDES permit (e.g. general permit for discharge of stormwater associated with construction activity), then the permittee may seek authorization for stormwater discharges from such sites of disturbance by:

a. Submitting, thirty (30) days prior to commencing land disturbance, the following to the State Historic Preservation Officer (SHPO) and to appropriate Tribes and Tribal Historic Preservation Officers for evaluation of possible effects on properties listed or eligible for listing on the National Register of Historic Places:

   i. A description of the construction or land disturbing activity and the potential impact that this activity may have upon the ground, and

   ii. A copy of a USGS topographic map outlining the location of the project and other ancillary impact areas.

   iii. The addresses of the SHPO and Sandia Pueblo are:

State Historic Preservation Officer
New Mexico Historic Preservation Division
Bataan Memorial Building
407 Galisteao Street, Ste. 236
Santa Fe, New Mexico 87501

Scott Bulgrin, Water Quality Manager
Pueblo of Sandia
481 Sandia Loop
Bernalillo, New Mexico 87004

Natural Resources Department Director
Pueblo of Isleta
P.O. Box 1270
Isleta Pueblo, New Mexico 87022

3. If the permittee receives a request for an archeological survey or notice of adverse effects from the SHPO, the permittee shall delay such activity until:

a. A cultural resource survey report has been submitted to the SHPO for a review and a determination of no effect or no adverse effect has been made, and

b. If an adverse effect is anticipated, measures to minimize harm to historic properties have been agreed upon between the permittee and the SHPO.

4. If the permittee does not receive notification of adverse effects or a request for an archeological survey from the SHPO within thirty (30) days, the permittee may proceed with the activity.

5. Alternately, the permittee may obtain authorization for stormwater discharges from such sites of disturbance by applying for a modification of this permit. The permittee may apply for a permit modification by submitting the following information to the Permitting Authority 180 days prior to commencing such discharges:

a. A letter requesting a permit modification to include discharges from activities subject to this provision, in accordance with the signatory requirements in Part IV.H.

b. A description of the construction or land disturbing activity and the potential impact that this activity may have upon the ground; County in which the facility will be constructed; type of facility to be constructed; size area (in acres) that the facility will encompass; expected date of construction; and whether the facility is located on land owned or controlled by any political subdivision of New Mexico; and

c. A copy of a USGS topographic map outlining the location of the project and other ancillary impact areas.

PART V. PERMIT MODIFICATION

A. MODIFICATION OF THE PERMIT. The permit may be reopened and modified, in accordance with 40 CFR §122.62, §122.63, and §124.5, during the life of the permit to address:

1. Changes in the State's Water Quality Management Plan, including Water Quality Standards;
2. Changes in applicable water quality standards, statutes or regulations;
3. A new permittee who is the owner or operator of a portion of the MS4;
4. Changes in portions of the SWMP that are considered permit conditions;
5. Construction activities implementing requirements of this permit that will result in the disturbance of previously undisturbed land and not required to have a separate NPDES permit; or
6. Other modifications deemed necessary by the EPA to meet the requirements of the Act.

B. TERMINATION OF COVERAGE FOR A SINGLE PERMITEE. Permit coverage may be terminated, in accordance with the provisions of 40 CFR §122.64 and §124.5, for a single permittee without terminating coverage for other permittees.

C. MODIFICATION OF THE SWMP(s). Only those portions of the SWMPs specifically required as permit conditions shall be subject to the modification requirements of 40 CFR §124.5. Addition of components, controls, or requirements by the permittee(s); replacement of an ineffective or infeasible control implementing a required component of the SWMP with an alternate control expected to achieve the goals of the original control; and changes required as a result of schedules contained in Part VI shall be considered minor changes to the SWMP and not modifications to the permit. (See also Part I.C.6)

D. CHANGES IN REPRESENTATIVE MONITORING SITES. Changes in monitoring sites, other than those with specific numeric effluent limitations (as described in Part III.A.1.c), shall be considered minor modifications to the permit and shall be made in accordance with the procedures at 40 CFR §122.63.

PART VI. SCHEDULES FOR IMPLEMENTATION AND COMPLIANCE.

A. IMPLEMENTATION AND AUGMENTATION OF THE SWMP(s). The permittee(s) shall comply with all elements identified in Parts I and III, and the schedules contained in Tables I.A, I.B, I.C, I.D, I.E, I.F, I.G, I.H, I.I, II.A, II.B, II.C, III, IV, V, VI, VII, VIII, IX, X, XI, XII.A., XII.B, and XII.C for SWMP implementation and augmentation, and permit compliance. The EPA shall have sixty (60) days from receipt of a modification or augmentation made in compliance with Part VI to provide comments or request revisions. During the initial review period, EPA may extend the time period for review and comment. The permittee(s) shall have thirty (30) days from receipt of the EPA's comments or required revisions to submit a response. All changes to the SWMP or monitoring plans made to comply with schedules in Tables I.A, I.B, I.C, I.D, I.E, I.F, I.G, I.H, I.I, II.A, II.B, II.C, III, IV, V, VI, VII, VIII, IX, X, XI, XII.A, XII.B, and XII.C must be approved by EPA prior to implementation.

B. COMPLIANCE WITH EFFLUENT LIMITATIONS. Reserved.

C. REPORTING COMPLIANCE WITH SCHEDULES. No later than fourteen (14) days following a date for a specific action (interim milestone or final deadline) identified in the Part VI schedule(s), the permittee(s) shall submit a written notice of compliance or noncompliance to the EPA in accordance with Part III.J.

D. MODIFICATION OF THE SWMP(s). The permittee(s) shall modify its SWMP, as appropriate, in response to modifications required in Part VI.A. Such modifications shall be made in accordance with Part V.C.

TABLE I.A: Construction Site Stormwater Runoff Control

Activity	Responsible Permittee(s)	Compliance Due Date
A. As described in **Part I.C.5.a**, the permittee shall, in the Construction Site Stormwater Runoff Control Program, coordinate all departments and boards with jurisdiction over the planning, review, permitting, or approval of public and private construction activities within the permit area to ensure that the program controls or eliminates erosion and maintains sediment on site. The program shall address stormwater management during construction and include in the SWMP a description of the mechanism(s) utilized to comply with each of the following elements: 1) an ongoing program to assess, implement, and enforce the existing program to control stormwater discharges from construction activities that result in a land disturbance of greater than or equal to one (1) acre. 2) a procedure or system to review, update, and/or enact an ordinance(s) or other appropriate legal authority mechanism, that addresses stormwater runoff from construction sites one (1) acre or greater, to require developers and construction site operators to implement an erosion and sediment control program, control waste and properly dispose of wastes. 3) procedures for review of all site plans and pre-construction review meetings that consider stormwater controls or management practices of potential water quality impacts and ensure consistency with local and State sediment and erosion control requirements. 4) a procedure for development of an application process whereby the construction site operator describes the sediment and erosion control measures to be taken on the site. 5) procedures for site inspection (during construction) and enforcement of control measures, including provisions to ensure proper construction, operation, maintenance, and repair. 6) a procedure for providing education and training for permittee personnel, developers, construction site operators, contractors and supporting personnel. 7) procedures for keeping records of and tracking all regulated construction activities within the MS4, i.e. site reviews, inspections, inspection reports, warning letters and other enforcement documents.	Albuquerque AMAFCA NMDOT UNM	Within six (6) months of permit effective date
8) update the “NPDES Stormwater Management Guidelines for Construction and Industrial Activities Handbook” to be consistent with promulgated construction and development effluent limitation guidelines.	Albuquerque AMAFCA NMDOT UNM	Within six (6) months of issuance of the new Construction General Permit
9) conduct construction site inspections of 100 percent of construction projects each year. These inspections may be a component of a normal building inspection and may be tailored to the size and nature of the construction project. 10) include in each annual report, a summary of the number and frequency of site reviews, inspections and enforcement activities that are conducted annually and cumulatively during the permit term.	Albuquerque AMAFCA NMDOT UNM	During the permit term
B. Implementation of the program elements listed at A.1) through 10) above.	Albuquerque AMAFCA NMDOT UNM	Within one (1) year of permit effective date

TABLE I.B: Post-Construction Stormwater Management in New Development and Redevelopment

Activity	Responsible Permittee(s)	Compliance Due Date
A. As described in **Part I.C.5.b**, the permittee shall, in the Post-Construction Stormwater Management in New and Redevelopment Program, coordinate all departments and boards with jurisdiction over the planning, review, permitting, or approval of public and private new development and redevelopment projects/activities within the permit area to ensure the hydrology associated with new development and redeveloped sites mimic the pre-development hydrology of the previously undeveloped site. The program shall address post-construction stormwater management and include the following elements in the SWMP: 1) procedure or system to review and update, as necessary, the existing program to ensure that stormwater controls or management practices for new development and redevelopment practices/activities disturbing greater than or equal to one (1) acre, including projects less than one (1) acre that are part of a larger common plan of development or sale, continue to meet the requirements and objectives of the permit. 2) procedure or system to review, update, and/or enact an ordinance(s) or other appropriate legal authority mechanism, as necessary to ensure implementation of the SWMP. 3) procedures for site inspection and enforcement to ensure proper long-term operation, maintenance, and repair of stormwater management practices that are put into place after the completion of construction projects/activities.	Albuquerque AMAFCA NMDOT UNM	Within one (1) year of permit effective date
4) procedure to develop and implement an educational program for project developers regarding designs to control water quality effects from stormwater, and a training program for plan review staff regarding stormwater standards, site design techniques and controls, including training regarding Green Infrastructure practices. 5) assessment of all existing codes, ordinances, planning documents and other applicable regulations, for impediments to the use of green infrastructure practices. 6) estimation of the number of acres of impervious area (IA) and directly connected impervious area (DCIA).	Albuquerque AMAFCA NMDOT UNM	Within eighteen (18) months of permit effective date
7) report of the assessment findings, which is to be used to provide information to the permittee, of the regulation changes necessary to remove impediments and allow implementation of green infrastructure practices. 8) citations and descriptions of design standards for structural and non-structural controls to control pollutants in stormwater runoff. Include discussion regarding methodology used during design for estimating impacts to water quality and for selecting appropriate structural and non-structural controls.	Albuquerque AMAFCA NMDOT UNM	Within two (2) years of permit effective date
9) implementation and enforcement, via ordinance and/or other enforceable mechanism(s), of site design standards that capture the 90th percentile storm event runoff to ensure the hydrology associated with new development and redevelopment sites mimic the pre-development hydrology of the previously undeveloped site except in instances where compliance with the pre-development hydrology conflicts with state water rights appropriations requirements. 10) an inventory and priority ranking of MS4-owned property and infrastructure (including public right-of-way) that may have the potential to be retrofitted with control measures designed to control the frequency, volume, and peak intensity of stormwater discharges to and from its MS4.	Albuquerque AMAFCA NMDOT UNM	Within thirty (30) months of permit effective date

11) a summary and analysis of all maintenance, inspections and enforcement, and the number and frequency of inspections performed annually shall be included in each annual report. 12) report the tabulated results of the number of acres of IA and DCIA and its estimation methodology in the first annual report. 13) estimations of the number of acres of IA and DCIA that have been added or removed during the prior year shall be submitted beginning with the second year annual report and each subsequent annual report. 14) a report on those MS4-owned properties and infrastructure that have been retrofitted with control measures designed to control the frequency, volume, and peak intensity of stormwater discharges shall be submitted beginning with the third year annual report and each subsequent annual report. 15) a cumulative listing of the annual modifications made to the Post-Construction Stormwater Management Program during the permit term, and a cumulative listing of annual revisions to administrative procedures made or ordinances enacted during the permit term shall be included in each annual report. 16) incorporation of watershed protection elements into all relevant policy and/or planning documents as they come up for regular review, yet no more than five years from the permit effective date.	Albuquerque AMAFCA NMDOT UNM	During the permit term

TABLE I.C: Pollution Prevention/Good Housekeeping for Municipal/Co-permittee Operations

Activity	**Responsible Permittee(s)**	**Compliance Due Date**
A. As described in **Part I.C.5.c**, the permittee shall review and enhance their current pollution prevention practices and develop new source control procedures to control the amount of pollutants in stormwater contributing to or discharging from its MS4. The program shall include the additional requirements listed in Part I.C.5.c for each of the below SWMP elements: 1) maintenance activities, maintenance schedules, and long-term inspection procedures for measures to control floatables and other pollutants. 2) measures to control or eliminate the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, waste transfer stations, fleet or maintenance shops with outdoor storage areas, and salt and sand storage locations and snow disposal areas. 3) procedures to properly dispose of waste removed from the MS4 and municipal operations, including dredge spoil, accumulated sediments, floatables, and other debris. 4) procedure to insure that new flood management projects are assessed for impacts on water quality and existing projects are re-assessed for incorporation of additional water quality protection devices or practices. 5) procedures to control the discharge of pollutants related to: 1) the storage and application of pesticides, herbicides, and fertilizers applied, by the permittee's employees or contractors, to public right-of-ways, parks, and other municipal property; and 2) commercial application and distribution of pesticides, herbicides, and fertilizers where permittee(s) hold jurisdiction over lands not directly owned by that entity (e.g. incorporated city). 6) procedures to control industrial runoff from facilities owned or operated by the permittees and ultimately discharge to the MS4. 7) development and implementation of an employee training program to incorporate pollution prevention and good housekeeping techniques into everyday operations and maintenance activities, including development of a tracking procedure.	Albuquerque AMAFCA NMDOT UNM	Within one (1) year of permit effective date
B. The permittee shall implement new program requirements listed in **Part I.C.5.c**, for the above-mentioned SWMP elements.	Albuquerque AMAFCA NMDOT UNM	Within eighteen (18) months of permit effective date

TABLE I.D: Industrial and High Risk Runoff (Note: If no such facilities are in a co-permittee's jurisdiction, that co-permittee may certify that this program element does not apply.)

Activity	Responsible Permittee(s)	Compliance Due Date
A. As described in **Part I.C.5.d**, the permittee shall: 1) continue implementation and enforcement of the Industrial and High Risk Runoff program; 2) assess the overall success of the program; and, 3) document both direct and indirect measurements of program effectiveness in annual reporting required in Part III.H.	Albuquerque AMAFCA NMDOT UNM	With each Annual Report during the permit term

TABLE I.E: Illicit Discharges and Improper Disposal

Activity	Responsible Permittee(s)	Compliance Due Date
A. As described in **Part I.C.5.e**, the permittees shall implement and enforce an illicit discharge detection and elimination (IDDE) program to systematically detect and eliminate illicit discharges (as defined at 40 CFR 122.26(b)(2)) entering the MS4, and to implement defined procedures to prevent illicit connections and illegal dumping into the MS4. The program shall include the following elements in the SWMP: 1) prohibition, through ordinance or other regulatory mechanism, of non-stormwater discharges into the stormwater system. 2) implementation of appropriate enforcement procedures and actions (including enforcement escalation procedures for recalcitrant or repeat offenders). 3) procedures for coordination with adjacent municipalities and/or state, tribal, or federal regulatory agencies to address situations where investigations indicate the illicit discharge originates outside the MS4 jurisdiction. 4) investigation of suspected significant/severe illicit discharges within forty-eight (48) hours of detection and all other discharges as soon as practicable; elimination of such discharges as expeditiously as possible; and, requirement of immediate cessation of illicit discharges upon confirmation of responsible parties. 5) review complaint records for the past permit term and develop a targeted source reduction program for those illicit discharge/improper disposal incidents that have occurred more than twice in two (2) or more years from different locations.	Albuquerque AMAFCA NMDOT UNM	Within six (6) months of permit effective date
6) review the existing permitting/certification program to ensure that any entity applying for the use of Right of Way implements controls in their construction and maintenance procedures to control pollutants entering the MS4.	NMDOT	Within six (6) months of permit effective date
B. As described in **Part I.C.5.e(v)**, the permittee shall, in the IDDE Program**:** 1) maintain adequate legal authority to implement the IDDE program to prohibit illicit discharges and investigate suspected illicit discharges. 2) maintain a map of their portion of the MS4 identifying all discharge points into waters of the United States and into major drainage channels draining more than twenty (20) percent of the MS4 area. 3) delineate the MS4 into catchments or basins; assess the illicit discharge potential of all catchments or basins; and begin	Albuquerque AMAFCA NMDOT UNM	Upon permit effective date

implementation of activities described in Part I.C.5.e(v)(3), unless otherwise noted, 4) implement methods for informing the general public of hazards associated with illegal discharges and improper disposal of waste, including training for public employees.		
5) submit as part of its updated SWMP, a description of the means, methods, quality assurance and controls protocols, and schedule for successfully implementing the required screening, field monitoring, laboratory analysis, investigations, and analysis evaluation of data collected. 6) update a written systematic procedure as soon as possible, but no later than six (6) months, for system screening, follow-up activities to locate source of suspected illicit discharges, or improper disposal, eliminating or requiring elimination of illicit discharges and to document the elimination of the illicit connection or discharge.	Albuquerque AMAFCA NMDOT UNM	Within six (6) months of permit effective date
7) develop and submit to EPA and NMED (and Pueblo of Sandia for North Diversion Channel), an initial priority ranking of the MS4 catchments or basins. 8) begin systematically locating illicit discharges using the procedure developed in accordance with Part I.C.5.e.(v)(3)(b).	Albuquerque AMAFCA NMDOT UNM	Within one (1) year of permit effective date
9) expeditiously revise as necessary, within no more than two (2) years, the existing permitting/certification program to ensure that any entity applying for the use of Right of Way implements controls in their construction and maintenance procedures to control pollutants entering the MS4.	NMDOT	During the permit term
10) enhance the existing program, within three (3) years, to utilize procedures and methodologies consistent with those described in "Illicit Discharge Detection and Elimination, A Guidance Manual for Program Development and Technical Assessments." 11) complete implementation of the IDDE activities, described in Part I.C.5.e(v) for one-third of (1/3) its total MS4 service area no later than three (3) years from the permit effective date, and for 100 percent for the MS4 within five (5) years. 12) complete the IDDE activities implementation for Problem Catchments defined in Part I.C.5.e(v)(2) within three (3) years and for the remainder of the system with five (5) years from the effective date of the permit.	Albuquerque AMAFCA NMDOT UNM	During the permit term

TABLE I.F: Control of Floatables Discharges

Activity	**Responsible Permittee(s)**	**Compliance Due Date**
A. As described in **Part I.C.5.f**, the permittee shall: 1) synthesize findings from the 2005 AMAFCA/COA Floatable and Gross Pollutant Study to develop a schedule for implementation of controls or additional study. 2) estimate the annual volume of floatables and trash removed from each control facility and characterize the floatable type.	Albuquerque AMAFCA NMDOT UNM	Within six (6) months of permit effective date

TABLE I.G: Waste Collection Programs

Activity	Responsible Permittee(s)	Compliance Due Date
A. As described in **Part I.C.5.g**, the permittee shall enhance programs for collecting motor vehicle fluids and household hazardous waste materials by: 1) increasing the frequency of collection days hosted. 2) expanding programs to include commercial fats, and oils and greases. 3) coordinating program efforts between applicable permittee departments.	Albuquerque AMAFCA NMDOT UNM	Within two (2) years of permit effective date

TABLE I.H: Public Education and Outreach on Stormwater Impacts

Activity	Responsible Permittee(s)	Compliance Due Date
A. As described in **Part I.C.5.i**, the existing Public Education and Outreach Program shall be modified to include: 1) a detailed description of the program and outreach activities, including methods for disseminating information; target audiences; target pollutants and sources addressed in the program; how target pollutants and sources were selected; estimation of people with whom you intend to communicate; and a schedule and/or frequency of activities. 2) a plan to target outreach to stakeholders listed in Part I.C.5.i(v)(5).	Albuquerque AMAFCA NMDOT UNM	Within six (6) months of permit effective date
3) the development and implementation of a program to promote, publicize and facilitate the use of green infrastructure practices. 4) an examination of impediments to implementing an integrated public education program regarding litter reduction, recycling and proper disposal, and green infrastructure practices. 5) a plan to leverage resources by combining outreach efforts with small MS4s in the Albuquerque Urbanized area.	Albuquerque AMAFCA NMDOT UNM	Within eighteen (18) months of permit effective date

TABLE I.I: Public Involvement and Participation

Activity	Responsible Permittee(s)	Compliance Due Date
A. As described in **Part I.C.5.j**, the permittee shall: 1) develop and implement a plan to encourage public involvement and provide opportunities for participation in the review, modification and implementation of the SWMP. 2) develop and implement a process by which public comments to the plan are received and reviewed by person(s) responsible for the SWMP. 3) make the SWMP available to the public and to the operator of any MS4 or Tribal Authority receiving discharges from the MS4.	Albuquerque AMAFCA NMDOT UNM	Within one (1) year of permit effective date

TABLE II.A: Discharges to Impaired Waters – Implementation of New Bacteria TMDL, Approved by EPA on June 30, 2010

Activity	Responsible Permittee(s)	Compliance Due Date
A. **Revision of Bacteria Target Values for Consistency with the New TMDL**. Review the current bacteria reduction program for consistency with new TMDL requirements and allocations. In consultation with NMED and EPA Region 6, revise target values included in the bacteria control plan, as necessary, based on the new TMDL. Adopt the new *E. coli* waste load allocations as measurable goals for the SWMP. 1) Submit certification of completion of review and revisions.	Albuquerque AMAFCA NMDOT UNM	Within three (3) months of permit effective date
B. **Revision of Monitoring Program** In consultation with NMED and EPA Region 6, revise the bacteria monitoring program as necessary for consistency with the new TMDL. The revised monitoring program must: 1) Use *E. coli* as the indicator parameter. 2) Provide information on discharges from all portions of the MS4 assigned a Waste Load Allocation (WLA) under the TMDL. The monitoring program may be a cooperative effort with other MS4 operators affected by the TMDL, may sample a portion of the system each year, and may include in-stream measurements as a component of the monitoring effort. The monitoring program must provide information on the entire system over the term of the permit sufficient to determine compliance with applicable WLAs and consistency with TMDL assumptions. Should the EPA-approved TMDL assign a WLA to the MS4 on a system-wide or area basis, the monitoring program may adopt a method for dividing the total WLA into an approximate partial allocation for comparison with data from the portion of the system being monitored (e.g. percent of total WLA compared to percentage of total area in the drainage being monitored). 3) Submit certification of completion of review and revisions. C. **Implementation of Revised Monitoring Program** Commence monitoring under the replacement *E. coli* TMDL monitoring program.	Albuquerque AMAFCA NMDOT UNM	Within three (3) months of permit effective date
D. **Annual TMDL Progress Reports**. The permittees shall submit annual reports describing progress on the activities required in **Table II.A** to comply with the Bacteria TMDL. The reports shall follow the requirements included in **Part III**. Results of the monitoring program shall be summarized in the Annual TMDL Progress Report, and shall include graphic representation of bacteria trends, along with computations of annual percent reductions achieved from the baseline loads and comparisons with the target loads.	Albuquerque AMAFCA NMDOT UNM	With First year and subsequent Annual Reports

TABLE II.B: Discharges to Impaired Waters – TMDL Waste Load Allocations (WLAs)[2] for *E. coli*: Rio Grande[1]

Rio Grande Assessment Unit	FLOW CONDITIONS & ASSOCIATED WLA (cfu/day)[3]				
	High	**Moist**	**Mid-Range**	**Dry**	**Low**
Isleta Pueblo boundary to Alameda Street Bridge (based on flow at USGS Station NM08330000)	3.36×10^{11}	8.41×10^{10}	5.66×10^{10}	2.09×10^{10}	4.67×10^{9}
	>3360 cfs	929-3360 cfs	664-929 cfs	319-664 cfs	<319 cfs
non-Pueblo Alameda Bridge to Angostura Diversion (based on flow at USGS Station NM08329928)	5.25×10^{10}	1.52×10^{10}	-	5.43×10^{9}	2.80×10^{9}
	>3670 cfs	922-3670 cfs	647-922 cfs	359-647 cfs	<359 cfs

Formula to Compare Actual Loadings to Target Values

The resultant formula for Bacteria TMDL should be used to address *E. coli* loadings:

C as cfu/100 ml * 1000 ml/1 L /0.264 gallons * Q = cfu/day

Where: C = water quality standard criterion for bacteria
Q = stream flow in million gallons per day (mgd)

1 Total Maximum Daily Load for the Middle Rio Grande Watershed, NMED, 2010.

2 The WLAs for the stormwater MS4 permit was based on the percent jurisdiction area approach. Thus, the MS4 WLAs are a percentage of the available allocation for each hydrologic zone, where the available allocation = TMDL – WLA – MOS.

3 Flow conditions relate to percent of days the flow in the Rio Grande at a USGS Gauge exceeds a particular level: High 0-10%; Moist 10-40%; Mid-Range 40-60%; Dry 60-90%; and Low 90-100%. (Source: Figures 4.3 and 4.4 in 2010 Middle Rio Grande TMDL)

TABLE III: Compliance with Water Quality Standards Requirement – Dissolved Oxygen

Activity	Responsible Permittee(s)	Compliance Due Date
A. Develop and implement a strategy to reduce the discharge of pollutants entering the receiving waters of the Rio Grande that cause or contribute to exceedances of applicable dissolved oxygen water quality standards in waters of the United States. Ensure the strategy complies with requirements in **Part I.B.1.d**.	Albuquerque AMAFCA	Initiate within two (2) months of effective date of permit
B. Submit schedule for the following activities: 1) Identification of pollutants contributing to DO reductions in the receiving waters of the Rio Grande (and its tributaries within the City of Albuquerque) utilizing existing data and/or additional monitoring. 2) Development and implementation of controls to eliminate the discharge of pollutants entering the receiving waters of the Rio Grande (and its tributaries within the City of Albuquerque) that cause or contribute to exceedances of applicable dissolved oxygen water quality standards in waters of the United States. C. Provide status reports to EPA. 1) Initial report to include; i. Findings regarding MS4 conveyed discharge contribution to exceedances of applicable dissolved oxygen water quality standards in waters of the United States. ii. Conclusions drawn, including support for any determination. iii. Activities undertaken to eliminate MS4 conveyed discharge contribution to exceedances of applicable dissolved oxygen water quality standards in waters of the United States. iv. Plan for stakeholder involvement.	Albuquerque AMAFCA	Within two (2) months of effective date of permit
2) Subsequent progress reports to include; i. Adherence to schedule. ii. Activities undertaken to identify MS4 discharge contribution to exceedances of applicable dissolved oxygen water quality standards in waters of the United States. iii. Conclusions drawn, including support for any determinations. iv. Activities undertaken to eliminate MS4 discharge contribution to exceedances of applicable dissolved oxygen water quality standards in waters of the United States. v. Accounting of stakeholder involvement.	Albuquerque AMAFCA	With Second year and subsequent Annual Reports
D. Provide support for toxicity study as agreed upon by co-permittees.	UNM NMDOT	As needed

TABLE IV: Compliance with Water Quality Standards – Investigation and Reduction of PCBs in the San Jose Drain and North Diversion Channel [5]

Activity	Responsible Permittee(s)	Compliance Due Date
A. Address concerns regarding PCBs in North Diversion Channel conveyed discharges by developing a strategy to identify and eliminate controllable sources of PCBs that cause or contribute to exceedances of applicable water quality standards in waters of the United States. Ensure the strategy complies with requirements in **Part I.B.1.e**. 1) For the initial progress report, permittees shall: i. Conduct an evaluation regarding controllable sources of PCBs in the North Diversion Channel.	Albuquerque AMAFCA	Within three (3) months of permit effective date
ii. Design and implement a monitoring study and perform analytical monitoring to evaluate presence and magnitude of PCB levels in stormwater discharges to and within the North Diversion Channel.	Albuquerque AMAFCA	Within six (6) months of permit effective date
iii. Report on results of the monitoring study to EPA, NMED, and the Pueblos of Isleta and Sandia. iv. Should results of the monitoring study confirm levels of PCBs in North Diversion Channel discharges contain levels of PCBs that would cause or contribute to exceedances of applicable water quality standards in waters of the United States, commence activities to identify and eliminate controllable sources of PCBs that cause or contribute to exceedances of applicable water quality standards in waters of the United States.	Albuquerque AMAFCA	Within one (1) year of permit effective date
2) Initial progress report shall include: i. Findings regarding controllable sources of PCBs in the North Diversion Channel drainage area that cause or contribute to exceedances of applicable water quality standards in waters of the United States via the discharge of municipal stormwater. ii. Conclusions drawn, including support for any determinations. iii. Activities undertaken to eliminate controllable sources of PCBs in the North Diversion Channel drainage areas that cause or contribute to exceedances of applicable water quality standards in waters of the United States via the discharge of municipal stormwater including activities that extend beyond the five (5) year permit term. iv. Account of stakeholder involvement in the process.	Albuquerque AMAFCA	With First year Annual Report
B. Address concerns regarding San Jose Drain conveyed discharges by performing activities to identify and eliminate controllable sources of PCBs that cause or contribute to exceedances of applicable water quality standards in waters of the United States. 1) Initial progress report shall include: i. Findings regarding controllable sources of PCBs in the San Jose Drain drainage area that cause or contribute to exceedances of applicable water quality standards in waters of the United States via the discharge of municipal stormwater. ii. Conclusions drawn, including support for any determinations. iii. Activities undertaken to eliminate controllable sources of PCBs in the San Jose Drain drainage areas that cause or contribute to exceedances of applicable water quality standards in waters of the United States via the discharge of municipal stormwater including activities that extend beyond the five (5) year permit term. iv. Account of stakeholder involvement in the process.	Albuquerque AMAFCA	With First year Annual Report
C. Subsequent progress reports to include: i. Activities undertaken to identify controllable sources of PCBs in San Jose Drain and North Diversion Channel drainage discharges that cause or contribute to exceedances of applicable water quality standards in waters of the United States via discharge of municipal stormwater.	Albuquerque AMAFCA	With Second year and subsequent Annual Reports

ii. Conclusions drawn, including support for any determinations. iii. Activities undertaken to eliminate controllable sources of PCBs in the San Jose Drain and North Diversion Channel drainage areas that cause or contribute to exceedances of applicable water quality standards in waters of the United States. iv. Accounting of stakeholder involvement.		

[5] By letter dated April 20, 2010, NMED notified EPA that pursuant to Section 401 of the Clean Water Act, the use of EPA Method 1668: Chlorinated Biphenyl Congeners in Water, Soil, Sediment and Tissue by HRGC/HRMS for PCB monitoring under this permit will be a condition for certification of the permit. Permittee PCB monitoring detection levels shall be consistent with those used in the NMED/DOE Oversight Bureau PCB study.

TABLE V: Compliance with Water Quality Standards Requirement – Temperature

Activity	**Responsible Permittee(s)**	**Compliance Due Date**
A. Develop and implement a strategy to reduce the effects of MS4 discharges on the temperature of receiving waters of the Rio Grande that cause or contribute to exceedances of applicable temperature water quality standards in waters of the United States. Ensure the strategy complies with requirements in **Part I.B.1.f**.	Albuquerque AMAFCA	Initiate within two (2) months of effective date of permit
B. Submit schedule for the following activities: 1) Identification of potential for MS4 discharges to contribute to raised temperatures in the receiving waters of the Rio Grande utilizing existing data and/or additional monitoring. 2) Development and implementation of controls to reduce the effects of MS4 discharges on the temperature of receiving waters of the Rio Grande that cause or contribute to exceedances of applicable temperature water quality standards in waters of the United States. C. Provide status reports to EPA. 1) Initial report to include; i. Findings regarding Rio Grande conveyed discharge contribution to exceedances of applicable temperature water quality standards in waters of the United States. ii. Conclusions drawn, including support for any determination. iii. Activities undertaken to reduce MS4 discharges contribution to exceedances of applicable temperature water quality standards in waters of the United States. iv. Plan for stakeholder involvement.	Albuquerque AMAFCA	Within two (2) months of effective date of permit
2) Subsequent progress reports to include; i. Adherence to schedule. ii. Activities undertaken to identify MS4 discharge contribution to exceedances of applicable temperature water quality standards in waters of the United States. iii. Conclusions drawn, including support for any determinations. iv. Activities undertaken to reduce MS4 discharge contribution to exceedances of applicable temperature water quality standards in waters of the United States. v. Accounting of stakeholder involvement.	Albuquerque AMAFCA	With Second year and subsequent Annual Reports

TABLE VI: U.S. Fish and Wildlife Service Biological Opinion Requirements

Activity	Responsible Permittee(s)	Compliance Due Date
To ensure actions required by this permit are not likely to jeopardize the continued existence of any endangered or threatened species or adversely affect its critical habitat, permittees shall meet the following requirements, included in **PART I.B.3.** A. Conduct continuous monitoring of dissolved oxygen (DO) and temperature in the North Diversion Channel Embayment and at one (1) location in the Rio Grande downstream of the mouth of the North Diversion Channel within the action area (e.g., Rio Bravo Bridge) to verify the remedial action is successful for the duration of the permit. It is recommended that continuous monitoring data be provided online for public review.	Albuquerque AMAFCA UNM NMDOT	Within two (2) months of effective date of permit
B. Participate with EPA and the FWS in an annual meeting (may be via teleconference) during the permit period to review the remedial action progress, information gathered, and incidental take estimates associated with qualifying storm events	Albuquerque AMAFCA UNM NMDOT	Annually, upon effective date of permit
C. Provide the FWS with the following data and information on all qualifying storm events: date of any qualifying stormwater event(s), DO value in Embayment, DO value at downstream monitoring station, flow rate in the North Diversion Channel, daily flow rate in the Rio Grande, and sum of silvery minnows taken. D. Describe, in annual reports, all standard operating procedures, quality assurance plans, maintenance, and implementation schedules to assure that timely and accurate water temperature, DO, oxygen saturation, and flow data are collected, summarized, evaluated and reported. E. Provide the FWS with electronic copies of all incidental take, interim, and annual reports required by this permit no later than March 31st for the preceding calendar year ending December 31st to nmesfo@fws.gov or by mail to the New Mexico Ecological Services Field Office, 2105 Osuna Road NE, Albuquerque, New Mexico 87113; and	Albuquerque AMAFCA UNM NMDOT	With First Year and subsequent Annual Reports
F. Complete the remedial action selected for the North Diversion Channel Embayment.	Albuquerque AMAFCA UNM NMDOT	Within eighteen (18) months of permit effective date

TABLE VII: Floatables Monitoring

Activity	Responsible Permittee(s)	Compliance Due Date
A. As described in **Part III.B**, the permittee shall monitor, at least two (2) times per year, floatable material and the amount collected (estimated in cubic yards) at: 1) Albuquerque/AMAFCA – two (2) stations (one (1) station should be located in the North Diversion Channel System above the Pueblo of Sandia); and, 2) NMDOT – one (1) station each.	Albuquerque AMAFCA NMDOT UNM	During the permit term

TABLE VIII: Toxicity Monitoring to Protect Listed Threatened and Endangered (T&E) Species – Implementation of 4-Year Toxicity Testing

Activity	Responsible Permittee(s)	Compliance Due Date
A. Toxicity monitoring shall be conducted to protect T&E species. Ensure that the monitoring program complies with requirements in **Part III.D**. B. Sampling Locations 1) Collect stormwater at North Diversion Channel where it enters the main channel of the Rio Grande, with permission from the Pueblo of Sandia. 2) Use laboratory synthetic water for the test controls. C. Sampling Frequency 1) At least one (1) storm event per year throughout the term of the permit. D. Sample Size 1) Sample volumes will be approximately ten (10) gallons. Verify with NELAC certified laboratory performing sample analysis of the appropriate volume prior to implementation of Toxicity Testing. E. Sample Analysis 1) Perform chemical analysis of stormwater and river water samples.	Albuquerque AMAFCA	Annually, upon effective date of permit
F. Toxicity Testing 1) Collected samples shall be analyzed by a National Environmental Laboratory Accreditation Conference (NELAC) certified laboratory. 2) Samples shall be analyzed for the Acute 24-hour LC50 test and follow guidelines as defined in the *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms* (Fifth Edition, October 2002). 3) Stormwater sample dilutions: 0%, 12.5%, 25%, 50%, 75%, 100% 4) Samples shall be checked for chlorine and ammonia prior to toxicity testing. If chlorine is detected, adjust with thiosulfate. 5) Utilize fathead minnow (*Pimephales promalas*) and *Daphnia pulex* species for toxicity testing.	Albuquerque	Annually, upon effective date of permit

G. Reporting 1) Provide annual testing results and sample analysis on DMR forms and in each annual report as required in **Part III.H**.	Albuquerque AMAFCA	With First Year and subsequent Annual Reports
2) Notify EPA immediately (addresses provided in **Part III.J**) upon detection of any toxicity. Toxicity is defined as an LC50 of <100 percent effluent.	Albuquerque AMAFCA	As necessary
3) Compile a final report to be submitted to EPA. Include: i. All toxicity testing results, ii. An evaluation of toxicants (if any), and iii. Any actions taken to eliminate toxicity, including activities ongoing during the permit term and any needed activities that would extend beyond the five year permit term.	Albuquerque AMAFCA	Four (4) years and six (6) months from permit effective date
H. Provide support for toxicity study as agreed upon by co-permittees.	UNM NMDOT	As needed

TABLE IX: Wet Weather Screening of MS4

Activity	**Responsible Permittee(s)**	**Compliance Due Date**
A. As described in **Part III.E**, the wet weather screening program shall: 1) screen one-third (1/3) of the drainage area of MS4 within three (3) years of the effective date of this permit and complete screening 100 percent of the MS4 within five (5) years; 2) include sufficient screening points to adequately assess pollutant levels from all areas of the MS4 and at least five (5) screening points along each major drainage channel that drains 20 percent or more of the land area within the City of Albuquerque; 3) screen for BOD_5, sediment or a parameter addressing sediment (e.g., TSS or turbidity), *E. coli*, Oil and Grease, nutrients, and any pollutant that has been identified as a cause of impairment of a waterbody receiving discharges from that portion of the MS4; 4) specify the sampling and non-sampling techniques to be used for initial screening and follow-up purposes; 5) assess wet weather screening results (including data from the previous permit term) and benchmark against national stormwater databases and data collected for the representative monitoring program; and, 6) record any observed erosion of stream banks, scouring or sedimentation in streams, such as sand bars or deltas.	Albuquerque AMAFCA NMDOT UNM	During the permit term

TABLE X: Dry Weather Discharge Screening of MS4

Activity	Responsible Permittee(s)	Compliance Due Date
A. As described in **Part III.F**, the dry weather screening program shall: 1) screen one-third (1/3) of the drainage area of MS4 within three (3) years of the effective date of this permit and complete screening 100 percent of the MS4 within five (5) years; 2) include sufficient screening points to adequately assess pollutant levels from all areas of the MS4 and at least five (5) screening points along each major drainage channel that drains 20 percent or more of the land area within the City of Albuquerque; 3) screen for, at a minimum, BOD_5, sediment or a parameter addressing sediment (e.g., TSS or turbidity), *E. coli*, Oil and Grease, nutrients, and any pollutant that has been identified as a cause of impairment of a waterbody receiving discharges from that portion of the MS4; 4) specify the sampling and non-sampling techniques to be used for initial screening and follow-up purposes.	Albuquerque AMAFCA NMDOT UNM	During the permit term

TABLE XI: Impaired Receiving Waters Wet Weather Assessment of Potential Water Quality Impacts

Activity	Responsible Permittee(s)	Compliance Due Date
A. As described in **Part III.G**, the receiving water assessment program shall: 1) perform annual in-stream wet weather monitoring for all constituents listed at Part VI. Tables XII.A and XII.B at all locations tributary to impaired waters (at the point where they enter the Rio Grande and if originating outside the MS4, where it enters the MS4) listed under CWA §303(d), plus one (1) location located upstream of the MS4. To avoid duplication of effort, this program may be coordinated with the wet weather characterization and/or screening programs; 2) perform annual in-stream wet weather monitoring for the impaired water pollutant(s) of concern at one (1) location upstream of the MS4 and one (1) downstream of the last MS4 drainage area entering the impaired water; 3) perform wet weather monitoring for the impaired water pollutant(s) of concern at 100 percent of the MS4 drainage areas tributary to the impaired waterbody within five (5) years from the effective date and for at least one-third (1/3) of those MS4 areas within three (3) years; 4) specify the sampling and non-sampling techniques to be used for initial screening and follow-up purposes; 5) assess wet weather screening results (including data from the previous permit term) and benchmark against national stormwater databases and data collected for the representative monitoring program; and, 6) record any observed erosion of stream banks, scouring or sedimentation in streams, such as sand bars or deltas.	Albuquerque AMAFCA NMDOT UNM	During the permit term

TABLE XII.A - Representative Monitoring Annual Requirements: Monitoring Locations ML1 - ML5 [7]

PARAMETERS [8]	REPORT FOR EACH MONITORING PERIOD (each sample type)			SAMPLE TYPE(S)		MONITORING FREQUENCY
	Minimum	Average	Maximum	Grab	Composite	
1. Dissolved Oxygen (DO) (mg/l)	Yes	Yes		Yes[11]		1 event/ wet season;1 event/ dry season[6]
2. Biochemical Oxygen Demand (BOD_5) (mg/l)		Yes	Yes		Yes	1 event/ wet season;1 event/ dry season[6]
3. Chemical Oxygen Demand (COD) (mg/l)		Yes	Yes		Yes	1 event/ wet season;1 event/ dry season[6]
4. Total Suspended Solids (TSS) (mg/l)		Yes	Yes		Yes	1 event/ wet season;1 event/ dry season[6]
5. Total Dissolved Solids (TDS) (mg/l)		Yes	Yes		Yes	1 event/ wet season;1 event/ dry season[6]
6. Total Nitrogen (mg/l)		Yes	Yes		Yes	1 event/ wet season;1 event/ dry season[6]
7. Total Kjeldahl Nitrogen (TKN) (mg/l)		Yes	Yes		Yes	1 event/ wet season;1 event/ dry season[6]
8. Total Phosphorus (mg/l)		Yes	Yes		Yes	1 event/ wet season;1 event/ dry season[6]
9. Dissolved Phosphorus (mg/l)		Yes	Yes		Yes	1 event/ wet season;1 event/ dry season[6]
10. Total Cadmium (µg/l)		Yes	Yes		Yes	1 event/ wet season;1 event/ dry season[6]
11. Dissolved Cadmium (µg/l)		Yes	Yes		Yes	1 event/ wet season;1 event/ dry season[6]
12. Total Copper (µg/l)		Yes	Yes		Yes	1 event/ wet season;1 event/ dry season[6]
13. Dissolved Copper (µg/l)		Yes	Yes		Yes	1 event/ wet season;1 event/ dry season[6]
14. Total Lead (µg/l)		Yes	Yes		Yes	1 event/ wet season;1 event/ dry season[6]
15. Dissolved Lead (µg/l)		Yes	Yes		Yes	1 event/ wet season;1 event/ dry season[6]
16. Total Zinc (µg/l)		Yes	Yes		Yes	1 event/ wet season;1 event/ dry season[6]
17. Dissolved Zinc (µg/l)		Yes	Yes		Yes	1 event/ wet season;1 event/ dry season[6]
18. Mercury (µg/l)		Yes	Yes		Yes	1 event/ wet season;1 event/ dry season[6]
19. Chromium III (µg/l)		Yes	Yes		Yes	1 event/ wet season;1 event/ dry season[6]
20. Chromium VI (µg/l)		Yes	Yes		Yes	1 event/ wet season;1 event/ dry season[6]
21. Arsenic (µg/l)		Yes	Yes		Yes	1 event/ wet season;1 event/ dry season[6]
22. Thallium (µg/l)		Yes	Yes		Yes	1 event/ wet season;1 event/ dry season[6]

PARAMETERS [8]	REPORT FOR EACH MONITORING PERIOD (each sample type)			SAMPLE TYPE(S)		MONITORING FREQUENCY
	Minimum	Average	Maximum	Grab	Composite	
23. Chlorides (as Cl) (mg/l)		Yes	Yes		Yes	1 event/ wet season;1 event/ dry season[6]
24. Nitrate (mg/l)		Yes	Yes		Yes	1 event/ wet season;1 event/ dry season[6]
25. pH (S.U.)	Yes		Yes	Yes[11]		1 event/ wet season;1 event/ dry season[6]
26. Sulfates (mg/l)		Yes	Yes		Yes	1 event/ wet season;1 event/ dry season[6]
27. Conductivity (micromho/cm)		Yes	Yes	Yes[11]		1 event/ wet season;1 event/ dry season[6]
29. *E coli* [9]		Yes	Yes	Yes[10]		4 events/ wet season[6]; minimum of 2 events/ quarter during dry season
30. Oil and Grease (mg/l)		Yes	Yes	Yes		1 event/ wet season;1 event/ dry season[6]
31. Total Phenols (µg/l)		Yes	Yes		Yes	1 event/ wet season;1 event/ dry season[6]
32. Hardness (as $CaCO_3$) (mg/l)	Yes	Yes	Yes	Yes		1 event/ wet season; 1 event/ dry season[6]
33. Temperature (°C)	Yes	Yes	Yes	Yes[11]		1 event/ wet season;1 event/ dry season[6]

[6] Seasonal monitoring periods are: Wet Season: June 1 through September 30; Dry Season: October 1 through May 31.

[7] Monitoring frequency for each year for Monitoring Locations ML1-5. Monitoring for Monitoring Locations ML1-ML5 is to commence on the effective date of this permit.

[8] If any individual analytical test result is less than the minimum quantification level (MQL) listed for that parameter, then a value of zero (0) may be used for that test result for the discharge monitoring report (DMR) calculations and reporting requirements. The annual report shall include the actual value obtained, if test result is less than the MQL.

[9] Monitoring results for bacteria shall also be submitted with the Annual TMDL Progress Report required in Tables II.A and II.C. Bacteria Loadings for each monitoring location shall be estimated and reported in the Annual TMDL Progress Report.

[10] May consist of multiple grab samples weighted for an event mean concentration.

[11] Parameters shall be analyzed in the field within fifteen (15) minutes of sample collection.

TABLE XII.B – Representative Monitoring Biennial Requirements: Monitoring Locations ML1 – ML5 [12]

The following Minimum Quantification Levels (MQL's) are to be used for reporting pollutant data for NPDES permit applications and/or compliance reporting.

POLLUTANTS	MQL µg/l	POLLUTANTS	MQL µg/l
METALS, RADIOACTIVITY, CYANIDE and CHLORINE			
Aluminum	2.5	Molybdenum	10
Antimony	60	Nickel	0.5
Arsenic	0.5	Selenium	5
Barium	100	Silver	0.5
Beryllium	0.5	Thalllium	0.5
Boron	100	Uranium	0.1
Cadmium	1	Vanadium	50
Chromium	10	Zinc	20
Cobalt	50	Cyanide	10
Copper	0.5	Cyanide, weak acid dissociable	10
Lead	0.5	Total Residual Chlorine	33
Mercury[13]	0.0005 0.005		
DIOXIN			
2,3,7,8-TCDD	0.00001		
VOLATILE COMPOUNDS			
Acrolein	50	1,3-Dichloropropylene	10
Acrylonitrile	20	Ethylbenzene	10
Benzene	10	Methyl Bromide	50
Bromoform	10	Methylene Chloride	20
Carbon Tetrachloride	2	1,1,2,2-Tetrachloroethane	10
Chlorobenzene	10	Tetrachloroethylene	10
Clorodibromomethane	10	Toluene	10
Chloroform	50	1,2-trans-Dichloroethylene	10
Dichlorobromomethane	10	1,1,2-Trichloroethane	10
1,2-Dichloroethane	10	Trichloroethylene	10
1,1-Dichloroethylene	10	Vinyl Chloride	10
1,2-Dichloropropane	10		
ACID COMPOUNDS			
2-Chlorophenol	10	2,4-Dinitrophenol	50
2,4-Dichlorophenol	10	Pentachlorophenol	5
2,4-Dimethylphenol	10	Phenol	10
4,6-Dinitro-o-Cresol	50	2,4,6-Trichlorophenol	10

POLLUTANTS	MQL µg/l	POLLUTANTS	MQL µg/l
		BASE/NEUTRAL	
Acenaphthene	10	Dimethyl Phthalate	10
Anthracene	10	Di-n-Butyl Phthalate	10
Benzidine	50	2,4-Dinitrotoluene	10
Benzo(a)anthracene	5	1,2-Diphenylhydrazine	20
Benzo(a)pyrene	5	Fluoranthene	10
3,4-Benzofluoranthene	10	Fluorene	10
Benzo(k)fluoranthene	5	Hexachlorobenzene	5
Bis(2-chloroethyl)Ether	10	Hexachlorobutadiene	10
Bis(2-chloroisopropyl)Ether	10	Hexachlorocyclopentadiene	10
Bis(2-ethylhexyl)Phthalate	10	Hexachloroethane	20
Butyl Benzyl Phthalate	10	Indeno(1,2,3-cd)Pyrene	5
2-Chloronapthalene	10	Isophorone	10
Chrysene	5	Nitrobenzene	10
Dibenzo(a,h)anthracene	5	n-Nitrosodimethylamine	50
1,2-Dichlorobenzene	10	n-Nitrosodi-n-Propylamine	20
1,3-Dichlorobenzene	10	n-Nitrosodiphenylamine	20
1,4-Dichlorobenzene	10	Pyrene	10
3,3'-Dichlorobenzidine	5	1,2,4-Trichlorobenzene	10
Diethyl Phthalate	10		
		PESTICIDES AND PCBS	
Aldrin	0.01	Beta-Endosulfan	0.02
Alpha-BHC	0.05	Endosulfan sulfate	0.02
Beta-BHC	0.05	Endrin	0.02
Gamma-BHC	0.05	Endrin Aldehyde	0.1
Chlordane	0.2	Heptachlor	0.01
4,4'-DDT and derivatives	0.02	Heptachlor Epoxide	0.01
Dieldrin	0.02	PCBs[5]	-
Alpha-Endosulfan	0.01	Toxaphene	0.3

(MQL's Revised November 1, 2007)

[12] Parameters included in Table XII.B are to be monitored biennially (every other year). Seasonal monitoring periods are: Wet Season: June 1 thru September 30; Dry Season: October 1 through May 31. Monitoring Frequency: one (1) event/wet season and one (1) event/dry season, using composite sampling. Average and maximum values are reported each monitoring period. Monitoring requirements commence on the effective date of permit and shall continue on the every other year schedule established by prior permit.

If any individual analytical test result is less than the minimum quantification level (MQL) listed for that parameter, a value of zero (0) may be used for that test result for the discharge monitoring report (DMR) calculations and reporting requirements.

[13] Default MQL for Mercury is 0.005 unless Part I of your permit requires the more sensitive Method 1631 (Oxidation / Purge and Trap / Cold vapor Atomic Fluorescence Spectrometry), then the MQL shall be 0.0005.

TABLE XII.C - Representative Monitoring Site Descriptions

MONITORING LOCATIONS	*SITE NO.*	*LOCATION*	*DESCRIPTION*	*RESPONSIBLE PERMITTEE*
ML1	9900	North Floodway Channel near Alameda (USGS Station No. 08329900)	Station located on concrete lined channel. Drains approximately 92 sq.mi. Land use is: 41%residential; 36%agricultural; 15% commercial; 4%industrial; 4%open space	Albuquerque/ AMAFCA
ML2	200	South Diversion Channel above Tijeras Arroyo near Albuquerque (USGS Station No. 08330775)	Station located on natural unlined channel. Drains approximately 11 sq.mi. Land use is: 30% agricultural; 28% commercial 21% industrial; 13% residential; 8% open space	Albuquerque/ AMAFCA
ML3	500	San Jose Drain at Woodward Road at Albuquerque (USGS Station No. 08330200)	Station located on concrete lined channel. Drains approximately 2 sq.mi. Land use is: 41% residential; 30% commercial; 18% agricultural; 9% industrial; 2% open space	Albuquerque/ AMAFCA
ML4	330600	Tijeras Arroyo near Albuquerque (USGS Station No. 08330600)	Station located on concrete lined channel. Drains approximately 135 sq.mi. Land use is: 1.2 % residential; <1 % commercial; <1 % industrial; >97 undeveloped	Albuquerque/ AMAFCA
ML5	300A	Mariposa Diversion of San Antonio Arroyo at Albuquerque (USGS Station No. 083299375)	Station located on natural unlined channel. Drains approximately 31 sq.mi.. Land use is: 73% agricultural; 14% industrial; 11% residential; 1% commercial; 1% open space	Albuquerque/ AMAFCA

PART VII. DEFINITIONS

All definitions contained in Section 502 of the Act shall apply to this permit and are incorporated herein by reference. Unless otherwise specified, additional definitions of words or phrases used in this permit are as follows:

(1) **Bioretention** means the water quality and water quantity stormwater management practice using the chemical, biological and physical properties of plants, microbes and soils for the removal of pollution from stormwater runoff.

(2) **Canopy Interception** means the interception of precipitation, by leaves and branches of trees and vegetation that does not reach the soil.

(3) **Controls** or **Control Measures** or **Measures** means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or control the pollution of waters of the United States. Controls also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

(4) **CWA** or **The Act** means Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub.L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483 and Pub. L. 97-117, 33 U.S.C. 1251 et.seq.

(5) **Co-permittee** means a permittee to a NPDES permit that is only responsible for permit conditions relating to the discharge for which it is operator.

(6) **Core Municipality** means, for the purpose of this permit, the municipality whose corporate boundary (unincorporated area for counties and parishes) defines the municipal separate storm sewer system. (ex. City of Dallas for the Dallas Municipal Separate Storm Sewer System, Harris County for unincorporated Harris County).

(7) **Direct Connected Impervious Area (DCIA)** means the portion of impervious area with a direct hydraulic connection to the permitee's municipal separate storm sewer system or a waterbody via continuous paved surfaces, gutters, pipes, and other impervious features. Direct connected impervious area typically does not include isolated impervious areas with an indirect hydraulic connection to the municipal separate storm sewer system (e.g., swale or detention basin) or that otherwise drain to a pervious area.

(8) **Director** means the Regional Administrator or an authorized representative.

(9) **Discharge** for the purpose of this permit, unless indicated otherwise, means discharges from the municipal separate storm sewer system.

(10) **Engineered Infiltration** means an underground device or system designed to accept stormwater and slowly exfiltrates it into the underlying soil. This device or system is designed based on soil tests that define the exfiltration rate.

(11) **Evaporation** means rainfall that is changed or converted into a vapor.

(12) **Evapotranspiration** means the sum of evaporation and transpiration of water from the earth's surface to the atmosphere. It includes evaporation of liquid or solid water plus the transpiration of plants.

(13) **Extended Filtration** means a structural stormwater practice which filters stormwater runoff through vegetation and engineered soil media. A portion of the stormwater runoff drains into an underdrain system which slowly releases it after the storm is over.

(14) **Flood Control Projects** mean major drainage projects developed to control water quantity rather than quality, including channelization and detention.

(15)**Flow-weighted composite sample** means a composite sample consisting of a mixture of aliquots collected at a constant time interval, where the volume of each aliquot is proportional to the flow rate of the discharge.

(16)**Green Infrastructure** means an array of products, technologies, and practices that use natural systems – or engineered systems that mimic natural processes – to enhance overall environmental quality and provide utility services. As a general principal, Green Infrastructure techniques use soils and vegetation to infiltrate, evapotranspirate, and/or recycle stormwater runoff. When used as components of a stormwater management system, Green Infrastructure practices such as green roofs, porous pavement, rain gardens, and vegetated swales can produce a variety of environmental benefits. In addition to effectively retaining and infiltrating rainfall, these technologies can simultaneously help filter air pollutants, reduce energy demands, mitigate urban heat islands, and sequester carbon while also providing communities with aesthetic and natural resource benefits.

(17)**Hydromodification** means the alteration of the natural flow of water through a landscape, and often takes the form of channel straightening, widening, deepening, or relocating existing, natural stream channels. It also can involve excavation of borrow pits or canals, building of levees, streambank erosion, or other conditions or practices that change the depth, width or location of waterways. Hydromodification usually results in water quality and habitat impacts.

(18)**Illicit connection** means any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.

(19)**Illicit discharge** means any discharge to a municipal separate storm sewer that is not composed entirely of stormwater except discharges pursuant to a NPDES permit (other than the NPDES permit for discharges from the municipal separate storm sewer) and discharges resulting from fire fighting activities.

(20)**Impervious Area (IA)** means conventional pavements, sidewalks, driveways, roadways, parking lots, and rooftops.

(21)**Individual Residence** means, for the purposes of this permit, single or multi-family residences. (e.g. single family homes and duplexes, town homes, apartments, etc.)

(22)**Infiltration** means the process by which stormwater penetrates the soil.

(23)**Land application unit** means an area where wastes are applied onto or incorporated into the soil surface (excluding manure spreading operations) for treatment or disposal.

(24)**Landfill** means an area of land or an excavation in which wastes are placed for permanent disposal, and which is not a land application unit, surface impoundment, injection well, or waste pile.

(25)**Land Use** means the way in which land is used, especially in farming and municipal planning.

(26)**Large or medium municipal separate storm sewer system** means all municipal separate storm sewers that are either: (i) located in an incorporated place (city) with a population of 100,000 or more as determined by the latest Decennial Census by the Bureau of Census (these cities are listed in Appendix F of 40 CFR §122); or (ii) located in the counties with unincorporated urbanized populations of 100,000 or more, except municipal separate storm sewers are located in the incorporated places, townships, or towns within such counties (these counties are listed in Appendices H and I of 40 CFR §122); or (iii) owned or operated by a municipality other than those described in Paragraph (i) or (ii) and that are designated by the Regional Administrator as part of the large or medium municipal separate storm sewer system.

(27)**Municipal Separate Storm Sewer (MS4)** means all separate storm sewers that are defined as “large” or “medium” or “small” municipal separate storm sewer systems pursuant to paragraphs 40 CFR §122.26(b)(4), (b)(7), and (b)(16), or designated under paragraph 40 CFR §122.26(a)(1)(v).

(28)**Outfall** means a *point source* as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to waters of the United States and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances which

connect segments of the same stream or other waters of the United States and are used to convey waters of the United States.

(29)**Permittee** refers to any person (defined below) authorized by this NPDES permit to discharge to Waters of the United States.

(30)**Person** means an individual, association, partnership, corporation, municipality, State or Federal agency, or an agent or employee thereof.

(31)**Point Source** means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

(32)**Pre-development Hydrology**, for the purposes of this permit, means capturing the 90th percentile storm event runoff (consistent with any limitations on that capture).

(33)**Rainfall and Rainwater Harvesting** means the collection, conveyance, and storage of rainwater. The scope, method, technologies, system complexity, purpose, and end uses vary from rain barrels for garden irrigation in urban areas, to large-scale collection of rainwater for all domestic uses.

(34)**Soil amendment** means adding components to in-situ or native soils to increase the spacing between soil particles so that the soil can absorb and hold more moisture. The amendment of soils changes various other physical, chemical and biological characteristics so that the soils become more effective in maintaining water quality.

(35)**Storm drainage projects** include stormwater inlets, culverts, minor conveyances and a host of other structures or devices.

(36)**Storm sewer**, unless otherwise indicated, means a municipal separate storm sewer.

(37)**Stormwater** means stormwater runoff, snow melt runoff, and surface runoff and drainage.

(38)**Stormwater Discharge Associated with Industrial Activity** means the discharge from any conveyance which is used for collecting and conveying stormwater and which is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant (See 40 CFR §122.26(b)(14) for specifics of this definition).

(39)**Stormwater Management Program (SWMP)** means a comprehensive program to manage the quality of stormwater discharged from the municipal separate storm sewer system. For the purposes of this permit, the Stormwater Management Program is considered a single document, but may actually consist of separate programs (e.g. "chapters") for each permittee.

(40)**Time-weighted composite** means a composite sample consisting of a mixture of equal volume aliquots collected at a constant time interval.

(41)**Total Maximum Daily Load (TMDL)** means a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards. A TMDL is the sum of individual wasteload allocations for point sources (WLA), load allocations for non-point sources and natural background (LA), and must consider seasonal variation and include a margin of safety. The TMDL comes in the form of a technical document or plan.

(42)**Toxicity** means an LC50 of <100% effluent.

(43)**Waste load allocation (WLA)** means the portion of a receiving water's loading capacity that is allocated to one of its existing or future point sources of pollution. WLAs constitute a type of water quality-based effluent limitation.

(44)**Wetlands** means those areas that are inundated or saturated by surface or ground water at a frequency and duration to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

(45)**Whole Effluent Toxicity (WET)** means the aggregate toxic effect of an effluent measured directly by a toxicity test.

APPENDIX B

Southwest Valley Flood Damage Reduction Project
Albuquerque, NM 87105

Inquiry Number: 3669516.1s
July 19, 2013

EDR DataMap™ Corridor Study

EDR® Environmental Data Resources Inc

440 Wheelers Farms Road
Milford, CT 06461
Toll Free: 800.352.0050
www.edrnet.com

Thank you for your business.
Please contact EDR at 1-800-352-0050
with any questions or comments.

EXECUTIVE SUMMARY

TARGET PROPERTY INFORMATION

ADDRESS

ALBUQUERQUE, NM 87105
ALBUQUERQUE, NM 87105

DATABASES WITH NO MAPPED SITES

No mapped sites were found in EDR's search of available ("reasonably ascertainable ") government records within the requested search area for the following databases:

FEDERAL RECORDS

NPL	National Priority List
Proposed NPL	Proposed National Priority List Sites
Delisted NPL	National Priority List Deletions
NPL LIENS	Federal Superfund Liens
CERC-NFRAP	CERCLIS No Further Remedial Action Planned
LIENS 2	CERCLA Lien Information
CORRACTS	Corrective Action Report
RCRA-TSDF	RCRA - Treatment, Storage and Disposal
RCRA-LQG	RCRA - Large Quantity Generators
RCRA-SQG	RCRA - Small Quantity Generators
US ENG CONTROLS	Engineering Controls Sites List
US INST CONTROL	Sites with Institutional Controls
ERNS	Emergency Response Notification System
HMIRS	Hazardous Materials Information Reporting System
DOT OPS	Incident and Accident Data
US CDL	Clandestine Drug Labs
US BROWNFIELDS	A Listing of Brownfields Sites
DOD	Department of Defense Sites
FUDS	Formerly Used Defense Sites
LUCIS	Land Use Control Information System
CONSENT	Superfund (CERCLA) Consent Decrees
ROD	Records Of Decision
UMTRA	Uranium Mill Tailings Sites
DEBRIS REGION 9	Torres Martinez Reservation Illegal Dump Site Locations
ODI	Open Dump Inventory
TRIS	Toxic Chemical Release Inventory System
TSCA	Toxic Substances Control Act
FTTS	FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
HIST FTTS	FIFRA/TSCA Tracking System Administrative Case Listing
SSTS	Section 7 Tracking Systems
ICIS	Integrated Compliance Information System
PADS	PCB Activity Database System
MLTS	Material Licensing Tracking System
RADINFO	Radiation Information Database

EXECUTIVE SUMMARY

RMP ---- Risk Management Plans
COAL ASH EPA ---- Coal Combustion Residues Surface Impoundments List
SCRD DRYCLEANERS ---- State Coalition for Remediation of Drycleaners Listing
US HIST CDL ---- National Clandestine Laboratory Register
PCB TRANSFORMER ---- PCB Transformer Registration Database
FEDERAL FACILITY ---- Federal Facility Site Information listing
US FIN ASSUR ---- Financial Assurance Information
EPA WATCH LIST ---- EPA WATCH LIST
PRP ---- Potentially Responsible Parties
2020 COR ACTION ---- 2020 Corrective Action Program List
COAL ASH DOE ---- Steam-Electric Plant Operation Data
FEMA UST ---- Underground Storage Tank Listing
LEAD SMELTERS ---- Lead Smelter Sites
US AIRS ---- Aerometric Information Retrieval System Facility Subsystem

STATE AND LOCAL RECORDS

SHWS ---- This state does not maintain a SHWS list. See the Federal CERCLIS list and Federal NPL list.
SWRCY ---- Recycling Facility Listing
LAST ---- Leaking Aboveground Storage Tank Sites
SPILLS ---- Spill Data
INST CONTROL ---- Sites with Institutional Controls
VCP ---- Voluntary Remediation Program Sites
DRYCLEANERS ---- Drycleaner Facility Listing
BROWNFIELDS ---- Brownfields Site Listing
CDL ---- Clandestine Drug Laboratory Listing
AIRS ---- Airs Information
ASBESTOS ---- List of Asbestos Demolition and Renovations Jobs
MINES ---- Coal Mine Permits Database

TRIBAL RECORDS

INDIAN RESERV ---- Indian Reservations
INDIAN ODI ---- Report on the Status of Open Dumps on Indian Lands
INDIAN LUST ---- Leaking Underground Storage Tanks on Indian Land
INDIAN UST ---- Underground Storage Tanks on Indian Land
INDIAN VCP ---- Voluntary Cleanup Priority Listing

EDR PROPRIETARY RECORDS

EDR MGP ---- EDR Proprietary Manufactured Gas Plants

SURROUNDING SITES: SEARCH RESULTS

Surrounding sites were identified.

Page numbers and map identification numbers refer to the EDR Radius Map report where detailed data on individual sites can be reviewed.

Sites listed in ***bold italics*** are in multiple databases.

Unmappable (orphan) sites are not considered in the foregoing analysis.

EXECUTIVE SUMMARY

FEDERAL RECORDS

CERCLIS: The Comprehensive Environmental Response, Compensation and Liability Information System contains data on potentially hazardous waste sites that have been reported to the USEPA by states, municipalities, private companies and private persons, pursuant to Section 103 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). CERCLIS contains sites which are either proposed to or on the National Priorities List (NPL) and sites which are in the screening and assessment phase for possible inclusion on the NPL.

A review of the CERCLIS list, as provided by EDR, and dated 02/04/2013 has revealed that there is 1 CERCLIS site within the searched area.

Site	Address	Map ID	Page
USGS WELL, ISLETA AT BARCELONA	***2550 ISLETA BLVD.***	***33***	***38***

RCRA-CESQG: RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Conditionally exempt small quantity generators (CESQGs) generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month.

A review of the RCRA-CESQG list, as provided by EDR, and dated 02/12/2013 has revealed that there are 6 RCRA-CESQG sites within the searched area.

Site	Address	Map ID	Page
EAGLE ONE AUTOMOTIVE	932 OLD COORS RD SW	9	10
SOUTH COORS TRUCK SALVAGE	***1125 OLD COORS RD SW***	***16***	***18***
WESSKOTE INC	***1504 COORS BLVD SW***	***19***	***22***
AUTOMOTIVE PERFORMANCE ENGINEE	2804 ARENAL SW	21	25
BERNALILLO MOTORS LLC	2720 COORS BLVD SW	31	34
PERFECTION AUTO & TRUCK CENTER	4301 COORS BLVD SW	50	54

RCRA NonGen / NLR: RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Non-Generators do not presently generate hazardous waste.

A review of the RCRA NonGen / NLR list, as provided by EDR, and dated 02/12/2013 has revealed that there is 1 RCRA NonGen / NLR site within the searched area.

Site	Address	Map ID	Page
PRONTO SERVICE	***BRIDGE & SO COOR RD***	***12***	***14***

EXECUTIVE SUMMARY

US MINES: Mines Master Index File. The source of this database is the Dept. of Labor, Mine Safety and Health Administration.

A review of the US MINES list, as provided by EDR, and dated 02/05/2013 has revealed that there is 1 US MINES site within the searched area.

Site	Address	Map ID	Page
VALLEY CONCRETE COMPANY		43	48

FINDS: The Facility Index System contains both facility information and "pointers" to other sources of information that contain more detail. These include: RCRIS; Permit Compliance System (PCS); Aerometric Information Retrieval System (AIRS); FATES (FIFRA [Federal Insecticide Fungicide Rodenticide Act] and TSCA Enforcement System, FTTS [FIFRA/TSCA Tracking System]; CERCLIS; DOCKET (Enforcement Docket used to manage and track information on civil judicial enforcement cases for all environmental statutes); Federal Underground Injection Control (FURS); Federal Reporting Data System (FRDS); Surface Impoundments (SIA); TSCA Chemicals in Commerce Information System (CICS); PADS; RCRA-J (medical waste transporters/disposers); TRIS; and TSCA. The source of this database is the U.S. EPA/NTIS.

A review of the FINDS list, as provided by EDR, and dated 03/08/2013 has revealed that there are 4 FINDS sites within the searched area.

Site	Address	Map ID	Page
PRONTO SERVICE	***BRIDGE & SO COOR RD***	***12***	***14***
SOUTH COORS TRUCK SALVAGE	***1125 OLD COORS RD SW***	***16***	***18***
WESSKOTE INC	***1504 COORS BLVD SW***	***19***	***22***
USGS WELL, ISLETA AT BARCELONA	***2550 ISLETA BLVD.***	***33***	***38***

RAATS: The RCRA Administration Action Tracking System contains records based on enforcement actions issued under RCRA and pertaining to major violators. It includes administrative and civil actions brought by the United States Environmental Protection Agency. The source of this database is the U.S. EPA.

A review of the RAATS list, as provided by EDR, and dated 04/17/1995 has revealed that there is 1 RAATS site within the searched area.

Site	Address	Map ID	Page
PRONTO SERVICE	***BRIDGE & SO COOR RD***	***12***	***14***

STATE AND LOCAL RECORDS

SCS: State cleanup sites that fall under the state's Water Quality Control Commission Regulations.

A review of the SCS list, as provided by EDR, and dated 10/28/2011 has revealed that there are 4 SCS sites within the searched area.

Site	Address	Map ID	Page
PRONTO SERVICE CO.	1107 COORS SW	15	17
ATEX LUST	***3501 ISLETA***	***47***	***50***

EXECUTIVE SUMMARY

Site	Address	Map ID	Page
BASS SITE	***4257 ISLETA BLVD SW***	***49***	***52***
RUBI'S METALS, INC.	2227 MAYFLOWER RD	55	59

SWF/LF: The Solid Waste Facilities/Landfill Sites records typically contain an inventory of solid waste disposal facilities or landfills in a particular state. The data come from the New Mexico Environmental Department's Solid Waste Facilities List.

A review of the SWF/LF list, as provided by EDR, and dated 05/13/2013 has revealed that there are 2 SWF/LF sites within the searched area.

Site	Address	Map ID	Page
VALLEY EXCAVATION & TRENCHING	2814 SAN YGNACIO, SW	17	20
RIVERSIDE GENERAL CONSTRUCTION		27	32

LTANKS: A listing of leaking storage tank site locations.

A review of the LTANKS list, as provided by EDR, and dated 01/24/2013 has revealed that there are 18 LTANKS sites within the searched area.

Site	Address	Map ID	Page
ATRISCO 66	***4617 CENTRAL NW***	***1***	***3***
PLATEAU 112	***4711 CENTRAL NW***	***2***	***4***
WHITE STORE #145	***5201 CENTRAL AVENUE NW***	***3***	***5***
FORMER GAS STATION	***5401 CENTRAL NE***	***4***	***6***
CIGARETTE SHOP THE	***2401 ISLETA SW***	***30***	***33***
ATEX/T-GAS 1315	***2448 ISLETA BLVD***	***32***	***37***
ALLSUP 152	***2801 COORS SW***	***34***	***40***
RODGERS DRILLING	***2615 ISLETA BLVD SW***	***35***	***42***
SPARKLE CAR WSH	***2611 ISLETA BLVD SW***	***35***	***42***
CLIMATE ROOFING INC	***2700 ISLETA SW***	***37***	***43***
CIRCLE K 589	***3041 ISLETA SW***	***39***	***45***
LEE AND BLAKELY FEED STORE	***3031 ISLETA BLVD SW***	***39***	***46***
THRIFTWAY ISLET	***3339 ISLETA BLVD SW***	***44***	***49***
CHEVRON ISLETA	***3401 ISLETA SW***	***46***	***50***
ATEX LUST	***3501 ISLETA***	***47***	***50***
ROBERT'S PUMP'N SAVE GAS	***4257 ISLETA BLVD***	***49***	***52***
CIRCLE K #610	***4400 COORS SW***	***51***	***57***
ATEX/T-GAS 380	***2990 GUN CLUB RD***	***52***	***58***

LUST: The Leaking Underground Storage Tank Incident Reports contain an inventory of reported leaking underground storage tank incidents. The data come from the New Mexico Environmental Department's List of Past & Current Leak Sites by Location.

A review of the LUST list, as provided by EDR, and dated 08/01/2006 has revealed that there are 18 LUST sites within the searched area.

Site	Address	Map ID	Page
ROBERTS OIL-CENTRAL	4617 CENTRAL NW	1	4
Facility Status: Aggr Cleanup Completed, Resp Party			

EXECUTIVE SUMMARY

Site	Address	Map ID	Page
PLATEAU 112	***4711 CENTRAL NW***	***2***	***4***
Facility Status: No Further Action Required			
WHITE STORE #145	***5201 CENTRAL AVENUE NW***	***3***	***5***
Facility Status: No Further Action Required			
FORMER GAS STATION	***5401 CENTRAL NE***	***4***	***6***
Facility Status: No Further Action Required			
CIGARETTE SHOP THE	***2401 ISLETA SW***	***30***	***33***
Facility Status: Investigation, Responsible Party			
ATEX/T-GAS 1315	***2448 ISLETA BLVD***	***32***	***37***
Facility Status: Aggr Cleanup Completed, Resp Party			
ALLSUP 152	***2801 COORS SW***	***34***	***40***
Facility Status: Cleanup, Responsible Party			
RODGERS DRILLING	***2615 ISLETA BLVD SW***	***35***	***42***
Facility Status: Cleanup, Responsible Party			
SPARKLE CAR WSH	***2611 ISLETA BLVD SW***	***35***	***42***
Facility Status: Aggr Cleanup Completed, Resp Party			
CLIMATE ROOFING INC	***2700 ISLETA SW***	***37***	***43***
Facility Status: Aggr Cleanup Completed, Resp Party			
CIRCLE K 589	***3041 ISLETA SW***	***39***	***45***
Facility Status: No Further Action Required			
LEE AND BLAKELY FEED STORE	***3031 ISLETA BLVD SW***	***39***	***46***
Facility Status: Monitoring, Responsible Party			
THRIFTWAY ISLET	***3339 ISLETA BLVD SW***	***44***	***49***
Facility Status: Aggr Cleanup Completed, Resp Party			
CHEVRON ISLETA	***3401 ISLETA SW***	***46***	***50***
Facility Status: Aggr Cleanup Completed, St Lead, CAF			
ATEX 213	3501 ISLETA BLVD SW	47	51
Facility Status: Aggr Cleanup Completed, St Lead, CAF			
BASS SITE	***4257 ISLETA BLVD SW***	***49***	***52***
Facility Status: Aggr Cleanup Completed, St Lead, CAF			
CIRCLE K #610	***4400 COORS SW***	***51***	***57***
Facility Status: No Further Action Required			
ATEX/T-GAS 380	***2990 GUN CLUB RD***	***52***	***58***
Facility Status: Investigation, Responsible Party			

TANKS: A listing of aboveground and underground storage tank site locations.

A review of the TANKS list, as provided by EDR, and dated 02/06/2013 has revealed that there are 21 TANKS sites within the searched area.

Site	Address	Map ID	Page
ATRISCO 66	***4617 CENTRAL NW***	***1***	***3***
PLATEAU 112	***4711 CENTRAL NW***	***2***	***4***
WHITE STORE #145	***5201 CENTRAL AVENUE NW***	***3***	***5***
OLD TIMBERMAN TRAILER MANUFACT	1500 COORS BLVD SW	19	24
GIANT SERVICE STATION 626	***1897 COORS BLVD SW***	***22***	***28***

EXECUTIVE SUMMARY

Site	Address	Map ID	Page
QUALITY LATH AND PLASTER	2508 COORS SW	27	31
CIGARETTE SHOP THE	***2401 ISLETA SW***	***30***	***33***
ATEX/T-GAS 1315	***2448 ISLETA BLVD***	***32***	***37***
ALLSUP 152	***2801 COORS SW***	***34***	***40***
RODGERS DRILLING	***2615 ISLETA BLVD SW***	***35***	***42***
SPARKLE CAR WSH	***2611 ISLETA BLVD SW***	***35***	***42***
CLIMATE ROOFING INC	***2700 ISLETA SW***	***37***	***43***
CIRCLE K 589	***3041 ISLETA SW***	***39***	***45***
LEE AND BLAKELY FEED STORE	***3031 ISLETA BLVD SW***	***39***	***46***
ALBUQUERQUE SOUTHWEST	1700 BARCELONA RD SW	41	47
CHEVRON ISLETA	***3401 ISLETA SW***	***46***	***50***
ATEX LUST	***3501 ISLETA***	***47***	***50***
ROBERT'S PUMP'N SAVE GAS	***4257 ISLETA BLVD***	***49***	***52***
PHILLIPS 66	***4321 COORS SW***	***50***	***53***
CIRCLE K #610	***4400 COORS SW***	***51***	***57***
ATEX/T-GAS 380	***2990 GUN CLUB RD***	***52***	***58***

UST: The Underground Storage Tank database contains registered USTs. USTs are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA). The data come from the New Mexico Environmental Department's Listing of Underground Storage Tanks.

A review of the UST list, as provided by EDR, and dated 08/01/2006 has revealed that there are 16 UST sites within the searched area.

Site	Address	Map ID	Page
ATRISCO 66	***4617 CENTRAL NW***	***1***	***3***
PLATEAU 112	***4711 CENTRAL NW***	***2***	***4***
AMIGO MART 840	1524 COORS BLVD	19	20
JACKS TREE SERVICE	1504 COORS SW	19	24
OLD TIMBERMAN TRAILER MANUFACT	1500 COORS BLVD SW	19	24
GIANT SERVICE STATION 626	***1897 COORS BLVD SW***	***22***	***28***
COYOTE CONCRETE PRODUCTS	2518 COORS SW	27	30
QUALITY LATH AND PLASTER	2508 COORS SW	27	32
CIGARETTE SHOP THE	***2401 ISLETA SW***	***30***	***33***
ALLSUPS - NO152	2801 COORS SW	34	41
CLIMATE ROOFING INC	***2700 ISLETA SW***	***37***	***43***
ALBUQUERQUE SOUTHWEST	1700 BARCELONA RD SW	41	47
WOODARD EXPLOSIVES INC	3305 S COORS	45	49
PHILLIPS 66	***4321 COORS SW***	***50***	***53***
CIRCLE K 610	4400 COORS SW	51	56
THRIFTWAY 548	2990 GUN CLUB RD	52	58

AST: The Aboveground Storage Tank database contains registered ASTs. The data come from the New Mexico Environmental Department's Listing of Aboveground Storage Tanks.

A review of the AST list, as provided by EDR, and dated 08/01/2006 has revealed that there is 1 AST site within the searched area.

Site	Address	Map ID	Page
COYOTE GRAVEL PRODUCTS INC	2124 COORS SW	24	30

EXECUTIVE SUMMARY

NPDES: General information regarding NPDES (National Pollutant Discharge Elimination System) permits.

A review of the NPDES list, as provided by EDR, and dated 04/17/2013 has revealed that there is 1 NPDES site within the searched area.

Site	Address	Map ID	Page
ROBERT'S PUMP'N SAVE GAS	***4257 ISLETA BLVD***	***49***	***52***

EDR PROPRIETARY RECORDS

EDR US Hist Auto Stat: EDR has searched selected national collections of business directories and has collected listings of potential gas station/filling station/service station sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include gas station/filling station/service station establishments. The categories reviewed included, but were not limited to gas, gas station, gasoline station, filling station, auto, automobile repair, auto service station, service station, etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

A review of the EDR US Hist Auto Stat list, as provided by EDR, has revealed that there are 32 EDR US Hist Auto Stat sites within the searched area.

Site	Address	Map ID	Page
Not reported	715 RIM DR SW	5	7
JUAREZ OIL CHANGE AUTO LUBRICA	801 OLD COORS DR SW	6	8
Not reported	763 OLD COORS DR SW	6	9
Not reported	709 ATRISCO DR SW	8	9
Not reported	932 OLD COORS DR SW	9	12
Not reported	2829 LOS ALTOS PL SW	10	12
Not reported	1100 OLD COORS DR SW	11	13
Not reported	1098 OLD COORS DR SW	11	13
Not reported	1124 BODDY RD SW	12	13
Not reported	1120 BODDY RD SW	12	14
Not reported	2633 BRIDGE BLVD SW	13	16
Not reported	2606 BRIDGE BLVD SW	14	16
Not reported	6600 SAGE RD SW	18	20
Not reported	1847 COORS BLVD SW	20	25
Not reported	2804 ARENAL RD SW	21	27
Not reported	1897 COORS BLVD SW	22	28
Not reported	2110 COORS BLVD SW	23	29
Not reported	6800 HUSEMAN PL SW	25	30
Not reported	2401 COORS BLVD SW	26	30
Not reported	2511 COORS BLVD SW	27	31
Not reported	2301 GARDENIA RD SW	28	32
Not reported	2528 COORS BLVD SW	29	33
Not reported	2720 COORS BLVD SW	31	37
Not reported	1620 VAL VERDE RD SW	36	43
Not reported	2937 COORS BLVD SW	38	45
Not reported	3045 COORS BLVD SW	40	47
Not reported	3101 COORS BLVD SW	42	48
Not reported	2504 HARRIS RD SW	48	51
Not reported	4301 COORS BLVD SW	50	54

EXECUTIVE SUMMARY

Site	Address	Map ID	Page
Not reported	4400 COORS BLVD SW	51	57
Not reported	4619 W GLEN DR SW	53	59
Not reported	4625 SUNNY CIR SW	54	59

EDR US Hist Cleaners: EDR has searched selected national collections of business directories and has collected listings of potential dry cleaner sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include dry cleaning establishments. The categories reviewed included, but were not limited to dry cleaners, cleaners, laundry, laundromat, cleaning/laundry, wash & dry etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

A review of the EDR US Hist Cleaners list, as provided by EDR, has revealed that there are 3 EDR US Hist Cleaners sites within the searched area.

Site	Address	Map ID	Page
STANLEY STEEMER CARPET	816 OLD COORS DR SW	6	7
Not reported	809 OLD COORS DR SW	6	7
Not reported	5933 EUCARIZ AVE SW	7	9

EXECUTIVE SUMMARY

Please refer to the end of the findings report for unmapped orphan sites due to poor or inadequate address information.

MAP FINDINGS SUMMARY

Database	Total Plotted
FEDERAL RECORDS	
NPL	0
Proposed NPL	0
Delisted NPL	0
NPL LIENS	0
CERCLIS	1
CERC-NFRAP	0
LIENS 2	0
CORRACTS	0
RCRA-TSDF	0
RCRA-LQG	0
RCRA-SQG	0
RCRA-CESQG	6
RCRA NonGen / NLR	1
US ENG CONTROLS	0
US INST CONTROL	0
ERNS	0
HMIRS	0
DOT OPS	0
US CDL	0
US BROWNFIELDS	0
DOD	0
FUDS	0
LUCIS	0
CONSENT	0
ROD	0
UMTRA	0
DEBRIS REGION 9	0
ODI	0
US MINES	1
TRIS	0
TSCA	0
FTTS	0
HIST FTTS	0
SSTS	0
ICIS	0
PADS	0
MLTS	0
RADINFO	0
FINDS	4
RAATS	1
RMP	0
COAL ASH EPA	0
SCRD DRYCLEANERS	0
US HIST CDL	0
PCB TRANSFORMER	0
FEDERAL FACILITY	0
US FIN ASSUR	0
EPA WATCH LIST	0

MAP FINDINGS SUMMARY

Database	Total Plotted
PRP	0
2020 COR ACTION	0
COAL ASH DOE	0
FEMA UST	0
LEAD SMELTERS	0
US AIRS	0

STATE AND LOCAL RECORDS

SHWS	N/A
SCS	4
SWF/LF	2
SWRCY	0
LTANKS	18
LUST	18
TANKS	21
UST	16
LAST	0
AST	1
SPILLS	0
INST CONTROL	0
VCP	0
DRYCLEANERS	0
BROWNFIELDS	0
CDL	0
NPDES	1
AIRS	0
ASBESTOS	0
MINES	0

TRIBAL RECORDS

INDIAN RESERV	0
INDIAN ODI	0
INDIAN LUST	0
INDIAN UST	0
INDIAN VCP	0

EDR PROPRIETARY RECORDS

EDR MGP	0
EDR US Hist Auto Stat	32
EDR US Hist Cleaners	3

NOTES:

Sites may be listed in more than one database

N/A = This State does not maintain a SHWS list. See the Federal CERCLIS list.

1 **ATRISCO 66** **LTANKS** **U000776367**
4617 CENTRAL NW **TANKS** **N/A**
ALBUQUERQUE, NM 87108 **UST**

LTANKS:

Facility Id:	1741
Release Id Number:	2792
Project Manager:	Patrick De Gruyter
Status:	Aggr Cleanup Completed, Resp Party
NFA Date:	Not reported
Update Status:	Not reported
Priority:	2

TANKS:

Facility Id:	1741
Owner Id Number:	46137
Owner Name:	PETROLEUM MANAGEMENT INC
In Use AST:	0
In Use UST:	3
Temp Out AST:	0
Temp Out UST:	0
Sold AST:	0
Sold UST:	0
Removed AST:	0
Removed UST:	0
No Data AST:	0
No Data UST:	0
Exempt AST:	0
Exempt UST:	0

UST:

Facility ID:	1741
Secondary Address:	Not reported
Owner ID:	46137
Owner Name:	PETROLEUM MANAGEMENT INC
Owner Address:	3615 NM HWY 528
Owner Address 2:	SUITE 200B
Owner City,St,Zip:	ALBUQUERQUE, NM 87714
Owner Telephone:	505-379-7441
Tank ID:	19068
Tank Status:	**CURRENTLY IN USE**
Tank Type:	Underground
Tank Capacity:	12000
Tank Substance:	UNKNOWN
Tank ID:	19069
Tank Status:	**CURRENTLY IN USE**
Tank Type:	Underground
Tank Capacity:	12000
Tank Substance:	UNKNOWN
Tank ID:	19070
Tank Status:	**CURRENTLY IN USE**
Tank Type:	Underground
Tank Capacity:	12000

ATRISCO 66 (Continued) **U000776367**

Tank Substance: UNKNOWN

---

1 **ROBERTS OIL-CENTRAL** **LUST** **1000959762**
4617 CENTRAL NW **N/A**
ALBUQUERQUE, NM 87108

LUST:

Facility ID:	1741
Status:	**Aggr Cleanup Completed, Resp Party**
Status Date:	07/01/2004
Release ID:	2792
Date Release Reported:	11/17/1995
Priority Rank:	Not reported
Mitigating Factor Score:	Not reported
Total Score To Assign Relative Rank:	Not reported
Project Manager:	Thomas Leck

---

2 **PLATEAU 112** **LUST** **U003189774**
4711 CENTRAL NW **LTANKS** **N/A**
ALBUQUERQUE, NM 87105 **TANKS**
UST

LUST:

Facility ID:	1656
Status:	**No Further Action Required**
Status Date:	11/15/1999
Release ID:	3305
Date Release Reported:	11/07/1997
Priority Rank:	Not reported
Mitigating Factor Score:	Not reported
Total Score To Assign Relative Rank:	Not reported
Project Manager:	Thomas Leck

LTANKS:

Facility Id:	1656
Release Id Number:	3305
Project Manager:	Not reported
Status:	No Further Action, Confirmed Release
NFA Date:	11/15/1999
Update Status:	Not reported
Priority:	Not reported

TANKS:

Facility Id:	1656
Owner Id Number:	364
Owner Name:	THRIFTWAY MARKETING CORPORATION
In Use AST:	0
In Use UST:	0
Temp Out AST:	0
Temp Out UST:	0
Sold AST:	0
Sold UST:	0
Removed AST:	0
Removed UST:	4
No Data AST:	0

PLATEAU 112 (Continued) **U003189774**

No Data UST: 0
Exempt AST: 0
Exempt UST: 0

UST:
Facility ID: 1656
Secondary Address: Not reported
Owner ID: 364
Owner Name: THRIFTWAY MARKETING CORPORATION
Owner Address: 501 AIRPORT DRIVE
Owner Address 2: SUITE 100
Owner City,St,Zip: FARMINGTON, NM 87401
Owner Telephone: 505-327-4965

Tank ID: 18826
Tank Status: REMOVED
Tank Type: Underground
Tank Capacity: 10000
Tank Substance: EMPTY

Tank ID: 18827
Tank Status: REMOVED
Tank Type: Underground
Tank Capacity: 3000
Tank Substance: EMPTY

Tank ID: 18828
Tank Status: REMOVED
Tank Type: Underground
Tank Capacity: 6000
Tank Substance: EMPTY

Tank ID: 18829
Tank Status: REMOVED
Tank Type: Underground
Tank Capacity: 3000
Tank Substance: EMPTY

---

3 **WHITE STORE #145** **LUST** **S102642258**
5201 CENTRAL AVENUE NW **LTANKS** **N/A**
ALBUQUERQUE, NM **TANKS**

LUST:
Facility ID: 31619
Status: No Further Action Required
Status Date: 01/11/1990
Release ID: 1124
Date Release Reported: 11/15/1989
Priority Rank: Not reported
Mitigating Factor Score: Not reported
Total Score To Assign Relative Rank: Not reported
Project Manager: UNKNOWN

WHITE STORE #145 (Continued) **S102642258**

LTANKS:

Facility Id:	31619
Release Id Number:	1124
Project Manager:	Not reported
Status:	No Further Action, Confirmed Release
NFA Date:	01/11/1990
Update Status:	Not reported
Priority:	Not reported

TANKS:

Facility Id:	31619
Owner Id Number:	16067
Owner Name:	WHITES STORES INC
In Use AST:	0
In Use UST:	0
Temp Out AST:	0
Temp Out UST:	0
Sold AST:	0
Sold UST:	0
Removed AST:	0
Removed UST:	1
No Data AST:	0
No Data UST:	0
Exempt AST:	0
Exempt UST:	0

---

4 **FORMER GAS STATION** **LTANKS** **S102642065**
5401 CENTRAL NE **LUST** **N/A**
ALBUQUERQUE, NM 87108

LTANKS:

Facility Id:	28119
Release Id Number:	1882
Project Manager:	Not reported
Status:	No Further Action, Confirmed Release
NFA Date:	06/09/1993
Update Status:	Not reported
Priority:	Not reported

LUST:

Facility ID:	28119
Status:	**No Further Action Required**
Status Date:	06/09/1993
Release ID:	1882
Date Release Reported:	05/27/1993
Priority Rank:	Not reported
Mitigating Factor Score:	Not reported
Total Score To Assign Relative Rank:	Not reported
Project Manager:	UNKNOWN

5 **EDR US Hist Auto Stat** **1015613130**
715 RIM DR SW **N/A**
ALBUQUERQUE, NM 87105

EDR Historical Auto Stations:
Name: J & S SMALL ENGINE REPAIR
Year: 2005
Address: 715 RIM DR SW

---

6 **STANLEY STEEMER CARPET** **EDR US Hist Cleaners** **1013787644**
816 OLD COORS DR SW **N/A**
ALBUQUERQUE, NM 87121

EDR Historical Cleaners:
Name: STANLEY STEEMER CARPET
Year: 2002
Type: CARPET & RUG CLEANERS

Name: STANLEY STEEMER CARPET CLEANER
Year: 2000
Address: 816 OLD COORS DR SW

Name: STANLEY STEEMER CARPET CLEANER
Year: 2001
Address: 816 OLD COORS DR SW

Name: STANLEY STEEMER CARPET CLEANER
Year: 2002
Address: 816 OLD COORS DR SW

---

6 **EDR US Hist Cleaners** **1013784126**
809 OLD COORS DR SW **N/A**
ALBUQUERQUE, NM 87121

EDR Historical Cleaners:
Name: VEL COIN LAUNDRY
Year: 1970
Type: LAUNDRIES-SELF SERVE

Name: VEL COIN LAUNDRY
Year: 1975
Type: LAUNDRIES-SELF SERVE

Name: J & L LAUNDRY
Year: 1980
Type: LAUNDRIES-SELF SERVE

Name: S & Y LAUNDRY
Year: 1986
Type: LAUNDRIES-SELF SERVE

Name: COORS LAUNDRY
Year: 1990
Type: LAUNDRIES-SELF SERVE

Name: COORS LAUNDRY & DRY CLEANER
Year: 2002
Address: 809 COORS BLVD NW

(Continued) **1013784126**

Name: COORS LAUNDRY
Year: 2003
Address: 809 OLD COORS DR SW

Name: YB LAUNDRY
Year: 2004
Address: 809 OLD COORS DR SW

Name: YB LAUNDRY
Year: 2005
Address: 809 OLD COORS DR SW

Name: YB LAUNDRY
Year: 2006
Address: 809 OLD COORS DR SW

Name: YB LAUNDRY
Year: 2007
Address: 809 OLD COORS DR SW

Name: YB LAUNDRY
Year: 2008
Address: 809 OLD COORS DR SW

Name: Y V LAUNDRYMAT
Year: 2010
Address: 809 OLD COORS DR SW

Name: YV LAUNDRYMAT
Year: 2011
Address: 809 OLD COORS DR SW

Name: YV LAUNDRYMAT
Year: 2012
Address: 809 OLD COORS DR SW

---

6 **JUAREZ OIL CHANGE AUTO LUBRICATION SERV** **EDR US Hist Auto Stat** **1013754716**
801 OLD COORS DR SW **N/A**
ALBUQUERQUE, NM 87121

EDR Historical Auto Stations:
Name: P & L TRANSMISSION TRANSMISSIONS AUTO
Year: 2002
Type: TRANSMISSIONS-AUTOMOBILE

Name: JUAREZ OIL CHANGE AUTO LUBRICATION SERV
Year: 2002
Type: AUTOMOBILE LUBRICATION SERVICE

Name: SOUTHWEST QUICK LUBE
Year: 2002
Address: 801 OLD COORS DR SW

6 **EDR US Hist Auto Stat** **1015628406**

763 OLD COORS DR SW **N/A**
ALBUQUERQUE, NM 87121

EDR Historical Auto Stations:

Name:	FOUR STAR AUTO
Year:	2002
Address:	763 OLD COORS DR SW
Name:	FOUR STAR AUTO
Year:	2003
Address:	763 OLD COORS DR SW

---

7 **EDR US Hist Cleaners** **1013783536**

5933 EUCARIZ AVE SW **N/A**
ALBUQUERQUE, NM 87121

EDR Historical Cleaners:

Name:	XTREME CARPET CLEANING
Year:	2002
Type:	CARPET & RUG CLEANERS
Name:	XTREME CARPET CLEANING
Year:	2004
Address:	5933 EUCARIZ AVE SW
Name:	EXTREME CARPET CLEANING
Year:	2005
Address:	5933 EUCARIZ AVE SW
Name:	EXTREME CARPET CLEANING
Year:	2006
Address:	5933 EUCARIZ AVE SW
Name:	EXTREME CARPET CLEANING
Year:	2007
Address:	5933 EUCARIZ AVE SW
Name:	EXTREME CARPET CLEANING
Year:	2008
Address:	5933 EUCARIZ AVE SW
Name:	XTREME CARPET CLEANING
Year:	2010
Address:	5933 EUCARIZ AVE SW

---

8 **EDR US Hist Auto Stat** **1015609876**

709 ATRISCO DR SW **N/A**
ALBUQUERQUE, NM 87105

EDR Historical Auto Stations:

Name:	G & C AUTO REPAIRS
Year:	2001
Address:	709 ATRISCO DR SW
Name:	G & C AUTO REPAIRS
Year:	2002
Address:	709 ATRISCO DR SW

9 EAGLE ONE AUTOMOTIVE **RCRA-CESQG** **1012184591**
932 OLD COORS RD SW **NMR000014472**
ALBUQUERQUE, NM 87121

RCRA-CESQG:

Date form received by agency:	05/07/2009
Facility name:	EAGLE ONE AUTOMOTIVE
Facility address:	932 OLD COORS RD SW ALBUQUERQUE, NM 87121
EPA ID:	NMR000014472
Mailing address:	OLD COORS RD SW ALBUQUERQUE, NM 87121
Contact:	AL SENA
Contact address:	OLD COORS RD SW ALBUQUERQUE, NM 87121
Contact country:	US
Contact telephone:	505-352-6688
Contact email:	Not reported
EPA Region:	06
Land type:	Private
Classification:	Conditionally Exempt Small Quantity Generator
Description:	Handler: generates 100 kg or less of hazardous waste per calendar month, and accumulates 1000 kg or less of hazardous waste at any time; or generates 1 kg or less of acutely hazardous waste per calendar month, and accumulates at any time: 1 kg or less of acutely hazardous waste; or 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste; or generates 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste during any calendar month, and accumulates at any time: 1 kg or less of acutely hazardous waste; or 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste

Owner/Operator Summary:

Owner/operator name:	DAN JARAMILLO
Owner/operator address:	OLD COORS RD SW ALBUQUERQUE, NM 87121
Owner/operator country:	US
Owner/operator telephone:	Not reported
Legal status:	Private
Owner/Operator Type:	Owner
Owner/Op start date:	01/01/1950
Owner/Op end date:	Not reported

Owner/operator name:	DAN JARAMILLO
Owner/operator address:	OLD COORS RD SW ALBUQUERQUE, NM 87121
Owner/operator country:	US
Owner/operator telephone:	Not reported
Legal status:	Private
Owner/Operator Type:	Operator
Owner/Op start date:	01/01/1950
Owner/Op end date:	Not reported

Handler Activities Summary:

EAGLE ONE AUTOMOTIVE (Continued) **1012184591**

U.S. importer of hazardous waste:	No
Mixed waste (haz. and radioactive):	No
Recycler of hazardous waste:	No
Transporter of hazardous waste:	No
Treater, storer or disposer of HW:	No
Underground injection activity:	No
On-site burner exemption:	No
Furnace exemption:	No
Used oil fuel burner:	No
Used oil processor:	No
User oil refiner:	No
Used oil fuel marketer to burner:	No
Used oil Specification marketer:	No
Used oil transfer facility:	No
Used oil transporter:	No

Hazardous Waste Summary:

Waste code: D001
Waste name: IGNITABLE HAZARDOUS WASTES ARE THOSE WASTES WHICH HAVE A FLASHPOINT OF LESS THAN 140 DEGREES FAHRENHEIT AS DETERMINED BY A PENSKY-MARTENS CLOSED CUP FLASH POINT TESTER. ANOTHER METHOD OF DETERMINING THE FLASH POINT OF A WASTE IS TO REVIEW THE MATERIAL SAFETY DATA SHEET, WHICH CAN BE OBTAINED FROM THE MANUFACTURER OR DISTRIBUTOR OF THE MATERIAL. LACQUER THINNER IS AN EXAMPLE OF A COMMONLY USED SOLVENT WHICH WOULD BE CONSIDERED AS IGNITABLE HAZARDOUS WASTE.

Waste code: D002
Waste name: A WASTE WHICH HAS A PH OF LESS THAN 2 OR GREATER THAN 12.5 IS CONSIDERED TO BE A CORROSIVE HAZARDOUS WASTE. SODIUM HYDROXIDE, A CAUSTIC SOLUTION WITH A HIGH PH, IS OFTEN USED BY INDUSTRIES TO CLEAN OR DEGREASE PARTS. HYDROCHLORIC ACID, A SOLUTION WITH A LOW PH, IS USED BY MANY INDUSTRIES TO CLEAN METAL PARTS PRIOR TO PAINTING. WHEN THESE CAUSTIC OR ACID SOLUTIONS BECOME CONTAMINATED AND MUST BE DISPOSED, THE WASTE WOULD BE A CORROSIVE HAZARDOUS WASTE.

Waste code: D008
Waste name: LEAD

Waste code: D009
Waste name: MERCURY

Violation Status: No violations found

Evaluation Action Summary:

Evaluation date: 05/06/2009
Evaluation: COMPLIANCE ASSISTANCE VISIT
Area of violation: Not reported
Date achieved compliance: Not reported
Evaluation lead agency: State

9 **EDR US Hist Auto Stat** **1013756960**
932 OLD COORS DR SW **N/A**
ALBUQUERQUE, NM 87121

EDR Historical Auto Stations:

Name:	EAGLE 1 AUTOMOTIVE AUTO RPR & SERV
Year:	2002
Type:	AUTOMOBILE REPAIRING & SERVICE
Name:	EAGLE 1 AUTOMOTIVE
Year:	2002
Address:	932 OLD COORS DR SW
Name:	EAGLE ONE AUTOMOTIVE
Year:	2003
Address:	932 OLD COORS DR SW
Name:	EAGLE ONE AUTOMOTIVE
Year:	2004
Address:	932 OLD COORS DR SW
Name:	EAGLE 1 AUTOMOTIVE
Year:	2007
Address:	932 OLD COORS DR SW
Name:	EAGLE 1 AUTOMOTIVE
Year:	2008
Address:	932 OLD COORS DR SW
Name:	EAGLE ONE AUTOMOTIVE
Year:	2009
Address:	932 OLD COORS DR SW
Name:	EAGLE 1 AUTOMOTIVE
Year:	2010
Address:	932 OLD COORS DR SW
Name:	ROUTE 66 AUTO RV MOBILE REPAIR
Year:	2012
Address:	932 OLD COORS DR SW

---

10 **EDR US Hist Auto Stat** **1015388453**
2829 LOS ALTOS PL SW **N/A**
ALBUQUERQUE, NM 87105

EDR Historical Auto Stations:

Name:	MACES MOBILE SERVICE
Year:	2002
Address:	2829 LOS ALTOS PL SW

11 **EDR US Hist Auto Stat** **1015152704**
1100 OLD COORS DR SW **N/A**
ALBUQUERQUE, NM 87121

EDR Historical Auto Stations:

Name:	DIAMOND SHAMROCK
Year:	2006
Address:	1100 OLD COORS DR SW
Name:	VALERO CORNER STORE
Year:	2010
Address:	1100 OLD COORS DR SW
Name:	VALERO
Year:	2012
Address:	1100 OLD COORS DR SW

---

11 **EDR US Hist Auto Stat** **1015150053**
1098 OLD COORS DR SW **N/A**
ALBUQUERQUE, NM 87121

EDR Historical Auto Stations:

Name:	ULTRAMAR DIAMOND SHAMROCK INC
Year:	2005
Address:	1098 OLD COORS DR SW
Name:	ULTRAMAR DIAMOND SHAMROCK INC
Year:	2006
Address:	1098 OLD COORS DR SW
Name:	ULTRAMAR DIAMOND SHAMROCK INC
Year:	2007
Address:	1098 OLD COORS DR SW
Name:	ULTRAMAR DIAMOND SHAMROCK INC
Year:	2008
Address:	1098 OLD COORS DR SW
Name:	ULTRAMAR DIAMOND SHAMROCK INC
Year:	2009
Address:	1098 OLD COORS DR SW

---

12 **EDR US Hist Auto Stat** **1015161928**
1124 BODDY RD SW **N/A**
ALBUQUERQUE, NM 87121

EDR Historical Auto Stations:

Name:	ORLIES AUTO SALE
Year:	2004
Address:	1124 BODDY RD SW
Name:	ORLIES AUTOBODY REPAIRS
Year:	2010
Address:	1124 BODDY RD SW

12 | **EDR US Hist Auto Stat** | **1015160717** | **N/A**

1120 BODDY RD SW
ALBUQUERQUE, NM 87121

EDR Historical Auto Stations:

Name:	AUTOMOTIVE REBUILDING
Year:	2001
Address:	1120 BODDY RD SW
Name:	AUTOMOTIVE REBUILDING
Year:	2002
Address:	1120 BODDY RD SW

---

12 **PRONTO SERVICE** | **RCRA NonGen / NLR** | **1000322478**
BRIDGE & SO COOR RD | **FINDS** | **NMD000332916**
ALBUQUERQUE, NM 87105 | **RAATS**

RCRA NonGen / NLR:

Date form received by agency:	06/17/2003
Facility name:	PRONTO SERVICE
Facility address:	BRIDGE & SO COOR RD ALBUQUERQUE, NM 87105
EPA ID:	NMD000332916
Mailing address:	DENNISON S W ALBUQUERQUE, NM 87105
Contact:	CHARLES GUTIERREZ
Contact address:	1588 DENNISON S W ALBUQUERQUE, NM 87105
Contact country:	US
Contact telephone:	(505) 842-8015
Contact email:	Not reported
EPA Region:	06
Land type:	Private
Classification:	Non-Generator
Description:	Handler: Non-Generators do not presently generate hazardous waste

Owner/Operator Summary:

Owner/operator name:	PRONTO SVC
Owner/operator address:	UNKNOWN UNKNOWN, NM 00000
Owner/operator country:	Not reported
Owner/operator telephone:	(000) 000-0000
Legal status:	Private
Owner/Operator Type:	Operator
Owner/Op start date:	01/01/0001
Owner/Op end date:	Not reported
Owner/operator name:	MILT ARMS INC
Owner/operator address:	UNKNOWN UNKNOWN, NM 00000
Owner/operator country:	Not reported
Owner/operator telephone:	(000) 000-0000
Legal status:	Private
Owner/Operator Type:	Owner
Owner/Op start date:	01/01/0001
Owner/Op end date:	Not reported

Handler Activities Summary:
U.S. importer of hazardous waste: No

PRONTO SERVICE (Continued) **1000322478**

Mixed waste (haz. and radioactive): No
Recycler of hazardous waste: No
Transporter of hazardous waste: No
Treater, storer or disposer of HW: No
Underground injection activity: No
On-site burner exemption: No
Furnace exemption: No
Used oil fuel burner: No
Used oil processor: No
User oil refiner: No
Used oil fuel marketer to burner: No
Used oil Specification marketer: No
Used oil transfer facility: No
Used oil transporter: No

Historical Generators:
Date form received by agency: 07/14/1980
Facility name: PRONTO SERVICE
Classification: Not a generator, verified

Facility Has Received Notices of Violations:
Regulation violated: Not reported
Area of violation: Generators - General
Date violation determined: 01/15/1983
Date achieved compliance: 07/30/1984
Violation lead agency: EPA
Enforcement action: INITIAL 3008(A) COMPLIANCE
Enforcement action date: 04/15/1983
Enf. disposition status: Not reported
Enf. disp. status date: Not reported
Enforcement lead agency: EPA
Proposed penalty amount: 25000
Final penalty amount: Not reported
Paid penalty amount: Not reported

Regulation violated: Not reported
Area of violation: Generators - General
Date violation determined: 01/15/1983
Date achieved compliance: 07/30/1984
Violation lead agency: EPA
Enforcement action: FINAL 3008(A) COMPLIANCE ORDER
Enforcement action date: 07/30/1984
Enf. disposition status: Not reported
Enf. disp. status date: Not reported
Enforcement lead agency: EPA
Proposed penalty amount: 25000
Final penalty amount: Not reported
Paid penalty amount: Not reported

Evaluation Action Summary:
Evaluation date: 01/15/1983
Evaluation: COMPLIANCE EVALUATION INSPECTION ON-SITE
Area of violation: Generators - General
Date achieved compliance: 07/30/1984
Evaluation lead agency: EPA

PRONTO SERVICE (Continued) **1000322478**

FINDS:

Registry ID: 110007973693

Environmental Interest/Information System

RCRAInfo is a national information system that supports the Resource Conservation and Recovery Act (RCRA) program through the tracking of events and activities related to facilities that generate, transport, and treat, store, or dispose of hazardous waste. RCRAInfo allows RCRA program staff to track the notification, permit, compliance, and corrective action activities required under RCRA.

ICIS (Integrated Compliance Information System) is the Integrated Compliance Information System and provides a database that, when complete, will contain integrated Enforcement and Compliance information across most of EPA's programs. The vision for ICIS is to replace EPA's independent databases that contain Enforcement data with a single repository for that information. Currently, ICIS contains all Federal Administrative and Judicial enforcement actions. This information is maintained in ICIS by EPA in the Regional offices and it Headquarters. A future release of ICIS will replace the Permit Compliance System (PCS) which supports the NPDES and will integrate that information with Federal actions already in the system. ICIS also has the capability to track other activities occurring in the Region that support Compliance and Enforcement programs. These include; Incident Tracking, Compliance Assistance, and Compliance Monitoring.

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13 **EDR US Hist Auto Stat** **1013774409**

2633 BRIDGE BLVD SW **N/A**
ALBUQUERQUE, NM 87105

EDR Historical Auto Stations:

Name: AUTOMOTIVE SERVICE CTR AUTO RPR & SERV
Year: 2002
Type: AUTOMOBILE REPAIRING & SERVICE

Name: AUTOMOTIVE SERVICE CTR
Year: 2001
Address: 2633 BRIDGE BLVD SW

---

14 **EDR US Hist Auto Stat** **1015372281**

2606 BRIDGE BLVD SW **N/A**
ALBUQUERQUE, NM 87105

EDR Historical Auto Stations:

Name: ALEX PAINT & BODY SHOP
Year: 1999
Address: 2606 BRIDGE BLVD SW

Name: ALEX PAINT & BODY SHOP
Year: 2000
Address: 2606 BRIDGE BLVD SW

Name: ALEX PAINT & BODY SHOP
Year: 2001

(Continued) **1015372281**

Address: 2606 BRIDGE BLVD SW

Name: ALEX PAINT & BODY SHOP
Year: 2002
Address: 2606 BRIDGE BLVD SW

Name: ALEX PAINT & BODY SHOP
Year: 2003
Address: 2606 BRIDGE BLVD SW

Name: ALEX PAINT & BODY SHOP INC
Year: 2004
Address: 2606 BRIDGE BLVD SW

Name: ALEX PAINT & BODY SHOP
Year: 2005
Address: 2606 BRIDGE BLVD SW

Name: ALEX PAINT & BODY SHOP INC
Year: 2006
Address: 2606 BRIDGE BLVD SW

Name: ALEX PAINT & BODY SHOP INC
Year: 2007
Address: 2606 BRIDGE BLVD SW

Name: ALEX PAINT & BODY SHOP
Year: 2008
Address: 2606 BRIDGE BLVD SW

Name: ALEX PAINT & BODY SHOP INC
Year: 2009
Address: 2606 BRIDGE BLVD SW

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15 **PRONTO SERVICE CO.** **SCS** **S109096257**
1107 COORS SW **N/A**
ALBQ., NM

SCS:

Latitude:	Not reported
Longitude:	Not reported
Size(Acres):	Not reported
Contaminate Of Concern:	Not reported
Depth To Water(Ft):	Not reported
Flow Direction:	Not reported
Media Impacted:	Not reported
Regulatory Status:	Not reported
Event:	PCB oils contaminated soil
Discharge Date:	Not reported
Actions Taken:	soil excavation and GW monitoring
GWWB Status:	closed
Closed Date:	6/5/1905

16 SOUTH COORS TRUCK SALVAGE — **RCRA-CESQG** **1006809869**
1125 OLD COORS RD SW — **FINDS** **NMR000008011**
ALBUQUERQUE, NM 87121

RCRA-CESQG:

Date form received by agency:	12/01/2004
Facility name:	SOUTH COORS TRUCK SALVAGE
Facility address:	1125 OLD COORS RD SW ALBUQUERQUE, NM 87121
EPA ID:	NMR000008011
Mailing address:	OLD COORS RD SW ALBUQUERQUE, NM 87121
Contact:	STEVE SILLIMAN
Contact address:	OLD COORS RD SW ALBUQUERQUE, NM 87121
Contact country:	US
Contact telephone:	(505) 242-1144
Contact email:	Not reported
EPA Region:	06
Land type:	Private
Classification:	Conditionally Exempt Small Quantity Generator
Description:	Handler: generates 100 kg or less of hazardous waste per calendar month, and accumulates 1000 kg or less of hazardous waste at any time; or generates 1 kg or less of acutely hazardous waste per calendar month, and accumulates at any time: 1 kg or less of acutely hazardous waste; or 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste; or generates 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste during any calendar month, and accumulates at any time: 1 kg or less of acutely hazardous waste; or 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste

Owner/Operator Summary:

Owner/operator name:	SOUTH COORS TRUCK SALVAGE
Owner/operator address:	OLD COORS RD SW ALBUQUERQUE, NM 87121
Owner/operator country:	US
Owner/operator telephone:	(505) 242-1144
Legal status:	Private
Owner/Operator Type:	Owner
Owner/Op start date:	01/15/1973
Owner/Op end date:	Not reported

Owner/operator name:	SOUTH COORS TRUCK SALVAGE
Owner/operator address:	OLD COORS RD SW ALBUQUERQUE, NM 87121
Owner/operator country:	US
Owner/operator telephone:	(505) 242-1144
Legal status:	Private
Owner/Operator Type:	Operator
Owner/Op start date:	01/15/1973
Owner/Op end date:	Not reported

Handler Activities Summary:

SOUTH COORS TRUCK SALVAGE (Continued) **1006809869**

U.S. importer of hazardous waste:	No
Mixed waste (haz. and radioactive):	No
Recycler of hazardous waste:	No
Transporter of hazardous waste:	No
Treater, storer or disposer of HW:	No
Underground injection activity:	No
On-site burner exemption:	No
Furnace exemption:	No
Used oil fuel burner:	No
Used oil processor:	No
User oil refiner:	No
Used oil fuel marketer to burner:	No
Used oil Specification marketer:	No
Used oil transfer facility:	No
Used oil transporter:	No

Historical Generators:

Date form received by agency:	01/29/2003
Facility name:	SOUTH COORS TRUCK SALVAGE
Classification:	Conditionally Exempt Small Quantity Generator

Hazardous Waste Summary:

Waste code:	D001
Waste name:	IGNITABLE HAZARDOUS WASTES ARE THOSE WASTES WHICH HAVE A FLASHPOINT OF LESS THAN 140 DEGREES FAHRENHEIT AS DETERMINED BY A PENSKY-MARTENS CLOSED CUP FLASH POINT TESTER. ANOTHER METHOD OF DETERMINING THE FLASH POINT OF A WASTE IS TO REVIEW THE MATERIAL SAFETY DATA SHEET, WHICH CAN BE OBTAINED FROM THE MANUFACTURER OR DISTRIBUTOR OF THE MATERIAL. LACQUER THINNER IS AN EXAMPLE OF A COMMONLY USED SOLVENT WHICH WOULD BE CONSIDERED AS IGNITABLE HAZARDOUS WASTE.
Waste code:	D002
Waste name:	A WASTE WHICH HAS A PH OF LESS THAN 2 OR GREATER THAN 12.5 IS CONSIDERED TO BE A CORROSIVE HAZARDOUS WASTE. SODIUM HYDROXIDE, A CAUSTIC SOLUTION WITH A HIGH PH, IS OFTEN USED BY INDUSTRIES TO CLEAN OR DEGREASE PARTS. HYDROCHLORIC ACID, A SOLUTION WITH A LOW PH, IS USED BY MANY INDUSTRIES TO CLEAN METAL PARTS PRIOR TO PAINTING. WHEN THESE CAUSTIC OR ACID SOLUTIONS BECOME CONTAMINATED AND MUST BE DISPOSED, THE WASTE WOULD BE A CORROSIVE HAZARDOUS WASTE.
Waste code:	D039
Waste name:	TETRACHLOROETHYLENE
Waste code:	D040
Waste name:	TRICHLOROETHYLENE
Violation Status:	No violations found

Evaluation Action Summary:

Evaluation date:	01/17/2003
Evaluation:	COMPLIANCE ASSISTANCE VISIT
Area of violation:	Not reported
Date achieved compliance:	Not reported
Evaluation lead agency:	State

FINDS:

SOUTH COORS TRUCK SALVAGE (Continued) **1006809869**

Registry ID: 110014356614

Environmental Interest/Information System
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17 **VALLEY EXCAVATION & TRENCHING INC.** **SWF/LF** **S113492598**
2814 SAN YGNACIO, SW **N/A**
ALBUQUERQUE, NM 87105

SWF/LF:

Facility Status:	OPEN
Facility Type:	Commercial Hauler
Facility Phone:	5054598970
Owner Name:	VICTOR BACA
Owner Contact:	Dominic Baca
Owner Address:	2814 SAN YGNACIO
Owner City,St,Zip:	ALBUQUERQUE, NM 87105
Owner Phone:	5054598971
Facility Contact:	Victor Baca
Mailing Address:	2814 San Ygnacio, SW
Mailing City:	Albuquerque
Mailing State:	NM
Mailing Zip:	87105

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18 **EDR US Hist Auto Stat** **1015593641**
6600 SAGE RD SW **N/A**
ALBUQUERQUE, NM 87121

EDR Historical Auto Stations:

Name:	LEO AUTOMOTIVE
Year:	2005
Address:	6600 SAGE RD SW

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19 **AMIGO MART 840** **UST** **U003667375**
1524 COORS BLVD **N/A**
ALBUQUERQUE, NM 87121

UST:

Facility ID:	31051
Secondary Address:	Not reported
Owner ID:	14300
Owner Name:	AMIGO PETROLEUM
Owner Address:	5620 MODESTO NE
Owner Address 2:	PO BOX 93025
Owner City,St,Zip:	ALBUQUERQUE, NM 87199
Owner Telephone:	505-242-6597
Tank ID:	31467
Tank Status:	**REMOVED**

AMIGO MART 840 (Continued) **U003667375**

Tank Type: Underground
Tank Capacity: 8000
Tank Substance: GASOLINE UNKNOWN TYPE

Tank ID: 31468
Tank Status: REMOVED
Tank Type: Underground
Tank Capacity: 8000
Tank Substance: GASOLINE UNKNOWN TYPE

Tank ID: 31469
Tank Status: REMOVED
Tank Type: Underground
Tank Capacity: 8000
Tank Substance: GASOLINE UNKNOWN TYPE

Tank ID: 31470
Tank Status: REMOVED
Tank Type: Underground
Tank Capacity: 550
Tank Substance: USED OIL

Tank ID: 31471
Tank Status: CURRENTLY IN USE
Tank Type: Underground
Tank Capacity: 10000
Tank Substance: UNLEADED PLUS

Tank ID: 31472
Tank Status: CURRENTLY IN USE
Tank Type: Underground
Tank Capacity: 10000
Tank Substance: SUPER UNLEADED

Tank ID: 31473
Tank Status: CURRENTLY IN USE
Tank Type: Underground
Tank Capacity: 10000
Tank Substance: UNLEADED GASOLINE

Tank ID: 31474
Tank Status: CURRENTLY IN USE
Tank Type: Underground
Tank Capacity: 12000
Tank Substance: UNLEADED GASOLINE

19 **WESSKOTE INC** **RCRA-CESQG** **1005905628**
1504 COORS BLVD SW **FINDS** **NMR000007278**
ALBUQUERQUE, NM

RCRA-CESQG:

Date form received by agency:	08/09/2002
Facility name:	WESSKOTE INC
Facility address:	1504 COORS BLVD SW ALBUQUERQUE, NM 87121
EPA ID:	NMR000007278
Mailing address:	COORS BLVD SW ALBUQUERQUE, NM 87121
Contact:	LUIS SALCIDO
Contact address:	1504 COORS BLVD SW ALBUQUERQUE, NM 87121
Contact country:	US
Contact telephone:	OWNER
Contact email:	Not reported
EPA Region:	06
Land type:	Private
Classification:	Conditionally Exempt Small Quantity Generator
Description:	Handler: generates 100 kg or less of hazardous waste per calendar month, and accumulates 1000 kg or less of hazardous waste at any time; or generates 1 kg or less of acutely hazardous waste per calendar month, and accumulates at any time: 1 kg or less of acutely hazardous waste; or 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste; or generates 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste during any calendar month, and accumulates at any time: 1 kg or less of acutely hazardous waste; or 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste

Owner/Operator Summary:

Owner/operator name:	LUIS SALCIDO
Owner/operator address:	1504 COORS BLVD SW ALBUQUERQUE, NM 87121
Owner/operator country:	Not reported
Owner/operator telephone:	(505) 873-8300
Legal status:	Private
Owner/Operator Type:	Owner
Owner/Op start date:	01/01/0001
Owner/Op end date:	Not reported

Handler Activities Summary:

U.S. importer of hazardous waste:	No
Mixed waste (haz. and radioactive):	No
Recycler of hazardous waste:	No
Transporter of hazardous waste:	No
Treater, storer or disposer of HW:	No
Underground injection activity:	No
On-site burner exemption:	No
Furnace exemption:	No
Used oil fuel burner:	No
Used oil processor:	No

WESSKOTE INC (Continued) **1005905628**

User oil refiner: No
Used oil fuel marketer to burner: No
Used oil Specification marketer: No
Used oil transfer facility: No
Used oil transporter: No

Hazardous Waste Summary:
Waste code: D001
Waste name: IGNITABLE HAZARDOUS WASTES ARE THOSE WASTES WHICH HAVE A FLASHPOINT OF LESS THAN 140 DEGREES FAHRENHEIT AS DETERMINED BY A PENSKY-MARTENS CLOSED CUP FLASH POINT TESTER. ANOTHER METHOD OF DETERMINING THE FLASH POINT OF A WASTE IS TO REVIEW THE MATERIAL SAFETY DATA SHEET, WHICH CAN BE OBTAINED FROM THE MANUFACTURER OR DISTRIBUTOR OF THE MATERIAL. LACQUER THINNER IS AN EXAMPLE OF A COMMONLY USED SOLVENT WHICH WOULD BE CONSIDERED AS IGNITABLE HAZARDOUS WASTE.

Waste code: F003
Waste name: THE FOLLOWING SPENT NON-HALOGENATED SOLVENTS: XYLENE, ACETONE, ETHYL ACETATE, ETHYL BENZENE, ETHYL ETHER, METHYL ISOBUTYL KETONE, N-BUTYL ALCOHOL, CYCLOHEXANONE, AND METHANOL; ALL SPENT SOLVENT MIXTURES/BLENDS CONTAINING, BEFORE USE, ONLY THE ABOVE SPENT NON-HALOGENATED SOLVENTS; AND ALL SPENT SOLVENT MIXTURES/BLENDS CONTAINING, BEFORE USE, ONE OR MORE OF THE ABOVE NON-HALOGENATED SOLVENTS, AND, A TOTAL OF TEN PERCENT OR MORE (BY VOLUME) OF ONE OR MORE OF THOSE SOLVENTS LISTED IN F001, F002, F004, AND F005, AND STILL BOTTOMS FROM THE RECOVERY OF THESE SPENT SOLVENTS AND SPENT SOLVENT MIXTURES.

Waste code: F005
Waste name: THE FOLLOWING SPENT NON-HALOGENATED SOLVENTS: TOLUENE, METHYL ETHYL KETONE, CARBON DISULFIDE, ISOBUTANOL, PYRIDINE, BENZENE, 2-ETHOXYETHANOL, AND 2-NITROPROPANE; ALL SPENT SOLVENT MIXTURES/BLENDS CONTAINING, BEFORE USE, A TOTAL OF TEN PERCENT OR MORE (BY VOLUME) OF ONE OR MORE OF THE ABOVE NON-HALOGENATED SOLVENTS OR THOSE SOLVENTS LISTED IN F001, F002, OR F004; AND STILL BOTTOMS FROM THE RECOVERY OF THESE SPENT SOLVENTS AND SPENT SOLVENT MIXTURES.

Violation Status: No violations found

Evaluation Action Summary:
Evaluation date: 08/08/2002
Evaluation: COMPLIANCE ASSISTANCE VISIT
Area of violation: Not reported
Date achieved compliance: Not reported
Evaluation lead agency: State

FINDS:

Registry ID: 110013291400

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19 **JACKS TREE SERVICE** **UST** **U003189508**
1504 COORS SW **N/A**
ALBUQUERQUE, NM 87105

UST:
Facility ID: 28709
Secondary Address: Not reported
Owner ID: 15343
Owner Name: JACKS TREE SERVICE
Owner Address: 1504 COORS SW
Owner Address 2: Not reported
Owner City,St,Zip: ALBUQUERQUE, NM 87105
Owner Telephone: 505-877-0540

Tank ID: 26190
Tank Status: **REMOVED**
Tank Type: Underground
Tank Capacity: 6000
Tank Substance: UNLEADED GASOLINE

Tank ID: 26191
Tank Status: **REMOVED**
Tank Type: Underground
Tank Capacity: 6000
Tank Substance: UNLEADED GASOLINE

---

19 **OLD TIMBERMAN TRAILER MANUFACTURING** **TANKS** **S111764947**
1500 COORS BLVD SW **N/A**
ALBUQUERQUE, NM 87121

TANKS:
Facility Id: 29776
Owner Id Number: 340
Owner Name: NEW MEXICO (STATE OF) NMDOT DIST 3
In Use AST: 0
In Use UST: 0
Temp Out AST: 0
Temp Out UST: 0
Sold AST: 0
Sold UST: 0
Removed AST: 0
Removed UST: 2
No Data AST: 0
No Data UST: 0
Exempt AST: 0
Exempt UST: 0

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19 **OLD TIMBERMAN TRAILER MANUFACTURING** **UST** **U003189733**
1500 COORS BLVD SW **N/A**
ALBUQUERQUE, NM 87121

UST:
Facility ID: 29776
Secondary Address: Not reported
Owner ID: 340
Owner Name: NEW MEXICO (STATE OF) NMSHD DISTRICT III
Owner Address: 7500 PAN AMERICAN FREEWAY

OLD TIMBERMAN TRAILER MANUFACTURING (Continued) **U003189733**

Owner Address 2: PO BOX 91750
Owner City,St,Zip: ALBUQUERQUE, NM 87199
Owner Telephone: 505-841-2700

Tank ID: 28445
Tank Status: REMOVED
Tank Type: Underground
Tank Capacity: 3000
Tank Substance: UNLEADED GASOLINE

Tank ID: 28446
Tank Status: REMOVED
Tank Type: Underground
Tank Capacity: 5000
Tank Substance: DIESEL

---

20 **EDR US Hist Auto Stat** **1015284392**
1847 COORS BLVD SW **N/A**
ALBUQUERQUE, NM 87121

EDR Historical Auto Stations:
Name: YOUR CAR CARE
Year: 2001
Address: 1847 COORS BLVD SW

Name: AMG AUTOMOTIVE
Year: 2005
Address: 1847 COORS BLVD SW

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21 **AUTOMOTIVE PERFORMANCE ENGINEERING** **RCRA-CESQG** **1010324808**
2804 ARENAL SW **NMR000011437**
ALBUQUERQUE, NM 87105

RCRA-CESQG:
Date form received by agency: 06/21/2006
Facility name: AUTOMOTIVE PERFORMANCE ENGINEERING
Facility address: 2804 ARENAL SW
ALBUQUERQUE, NM 87105
EPA ID: NMR000011437
Mailing address: ARENAL SW
ALBUQUERQUE, NM 87105
Contact: MARIO FERNANDEZ
Contact address: ARENAL SW
ALBUQUERQUE, NM 87105
Contact country: Not reported
Contact telephone: 505-873-2828
Contact email: Not reported
EPA Region: 06
Land type: Private
Classification: Conditionally Exempt Small Quantity Generator
Description: Handler: generates 100 kg or less of hazardous waste per calendar month, and accumulates 1000 kg or less of hazardous waste at any time; or generates 1 kg or less of acutely hazardous waste per calendar month, and accumulates at any time: 1 kg or less of acutely hazardous waste; or 100 kg or less of any residue or contaminated soil, waste or

AUTOMOTIVE PERFORMANCE ENGINEERING (Continued) **1010324808**

other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste; or generates 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste during any calendar month, and accumulates at any time: 1 kg or less of acutely hazardous waste; or 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste

Owner/Operator Summary:

Owner/operator name:	MARIO FERNANDEZ
Owner/operator address:	ARENAL SW ALBEQUERQUE, NM 87105
Owner/operator country:	US
Owner/operator telephone:	Not reported
Legal status:	Private
Owner/Operator Type:	Owner
Owner/Op start date:	01/03/1999
Owner/Op end date:	Not reported

Owner/operator name:	MARIO FERNANDEZ
Owner/operator address:	ARENAL SW ALBEQUERQUE, NM 87105
Owner/operator country:	US
Owner/operator telephone:	Not reported
Legal status:	Private
Owner/Operator Type:	Operator
Owner/Op start date:	01/03/1999
Owner/Op end date:	Not reported

Handler Activities Summary:

U.S. importer of hazardous waste:	No
Mixed waste (haz. and radioactive):	No
Recycler of hazardous waste:	No
Transporter of hazardous waste:	No
Treater, storer or disposer of HW:	No
Underground injection activity:	No
On-site burner exemption:	No
Furnace exemption:	No
Used oil fuel burner:	No
Used oil processor:	No
User oil refiner:	No
Used oil fuel marketer to burner:	No
Used oil Specification marketer:	No
Used oil transfer facility:	No
Used oil transporter:	No

Hazardous Waste Summary:

Waste code:	D002
Waste name:	A WASTE WHICH HAS A PH OF LESS THAN 2 OR GREATER THAN 12.5 IS CONSIDERED TO BE A CORROSIVE HAZARDOUS WASTE. SODIUM HYDROXIDE, A CAUSTIC SOLUTION WITH A HIGH PH, IS OFTEN USED BY INDUSTRIES TO CLEAN OR DEGREASE PARTS. HYDROCHLORIC ACID, A SOLUTION WITH A LOW PH, IS USED BY MANY INDUSTRIES TO CLEAN METAL PARTS PRIOR TO PAINTING. WHEN THESE CAUSTIC OR ACID SOLUTIONS BECOME CONTAMINATED AND MUST BE

AUTOMOTIVE PERFORMANCE ENGINEERING (Continued) **1010324808**

DISPOSED, THE WASTE WOULD BE A CORROSIVE HAZARDOUS WASTE.

Waste code: D008
Waste name: LEAD

Violation Status: No violations found

Evaluation Action Summary:
Evaluation date: 04/13/2006
Evaluation: COMPLIANCE ASSISTANCE VISIT
Area of violation: Not reported
Date achieved compliance: Not reported
Evaluation lead agency: State

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21 **EDR US Hist Auto Stat** **1013762284**

2804 ARENAL RD SW **N/A**
ALBUQUERQUE, NM 87105

EDR Historical Auto Stations:

Name: AUTOMOTIVE PERFORMANCE ENGINEERING
Year: 1990
Type: AUTOMOBILE REPAIRING

Name: AUTO PERFORMANCE
Year: 2002
Type: AUTOMOBILE REPAIRING & SERVICE

Name: AUTOMOTIVE PERFORMANCE ENGNRNG
Year: 2001
Address: 2804 ARENAL RD SW

Name: AUTOMOTIVE PERFORMANCE ENGNRNG
Year: 2003
Address: 2804 ARENAL RD SW

Name: AUTO PERFORMANCE ENGINEERING
Year: 2004
Address: 2804 ARENAL RD SW

Name: AUTOMOTIVE PERFORMANCE ENGN
Year: 2005
Address: 2804 ARENAL RD SW

Name: AUTOMOTIVE PERFORMANCE ENGINEERING
Year: 2006
Address: 2804 ARENAL RD SW

Name: AUTOMOTIVE PERFORMANCE ENGINEERING
Year: 2007
Address: 2804 ARENAL RD SW

Name: AUTOMOTIVE PERFORMANCE ENGINEERING
Year: 2008
Address: 2804 ARENAL RD SW

Name: AUTOMOTIVE PERFORMANCE ENGINEERING
Year: 2009
Address: 2804 ARENAL RD SW

(Continued) **1013762284**

Name: AUTO PERFORMANCE ENGINEERING
Year: 2010
Address: 2804 ARENAL RD SW

Name: AUTOMOTIVE PERFORMANCE ENGINEERING
Year: 2011
Address: 2804 ARENAL RD SW

Name: AUTOMOTIVE PERFORMANCE ENGINEERING
Year: 2012
Address: 2804 ARENAL RD SW

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22 **EDR US Hist Auto Stat** **1015288178**
1897 COORS BLVD SW **N/A**
ALBUQUERQUE, NM 87121

EDR Historical Auto Stations:

Name: GIANT SERVICE STATION
Year: 2000
Address: 1897 COORS BLVD SW

Name: GNT CONOCO GAS & CONV STR STR
Year: 2002
Address: 1897 COORS BLVD SW

Name: GIANT CONOCO GAS
Year: 2006
Address: 1897 COORS BLVD SW

Name: GIANT CONOCO GAS
Year: 2007
Address: 1897 COORS BLVD SW

Name: GIANT CONOCO GAS
Year: 2008
Address: 1897 COORS BLVD SW

Name: GIANT CONOCO GAS
Year: 2009
Address: 1897 COORS BLVD SW

Name: GIANTCONOCO GASOLINE
Year: 2010
Address: 1897 COORS BLVD SW

---

22 **GIANT SERVICE STATION 626** **TANKS** **U001891501**
1897 COORS BLVD SW **UST** **N/A**
ALBUQUERQUE, NM 87105

TANKS:

Facility Id: 1347
Owner Id Number: 354
Owner Name: WESTERN REFINING SOUTHWEST INC
In Use AST: 0
In Use UST: 3
Temp Out AST: 0

GIANT SERVICE STATION 626 (Continued) **U001891501**

Temp Out UST:	0
Sold AST:	0
Sold UST:	0
Removed AST:	0
Removed UST:	0
No Data AST:	0
No Data UST:	0
Exempt AST:	0
Exempt UST:	0

UST:

Facility ID:	1347
Secondary Address:	Not reported
Owner ID:	354
Owner Name:	GIANT INDUSTRIES ARIZONA INC
Owner Address:	7324 4TH ST NW
Owner Address 2:	Not reported
Owner City,St,Zip:	ALBUQUERQUE, NM 87107
Owner Telephone:	480-502-6172

Tank ID:	18076
Tank Status:	**CURRENTLY IN USE**
Tank Type:	Underground
Tank Capacity:	12000
Tank Substance:	UNLEADED GASOLINE

Tank ID:	18077
Tank Status:	**CURRENTLY IN USE**
Tank Type:	Underground
Tank Capacity:	12000
Tank Substance:	UNLEADED GASOLINE

Tank ID:	18078
Tank Status:	**CURRENTLY IN USE**
Tank Type:	Underground
Tank Capacity:	12000
Tank Substance:	UNLEADED GASOLINE

---

23 **EDR US Hist Auto Stat** **1015322062**
2110 COORS BLVD SW **N/A**
ALBUQUERQUE, NM 87121

EDR Historical Auto Stations:

Name:	MELEROS AUTO REPAIR
Year:	2005
Address:	2110 COORS BLVD SW

Name:	MELEROS AUTO REPAIR
Year:	2010
Address:	2110 COORS BLVD SW

24 **COYOTE GRAVEL PRODUCTS INC** **AST** **U003868763**
2124 COORS SW **N/A**
ALBUQUERQUE, NM 87195

AST:
Facility ID: 51153
Owner ID: 45531
Owner Name: VALLEJOS ANTHONY
Owner Addr: PO BOX 12275
Owner Addr2: Not reported
Owner City,St,Zip: ALBUQUERQUE, NM 87195
Owner Phone: 505-877-3830

Tank ID: 34273
Tank Status: CURRENTLY IN USE
Capacity: Not reported
Substance: Not reported
Tank Type: Aboveground

---

25 **EDR US Hist Auto Stat** **1015598766**
6800 HUSEMAN PL SW **N/A**
ALBUQUERQUE, NM 87121

EDR Historical Auto Stations:
Name: ESTRADA AUTO REPAIR
Year: 2007
Address: 6800 HUSEMAN PL SW

Name: ESTRADA AUTO REPAIR
Year: 2008
Address: 6800 HUSEMAN PL SW

---

26 **EDR US Hist Auto Stat** **1015354179**
2401 COORS BLVD SW **N/A**
ALBUQUERQUE, NM 87121

EDR Historical Auto Stations:
Name: PERFORMANCE PLUS QUICK LUBE
Year: 2012
Address: 2401 COORS BLVD SW

---

27 **COYOTE CONCRETE PRODUCTS** **UST** **U003189337**
2518 COORS SW **N/A**
ALBUQUERQUE, NM 87105

UST:
Facility ID: 27554
Secondary Address: Not reported
Owner ID: 15142
Owner Name: COYOTE CONCRETE PRODUCTS VILLEGAS RALPH
Owner Address: 2518 COORS SW
Owner Address 2: Not reported
Owner City,St,Zip: ALBUQUERQUE, NM 87105
Owner Telephone: 505-263-2837

Tank ID: 23347
Tank Status: REMOVED

COYOTE CONCRETE PRODUCTS (Continued) **U003189337**

Tank Type: Underground
Tank Capacity: 6000
Tank Substance: DIESEL

Tank ID: 23348
Tank Status: REMOVED
Tank Type: Underground
Tank Capacity: 2000
Tank Substance: DIESEL

---

27 **EDR US Hist Auto Stat** **1013764871**
2511 COORS BLVD SW **N/A**
ALBUQUERQUE, NM 87121

EDR Historical Auto Stations:

Name: WIZARD AUTOMOTIVE AUTO RPR & SERV
Year: 2002
Type: AUTOMOBILE REPAIRING & SERVICE

Name: WIZARD AUTOMOTIVE
Year: 2003
Address: 2511 COORS BLVD SW

Name: WIZARD AUTOMOTIVE
Year: 2004
Address: 2511 COORS BLVD SW

Name: WIZARD AUTOMOTIVE
Year: 2005
Address: 2511 COORS BLVD SW

Name: WIZARD AUTOMOTIVE
Year: 2006
Address: 2511 COORS BLVD SW

Name: WIZARD AUTOMOTIVE
Year: 2007
Address: 2511 COORS BLVD SW

---

27 **QUALITY LATH AND PLASTER** **TANKS** **S111765092**
2508 COORS SW **N/A**
ALBUQUERQUE, NM 87121

TANKS:

Facility Id: 30081
Owner Id Number: 16394
Owner Name: GROSSETETE RICHARD
In Use AST: 0
In Use UST: 0
Temp Out AST: 0
Temp Out UST: 0
Sold AST: 0
Sold UST: 0
Removed AST: 0
Removed UST: 1

QUALITY LATH AND PLASTER (Continued) **S111765092**

No Data AST: 0
No Data UST: 0
Exempt AST: 0
Exempt UST: 0

---

27 **QUALITY LATH AND PLASTER** **UST** **U003189797**
2508 COORS SW **N/A**
ALBUQUERQUE, NM 87121

UST:
Facility ID: 30081
Secondary Address: Not reported
Owner ID: 16394
Owner Name: GROSSETETE RICHARD
Owner Address: 2501 COORS SW
Owner Address 2: Not reported
Owner City,St,Zip: ALBUQUERQUE, NM 87105
Owner Telephone: 505-877-5295

Tank ID: 29181
Tank Status: REMOVED
Tank Type: Underground
Tank Capacity: 1000
Tank Substance: GASOLINE UNKNOWN TYPE

---

27 **RIVERSIDE GENERAL CONSTRUCTION** **SWF/LF** **S110474967**
N/A

ALBUQUERQUE, NM 87121

SWF/LF:
Facility Status: Closed
Facility Type: C & D Landfill
Facility Phone: (505) 873-1600
Owner Name: RIVERSIDE GENERAL CONSTRUCTION COMPANY INC
Owner Contact: GEORGE SENA SR
Owner Address: 2503 COORS BLVD SW
Owner City,St,Zip: ALBUQUERQUE, NM 87121
Owner Phone: (505) 873-1600
Facility Contact: Not reported
Mailing Address: 2503 Coors SW
Mailing City: Not reported
Mailing State: Not reported
Mailing Zip: Not reported

---

28 **EDR US Hist Auto Stat** **1015344544**
2301 GARDENIA RD SW **N/A**
ALBUQUERQUE, NM 87105

EDR Historical Auto Stations:
Name: RIO AUTO PAINT & BODY
Year: 2002
Address: 2301 GARDENIA RD SW

Name: RIO AUTO PAINT & BODY
Year: 2003

(Continued) **1015344544**

Address: 2301 GARDENIA RD SW

---

29 **EDR US Hist Auto Stat** **1015366417**

2528 COORS BLVD SW **N/A**
ALBUQUERQUE, NM 87121

EDR Historical Auto Stations:

Name: COORS SOUTH RADIATOR EXCHANGE
Year: 1999
Address: 2528 COORS BLVD SW

Name: COORS SOUTH RADIATOR EXCHANGE
Year: 2000
Address: 2528 COORS BLVD SW

Name: COORS SOUTH RADIATOR EXCHANGE
Year: 2002
Address: 2528 COORS BLVD SW

---

30 **CIGARETTE SHOP THE** **LUST** **U003189280**
2401 ISLETA SW **LTANKS** **N/A**
ALBUQUERQUE, NM 87105 **TANKS**
UST

LUST:

Facility ID: 27363
Status: **Investigation, Responsible Party**
Status Date: 03/10/1994
Release ID: 2175
Date Release Reported: 01/20/1994
Priority Rank: 326
Mitigating Factor Score: 3
Total Score To Assign Relative Rank: 610
Project Manager: Thomas Leck

LTANKS:

Facility Id: 27363
Release Id Number: 2175
Project Manager: James Mullany
Status: Investigation, Responsible Party
NFA Date: Not reported
Update Status: Not reported
Priority: 3

TANKS:

Facility Id: 27363
Owner Id Number: 16805
Owner Name: MONTOYA TONY CIGARETTE SHOP THE
In Use AST: 0
In Use UST: 0
Temp Out AST: 0
Temp Out UST: 0
Sold AST: 0
Sold UST: 0
Removed AST: 0

CIGARETTE SHOP THE (Continued) **U003189280**

Removed UST: 4
No Data AST: 0
No Data UST: 0
Exempt AST: 0
Exempt UST: 0

UST:
Facility ID: 27363
Secondary Address: Not reported
Owner ID: 16805
Owner Name: MONTOYA TONY CIGARETTE SHOP THE
Owner Address: 2401 ISLETTA SW
Owner Address 2: Not reported
Owner City,St,Zip: ALBUQUERQUE, NM 87105
Owner Telephone: 505-873-8551

Tank ID: 22877
Tank Status: REMOVED
Tank Type: Underground
Tank Capacity: 550
Tank Substance: GASOLINE UNKNOWN TYPE

Tank ID: 22878
Tank Status: REMOVED
Tank Type: Underground
Tank Capacity: 1000
Tank Substance: GASOLINE UNKNOWN TYPE

Tank ID: 22879
Tank Status: REMOVED
Tank Type: Underground
Tank Capacity: 1000
Tank Substance: GASOLINE UNKNOWN TYPE

Tank ID: 22880
Tank Status: REMOVED
Tank Type: Underground
Tank Capacity: 750
Tank Substance: GASOLINE UNKNOWN TYPE

---

31 **BERNALILLO MOTORS LLC** **RCRA-CESQG** **1012184542**
2720 COORS BLVD SW **NMR000013987**
ALBUQUERQUE, NM 87121

RCRA-CESQG:
Date form received by agency: 11/24/2008
Facility name: BERNALILLO MOTORS LLC
Facility address: 2720 COORS BLVD SW
ALBUQUERQUE, NM 87121
EPA ID: NMR000013987
Mailing address: COORS BLVD SW
ALBUQUERQUE, NM 87121
Contact: LEONARD HINKLEY
Contact address: COORS BLVD SW

BERNALILLO MOTORS LLC (Continued) **1012184542**

ALBUQUERQUE, NM 87121
Contact country: US
Contact telephone: 505-877-9960
Contact email: Not reported
EPA Region: 06
Land type: Private
Classification: Conditionally Exempt Small Quantity Generator
Description: Handler: generates 100 kg or less of hazardous waste per calendar month, and accumulates 1000 kg or less of hazardous waste at any time; or generates 1 kg or less of acutely hazardous waste per calendar month, and accumulates at any time: 1 kg or less of acutely hazardous waste; or 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste; or generates 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste during any calendar month, and accumulates at any time: 1 kg or less of acutely hazardous waste; or 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste

Owner/Operator Summary:
Owner/operator name: LEONARD HINKLEY
Owner/operator address: TOBACCO RD SW
ALBUQUERQUE, NM 87105
Owner/operator country: US
Owner/operator telephone: Not reported
Legal status: Private
Owner/Operator Type: Owner
Owner/Op start date: 01/01/2002
Owner/Op end date: Not reported

Owner/operator name: LEONARD HINKLEY
Owner/operator address: TOBACCO RD SW
ALBUQUERQUE, NM 87105
Owner/operator country: US
Owner/operator telephone: Not reported
Legal status: Private
Owner/Operator Type: Operator
Owner/Op start date: 01/01/2002
Owner/Op end date: Not reported

Handler Activities Summary:
U.S. importer of hazardous waste: No
Mixed waste (haz. and radioactive): No
Recycler of hazardous waste: No
Transporter of hazardous waste: No
Treater, storer or disposer of HW: No
Underground injection activity: No
On-site burner exemption: No
Furnace exemption: No
Used oil fuel burner: No
Used oil processor: No
User oil refiner: No
Used oil fuel marketer to burner: No

BERNALILLO MOTORS LLC (Continued) **1012184542**

Used oil Specification marketer: No
Used oil transfer facility: No
Used oil transporter: No

Hazardous Waste Summary:

Waste code: D001
Waste name: IGNITABLE HAZARDOUS WASTES ARE THOSE WASTES WHICH HAVE A FLASHPOINT OF LESS THAN 140 DEGREES FAHRENHEIT AS DETERMINED BY A PENSKY-MARTENS CLOSED CUP FLASH POINT TESTER. ANOTHER METHOD OF DETERMINING THE FLASH POINT OF A WASTE IS TO REVIEW THE MATERIAL SAFETY DATA SHEET, WHICH CAN BE OBTAINED FROM THE MANUFACTURER OR DISTRIBUTOR OF THE MATERIAL. LACQUER THINNER IS AN EXAMPLE OF A COMMONLY USED SOLVENT WHICH WOULD BE CONSIDERED AS IGNITABLE HAZARDOUS WASTE.

Waste code: D002
Waste name: A WASTE WHICH HAS A PH OF LESS THAN 2 OR GREATER THAN 12.5 IS CONSIDERED TO BE A CORROSIVE HAZARDOUS WASTE. SODIUM HYDROXIDE, A CAUSTIC SOLUTION WITH A HIGH PH, IS OFTEN USED BY INDUSTRIES TO CLEAN OR DEGREASE PARTS. HYDROCHLORIC ACID, A SOLUTION WITH A LOW PH, IS USED BY MANY INDUSTRIES TO CLEAN METAL PARTS PRIOR TO PAINTING. WHEN THESE CAUSTIC OR ACID SOLUTIONS BECOME CONTAMINATED AND MUST BE DISPOSED, THE WASTE WOULD BE A CORROSIVE HAZARDOUS WASTE.

Waste code: D008
Waste name: LEAD

Waste code: D009
Waste name: MERCURY

Waste code: D035
Waste name: METHYL ETHYL KETONE

Waste code: D039
Waste name: TETRACHLOROETHYLENE

Waste code: D040
Waste name: TRICHLOROETHYLENE

Waste code: F003
Waste name: THE FOLLOWING SPENT NON-HALOGENATED SOLVENTS: XYLENE, ACETONE, ETHYL ACETATE, ETHYL BENZENE, ETHYL ETHER, METHYL ISOBUTYL KETONE, N-BUTYL ALCOHOL, CYCLOHEXANONE, AND METHANOL; ALL SPENT SOLVENT MIXTURES/BLENDS CONTAINING, BEFORE USE, ONLY THE ABOVE SPENT NON-HALOGENATED SOLVENTS; AND ALL SPENT SOLVENT MIXTURES/BLENDS CONTAINING, BEFORE USE, ONE OR MORE OF THE ABOVE NON-HALOGENATED SOLVENTS, AND, A TOTAL OF TEN PERCENT OR MORE (BY VOLUME) OF ONE OR MORE OF THOSE SOLVENTS LISTED IN F001, F002, F004, AND F005, AND STILL BOTTOMS FROM THE RECOVERY OF THESE SPENT SOLVENTS AND SPENT SOLVENT MIXTURES.

Waste code: F005
Waste name: THE FOLLOWING SPENT NON-HALOGENATED SOLVENTS: TOLUENE, METHYL ETHYL KETONE, CARBON DISULFIDE, ISOBUTANOL, PYRIDINE, BENZENE, 2-ETHOXYETHANOL, AND 2-NITROPROPANE; ALL SPENT SOLVENT MIXTURES/BLENDS CONTAINING, BEFORE USE, A TOTAL OF TEN PERCENT OR MORE (BY VOLUME) OF ONE OR MORE OF THE ABOVE NON-HALOGENATED SOLVENTS OR THOSE SOLVENTS LISTED IN F001, F002, OR F004; AND STILL BOTTOMS FROM THE RECOVERY OF

BERNALILLO MOTORS LLC (Continued) **1012184542**

THESE SPENT SOLVENTS AND SPENT SOLVENT MIXTURES.

Facility Has Received Notices of Violations:
- Regulation violated: Not reported
- Area of violation: Used Oil - Generators
- Date violation determined: 11/20/2008
- Date achieved compliance: 01/12/2009
- Violation lead agency: State
  - Enforcement action: WRITTEN INFORMAL
  - Enforcement action date: 01/12/2009
  - Enf. disposition status: Not reported
  - Enf. disp. status date: Not reported
  - Enforcement lead agency: State
  - Proposed penalty amount: Not reported
  - Final penalty amount: Not reported
  - Paid penalty amount: Not reported

Evaluation Action Summary:
- Evaluation date: 11/20/2008
- Evaluation: COMPLIANCE EVALUATION INSPECTION ON-SITE
- Area of violation: Used Oil - Generators
- Date achieved compliance: 01/12/2009
- Evaluation lead agency: State

---

31 **EDR US Hist Auto Stat** **1015380902**
2720 COORS BLVD SW **N/A**
ALBUQUERQUE, NM 87121

EDR Historical Auto Stations:
- Name: BERNALILLO MOTORS INC
- Year: 2005
- Address: 2720 COORS BLVD SW

- Name: BERNALILLO MOTORS & TOWING LLC
- Year: 2010
- Address: 2720 COORS BLVD SW

---

32 **ATEX/T-GAS 1315** **LUST** **S101568507**
2448 ISLETA BLVD **LTANKS** **N/A**
ALBUQUERQUE, NM 87105 **TANKS**

LUST:
- Facility ID: 26706
- **Status:** **Aggr Cleanup Completed, Resp Party**
- Status Date: 11/01/2005
- Release ID: 1170
- Date Release Reported: 03/27/1992
- Priority Rank: 94
- Mitigating Factor Score: 2
- Total Score To Assign Relative Rank: 2863
- Project Manager: Thomas Leck

LTANKS:
- Facility Id: 26706
- Release Id Number: 1170
- Project Manager: James Mullany

ATEX/T-GAS 1315 (Continued) **S101568507**

Status: Aggr Cleanup Completed, Resp Party
NFA Date: Not reported
Update Status: Not reported
Priority: 2

TANKS:
Facility Id: 26706
Owner Id Number: 14166
Owner Name: ATEX OIL COMPANY
In Use AST: 0
In Use UST: 0
Temp Out AST: 0
Temp Out UST: 0
Sold AST: 0
Sold UST: 0
Removed AST: 0
Removed UST: 3
No Data AST: 0
No Data UST: 0
Exempt AST: 0
Exempt UST: 0

---

33 **USGS WELL, ISLETA AT BARCELONA** **CERCLIS 1001009965**
2550 ISLETA BLVD. **FINDS NM0001119098**
ALBUQUERQUE, NM 87105

CERCLIS:
Site ID: 0605001
EPA ID: NM0001119098
Facility County: BERNALILLO
Short Name: USGS WELL, ISLETA AT BARC
Congressional District: 01
IFMS ID: Not reported
SMSA Number: 0200
USGC Hydro Unit: 13020203
Federal Facility: Not a Federal Facility
DMNSN Number: 0.00000
Site Orphan Flag: N
RCRA ID: Not reported
USGS Quadrangle: Not reported
Site Init By Prog: Not reported
NFRAP Flag: Not reported
Parent ID: Not reported
RST Code: Not reported
EPA Region: 06
Classification: Not reported
Site Settings Code: Not reported
NPL Status: Not on the NPL
DMNSN Unit Code: Not reported
RBRAC Code: Not reported
RResp Fed Agency Code: Not reported
Non NPL Status: NFRAP-Site does not qualify for the NPL based on existing information
Non NPL Status Date: 01/22/99
Site Fips Code: 35001
CC Concurrence Date: / /
CC Concurrence FY: Not reported
Alias EPA ID: Not reported

USGS WELL, ISLETA AT BARCELONA (Continued) **1001009965**

Site FUDS Flag: Not reported

CERCLIS Site Contact Name(s):

Contact ID: 6270019.00000
Contact Name: Ladonna Walker
Contact Tel: (214) 665-6666
Contact Title: Site Assessment Manager (SAM)
Contact Email: Not reported

Contact ID: 6270175.00000
Contact Name: Philip Ofosu
Contact Tel: (214) 665-3178
Contact Title: Site Assessment Manager (SAM)
Contact Email: Not reported

Contact ID: 13003780.00000
Contact Name: Ladonna Turner
Contact Tel: (214) 665-6666
Contact Title: Site Assessment Manager (SAM)
Contact Email: Not reported

Alias Comments: Not reported
Site Description: THE USGS WELL AT ISLETA & BARCELONA IS A SHALLOW MONITOR WELL INSTALLED BY THE USGS AS PART OF THE NATIONAL WATER QUALITY ASSESSMENT PROGRAM (NAWGQ). THE WELL LOCATION WAS CHOSEN BY COMPUTER.

CERCLIS Assessment History:

Action Code: 001
Action: DISCOVERY
Date Started: / /
Date Completed: 06/19/95
Priority Level: Not reported
Operable Unit: SITEWIDE
Primary Responsibility: EPA Fund-Financed
Planning Status: Not reported
Urgency Indicator: Not reported
Action Anomaly: Not reported

Action Code: 001
Action: PRELIMINARY ASSESSMENT
Date Started: / /
Date Completed: 10/17/95
Priority Level: Higher priority for further assessment
Operable Unit: SITEWIDE
Primary Responsibility: EPA Fund-Financed
Planning Status: Not reported
Urgency Indicator: Not reported
Action Anomaly: Not reported

Action Code: 001
Action: SITE INSPECTION
Date Started: / /
Date Completed: 01/22/99
Priority Level: NFRAP-Site does not qualify for the NPL based on existing information

USGS WELL, ISLETA AT BARCELONA (Continued) **1001009965**

Operable Unit: SITEWIDE
Primary Responsibility: State, Fund Financed
Planning Status: Not reported
Urgency Indicator: Not reported
Action Anomaly: Not reported

FINDS:

Registry ID: 110009262118

Environmental Interest/Information System
CERCLIS (Comprehensive Environmental Response, Compensation, and Liability Information System) is the Superfund database that is used to support management in all phases of the Superfund program. The system contains information on all aspects of hazardous waste sites, including an inventory of sites, planned and actual site activities, and financial information.

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34 **ALLSUP 152** **LUST** **S103490409**
2801 COORS SW **LTANKS** **N/A**
ALBUQUERQUE, NM 87105 **TANKS**

LUST:
Facility ID: 26498
Status: **Cleanup, Responsible Party**
Status Date: 07/29/2002
Release ID: 2631
Date Release Reported: 05/03/1995
Priority Rank: 415
Mitigating Factor Score: 3
Total Score To Assign Relative Rank: 440
Project Manager: Michael Leger

LTANKS:
Facility Id: 26498
Release Id Number: 2631
Project Manager: Michael Leger
Status: Cleanup, Responsible Party
NFA Date: Not reported
Update Status: Not reported
Priority: 3

TANKS:
Facility Id: 26498
Owner Id Number: 16400
Owner Name: ALLSUPS CONVENIENCE STORES INC
In Use AST: 0
In Use UST: 2
Temp Out AST: 0
Temp Out UST: 0
Sold AST: 0
Sold UST: 0
Removed AST: 0
Removed UST: 3

ALLSUP 152 (Continued) **S103490409**

No Data AST: 0
No Data UST: 0
Exempt AST: 0
Exempt UST: 0

---

34 **ALLSUPS - NO152** **UST** **U003157547**
2801 COORS SW **N/A**
ALBUQUERQUE, NM 87105

UST:
Facility ID: 26498
Secondary Address: Not reported
Owner ID: 16400
Owner Name: ALLSUPS CONVENIENCE STORES INC
Owner Address: PO BOX 1907
Owner Address 2: Not reported
Owner City,St,Zip: CLOVIS, NM 88101
Owner Telephone: 505-769-2311

Tank ID: 20803
Tank Status: **REMOVED**
Tank Type: Underground
Tank Capacity: 10000
Tank Substance: GASOLINE UNKNOWN TYPE

Tank ID: 20804
Tank Status: **REMOVED**
Tank Type: Underground
Tank Capacity: 10000
Tank Substance: GASOLINE UNKNOWN TYPE

Tank ID: 20805
Tank Status: **REMOVED**
Tank Type: Underground
Tank Capacity: 6000
Tank Substance: UNLEADED GASOLINE

Tank ID: 20806
Tank Status: **CURRENTLY IN USE**
Tank Type: Underground
Tank Capacity: 10000
Tank Substance: UNLEADED GASOLINE

Tank ID: 20807
Tank Status: **CURRENTLY IN USE**
Tank Type: Underground
Tank Capacity: 10000
Tank Substance: SUPER UNLEADED

35 **RODGERS DRILLING** **LUST** **S102641776**
2615 ISLETA BLVD SW **LTANKS** **N/A**
ALBUQUERQUE, NM 87105 **TANKS**

LUST:

Facility ID:	30287
Status:	**Cleanup, Responsible Party**
Status Date:	10/01/2005
Release ID:	407
Date Release Reported:	01/01/1990
Priority Rank:	208
Mitigating Factor Score:	3
Total Score To Assign Relative Rank:	1227
Project Manager:	Thomas Leck

LTANKS:

Facility Id:	30287
Release Id Number:	407
Project Manager:	James Mullany
Status:	Aggr Cleanup Completed, St Lead, CAF
NFA Date:	Not reported
Update Status:	Not reported
Priority:	3

TANKS:

Facility Id:	30287
Owner Id Number:	15657
Owner Name:	RODGERS AND COMPANY INC
In Use AST:	0
In Use UST:	0
Temp Out AST:	0
Temp Out UST:	0
Sold AST:	0
Sold UST:	0
Removed AST:	3
Removed UST:	4
No Data AST:	0
No Data UST:	0
Exempt AST:	0
Exempt UST:	0

---

35 **SPARKLE CAR WSH** **LUST** **S103924515**
2611 ISLETA BLVD SW **LTANKS** **N/A**
ALBUQUERQUE, NM 87105 **TANKS**

LUST:

Facility ID:	30714
Status:	**Aggr Cleanup Completed, Resp Party**
Status Date:	09/01/2005
Release ID:	10
Date Release Reported:	01/04/1989
Priority Rank:	250
Mitigating Factor Score:	3
Total Score To Assign Relative Rank:	788
Project Manager:	Thomas Leck

LTANKS:

Facility Id:	30714

SPARKLE CAR WSH (Continued) **S103924515**

Release Id Number: 10
Project Manager: Not reported
Status: No Further Action, Confirmed Release
NFA Date: 01/23/2008
Update Status: Not reported
Priority: Not reported

TANKS:
Facility Id: 30714
Owner Id Number: 16789
Owner Name: HOFINGER LUDWIG
In Use AST: 0
In Use UST: 0
Temp Out AST: 0
Temp Out UST: 0
Sold AST: 0
Sold UST: 0
Removed AST: 0
Removed UST: 1
No Data AST: 0
No Data UST: 0
Exempt AST: 0
Exempt UST: 0

---

36 **EDR US Hist Auto Stat** **1015256536**
1620 VAL VERDE RD SW **N/A**
ALBUQUERQUE, NM 87105

EDR Historical Auto Stations:
Name: TOOMEYS AUTO REPAIR
Year: 2008
Address: 1620 VAL VERDE RD SW

Name: TOOMEYS AUTO REPAIR
Year: 2009
Address: 1620 VAL VERDE RD SW

Name: TOOMEYS AUTO REPAIR
Year: 2010
Address: 1620 VAL VERDE RD SW

Name: TOMMEYS AUTO REPAIR
Year: 2012
Address: 1620 VAL VERDE RD SW

---

37 **CLIMATE ROOFING INC** **LUST** **U003189315**
2700 ISLETA SW **LTANKS** **N/A**
ALBUQUERQUE, NM 87105 **TANKS**
UST

LUST:
Facility ID: 27427
Status: **Aggr Cleanup Completed, Resp Party**
Status Date: 06/01/1999
Release ID: 1028
Date Release Reported: 01/02/1990

CLIMATE ROOFING INC (Continued) **U003189315**

Priority Rank: 219
Mitigating Factor Score: 3
Total Score To Assign Relative Rank: 1045
Project Manager: Thomas Leck

LTANKS:
Facility Id: 27427
Release Id Number: 1028
Project Manager: James Mullany
Status: Aggr Cleanup Completed, Resp Party
NFA Date: Not reported
Update Status: Not reported
Priority: 3

TANKS:
Facility Id: 27427
Owner Id Number: 17355
Owner Name: BERNALILLO COUNTY ENV HEALTH DEP
In Use AST: 0
In Use UST: 0
Temp Out AST: 0
Temp Out UST: 0
Sold AST: 0
Sold UST: 0
Removed AST: 0
Removed UST: 2
No Data AST: 0
No Data UST: 0
Exempt AST: 0
Exempt UST: 0

UST:
Facility ID: 27427
Secondary Address: Not reported
Owner ID: 17355
Owner Name: BERNALILLO COUNTY ENV HEALTH DEP
Owner Address: 600 2ND ST STE 500
Owner Address 2: ATTN DAVID NELSON
Owner City,St,Zip: ALBUQUERQUE, NM 87102
Owner Telephone: 505-924-3650

Tank ID: 23036
Tank Status: REMOVED
Tank Type: Underground
Tank Capacity: 3000
Tank Substance: UNLEADED GASOLINE

Tank ID: 23037
Tank Status: REMOVED
Tank Type: Underground
Tank Capacity: 2500
Tank Substance: KEROSENE

38 **EDR US Hist Auto Stat** **1013754084**
2937 COORS BLVD SW **N/A**
ALBUQUERQUE, NM 87121

EDR Historical Auto Stations:

Name:	GRIFFIN AUTOMOTIVE
Year:	1986
Type:	AUTOMOBILE REPAIRING
Name:	GRIFFIN AUTOMOTIVE
Year:	1990
Type:	AUTOMOBILE REPAIRING
Name:	GRIFFINS AUTO
Year:	1999
Address:	2937 COORS BLVD SW
Name:	GRIFFINS AUTO
Year:	2000
Address:	2937 COORS BLVD SW
Name:	GRIFFINS AUTO
Year:	2001
Address:	2937 COORS BLVD SW
Name:	GRIFFINS AUTO
Year:	2002
Address:	2937 COORS BLVD SW
Name:	GRIFFINS AUTO
Year:	2003
Address:	2937 COORS BLVD SW

---

39 **CIRCLE K 589** **LUST** **S102873367**
3041 ISLETA SW **LTANKS** **N/A**
ALBUQUERQUE, NM 87105 **TANKS**

LUST:

Facility ID:	28105
Status:	**No Further Action Required**
Status Date:	10/01/1999
Release ID:	1962
Date Release Reported:	07/23/1993
Priority Rank:	Not reported
Mitigating Factor Score:	Not reported
Total Score To Assign Relative Rank:	Not reported
Project Manager:	Thomas Leck

LTANKS:

Facility Id:	28105
Release Id Number:	1962
Project Manager:	Not reported
Status:	No Further Action, Confirmed Release
NFA Date:	10/01/1999
Update Status:	Not reported
Priority:	Not reported

TANKS:

Facility Id:	28105

CIRCLE K 589 (Continued) **S102873367**

Owner Id Number:	16598
Owner Name:	MULBY MARY JO
In Use AST:	0
In Use UST:	0
Temp Out AST:	0
Temp Out UST:	0
Sold AST:	0
Sold UST:	0
Removed AST:	0
Removed UST:	2
No Data AST:	0
No Data UST:	0
Exempt AST:	0
Exempt UST:	0

---

39 **LEE AND BLAKELY FEED STORE** **LUST** **U003711580**
3031 ISLETA BLVD SW **LTANKS** **N/A**
ALBUQUERQUE, NM 87105 **TANKS**

LUST:

Facility ID:	29071
Status:	**Monitoring, Responsible Party**
Status Date:	04/20/2001
Release ID:	3380
Date Release Reported:	03/27/1998
Priority Rank:	217
Mitigating Factor Score:	3
Total Score To Assign Relative Rank:	1047
Project Manager:	Thomas Leck

LTANKS:

Facility Id:	29071
Release Id Number:	3380
Project Manager:	James Mullany
Status:	Cleanup, Responsible Party
NFA Date:	Not reported
Update Status:	Not reported
Priority:	3

TANKS:

Facility Id:	29071
Owner Id Number:	365
Owner Name:	BERNALILLO (COUNTY OF)
In Use AST:	0
In Use UST:	0
Temp Out AST:	0
Temp Out UST:	0
Sold AST:	0
Sold UST:	0
Removed AST:	0
Removed UST:	4
No Data AST:	0
No Data UST:	0
Exempt AST:	0
Exempt UST:	0

40 **EDR US Hist Auto Stat** **1015407040**
3045 COORS BLVD SW **N/A**
ALBUQUERQUE, NM 87121

EDR Historical Auto Stations:

Name:	ALAMO TRANSMISSIONS
Year:	1999
Address:	3045 COORS BLVD SW
Name:	ALAMO TRANSMISSIONS
Year:	2000
Address:	3045 COORS BLVD SW

---

41 **ALBUQUERQUE SOUTHWEST** **TANKS** **S111763367**
1700 BARCELONA RD SW **N/A**
ALBUQUERQUE, NM 87105

TANKS:

Facility Id:	26466
Owner Id Number:	14976
Owner Name:	QWEST CORPORATION DBA CENTURYLINK QC
In Use AST:	0
In Use UST:	0
Temp Out AST:	0
Temp Out UST:	0
Sold AST:	0
Sold UST:	0
Removed AST:	0
Removed UST:	1
No Data AST:	0
No Data UST:	0
Exempt AST:	0
Exempt UST:	0

---

41 **ALBUQUERQUE SOUTHWEST** **UST** **U003189140**
1700 BARCELONA RD SW **N/A**
ALBUQUERQUE, NM 87105

UST:

Facility ID:	26466
Secondary Address:	Not reported
Owner ID:	14976
Owner Name:	QWEST COMMUNICATION
Owner Address:	3640 E INDIAN SCHOOL RD NO - 330
Owner Address 2:	Not reported
Owner City,St,Zip:	PHOENIX, AZ 85018
Owner Telephone:	602-952-1403
Tank ID:	20727
Tank Status:	**REMOVED**
Tank Type:	Underground
Tank Capacity:	1000
Tank Substance:	DIESEL

42 **EDR US Hist Auto Stat** **1015412989**
N/A

3101 COORS BLVD SW
ALBUQUERQUE, NM 87121

EDR Historical Auto Stations:

Name:	WESTSIDES AUTO & TRUCK DR
Year:	2002
Address:	3101 COORS BLVD SW
Name:	WESTSIDE AUTO AND TRUCK DR
Year:	2005
Address:	3101 COORS BLVD SW
Name:	WESTSIDE AUTO & TRUCK DR
Year:	2006
Address:	3101 COORS BLVD SW
Name:	WESTSIDE AUTOMOTIVE & ALIGNMENT
Year:	2007
Address:	3101 COORS BLVD SW
Name:	WESTSIDE AUTOMOTIVE & ALGNMNT
Year:	2010
Address:	3101 COORS BLVD SW
Name:	WEST SIDE AUTOMOTIVE & ALIGNMENT
Year:	2011
Address:	3101 COORS BLVD SW
Name:	WEST SIDE AUTOMOTIVE & ALIGNMENT
Year:	2012
Address:	3101 COORS BLVD SW

---

43 **VALLEY CONCRETE COMPANY** **US MINES** **1011192046**
N/A

BERNALILLO (County), NM

US MINES:

Mine ID:	2900500
SIC code(s):	14410 00000 00000 00000 00000 00000
Entity name:	VALLEY PIT + PLANT
Company:	VALLEY CONCRETE COMPANY
State FIPS code:	NM
County FIPS code:	BERNALILLO
Status:	4
Status date:	19791010
Operation Class:	non-Coal Mining
Number of shops:	0
Number of plants:	0
Latitude:	35 01 48
Longitude:	106 42 10

44 **THRIFTWAY ISLET** **LTANKS** **S105588464**
3339 ISLETA BLVD SW **LUST** **N/A**
ALBUQUERQUE, NM 87105

LTANKS:

Facility Id:	1923
Release Id Number:	1244
Project Manager:	Patrick De Gruyter
Status:	Aggr Cleanup Completed, Resp Party
NFA Date:	Not reported
Update Status:	Not reported
Priority:	3

LUST:

Facility ID:	1923
Status:	**Aggr Cleanup Completed, Resp Party**
Status Date:	05/30/2004
Release ID:	1244
Date Release Reported:	12/09/1991
Priority Rank:	Not reported
Mitigating Factor Score:	Not reported
Total Score To Assign Relative Rank:	Not reported
Project Manager:	Patrick De Gruyter

---

45 **WOODARD EXPLOSIVES INC** **UST** **U003190008**
3305 S COORS **N/A**
ALBUQUERQUE, NM 87105

UST:

Facility ID:	31660
Secondary Address:	Not reported
Owner ID:	14197
Owner Name:	WOODARD EXPLOSIVES INC
Owner Address:	3305 SOUTH COORS
Owner Address 2:	Not reported
Owner City,St,Zip:	ALBUQUERQUE, NM 87105
Owner Telephone:	505-842-8444

Tank ID:	32869
Tank Status:	**REMOVED**
Tank Type:	Underground
Tank Capacity:	4000
Tank Substance:	DIESEL

Tank ID:	32870
Tank Status:	**REMOVED**
Tank Type:	Underground
Tank Capacity:	2000
Tank Substance:	UNLEADED GASOLINE

46 **CHEVRON ISLETA** **LUST** **S102641858**
3401 ISLETA SW **LTANKS** **N/A**
ALBUQUERQUE, NM 87105 **TANKS**

LUST:

Facility ID:	30681
Status:	**Aggr Cleanup Completed, St Lead, CAF**
Status Date:	05/30/2004
Release ID:	314
Date Release Reported:	10/26/1990
Priority Rank:	387
Mitigating Factor Score:	3
Total Score To Assign Relative Rank:	490
Project Manager:	Patrick De Gruyter

LTANKS:

Facility Id:	30681
Release Id Number:	314
Project Manager:	Patrick De Gruyter
Status:	Aggr Cleanup Completed, St Lead, CAF
NFA Date:	Not reported
Update Status:	Not reported
Priority:	3

TANKS:

Facility Id:	30681
Owner Id Number:	16495
Owner Name:	ADC GAS CO EVER READY OIL CO INC
In Use AST:	0
In Use UST:	0
Temp Out AST:	0
Temp Out UST:	0
Sold AST:	0
Sold UST:	0
Removed AST:	0
Removed UST:	6
No Data AST:	0
No Data UST:	0
Exempt AST:	0
Exempt UST:	0

---

47 **ATEX LUST** **SCS** **S108954242**
3501 ISLETA **LTANKS** **N/A**
ALBUQUERQUE, NM **TANKS**

SCS:

Latitude:	Not reported
Longitude:	Not reported
Size(Acres):	Not reported
Contaminate Of Concern:	Not reported
Depth To Water(Ft):	Not reported
Flow Direction:	Not reported
Media Impacted:	Not reported
Regulatory Status:	Not reported
Event:	LUST
Discharge Date:	6/5/1905
Actions Taken:	referred to PSTB
GWWB Status:	referred
Closed Date:	6/5/1905

ATEX LUST (Continued) **S108954242**

LTANKS:

Facility Id:	31815
Release Id Number:	28
Project Manager:	James Mullany
Status:	Aggr Cleanup Completed, St Lead, CAF
NFA Date:	Not reported
Update Status:	Not reported
Priority:	3

TANKS:

Facility Id:	31815
Owner Id Number:	354
Owner Name:	WESTERN REFINING SOUTHWEST INC
In Use AST:	0
In Use UST:	0
Temp Out AST:	0
Temp Out UST:	0
Sold AST:	0
Sold UST:	0
Removed AST:	0
Removed UST:	4
No Data AST:	0
No Data UST:	0
Exempt AST:	0
Exempt UST:	0

---

47 **ATEX 213** **LUST** **U002223102**
3501 ISLETA BLVD SW **N/A**
ALBUQUERQUE, NM 87105

LUST:

Facility ID:	31815
Status:	**Aggr Cleanup Completed, St Lead, CAF**
Status Date:	04/01/2005
Release ID:	28
Date Release Reported:	10/01/1981
Priority Rank:	42
Mitigating Factor Score:	2
Total Score To Assign Relative Rank:	3203
Project Manager:	Thomas Leck

---

48 **EDR US Hist Auto Stat** **1015363757**
2504 HARRIS RD SW **N/A**
ALBUQUERQUE, NM 87105

EDR Historical Auto Stations:

Name:	OLGUINS AUTO INC
Year:	2001
Address:	2504 HARRIS RD SW

49 **ROBERT'S PUMP'N SAVE GAS** **LTANKS** **S107795960**
4257 ISLETA BLVD **TANKS** **N/A**
ALBUQUERQUE, NM 87192 **NPDES**

LTANKS:

Facility Id:	26861
Release Id Number:	79
Project Manager:	James Mullany
Status:	Aggr Cleanup Completed, St Lead, CAF
NFA Date:	Not reported
Update Status:	Not reported
Priority:	3

TANKS:

Facility Id:	26861
Owner Id Number:	14103
Owner Name:	BASS CHARLES
In Use AST:	0
In Use UST:	0
Temp Out AST:	0
Temp Out UST:	0
Sold AST:	0
Sold UST:	0
Removed AST:	0
Removed UST:	5
No Data AST:	0
No Data UST:	0
Exempt AST:	0
Exempt UST:	0

NPDES:

DP Number:	397
DP Status:	ceased
Contact Name:	William Robert
Contact Phone:	Not reported
Depth to Water:	5
Discharge Volume:	60000
Latitude:	34.997222
Longitude:	-106.659167

---

49 **BASS SITE** **SCS** **S103062211**
4257 ISLETA BLVD SW **LUST** **N/A**
ALBUQUERQUE, NM 87105

SCS:

Latitude:	Not reported
Longitude:	Not reported
Size(Acres):	Not reported
Contaminate Of Concern:	Not reported
Depth To Water(Ft):	Not reported
Flow Direction:	Not reported
Media Impacted:	Not reported
Regulatory Status:	Not reported
Event:	PSTB sampling showed low levels of TCE
Discharge Date:	Not reported
Actions Taken:	GWQB investigation and domestic well sampling showed all results BLD
GWWB Status:	closed
Closed Date:	5/1/2010

BASS SITE (Continued) **S103062211**

LUST:

Facility ID:	26861
Status:	**Aggr Cleanup Completed, St Lead, CAF**
Status Date:	02/27/1999
Release ID:	79
Date Release Reported:	07/01/1987
Priority Rank:	205
Mitigating Factor Score:	3
Total Score To Assign Relative Rank:	1361
Project Manager:	Thomas Leck

---

50 **PHILLIPS 66** **TANKS** **U003543353**
4321 COORS SW **UST** **N/A**
ALBUQUERQUE, NM 87105

TANKS:

Facility Id:	1688
Owner Id Number:	366
Owner Name:	ROBERTS OIL CO INC
In Use AST:	0
In Use UST:	3
Temp Out AST:	0
Temp Out UST:	0
Sold AST:	0
Sold UST:	0
Removed AST:	0
Removed UST:	0
No Data AST:	0
No Data UST:	0
Exempt AST:	0
Exempt UST:	0

UST:

Facility ID:	1688
Secondary Address:	Not reported
Owner ID:	366
Owner Name:	ROBERTS OIL CO INC
Owner Address:	408 ARIZONA SE
Owner Address 2:	ATTN SHEILA SANCHEZ
Owner City,St,Zip:	ALBUQUERQUE, NM 87198
Owner Telephone:	505-262-1607
Tank ID:	18908
Tank Status:	**CURRENTLY IN USE**
Tank Type:	Underground
Tank Capacity:	12000
Tank Substance:	UNLEADED GASOLINE
Tank ID:	18909
Tank Status:	**CURRENTLY IN USE**
Tank Type:	Underground
Tank Capacity:	12000
Tank Substance:	UNLEADED GASOLINE
Tank ID:	18910

PHILLIPS 66 (Continued) **U003543353**

Tank Status: **CURRENTLY IN USE**
Tank Type: Underground
Tank Capacity: 12000
Tank Substance: DIESEL

---

50 **EDR US Hist Auto Stat** **1015492169**
4301 COORS BLVD SW **N/A**
ALBUQUERQUE, NM 87121

EDR Historical Auto Stations:
Name: PERFECTION AUTO & TRUCK LLC
Year: 2008
Address: 4301 COORS BLVD SW

Name: PERFECTION AUTO & TRUCK LLC
Year: 2010
Address: 4301 COORS BLVD SW

Name: PERFECTION AUTO & TRUCK LLC
Year: 2011
Address: 4301 COORS BLVD SW

Name: PERFECTION AUTO & TRUCK LLC
Year: 2012
Address: 4301 COORS BLVD SW

---

50 **PERFECTION AUTO & TRUCK CENTER** **RCRA-CESQG** **1012184545**
4301 COORS BLVD SW **NMR000014019**
ALBUQUERQUE, NM 87121

RCRA-CESQG:
Date form received by agency: 11/23/2008
Facility name: PERFECTION AUTO & TRUCK CENTER
Facility address: 4301 COORS BLVD SW
ALBUQUERQUE, NM 87121
EPA ID: NMR000014019
Mailing address: COORS BLVD SW
ALBUQUERQUE, NM 87121
Contact: GEORGE L TORREZ
Contact address: COORS BLVD SW
ALBUQUERQUE, NM 87121
Contact country: US
Contact telephone: 505-877-0229
Contact email: PERFECTION_AUTO@COMCAST.NET
EPA Region: 06
Land type: Private
Classification: Conditionally Exempt Small Quantity Generator
Description: Handler: generates 100 kg or less of hazardous waste per calendar month, and accumulates 1000 kg or less of hazardous waste at any time; or generates 1 kg or less of acutely hazardous waste per calendar month, and accumulates at any time: 1 kg or less of acutely hazardous waste; or 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste; or generates 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely

PERFECTION AUTO & TRUCK CENTER (Continued) **1012184545**

hazardous waste during any calendar month, and accumulates at any time: 1 kg or less of acutely hazardous waste; or 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste

Owner/Operator Summary:

Owner/operator name:	GEORGE L. TORREZ
Owner/operator address:	COORS BLVD SW SANTA FE, NM 87121
Owner/operator country:	US
Owner/operator telephone:	505-877-0229
Legal status:	Private
Owner/Operator Type:	Operator
Owner/Op start date:	01/01/2004
Owner/Op end date:	Not reported

Owner/operator name:	GEORGE L. TORREZ
Owner/operator address:	SEFTON RD SW SANTA FE, NM 87121
Owner/operator country:	US
Owner/operator telephone:	505-877-0229
Legal status:	Private
Owner/Operator Type:	Owner
Owner/Op start date:	01/01/2004
Owner/Op end date:	Not reported

Handler Activities Summary:

U.S. importer of hazardous waste:	No
Mixed waste (haz. and radioactive):	No
Recycler of hazardous waste:	No
Transporter of hazardous waste:	No
Treater, storer or disposer of HW:	No
Underground injection activity:	No
On-site burner exemption:	No
Furnace exemption:	No
Used oil fuel burner:	No
Used oil processor:	No
User oil refiner:	No
Used oil fuel marketer to burner:	No
Used oil Specification marketer:	No
Used oil transfer facility:	No
Used oil transporter:	No

Hazardous Waste Summary:

Waste code:	D001
Waste name:	IGNITABLE HAZARDOUS WASTES ARE THOSE WASTES WHICH HAVE A FLASHPOINT OF LESS THAN 140 DEGREES FAHRENHEIT AS DETERMINED BY A PENSKY-MARTENS CLOSED CUP FLASH POINT TESTER. ANOTHER METHOD OF DETERMINING THE FLASH POINT OF A WASTE IS TO REVIEW THE MATERIAL SAFETY DATA SHEET, WHICH CAN BE OBTAINED FROM THE MANUFACTURER OR DISTRIBUTOR OF THE MATERIAL. LACQUER THINNER IS AN EXAMPLE OF A COMMONLY USED SOLVENT WHICH WOULD BE CONSIDERED AS IGNITABLE HAZARDOUS WASTE.
Violation Status:	No violations found

PERFECTION AUTO & TRUCK CENTER (Continued) **1012184545**

Evaluation Action Summary:
Evaluation date: 11/18/2008
Evaluation: COMPLIANCE ASSISTANCE VISIT
Area of violation: Not reported
Date achieved compliance: Not reported
Evaluation lead agency: State

---

51 **CIRCLE K 610** **UST** **U001891281**
4400 COORS SW **N/A**
ALBUQUERQUE, NM 87105

UST:
Facility ID: 1104
Secondary Address: Not reported
Owner ID: 353
Owner Name: CIRCLE K STORES INC
Owner Address: 495 E RINCON ST, SUITE 150
Owner Address 2: Not reported
Owner City,St,Zip: CORONA, CA 92879
Owner Telephone: 602-728-3593

Tank ID: 17423
Tank Status: **REMOVED**
Tank Type: Underground
Tank Capacity: 8000
Tank Substance: GASOLINE UNKNOWN TYPE

Tank ID: 17424
Tank Status: **REMOVED**
Tank Type: Underground
Tank Capacity: 8000
Tank Substance: GASOLINE UNKNOWN TYPE

Tank ID: 17425
Tank Status: **CURRENTLY IN USE**
Tank Type: Underground
Tank Capacity: 10000
Tank Substance: UNLEADED GASOLINE

Tank ID: 17426
Tank Status: **CURRENTLY IN USE**
Tank Type: Underground
Tank Capacity: 10000
Tank Substance: UNLEADED PLUS

Tank ID: 17427
Tank Status: **CURRENTLY IN USE**
Tank Type: Underground
Tank Capacity: 10000
Tank Substance: SUPER UNLEADED

51 **CIRCLE K #610** **LUST** **S102828715**
4400 COORS SW **LTANKS** **N/A**
ALBUQUERQUE, NM 87105 **TANKS**

LUST:

Facility ID:	1104
Status:	**No Further Action Required**
Status Date:	12/03/1996
Release ID:	2885
Date Release Reported:	01/24/1996
Priority Rank:	Not reported
Mitigating Factor Score:	Not reported
Total Score To Assign Relative Rank:	Not reported
Project Manager:	UNKNOWN

LTANKS:

Facility Id:	1104
Release Id Number:	2885
Project Manager:	Not reported
Status:	No Further Action, Confirmed Release
NFA Date:	12/03/1996
Update Status:	Not reported
Priority:	Not reported

TANKS:

Facility Id:	1104
Owner Id Number:	353
Owner Name:	CIRCLE K STORES INC
In Use AST:	0
In Use UST:	3
Temp Out AST:	0
Temp Out UST:	0
Sold AST:	0
Sold UST:	0
Removed AST:	0
Removed UST:	2
No Data AST:	0
No Data UST:	0
Exempt AST:	0
Exempt UST:	0

---

51 **EDR US Hist Auto Stat** **1015497149**
4400 COORS BLVD SW **N/A**
ALBUQUERQUE, NM 87121

EDR Historical Auto Stations:

Name:	CIRCLE K CORP
Year:	2005
Address:	4400 COORS BLVD SW

Name:	CIRCLE K CORP
Year:	2006
Address:	4400 COORS BLVD SW

52 **THRIFTWAY 548** **UST** **U003543375**
2990 GUN CLUB RD **N/A**
ALBUQUERQUE, NM 87105

UST:

Facility ID:	1919
Secondary Address:	Not reported
Owner ID:	354
Owner Name:	GIANT INDUSTRIES ARIZONA INC
Owner Address:	7324 4TH ST NW
Owner Address 2:	Not reported
Owner City,St,Zip:	ALBUQUERQUE, NM 87107
Owner Telephone:	480-502-6172
Tank ID:	19509
Tank Status:	**REMOVED**
Tank Type:	Underground
Tank Capacity:	10000
Tank Substance:	GASOLINE UNKNOWN TYPE
Tank ID:	19510
Tank Status:	**REMOVED**
Tank Type:	Underground
Tank Capacity:	10000
Tank Substance:	GASOLINE UNKNOWN TYPE
Tank ID:	19511
Tank Status:	**REMOVED**
Tank Type:	Underground
Tank Capacity:	10000
Tank Substance:	GASOLINE UNKNOWN TYPE

---

52 **ATEX/T-GAS 380** **LUST** **S105426733**
2990 GUN CLUB RD **LTANKS** **N/A**
ALBUQUERQUE, NM 87105 **TANKS**

LUST:

Facility ID:	1919
Status:	**Investigation, Responsible Party**
Status Date:	06/21/1994
Release ID:	677
Date Release Reported:	03/29/1991
Priority Rank:	231
Mitigating Factor Score:	3
Total Score To Assign Relative Rank:	900
Project Manager:	James Mullany

LTANKS:

Facility Id:	1919
Release Id Number:	677
Project Manager:	James Mullany
Status:	Cleanup, Responsible Party
NFA Date:	Not reported
Update Status:	Not reported
Priority:	3

ATEX/T-GAS 380 (Continued) **S105426733**

TANKS:

Facility Id:	1919
Owner Id Number:	354
Owner Name:	WESTERN REFINING SOUTHWEST INC
In Use AST:	0
In Use UST:	0
Temp Out AST:	0
Temp Out UST:	0
Sold AST:	0
Sold UST:	0
Removed AST:	0
Removed UST:	3
No Data AST:	0
No Data UST:	0
Exempt AST:	0
Exempt UST:	0

---

53 **EDR US Hist Auto Stat** **1015507449**
4619 W GLEN DR SW **N/A**
ALBUQUERQUE, NM 87105

EDR Historical Auto Stations:

Name:	JARAMILLO MOBILE AUTO REPAIR
Year:	2007
Address:	4619 W GLEN DR SW

---

54 **EDR US Hist Auto Stat** **1015507744**
4625 SUNNY CIR SW **N/A**
ALBUQUERQUE, NM 87105

EDR Historical Auto Stations:

Name:	AUTO TECH
Year:	2001
Address:	4625 SUNNY CIR SW
Name:	AUTO TECH
Year:	2002
Address:	4625 SUNNY CIR SW

---

55 **RUBI'S METALS, INC.** **SCS** **S109096261**
2227 MAYFLOWER RD **N/A**
ALBQ., NM

SCS:

Latitude:	Not reported
Longitude:	Not reported
Size(Acres):	Not reported
Contaminate Of Concern:	Not reported
Depth To Water(Ft):	Not reported
Flow Direction:	Not reported
Media Impacted:	Not reported
Regulatory Status:	Not reported
Event:	high Pb in shop and concern over employee exposure. 40ft well on-site showed 6.41 ppb Pb.

RUBI'S METALS, INC. (Continued) **S109096261**

Discharge Date:	Not reported
Actions Taken:	testing of blood.
GWWB Status:	inactive
Closed Date:	6/4/1905

Count: 79 records

ORPHAN SUMMARY

City	EDR ID	Site Name	Site Address	Zip	Database(s)
ALBUQUERQUE	1012232505	SOUTHWEST VERMICULITE COMPANY	1822 N 1ST ST		FINDS
ALBUQUERQUE	1016047375	PNM - PROSPERITY ENERGY STORAGE PROJECT (1.75 MW)	1ST & 4 MI TO 1100 LOS PICAROS		FINDS
ALBUQUERQUE	S106770102	PRICE'S VALLEY GOLD, SOUTH DAIRY, ALBUQU	S 2ND	87105	LTANKS, LAST
ALBUQUERQUE	1012309961	ROSES SOUTHWEST PAPERS, INC.	1701 2ND ST		FINDS
ALBUQUERQUE	S111703504	ALBUQUERQUE LOCOMOTIVE SHOPS AREAS B, C, AND TRACT A	2ND & BRIDGE STS		BROWNFIELDS
ALBUQUERQUE	S109467433	ALBUQUERQUE LOCOMOTIVE SHOPS (FORMERLY BNSF-CWE)	2ND & BRIDGE STS		VCP
ALBUQUERQUE	1008154381	I-40/LOUISIANA INTERCHANGE PROJECT	I 40 INTERSECTIONOF & LOUISIANA NMDOT		FINDS
ALBUQUERQUE	1015731601	ROSS AVIATION, INC., AKA - NNSA AVIATION SERVICE FACILITY	3890 ABERDEEN AVE		CERCLIS, RCRA-CESQG
ALBUQUERQUE	S113492557	ABCWUA SOILS AMENDMENT FACILITY	7401 W ACCESS RD NW		SWF/LF
ALBUQUERQUE	1007082503	NORTH VALLEY AREA	ALAMEDA BLVD		FINDS
ALBUQUERQUE	1009388558	ROUTE 66 TRAVEL CENTER	I-40 AT EXIT 140 (14314 CENTRAL AVENUE)	87121	INDIAN LUST, INDIAN UST
ALBUQUERQUE	S109228971	BARELA LANDSCAPING MATERIALS, INC.	7713 BATES RD SE	87105	SWF/LF
ALBUQUERQUE	1010030938	BEAR CANYON RECHARGE DEMONSTRATION PROJ	BEAR CANYON ARROYO BETWEEN WYO BLVD		FINDS
ALBUQUERQUE	1007990457	VANITY CLEANERS	1500 BRIDGE ST	87105	RCRA-CESQG
ALBUQUERQUE	1011602184	SOUTHWEST ABATEMENT	4200 BROADWAY BLVD SE	87105	ICIS
ALBUQUERQUE	S111151581	ROAD MASTERS	8310 BROADWAY SE		SWF/LF, SWRCY
ALBUQUERQUE	S111765105	RADIO COMMUNICATIONS TOWER	W CENTRAL AVE	87121	TANKS
ALBUQUERQUE	S111764172	GADOMSKI JOHN S	6920 CENTRAL SW	87105	TANKS
ALBUQUERQUE	S111764174	GAEDES SHAMROCK AND WRECKER SERVICE	7601 CENTRAL AVE NW	87105	TANKS
ALBUQUERQUE	S111763477	ATEX 397	2060 CENTRAL SW	87105	TANKS
ALBUQUERQUE	S111764667	MAGIC MOBILE HOMES ULIBARRI	8715 CENTRAL NW	87105	TANKS
ALBUQUERQUE	S111764876	NM CULVERT	10300 CENTRAL AVE SW	87105	TANKS
ALBUQUERQUE	1014806499	SOUTH VALLEY HEALTH COMMONS	2001 N CENTRO FAMILIAR	87105	FINDS
ALBUQUERQUE	S110765100	CERRO COLORADO LANDFILL	18000 CERRO COLORADO SW	87121	TANKS
ALBUQUERQUE	1004754208	CERRO COLORADO LANDFILL	18000 CERRO COLORADO	87121	RCRA-CESQG, AST, US AIRS
ALBUQUERQUE	U003038718	PLEASANT VALLEY TX RCLR	CHERRY ST		UST
ALBUQUERQUE	1012108852	BUREAU OF INDIAN AFFAIRS SOUTHWEST REGIONAL OFFICE DIVISION	9169 COORS RD NW		FINDS
ALBUQUERQUE	S108954106	SPARTON TECHNOLOGIES	7701 COORS RD NW		SCS
ALBUQUERQUE	S109146052	BARCELONA MOBILE HOME PARK	COORS 34		SCS
ALBUQUERQUE	1008374303	AMIGOS AUTO SALVAGE	2510 COORS SOUTH W	87121	RCRA-CESQG
ALBUQUERQUE	S111764018	ELOYS PHILLIPS 66	1010 COORS SW	87105	TANKS
ALBUQUERQUE	S111765863	WOODARD EXPLOSIVES INC	3305 S COORS	87105	TANKS
ALBUQUERQUE	S111764369	HOSSEIN GIAHI	3109 COORS	87105	TANKS
ALBUQUERQUE	S111763617	BRACKEN MOTOR CO	2615 COORS SW	87105	TANKS
ALBUQUERQUE	S111765588	TIW FABRICATION AND MACHINING INC	1255 COORS DR SW	87105	TANKS
ALBUQUERQUE	S111764417	JACKS TREE SERVICE	1504 COORS SW	87105	TANKS
ALBUQUERQUE	S110764949	JPR DECORATIVE GRAVEL	2518 COORS SW	87105	TANKS
ALBUQUERQUE	U003189934	TIW FABRICATION AND MACHINING INC	1255 COORS DR SW	87105	UST

Count: 79 records

ORPHAN SUMMARY

City	EDR ID	Site Name	Site Address	Zip	Database(s)
ALBUQUERQUE	1015735496	PRONTO SERVICE B & B AUTO SALE	1107 COORS BLVD SW	87105	CERC-NFRAP
ALBUQUERQUE	1014208216	1413 SOUTHWEST EL ORIENTE	1413 SW EL ORIENTE		US CDL
ALBUQUERQUE	S105530677	CLOVER	7000 GUN CLUB RD SW	87121	Ind. Haz Waste
ALBUQUERQUE	S111763824	CLOVER INC	7000 GUN CLB SW	87105	TANKS
ALBUQUERQUE	S111765132	RAYS SAND AND GRAVEL	7010 GUN CLB SW	87105	TANKS
ALBUQUERQUE	S111766142	APS POND	HARTLINE RD SW & BRIDGE BLVD SW	87105	TANKS
ALBUQUERQUE	1011850487	SAN PEDRO EQUITIES PROJECT	HOLLY AVE & SAN PEDRO		FINDS
ALBUQUERQUE	1008154435	I-40/LOUISIANA INTERCHANGE PROJECT BORROW PIT	INDIAN SCHOOL & LOUISIANA INTERSECTION		FINDS
ALBUQUERQUE	1011851281	EAGLE RANCH CONSTRUCTION PROJECT	INTERSECTION OF EAGLE RANCH RD		FINDS
ALBUQUERQUE	S108954226	BELL GAS	2200 ISLETA NE		SCS
ALBUQUERQUE	S111765107	RAINBO BAKING	1401 ISLETA	87105	TANKS
ALBUQUERQUE	1014208217	1037 SOUTHWEST LOS PUENTE	1037 SW LOS PUENTE		US CDL
ALBUQUERQUE	1012217992	SENA CONSTRUCTION	2911 LOS PODILLAS RD SW		US MINES, FINDS
ALBUQUERQUE	S111765720	US FOREST SERVICE ALBUQUERQUE TREE NURSEI	3615 LOS PICAROS	87105	TANKS
ALBUQUERQUE	S110765296	MONTESSA PARK CONVENIENCE CENTER	3512 LOS PICAROS RD SE	87105	TANKS
ALBUQUERQUE	S112233555	MOUNTAIN VIEW ECO-STATION	212 MURRAY RD SE	87105	SWF/LF
ALBUQUERQUE	1011450497	ALBUQUERQUE LARGE SCALE RECHARGE DEMONSTRATION PROJECT	NW OF THE INTERSECTION OF CHAPPEL DR		FINDS
ALBUQUERQUE	S111766114	TRACT 159 AKA TRACT 220	W OF WESTLAND ATRISCO GRANT	87105	TANKS
ALBUQUERQUE	U003989465	TRACT 159 AKA TRACT 220	W OF WESTLAND ATRISCO GRANT	87105	UST
ALBUQUERQUE	S106227819	997 OLD COORS ROAD	997 OLD COORS RD		VCP
ALBUQUERQUE	1014472827	EL MEXICANO TRUCK SALVAGE # 1	1200 OLD COORS	87105	RCRA-CESQG
ALBUQUERQUE	1009423710	SOUTH VALLEY PCB TANK SITE	ONE SQ		FINDS
ALBUQUERQUE	1007571015	ALBUQUERQUE EXCAVATORS INC.	PAJARITO RD SW	87105	RCRA NonGen / NLR
ALBUQUERQUE	A100268355	DOUBLE EAGLE 2 AIRPORT SERVICE	7401 PASEO DEL VOLCAN	87121	AST
ALBUQUERQUE	1009423933	SOUTHWEST FOUR WHEEL DR AND TRUCK INC	4931 B PROSPECT NE		FINDS
ALBUQUERQUE	1008214155	SOUTH VALLEY MOUNTAIN VIEW	201 PROSPERITY SW		FINDS
ALBUQUERQUE	1007490818	PROSPERITY & BROADWAY OIL SPILL	PROSPERITY & BROADWAY OIL SPILL		CERCLIS
ALBUQUERQUE	S108954107	LOS ANGELES LANDFILL/CITY ALBQ.	PSO DEL NORTE		SCS
ALBUQUERQUE	S110764960	BODE AERO SERVICES TANK FARMS 1 AND 2	7401 PSO DEL VOLCAN	87121	TANKS
ALBUQUERQUE	S111763149	PERSON GENERATING STATION	RIO BRAVO	87105	TANKS
ALBUQUERQUE	S111763166	POWER OPERATIONS	RIO BRAVO	87105	TANKS
ALBUQUERQUE	1006809852	NEW MEXICO AUTO RECYCLERS	2916 SAN YGNACIO SW	87121	RCRA-SQG, FINDS
ALBUQUERQUE	S111764882	NM SALVAGE POOL 1	6001 SAN FRANCISCO	87105	TANKS
ALBUQUERQUE	1012086568	SOUTHWEST HIGH SCHOOL	10800 S SIDE OF DENNIS CHAVEZ BLVD		FINDS
ALBUQUERQUE	S111763349	ALBUQUERQUE DRIVESHAFT EXCHANGE	417 SUMMER AVE NW	87104	TANKS
ALBUQUERQUE	1009420620	SOUTHWEST AIRLINES	2200 SUNPORT AVE		FINDS
ALBUQUERQUE	1009312329	SOUTHWEST AIRLINES COMPANY	2200 SUNPORT BLVD		RCRA-CESQG
ALBUQUERQUE	1003873611	ALBUQUERQUE CITY OF ATRISCO LANDFILL	SUNSET GDNS & CORREGIDOR NW	87105	CERC-NFRAP
ALBUQUERQUE	1011863333	ALBUQUERQUE FREIGHTLINER	12901 USHY 66 FRONTAGE RD W	87121	RCRA-CESQG
BERNALILLO COUNTY	S112233561	SOUTHWEST LANDFILL LLC	ABQ, BERNALILLO, COORS AND PAJARITO RD		SWF/LF
BERNALILLO COUNTY	M300006245	SOUTHWEST VERMICULITE CO INC	SOUTHWEST VERMICULITE CO NM PLANT		US MINES

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

To maintain currency of the following federal and state databases, EDR contacts the appropriate governmental agency on a monthly or quarterly basis, as required.

Number of Days to Update: Provides confirmation that EDR is reporting records that have been updated within 90 days from the date the government agency made the information available to the public.

FEDERAL RECORDS

NPL: National Priority List

National Priorities List (Superfund). The NPL is a subset of CERCLIS and identifies over 1,200 sites for priority cleanup under the Superfund Program. NPL sites may encompass relatively large areas. As such, EDR provides polygon coverage for over 1,000 NPL site boundaries produced by EPA's Environmental Photographic Interpretation Center (EPIC) and regional EPA offices.

Date of Government Version: 04/26/2013
Date Data Arrived at EDR: 05/09/2013
Date Made Active in Reports: 07/10/2013
Number of Days to Update: 62

Source: EPA
Telephone: N/A
Last EDR Contact: 05/09/2013
Next Scheduled EDR Contact: 07/22/2013
Data Release Frequency: Quarterly

NPL Site Boundaries

Sources:

EPA's Environmental Photographic Interpretation Center (EPIC)
Telephone: 202-564-7333

EPA Region 1
Telephone 617-918-1143

EPA Region 3
Telephone 215-814-5418

EPA Region 4
Telephone 404-562-8033

EPA Region 5
Telephone 312-886-6686

EPA Region 10
Telephone 206-553-8665

EPA Region 6
Telephone: 214-655-6659

EPA Region 7
Telephone: 913-551-7247

EPA Region 8
Telephone: 303-312-6774

EPA Region 9
Telephone: 415-947-4246

Proposed NPL: Proposed National Priority List Sites

A site that has been proposed for listing on the National Priorities List through the issuance of a proposed rule in the Federal Register. EPA then accepts public comments on the site, responds to the comments, and places on the NPL those sites that continue to meet the requirements for listing.

Date of Government Version: 04/26/2013
Date Data Arrived at EDR: 05/09/2013
Date Made Active in Reports: 07/10/2013
Number of Days to Update: 62

Source: EPA
Telephone: N/A
Last EDR Contact: 05/09/2013
Next Scheduled EDR Contact: 07/22/2013
Data Release Frequency: Quarterly

DELISTED NPL: National Priority List Deletions

The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425.(e), sites may be deleted from the NPL where no further response is appropriate.

Date of Government Version: 04/26/2013
Date Data Arrived at EDR: 05/09/2013
Date Made Active in Reports: 07/10/2013
Number of Days to Update: 62

Source: EPA
Telephone: N/A
Last EDR Contact: 05/09/2013
Next Scheduled EDR Contact: 07/22/2013
Data Release Frequency: Quarterly

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

NPL LIENS: Federal Superfund Liens

Federal Superfund Liens. Under the authority granted the USEPA by CERCLA of 1980, the USEPA has the authority to file liens against real property in order to recover remedial action expenditures or when the property owner received notification of potential liability. USEPA compiles a listing of filed notices of Superfund Liens.

Date of Government Version: 10/15/1991
Date Data Arrived at EDR: 02/02/1994
Date Made Active in Reports: 03/30/1994
Number of Days to Update: 56

Source: EPA
Telephone: 202-564-4267
Last EDR Contact: 08/15/2011
Next Scheduled EDR Contact: 11/28/2011
Data Release Frequency: No Update Planned

CERCLIS: Comprehensive Environmental Response, Compensation, and Liability Information System

CERCLIS contains data on potentially hazardous waste sites that have been reported to the USEPA by states, municipalities, private companies and private persons, pursuant to Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). CERCLIS contains sites which are either proposed to or on the National Priorities List (NPL) and sites which are in the screening and assessment phase for possible inclusion on the NPL.

Date of Government Version: 02/04/2013
Date Data Arrived at EDR: 03/01/2013
Date Made Active in Reports: 03/13/2013
Number of Days to Update: 12

Source: EPA
Telephone: 703-412-9810
Last EDR Contact: 05/29/2013
Next Scheduled EDR Contact: 09/09/2013
Data Release Frequency: Quarterly

CERCLIS-NFRAP: CERCLIS No Further Remedial Action Planned

Archived sites are sites that have been removed and archived from the inventory of CERCLIS sites. Archived status indicates that, to the best of EPA's knowledge, assessment at a site has been completed and that EPA has determined no further steps will be taken to list this site on the National Priorities List (NPL), unless information indicates this decision was not appropriate or other considerations require a recommendation for listing at a later time. This decision does not necessarily mean that there is no hazard associated with a given site; it only means that, based upon available information, the location is not judged to be a potential NPL site.

Date of Government Version: 02/05/2013
Date Data Arrived at EDR: 03/01/2013
Date Made Active in Reports: 03/13/2013
Number of Days to Update: 12

Source: EPA
Telephone: 703-412-9810
Last EDR Contact: 05/29/2013
Next Scheduled EDR Contact: 05/09/2013
Data Release Frequency: Quarterly

LIENS 2: CERCLA Lien Information

A Federal CERCLA ('Superfund') lien can exist by operation of law at any site or property at which EPA has spent Superfund monies. These monies are spent to investigate and address releases and threatened releases of contamination. CERCLIS provides information as to the identity of these sites and properties.

Date of Government Version: 02/06/2013
Date Data Arrived at EDR: 04/25/2013
Date Made Active in Reports: 05/10/2013
Number of Days to Update: 15

Source: Environmental Protection Agency
Telephone: 202-564-6023
Last EDR Contact: 04/29/2013
Next Scheduled EDR Contact: 08/12/2013
Data Release Frequency: Varies

CORRACTS: Corrective Action Report

CORRACTS identifies hazardous waste handlers with RCRA corrective action activity.

Date of Government Version: 02/12/2013
Date Data Arrived at EDR: 02/21/2013
Date Made Active in Reports: 02/27/2013
Number of Days to Update: 6

Source: EPA
Telephone: 800-424-9346
Last EDR Contact: 07/01/2013
Next Scheduled EDR Contact: 10/14/2013
Data Release Frequency: Quarterly

RCRA-TSDF: RCRA - Treatment, Storage and Disposal

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Transporters are individuals or entities that move hazardous waste from the generator offsite to a facility that can recycle, treat, store, or dispose of the waste. TSDFs treat, store, or dispose of the waste.

Date of Government Version: 02/12/2013
Date Data Arrived at EDR: 02/15/2013
Date Made Active in Reports: 02/27/2013
Number of Days to Update: 12

Source: Environmental Protection Agency
Telephone: 214-665-6444
Last EDR Contact: 07/01/2013
Next Scheduled EDR Contact: 10/14/2013
Data Release Frequency: Quarterly

RCRA-LQG: RCRA - Large Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Large quantity generators (LQGs) generate over 1,000 kilograms (kg) of hazardous waste, or over 1 kg of acutely hazardous waste per month.

Date of Government Version: 02/12/2013
Date Data Arrived at EDR: 02/15/2013
Date Made Active in Reports: 02/27/2013
Number of Days to Update: 12

Source: Environmental Protection Agency
Telephone: 214-665-6444
Last EDR Contact: 07/01/2013
Next Scheduled EDR Contact: 10/14/2013
Data Release Frequency: Quarterly

RCRA-SQG: RCRA - Small Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Small quantity generators (SQGs) generate between 100 kg and 1,000 kg of hazardous waste per month.

Date of Government Version: 02/12/2013
Date Data Arrived at EDR: 02/15/2013
Date Made Active in Reports: 02/27/2013
Number of Days to Update: 12

Source: Environmental Protection Agency
Telephone: 214-665-6444
Last EDR Contact: 07/01/2013
Next Scheduled EDR Contact: 10/14/2013
Data Release Frequency: Quarterly

RCRA-CESQG: RCRA - Conditionally Exempt Small Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Conditionally exempt small quantity generators (CESQGs) generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month.

Date of Government Version: 02/12/2013
Date Data Arrived at EDR: 02/15/2013
Date Made Active in Reports: 02/27/2013
Number of Days to Update: 12

Source: Environmental Protection Agency
Telephone: 214-665-6444
Last EDR Contact: 07/01/2013
Next Scheduled EDR Contact: 10/14/2013
Data Release Frequency: Varies

RCRA NonGen / NLR: RCRA - Non Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Non-Generators do not presently generate hazardous waste.

Date of Government Version: 02/12/2013
Date Data Arrived at EDR: 02/15/2013
Date Made Active in Reports: 02/27/2013
Number of Days to Update: 12

Source: Environmental Protection Agency
Telephone: 214-665-6444
Last EDR Contact: 07/01/2013
Next Scheduled EDR Contact: 10/14/2013
Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

US ENG CONTROLS: Engineering Controls Sites List

A listing of sites with engineering controls in place. Engineering controls include various forms of caps, building foundations, liners, and treatment methods to create pathway elimination for regulated substances to enter environmental media or effect human health.

Date of Government Version: 03/14/2013
Date Data Arrived at EDR: 03/29/2013
Date Made Active in Reports: 05/10/2013
Number of Days to Update: 42

Source: Environmental Protection Agency
Telephone: 703-603-0695
Last EDR Contact: 06/10/2013
Next Scheduled EDR Contact: 09/23/2013
Data Release Frequency: Varies

US INST CONTROL: Sites with Institutional Controls

A listing of sites with institutional controls in place. Institutional controls include administrative measures, such as groundwater use restrictions, construction restrictions, property use restrictions, and post remediation care requirements intended to prevent exposure to contaminants remaining on site. Deed restrictions are generally required as part of the institutional controls.

Date of Government Version: 03/14/2013
Date Data Arrived at EDR: 03/29/2013
Date Made Active in Reports: 05/10/2013
Number of Days to Update: 42

Source: Environmental Protection Agency
Telephone: 703-603-0695
Last EDR Contact: 06/10/2013
Next Scheduled EDR Contact: 09/23/2013
Data Release Frequency: Varies

ERNS: Emergency Response Notification System

Emergency Response Notification System. ERNS records and stores information on reported releases of oil and hazardous substances.

Date of Government Version: 12/31/2012
Date Data Arrived at EDR: 01/17/2013
Date Made Active in Reports: 02/15/2013
Number of Days to Update: 29

Source: National Response Center, United States Coast Guard
Telephone: 202-267-2180
Last EDR Contact: 07/01/2013
Next Scheduled EDR Contact: 10/14/2013
Data Release Frequency: Annually

HMIRS: Hazardous Materials Information Reporting System

Hazardous Materials Incident Report System. HMIRS contains hazardous material spill incidents reported to DOT.

Date of Government Version: 12/31/2012
Date Data Arrived at EDR: 01/03/2013
Date Made Active in Reports: 02/27/2013
Number of Days to Update: 55

Source: U.S. Department of Transportation
Telephone: 202-366-4555
Last EDR Contact: 07/01/2013
Next Scheduled EDR Contact: 10/14/2013
Data Release Frequency: Annually

DOT OPS: Incident and Accident Data

Department of Transporation, Office of Pipeline Safety Incident and Accident data.

Date of Government Version: 07/31/2012
Date Data Arrived at EDR: 08/07/2012
Date Made Active in Reports: 09/18/2012
Number of Days to Update: 42

Source: Department of Transporation, Office of Pipeline Safety
Telephone: 202-366-4595
Last EDR Contact: 05/07/2013
Next Scheduled EDR Contact: 08/19/2013
Data Release Frequency: Varies

US CDL: Clandestine Drug Labs

A listing of clandestine drug lab locations. The U.S. Department of Justice ("the Department") provides this web site as a public service. It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the Department, and the Department has not verified the entry and does not guarantee its accuracy. Members of the public must verify the accuracy of all entries by, for example, contacting local law enforcement and local health departments.

Date of Government Version: 03/04/2013
Date Data Arrived at EDR: 03/12/2013
Date Made Active in Reports: 05/10/2013
Number of Days to Update: 59

Source: Drug Enforcement Administration
Telephone: 202-307-1000
Last EDR Contact: 06/03/2013
Next Scheduled EDR Contact: 09/16/2013
Data Release Frequency: Quarterly

US BROWNFIELDS: A Listing of Brownfields Sites

Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties takes development pressures off of undeveloped, open land, and both improves and protects the environment. Assessment, Cleanup and Redevelopment Exchange System (ACRES) stores information reported by EPA Brownfields grant recipients on brownfields properties assessed or cleaned up with grant funding as well as information on Targeted Brownfields Assessments performed by EPA Regions. A listing of ACRES Brownfield sites is obtained from Cleanups in My Community. Cleanups in My Community provides information on Brownfields properties for which information is reported back to EPA, as well as areas served by Brownfields grant programs.

Date of Government Version: 12/10/2012
Date Data Arrived at EDR: 12/11/2012
Date Made Active in Reports: 12/20/2012
Number of Days to Update: 9

Source: Environmental Protection Agency
Telephone: 202-566-2777
Last EDR Contact: 06/25/2013
Next Scheduled EDR Contact: 10/07/2013
Data Release Frequency: Semi-Annually

DOD: Department of Defense Sites

This data set consists of federally owned or administered lands, administered by the Department of Defense, that have any area equal to or greater than 640 acres of the United States, Puerto Rico, and the U.S. Virgin Islands.

Date of Government Version: 12/31/2005
Date Data Arrived at EDR: 11/10/2006
Date Made Active in Reports: 01/11/2007
Number of Days to Update: 62

Source: USGS
Telephone: 888-275-8747
Last EDR Contact: 07/19/2013
Next Scheduled EDR Contact: 10/28/2013
Data Release Frequency: Semi-Annually

FUDS: Formerly Used Defense Sites

The listing includes locations of Formerly Used Defense Sites properties where the US Army Corps of Engineers is actively working or will take necessary cleanup actions.

Date of Government Version: 12/31/2011
Date Data Arrived at EDR: 02/26/2013
Date Made Active in Reports: 03/13/2013
Number of Days to Update: 15

Source: U.S. Army Corps of Engineers
Telephone: 202-528-4285
Last EDR Contact: 06/10/2013
Next Scheduled EDR Contact: 09/23/2013
Data Release Frequency: Varies

LUCIS: Land Use Control Information System

LUCIS contains records of land use control information pertaining to the former Navy Base Realignment and Closure properties.

Date of Government Version: 12/09/2005
Date Data Arrived at EDR: 12/11/2006
Date Made Active in Reports: 01/11/2007
Number of Days to Update: 31

Source: Department of the Navy
Telephone: 843-820-7326
Last EDR Contact: 05/20/2013
Next Scheduled EDR Contact: 09/02/2013
Data Release Frequency: Varies

CONSENT: Superfund (CERCLA) Consent Decrees

Major legal settlements that establish responsibility and standards for cleanup at NPL (Superfund) sites. Released periodically by United States District Courts after settlement by parties to litigation matters.

Date of Government Version: 12/31/2011
Date Data Arrived at EDR: 01/15/2013
Date Made Active in Reports: 03/13/2013
Number of Days to Update: 57

Source: Department of Justice, Consent Decree Library
Telephone: Varies
Last EDR Contact: 06/25/2013
Next Scheduled EDR Contact: 10/14/2013
Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

ROD: Records Of Decision

Record of Decision. ROD documents mandate a permanent remedy at an NPL (Superfund) site containing technical and health information to aid in the cleanup.

Date of Government Version: 12/18/2012
Date Data Arrived at EDR: 03/13/2013
Date Made Active in Reports: 04/12/2013
Number of Days to Update: 30

Source: EPA
Telephone: 703-416-0223
Last EDR Contact: 06/11/2013
Next Scheduled EDR Contact: 09/23/2013
Data Release Frequency: Annually

UMTRA: Uranium Mill Tailings Sites

Uranium ore was mined by private companies for federal government use in national defense programs. When the mills shut down, large piles of the sand-like material (mill tailings) remain after uranium has been extracted from the ore. Levels of human exposure to radioactive materials from the piles are low; however, in some cases tailings were used as construction materials before the potential health hazards of the tailings were recognized.

Date of Government Version: 09/14/2010
Date Data Arrived at EDR: 10/07/2011
Date Made Active in Reports: 03/01/2012
Number of Days to Update: 146

Source: Department of Energy
Telephone: 505-845-0011
Last EDR Contact: 05/28/2013
Next Scheduled EDR Contact: 09/09/2013
Data Release Frequency: Varies

ODI: Open Dump Inventory

An open dump is defined as a disposal facility that does not comply with one or more of the Part 257 or Part 258 Subtitle D Criteria.

Date of Government Version: 06/30/1985
Date Data Arrived at EDR: 08/09/2004
Date Made Active in Reports: 09/17/2004
Number of Days to Update: 39

Source: Environmental Protection Agency
Telephone: 800-424-9346
Last EDR Contact: 06/09/2004
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

DEBRIS REGION 9: Torres Martinez Reservation Illegal Dump Site Locations

A listing of illegal dump sites location on the Torres Martinez Indian Reservation located in eastern Riverside County and northern Imperial County, California.

Date of Government Version: 01/12/2009
Date Data Arrived at EDR: 05/07/2009
Date Made Active in Reports: 09/21/2009
Number of Days to Update: 137

Source: EPA, Region 9
Telephone: 415-947-4219
Last EDR Contact: 04/29/2013
Next Scheduled EDR Contact: 08/12/2013
Data Release Frequency: No Update Planned

US MINES: Mines Master Index File

Contains all mine identification numbers issued for mines active or opened since 1971. The data also includes violation information.

Date of Government Version: 02/05/2013
Date Data Arrived at EDR: 04/18/2013
Date Made Active in Reports: 05/10/2013
Number of Days to Update: 22

Source: Department of Labor, Mine Safety and Health Administration
Telephone: 303-231-5959
Last EDR Contact: 06/04/2013
Next Scheduled EDR Contact: 09/16/2013
Data Release Frequency: Semi-Annually

TRIS: Toxic Chemical Release Inventory System

Toxic Release Inventory System. TRIS identifies facilities which release toxic chemicals to the air, water and land in reportable quantities under SARA Title III Section 313.

Date of Government Version: 12/31/2009
Date Data Arrived at EDR: 09/01/2011
Date Made Active in Reports: 01/10/2012
Number of Days to Update: 131

Source: EPA
Telephone: 202-566-0250
Last EDR Contact: 05/29/2013
Next Scheduled EDR Contact: 09/09/2013
Data Release Frequency: Annually

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

TSCA: Toxic Substances Control Act

Toxic Substances Control Act. TSCA identifies manufacturers and importers of chemical substances included on the TSCA Chemical Substance Inventory list. It includes data on the production volume of these substances by plant site.

Date of Government Version: 12/31/2006
Date Data Arrived at EDR: 09/29/2010
Date Made Active in Reports: 12/02/2010
Number of Days to Update: 64

Source: EPA
Telephone: 202-260-5521
Last EDR Contact: 06/25/2013
Next Scheduled EDR Contact: 10/07/2013
Data Release Frequency: Every 4 Years

FTTS: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)

FTTS tracks administrative cases and pesticide enforcement actions and compliance activities related to FIFRA, TSCA and EPCRA (Emergency Planning and Community Right-to-Know Act). To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 04/09/2009
Date Data Arrived at EDR: 04/16/2009
Date Made Active in Reports: 05/11/2009
Number of Days to Update: 25

Source: EPA/Office of Prevention, Pesticides and Toxic Substances
Telephone: 202-566-1667
Last EDR Contact: 05/28/2013
Next Scheduled EDR Contact: 09/09/2013
Data Release Frequency: Quarterly

FTTS INSP: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)

A listing of FIFRA/TSCA Tracking System (FTTS) inspections and enforcements.

Date of Government Version: 04/09/2009
Date Data Arrived at EDR: 04/16/2009
Date Made Active in Reports: 05/11/2009
Number of Days to Update: 25

Source: EPA
Telephone: 202-566-1667
Last EDR Contact: 05/28/2013
Next Scheduled EDR Contact: 09/09/2013
Data Release Frequency: Quarterly

HIST FTTS: FIFRA/TSCA Tracking System Administrative Case Listing

A complete administrative case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006
Date Data Arrived at EDR: 03/01/2007
Date Made Active in Reports: 04/10/2007
Number of Days to Update: 40

Source: Environmental Protection Agency
Telephone: 202-564-2501
Last EDR Contact: 12/17/2007
Next Scheduled EDR Contact: 03/17/2008
Data Release Frequency: No Update Planned

HIST FTTS INSP: FIFRA/TSCA Tracking System Inspection & Enforcement Case Listing

A complete inspection and enforcement case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006
Date Data Arrived at EDR: 03/01/2007
Date Made Active in Reports: 04/10/2007
Number of Days to Update: 40

Source: Environmental Protection Agency
Telephone: 202-564-2501
Last EDR Contact: 12/17/2008
Next Scheduled EDR Contact: 03/17/2008
Data Release Frequency: No Update Planned

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

SSTS: Section 7 Tracking Systems

Section 7 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (92 Stat. 829) requires all registered pesticide-producing establishments to submit a report to the Environmental Protection Agency by March 1st each year. Each establishment must report the types and amounts of pesticides, active ingredients and devices being produced, and those having been produced and sold or distributed in the past year.

Date of Government Version: 12/31/2009
Date Data Arrived at EDR: 12/10/2010
Date Made Active in Reports: 02/25/2011
Number of Days to Update: 77

Source: EPA
Telephone: 202-564-4203
Last EDR Contact: 04/29/2013
Next Scheduled EDR Contact: 08/12/2013
Data Release Frequency: Annually

ICIS: Integrated Compliance Information System

The Integrated Compliance Information System (ICIS) supports the information needs of the national enforcement and compliance program as well as the unique needs of the National Pollutant Discharge Elimination System (NPDES) program.

Date of Government Version: 07/20/2011
Date Data Arrived at EDR: 11/10/2011
Date Made Active in Reports: 01/10/2012
Number of Days to Update: 61

Source: Environmental Protection Agency
Telephone: 202-564-5088
Last EDR Contact: 07/01/2013
Next Scheduled EDR Contact: 10/28/2013
Data Release Frequency: Quarterly

PADS: PCB Activity Database System

PCB Activity Database. PADS Identifies generators, transporters, commercial storers and/or brokers and disposers of PCB's who are required to notify the EPA of such activities.

Date of Government Version: 11/01/2012
Date Data Arrived at EDR: 01/16/2013
Date Made Active in Reports: 05/10/2013
Number of Days to Update: 114

Source: EPA
Telephone: 202-566-0500
Last EDR Contact: 07/17/2013
Next Scheduled EDR Contact: 10/28/2013
Data Release Frequency: Annually

MLTS: Material Licensing Tracking System

MLTS is maintained by the Nuclear Regulatory Commission and contains a list of approximately 8,100 sites which possess or use radioactive materials and which are subject to NRC licensing requirements. To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 03/14/2013
Date Data Arrived at EDR: 03/20/2013
Date Made Active in Reports: 07/10/2013
Number of Days to Update: 112

Source: Nuclear Regulatory Commission
Telephone: 301-415-7169
Last EDR Contact: 07/10/2013
Next Scheduled EDR Contact: 09/23/2013
Data Release Frequency: Quarterly

RADINFO: Radiation Information Database

The Radiation Information Database (RADINFO) contains information about facilities that are regulated by U.S. Environmental Protection Agency (EPA) regulations for radiation and radioactivity.

Date of Government Version: 04/09/2013
Date Data Arrived at EDR: 04/11/2013
Date Made Active in Reports: 05/10/2013
Number of Days to Update: 29

Source: Environmental Protection Agency
Telephone: 202-343-9775
Last EDR Contact: 07/12/2013
Next Scheduled EDR Contact: 10/21/2013
Data Release Frequency: Quarterly

FINDS: Facility Index System/Facility Registry System

Facility Index System. FINDS contains both facility information and 'pointers' to other sources that contain more detail. EDR includes the following FINDS databases in this report: PCS (Permit Compliance System), AIRS (Aerometric Information Retrieval System), DOCKET (Enforcement Docket used to manage and track information on civil judicial enforcement cases for all environmental statutes), FURS (Federal Underground Injection Control), C-DOCKET (Criminal Docket System used to track criminal enforcement actions for all environmental statutes), FFIS (Federal Facilities Information System), STATE (State Environmental Laws and Statutes), and PADS (PCB Activity Data System).

Date of Government Version: 03/08/2013
Date Data Arrived at EDR: 03/21/2013
Date Made Active in Reports: 07/10/2013
Number of Days to Update: 111

Source: EPA
Telephone: (214) 665-2200
Last EDR Contact: 06/13/2013
Next Scheduled EDR Contact: 09/23/2013
Data Release Frequency: Quarterly

RAATS: RCRA Administrative Action Tracking System

RCRA Administration Action Tracking System. RAATS contains records based on enforcement actions issued under RCRA pertaining to major violators and includes administrative and civil actions brought by the EPA. For administration actions after September 30, 1995, data entry in the RAATS database was discontinued. EPA will retain a copy of the database for historical records. It was necessary to terminate RAATS because a decrease in agency resources made it impossible to continue to update the information contained in the database.

Date of Government Version: 04/17/1995
Date Data Arrived at EDR: 07/03/1995
Date Made Active in Reports: 08/07/1995
Number of Days to Update: 35

Source: EPA
Telephone: 202-564-4104
Last EDR Contact: 06/02/2008
Next Scheduled EDR Contact: 09/01/2008
Data Release Frequency: No Update Planned

RMP: Risk Management Plans

When Congress passed the Clean Air Act Amendments of 1990, it required EPA to publish regulations and guidance for chemical accident prevention at facilities using extremely hazardous substances. The Risk Management Program Rule (RMP Rule) was written to implement Section 112(r) of these amendments. The rule, which built upon existing industry codes and standards, requires companies of all sizes that use certain flammable and toxic substances to develop a Risk Management Program, which includes a(n): Hazard assessment that details the potential effects of an accidental release, an accident history of the last five years, and an evaluation of worst-case and alternative accidental releases; Prevention program that includes safety precautions and maintenance, monitoring, and employee training measures; and Emergency response program that spells out emergency health care, employee training measures and procedures for informing the public and response agencies (e.g the fire department) should an accident occur.

Date of Government Version: 05/08/2012
Date Data Arrived at EDR: 05/25/2012
Date Made Active in Reports: 07/10/2012
Number of Days to Update: 46

Source: Environmental Protection Agency
Telephone: 202-564-8600
Last EDR Contact: 04/29/2013
Next Scheduled EDR Contact: 08/12/2013
Data Release Frequency: Varies

BRS: Biennial Reporting System

The Biennial Reporting System is a national system administered by the EPA that collects data on the generation and management of hazardous waste. BRS captures detailed data from two groups: Large Quantity Generators (LQG) and Treatment, Storage, and Disposal Facilities.

Date of Government Version: 12/31/2011
Date Data Arrived at EDR: 02/26/2013
Date Made Active in Reports: 04/19/2013
Number of Days to Update: 52

Source: EPA/NTIS
Telephone: 800-424-9346
Last EDR Contact: 05/30/2013
Next Scheduled EDR Contact: 09/09/2013
Data Release Frequency: Biennially

FEMA UST: Underground Storage Tank Listing

A listing of all FEMA owned underground storage tanks.

Date of Government Version: 01/01/2010
Date Data Arrived at EDR: 02/16/2010
Date Made Active in Reports: 04/12/2010
Number of Days to Update: 55

Source: FEMA
Telephone: 202-646-5797
Last EDR Contact: 07/19/2013
Next Scheduled EDR Contact: 10/28/2013
Data Release Frequency: Varies

COAL ASH EPA: Coal Combustion Residues Surface Impoundments List

A listing of coal combustion residues surface impoundments with high hazard potential ratings.

Date of Government Version: 08/17/2010
Date Data Arrived at EDR: 01/03/2011
Date Made Active in Reports: 03/21/2011
Number of Days to Update: 77

Source: Environmental Protection Agency
Telephone: N/A
Last EDR Contact: 06/14/2013
Next Scheduled EDR Contact: 09/23/2013
Data Release Frequency: Varies

FEDERAL FACILITY: Federal Facility Site Information listing

A listing of National Priority List (NPL) and Base Realignment and Closure (BRAC) sites found in the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) Database where EPA Federal Facilities Restoration and Reuse Office is involved in cleanup activities.

Date of Government Version: 07/31/2012
Date Data Arrived at EDR: 10/09/2012
Date Made Active in Reports: 12/20/2012
Number of Days to Update: 72

Source: Environmental Protection Agency
Telephone: 703-603-8704
Last EDR Contact: 07/08/2013
Next Scheduled EDR Contact: 10/21/2013
Data Release Frequency: Varies

LEAD SMELTER 1: Lead Smelter Sites

A listing of former lead smelter site locations.

Date of Government Version: 01/29/2013
Date Data Arrived at EDR: 02/14/2013
Date Made Active in Reports: 02/27/2013
Number of Days to Update: 13

Source: Environmental Protection Agency
Telephone: 703-603-8787
Last EDR Contact: 07/03/2013
Next Scheduled EDR Contact: 10/21/2013
Data Release Frequency: Varies

LEAD SMELTER 2: Lead Smelter Sites

A list of several hundred sites in the U.S. where secondary lead smelting was done from 1931and 1964. These sites may pose a threat to public health through ingestion or inhalation of contaminated soil or dust

Date of Government Version: 04/05/2001
Date Data Arrived at EDR: 10/27/2010
Date Made Active in Reports: 12/02/2010
Number of Days to Update: 36

Source: American Journal of Public Health
Telephone: 703-305-6451
Last EDR Contact: 12/02/2009
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

COAL ASH DOE: Sleam-Electric Plan Operation Data

A listing of power plants that store ash in surface ponds.

Date of Government Version: 12/31/2005
Date Data Arrived at EDR: 08/07/2009
Date Made Active in Reports: 10/22/2009
Number of Days to Update: 76

Source: Department of Energy
Telephone: 202-586-8719
Last EDR Contact: 07/19/2013
Next Scheduled EDR Contact: 10/28/2013
Data Release Frequency: Varies

PCB TRANSFORMER: PCB Transformer Registration Database

The database of PCB transformer registrations that includes all PCB registration submittals.

Date of Government Version: 02/01/2011
Date Data Arrived at EDR: 10/19/2011
Date Made Active in Reports: 01/10/2012
Number of Days to Update: 83

Source: Environmental Protection Agency
Telephone: 202-566-0517
Last EDR Contact: 05/03/2013
Next Scheduled EDR Contact: 08/12/2013
Data Release Frequency: Varies

US HIST CDL: National Clandestine Laboratory Register

A listing of clandestine drug lab locations. The U.S. Department of Justice ("the Department") provides this web site as a public service. It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the Department, and the Department has not verified the entry and does not guarantee its accuracy. Members of the public must verify the accuracy of all entries by, for example, contacting local law enforcement and local health departments.

Date of Government Version: 09/01/2007
Date Data Arrived at EDR: 11/19/2008
Date Made Active in Reports: 03/30/2009
Number of Days to Update: 131

Source: Drug Enforcement Administration
Telephone: 202-307-1000
Last EDR Contact: 03/23/2009
Next Scheduled EDR Contact: 06/22/2009
Data Release Frequency: No Update Planned

US FIN ASSUR: Financial Assurance Information

All owners and operators of facilities that treat, store, or dispose of hazardous waste are required to provide proof that they will have sufficient funds to pay for the clean up, closure, and post-closure care of their facilities.

Date of Government Version: 03/04/2013
Date Data Arrived at EDR: 03/15/2013
Date Made Active in Reports: 05/10/2013
Number of Days to Update: 56

Source: Environmental Protection Agency
Telephone: 202-566-1917
Last EDR Contact: 05/20/2013
Next Scheduled EDR Contact: 09/02/2013
Data Release Frequency: Quarterly

EPA WATCH LIST: EPA WATCH LIST

EPA maintains a "Watch List" to facilitate dialogue between EPA, state and local environmental agencies on enforcement matters relating to facilities with alleged violations identified as either significant or high priority. Being on the Watch List does not mean that the facility has actually violated the law only that an investigation by EPA or a state or local environmental agency has led those organizations to allege that an unproven violation has in fact occurred. Being on the Watch List does not represent a higher level of concern regarding the alleged violations that were detected, but instead indicates cases requiring additional dialogue between EPA, state and local agencies - primarily because of the length of time the alleged violation has gone unaddressed or unresolved.

Date of Government Version: 12/31/2012
Date Data Arrived at EDR: 02/18/2013
Date Made Active in Reports: 05/10/2013
Number of Days to Update: 81

Source: Environmental Protection Agency
Telephone: 617-520-3000
Last EDR Contact: 05/10/2013
Next Scheduled EDR Contact: 08/26/2013
Data Release Frequency: Quarterly

2020 COR ACTION: 2020 Corrective Action Program List

The EPA has set ambitious goals for the RCRA Corrective Action program by creating the 2020 Corrective Action Universe. This RCRA cleanup baseline includes facilities expected to need corrective action. The 2020 universe contains a wide variety of sites. Some properties are heavily contaminated while others were contaminated but have since been cleaned up. Still others have not been fully investigated yet, and may require little or no remediation. Inclusion in the 2020 Universe does not necessarily imply failure on the part of a facility to meet its RCRA obligations.

Date of Government Version: 11/11/2011
Date Data Arrived at EDR: 05/18/2012
Date Made Active in Reports: 05/25/2012
Number of Days to Update: 7

Source: Environmental Protection Agency
Telephone: 703-308-4044
Last EDR Contact: 05/17/2013
Next Scheduled EDR Contact: 08/26/2013
Data Release Frequency: Varies

US AIRS (AFS): Aerometric Information Retrieval System Facility Subsystem (AFS)

The database is a sub-system of Aerometric Information Retrieval System (AIRS). AFS contains compliance data on air pollution point sources regulated by the U.S. EPA and/or state and local air regulatory agencies. This information comes from source reports by various stationary sources of air pollution, such as electric power plants, steel mills, factories, and universities, and provides information about the air pollutants they produce. Action, air program, air program pollutant, and general level plant data. It is used to track emissions and compliance data from industrial plants.

Date of Government Version: 01/23/2013
Date Data Arrived at EDR: 01/30/2013
Date Made Active in Reports: 05/10/2013
Number of Days to Update: 100

Source: EPA
Telephone: 202-564-5962
Last EDR Contact: 06/25/2013
Next Scheduled EDR Contact: 10/14/2013
Data Release Frequency: Annually

SCRD DRYCLEANERS: State Coalition for Remediation of Drycleaners Listing

The State Coalition for Remediation of Drycleaners was established in 1998, with support from the U.S. EPA Office of Superfund Remediation and Technology Innovation. It is comprised of representatives of states with established drycleaner remediation programs. Currently the member states are Alabama, Connecticut, Florida, Illinois, Kansas, Minnesota, Missouri, North Carolina, Oregon, South Carolina, Tennessee, Texas, and Wisconsin.

Date of Government Version: 03/07/2011
Date Data Arrived at EDR: 03/09/2011
Date Made Active in Reports: 05/02/2011
Number of Days to Update: 54

Source: Environmental Protection Agency
Telephone: 615-532-8599
Last EDR Contact: 07/18/2013
Next Scheduled EDR Contact: 11/04/2013
Data Release Frequency: Varies

PRP: Potentially Responsible Parties

A listing of verified Potentially Responsible Parties

Date of Government Version: 12/18/2012
Date Data Arrived at EDR: 04/04/2013
Date Made Active in Reports: 07/10/2013
Number of Days to Update: 97

Source: EPA
Telephone: 202-564-6023
Last EDR Contact: 07/03/2013
Next Scheduled EDR Contact: 10/14/2013
Data Release Frequency: Quarterly

US AIRS MINOR: Air Facility System Data

A listing of minor source facilities.

Date of Government Version: 01/23/2013
Date Data Arrived at EDR: 01/30/2013
Date Made Active in Reports: 05/10/2013
Number of Days to Update: 100

Source: EPA
Telephone: 202-564-5962
Last EDR Contact: 06/25/2013
Next Scheduled EDR Contact: 10/14/2013
Data Release Frequency: Annually

STATE AND LOCAL RECORDS

SCS: State Cleanup Sites Listing

State cleanup sites that fall under the state's Water Quality Control Commission Regulations.

Date of Government Version: 10/28/2011
Date Data Arrived at EDR: 01/03/2012
Date Made Active in Reports: 02/06/2012
Number of Days to Update: 34

Source: Environment Department
Telephone: 505-827-2855
Last EDR Contact: 01/25/2013
Next Scheduled EDR Contact: 05/06/2013
Data Release Frequency: Varies

SHWS: This state does not maintain a SHWS list. See the Federal CERCLIS list and Federal NPL list.

State Hazardous Waste Sites. State hazardous waste site records are the states' equivalent to CERCLIS. These sites may or may not already be listed on the federal CERCLIS list. Priority sites planned for cleanup using state funds (state equivalent of Superfund) are identified along with sites where cleanup will be paid for by potentially responsible parties. Available information varies by state.

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A
Number of Days to Update: N/A

Source: Department of the Environment
Telephone: 505-827-2918
Last EDR Contact: 06/26/2013
Next Scheduled EDR Contact: 10/14/2013
Data Release Frequency: N/A

SWF/LF: Solid Waste Facilities

Solid Waste Facilities/Landfill Sites. SWF/LF type records typically contain an inventory of solid waste disposal facilities or landfills in a particular state. Depending on the state, these may be active or inactive facilities or open dumps that failed to meet RCRA Subtitle D Section 4004 criteria for solid waste landfills or disposal sites.

Date of Government Version: 05/13/2013
Date Data Arrived at EDR: 05/16/2013
Date Made Active in Reports: 07/05/2013
Number of Days to Update: 50

Source: New Mexico Environment Department
Telephone: 505-827-0347
Last EDR Contact: 05/13/2013
Next Scheduled EDR Contact: 08/26/2013
Data Release Frequency: Semi-Annually

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

SWRCY: Recycling Facility Listing
A listing of recycling facility locations.

Date of Government Version: 05/13/2013
Date Data Arrived at EDR: 05/16/2013
Date Made Active in Reports: 07/05/2013
Number of Days to Update: 50

Source: Environment Department
Telephone: 505-827-0197
Last EDR Contact: 05/13/2013
Next Scheduled EDR Contact: 08/26/2013
Data Release Frequency: Varies

LUST: Leaking Underground Storage Tank Priorization Database
Leaking Underground Storage Tank Incident Reports. LUST records contain an inventory of reported leaking underground storage tank incidents. Not all states maintain these records, and the information stored varies by state.

Date of Government Version: 08/01/2006
Date Data Arrived at EDR: 10/06/2006
Date Made Active in Reports: 11/08/2006
Number of Days to Update: 33

Source: New Mexico Environment Department
Telephone: 505-476-4397
Last EDR Contact: 07/03/2013
Next Scheduled EDR Contact: 10/21/2013
Data Release Frequency: No Update Planned

LTANKS: Leaking Storage Tank Listing
A listing of leaking storage tank site locations.

Date of Government Version: 01/24/2013
Date Data Arrived at EDR: 04/10/2013
Date Made Active in Reports: 04/25/2013
Number of Days to Update: 15

Source: Environment Department
Telephone: 505-476-4390
Last EDR Contact: 07/12/2013
Next Scheduled EDR Contact: 10/21/2013
Data Release Frequency: Varies

TANKS: Storage Tank Facility Listing
A listing of aboveground and underground storage tank site locations.

Date of Government Version: 02/06/2013
Date Data Arrived at EDR: 03/07/2013
Date Made Active in Reports: 04/25/2013
Number of Days to Update: 49

Source: Environment Department
Telephone: 505-476-4390
Last EDR Contact: 06/07/2013
Next Scheduled EDR Contact: 09/16/2013
Data Release Frequency: Varies

UST: Listing of Underground Storage Tanks
Registered Underground Storage Tanks. UST's are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA) and must be registered with the state department responsible for administering the UST program. Available information varies by state program.

Date of Government Version: 08/01/2006
Date Data Arrived at EDR: 09/27/2006
Date Made Active in Reports: 10/23/2006
Number of Days to Update: 26

Source: New Mexico Environment Department
Telephone: 505-476-4397
Last EDR Contact: 06/03/2013
Next Scheduled EDR Contact: 09/16/2013
Data Release Frequency: No Update Planned

LAST: Leaking Aboveground Storage Tank Sites
A listing of leaking aboveground storage tank sites.

Date of Government Version: 05/01/2006
Date Data Arrived at EDR: 05/01/2006
Date Made Active in Reports: 06/05/2006
Number of Days to Update: 35

Source: Environment Department
Telephone: 505-476-4397
Last EDR Contact: 07/03/2013
Next Scheduled EDR Contact: 10/21/2013
Data Release Frequency: No Update Planned

AST: Aboveground Storage Tanks List
Aboveground tanks that have been inspected by the State Fire Marshal.

Date of Government Version: 08/01/2006
Date Data Arrived at EDR: 09/27/2006
Date Made Active in Reports: 10/20/2006
Number of Days to Update: 23

Source: Environment Department
Telephone: 505-476-4397
Last EDR Contact: 06/03/2013
Next Scheduled EDR Contact: 09/16/2013
Data Release Frequency: No Update Planned

SPILLS: Spill Data
Hazardous materials spills data.

Date of Government Version: 04/17/2013
Date Data Arrived at EDR: 04/18/2013
Date Made Active in Reports: 07/05/2013
Number of Days to Update: 78

Source: Environment Department
Telephone: 505-827-0166
Last EDR Contact: 06/26/2013
Next Scheduled EDR Contact: 10/14/2013
Data Release Frequency: Varies

INST CONTROL: Sites with Institutional Controls
Sites included in the Voluntary Cleanup listing that have Institutional Controls in place.

Date of Government Version: 12/31/2012
Date Data Arrived at EDR: 04/25/2013
Date Made Active in Reports: 07/05/2013
Number of Days to Update: 71

Source: Environment Department
Telephone: 505-827-2754
Last EDR Contact: 04/25/2013
Next Scheduled EDR Contact: 08/05/2013
Data Release Frequency: Varies

VCP: Voluntary Remediation Program Sites
Sites involved in the Voluntary Remediation Program.

Date of Government Version: 12/31/2012
Date Data Arrived at EDR: 04/25/2013
Date Made Active in Reports: 07/05/2013
Number of Days to Update: 71

Source: Environment Department
Telephone: 505-827-2754
Last EDR Contact: 04/25/2013
Next Scheduled EDR Contact: 08/05/2013
Data Release Frequency: Varies

DRYCLEANERS: Drycleaner Facility Listing
A listing of drycleaner facility locations. The listing may contain facilities that are no longer there, or under different management.

Date of Government Version: 01/06/2010
Date Data Arrived at EDR: 01/07/2010
Date Made Active in Reports: 02/04/2010
Number of Days to Update: 28

Source: Environment Department
Telephone: 505-222-9507
Last EDR Contact: 06/26/2013
Next Scheduled EDR Contact: 10/14/2013
Data Release Frequency: No Update Planned

BROWNFIELDS: Brownfields Site Listing
A listing of targeted brownfields assessment.

Date of Government Version: 02/09/2012
Date Data Arrived at EDR: 03/14/2012
Date Made Active in Reports: 04/27/2012
Number of Days to Update: 44

Source: New Mexico Environment
Telephone: 505-827-0171
Last EDR Contact: 05/13/2013
Next Scheduled EDR Contact: 08/26/2013
Data Release Frequency: Varies

CDL: Clandestine Drug Laboratory Listing
A listing of clandestine drug labs, such as illegal methamphetamine labs.

Date of Government Version: 10/25/2011
Date Data Arrived at EDR: 10/26/2011
Date Made Active in Reports: 11/28/2011
Number of Days to Update: 33

Source: Environment Department
Telephone: 505-476-6000
Last EDR Contact: 01/21/2013
Next Scheduled EDR Contact: 05/06/2013
Data Release Frequency: Varies

NPDES: List of Discharge Permits

General information regarding NPDES (National Pollutant Discharge Elimination System) permits.

Date of Government Version: 04/17/2013
Date Data Arrived at EDR: 07/05/2013
Date Made Active in Reports: 07/16/2013
Number of Days to Update: 11

Source: Environment Department
Telephone: 505-827-2918
Last EDR Contact: 04/25/2013
Next Scheduled EDR Contact: 08/05/2013
Data Release Frequency: Semi-Annually

AIRS: Airs Information

A listing of facilities with Air Quality Bureau permits.

Date of Government Version: 04/29/2013
Date Data Arrived at EDR: 05/01/2013
Date Made Active in Reports: 07/05/2013
Number of Days to Update: 65

Source: New Mexico Environment Department
Telephone: 505-476-4339
Last EDR Contact: 04/29/2013
Next Scheduled EDR Contact: 08/12/2013
Data Release Frequency: Annually

ASBESTOS: List of Asbestos Demolition and Renovations Jobs

Asbestos is a common fibrous rock found worldwide which has been used in various products for over 4500 years. It has been used in over 3000 different products such as textiles, paper, ropes, wicks, stoves, filters, floor tiles, roofing shingles, clutch facings, water pipe, cements, fillers, felt, fireproof clothing, gaskets, battery boxes, clapboard, wallboard, fire doors, fire curtains, insulation, brake linings, etc.

Date of Government Version: 04/01/2007
Date Data Arrived at EDR: 05/09/2007
Date Made Active in Reports: 05/30/2007
Number of Days to Update: 21

Source: New Mexico Environment Department
Telephone: 505-827-1494
Last EDR Contact: 05/01/2013
Next Scheduled EDR Contact: 08/12/2013
Data Release Frequency: Varies

COAL MINES 2: Coal Permit Boundaries

ESRI ArcView shapefile depicting New Mexico coal mines permitted under the Surface Mining Control and Reclamation Act of 1977 (SMCRA), by either the NM Mining & Minerals Division (MMD), or by the federal DOI Office of Surface Mining, Reclamation & Enforcement.

Date of Government Version: 06/12/2013
Date Data Arrived at EDR: 06/20/2013
Date Made Active in Reports: 07/05/2013
Number of Days to Update: 15

Source: Mining & Minerals Division
Telephone: 505-476-3417
Last EDR Contact: 06/20/2013
Next Scheduled EDR Contact: 09/30/2013
Data Release Frequency: Varies

COAL MINES: Coal Mine Permits Database

New Mexico coal mines permitted under the Surface Mining Control and Reclamation Act of 1977 (SMCRA), by either the NM Mining & Minerals Division (MMD), or by the federal DOI Office of Surface Mining, Reclamation & Enforcement.

Date of Government Version: 07/13/2012
Date Data Arrived at EDR: 12/17/2012
Date Made Active in Reports: 01/11/2013
Number of Days to Update: 25

Source: Bureau of Geology and Mineral Resources
Telephone: 505-476-3402
Last EDR Contact: 12/17/2012
Next Scheduled EDR Contact: 04/01/2013
Data Release Frequency: Varies

TRIBAL RECORDS

INDIAN RESERV: Indian Reservations

This map layer portrays Indian administered lands of the United States that have any area equal to or greater than 640 acres.

Date of Government Version: 12/31/2005
Date Data Arrived at EDR: 12/08/2006
Date Made Active in Reports: 01/11/2007
Number of Days to Update: 34

Source: USGS
Telephone: 202-208-3710
Last EDR Contact: 07/19/2013
Next Scheduled EDR Contact: 10/28/2013
Data Release Frequency: Semi-Annually

INDIAN ODI: Report on the Status of Open Dumps on Indian Lands
Location of open dumps on Indian land.

Date of Government Version: 12/31/1998
Date Data Arrived at EDR: 12/03/2007
Date Made Active in Reports: 01/24/2008
Number of Days to Update: 52
Source: Environmental Protection Agency
Telephone: 703-308-8245
Last EDR Contact: 05/03/2013
Next Scheduled EDR Contact: 08/19/2013
Data Release Frequency: Varies

INDIAN LUST R8: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming.

Date of Government Version: 08/27/2012
Date Data Arrived at EDR: 08/28/2012
Date Made Active in Reports: 10/16/2012
Number of Days to Update: 49
Source: EPA Region 8
Telephone: 303-312-6271
Last EDR Contact: 04/29/2013
Next Scheduled EDR Contact: 08/12/2013
Data Release Frequency: Quarterly

INDIAN LUST R7: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Iowa, Kansas, and Nebraska

Date of Government Version: 12/31/2012
Date Data Arrived at EDR: 02/28/2013
Date Made Active in Reports: 04/12/2013
Number of Days to Update: 43
Source: EPA Region 7
Telephone: 913-551-7003
Last EDR Contact: 04/29/2013
Next Scheduled EDR Contact: 08/12/2013
Data Release Frequency: Varies

INDIAN LUST R4: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Florida, Mississippi and North Carolina.

Date of Government Version: 02/06/2013
Date Data Arrived at EDR: 02/08/2013
Date Made Active in Reports: 04/12/2013
Number of Days to Update: 63
Source: EPA Region 4
Telephone: 404-562-8677
Last EDR Contact: 04/29/2013
Next Scheduled EDR Contact: 08/12/2013
Data Release Frequency: Semi-Annually

INDIAN LUST R1: Leaking Underground Storage Tanks on Indian Land
A listing of leaking underground storage tank locations on Indian Land.

Date of Government Version: 09/28/2012
Date Data Arrived at EDR: 11/01/2012
Date Made Active in Reports: 04/12/2013
Number of Days to Update: 162
Source: EPA Region 1
Telephone: 617-918-1313
Last EDR Contact: 05/01/2013
Next Scheduled EDR Contact: 08/12/2013
Data Release Frequency: Varies

INDIAN LUST R9: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Arizona, California, New Mexico and Nevada

Date of Government Version: 03/01/2013
Date Data Arrived at EDR: 03/01/2013
Date Made Active in Reports: 04/12/2013
Number of Days to Update: 42
Source: Environmental Protection Agency
Telephone: 415-972-3372
Last EDR Contact: 04/29/2013
Next Scheduled EDR Contact: 08/12/2013
Data Release Frequency: Quarterly

INDIAN LUST R10: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Alaska, Idaho, Oregon and Washington.

Date of Government Version: 02/05/2013
Date Data Arrived at EDR: 02/06/2013
Date Made Active in Reports: 04/12/2013
Number of Days to Update: 65
Source: EPA Region 10
Telephone: 206-553-2857
Last EDR Contact: 04/29/2013
Next Scheduled EDR Contact: 08/12/2013
Data Release Frequency: Quarterly

INDIAN LUST R6: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in New Mexico and Oklahoma.

Date of Government Version: 09/12/2011
Date Data Arrived at EDR: 09/13/2011
Date Made Active in Reports: 11/11/2011
Number of Days to Update: 59

Source: EPA Region 6
Telephone: 214-665-6597
Last EDR Contact: 04/29/2013
Next Scheduled EDR Contact: 08/12/2013
Data Release Frequency: Varies

INDIAN UST R1: Underground Storage Tanks on Indian Land
The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 1 (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont and ten Tribal Nations).

Date of Government Version: 09/28/2012
Date Data Arrived at EDR: 11/07/2012
Date Made Active in Reports: 04/12/2013
Number of Days to Update: 156

Source: EPA, Region 1
Telephone: 617-918-1313
Last EDR Contact: 04/29/2013
Next Scheduled EDR Contact: 08/12/2013
Data Release Frequency: Varies

INDIAN UST R4: Underground Storage Tanks on Indian Land
The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee and Tribal Nations)

Date of Government Version: 02/06/2013
Date Data Arrived at EDR: 02/08/2013
Date Made Active in Reports: 04/12/2013
Number of Days to Update: 63

Source: EPA Region 4
Telephone: 404-562-9424
Last EDR Contact: 04/29/2013
Next Scheduled EDR Contact: 08/12/2013
Data Release Frequency: Semi-Annually

INDIAN UST R5: Underground Storage Tanks on Indian Land
The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 5 (Michigan, Minnesota and Wisconsin and Tribal Nations).

Date of Government Version: 08/02/2012
Date Data Arrived at EDR: 08/03/2012
Date Made Active in Reports: 11/05/2012
Number of Days to Update: 94

Source: EPA Region 5
Telephone: 312-886-6136
Last EDR Contact: 04/29/2013
Next Scheduled EDR Contact: 08/12/2013
Data Release Frequency: Varies

INDIAN UST R6: Underground Storage Tanks on Indian Land
The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 6 (Louisiana, Arkansas, Oklahoma, New Mexico, Texas and 65 Tribes).

Date of Government Version: 05/10/2011
Date Data Arrived at EDR: 05/11/2011
Date Made Active in Reports: 06/14/2011
Number of Days to Update: 34

Source: EPA Region 6
Telephone: 214-665-7591
Last EDR Contact: 04/29/2013
Next Scheduled EDR Contact: 08/12/2013
Data Release Frequency: Semi-Annually

INDIAN UST R7: Underground Storage Tanks on Indian Land
The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 7 (Iowa, Kansas, Missouri, Nebraska, and 9 Tribal Nations).

Date of Government Version: 12/31/2012
Date Data Arrived at EDR: 02/28/2013
Date Made Active in Reports: 04/12/2013
Number of Days to Update: 43

Source: EPA Region 7
Telephone: 913-551-7003
Last EDR Contact: 04/29/2013
Next Scheduled EDR Contact: 08/12/2013
Data Release Frequency: Varies

INDIAN UST R8: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 8 (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming and 27 Tribal Nations).

Date of Government Version: 08/27/2012
Date Data Arrived at EDR: 08/28/2012
Date Made Active in Reports: 10/16/2012
Number of Days to Update: 49

Source: EPA Region 8
Telephone: 303-312-6137
Last EDR Contact: 04/29/2013
Next Scheduled EDR Contact: 08/12/2013
Data Release Frequency: Quarterly

INDIAN UST R9: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 9 (Arizona, California, Hawaii, Nevada, the Pacific Islands, and Tribal Nations).

Date of Government Version: 02/21/2013
Date Data Arrived at EDR: 02/26/2013
Date Made Active in Reports: 04/12/2013
Number of Days to Update: 45

Source: EPA Region 9
Telephone: 415-972-3368
Last EDR Contact: 04/29/2013
Next Scheduled EDR Contact: 08/12/2013
Data Release Frequency: Quarterly

INDIAN UST R10: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 10 (Alaska, Idaho, Oregon, Washington, and Tribal Nations).

Date of Government Version: 02/05/2013
Date Data Arrived at EDR: 02/06/2013
Date Made Active in Reports: 04/12/2013
Number of Days to Update: 65

Source: EPA Region 10
Telephone: 206-553-2857
Last EDR Contact: 04/29/2013
Next Scheduled EDR Contact: 08/12/2013
Data Release Frequency: Quarterly

INDIAN VCP R1: Voluntary Cleanup Priority Listing

A listing of voluntary cleanup priority sites located on Indian Land located in Region 1.

Date of Government Version: 09/28/2012
Date Data Arrived at EDR: 10/02/2012
Date Made Active in Reports: 10/16/2012
Number of Days to Update: 14

Source: EPA, Region 1
Telephone: 617-918-1102
Last EDR Contact: 07/02/2013
Next Scheduled EDR Contact: 10/14/2013
Data Release Frequency: Varies

INDIAN VCP R7: Voluntary Cleanup Priority Lisitng

A listing of voluntary cleanup priority sites located on Indian Land located in Region 7.

Date of Government Version: 03/20/2008
Date Data Arrived at EDR: 04/22/2008
Date Made Active in Reports: 05/19/2008
Number of Days to Update: 27

Source: EPA, Region 7
Telephone: 913-551-7365
Last EDR Contact: 04/20/2009
Next Scheduled EDR Contact: 07/20/2009
Data Release Frequency: Varies

EDR PROPRIETARY RECORDS

EDR MGP: EDR Proprietary Manufactured Gas Plants

The EDR Proprietary Manufactured Gas Plant Database includes records of coal gas plants (manufactured gas plants) compiled by EDR's researchers. Manufactured gas sites were used in the United States from the 1800's to 1950's to produce a gas that could be distributed and used as fuel. These plants used whale oil, rosin, coal, or a mixture of coal, oil, and water that also produced a significant amount of waste. Many of the byproducts of the gas production, such as coal tar (oily waste containing volatile and non-volatile chemicals), sludges, oils and other compounds are potentially hazardous to human health and the environment. The byproduct from this process was frequently disposed of directly at the plant site and can remain or spread slowly, serving as a continuous source of soil and groundwater contamination.

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A
Number of Days to Update: N/A

Source: EDR, Inc.
Telephone: N/A
Last EDR Contact: N/A
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

EDR US Hist Auto Stat: EDR Exclusive Historic Gas Stations

EDR has searched selected national collections of business directories and has collected listings of potential gas station/filling station/service station sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include gas station/filling station/service station establishments. The categories reviewed included, but were not limited to gas, gas station, gasoline station, filling station, auto, automobile repair, auto service station, service station, etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A
Number of Days to Update: N/A

Source: EDR, Inc.
Telephone: N/A
Last EDR Contact: N/A
Next Scheduled EDR Contact: N/A
Data Release Frequency: Varies

EDR US Hist Cleaners: EDR Exclusive Historic Dry Cleaners

EDR has searched selected national collections of business directories and has collected listings of potential dry cleaner sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include dry cleaning establishments. The categories reviewed included, but were not limited to dry cleaners, cleaners, laundry, laundromat, cleaning/laundry, wash & dry etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A
Number of Days to Update: N/A

Source: EDR, Inc.
Telephone: N/A
Last EDR Contact: N/A
Next Scheduled EDR Contact: N/A
Data Release Frequency: Varies

EDR US Hist Cleaners: EDR Proprietary Historic Dry Cleaners - Cole

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A
Number of Days to Update: N/A

Source: N/A
Telephone: N/A
Last EDR Contact: N/A
Next Scheduled EDR Contact: N/A
Data Release Frequency: Varies

EDR US Hist Auto Stat: EDR Proprietary Historic Gas Stations - Cole

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A
Number of Days to Update: N/A

Source: N/A
Telephone: N/A
Last EDR Contact: N/A
Next Scheduled EDR Contact: N/A
Data Release Frequency: Varies

OTHER DATABASE(S)

Depending on the geographic area covered by this report, the data provided in these specialty databases may or may not be complete. For example, the existence of wetlands information data in a specific report does not mean that all wetlands in the area covered by the report are included. Moreover, the absence of any reported wetlands information does not necessarily mean that wetlands do not exist in the area covered by the report.

NY MANIFEST: Facility and Manifest Data

Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a TSD facility.

Date of Government Version: 05/01/2013
Date Data Arrived at EDR: 05/09/2013
Date Made Active in Reports: 07/10/2013
Number of Days to Update: 62

Source: Department of Environmental Conservation
Telephone: 518-402-8651
Last EDR Contact: 05/09/2013
Next Scheduled EDR Contact: 08/19/2013
Data Release Frequency: Annually

WI MANIFEST: Manifest Information

Hazardous waste manifest information.

Date of Government Version: 12/31/2011
Date Data Arrived at EDR: 07/19/2012
Date Made Active in Reports: 09/27/2012
Number of Days to Update: 70

Source: Department of Natural Resources
Telephone: N/A
Last EDR Contact: 07/17/2013
Next Scheduled EDR Contact: 09/30/2013
Data Release Frequency: Annually

Oil/Gas Pipelines: This data was obtained by EDR from the USGS in 1994. It is referred to by USGS as GeoData Digital Line Graphs from 1:100,000-Scale Maps. It was extracted from the transportation category including some oil, but primarily gas pipelines.

Sensitive Receptors: There are individuals deemed sensitive receptors due to their fragile immune systems and special sensitivity to environmental discharges. These sensitive receptors typically include the elderly, the sick, and children. While the location of all sensitive receptors cannot be determined, EDR indicates those buildings and facilities - schools, daycares, hospitals, medical centers, and nursing homes - where individuals who are sensitive receptors are likely to be located.

AHA Hospitals:
Source: American Hospital Association, Inc.
Telephone: 312-280-5991
The database includes a listing of hospitals based on the American Hospital Association's annual survey of hospitals.

Medical Centers: Provider of Services Listing
Source: Centers for Medicare & Medicaid Services
Telephone: 410-786-3000
A listing of hospitals with Medicare provider number, produced by Centers of Medicare & Medicaid Services, a federal agency within the U.S. Department of Health and Human Services.

Nursing Homes
Source: National Institutes of Health
Telephone: 301-594-6248
Information on Medicare and Medicaid certified nursing homes in the United States.

Public Schools
Source: National Center for Education Statistics
Telephone: 202-502-7300
The National Center for Education Statistics' primary database on elementary and secondary public education in the United States. It is a comprehensive, annual, national statistical database of all public elementary and secondary schools and school districts, which contains data that are comparable across all states.

Private Schools
Source: National Center for Education Statistics
Telephone: 202-502-7300
The National Center for Education Statistics' primary database on private school locations in the United States.

Daycare Centers: Licensed Child Day Care Providers
Source: Office of Child Development
Telephone: 505-827-7946

Flood Zone Data: This data, available in select counties across the country, was obtained by EDR in 2003 & 2011 from the Federal Emergency Management Agency (FEMA). Data depicts 100-year and 500-year flood zones as defined by FEMA.

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002 and 2005 from the U.S. Fish and Wildlife Service.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

STREET AND ADDRESS INFORMATION

APPENDIX C

DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
4101 JEFFERSON PLAZA NE
ALBUQUERQUE NM 87109-3435

March 21, 2013

Planning, Project and Program Management Division
Planning Branch
Environmental Resources Section

96491

NMHPD Consultation No. 88802

Dr. Jeff Pappas
State Historic Preservation Officer
Historic Preservation Division
Bataan Memorial Building
407 Galisteo Street, Suite 236
Santa Fe, New Mexico 87501

Dear Dr. Pappas:

Pursuant to 36 CFR Part 800, the U.S. Army Corps of Engineers (Corps), Albuquerque District, is bringing your office up to date on the Section 106 consultation history regarding the construction of the Southwest Valley Flood Damage Reduction Project; located in the area known as Albuquerque's Southwest Valley that includes portions of the City of Albuquerque and Bernalillo County, New Mexico. The project sponsor is the Albuquerque Metropolitan Arroyo Flood Control Authority and Bernalillo County. The Corps is currently preparing to proceed with Phase II construction of the project that includes the construction of a detention basin known as Pond 187. In addition, we seek your concurrence on our eligibility determination for four Isolated Occurrences (IOs).

Due to recent retirement and personnel moves, the Corps has new team members assigned to Phase II of the project. To try to determine why the Corps did not have a Section 106 consultation response letter from your office in our project files, Mr. Gregory D. Everhart of our office recently corresponded with Dr. Bob Estes of your office by electronic mail. The following brief description helps to clarify the situation regarding the subject Southwest Valley Flood Damage Reduction Project:

The Corps contracted for the project's archaeological survey with the University of New Mexico's Office of Contract Archeology (UNM-OCA); the survey was conducted in 2003 and the UNM-OCA Report No. 185-734 and associated documentation was completed in February 2004 (NMCRIS No. 86147) (Enclosure 1).

The Corps has a Section 106 consultation letter addressed to your office dated April 7, 2004 (Enclosure 2). Although it is signed by the Corps, it may or may not have actually been mailed to your office, possibly because Corps engineers may have been still trying to finalize the

project alignments. Bob Estes reports that your office has no documentation of receipt, and we have no copy of a response letter.

After this earlier letter was written, a few minor realignments were incorporated into the project. Corps archaeologists did some additional survey work for the project in 2009 and 2010, documented in Corps Addendum Report No. USACE-ABQ-2010-001, dated February 23, 2010 (NMCRIS No. 116759) (Enclosure 3).

The Corps submitted both the 2003 UNM-OCA report and the Corps 2010 Addendum report to your office in a Section 106 consultation letter dated February 25, 2010. We learned from our recent e-mail correspondence with Dr. Estes that your office did receive the 2010 letter with the reports (HPD Consultation 88802; Enclosure 4); however, due to unknown circumstances, your office did not respond within the 30-day review period. This is documented in the project's Finding of No Significant Impact (FONSI) and Supplemental Environmental Assessment's (EA) Cultural Resources Section 3.11, pages 37 & 38. Our FONSI, dated/signed September 1, 2010, states "...the report was provided to the ...SHPO ...on February 25, 2010. No response was received from the SHPO" (Enclosure 5). The project's Supplemental EA can be found on our internet Home Page, Environmental Documents web link: http://www.spa.usace.army.mil/Missions/Environmental/EnvironmentalComplianceDocuments/EnvironmentalAssessmentsFONSI.aspx .

During our review of the project and cultural documentation for the project, however, Corps archaeologists have one concern. We learned from our recent e-mail correspondence with Dr. Estes, who worked on the UNM-OCA survey, that the LA142020 site may have been mis-located due to "using uncorrected [GIS] data." The UNM-OCA survey documented the LA142020 site as a prehistoric artifact scatter of four artifacts, located near the center of Pond 187. In 2009, Corps archaeologists revisited the Pond 187 and could not relocate the LA142020 site. Since we are currently proceeding toward Phase II construction that includes construction of Pond 187, we determined that another attempt to verify the presence/absence of the LA142020 site should be made.

Corps archaeologists conducted a site visit on March 01, 2013. The site visit covered the entire area in which LA142020 would have potentially occurred. During the site visit, Corps archaeologists documented a total of four (4) ceramic artifacts, considered to be IOs; however, no evidence of an archaeological site was found. The Corps therefore confirmed the Corps' previous 2010 determination that LA142020 is not an archaeological site, and therefore are of the opinion that a site update form is not necessary.

The ceramic IO artifacts observed during the 2013 site visit included two prehistoric or early historic utility ware sherds, one small base fragment of a recent historic blue glazed whiteware plate, and a small rim-like fragment of a fired clay artifact of unknown type (Enclosure 6). The piece of blue dinner plate was also noted during the 2010 survey. These isolated occurrences were documented in the field and are not considered eligible for nomination to the National Register of Historic Places. The Corps is seeking your concurrence in this determination.

Pond 187 is to be constructed in existing farm fields that are currently planted in alfalfa; the crop was cut short during last fall's last cutting; as of the recent site visit, no irrigation water had been applied thus far this spring. Ground surface visibility during the site visit was approximately 70 percent. The alfalfa fields have numerous gopher diggings; no artifacts or other evidence of cultural resources have been brought to the surface in this loose earthen material. The Corps is of the opinion that it is unlikely that significant subsurface cultural resources deposits occur in this area.

Other than for the four IOs noted above, the Corps considers that Section 106 consultation for the project is complete, and at this time, there are no changes to the project (project description, alignments, etc.). If there are changes to the project for future construction phases, additional survey and consultation may be required. To date, the Corps has received no indication of tribal concerns with the project.

Pursuant to 36 CFR 800.13, should previously unknown artifacts or historic properties be encountered during construction, work would cease in the immediate vicinity of the resource. A determination of significance would be made, and further consultation with your office and with tribes interested in the project area would be conducted to determine the best course of action.

If you have any questions or require additional information concerning the Southwest Valley Flood Damage Reduction Project, located in portions of the City of Albuquerque and Bernalillo County, please contact Gregory D. Everhart, archaeologist at (505) 342-3352 or me at (505) 342-3281. You may also provide comments to the above address.

Sincerely,

Julie Alcon
Chief, Environmental Resources
Section

19-April-2013
Date

I CONCUR for JEFF PAPPAS
NEW MEXICO STATE HISTORIC
PRESERVATION OFFICER

Enclosures

DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
4101 JEFFERSON PLAZA NE
ALBUQUERQUE NM 87109-3435

August 14, 2013

Planning, Project and Program Management Division
Planning Branch
Environmental Resources Section

NMHPD Consultation No's. 88802, 96491

Dr. Jeff Pappas
State Historic Preservation Officer
Historic Preservation Division
Bataan Memorial Building
407 Galisteo Street, Suite 236
Santa Fe, New Mexico 87501

Dear Dr. Pappas:

Pursuant to 36 CFR Part 800, the U.S. Army Corps of Engineers (Corps), Albuquerque District, at the request of and in coordination with the project sponsors, the Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA) and Bernalillo County, is bringing your office up to date on newly proposed project modifications regarding Phase II construction of the Southwest Valley Flood Damage Reduction Project. The project is located in the area known as Albuquerque's Southwest Valley that includes portions of the City of Albuquerque and Bernalillo County, New Mexico. The proposed modifications to the Phase II construction include utilizing vacant land or an existing storm water retention pond for the deposition of earthen material, and for realigning and installing concrete ditch lining to a segment of the Arenal Ditch (acequia) (Enclosure 1).

The sponsor's new Phase II engineering modifications will provide a design for a drainage system with greater capacity to efficiently manage the evacuation of storm water in the SW Valley. The Corps is currently preparing a supplemental Environmental Assessment (sEA); the sEA will be available for public review within approximately the next month. The Corps has previously conducted archaeological surveys for portions of the Southwest Valley Flood Damage Reduction Project including Vaughan and Chapman (2004) and Lundquist and Schelberg (2010) (see References list attached). These previously surveyed project areas are immediately adjacent to and south of the project areas currently being discussed.

During Phase II construction, the project sponsors are proposing to waste excess earthen material from the excavation of a new storm water detention basin known as Pond 187. The Corps previously consulted with your office on the excavation of Pond 187 (HPD Consultation No. 96491; Enclosure 2). For the proposed project modification, a portion of the excavated earthen material from Pond 187 is planned to be wasted to vacant AMAFCA

land and/or into an existing, nearby storm water retention pond, both areas are located immediately south of the Rio Grande High School. The school retention pond, a component of the AMAFCA storm water drainage system, is located between the school's baseball fields. The school retention pond is school property and is approximately 3-5 feet deep. The vacant land, immediately south of the school pond, was acquired by AMAFCA for construction of the storm water detention facilities (Enclosure 1). The additional excess earthen material from the excavation of Pond 187 is to be hauled to preapproved commercial disposal site(s).

For the second project modification, the sponsors are proposing to straighten the alignment and install concrete ditch lining to a 2,540-foot segment of the Arenal Ditch, from Arenal Road on the north, downstream to Don Andres Road on the south. The existing service road along the west bank of the Arenal Ditch will be used to provide access to the Pond 187 and the vacant land/school pond project areas. Straightening the ditch will maximize the efficiency of irrigation water delivery to local farmers and more importantly, storm water delivery to the Pond 187 storm-water detention basin, thereby reducing flooding in the local area.

On June 25, 2013, a Corps archaeologist conducted a review of the New Mexico Archaeological Records Management Section's (ARMS), New Mexico Cultural Resources Information System (NMCRIS) database and map server that showed that the Arenal Ditch alignment had not been previously surveyed for cultural resources. However, in 1989-1990, Marshall and Marshall (1990: 5, 18 [Figure 9]; NMCRIS No. 32685) conducted an archaeological survey of 185 miles of MRGCD canal system for the U.S. Bureau of Reclamation (USBR). A review of that report found that no cultural resources were observed along the Arenal Ditch (4.8 miles) during their survey. The June 25 NMCRIS database map server search and e-mail correspondence with ARMS staff on July 23, 2013, found that the existing school pond has not been previously surveyed for cultural resources. The vacant area immediately south of the school pond was previously surveyed for cultural resources by Lundquist and Schelberg (2010). The closest known historic property to the Pond 187-Arenal Ditch-school pond project area is the archaeological site LA720, known as the Shipman Pueblo, a Pueblo IV roomblock/mound that is approximately 1,000 meters from the project area.

A Corps archaeologist conducted surveys of the Arenal Ditch alignment on July 12, 2013, and the school's retention pond on July 26, 2013. No artifacts or cultural features were observed during either survey other than the Arenal Ditch itself. The Arenal Ditch survey covered the right-of-way from fenced property lines on both sides to the ditch, covering approximately 3.95 acres. The existing school retention pond was originally excavated at some unknown time in the past. The school pond, planned to be filled at some time in the future to provide for a level rather than sloping school sports practice field, covers a total area of approximately 3.3 acres. However, because this is a thickly-grassed school sports field, the Corps survey covered only the open ground surface along the west and south sides

of the field, covering about 0.67 acres. The total area surveyed is 4.62 acres. Please find enclosed for your review (Enclosure 3), the Corps' positive archaeological survey report entitled A Cultural Resources Inventory of 4.6 Acres for Phase II Project Modifications, Southwest Valley Flood Damage Reduction Project, Bernalillo County, New Mexico.

The Arenal Ditch is a functioning irrigation ditch that is a component of the historic 1930s Middle Rio Grande Conservancy District's (MRGCD) irrigation and drainage system. The MRGCD irrigation (canals, primary laterals and drainage ditches) and spoil bank levee system was reconstructed in the 1950s and 1960s by the Corps and USBR, and numerous rehabilitation projects conducted by MRGCD, Corps, and USBR, in recent years have updated segments of the system. The MRGCD actively conducts operations and maintenance activities on the structural components to maintain functionality of the system. The extensive MRGCD system is widely recognized by the Federal, state, and local cultural resources and historic preservation community as being eligible for nomination to the National Register of Historic Places under criteria a, b, and d of 36 CFR § 60.4. These facilities have had far-reaching impacts on water usage, management, and politics from the time of their construction to the present day.

Historic acequias in New Mexico are considered to have three elements that contribute to their eligibility for nomination to the National Register of Historic Places: their alignment, aesthetic quality (eg. physical form), and function. The currently proposed project modification that plans to straighten a 2,540-foot segment of the Arenal Ditch is considered to have a negligible effect on the Arenal Ditch and the MRGCD system. The proposed modifications to the Arenal Ditch would affect approximately 10 percent of the 4.8 mile ditch. Installation of concrete ditch lining would have an effect upon the aesthetic quality (physical form) of the historically earthen ditch. However, the installation of concrete ditch lining in the existing ditch, located in an area of sandy soils, would stabilize the ditch banks and thereby maintain the historic function of the ditch, the delivery of irrigation water.

The Corps considers that the proposed use of the vacant AMAFCA land and/or the school retention pond for disposal of earthen material from the Pond 187 excavation would result in No Historic Properties Affected. The Corps is seeking your concurrence in this determination. In consideration of the extent of the huge MRGCD system, the Corps considers that the realignment and concrete lining modifications to the Arenal Ditch would result in negligible effects to the Arenal Ditch and the MRGCD system, and therefore, would result in No Adverse Effect to Historic Properties. The Corps is seeking your concurrence in this determination.

The currently proposed modifications to the Phase II construction are located within the same immediate vicinity as originally planned and designed; therefore, tribal scoping for the modifications was not conducted. To date, the Corps has received no indication of tribal

concerns with the project. If there are changes to the project in future construction phases, additional survey and consultation may be required.

Pursuant to 36 CFR 800.13, should previously unknown artifacts or historic properties be encountered during construction, work would cease in the immediate vicinity of the resource. A determination of significance would be made, and further consultation with your office and with tribes interested in the project area would be conducted to determine the best course of action.

If you have any questions or require additional information concerning Phase II of the Southwest Valley Flood Damage Reduction Project, please contact Gregory D. Everhart, archaeologist at (505) 342-3352 or me at (505) 342-3281. You may also provide comments to the above address.

Sincerely,

Julie Alcon
Chief, Environmental Resources
Section

_____
Date

I CONCUR _____
JEFF PAPPAS
NEW MEXICO STATE HISTORIC
PRESERVATION OFFICER

Enclosures

Copy furnished w/Enclosures:

Mr. Jerry Lovato P.E.
Executive Engineer
Albuquerque Metropolitan Arroyo Flood Control Authority
2600 Prospect Ave., NE
Albuquerque, New Mexico 87107

Ms. Jeanne Wolfenbarger
Project Engineer
Bernalillo County
2400 Broadway Blvd., SE
Albuquerque, New Mexico 87102

Mr. Ray Gomez P.E.
Assistant Engineer
Middle Rio Grande Conservancy District
PO Box 581
Albuquerque, New Mexico 87103

Mark Hungerford, Archaeologist
U.S. Bureau of Reclamation
Albuquerque Area Office
555 Broadway Blvd., NE, Suite 100
Albuquerque, New Mexico 87102-2352

Ms. Cheryl Rolland
Manager
U.S. Bureau of Reclamation
Albuquerque Area Office
Facilities and Lands Division
555 Broadway Boulevard NE, Suite 100
Albuquerque, New Mexico 87102

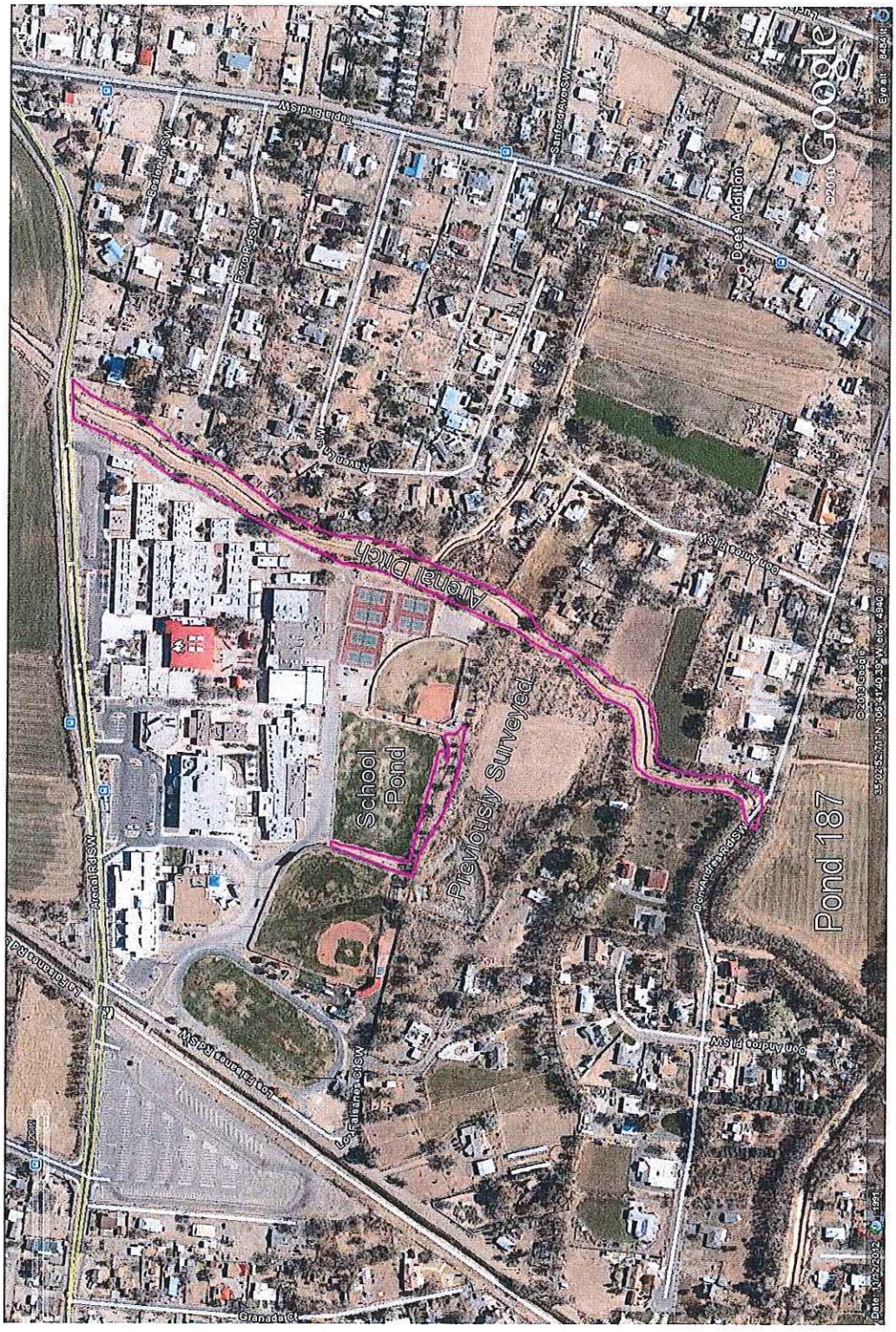
References cited or related to the Southwest Valley Flood Damage Reduction Project (in chronological order).

Marshall, Michael, and Christina Marshall
1990 **The 1989-1990 Middle Rio Grande Acequia Archaeological Survey Project**. Prepared by Cibola Archaeological Consultants, Corrales, NM (NMCRIS No. 32685), for Complete Archaeological Service Associates, Cortez, CO. Submitted to U.S. Bureau of Reclamation, Upper Colorado Region, Salt Lake City, UT. Contract No. 9-CS-40-06920, Delivery Order No. 7.

Vaughan, David, and Richard C. Chapman
2004 **Southwest Valley Flood Damage Feasibility Study, Cultural Resources Inventory**. OCA-UNM Report No. 185-734 (NMCRIS No. 86147). Prepared by the University of New Mexico, Office of Contract Archeology, Albuquerque. Prepared for the U.S. Army Corps of Engineers, Albuquerque District, Albuquerque. Contract No. DACW47-99-D-0023, Delivery Order No. 0010.

Lundquist, Lance, and John D. Schelberg
2010 **Addendum 1 to Southwest Valley Flood Damage Feasibility Study, Cultural Resources Inventory**. USACE-ABQ-2010-001 (NMCRIS No. 116579). U.S. Army Corps of Engineers, Albuquerque District, Albuquerque.

Enclosure 1: Archaeological Survey Areas, the existing Arenal Ditch alignment and the margins of Rio Grande High School retention pond; locations in relation to Pond 187. The vacant AMAFCA land is south of the school pond. Phase II of the Southwest Valley Flood Damage Reduction Project.



Enclosure 2: NMHPD Consultation No. 96491

Enclosure 3: The Corps (positive) Archaeological Survey Report entitled: A Cultural Resources Inventory of 4.6 Acres for Phase II Project Modifications, Southwest Valley Flood Damage Reduction Project, Bernalillo County, New Mexico.

NMCRIS INVESTIGATION ABSTRACT FORM (NIAF)

1. NMCRIS Activity No.: 128254	2a. Lead (Sponsoring) Agency: U.S. Army Corps of Engineers, Albuquerque District	2b. Other Permitting Agency(ies):	3. Lead Agency Report No.: USACE-ABQ-2013-010

4. Title of Report: A Cultural Resources Inventory of 4.6 Acres for Phase II Project Modifications, Southwest Valley Flood Damage Reduction Project, Bernalillo County, New Mexico

Author(s) Gregory D. Everhart

5. Type of Report
☐ **Negative** **X Positive**

6. Investigation Type
☐ Research Design **X** Survey/Inventory ☐ Test Excavation ☐ Excavation ☐ Collections/Non-Field Study
X Overview/Lit Review ☐ Monitoring ☐ Ethnographic study ☐ Site specific visit ☐ Other

7. Description of Undertaking (what does the project entail?):
The Corps conducted an archaeological survey of about 4.6 acres for the SW Valley Flood Damage Reduction Project. Project Sponsors are AMAFCA and Bernalillo County. The survey covered approximately a 2,540-foot segment of the Arenal Ditch, from Arenal Road on the north, downstream to Don Andres Road on the south, and the margins of an existing AMAFCA flood water retention pond located within the Rio Grande High School grounds. No cultural resources were observed other than the Arenal Ditch.

8. Dates of Investigation: (from: July 12 to: July 26, 2013)

9. Report Date: August 1, 2013

10. Performing Agency/Consultant:
U.S. Army Corps of Engineers, Albuquerque District
Principal Investigator: Gregory D. Everhart
Field Supervisor:
Field Personnel Names:

11. Performing Agency/Consultant Report No.:
USACE-ABQ-2013-010

12. Applicable Cultural Resource Permit No(s):
NM-13-193

13. Client/Customer (project proponent): Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA)
Contact: Mr. Jerry Lovato
Address: 2600 Prospect Ave., NE
Albuquerque, NM 87107
Phone: (505) 884-2215

14. Client/Customer Project No.:

15. Land Ownership Status ***(Must be indicated on project map):***

Land Owner	Acres Surveyed	Acres in APE
U.S. Bureau of Reclamation/ Middle Rio Grande Conservancy District (Arenal Ditch)	3.95	3.95
Albuquerque Board of Education, Rio Grande High School (margins of flood water retention pond)	0.67	0.67
TOTALS	4.62	4.62

16 Records Search(es):

Date(s) of ARMS File Review: 2013-06-25	Name of Reviewer(s) Gregory D. Everhart	
Date(s) of NR/SR File Review : 2013-06-25	Name of Reviewer(s) Gregory D. Everhart	
Date(s) of Other Agency File Review : 2013-06-25	Name of Reviewer(s) Gregory D. Everhart	Agency: U.S. Army Corps of Engineers, Albuquerque District

17. Survey Data:

a. Source Graphics ☐ **NAD 27** **X NAD 83**

X USGS 7.5' (1:24,000) topo map **X Other topo map, Scale:**

☐ **GPS Unit** **Accuracy** ☐ **<1.0m** **X 1-10m** ☐ **10-100m** ☐ **>100m**

b. USGS 7.5' Topographic Map Name **USGS Quad Code**

Albuquerque West, NM	**35106-A6**

c. County(ies): Bernalillo

17. Survey Data (continued):

d. Nearest City or Town: Albuquerque

e. Legal Description:

Township (N/S)	Range (E/W)	Section	¼ ¼ ¼
			, , .
			, , .

Projected legal description? Yes [ ] , No [ ] **Unplatted [X]**

f. Other Description (e.g. well pad footages, mile markers, plats, land grant name, etc.): The project area is located within the historic Town of Atrisco Land Grant. The area is generally bounded on the north by Arenal Road, on the east by Tapia Blvd., on the south by Don Andres Road, and on the west by Coors Blvd.

18. Survey Field Methods:

Intensity: **X** 100% coverage ☐ <100% coverage

Configuration: **X** block survey units **X** linear survey units (l x w): ☐ other survey units (specify):

Scope: **X** non-selective (all sites recorded) ☐ selective/thematic (selected sites recorded)

Coverage Method: **X** systematic pedestrian coverage ☐ other method (describe)

Survey Interval (m): < 15 meters Crew Size: 1 Fieldwork Dates: July 12 and 26, 2013

Survey Person Hours: 2 Recording Person Hours: 1 Total Hours: 3

Additional Narrative:

19. Environmental Setting (NRCS soil designation; vegetative community; elevation; etc.): The Arenal Ditch and school pond include Anapra silt loam and Armijo clay loam soils. Ditch cleaning has resulted in the placement of fine sandy soils upon the service roads on both ditch banks. There is very little vegetation in the survey areas. The sparse vegetation includes primarily Chinese elm, some willow, globe mallow, trumpet vine, yellow clover, cheat grass, silver-leaf nightshade, and small amounts of other grasses. Several ducks, a Cooper's Hawk, rock pigeons, doves, and a Western Kingbird were observed during the surveys.

20. a. Percent Ground Visibility: 95% b. Condition of Survey Area (grazed, bladed, undisturbed, etc.): Both project areas are highly disturbed. The Arenal Ditch banks are actively maintained and bladed and are basically clear of vegetation. The west and south margins of the school retention pond are generally clear of vegetation except for a few large elm trees and some weeds along the south fenceline.

21. CULTURAL RESOURCE FINDINGS ☐ **Yes, See Page 3** **X No, Discuss Why: Both project areas are relatively small, both are highly disturbed, and are generally located away from the historic habitation areas that occur closer to the Rio Grande and primary historic travel routes. The closest known prehistoric archaeological site is approximately 1,000 meters away.**

22. Required Attachments (check all appropriate boxes):	23. Other Attachments:
X USGS 7.5 Topographic Map with sites, isolates, and survey area clearly drawn X Copy of NMCRIS Mapserver Map Check ☐ LA Site Forms - new sites (*with sketch map & topographic map*) ☐ LA Site Forms (update) - previously recorded & un-relocated sites (*first 2 pages minimum*) ☐ Historic Cultural Property Inventory Forms ☐ List and Description of isolates, if applicable ☐ List and Description of Collections, if applicable	☐ Photographs and Log X Other Attachments *(Describe)*: representative photographs

24. I certify the information provided above is correct and accurate and meets all applicable agency standards.

Principal Investigator/Responsible Archaeologist: Gregory D. Everhart

Signature Gregory D Everhart Date 8-13-2013 Title (if not PI):

25. Reviewing Agency: U.S. Army Corps of Engineers, Albuquerque District	26. SHPO
Reviewer's Name/Date 8/13/13 Accepted (X) Rejected ( ) Tribal Consultation (if applicable): X Yes ☐No	Reviewer's Name/Date: HPD Log #: SHPO File Location: Date sent to ARMS:

CULTURAL RESOURCE FINDINGS

[fill in appropriate section(s)]

1. NMCRIS Activity No.:	2. Lead (Sponsoring) Agency:	3. Lead Agency Report No.:
128254	U.S. Army Corps of Engineers, Albuquerque District	USACE-ABQ-2013-010

SURVEY RESULTS:

Sites discovered and registered: 0
Sites discovered and NOT registered: 0
Previously recorded sites revisited (*site update form required*): **0**
Previously recorded sites not relocated *(site update form required):* 0
TOTAL SITES VISITED: 1 (a 2,540-foot segment of the Arenal Ditch)
Total isolates recorded: 0 Non-selective isolate recording? ☐
Total structures recorded (*new and previously recorded, including acequias*): **1**

MANAGEMENT SUMMARY: The U.S. Army Corps of Engineers (Corps), Albuquerque District, at the request of and in coordination with the project sponsors, the Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA) and Bernalillo County, is planning newly proposed project modifications for Phase II construction of the Southwest Valley Flood Damage Reduction Project. The project is located in the area known as Albuquerque's Southwest Valley that includes portions of the City of Albuquerque and Bernalillo County, New Mexico. The proposed modifications to the Phase II construction include utilizing vacant land or an existing storm water retention pond for the deposition of earthen material, and for realigning and installing concrete ditch lining to a segment of the Arenal Ditch (acequia).

The sponsor's new Phase II engineering modifications will provide a design for a drainage system with greater capacity to efficiently manage the evacuation of storm water in the SW Valley. The Corps has previously conducted archaeological surveys for portions of the Southwest Valley Flood Damage Reduction Project including Vaughan and Chapman (2004) and Lundquist and Schelberg (2010) (see References list attached). These previously surveyed project areas are immediately adjacent to and south of the project areas currently being discussed.

During Phase II construction, the project sponsors are proposing to waste excess earthen material from the excavation of a new storm water detention basin known as Pond 187. The Corps previously consulted with your office on the excavation of Pond 187 (HPD Consultation No. 96491; Enclosure 2). For the proposed project modification, a portion of the excavated earthen material from Pond 187 is planned to be wasted to vacant AMAFCA land and/or into an existing, nearby storm water retention pond, both areas are located immediately south of the Rio Grande High School. The school retention pond, a component of the AMAFCA storm water drainage system, is located between the school's baseball fields. The school retention pond is school property and is approximately 3-5 feet deep. The vacant land, immediately south of the school pond, was acquired by AMAFCA for construction of the storm water detention facilities (Enclosure 1). The additional excess earthen material from the excavation of Pond 187 is to be hauled to preapproved commercial disposal site(s).

For the second project modification, the sponsors are proposing to straighten the alignment and install concrete ditch lining to a 2,540-foot segment of the Arenal Ditch, from Arenal Road on the north, downstream to Don Andres Road on the south. The existing service road along the west bank of the Arenal Ditch will be used to provide access to the Pond 187 and the vacant land/school pond project areas. Straightening the ditch will maximize the efficiency of irrigation water delivery to local farmers and more importantly, storm water delivery to the Pond 187 storm-water detention basin, thereby reducing flooding in the local area.

On June 25, 2013, a Corps archaeologist conducted a review of the New Mexico Archaeological Records Management Section's (ARMS), New Mexico Cultural Resources Information System (NMCRIS) database and map server that showed that the Arenal Ditch alignment had not been previously surveyed for cultural resources. In 1989-1990, Marshall and Marshall (1990: 5, 18 [Figure 9]; NMCRIS No. 32685) conducted an archaeological survey of 185 miles of MRGCD canal system for the U.S. Bureau of Reclamation (USBR). A review of that report found that no cultural resources were observed along the Arenal Ditch (4.8 miles) during their survey. The June 25 NMCRIS database map server search and e-mail

correspondence with ARMS staff on July 23, 2013, found that the existing school pond has not been previously surveyed for cultural resources. The vacant area immediately south of the school pond was previously surveyed for cultural resources by Lundquist and Schelberg (2010). The closest known historic property to the Pond 187-Arenal Ditch-school pond project area is the archaeological site LA720, known as the Shipman Pueblo, a Pueblo IV roomblock/mound that is approximately 1,000 meters from the project area.

A Corps archaeologist conducted surveys of the Arenal Ditch alignment on July 12, 2013, and the school's retention pond on July 26, 2013. No artifacts or cultural features were observed during either survey other than the Arenal Ditch itself. The Arenal Ditch survey covered the right-of-way from fenced property lines on both sides to the ditch, covering approximately 3.95 acres. The existing school retention pond was originally excavated at some unknown time in the past. The school pond, planned to be filled at some time in the future to provide for a level rather than sloping school sports practice field, covers a total area of approximately 3.3 acres. However, because this is a thickly-grassed school sports field, the Corps survey covered only the open ground surface along the west and south sides of the field, covering about 0.67 acres. The total area surveyed is 4.62 acres. Please find enclosed for your review (Enclosure 3), the Corps' positive archaeological survey report entitled A Cultural Resources Inventory of 4.6 Acres for Phase II Project Modifications, Southwest Valley Flood Damage Reduction Project, Bernalillo County, New Mexico.

The Arenal Ditch is a functioning irrigation ditch that is a component of the historic 1930s Middle Rio Grande Conservancy District's (MRGCD) irrigation and drainage system. The MRGCD irrigation (canals, primary laterals and drainage ditches) and spoil bank levee system was reconstructed in the 1950s and 1960s by the Corps and USBR, and numerous rehabilitation projects conducted by MRGCD, Corps, and USBR, in recent years have updated segments of the system. The MRGCD actively conducts operations and maintenance activities on the structural components to maintain functionality of the system. The extensive MRGCD system is widely recognized by the Federal, state, and local cultural resources and historic preservation community as being eligible for nomination to the National Register of Historic Places under criteria a, b, and d of 36 CFR § 60.4. These facilities have had far-reaching impacts on water usage, management, and politics from the time of their construction to the present day.

Historic acequias in New Mexico are considered to have three elements that contribute to their eligibility for nomination to the National Register of Historic Places: their alignment, aesthetic quality (eg. physical form), and function. The currently proposed project modification that plans to straighten a 2,540-foot segment of the Arenal Ditch is considered to have a negligible effect on the Arenal Ditch and the MRGCD system. The proposed modifications to the Arenal Ditch would affect approximately 10 percent of the 4.8 mile ditch. Installation of concrete ditch lining would have an effect upon the aesthetic quality (physical form) of the historically earthen ditch. However, the installation of concrete ditch lining in the existing ditch, located in an area of sandy soils, would stabilize the ditch banks and thereby maintain the historic function of the ditch, the delivery of irrigation water.

The Corps considers that the proposed use of the vacant AMAFCA land and/or the school retention pond for disposal of earthen material from the Pond 187 excavation would result in No Historic Properties Affected. In consideration of the extent of the huge MRGCD system, the Corps considers that the realignment and concrete lining modifications to the Arenal Ditch would result in negligible effects to the Arenal Ditch and the MRGCD system, and therefore, would result in No Adverse Effect to Historic Properties.

IF REPORT IS NEGATIVE YOU ARE DONE AT THIS POINT.

SURVEY LA NUMBER LOG

Sites Discovered:

LA No.	Field/Agency No.	Eligible? (Y/N, applicable criteria)

Previously recorded revisited sites:

LA No.	Field/Agency No.	Eligible? (Y/N, applicable criteria)
Arenal Ditch (acequia), a 2,540-foot segment of		**Y, a, b, and d**

MONITORING LA NUMBER LOG *(site form required)*

Sites Discovered (*site form required*) **:** **Previously recorded sites** ***(Site update form required):***

LA No.	Field/Agency No.	LA No.	Field/Agency No.

Areas outside known nearby site boundaries monitored? Yes ☐, No ☐ If no explain why:

TESTING & EXCAVATION LA NUMBER LOG (*site form required)*

Tested LA number(s)	Excavated LA number(s)

References cited or related to the Southwest Valley Flood Damage Reduction Project (in chronological order).

Marshall, Michael, and Christina Marshall

1990 **The 1989-1990 Middle Rio Grande Acequia Archaeological Survey Project**. Prepared by Cibola Archaeological Consultants, Corrales, NM (NMCRIS No. 32685), for Complete Archaeological Service Associates, Cortez, CO. Submitted to U.S. Bureau of Reclamation, Upper Colorado Region, Salt Lake City, UT. Contract No. 9-CS-40-06920, Delivery Order No. 7.

Vaughan, David, and Richard C. Chapman

2004 **Southwest Valley Flood Damage Feasibility Study, Cultural Resources Inventory**. OCA-UNM Report No. 185-734 (NMCRIS No. 86147). Prepared by the University of New Mexico, Office of Contract Archeology, Albuquerque. Prepared for the U.S. Army Corps of Engineers, Albuquerque District, Albuquerque. Contract No. DACW47-99-D-0023, Delivery Order No. 0010.

Lundquist, Lance, and John D. Schelberg

2010 **Addendum 1 to Southwest Valley Flood Damage Feasibility Study, Cultural Resources Inventory**. USACE-ABQ-2010-001 (NMCRIS No. 116579). U.S. Army Corps of Engineers, Albuquerque District, Albuquerque.

Figure 1: Archaeological Survey Areas, the existing Arenal Ditch alignment and the margins of Rio Grande High School retention pond; locations in relation to Pond 187. Phase II of the Southwest Valley Flood Damage Reduction Project.

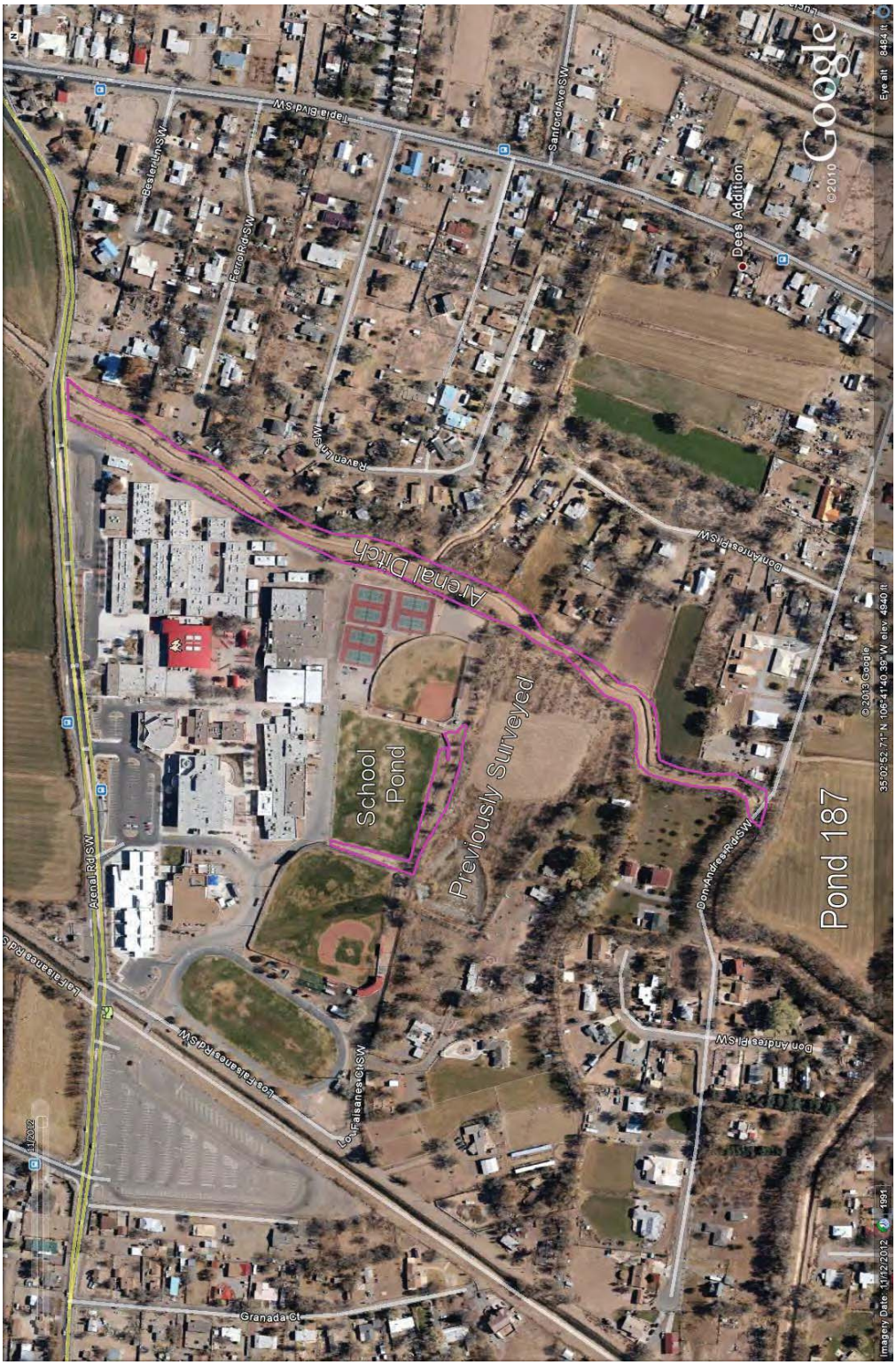
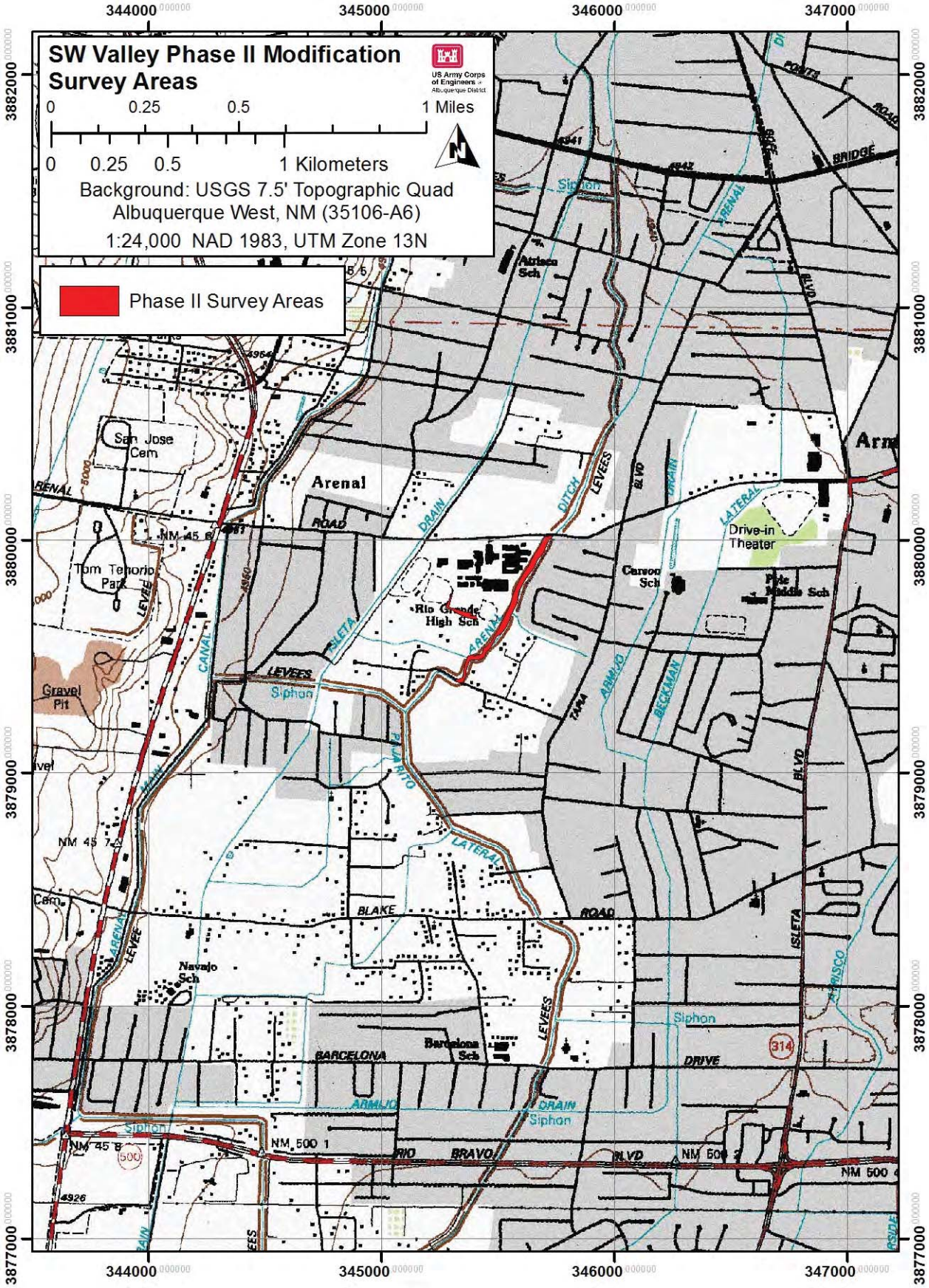


Figure 2: Southwest Valley Flood Damage Reduction Project, Phase II Modifications, Archaeological Survey Areas



Representative Photographs:

Photograph No. 13: Arenal Ditch, view to the north, near the south end of the project alignment (July 12, 2013).

Photograph No. 22: Arenal Ditch, view to the north, near the north end of the project alignment (July 12, 2013).

Photograph No. 7: Rio Grande High School storm water detention pond, view to the south, at the west end of the practice field (July 26, 2013).

Photograph No. 14: Rio Grande High School storm water detention pond, view to the east at the south end of the practice field (July 26, 2013).

Photograph No. 14: AMAFCA vacant land, view to the northwest (July 12, 2013).

Photograph No. 24: AMAFCA vacant land, view to the southeast (July 26, 2013).

From:	Everhart, Gregory D SPA
To:	"Estes, Bob, DCA"
Cc:	Decker, Jeremy SPA
Subject:	SW Valley project modifications - updated project description (UNCLASSIFIED)
Date:	Friday, August 23, 2013 2:03:00 PM
Attachments:	Arenal Acequia - Acequia recording form Final HWDSIF 1.pdf SW Valley -Arenal Ditch n school pond pos survey NM NIAF updated 2013-08-23.pdf

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Classification: UNCLASSIFIED
Caveats: NONE

Bob,

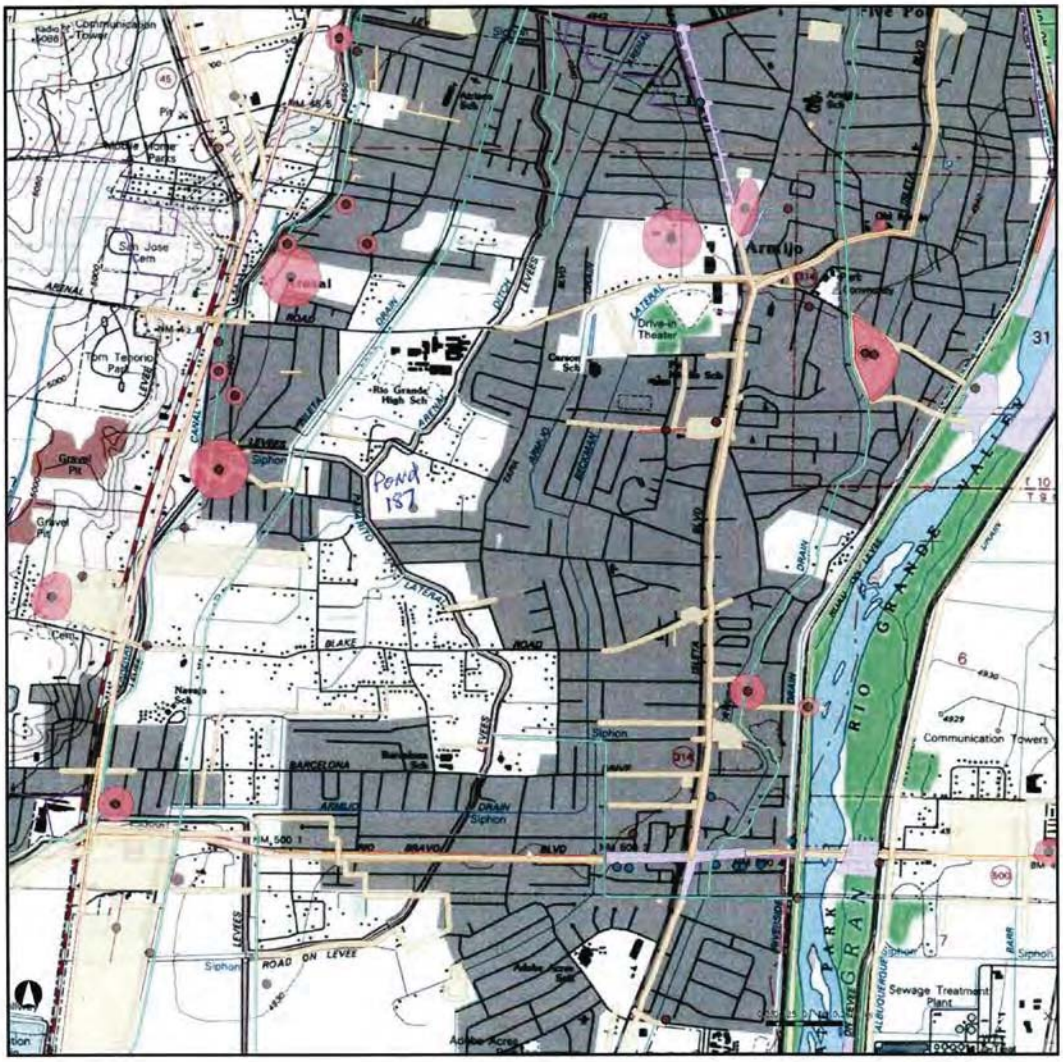
Per our telephone discussion a couple of days ago, please find attached an updated NIAF report form (dated today, 08-23-2013) for the sponsors construction modifications to Phase II of the Southwest Valley Flood Damage Reduction Project. This NIAF includes the updated project description; please disregard the project description in our Section 106 consultation letter (and original NIAF) dated August 14, 2013. Also attached is the Historic Water Delivery System Inventory Form (HWDSIF) for the 2,540-foot segment of the Arenal Acequia that I surveyed. I will be mailing out the hard copies of these docs asap.

If you have any questions, my contact info. is noted below.
Thanks,
Gregory

Gregory D. Everhart
Archaeologist
U.S. Army Corps of Engineers
Albuquerque District
Environmental Resources Section
4101 Jefferson Plaza, NE
Albuquerque, New Mexico 87109-3435
Phone: 505-342-3352
FAX: 505-342-3668
gregory.d.everhart@usace.army.mil

Classification: UNCLASSIFIED
Caveats: NONE

SW Valley Access Route to Pond 187



Site Labels

Site Boundaries (Edit)

Site Boundaries

- Not Defined
- Proposed
- Approved

Building Labels

Object Labels

Buildings

- Not Defined
- Proposed
- Approved

Objects

- Not Defined
- Proposed
- Approved

Linear Resources

- Not Defined

Archaeological Surveys (Edit)

Archaeological Surveys

- Not Defined
- Proposed
- Approved

Highways

- Primary Limited Access or Interstate
- Primary US and State Highways
- Secondary State and County

https://nmcris.dca.state.nm.us/aspnet_client/ESRI/WebADF/PrintTaskLayoutTemplates/de... 6/25/2013

NMCRIS INVESTIGATION ABSTRACT FORM (NIAF)

1. NMCRIS Activity No.: 128254	2a. Lead (Sponsoring) Agency: U.S. Army Corps of Engineers, Albuquerque District	2b. Other Permitting Agency(ies):	3. Lead Agency Report No.: USACE-ABQ-2013-010

4. Title of Report: A Cultural Resources Inventory of 4.6 Acres for Phase II Project Modifications, Southwest Valley Flood Damage Reduction Project, Bernalillo County, New Mexico

Author(s) Gregory D. Everhart

5. Type of Report
☐ **Negative** **X Positive**

6. Investigation Type
☐ Research Design **X** Survey/Inventory ☐ Test Excavation ☐ Excavation ☐ Collections/Non-Field Study
X Overview/Lit Review ☐ Monitoring ☐ Ethnographic study ☐ Site specific visit ☐ Other

7. Description of Undertaking (what does the project entail?):
The Corps conducted an archaeological survey of about 4.6 acres for the SW Valley Flood Damage Reduction Project. Project Sponsors are AMAFCA and Bernalillo County. The survey covered a 2,540-foot segment of the Arenal Acequia, from Arenal Road on the north, downstream to Don Andres Road on the south, and the margins of an existing AMAFCA flood water retention pond located within the Rio Grande High School grounds. No cultural resources were observed other than the Arenal Acequia.

8. Dates of Investigation: (from: July 12 to: July 26, 2013)

9. Report Date: August 23, 2013

10. Performing Agency/Consultant:
U.S. Army Corps of Engineers, Albuquerque District
Principal Investigator: Gregory D. Everhart
Field Supervisor:
Field Personnel Names:

11. Performing Agency/Consultant Report No.:
USACE-ABQ-2013-010

12. Applicable Cultural Resource Permit No(s):
NM-13-193

13. Client/Customer (project proponent): Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA)
Contact: Mr. Jerry Lovato
Address: 2600 Prospect Ave., NE
Albuquerque, NM 87107
Phone: (505) 884-2215

14. Client/Customer Project No.:

15. Land Ownership Status ***(Must be indicated on project map):***

Land Owner	Acres Surveyed	Acres in APE
U.S. Bureau of Reclamation / Middle Rio Grande Conservancy District (Arenal Acequia)	3.95	3.95
Albuquerque Board of Education, Rio Grande High School (margins of flood water retention pond)	0.67	0.67
TOTALS	4.62	4.62

16 Records Search(es):

Date(s) of ARMS File Review: 2013-06-25	Name of Reviewer(s) Gregory D. Everhart	
Date(s) of NR/SR File Review : 2013-06-25	Name of Reviewer(s) Gregory D. Everhart	
Date(s) of Other Agency File Review : 2013-06-25	Name of Reviewer(s) Gregory D. Everhart	Agency: U.S. Army Corps of Engineers, Albuquerque District

17. Survey Data:

a. Source Graphics ☐ **NAD 27** **X NAD 83**

X USGS 7.5' (1:24,000) topo map **X Other topo map, Scale:**

☐ **GPS Unit** **Accuracy** ☐ **<1.0m** **X 1-10m** ☐ **10-100m** ☐ **>100m**

b. USGS 7.5' Topographic Map Name **USGS Quad Code**

Albuquerque West, NM	**35106-A6**

c. County(ies): Bernalillo

17. Survey Data (continued):

d. Nearest City or Town: Albuquerque

e. Legal Description:

Township (N/S)	Range (E/W)	Section	¼ ¼ ¼
			, , .
			, , .

Projected legal description? Yes [ ] , No [ ] **Unplatted [X]**

f. Other Description (e.g. well pad footages, mile markers, plats, land grant name, etc.): The project area is located within the historic Town of Atrisco Land Grant. The area is generally bounded on the north by Arenal Road, on the east by Tapia Blvd., on the south by Don Andres Road, and on the west by Coors Blvd.

18. Survey Field Methods:

Intensity: **X** 100% coverage ☐ <100% coverage

Configuration: **X** block survey units **X** linear survey units (l x w): ☐ other survey units (specify):

Scope: **X** non-selective (all sites recorded) ☐ selective/thematic (selected sites recorded)

Coverage Method: **X** systematic pedestrian coverage ☐ other method (describe)

Survey Interval (m): < 15 meters Crew Size: 1 Fieldwork Dates: July 12 and 26, 2013

Survey Person Hours: 2 Recording Person Hours: 1 Total Hours: 3

Additional Narrative:

19. Environmental Setting (NRCS soil designation; vegetative community; elevation; etc.): The Arenal Acequia and school pond include Anapra silt loam and Armijo clay loam soils. Ditch cleaning has resulted in the placement of fine sandy soils upon the service roads on both ditch banks. There is very little vegetation in the survey areas. The sparse vegetation includes primarily Chinese elm, some willow, globe mallow, trumpet vine, yellow clover, cheat grass, silver-leaf nightshade, and small amounts of other grasses. Several ducks, a Cooper's Hawk, rock pigeons, doves, and a Western Kingbird were observed during the surveys.

20. a. Percent Ground Visibility: 95% b. Condition of Survey Area (grazed, bladed, undisturbed, etc.): Both project areas are highly disturbed. The Arenal Acequia ditch banks are actively maintained and bladed and are basically clear of vegetation. The west and south margins of the school retention pond are generally clear of vegetation except for a few large elm trees and some weeds along the south fenceline.

21. CULTURAL RESOURCE FINDINGS ☐ **Yes, See Page 3** **X No, Discuss Why: Both project areas are relatively small, both are highly disturbed, and are generally located away from the historic habitation areas that occur closer to the Rio Grande and primary historic travel routes. The closest known prehistoric archaeological site is approximately 1,000 meters away.**

22. Required Attachments (check all appropriate boxes):	23. Other Attachments:
X USGS 7.5 Topographic Map with sites, isolates, and survey area clearly drawn X Copy of NMCRIS Mapserver Map Check ☐ LA Site Forms - new sites (*with sketch map & topographic map*) ☐ LA Site Forms (update) - previously recorded & un-relocated sites (*first 2 pages minimum*) ☐ Historic Cultural Property Inventory Forms ☐ List and Description of isolates, if applicable ☐ List and Description of Collections, if applicable	☐ Photographs and Log X Other Attachments *(Describe)*: representative photographs

24. I certify the information provided above is correct and accurate and meets all applicable agency standards.

Principal Investigator/Responsible Archaeologist: Gregory D. Everhart

Signature Gregory D. Everhart Date 8-23-2013 Title (if not PI):

25. Reviewing Agency: U.S. Army Corps of Engineers, Albuquerque District	26. SHPO
Reviewer's Name/Date Steven Dede 8/23/13 Accepted (X) Rejected ( ) Tribal Consultation (if applicable): X Yes ☐No	Reviewer's Name/Date: HPD Log #: SHPO File Location: Date sent to ARMS:

CULTURAL RESOURCE FINDINGS

[fill in appropriate section(s)]

1. NMCRIS Activity No.:	2. Lead (Sponsoring) Agency:	3. Lead Agency Report No.:
128254	U.S. Army Corps of Engineers, Albuquerque District	USACE-ABQ-2013-010

SURVEY RESULTS:

Sites discovered and registered: 0
Sites discovered and NOT registered: 0
Previously recorded sites revisited (*site update form required*): **0**
Previously recorded sites not relocated *(site update form required):* 0
TOTAL SITES VISITED: 1 (a 2,540-foot segment of the Arenal Ditch)
Total isolates recorded: 0 Non-selective isolate recording? ☐
Total structures recorded (*new and previously recorded, including acequias*): **1**

MANAGEMENT SUMMARY: The U.S. Army Corps of Engineers (Corps), Albuquerque District, at the request of and in coordination with the project sponsors, the Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA) and Bernalillo County, is planning for the sponsors newly proposed project modifications for Phase II construction of the Southwest Valley Flood Damage Reduction Project. The project is located in the area known as Albuquerque's Southwest Valley that includes portions of the City of Albuquerque and Bernalillo County, New Mexico. The proposed modifications to the Phase II construction include utilizing vacant land and/or an existing storm water retention pond for the deposition of earthen material, and for reshaping the banks and installing concrete ditch lining to a 618-foot segment of the Arenal Acequia. The project modifications also call for the use of the service road along the west side of the acequia for a construction haul road.

The sponsor's new Phase II engineering modifications will provide a design for a drainage system with greater capacity to efficiently manage the evacuation of storm water in the SW Valley. The Corps has previously conducted archaeological surveys for portions of the Southwest Valley Flood Damage Reduction Project including Vaughan and Chapman (2004) and Lundquist and Schelberg (2010) (see References list attached). These previously surveyed project areas are immediately adjacent to and south of the proposed construction areas currently being discussed.

During Phase II construction, the project sponsors are proposing to waste excess earthen material from the excavation of a new storm water detention basin known as Pond 187. The Corps previously consulted with the SHPO on the excavation of Pond 187 (HPD Consultation No. 96491). For the proposed project modifications, a portion of the excavated earthen material from Pond 187 is planned to be wasted or temporarily stockpiled to vacant AMAFCA land and/or into an existing, nearby storm water retention pond, both areas are located immediately south of the Rio Grande High School. The school retention pond, a component of the AMAFCA storm water drainage system, is located between the school's baseball fields. The school retention pond is school property and slopes to approximately 3-5 feet deep. The vacant land, immediately south of the school pond, was acquired by AMAFCA for construction of the storm water detention facilities (Figures 1 and 2); this property was previously surveyed by Vaughan and Chapman (2004). The additional excess earthen material from the excavation of Pond 187 is to be hauled to a pre-approved commercial disposal site(s).

The current action also proposes to affect a 2,540-foot segment of the service road along the west side of the Arenal Acequia and a 618-foot segment of the ditch at the southern end of the project area. The U.S. Bureau of Reclamation (Reclamation) and Middle Rio Grande Conservancy District (MRGCD) own and manage the Arenal Acequia. Construction modifications include the installation of storm water drainage pipes adjacent to and below (under) the existing acequia alignment; to accomplish this construction, the southern 618-feet of the ditch will be filled in and utilized for a haul road and construction area. Upon completion of this storm water pipe construction, the 618-foot segment of the acequia will be re-constructed to its original alignment and grade with reshaped ditch banks for a trapezoidal channel, and concrete ditch lining installed. A total of fifteen (15) irrigation service tap gates, all of relatively new installation, occur along the 2,540-foot segment of the Arenal Acequia; twelve (12) along the east side of the ditch and three (3) along the west side. Of these, five (5) tap gates, two (2) on the east and all three (3) on the west, will be removed and salvaged, re-installed, or if necessary, replaced. The remaining tap gates

and one (1) check gate, located near the mid-point of the 2,540-foot segment, would not be affected by the construction modifications. The existing service road along the west bank of the Arenal Acequia will be used to provide access to the Pond 187 and the vacant land/school pond project areas.

On June 25, 2013, a Corps archaeologist conducted a review of the New Mexico Archaeological Records Management Section's (ARMS), New Mexico Cultural Resources Information System (NMCRIS) database and map server that showed that the 2,540-foot segment of the Arenal Acequia alignment had not been previously surveyed for cultural resources. However, in 1989-1990, Marshall and Marshall (1990: 5, 18 [Figure 9]; NMCRIS No. 32685) conducted an archaeological survey of 185 miles of MRGCD canal system for Reclamation. A review of that report found that no cultural resources were observed along the Arenal Acequia (4.8 miles) during their survey. The June 25 NMCRIS database map server search and e-mail correspondence with ARMS staff on July 23, 2013, found that the existing school pond has not been previously surveyed for cultural resources. The vacant area immediately south of the school pond was previously surveyed for cultural resources by Lundquist and Schelberg (2010). The closest known historic property to the Pond 187-Arenal Ditch-school pond project area is the archaeological site LA720, known as the Shipman Pueblo, a Pueblo IV roomblock/mound that is approximately 1,000 meters from the project area. LA720 would not be affected by the proposed construction modifications.

A Corps archaeologist conducted surveys of the 2,540-foot segment of the Arenal Acequia alignment on July 12, 2013, and the school's retention pond on July 26, 2013. No artifacts or cultural features were observed during either survey other than the historic Arenal Acequia itself. The Arenal Acequia survey covered the right-of-way from fenced property lines on both sides to the ditch (approximately an 80-foot wide right-of-way), from Arenal Road on the north, downstream to Don Andres Road on the south, covering approximately 3.95 acres. The existing school retention pond was originally excavated at some unknown time in the past. The school pond, planned to be filled at some time in the future to provide for a level rather than sloping school sports practice field, covers a total area of approximately 3.3 acres. However, because this is an excavated storm water pond and a thickly-grassed school sports field, the Corps survey covered only the open ground surface along the west and south sides of the field, covering about 0.67 acres. The total area (the 2,540-foot acequia segment and margins of the school pond) surveyed is 4.62 acres.

The Arenal Acequia is a functioning irrigation ditch that is a component of the historic 1930s MRGCD irrigation and drainage system. The MRGCD irrigation system (canals, primary laterals and drainage ditches) was reconstructed in the 1950s and 1960s by Reclamation, and numerous rehabilitation projects conducted by MRGCD and others in recent years have updated segments of the system. The MRGCD actively conducts operations and maintenance activities on the structural components to maintain functionality of the system. The extensive MRGCD system is widely recognized by the Federal, State, and local cultural resources and historic preservation community as being eligible for nomination to the National Register of Historic Places under criteria a, b, and d of 36 CFR §60.4. These facilities have had far-reaching impacts on water usage, management, and politics from the time of their construction to the present day.

Historic acequias in New Mexico are considered to have three elements that contribute to their eligibility for nomination to the National Register of Historic Places: their alignment, aesthetic quality (*i.e.*, physical form), and function. The currently proposed project modifications that plans to reconstruct a 618-foot segment of the Arenal Acequia is considered to have a negligible effect on the Arenal Acequia and the MRGCD system. The proposed modifications to the Arenal Acequia would affect approximately 0.02 percent of the 4.8-mile acequia. Reconstruction involves the reshaping of the existing near-vertical ditch banks to sloped banks to form a trapezoidal channel and the installation of concrete ditch lining. This reconstruction would have an effect upon the aesthetic quality (physical form) of the historically earthen ditch. However, the proposed project modifications to the existing 618-foot segment of the Acequia, would

not affect the alignment of the acequia and would maintain the historic function of the ditch, the delivery of irrigation water. Use of the service road along the west side of the acequia is also considered to have a negligible effect; after construction, the service road would be restored.

The Corps considers that the proposed use of the vacant AMAFCA land and/or the school retention pond for disposal of earthen material from the Pond 187 excavation would result in No Historic Properties Affected. In consideration of the extent of the Arenal Acequia and the huge MRGCD system, the Corps considers that the reshaping and concrete lining modifications to the Arenal Acequia would result in negligible effects to the Arenal Acequia and the MRGCD system, and therefore, would result in No Adverse Effect to Historic Properties.

IF REPORT IS NEGATIVE YOU ARE DONE AT THIS POINT.

SURVEY LA NUMBER LOG

Sites Discovered:

LA No.	Field/Agency No.	Eligible? (Y/N, applicable criteria)

Previously recorded revisited sites:

LA No.	Field/Agency No.	Eligible? (Y/N, applicable criteria)
Arenal Acequia, a 2,540-foot segment of		**Y, a, b, and d**

MONITORING LA NUMBER LOG *(site form required)*

Sites Discovered (*site form required*) **:** **Previously recorded sites** ***(Site update form required):***

LA No.	Field/Agency No.	LA No.	Field/Agency No.

Areas outside known nearby site boundaries monitored? Yes ☐, No ☐ If no explain why:

TESTING & EXCAVATION LA NUMBER LOG (*site form required)*

Tested LA number(s)	Excavated LA number(s)

References cited or related to the Southwest Valley Flood Damage Reduction Project (in chronological order).

Marshall, Michael, and Christina Marshall

1990 **The 1989-1990 Middle Rio Grande Acequia Archaeological Survey Project**. Prepared by Cibola Archaeological Consultants, Corrales, NM (NMCRIS No. 32685), for Complete Archaeological Service Associates, Cortez, CO. Submitted to U.S. Bureau of Reclamation, Upper Colorado Region, Salt Lake City, UT. Contract No. 9-CS-40-06920, Delivery Order No. 7.

Vaughan, David, and Richard C. Chapman

2004 **Southwest Valley Flood Damage Feasibility Study, Cultural Resources Inventory**. OCA-UNM Report No. 185-734 (NMCRIS No. 86147). Prepared by the University of New Mexico, Office of Contract Archeology, Albuquerque. Prepared for the U.S. Army Corps of Engineers, Albuquerque District, Albuquerque. Contract No. DACW47-99-D-0023, Delivery Order No. 0010.

Lundquist, Lance, and John D. Schelberg

2010 **Addendum 1 to Southwest Valley Flood Damage Feasibility Study, Cultural Resources Inventory**. USACE-ABQ-2010-001 (NMCRIS No. 116579). U.S. Army Corps of Engineers, Albuquerque District, Albuquerque.

Figure 1: Archaeological Survey Areas, the existing Arenal Acequia alignment and the margins of Rio Grande High School retention pond; locations in relation to Pond 187. Phase II of the Southwest Valley Flood Damage Reduction Project.

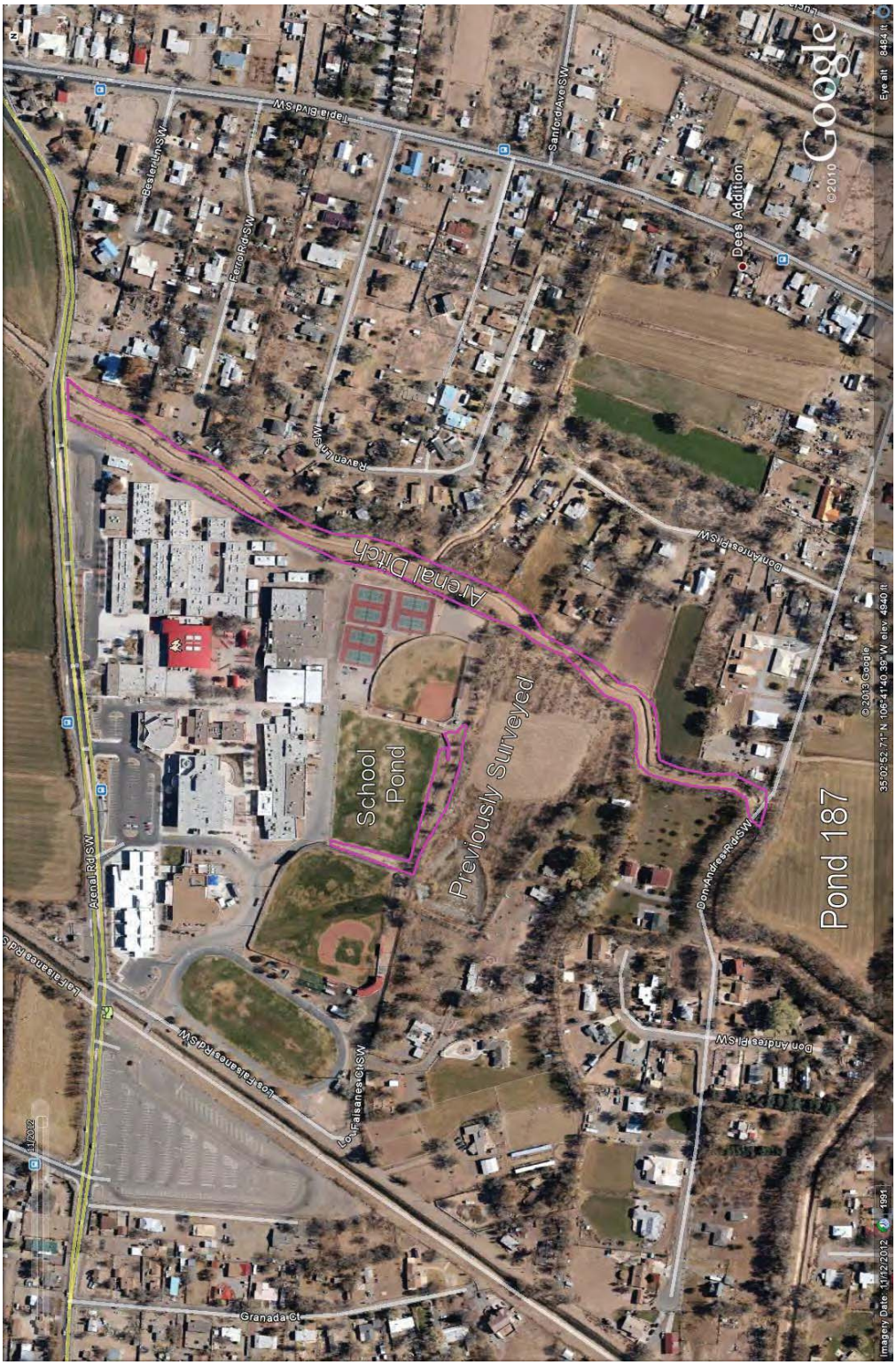
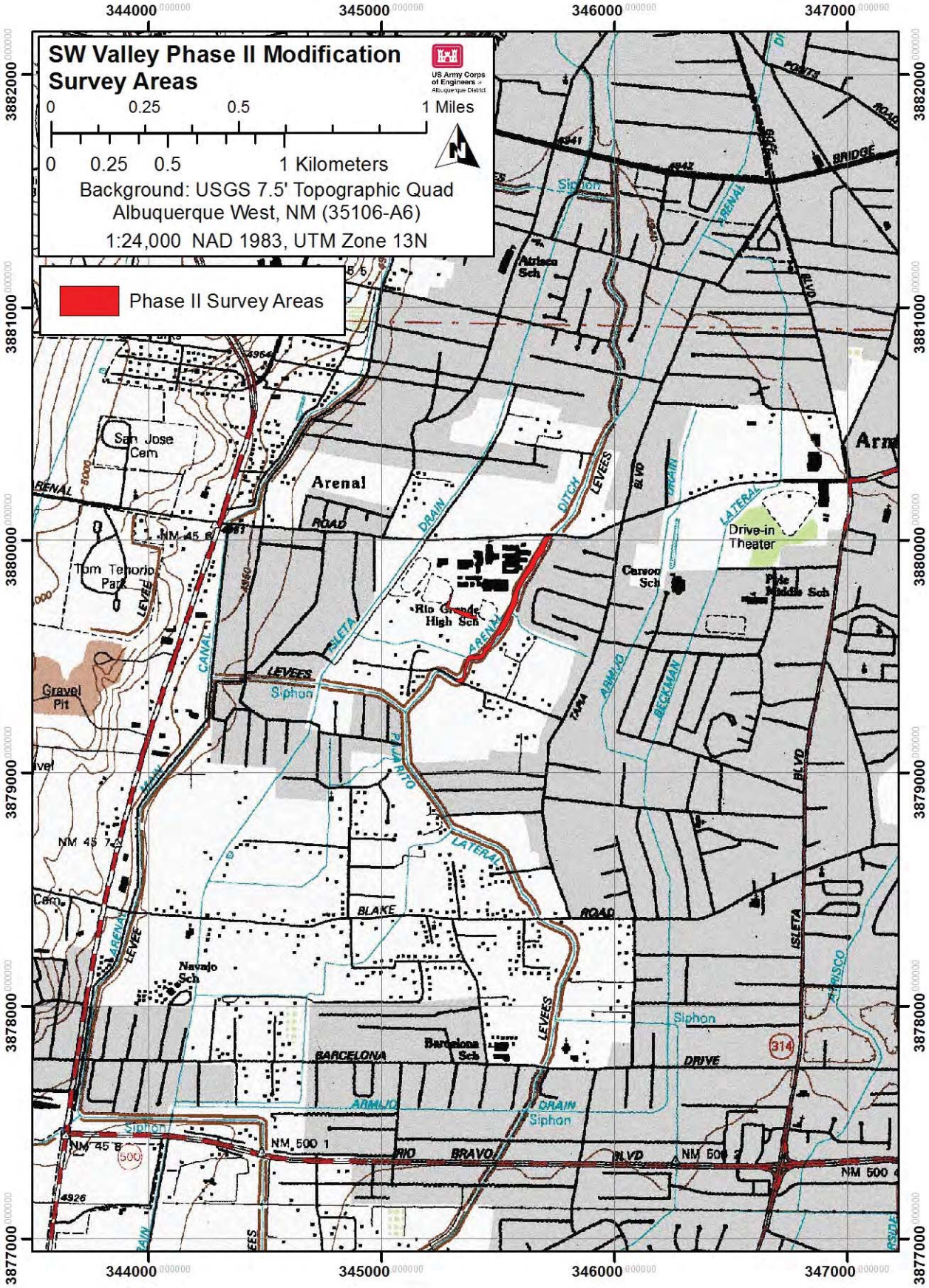


Figure 2: Southwest Valley Flood Damage Reduction Project, Phase II Modifications, Archaeological Survey Areas



Representative Photographs:

Photograph No. 13: Arenal Acequia, view to the north, near the south end of the project alignment (July 12, 2013).

Photograph No. 22: Arenal Acequia, view to the north, near the north end of the project alignment (July 12, 2013).

Photograph No. 7: Rio Grande High School storm water detention pond, view to the south, at the west end of the practice field (July 26, 2013).

Photograph No. 14: Rio Grande High School storm water detention pond, view to the east at the south end of the practice field (July 26, 2013).

Photograph No. 14: AMAFCA vacant land, view to the northwest (July 12, 2013).

Photograph No. 24: AMAFCA vacant land, view to the southeast (July 26, 2013).

Historic Water Delivery System Inventory Form (HWDSIF) – Base Information Form (1a)

Historic Preservation Division (HPD); New Mexico Department of Cultural Affairs

For HPD Office Use Only: HWDSIF No. [ ] District No. [ ] NRHP ☐ SRCP ☐ Criteria: A ☐ B ☐ C ☐ D☐

Other Agency Number (for State or Federal Agency Use Only: [ ]

Minimum Required Information for Determination of Eligibility (Items 1 – 28)

1. Name of Acequia, Irrigation Ditch or Water Diversion System
(Historic and/or current name)
Arenal Acequia

2. County
Bernalillo

3. USGS Quad(s)
Albuquerque West
35106-A6

4. Name of Associated Acequia Association or Irrigation District
Middle Rio Grande Conservancy District

5. NMCRIS Number
128254

6. Ownership of the Water Delivery System (check all that apply)

☐ **Private**
X Federal
XState
☐ **Tribal**
☐**Acequia Assn.**

7. Town/City
Albuquerque
vicinity ☐

8. Land grant/Reservation (if applicable**)**
Town of Atrisco Land Grant

9. Date of Survey (mm/dd/yyyy)
07/12/2013

10. Previous Survey Date(s) (mm/dd/yyyy)
_____/_____/1989-1990

11. Name of Project
Southwest Valley Flood Damage Reduction Project

12. Type of Project; e.g. utility, road, etc. (if not apparent from name of project)
surface/storm water drainage

13. Project Sponsor; e.g. NRCS, COE
Albuquerque Metropolitan Arroyo Flood Control Authority and Bernalillo County through USACE, Albuquerque District

14a. Intersection UTM (point at which project intersects water delivery system) (~~Use NAD27~~ -- Now in NAD83)
North end:
Zone 1/3
Easting 3/4/5/7/2/0
Northing 3/8/8/0/0/1/9

South end
Zone 1/3
Easting 3/4/5/3/3/5
Northing 3/8/7/9/3/9/4
The current survey covered the right-of-way, from property fence line to property fence line (an approximately 80-foot wide right-of-way), for a 2,540 lineal foot segment of the ditch, from Arenal Road on the north, downstream (southward) to Don Andres Road; covering 3.95 acres.

15. Construction date (if available)
Date: unknown
☐Known ☐ Estimated
Source: _____

14b. Intake UTM (approximate point of the intake/headgate for the water delivery system) (Use NAD27)
Zone _____/_____
Easting _____/_____/_____/_____/_____/_____
Northing _____/_____/_____/_____/_____/_____/_____

16. Adjudication Filing Date (if available)
Date: unknown
☐Known ☐ Estimated
Source: _____

17. Physical characteristics of the water delivery system (portion surveyed):
Type: ☐ Main
Type: X Lateral
Type: ☐ Other: _____
Type: Type of Lining, if lined: earthen – unlined at this time; the project proposes to concrete line (shotcrete) a 618-foot segment.

18. Setting
☐ suburban
☐ rural
X urban

19. National and/or State Register (see eligibility criteria)

Is this water delivery system individually listed on a historic register? ☐ Yes X No ☐ Unknown

If yes: ☐ State Register ☐ National Register HPD # SR _____

Is this water delivery system in a registered historic district? ☐ Yes ☐ No X Unknown

If yes, ☐ Contributing resource ☐ Non-contributing resource ☐ Unknown

If yes, what is the name of the district? _____

District is listed on: ☐ State Register ☐ National Register HPD # SR _____

Historic Water Delivery System Inventory Form (HWDSIF) – Base Information Form (1b)

20. Brief description of Area of Potential Effect; e.g. length of the portion of the water delivery system that will be impacted, distance on the project from the outer berm or maintenance road for this water delivery system.
The proposed project would affect a 2,540 linear foot segment of the service road along the west-side of the 4.8 mile long Arenal Acequia from Arenal Road on the north, downstream (southward) to Don Andres Road and *a 618-foot segment of the acequia ditch at the southern end of the project area. Arenal Acequia is a portion of the larger Middle Rio Grande Conservancy District*.

21. Assessment of project impact on the Water Delivery System
The project sponsors are proposing to reshape the ditch banks to a trapezoidal channel and install concrete ditch lining (shotcrete) to a 618-foot segment of the Arenal Acequia, immediately north of Don Andres Road. The existing service road along the west bank of the Arenal Acequia will be used to provide access to the Pond 187 and the vacant land/school pond project areas (see NMCRIS No. 128254). A total of fifteen (15) irrigation service tap gates, all of relatively new installation, occur along the 2,540-foot segment of the Arenal Acequia; twelve (12) along the east side of the ditch and three (3) along the west side. Of these, five (5) tap gates, two (2) on the east and all three (3) on the west, will be removed and salvaged, re-installed, or if necessary, replaced. The remaining tap gates and one (1) check gate, located near the mid-point of the 2,540-foot segment, would not be affected by the construction modifications.

22. Integrity of the Water Delivery System; note your observations and state whether the resource retains sufficient integrity to qualify it for listing on the State or National registers.

The Arenal Ditch is a functioning irrigation ditch that is a component of the historic 1930s Middle Rio Grande Conservancy District's (MRGCD) irrigation and drainage system. The MRGCD irrigation (canals, primary laterals and drainage ditches) system was reconstructed in the 1950s and 1960s by the U.S. Bureau of Reclamation, and numerous rehabilitation projects conducted by MRGCD and others in recent years have updated segments of the system. The MRGCD actively conducts operations and maintenance activities on the structural components to maintain functionality of the system. The extensive MRGCD system is widely recognized by the Federal, State, and local cultural resources and historic preservation community as being eligible for nomination to the National Register of Historic Places under criteria a, b, and d of 36 CFR §60.4. These facilities have had far-reaching impacts on water usage, management, and politics from the time of their construction to the present day.

Historic acequias in New Mexico are considered to have three elements that contribute to their eligibility for nomination to the National Register of Historic Places: their alignment, aesthetic quality (*i.e.*, physical form), and function. The currently proposed project modification that plans to reconstruct a 618-foot segment of the Arenal Acequia is considered to have a negligible effect on the Arenal Acequia and the MRGCD system. The proposed modifications to the Arenal Acequia would affect approximately 0.02 percent of the 4.8-mile acequia. Reconstruction involves the reshaping of the existing near-vertical ditch banks to sloped banks to form a trapezoidal channel and the installation of concrete ditch lining. This reconstruction would have an effect upon the aesthetic quality (physical form) of the historically earthen ditch. However, the proposed project modifications to the existing 618-foot segment of the Acequia, would not affect the alignment of the acequia and would maintain the historic function of the ditch, the delivery of irrigation water.

It is unknown to what extent previous construction, rehabilitation and/or operations and maintenance activities may have affected the alignment, aesthetic quality (eg. physical form), and function of this segment of the Arenal Acequia. It is likely that the current alignment is similar to that of the historic ditch prior to the 1930s MRGCD modernization of the valley's ditches into a modern irrigation system. It is likely that the existing ditch has been enlarged physically to carry more water than during pre-1930s. The ditch will continue to provide for the efficient and timely delivery of irrigation water, its intended historic function.

23. Surveyor
Your name: *Gregory D. Everhart*
Name of your firm (if applicable): U.S. Army Corps of Engineers, Albuquerque District
Telephone number: 505-342-3352

24. General photograph of the system at the point where it is intersected by the project
(paste photo in place or digitally size to fit and insert below – max. width = 5 inches)

25. Photo description and/or notes:
Photograph No. 13: Arenal Acequia, view to the north (July 12, 2013; original digital image = 1.78 mb).

26. Photo Information
(if applicable)
Neg. location
_____
Roll # _____
Frame # _____

27. Supplemental forms: ☐ None ☐ Detail Form (Form 2) ☐ Continuation sheets; number of pages: _____

28. Other comments: _____

From:	Everhart, Gregory D SPA
To:	"Estes, Bob, DCA"
Cc:	Nieto, Jerry D SPA; Sill, Karen K SPA; Alcon, Julie A SPA; Decker, Jeremy SPA; Turkovich, Mark SPL @ SPA; Hummel, Ondrea C SPA
Subject:	RE: HPD Consultation Log # 97479 - SW Valley Flood Reduction Project, Phase II - Arenal Acequia: NMCRIS No. 128254 (UNCLASSIFIED)
Date:	Tuesday, October 01, 2013 10:50:00 AM
Attachments:	BernCo Haul Road Plan Set - 95% complete.pdf

Classification: UNCLASSIFIED
Caveats: NONE

Bob,

Per our Section 106 consultation letter dated August 14, 2013, and our e-mail dated August 23, 2013, in which we submitted a NIAF with an updated project description and a HWDSIF on the Arenal Acequia for the project area, and your request for additional information (e-mail dated September 11, 2013), please find attached for your review, the 95% project drawings for the subject Phase II Modifications for the SW Valley-Arenal Acequia project area. These engineer drawings show how the 3,600-foot project area is adjacent to the Arenal Acequia. Drawing G-003 generally shows Haul Roads A and B (on the west side of the acequia), the 54" Storm Drain, and the 612 foot segment of the Arenal Acequia that will be reshaped and shotcrete applied. The project will not use the acequia's east side service road.

In your e-mail dated September 12, 2013, I understand that you received our Historic Water Delivery System Inventory Form (HWDSIF) documenting the project portion of the Arenal Acequia. If you have additional comments or concerns with the documentation, please let us know. During registration of the our survey report in NMCRIS (NMCRIS No. 128254), this project portion of the Arenal Acequia was given HCPI No. 32062; ARMS staff are determining if giving a historic but actively used ditch that remains a part of a modern irrigation system a HCPI number is appropriate.

The plan for the SW Valley Phase II construction modifications in this project area is to construct the by-passing Haul Roads A and B to provide for the excavation of Pond 187 (Drawings C-103 and C-104). For the majority of the project area, this work will disturb the service road on the west side of the acequia but not the ditch itself. At the southern end of the project area/ditch, Haul Road A will affect 400 feet of the acequia's ditch (Drawings C-104 and C-105; Stations 30+50' to about 34+50').

Then the 54" Storm Drain will be constructed immediately adjacent to and below/under the west side of the Arenal Acequia (Drawings C-107 and C-108; affecting about the same 400' of the ditch as noted above).

After construction of the 54" Storm Drain, the Arenal Acequia/ditch will be re-constructed, generally following the same/original alignment with the same ditch bottom elevation (Drawing C-108; Stations 29+25' to 35+36.16', for about 612 feet in length), but with shaped 1:1.5 sloped ditch banks and shotcrete applied (Drawings C-108 and C-114). This work will affect seven irrigation tap gates; see Keyed Notes on Drawing C-108. The existing irrigation tap gates are to be re-installed if they remain in working condition after removal, but they will be replaced if they are damaged during removal. The existing tap gates are of modern construction. To resolve maintenance concerns with this 612-foot portion of the Acequia, MRGCD has requested that the shaped 1:1.5 sloped ditch banks and the application of shotcrete be a part of the project.

Utilizing Google Earth imagery, there are 13 structures, either houses, garages, or out buildings, that are located along the east side and 1 structure on the west side of the Arenal Acequia and that are located within about 150 feet of the project area. Of these, only 3 structures are located near the southern end of the project area (from Station 26+00 southward to Station 36+00; Drawings C-103 and C-104) where the primary construction is occurring for installation of the 54" Storm Drain and re-construction of Arenal Acequia. These structures are located outside of the project APE. They all appear to be of modern construction and none appear to be of a unique or significant construction style. The existing service roads on both sides of the Arenal Acequia are and for numerous years have been used by heavy equipment for access and MRGCD operations and maintenance activities; therefore, the Corps is of the

opinion that the proposed construction is similar to existing conditions and would have no effect to nearby structures. The Corps has made requests to our Real Estate Division as well as Bernalillo County, one of the project sponsors, for additional information regarding the structures for additional consideration.

Thanks for your consideration of the Corps determination that the proposed Phase II SW Valley project that affects Arenal Acequia's west side service road and a total of 612 feet of the Acequia Acequia, will result in No Adverse Effect to Historic Properties.

If you have any other concerns or comments please contact me.
Thanks, Gregory

Gregory D. Everhart
Archaeologist
U.S. Army Corps of Engineers
Albuquerque District
Environmental Resources Section
4101 Jefferson Plaza, NE
Albuquerque, New Mexico 87109-3435
Phone: 505-342-3352
FAX: 505-342-3668
gregory.d.everhart@usace.army.mil

-----Original Message-----
From: Estes, Bob, DCA [mailto:Bob.Estes@state.nm.us]
Sent: Wednesday, September 11, 2013 4:26 PM
To: Everhart, Gregory D SPA
Subject: [EXTERNAL] AMAFCA- Arenal Ditch

OFFICAL REPSONSE OF THE NEW MEXICO STATE HISTORIC PRESERVATION OFFICER (SHPO)

Dear Mr. Everhart,

On behalf of the SHPO, I have completed a review of the U.S. Army Corps of Engineer's consultation for the Phase II Engineering Modifications for the Southwest Valley Flood Damage Reduction Project. After review, I cannot concur with the recommendations of no adverse effect to the Arenal Ditch, without additional information.

In order to advance this consultation, I need a completed Historic Cultural Property Inventory (HCPI) form or an Acequia Form for the portion of the Arenal ditch that will be realigned. This will accompany the NIAF from and report to ARMS.

I also need more information on where and how the Arenal ditch will be realigned. It will be helpful if you could provide engineering plans for my review.

The Corps of Engineers might also consider potential effects to unidentified historic buildings that may be located near the ditch alignment.

Last, I have no concerns about using the pond area at Rio Grande High School for spoil disposal.

If you any questions or comments please feel free to call me directly at (505) 827-4225 or email me.

Sincerely,

Bob Estes

HPD log: 97479

Classification: UNCLASSIFIED

Caveats: NONE

From:	Estes, Bob, DCA
To:	Everhart, Gregory D SPA
Subject:	[EXTERNAL] SW valley flood control
Date:	Thursday, November 14, 2013 9:05:21 AM

OFFICAL RESPONSE OF THE NEW MEXCIO STATE HISTORIC PRESERVATION OFFICER (SHPO)

Dear Mr. Everhart,

Thank you for sending the additional information concerning the work planned for the Arenal Ditch as part of the Southwest Valley Flood Control Project (HPD log 98194). After review of the additional information, the SHPO concurs with the Corps of Engineers' assessment that the proposed work will have no adverse effect to the Arenal Acequia.

If you have any questions or comments, please feel free to call me directly at (505) 827-4225 or email me.

Sincerely ,

Bob Estes

APPENDIX D

GOVERNOR
Susana Martinez

DIRECTOR AND SECRETARY
TO THE COMMISSION
James S. Lane, Jr.

DEPUTY DIRECTOR
Daniel E. Brooks

STATE OF NEW MEXICO
DEPARTMENT OF GAME & FISH

One Wildlife Way, Santa Fe, NM 87507

Post Office Box 25112, Santa Fe, NM 87504

Tel: (505) 476-8000 | Fax: (505) 476-8123

For information call: (888) 248-6866

www.wildlife.state.nm.us

September 18, 2013

Julie Alcon
Chief, Environmental Resources Section
U.S. Army Corps of Engineers
Albuquerque District
4101 Jefferson Plaza NE
Albuquerque, NM 87504

RE: Southwest Valley Flood Damage Reduction Project; NMDGF No. 15969

Dear Ms. Alcon:

The Department of Game and Fish (Department) has reviewed your request for information regarding the above referenced project and provides the following information for the development of your Storm Water Pollution Prevention Plan.

Construction areas and other impervious surfaces can have significant impacts on surface waters by increasing the amount of sediment and other pollutants that are washed into surface waters, increasing the velocity and volume of water, and reducing infiltration into groundwater. Reducing the amount of impervious surfaces and phasing construction will reduce these impacts. The Department provides the following additional recommendations to minimize or eliminate impacts to wildlife and wildlife habitat:

- Divert water around construction site whenever possible.
- Preserve natural areas within the project site. Strive to maintain the natural drainage system of the site, including natural stream channels, wetlands, and floodplains. Design, construct, and maintain the site to protect (or restore) the natural hydrology.
- Following construction, disturbed areas should be re-vegetated using native species that approximate pre-disturbance plant community composition or native plant communities likely to be found in the area, whichever is more beneficial to wildlife. Short-term erosion control seed mixes are available for temporary control of surface erosion during project implementation; native mixes should be used for temporary as well as permanent erosion control. Native plants and materials should also be used for landscaping. All seed mixtures should be certified as weed-free. New Mexico grass ecotypes for commercial seeding are available through the Los Lunas Plant Materials Center and New Mexico State University. Seeding guidelines are available from NRCS and the Colorado Natural Areas Program.
- Maintain a vegetated buffer zone along all watercourses, including ephemeral arroyos, sufficient to minimize erosion and sediment delivery.

- Use properly engineered drainage swales and other vegetated channel systems instead of storm sewers, lined channels, curbs, and gutters. Vegetated swales should be gently sloped (4:1) so that small wildlife is able to maneuver them.
- Efforts should be made during construction to minimize impacts on vegetative communities. Existing roads and rights-of-way should be used for all transportation. Off-road driving should be avoided. Staging areas should be located in previously disturbed sites, where possible, and kept as small as possible.

With implementation of these recommendations, the Department believes that this project as proposed is unlikely to adversely affect wildlife or wildlife habitats. For your convenience, we have enclosed a copy of New Mexico Wildlife of Concern for Bernalillo County. Species accounts and habitat associations can be accessed from the Department's Biota Information System of New Mexico (BISON-M) electronic database via the internet at bison-m.org. The Department recommends that you contact the U.S. Fish and Wildlife Service for current listing of federally listed species.

Thank you for the opportunity to review and comment on your project. If you have any questions, please contact Donald Auer, Wildlife Habitat Manager at (505) 476-8034 or donaldp.auer@state.nm.us.

Sincerely,

Kenneth K. Cunningham, Assistant Chief
Ecological and Environmental Planning Division

Enc.: 1
cc: USFWS NMES Field Office

NEW MEXICO WILDLIFE OF CONCERN
BERNALILLO COUNTY

For complete up-dated information on federal-listed species, including plants, see the US Fish & Wildlife Service NM Ecological Services Field Office website at http://www.fws.gov/southwest/es/NewMexico/SBC.cfm. For information on state-listed plants, contact the NM Energy, Minerals and Natural Resources Department, Division of Forestry, or go to http://nmrareplants.unm.edu/. If your project is on Bureau of Land Management, contact the local BLM Field Office for information on species of particular concern. If your project is on a National Forest, contact the Forest Supervisor's office for species information. E = Endangered; T = Threatened; s = sensitive; SOC = Species of Concern; C = Candidate; Exp = Experimental non-essential population; P = Proposed

Common Name	Scientific Name	NMGF	US FWS	critical habitat
Rio Grande Chub	Gila pandora	s		
Rio Grande Silvery Minnow	Hybognathus amarus	E	E	Y
Brown Pelican	Pelecanus occidentalis	E		
Neotropic Cormorant	Phalacrocorax brasilianus	T		
Bald Eagle	Haliaeetus leucocephalus	T		
Northern Goshawk	Accipiter gentilis	s	SOC	
Common Black-Hawk	Buteogallus anthracinus	T	SOC	
Aplomado Falcon	Falco femoralis	E	Exp	
Peregrine Falcon	Falco peregrinus	T	SOC	
Mountain Plover	Charadrius montanus	s	SOC	
Black Tern	Chlidonias niger surinamensis		SOC	
Yellow-billed Cuckoo	Coccyzus americanus	s	C	
Mexican Spotted Owl	Strix occidentalis lucida	s	T	Y
Burrowing Owl	Athene cunicularia		SOC	
Black Swift	Cypseloides niger	s		
Broad-billed Hummingbird	Cynanthus latirostris	T		
White-eared Hummingbird	Hylocharis leucotis	T		
Southwestern Willow Flycatcher	Empidonax traillii extimus	E	E	Y
Loggerhead Shrike	Lanius ludovicianus	s		
Bell's Vireo	Vireo bellii	T	SOC	
Gray Vireo	Vireo vicinior	T		
Baird's Sparrow	Ammodramus bairdii	T	SOC	
Sprague's Pipit	Anthus spragueii		C	
Western Small-footed Myotis Bat	Myotis ciliolabrum melanorhinus	s		
Yuma Myotis Bat	Myotis yumanensis yumanensis	s		
Occult Little Brown Myotis Bat	Myotis lucifugus occultus	s		
Long-legged Myotis Bat	Myotis volans interior	s		
Fringed Myotis Bat	Myotis thysanodes thysanodes	s		
Spotted Bat	Euderma maculatum	T		
Pale Townsend's Big-eared Bat	Corynorhinus townsendii pallescens	s	SOC	
Big Free-tailed Bat	Nyctinomops macrotis	s		
Gunnison's Prairie Dog (prairie)	Cynomys gunnisoni	s		
New Mexican Jumping Mouse	Zapus hudsonius luteus	E	C	
Red Fox	Vulpes vulpes	s		
Ringtail	Bassariscus astutus	s		
Black-footed Ferret	Mustela nigripes		E	

NEW MEXICO WILDLIFE OF CONCERN
BERNALILLO COUNTY

For complete up-dated information on federal-listed species, including plants, see the US Fish & Wildlife Service NM Ecological Services Field Office website at http://www.fws.gov/southwest/es/NewMexico/SBC.cfm. For information on state-listed plants, contact the NM Energy, Minerals and Natural Resources Department, Division of Forestry, or go to http://nmrareplants.unm.edu/. If your project is on Bureau of Land Management, contact the local BLM Field Office for information on species of particular concern. If your project is on a National Forest, contact the Forest Supervisor's office for species information. E = Endangered; T = Threatened; s = sensitive; SOC = Species of Concern; C = Candidate; Exp = Experimental non-essential population; P = Proposed

Common Name	Scientific Name	NMGF	US FWS	critical habitat
Western Spotted Skunk	Spilogale gracilis	s		
Socorro Mountainsnail	Oreohelix neomexicana	s		
Slate Millipede	Comanchelus chihuanus		SOC	

Hummel, Ondrea C SPA

From: Chang, Peter A. [pchang@abcwua.org]
Sent: Thursday, September 26, 2013 4:10 PM
To: Hummel, Ondrea C SPA
Cc: Montoya, Anthony L.
Subject: [EXTERNAL] Draft Supplement II to the Environmental Assessment for the Southwest Valley Flood Reduction Project,

Ms. Hummel,

I am in receipt of your letter dated September 13, 2013 regarding the Subject Project Assessment. Upon review of our facility map, it indicates that we do not have water nor sanitary sewer infrastructure within the proposed pond 187 limit and along the proposed temporary haul road to the west of Arenal Acequia or in the Arenal ditch extending from Arenal Road downstream to Don Andres Road. However, I would like to point out that we have both water and sanitary sewer lines in the residential roads surrounding the proposed pond 187. Please notify me at 505-768-2598 or via email at pchang@abcwua.org <mailto:pchang@abcwua.org> when you begin the preliminary horizontal/vertical alignment design for conveyance pipelines taking surface storm water into Pond 187 for further utility coordination and review.

Should you have any further questions or concerns, please do not hesitate to contact me.

Peter Chang, PE

Senior Engineer

Water Resources, Planning & Engineering Division

ABCWUA

505-768-2598 (office)

505-366-1689 (mobile)

505-768-3629 (fax)

CITY OF ALBUQUERQUE

November 6, 2013

Julie Alcon
Chief, Environmental Resources Section
Department of the Army
Albuquerque District, Corps of Engineers
4101 Jefferson Plaza NE
Albuquerque, NM 87109-3435

Certified Mail No. 7004 1350 0004 2444 9793

Re: Southwest Valley Flood Damage Reduction Project

Ms. Alcon:

Thank you for providing the Air Quality Program the opportunity to review the Draft Supplemental Environmental Assessment II (DSEA-II) for the Southwest Valley Flood Damage Reduction Project dated September 13, 2013. The Program has concluded that activities associated with this project may require a Fugitive Dust Control Permit. The U.S. Army Corps of Engineers (Corps) must ensure that all appropriate applications are submitted as required by 20.11 NMAC.

The DSEA-II describes the surface disturbance activities that will result from the Southwest Valley Flood Damage Reduction Project. Surface disturbance of ¾ of an acre or more will require a Fugitive Dust Permit. Buildings to be demolished that exceed 75,000 ft³ will require a Fugitive Dust Permit. If a Fugitive Dust Permit is required, surface disturbance/demolition shall not occur before Division staff sign and issue a fugitive dust permit. Fugitive dust emissions resulting from this project must be mitigated and controlled as cited in 20.11.20 NMAC.

Thank you for the time and the opportunity to review the (DSEA-II). Please do not hesitate to contact me with any questions or concerns you may have (dreyes@cabq.gov or 505-768-1958).

Sincerely,

Damon R. Reyes
Enforcement Section Supervisor
Air Quality Program
Environmental Health Department
City of Albuquerque

Xc: Margaret Nieto, Control Strategies Supervisor, Air Quality Program, EHD

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

Ysleta del Sur Pueblo

Tribal Council – Javier Loera (War Captain/Tribal Historic and Preservation Officer) E-mail jloera@ydsp-nsn.gov

117 South Old Pueblo Road * P.O. Box 17579 * El Paso, Texas 79917 * (915) 859-8053 * Cell (915) 497-3876

September 26, 2013

Ondrea Hummel
Environmental Resources Section
Department of the Army
Albuquerque District, Corps of Engineers
4101 Jefferson Plaza NE
Albuquerque, NM 87109-3435

Dear Ondrea Hummel:

This letter is in response to the correspondence received in our office in which you provide the Ysleta del Sur Pueblo the opportunity to comment on the U.S. Army Corps of Engineers' (Corps), Albuquerque District, Draft Supplemental Environmental Assessment II for the Southwest Valley Flood Damage Reduction Project, Albuquerque and Bernalillo County, New Mexico (DSEA-II).

While we do not have any comments on the DSEA-II and believe that this project will not adversely affect traditional, religious or culturally significant sites of our Pueblo and have no opposition to it; we would like to request consultation should any human remains or artifacts unearthed during this project be determined to fall under the Native American Graves Protection and Repatriation Act (NAGPRA) guidelines. Copies of our Pueblo's Cultural Affiliation Position Paper and Consultation Policy are available upon request.

Thank you for allowing us the opportunity to comment on the proposed project.

Sincerely,

Javier Loera

Javier Loera
War Captain/Tribal Historic and Preservation Officer
Ysleta del Sur Pueblo

THE
NAVAJO
NATION

Historic Preservation Department, POB 4950, Window Rock, AZ 86515 • PH: 928.871-7198 • FAX: 928.871.7886

BEN SHELLY
PRESIDENT

REX LEE JIM
VICE-PRESIDENT

November 7, 2013

Rec'd 11-20-2013
GDE

Julie Alcon, Chief
Environmental Resources Section
Department of the Army
Albuquerque District, Corps of Engineers
4101 Jefferson Plaza NE
Albuquerque, NM 87109-3435

Dear Ms. Alcon:

The Navajo Nation Historic Preservation Department-Traditional Culture Program (NNHPD-TCP) is in receipt of the proposed project where the U.S. Army Corps of Engineers, Albuquerque District, has completed the Draft Environmental Assessment II for the Southwest Valley Flood Damage Reduction Project, Albuquerque, Bernalillo County, New Mexico.

After reviewing your consultation documents, NNHPD-TCP has concluded the proposed undertaking/project area **will not impact** Navajo traditional cultural resources. The NNHPD-TCP, on behalf of the Navajo Nation has no concerns at this time.

However, the determination made by the NNHPD-TCP does not necessarily mean that the Navajo Nation has no interest or concerns with the proposed project. If the proposed project inadvertently discovers habitation sites, plant gathering areas, human remains and objects of cultural patrimony, the NNHPD-TCP request that we be notified respectively in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA). ***The Navajo Nation claims cultural affiliation to all Anaasazi people (periods from Archaic to Pueblo IV) of the southwest. The Navajo Nation makes this claim through Navajo oral history and ceremonial history, which has been documented as early as 1880 and taught from generation to generations.***

The NNHPD-TCP appreciates the Department of the Army's consultation efforts, pursuant to 36 CFR Pt. 800.1 (c)(2)(iii). Should you have any additional concerns and/or questions do not hesitate to contact me electronically at tony@navajohistoricpreservation.org or telephone at 928-871-7750.

Sincerely,

Tony H. Joe, Jr., Supervisory Anthropologist (Section 106 Consultation) Navajo Nation Historic Preservation Department-Traditional Culture Program

TCP 13-298
cc: Office File/Chrono