

# CITY OF ALBUQUERQUE



April 26th, 2019

Dan Mallak, Pulte Group of New Mexico, [dan.mallak@pulte.com](mailto:dan.mallak@pulte.com)

Kevin Patton, [kevin.patton@pultegroup.com](mailto:kevin.patton@pultegroup.com)

Copy: Tim Slatunas, Green Globe Environmental, [tim@greenglobenm.com](mailto:tim@greenglobenm.com)

Site: Del Webb at Mirehaven Ph 2

**Re: Drainage Ordinance (14-5-2-1) Violations for Construction Site Waste(s)**

Dear Mr. Mallak and Mr. Patton,

The majority of all lots under vertical construction were not in compliance for construction waste, domestic waste and washing-out wastes onto the ground. Not all lots had all three violations. See inspection report for details.

Most of the lots had a wash-out facility, however, trades are not using them. None of the lots had a waste container. There were two 30-yard waste containers, uncovered, at 9301 and 9140 Wind Caves.

Lots are:

9012 Wind caves  
9028 Wind Caves  
9104 Lake Isabel  
2309 Woods Wash  
9132 Wind Caves  
9136 Wind Caves  
2319 Granite Mountain  
2327 Granite Mountain  
2323 Granite Mountain  
2300 Komatke  
9208 Wind Caves  
9204 Wind Caves  
2305 Chuckwalla Spring  
2331 Chuckwalla Spring  
2315 Gold Butte  
2309 Gold Butte  
9248 Wind Caves  
9252 Wind Caves  
9304 Wind Caves  
9309 Wind Caves

Wash-out on the ground outside of facility at subdivision wash-out facility that required maintenance.

A few photos are shown below.

PO Box 1293

Albuquerque

NM 87103

[www.cabq.gov](http://www.cabq.gov)



PO Box 1293

9304 Wind Caves wash-out on the ground

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9012 Wind Caves wash-out on the ground

# CITY OF ALBUQUERQUE



2309 Gold Butte wash-out on the ground

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2319 Granite Mountain wash-out on the ground

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Wash-out on the ground at subdivision washout facility.

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Waste not in an acceptable container on Wind Caves.

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Waste not in an acceptable container on Wind Caves.

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Waste not in an acceptable container on Wind Caves.

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Waste not in an acceptable container on Wind Caves.

**Required Mitigation:**

1. Remove the wash-out(s) from the ground at the subdivision and dispose of properly.
2. Have workers use the provided wash-out facilities.
3. Remove waste(s) from around the subdivision that were not in an acceptable waste container and place in an acceptable waste container.
4. Use acceptable waste containers in the future.

Per the previous Violation letter(s), the City is assessing a fine of \$5500. This fine is for ten days for the Violation Letter written on 4-15-19 and for one day for the Violation Letter written on 4-16-19.

Additional days may be added if the violations are not mitigated within ten days.

In addition, your non-compliance is being reported to the New Mexico Environment Department, Surface Water Quality Bureau to aid in the determination if this issue is to be forwarded to the EPA.

If you would like to schedule a follow-up inspection at a day and time of your convenience, prior to 10 days from the date of this letter please let me know.

If you have any questions, you can contact me at 924-3420.

PO Box 1293

Albuquerque

NM 87103

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Sincerely,

Curtis Cherne, P.E.

Principal Engineer, Stormwater Quality  
Planning Dept.