

Region 6 - Enforcement & Compliance Assurance Division

INSPECTION REPORT

Inspection Date(s):	08/27/2025		
Media Program:	Water		
Regulatory Program(s)	NPDES Stormwater/CWA 402		
Company Name:	AJ Construction LLC		
Facility Name:	NYP Pizza		
Facility Physical Location:	3290 Rinconada Blvd		
(city, state, zip code)	Las Cruces, NM 88011		
Mailing address:	P.O. Box 13455 Las Cruces, NM 88013		
(city, state, zip code)	Las Cruces, NM		
County/Parish:	Doña Ana County		
Facility Phone Number	(575) 650 5888		
Facility Contact:	Tawfiq Hindash	Project Manager	
	thindash01@outlook.com		
FRS Number:	110072085967		
Identification/Permit Number:	NMU002217		
Media Identifier Number:	N/A		
NAICS:	236220		
SIC:	1542		
Personnel participating in inspection:			
Kamilah Hutchinson	R6 ECAD-WA	Inspector/Enforcement Officer	(214) 665-7470
Carol Johnson	R6 ECAD-WR	Inspector/Enforcement Officer	(214) 665-8471
Gerard Anaya	City of Las Cruces	Environment Compliance Officer	(575) 541-2008
Shawnee Suazo	New Mexico Environment Department	Complex Facilities Inspector	(505) 469-0987
Beatriz Salazar-Archuleta	New Mexico Environment Department	State Permitting Specialist	(505) 487-0318
Tawfiq Hindash	AJ Construction LLC	Project Manager	(575) 650 5888
EPA Lead Inspector Signature/Date			
	Kamilah Hutchinson		Date
Supervisor Signature/Date			
			Date

Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

Environmental Protection Agency (EPA) Region 6 inspectors Kamilah Hutchinson (Lead) and Carol Johnson arrived at NYP Pizza construction site on August 27, 2025, at approximately 11:00 AM, for an announced Compliance Evaluation Inspection (CEI). The EPA inspectors were accompanied by the City of Las Cruces compliance officer Gerard Anaya, and complex facilities inspector Shawnee Suazo and permitting specialist Beatriz Salazar-Archuleta, both from the New Mexico Environment Department. I presented my credentials to Tawfiq Hindash, the project manager at the opening conference and informed him that the CEI inspection was being conducted as a follow-up to the Stormwater Inspection conducted by Gerard Anaya on August 18, 2025. During this inspection Mr. Anaya noted that the construction site had not obtained a Storm Water Pollution Prevention Plan (SWPPP) or submitted a Notice of Intent (NOI), both of which are required for coverage under the Construction General Permit (CGP). Given that the site requires CGP coverage and had not submitted the necessary National Pollutant Discharge Elimination System (NPDES) documents, the EPA initiated the CEI to verify whether the SWPPP and NOI, had been submitted. Additionally, I informed Mr. Hindash that the CEI would assess the site's compliance with the Clean Water Act (CWA) and evaluate potential impacts to the Waters of the United States near the site.

The inspection involved a review of the NYP Pizza Erosion Control Plan (ECP) and a physical inspection of the construction site. Mr. Hindash accompanied the EPA inspectors throughout the on-site inspection. Before leaving the site, the EPA inspectors held a closing conference with Mr. Hindash to discuss the ECP and Areas of Concerns (AOCs) identified during the CEI (as detailed in Section III of this report). Mr. Hindash was contacted on September 18, September 23 and October 8, 2025, regarding a request for additional documentation. The requested documentation was provided by Mr. Hindash on October 8, 2025 (as detailed in Section IV of this report). This report is based on information, and records provided by Mr. Hindash, and observations made by the EPA inspectors.

FACILITY DESCRIPTION

The NYP Pizza site is a single-story commercial building with a paved parking lot at the front of the property (as denoted in the Aerial Image 1 below). The site encompasses a disturbed area of approximately 2.65 acres of land as denoted in the Erosion Control Plan submitted by Mr. Hindash to the City of Las Cruces. The geographic coordinates for the site, located in Las Cruces, Doña Ana County, New Mexico, are approximately 32.362633 latitude, and -106.748216 longitude. Water runoff from the entire site is directed toward the street drainage system along Rinconada Boulevard and subsequently the Rio Grande River.



Aerial Image #1: Overall view of the NYP Pizza Construction site outlined in green. **Note:** Aerial from Google Maps Imagery, 2025.

Section II - OBSERVATIONS

The following discussion points are derived from the on-site closing conference, the visual observations on August 27, 2025, the ECP for the site provided on-site at the time of the inspection, and the ECP provided electronically by Gerard Anaya on November 13, 2025:

1. Mr. Hindash stated that no CGP had been obtained for the site and only provided the ECP. The NYP Pizza construction site is approximately 2.65 acres, which requires coverage under the CGP. (see Appendix 1, Photograph Log, Photo No 1); and
2. Good housekeeping practices and best management practices (BMPs) were noted in the ECP however, several AOCs were identified during the inspection (see additional details in Section III of this report).

Section III – AREAS OF CONCERN

Areas of concern are derived from on-site observations from the August 27, 2025, CEI, and the ECP provided by Mr. Hindash.

The following AOCs are derived from the August 27, 2025, on-site CEI and ECP review:

1. The NYP Pizza construction site is approximately 2.65 acres and therefore requires a CGP permit under the NPDES permit program, including submittal of a SWPPP and NOI. **2022 CGP, Parts 1.1, 1.4 & 1.4.1**
2. The BMPs identified in the site's ECP were either not implemented or not maintained in an effective operating condition:
 - a) Stabilization techniques were not provided at the designated entrance and exit point northwest of the construction site near the mounds of sediment behind the retaining wall to minimize track out despite the ECP denoting a gravel pad to be installed as a track out device. Sediment carryover and tire tracks were observed leading onto the roadway from the entrance and exit point. (See Appendix 1, Photograph Log, Photo No 12). **2022 CGP, Parts 2.1.2, 2.2.3 & 2.2.4**
 - b) Asphalt and concrete waste were improperly handled and disposed of, and debris were observed deposited directly in the sediment/ undeveloped area at the east end of the construction site. (See Appendix 1, Photograph Log, Photo Nos 4, 5, & 6). **2022 CGP, Part 2.3.3**
 - c) Silt fences were not installed as a perimeter control BMP at the construction site, despite the ECP's specifications for their installation. As a result, sediment carryover was observed from the construction site onto the sidewalk, and roadway along Rinconada Boulevard at the southwest, south, and southeast sides. A retaining wall at the north end of the construction site was observed as a perimeter control BMP with mounds of sediment behind it. (See Appendix 1, Photograph Log, Photos Nos 2, 3, 5, 6, 7, 9, 10, & 11). **2022 CGP, Parts 2.1.3 & 2.2.3**
 - d) The storm drain located downslope and at the southeast end of the construction site was not maintained in an effective operating manner and surrounded by eroded soil. (See Appendix 1, Photograph Log, Photo Nos 7, 9, 10 & 11). **2022 CGP, Part 2.1.4**

The following AOC is derived from the hand-drawn layout and photographs of the construction site provided by Mr. Hindash via email on October 8, 2025:

1. Mr. Hindash submitted a hand-drawn site layout along with accompanying photographs intending to demonstrate that sediment on the undeveloped lot on the eastside of the site is being diverted or prevented from transporting downslope to the sidewalk and roadway along Rinconada Boulevard. However, the documentation provided is insufficient. The hand-drawn layout is not entirely legible. The submitted photos lack directional indicators and descriptions, so the specific locations cannot be accurately identified or matched to the site layout. Only photograph number 4, 5, & 6 can be confirmed to show the east side of the construction site (See Appendix 2, Photograph Log, Photo Nos 1, 2, 3, 4, 5 & 6).

Section IV – FOLLOW UP

The EPA received the following information after leaving the site on August 25, 2025:

1. Upon request, Mr. Hindash provided the following via email on October 8, 2025:
 - a) A hand-drawn site layout & photographs of the construction site.

2. Upon request, Mr. Anaya provided the following via email via email on November 13, 2025:

a) An electronic copy of the construction site's ECP.

Section V – LIST OF APPENDICES

Appendix 1: Photograph Log - 12 photos taken 08/27/2025

Appendix 2: Photograph Log (submitted hand-drawn site layout & accompanying photographs) – 6 photos

Appendix 1
Photograph Log



AJ Construction LLC
NYP Pizza
Inspection Date: 08/27/2025

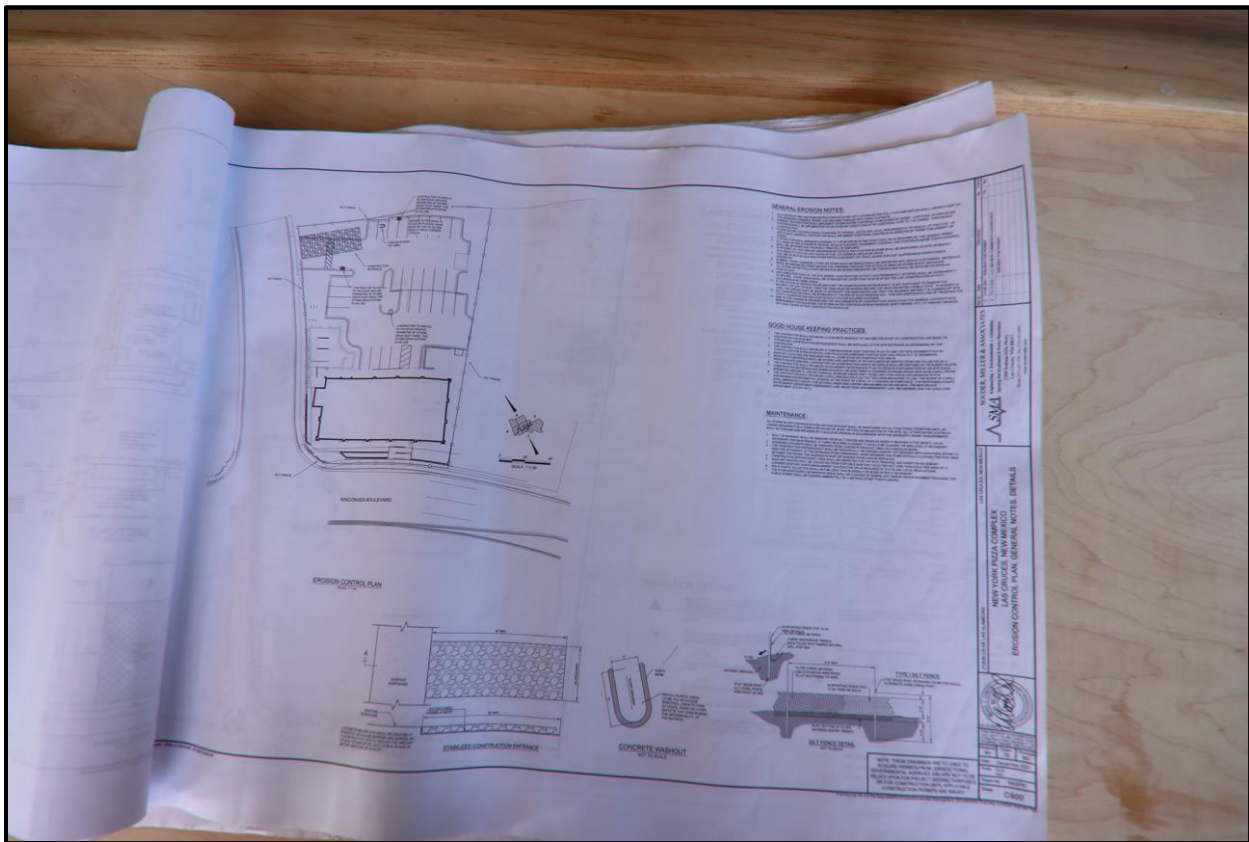
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Appendix 1: Photograph Log
Photo No. 1

Location: 3290 Rinconada Blvd

City: Las Cruces

County: Doña Ana County

State: NM



Description: View of ECP for the NYP Pizza construction site including general erosion notes, good housekeeping practices, and maintenance.

Date of Photo: 08/27/2025 Photographer: Kamilah Hutchinson



AJ Construction LLC
NYP Pizza
Inspection Date: 08/27/2025

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Appendix 1: Photograph Log
Photo No. 2

Location: 3290 Rinconada Blvd

City: Las Cruces

County: Doña Ana County

State: NM



Description: View of the paved parking lot area of the construction site with the retaining wall (green arrow) at the north end of the site. A mound of sediment (white arrow) was observed behind the retaining wall.

Date of Photo: 08/27/2025 Photographer: Kamilah Hutchinson



AJ Construction LLC
NYP Pizza
Inspection Date: 08/27/2025

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Appendix 1: Photograph Log
Photo No. 3

Location: 3290 Rinconada Blvd

City: Las Cruces

County: Doña Ana County

State: NM



Description: Second view of the paved parking lot area of the construction site.

Date of Photo: 08/27/2025 Photographer: Kamilah Hutchinson



AJ Construction LLC
NYP Pizza
Inspection Date: 08/27/2025

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo No. 4

Location: East End of the Construction Site

City: Las Cruces

County: Doña Ana County

State: NM



Description: View of asphalt deposited in the sediment/ undeveloped area at the east end of the site.

Date of Photo: 08/27/2025 Photographer: Kamilah Hutchinson



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Appendix 1: Photograph Log
Photo No. 5

Location: East End of the Construction Site

City: Las Cruces

County: Doña Ana County

State: NM



Description: Second view of the east end of the construction site, taken at the top of the slope facing downward towards Rinconada Boulevard. Asphalt (red arrow) and concrete waste (blue arrow) were observed deposited in the sediment area. During rainfall events, stormwater flows downhill from the sediment area onto the sidewalk and roadway along Rinconada Boulevard.

Date of Photo: 08/27/2025 Photographer: Kamilah Hutchinson



AJ Construction LLC
NYP Pizza
Inspection Date: 08/27/2025

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Appendix 1: Photograph Log
Photo No. 6

Location: Southeast End of Site at Rinconada Boulevard

City: Las Cruces

County: Doña Ana County

State: NM



Description: View of sediment carryover (purple arrow) from the southeast end of the construction site slope onto the sidewalk along the southeast end of Rinconada Boulevard. Concrete waste (blue arrow) was observed deposited in the sediment area.

Date of Photo: 08/27/2025 Photographer: Kamilah Hutchinson



AJ Construction LLC
NYP Pizza
Inspection Date: 08/27/2025

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Appendix 1: Photograph Log
Photo No. 7

Location: Southeast End of Site at Rinconada Boulevard

City: Las Cruces

County: Doña Ana County

State: NM



Description: Second view of sediment carryover (purple arrow) from the south end of the construction site onto the roadway and sidewalk along Rinconada Boulevard. Also pictured is the storm drain (black arrow).

Date of Photo: 08/27/2025 Photographer: Kamilah Hutchinson



AJ Construction LLC
NYP Pizza
Inspection Date: 08/27/2025

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo No. 8

Location: Southwest End of Site at Rinconada Boulevard

City: Las Cruces

County: Doña Ana County

State: NM



Description: View of sediment carryover (purple arrow) from the construction site onto the roadway at the southeast end of Rinconada Boulevard.

Date of Photo: 08/27/2025 Photographer: Kamilah Hutchinson



AJ Construction LLC
NYP Pizza
Inspection Date: 08/27/2025

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Appendix 1: Photograph Log
Photo No. 9

Location: Southeast End of Site at Rinconada Boulevard

City: Las Cruces

County: Doña Ana County

State: NM



Description: View of an ineffective BMP (i.e., a storm drain (black arrow) not maintained in an effective operating manner and with the surrounding soil (yellow arrow) eroded). Sediment carryover (purple arrow) was observed from the southeast end of the construction site onto the sidewalk and roadway at Rinconada Boulevard.

Date of Photo: 08/27/2025 Photographer: Kamilah Hutchinson



AJ Construction LLC
NYP Pizza
Inspection Date: 08/27/2025

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Appendix 1: Photograph Log
Photo No. 10

Location: Southeast End of Site at Rinconada Boulevard

City: Las Cruces

County: Doña Ana County

State: NM



Description: A second view of the unmaintained storm drain (black arrow) with the eroded soil (yellow arrow) causing sediment carryover (purple arrow) from the southeast end/ slope of the construction site onto the sidewalk and roadway along Rinconada Boulevard.

Date of Photo: 08/27/2025 Photographer: Kamilah Hutchinson



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo No. 11

Location: Southeast End of Site at Rinconada Boulevard

City: Las Cruces

County: Doña Ana County

State: NM



Description: A closer view of the unmaintained storm drain (black arrow) and eroded soil (yellow arrow). When the storm drain is not maintained, its ability to function adequately is compromised. As a result, water is unable to flow effectively through the drainage system leading to surface runoff and water accumulation eroding the surrounding soil and subsequent transport of sediment onto the sidewalk and roadway along Rinconada Blvd.

Date of Photo: 08/27/2025 Photographer: Kamilah Hutchinson



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Appendix 1: Photograph Log
Photo No. 12

Location: North of Construction Site

City: Las Cruces

County: Doña Ana County

State: NM



Description: View of sediment carryover (purple arrow) from an entrance and exit point onto the roadway north of the construction site near mounds of sediment. Tire tracks (yellow arrow) were observed leading towards the roadway from the entrance and exit point.

Date of Photo: 08/27/2025 Photographer: Kamilah Hutchinson

Appendix 2

Photograph Log

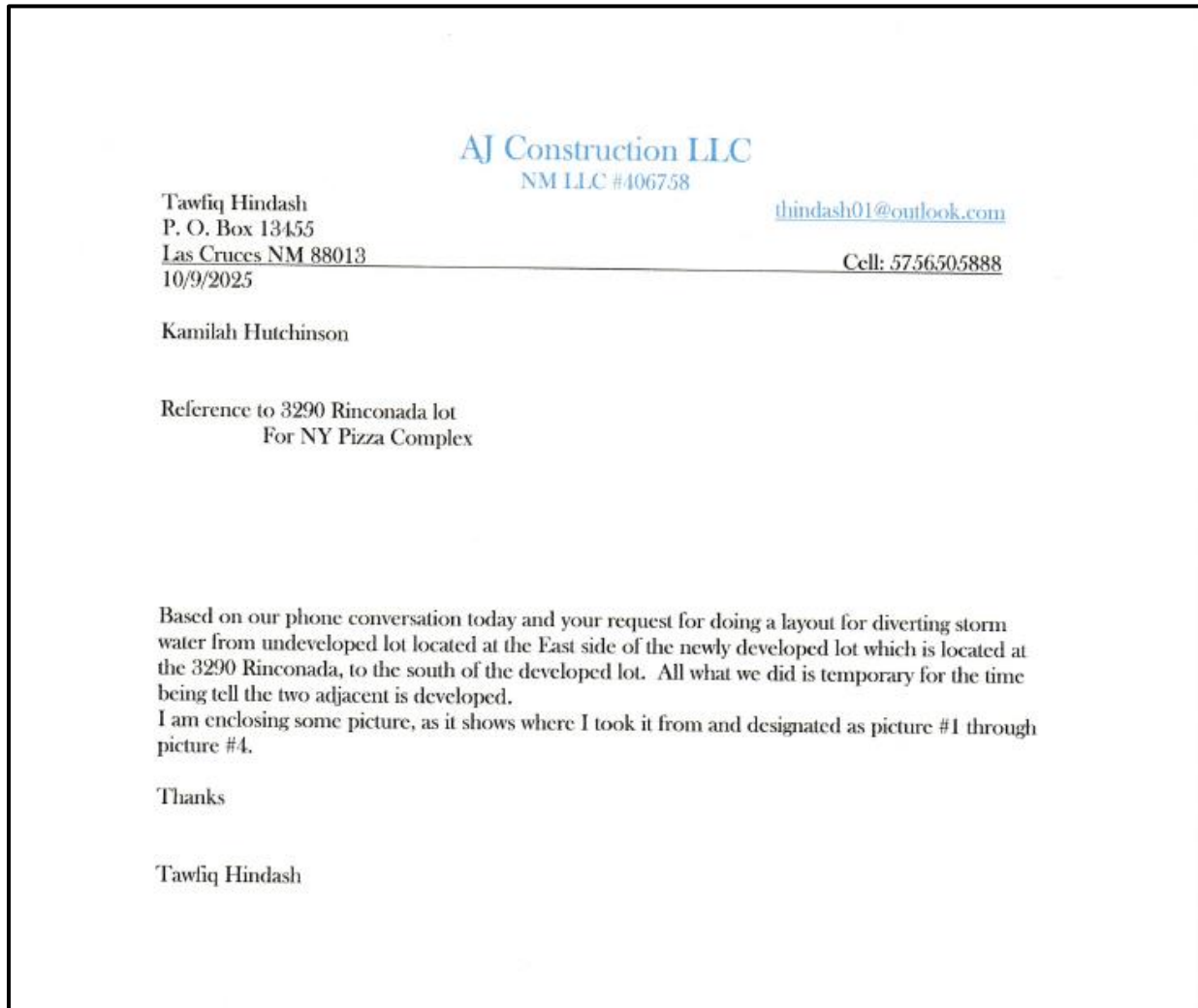


AJ Construction LLC
NYP Pizza
Inspection Date: 08/27/2025

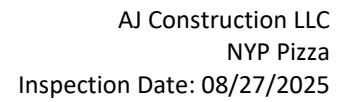
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 2: Photograph Log

Photo No. 1

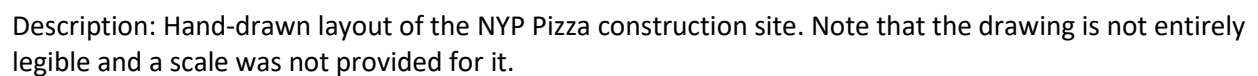


Description: Letter provided by Mr. Hindash via email on October 8, 2025, for the NYP Pizza construction site detailing documentation provided to demonstrate that stormwater is diverted from the undeveloped lot at the east end of the construction site to the southeast end of the construction site at Rinconada Boulevard.



Appendix 2: Photograph Log

Photo No. 2





AJ Construction LLC
NYP Pizza
Inspection Date: 08/27/2025

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 2: Photograph Log

Photo No. 3



Description: View of an unknown sediment area of the construction site.



AJ Construction LLC
NYP Pizza
Inspection Date: 08/27/2025

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 2: Photograph Log

Photo No. 4



Description: View of the eastside of the construction site paved parking lot area and the adjacent undeveloped sediment area.



AJ Construction LLC
NYP Pizza
Inspection Date: 08/27/2025

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 2: Photograph Log

Photo No. 5



Description: View of the undeveloped sediment adjacent to the dumpster enclosure at the east end of the construction site.



AJ Construction LLC
NYP Pizza
Inspection Date: 08/27/2025

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 2: Photograph Log

Photo No. 6



Description: View of the north eastside end of the construction site, and the adjacent undeveloped sediment area.