

CITY OF ALBUQUERQUE

Planning Department
Alan Varela, Director



Mayor Timothy M. Keller

March 21, 2025

4740 Dillon Drive, LLC – Paul Julian at paulj@nuvuepharma.com – (919) 619-2443

Sites: Nu Vue at 1171 Jaffa Rd NE (J20E028)

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

The city conducted a follow-up ESC Inspection on 3/19/25 and 3/21/25 to verify the mitigation of violations listed in previous inspections. Inspections performed last year found repeated violations on 2/27/24, 3/7/24, 3/20/24, 3/27/24, and 10/16/24. The most recent inspection (3/10/25) found the silt fence to be in degraded condition. The following violations were identified at the time of this inspection.

1. The perimeter silt fencing appeared to be mended, but upon closer inspection, the existing silt fencing had been fastened to the construction fence using zip ties. This silt fence has degraded over time (silt fencing typically needs replacement every 6 months) and does not provide adequate stormwater control. The silt fence is not fully entrenched into the ground and some sections are still missing. These are violations of CGP Parts 2.1.2 and 2.1.4.





Mar 19, 2025 at 3:13:35 PM
1200 Wyoming Blvd NE
Albuquerque NM 87112
United States



Mar 21, 2025 at 9:44:15 AM
Wyoming Blvd NE
Albuquerque NM 87112
United States

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2. The bucket that contained the SWPPP and self-inspection reports was missing from the site in violation of CGP Part 7.3. The SWPPP bucket was not in its usual location and was not found after a brief search of the property.



Required Mitigation:

1. Install all stormwater controls in accordance with good engineering practices, including applicable design specifications per CGP Part 2.1.2. Ensure that all stormwater controls (BMPs) are maintained and remain in effective operating condition during permit coverage per CGP 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 5.2.1.
2. You must keep a copy of the current SWPPP and all inspection reports at the site or at an easily accessible location so that it can be made immediately available at the time of an on-site inspection per CGP Parts 4.7.3 and 7.3.

History of Violations:

Notice of the following types of violations was sent on the dates noted below:

1. NOI – 2/28/24 (Level 2)
2. BMPs – 2/28/24 (Level 2), 3/8/24 (Level 2), 3/27/24 (Level 3), 10/17/24 (Level 3), 3/11/25 (Level 3), 3/21/2025 (Level 4)
3. Posting - 2/28/24 (Level 2)
4. SWPPP – 2/28/24 (Level 2), 3/20/24 (Level 3), 3/27/24 (Level 4), 3/21/2025 (Level 4)

The City Escalation Process (attached) describes four levels of escalation based on the number of repeats and/or recalcitrant violations of each type.

Per the previous Violation letter dated 3/11/2025, the city is assessing a fine of \$5,000 for the current level 4 violations (BMPs and SWPPP), and the non-compliance is being reported to the EPA. This fine is \$500 per day for ten days, 3/12/25-3/21/25. Additional days may be added if the violation is not mitigated within 7 days. 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 505-924-3325, cenglish@cabq.gov.

Sincerely,

Chancellor English

Chancellor English, CPESC
Erosion and Sediment Control Specialist, Stormwater Quality
Planning Dept.