

CITY OF ALBUQUERQUE



Planning Department
Alan Varela, Interim Director

Mayor Timothy M. Keller

December 14, 2021

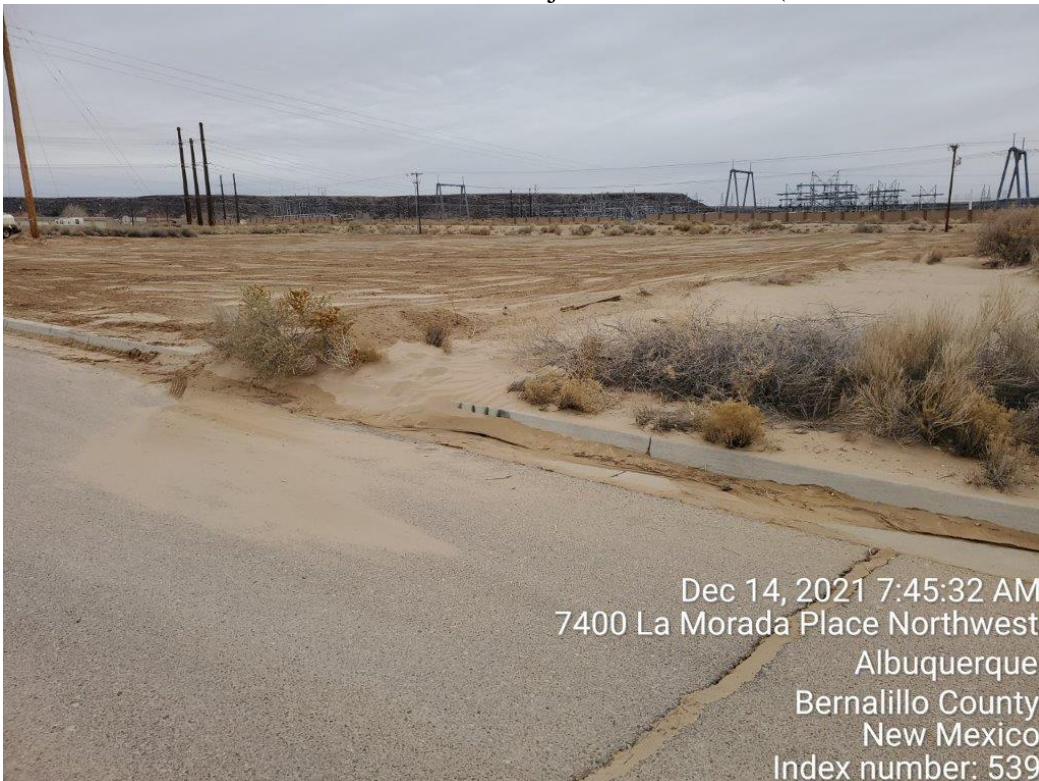
United Concrete Co. - Isaac Rosas – joseisaac1983@gmail.com (505) 290-1339
5323 Deer Meadow Trail NW
Albuquerque NM 87120

Site: 7411 La Morada Pl.– H10E006A6

Re: Drainage Ordinance (14-5-2-11) Violations for Erosion and Sediment Control

The following violations were first observed during a City compliance inspection on 12/2/2021 and again during a follow-up inspection on 12/14/2021..

1. About 2 acres of land-disturbing activity has commenced without an ESC Plan approved by the City of Albuquerque. An incomplete application was received today. Comments will be provided separately. (2st Violation Notice.)
2. There were not any BMPs on this site. (2nd Violation Notice.)
3. There was sediment in the street adjacent to the site. (2nd Violation Notice.)





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Two EPA NPDES Storm Water Program permit forms are shown, both for permit number NMR1004DV. The forms are posted on a white board. The left form is the front page, and the right form is the back page. Both forms include the EPA logo and the title "EPA NPDES Storm Water Program". The front page contains a table with the following information: Permit Number: NMR1004DV, Contact Name: ISAAC ROSAS, Contact Phone: 505 879-6726, Project Description: UNITED CONCRETE COMPANY. The back page contains a table with the following information: Permit Number: NMR1004DV, Contact Name: ISAAC ROSAS, Contact Phone: 505 879-6726, Project Description: UNITED CONCRETE COMPANY. Both forms also include a section for SWPPP Location and a date stamp: Dec 14, 2021 7:49:15 AM, 7500b La Morada Place Northwest, Albuquerque, Bernalillo County, New Mexico, Index number: 546.

Albuquerque's Erosion and Sediment Control (ESC) ordinance § 14-5-2-11 at link https://codelibrary.amlegal.com/codes/albuquerque/latest/albuquerque_nm/0-0-0-19897 requires the property owner to provide an ESC Plan and the EPA's Notice of Intent (NOI) to the city for review and approval prior to issuing construction permits and prior to any land-disturbing activity. It also requires compliance with the Construction General Permit (CGP) <https://www.epa.gov/npdes/epas-2017-construction-general-permit-cgp-and-related-documents>.

Required Mitigation:

1. The Erosion and Sediment Control Plan and the property owner's NOI must be submitted to the City for approval with the application form and fees.
2. Ensure that all stormwater controls (BMPs) are maintained and remain in effective operating condition during permit coverage per CGP Part 2.1.4. If at any time you find that a stormwater control needs routine maintenance, you must immediately initiate the needed maintenance work, and complete such work by the close of the next business day. When the problem requires a new or replacement control or significant repair, install the new or modified control and make it operational, or complete the repair, by no later than seven (7) calendar days from the time of discovery per CGP Part 5.

3. Where sediment has been tracked-out from your site onto paved roads and sidewalks remove the deposited sediment by the end of the same business day CGP Part 2.2.4.d.

Per the previous Violation letter dated 12/6/2021, the City is assessing a fine of \$500. This fine is for one day, 12/14/2021. Additional days may be added if the violation is not mitigated within 7 days and the non-compliance will be reported to the EPA. Progressive enforcement escalation procedures will be used and strictly enforced for recalcitrant or repeat offenders.

If you have any questions, you can contact me at 924-3420, jhughes@cabq.gov.

Sincerely,

James D. Hughes

James D. Hughes, P.E.
Principal Engineer, Hydrology/Stormwater Quality
Planning Dept.