

Key Performance Measures
Second Quarter FY 13

New
Mexico
Environment
Department

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New Mexico Environment Department

Key Performance Measures Second Quarter FY 13

**October 1 – December 31,
2012**

**Cabinet Secretary
F. David Martin**

**Deputy Secretary
Butch Tongate**

New Mexico Environment Department

Mission:

To provide the highest quality of life throughout the state by promoting a safe, clean, and productive environment.



In meeting our Mission, we are committed to:

Providing clear articulation of our goals, standards, and expectations in a professional manner so that employees and the public can make informed decisions and be actively involved in setting priorities.

Promoting environmental awareness through the practice of open and direct communication and sound decision-making by carrying out the mandates and initiatives of the Department in a fair and consistent manner.

Executive Summary

The New Mexico Environment Department is committed to protecting New Mexico's air, water and land for present and future generations. The department's work is broad and touches every New Mexican in one way or another. We oversee the quality of tap water residents' drink, ensure food they eat at restaurants meets safety standards and guard the quality of air residents breathe.

New Mexico Environment Department Secretary David Martin is committed to working with individuals, cities, counties, businesses, tribes and nongovernmental entities in finding solutions for environmental concerns. He believes in a person-to-person approach in meeting with those groups on a range of issues related to landfills, dairies, coal-fired power plants, water and wastewater systems and the state's national laboratories. We also contribute to the economic vitality of our state by safeguarding New Mexico's precious, limited water resources.

Our more than 650 employees provide information to residents in field offices, conduct scientific tests and ensure regulated entities meet standards that protect public health. Employees of the department serve citizens of New Mexico through our work in outreach, permitting, inspection and enforcement.

We provide citizens and businesses with information on environmental protection and health and safety requirements. The department awards permits to facilities and businesses that ensure operations meet established environmental standards. We inspect work sites and industrial facilities to ensure they meet environmental laws and protect public and employee health and safety. The department works to resolve environmental issues that have or could have a direct impact on the health our state's residents.

Department Program Listing

RESOURCE MANAGEMENT PROGRAM

PURPOSE: Resource Management provides overall leadership, administrative, legal, and information management support to the Department staff and oversight and regulatory entities. This support allows the Department to operate in the most knowledgeable, efficient and cost effective manner possible, and provides the public with information necessary to hold the Department accountable.

PROGRAM COMPONENTS: Program Support is comprised of the Office of the Secretary, General Counsel, Office of Information Technology, Administrative Services Division, and the Office of Communications.

AUTHORITY: The laws and regulations governing Resource Management Program components include Laws of 1987, Chapter 74 Articles 1 through 9; 9-7A-6 NMSA 1978; 74-1-6 NMSA 1978; 74-6A-2 NMSA 1978, 74-9-14 NMSA 1978, 74-6A1 through 74-6A-13 NMSA 1978; 74-6B-1 through 74-6B-14 NMSA 1978; and 50-9-19 NMSA 1978.

RESOURCE PROTECTION PROGRAM

PURPOSE: The Resource Protection Program prevents releases of petroleum products into the environment, protects the quality of New Mexico's ground and surface water resources to ensure clean and safe water supplies are available now and in the future to support domestic, agriculture, economic and recreational activities.

PROGRAM COMPONENTS: The Resource Protection Program is comprised of the Ground Water, Surface Water, Department of Energy Oversight, Petroleum Storage Tank and Hazardous Waste Bureaus.

AUTHORITY: : The laws and regulations governing Resource Protection Program components include 61-1-1 through 61-1-13 NMSA 1978; 61-33-1 through 61-33-10 NMSA 1978; 69-25A-1 through 69-25A-36 NMSA 1978; 69-36-1 through 69-36-20 NMSA 1978; 74-1-1 through 74-1-17; 74-6-1 through 74-6-17 NMSA 1978; 74-6A-1 through 74-6A-15 NMSA 1978; 74-6B-1 through 74-6B-14 NMSA 1978; 74-13A-1 through 74-13A-6 NMSA 1978; 75-1-1 through 75-1-6 NMSA 1978; 74-4-1 through 74-4-14 NMSA 1978, 20 NMAC 6.1 through 20 NMAC 6.2, 20 NMAC 7.4 NMAC; 20 NMAC 4.1 through 20 NMAC 4.3, US Clean Water Act 33 U.S.C., Code of Federal Regulation - Title 40, Superfund National Contingency Plan, Federal Resource Conservation Act Subtitle C (including Hazardous and Solid Waste amendments); Federal Facilities Compliance Act.

ENVIRONMENTAL PROTECTION PROGRAM

PURPOSE: The Environmental Protection Program protects New Mexico's air quality, ensures solid waste is handled and disposed of without harming natural resources, and ensures safe and healthful working conditions for employees. The Program also protects public health and the environment through specific programs that provide public outreach and education and regulatory oversight of the treatment and disposal of medical radiation and the Waste

Isolation Pilot Plant (WIPP) transportation. It also provides public outreach and education about radon in homes and public buildings.

PROGRAM COMPONENTS: The Environmental Protection Program is comprised of the Air Quality, Occupational Health and Safety, Radiation Control and Solid Waste Bureaus.

AUTHORITY: The laws and regulations governing Environmental Protection Program components include 74-2-1 through 74-2-17 NMSA 1978; 74-3-1 through 74-3-16 NMSA 1978; 74-4E-1 through 74-4E-9 NMSA 1978; 74-1-1 through 74-1-15 NMSA 1978; 74-4-1 through 74-4-14 NMSA 1978; 74-4B-1 through 74-4B-14 NMSA 1978; 74-4C-1 through 74-4C-4 NMSA 1978; 74-6A-15; 74-7-1 through 74-7-8 NMSA 1978; 74-8-1 through 74-8-3 NMSA 1978; 74-9-1 through 74-9-43 NMSA 1978; 74-10-1 through 74-10-100 NMSA 1978; 74-11-1 through 74-11-17 NMSA 1978; 50-9-1 through 50-9-25 NMSA 1978; 61-14E-1 through 61-14E-12 NMSA 1978; 20 NMAC 2.70 through 20 NMAC 2.74, 20 NMAC 2.79; 20 NMAC 4.1 through 20 NMAC 4.2; 20 NMAC 8.22; 20 NMAC 5.1 through 20 NMAC 5.19; 20 NMAC 9.1 through 20 NMAC 9.25; Federal Clean Air Act and EPA delegation authority (40 CFR Part 58); Emission Standards for Motor Vehicles, 29 CFR Part 102; and, Mammography Quality Standard Act of 1992, 21 CFR U.S. Food and Drug Administration.

FIELD OPERATIONS & INFRASTRUCTURE PROGRAM

PURPOSE: The purpose of the Field Operations & Infrastructure Program is to provide leadership for an interagency effort to develop a water and wastewater infrastructure evaluation plan, and recommendations for efficient and effective use of water and wastewater loan funds; and to ensure compliance with the Safe Drinking Water Act. The program also protects public health and the environment through specific programs that provide public outreach and education and regulatory oversight for food service and food processing facilities, liquid waste treatment and disposal, public swimming pools and baths, and mosquito abatement.

PROGRAM COMPONENTS: The Field Operations & Infrastructure Program is composed of the Environmental Health Bureau, the Construction Programs Bureau and the Drinking Water Bureau.

Authority: laws and regulations governing Field Operations and Infrastructure Program components include 9-7A-1 through 9-7A-15 NMSA 1978; 3-29-1 through 3-29-21 NMSA 1978; 50-9-1 through 50-9-25 NMSA 1978; 61-1-1 through 61-1-33 NMSA 1978; 74-1-1 through 74-1-17 NMSA 1978; 74-4A-1 through 74-4A-14 NMSA 1978; 75-1-1 through 75-1-6 NMSA 1978; 7 NMAC 6.1, 7 NMAC 18.1; 11 NMAC 5.1 through 11 NMAC 5.4; 20 NMAC 3.1; 20 NMAC 7.2; 20 NMAC 7.3; 20 NMAC 7.5 through 20 NMAC 7.7; 20 NMAC 7.10; 29 CFR 1910, 1926, 1928; Agreement in Principle between the United States Department of Energy and the State of New Mexico for Environmental Oversight, Monitoring and Emergency Response, Sanitary Project Act, and Executive Order 2007-050.

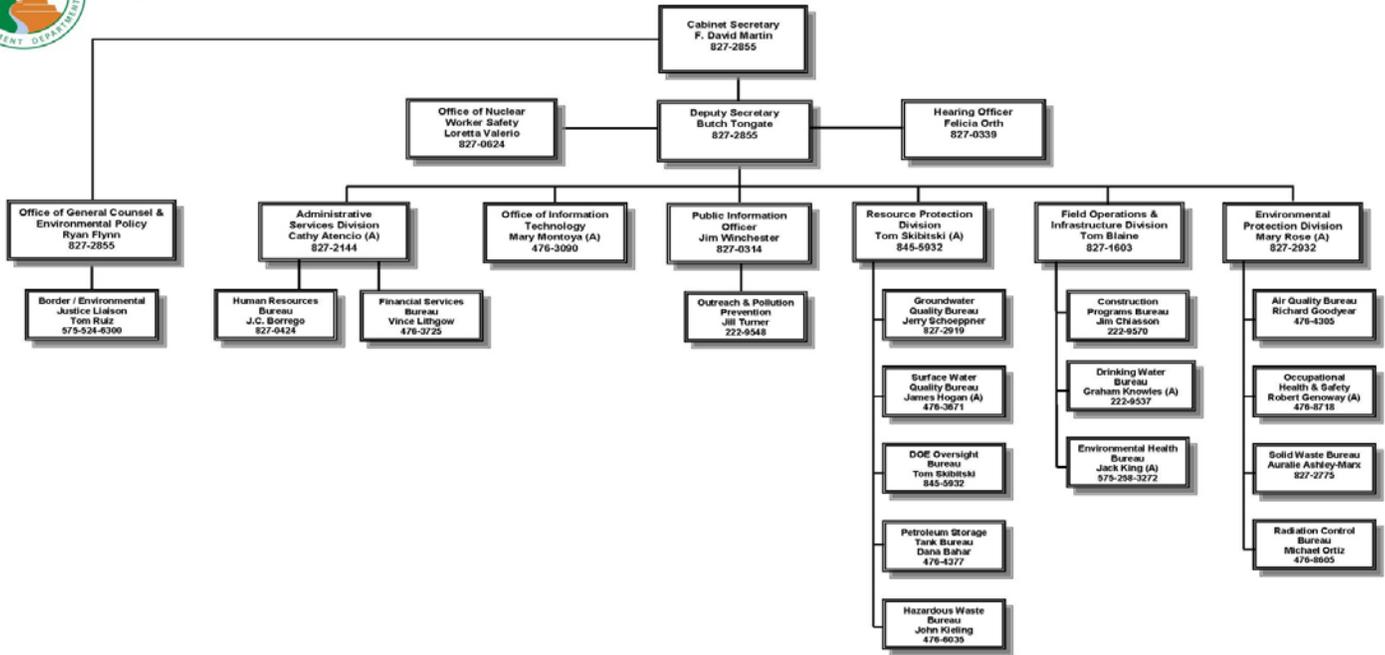
FY13 Operating Budget by Program *(In thousands)*

FY13 OPBUD	Resource Management	Resource Protection	Field Operations & Infrastructure	Environmental Protection	Special Revenues	Totals
Personal Services	\$6,110.8	\$17,335.4	\$12,572.4	\$11,639.2	\$456.5	\$48,114.3
Contractual Services	\$775.6	\$5,789.6	\$2,651.5	\$937.5	\$3,524.1	\$13,678.3
Other Costs	\$882.4	\$2,627.3	\$2,250.9	\$2,463.0	\$7,798.4	\$16,022.0
Other Financing Services					\$30,746.7	\$30,746.7
Totals	\$7,768.8	\$25,752.3	\$17,474.8	\$15,039.7	\$42,525.7	\$108,561.3
						FTE
Perm	45.0	51.0	130.0	72.0	5.0	303.0
Term	31.0	182.5	64.0	91.0		368.5
Totals	76.0	233.5	194.0	163.0	5.0	671.5

NMED Organizational Chart



New Mexico Environment Department
Organization Chart – Rev. 01/09/13



* unless otherwise noted, telephone numbers have 505 area code

NMED KEY PERFORMANCE MEASURES

Reporting Period – 2nd Quarter FY13 October 1 through December 31, 2012

Resource Management Program

Financial Services Bureau

Performance Measure 1.	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 Actuals	FY 13 Target
Percent of budgets reviewed and analyzed quarterly to the lowest program level.	100%	100%	100%	100%	100%

Data Source: Program Excel spreadsheets

Reliability: Spreadsheets are updated by program financial staff and reconciled to SHARE reports. Reliability depends on accuracy of input data and whether or not the spreadsheets are updated in a timely manner.

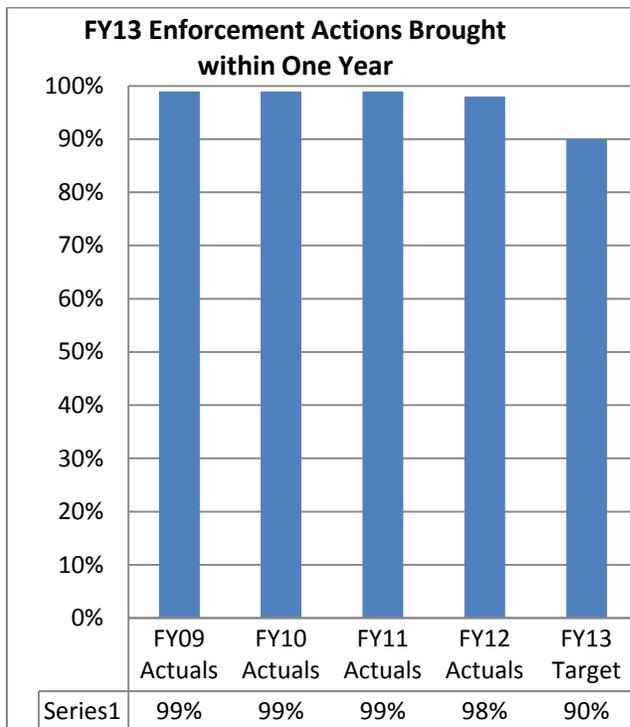
Comments: 100% - Reviews with all programs were held the second and third weeks in December. Budgets and anticipated revenues were discussed to ensure budget sufficiency through the end of FY13. Additionally, the necessity of submitting Budget Adjustment Requests before the start of the Legislative Session was also discussed.

Action Plan: None needed.

Resource Management Program

Office of General Counsel

Performance Measure 1.	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 Actuals	FY 13 Target
Percent of enforcement actions brought within one year of inspection or documentation of a violation.	99%	99%	99%	98%	90%
Objective:	Continue ensuring timely enforcement actions.				



Data Source: The Solid Waste Bureau (SWB), Ground Water Quality Bureau (GWB), Hazardous Waste Bureau (HWB) and Air Quality Bureau (AQB).

Reliability: Reliability is maintained by each bureau reporting.

FY13 Results as follows:

SWB – Nineteen (19) of 20 enforcement actions were issued within 12 months of inspection or identification of non-compliance (95%) for FY'13Q2.

GWB – The Bureau issued 5 NOV's; 2 NOD's; and 1 NONC. All were issued within one year of inspection or file review.

HWB – For the 2nd Quarter of FY13, HWB issued 9 initial enforcement actions and all were brought within 1 year of the associated inspection. All enforcement actions were Notices of Violation. HWB met the target.

AQB - For the second quarter of FY 13, twelve (12) of thirteen (13) enforcement actions (92%) were issued within 12 months of inspection or identification of non-compliance.

2nd quarter average of Bureaus – 48 of 50 enforcement actions brought within one year of inspection or documentation of a violation = 96%.

Action Plan: None needed.

Resource Protection Program

Groundwater Quality Bureau

Performance Measure 1.	FY 10 Actuals	FY 11 Actuals	FY 12 Actuals	FY 13 Target
Percent of groundwater discharge permitted facilities receiving annual field inspections and annual compliance evaluations	42%	54%	46%	50%



Data Source: Tempo database

Reliability: Performance of compliance evaluations and inspections, and the dates associated with the performance of these tasks, are entered into the database by program staff.

Comments: By the end of the 2nd quarter, 8.0% of the total number of permitted facilities (77 of 958) received inspections or compliance evaluations. This calculation assumes a total of 958 permitted facilities (the number of permits fell from 968 in the 4th quarter). This quarterly performance is under the pace to meet the annual goal primarily due to the loss of 3 additional staff members in addition to continuing staff shortages which have carried into the 2nd quarter of FY13.

Action Plan: This performance measure is expected to improve as new staff are brought on board in the 3rd quarter of FY13.

Groundwater Quality Bureau Continued

Performance Measure 2.	FY 10 Actuals	FY 11 Actuals	FY 12 Actuals	FY 13 Target
Percent of permitted facilities where monitoring results demonstrate compliance with ground water standards	72%	72%	71%	70%
Objective: Increase the number of permitted facilities that have successfully prevented ground water pollution and maximize the availability of high quality ground water supplies.				

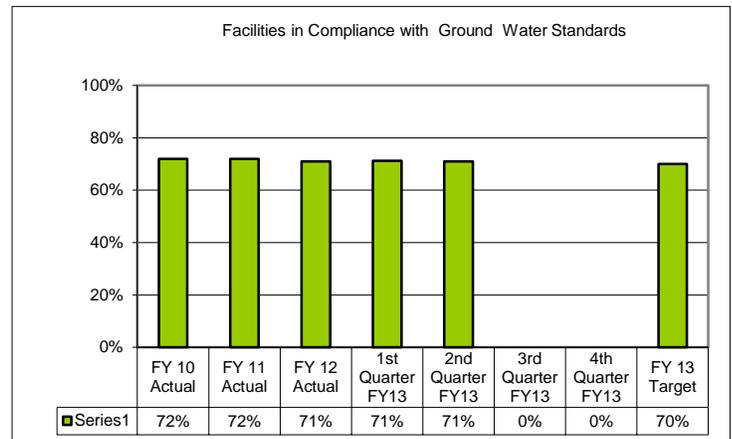
Data Source: Tempo database

Reliability: The Tempo database contains ground water analytical data and determinations as to whether WQCC ground water standards are being exceeded at each permitted facility. This information is updated as ground water analytical data is received by the program.

Comments: The 2nd quarter FY13 result was 70.8% (679 of 958 active/inactive sites). This result assumes a total of 958 permitted, facilities which have been adjusted downward from the assumed total of 968 in the 1st quarter of FY13.

Exceeding of ground water standards is typically representative of past wastewater management practices that are no longer permitted and the fact that clean-up activities often require long timeframes to restore ground water quality. The relatively small changes in the percentage of facilities not exceeding ground water quality standards from quarter to quarter have several causes: data revision effects; facilities that have one or several ground water monitoring wells with contaminant concentrations close to the value of a ground water standard that may be affected by seasonal fluctuations and analytical variations; and newly obtained ground water data from facilities that previously lacked adequate ground water monitoring.

Action Plan: None needed.



Resource Protection Program

Hazardous Waste Bureau

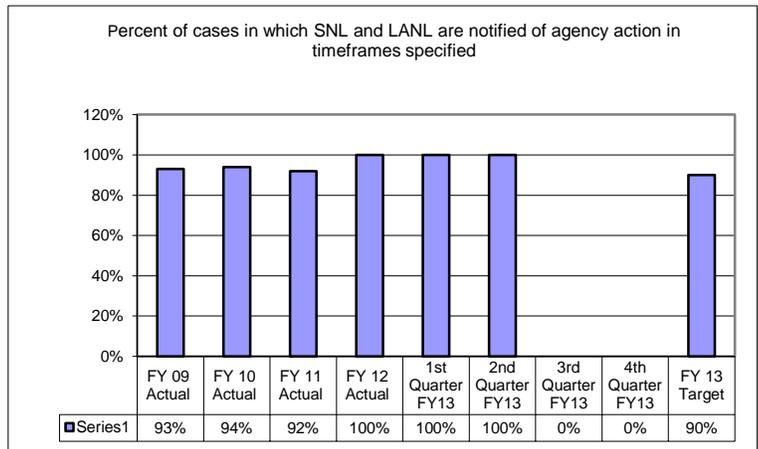
Performance Measure 1.	FY 08 Actuals	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 Actuals	FY 13 Target
Percent of cases in which Sandia National Laboratory and Los Alamos National Laboratory are notified of agency action on documents submittals within the timeframe specified in the executed consent orders	92%	93%	94%	92%	100%	90%
Objective: Ensure cleanup of the national laboratories under orders enforceable by the state of New Mexico.						

Data Source: Count of notices required during reporting period.

Reliability: Notices (with dates) are retained in official administrative record Data can be verified by third parties.

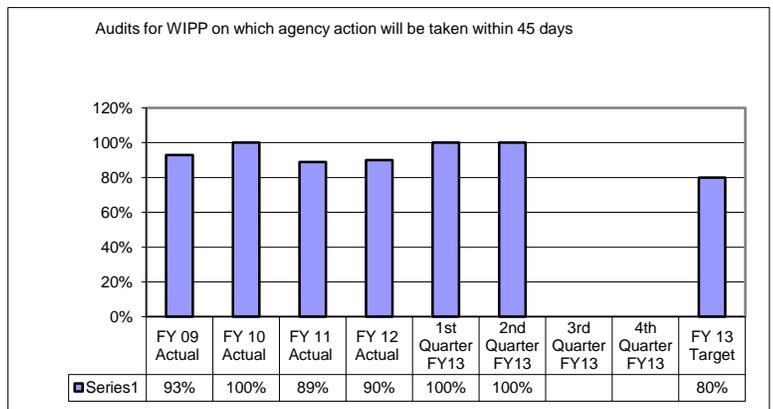
Comments: For the 2nd quarter of FY13 there were no documents with a Notice Date for Los Alamos National Laboratory. Two documents were approved that have notice dates for the upcoming fiscal year. No documents had Notice Dates in the reporting period for Sandia National Labs. For the 2nd Quarter of FY13 Notice Dates were met for the goal.

Action Plan: None needed.



Hazardous Waste Bureau Continued

Performance Measure 2.	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 Actuals	FY 13 Target
Percent of Department of Energy generator site audits for WIPP on which agency action will be taken within 45 days	93%	100%	89%	90%	80%



Data Source: Count of notices required during reporting period.

Reliability: Federal audits of RCRAInfo and NM's RCRA program and supervisory review of data and RCRA Info reports.

Comments: For the 2nd quarter of FY13 the Bureau received one audit report for review. The Bureau requested additional information on the audit report submitted during the quarter. The Bureau took action on an audit report submitted during the previous quarter. HWB is on schedule to meet the goal.

Action Plan: None needed.

Hazardous Waste Bureau Continued

Performance Measure 3.	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 Actuals	FY 13 Target
Percent of enforcement actions brought within one year of discovery of noncompliance with Los Alamos National Laboratory and Sandia National Laboratory consent orders	100%	100%	100%	100%	90%



Data Source: RCRAInfo database
Reliability: Federal audits of RCRAInfo and NM's RCRA program and supervisory review of data and RCRAInfo reports.

Comments: For the 2nd quarter of FY13 the Bureau did not issue any enforcement actions for non-compliance with the Consent Orders. There are no outstanding non-compliance issues that are over one year old. HWB is on schedule to meet the goal.

Action Plan: None needed.

Performance Measure 4.	FY 11 Actuals	FY 12 Actuals	FY 13 Target	FY 13 1 st Quarter	FY 13 2 nd Quarter
Percent reduction of active facilities that have never been inspected	2.9%	7.7%	3.5%	6.2%	5.2%
Objective: Ensure most hazardous waste generators are in compliance with regulatory requirements by reducing the percentage that have never been inspected					

Hazardous Waste Bureau Continued

Data Source: RCRAInfo database, C&TAP History Table

Reliability: Federal audits of RCRAInfo and NM's RCRA program and supervisory review of data and RCRAInfo reports.

Comments: At the beginning of FY13 the EPA RCRAInfo database listed 385 active hazardous waste generators as having never been inspected. At the end of the 2nd quarter of FY13, the HWB inspected 20 never before inspected facilities during the quarter, or a reduction of 5.2%. This number, together with the reduction in the 1st quarter (6.2%), totals 11.4% for the FY to date. HWB is on schedule to meet the goal.

Performance Measure 5.	FY 11 Actuals	FY 12 Actuals	FY 13 Target	FY 13 1st Quarter	FY 13 2nd Quarter
Percent of large quantity hazardous waste generators inspected	45.7%	26.2%	20.0%	4.0%	8.0%
Objective: Ensure all large quantity generators of hazardous waste are inspected at least once every 5 years per EPA national goal					

Data Source: RCRAInfo database

Reliability: Federal audits of RCRAInfo and NM's RCRA program and supervisory review of data and RCRAInfo reports.

Comments: At the beginning of FY13, the EPA RCRAInfo database listed 75 active LQGs in NM. Therefore, the 20% target is achieved by inspecting 15 LQGs. For the 2nd quarter of FY13, HWB inspected 6 LQGs (8%). This number, together with the percentage of LQGs inspected in the 1st quarter (4%), totals 12% for the FY to date. HWB is schedule to meet the goal.

Environmental Protection Program

Air Quality Bureau

Performance Measure 1.	FY 10 Actuals	FY 11 Actuals	FY 12 Actuals	FY 13 Target
Percent of facilities taking corrective action to mitigate air quality violations discovered as a result of inspections	97%	100%	100%	100%
Objective: Ensure that appropriate corrective action is taken to protect human health and the environment.				

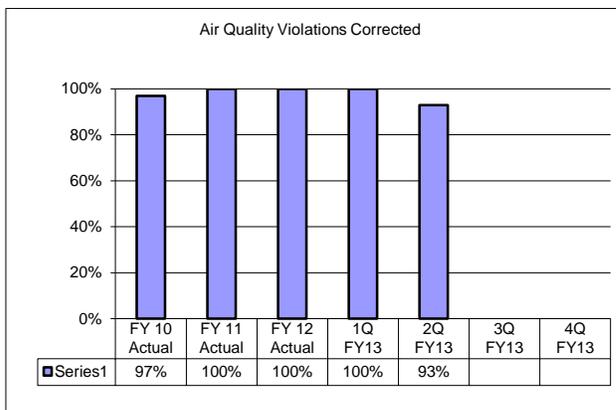


Data Source: AQB Data Tracking System (DTS)

Reliability: The data collected for this measure is highly reliable and is verified at several stages of case resolution. Reports from the DTS are run weekly to monitor the corrective actions on all outstanding NOV's and Compliance Orders.

Comments: The second quarter of FY13 result was 93%. There were fifteen enforcement actions requiring corrective action. Fourteen of the fifteen facilities took corrective action to mitigate violations.

Action Plan: None needed.



Environmental Protection Program

Occupational Health & Safety Bureau

Performance Measure 1.	FY10 Actuals	FY 11 Actuals	FY 12 Actuals	FY 13 Target
Percent of serious worker health & safety violations corrected within the timeframes designated on issued citations from the Consultation and Compliance Sections	95.7%	98.5%	93.6%	95%
Objective: Ensure that employees are protected from workplace hazards.				



Data Source: OSHA's Integrated Management Information System (IMIS)

Reliability: Violations discovered are entered into IMIS, along with the abatement/correction due date. There is a field for "abatement verified date" and the report cannot be closed unless there is an entry in that field. Reports run at the end of a quarter shows the number of serious violations identified, the violation abatement due date for each, and the date abatement was verified.

Comments: The consultation section identified 225 hazards and 219 were corrected timely for a 97.3% rate. The compliance section identified 47 hazards and 43 were corrected in a timely fashion for 91.4% rate. The combined correction rate for all hazards was 96.3%

The Consultation Section was able to work closely with small employers during the second quarter to reduce overall abatement times. The cumulative percentage for the section has increased from 82.7 to 91.0.

Action Plan: The Consultation Section will continue to work closely with small employers to ensure abatement times are minimized.

Occupational Health & Safety Bureau Continued

FY 13		2 nd Quarter Report		
		# Hazards/ Violations	# Corrected on Time	% Corrected on Time
Consultation Section	1 st Qtr	180	149	82.7%
	2 nd Qtr	225	219	97.3%
	3 rd Qtr			
	4 th Qtr			
	Year	405	368	91.0%
Enforcement Section	1 st Qtr	52	51	98.1%
	2 nd Qtr	47	43	91.5%
	3 rd Qtr			
	4 th Qtr			
	Year	99	94	94.9%
Combined Total (Consult. & Enforce.)	1 st Qtr	232	200	86.2%
	2 nd Qtr	272	262	96.3%
	3 rd Qtr			
	4 th Qtr			
	Year	504	462	91.7%

Performance Measure 2.	FY 12 Actuals	FY 13 Actuals	FY 13 Target
Percent of referrals alleging serious hazards responded to via an on-site inspection or investigation (letter or phone call to employer) within 10 working days	93.1%	92.6%	95.0%
Objective Ensure that response time is in accordance with federal and state regulations and policies, and that worker health and safety are protected.			

Data Source: OSHA's Integrated Management Information System

Reliability: Referrals are entered into the IMIS system on the day they are received. Within a day or two, a compliance officer is assigned to investigate, and the compliance officer schedules his or her investigation to begin within 10 days of initial receipt. A Referral Tracking Report run off of IMIS at the end of the quarter shows the date each referral was received and the date the corresponding investigation was initiated.

Comments: OHSB received 63 referrals in the 2nd quarter of FY13 and responded to 61 within 10 working days for a rate of 96.8%. A reduction in fatality investigations during the quarter allowed the bureau to place greater priority on referrals, resulting in an increase in the cumulative percentage for FY 13 (from 89.4% to 92.6%).

Action Plan: The Compliance Program Manager will continue to monitor outstanding referrals and assign compliance officers as priorities dictate.

Occupational Health & Safety Bureau Continued

FY 13		2 nd Quarter Report		
		# Referrals Received	# Inspected or Investigated within 10 days	% Inspected or Investigated on Time
	1 st Qtr	85	76	89.4%
	2 nd Qtr	63	61	96.8%
	3 rd Qtr			
	4 th Qtr			
	Year	148	137	92.6%

Environmental Protection Program

Solid Waste Bureau

Performance Measure 1.	FY 10 Actuals	FY 11 Actuals	FY 12 Actuals	FY 13 Actuals 1 st Qtr	FY 13 Target
Percent of permitted active solid waste facilities and infectious waste generators inspected that were found to be in compliance with the New Mexico Solid Waste Rules	82%	86%	85%	76%	75%
Objective: To inspect facilities and determine if there are violations of one of the critical requirements for substantial compliance.					

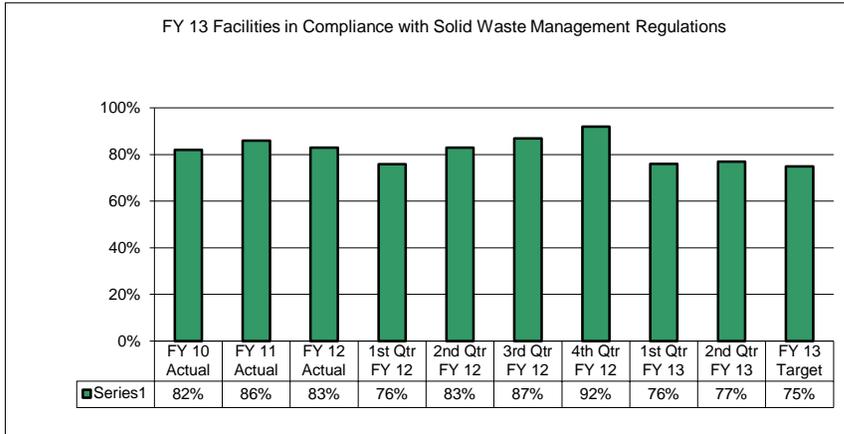
Data Source: SWB Database

Reliability: Inspection records maintained in hardcopy form in both the main office and in District Offices. Enforcement officers tabulate activity based on actual report records. Field Enforcement Officer's logs are reviewed by the supervisor.

Comments: Percentage of facilities in compliance was 77% for the 2nd quarter of FY13.

Action Plan: None needed.

Solid Waste Bureau Continued



FY13Q2	No. of Inspected Facilities	No. with Two or more Significant Violations	No. with No More Than One Significant Violation	Notes
Enforcement Area I	4	1	3	
Enforcement Area II	1	0	1	
Enforcement Area III	2	1	1	
Enforcement Area IV	5	1	4	
Enforcement Area V	1	0	1	
Totals	13	3	10	
*** Inspections with no more than one significant violation divided total number of inspections x 100 = % in compliance				
Percent of Inspected Facilities in Substantial Compliance: 77%				

Solid Waste Bureau Continued

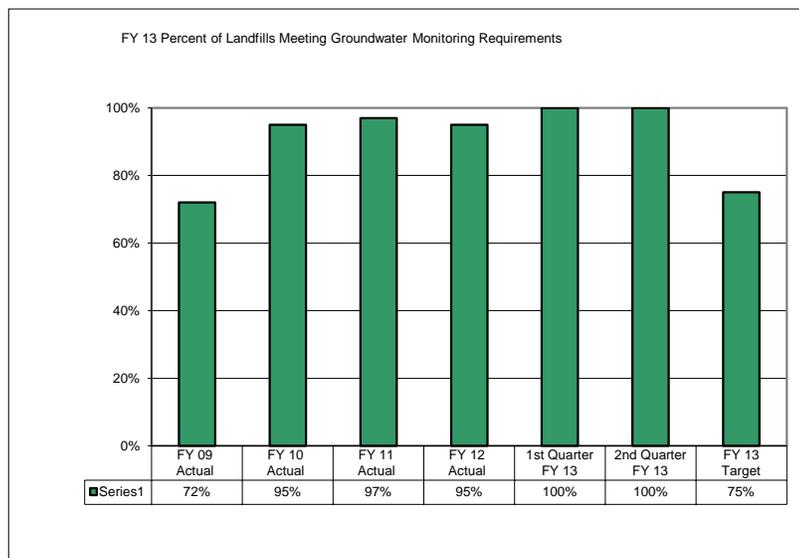
Performance Measure 2.	FY 12 Actuals	FY 13 1 st Qtr Actuals	FY 13 2 nd Qtr Actuals	FY 13 Target
Percent of landfills compliant with groundwater sampling and reporting requirements	95%	100%	100%	75%
Objective: To ensure that the impacts to groundwater quality from permitted landfills are prevented through routine groundwater sampling and reporting as determined by submission and review of groundwater monitoring reports.				

Data Source: Ground Water Monitoring Database. In the past, reports were mostly sent from the landfill operators to the SWB annually, usually in February, for the preceding calendar year (January – December). Since August 2007, when the new Solid Waste Rules became effective, the landfill operators are required to send in the monitoring reports within 90 days of completing sampling.

Reliability: A Hydrologist reviews reports submitted from landfills and prepares a summary report. Reported percentage is based on the number of reports received. If a facility completes groundwater monitoring and does not provide the report, they are considered out of compliance. The reliability of the data regarding the number of facilities reporting is high. However, the Bureau continually updates files to ensure the number of facilities identified as required to report (68 as of October 2012) is accurate. Some facilities may no longer be required to report because they have been granted a waiver of groundwater monitoring, have completed the closure monitoring period, or are exempt. Some other facilities, which have recently been permitted, may be just starting their groundwater monitoring and need to be added to the database as they become operational.

Comments: The 2nd quarter of FY13 result was 100% compliance. There are currently 22 permitted facilities that require ground water monitoring reports. During the 2nd quarter, none of the 22 permitted facilities violated the requirement to submit ground water monitoring reports within 90 days of completing sampling or were determined to be in violation of the sampling frequency requirements of their ground water monitoring plans. The measure includes landfills that performed their ground water sampling as required in their ground water monitoring plans and submitted to the Department within the required 90 day period or were granted an extension. Registered (unlined) and closed facilities are not included in this measure.

Action Plan: None needed.



Environmental Protection Division

Radiation Control Bureau

Performance Measure 1.	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 Actuals	FY 13 Target
Percent of license inspections completed within the timelines identified in the Radiation Control Bureau policies.	95%	98%	97%	99%	85%

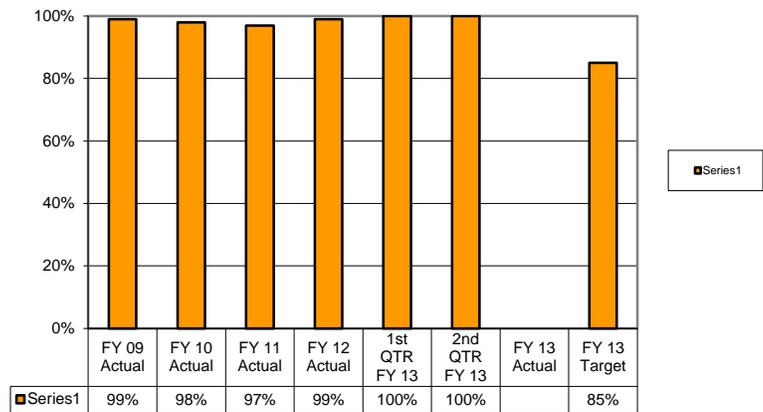
Data Source: Radiation Control Bureau Radioactive Material Licensee and X-ray Registrant Databases.

Reliability: Hard copies of all inspections are maintained in the Radiation Protection Program Central Office.

Comments: There were 18 RAM license inspections due and 18 (100%) were completed. The target was met for the 2nd quarter of FY13

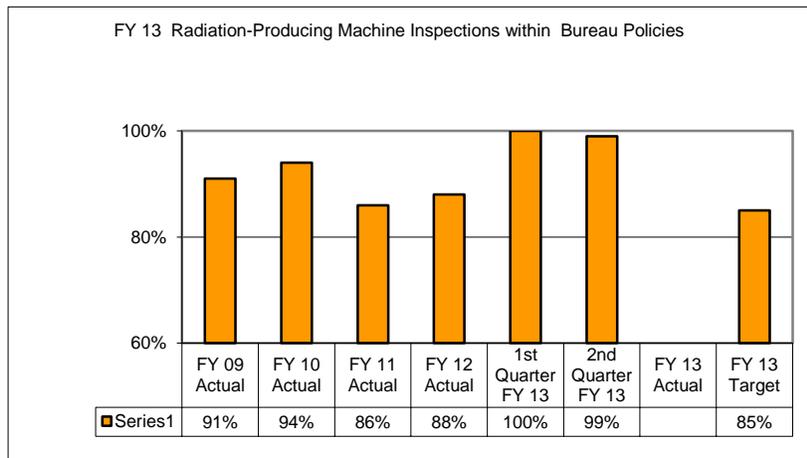
Action Plan: None needed.

FY 13 License Inspections Completed



Radiation Control Bureau Continued

Performance Measure 2	FY 09 Actuals	FY 10 Actuals	FY11 Actuals	FY 12 Actuals	FY 13 Target
Percent of radiation - producing machine inspections completed within the timeframes identified in the Radiation Control Bureau Policies.	91%	94%	86%	88%	85%



Data Source: Radiation Control Bureau Radioactive Material Licensee and X-ray Registrant Databases.

Reliability: Hard copies of all inspections are maintained in the Radiation Protection Program Central Office.

Comments: There were 115 inspections due and 114 (99% were completed). The target was met for the 2nd quarter of FY13.

Action Plan: None needed.

Field Operations & Infrastructure

Environment Health Bureau – Liquid Waste

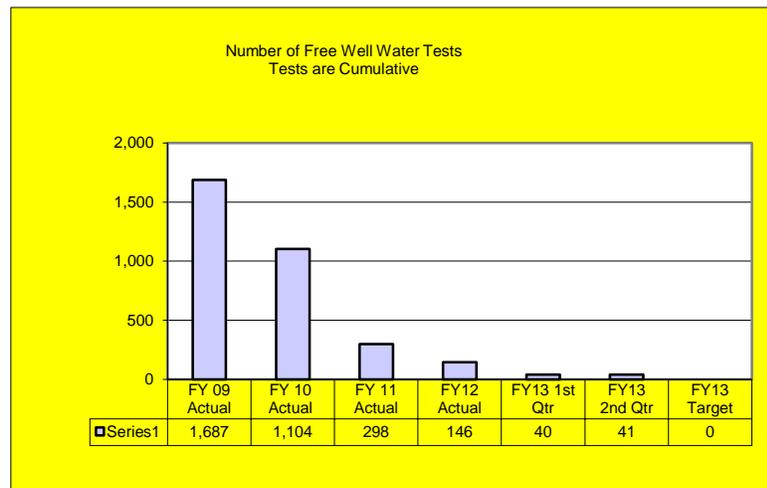
Performance Measure 1.	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 Actuals	FY 13 Target
Number of free well water tests.	1,687	1,104	298	146	0 (Sampling will continue as resources become available)

Data Source: District Managers

Reliability: Hard copies of all test results are maintained in each field office.

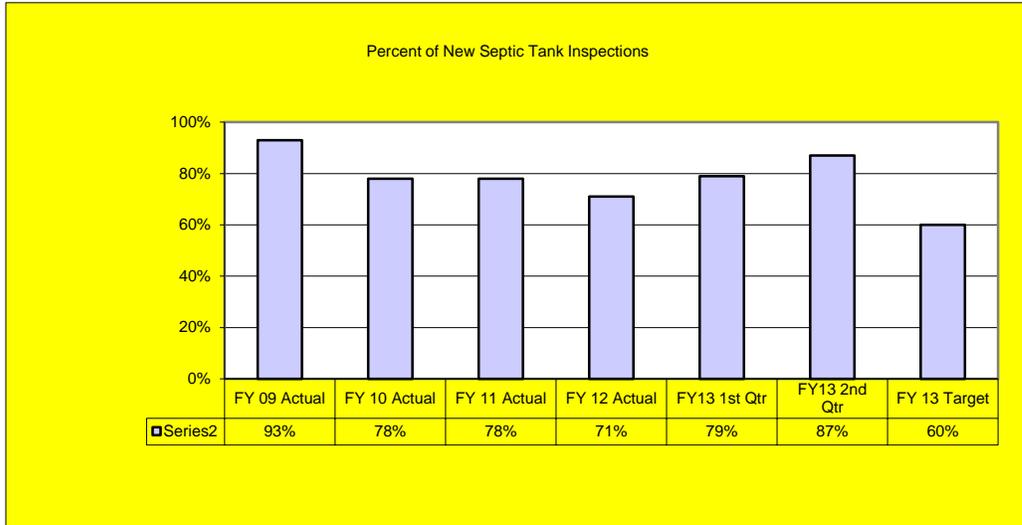
Comments: The FY13 2nd quarter result is 41 well water tests performed; 81 cumulative well tests performed in quarters 1 & 2. Field offices continue to advertise for and perform private well water testing services on demand and through water fairs (as chemical testing reagents and staff are available) in order to provide homeowners with a test of the quality of their drinking water as well as to provide the Department with valuable information on the quality of ground water resources state-wide.

Action Plan: None needed.



Environmental Health Bureau - Liquid Waste Continued

Performance Measure 2.	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 Actuals	FY 13 Target
Percent of new septic tank inspections completed.	93%	78%	78%	71%	60%



Data Source: District Managers/ Liquid Waste Database
Reliability: A manual count is performed and compared to information in the Liquid Waste Database.

Comments: The FY13 2nd quarter result is 87%, or 709 inspections out of 819 permits issued for the quarter. The cumulative result for quarters 1 and 2 is 83%, or 1,421 inspections out of 1,720 permits issued. The target was met for the 2nd quarter.

Action Plan: None needed.



Environmental Health Bureau - Liquid Waste Continued

Performance Measure 3.	FY 11 Actuals	FY 12 Actuals	FY 13 Target
Percent of homeowners with contaminated wells advised on how to eliminate or reduce health risks.	100%	100%	0% (Sampling and advice will continue as resources become available)
Objective: To ensure that users of contaminated water wells are aware of the health risks and options for treatment.			

Data Source: Program Manager/District Managers
Reliability: Hard copies of all well water test results and letters sent to the homeowners along with Fact Sheets that advise on how to eliminate or reduce health risks are maintained in central office.

Comments: The FY13 2nd quarter result is 100%, or 6 homeowners with contaminated well users advised out of 6 contaminated well test results. The cumulative result for quarters 1 and 2 is 100% with 17 contaminated well users advised out of 17 contaminated well test results.

Action Plan: None needed.

Field Operations & Infrastructure Program

Environmental Health Bureau - Food Program

Performance Measure 1.	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 Actuals	FY 13 Target
Percent of high risk food related violations corrected within the timeframes noted on the inspection report issued to permitted commercial food establishments.	85%	86%	84%	83%	100%
Objective: To assure protection of the public from possible food borne illness.					

Environmental Health Bureau - Food Program Continued



Data Source: District Offices/ Tempo Database

Reliability: Hard copies of all inspections and test results are maintained in each field office.

Comments: The FY13 2nd quarter result is 94% (1,626 high risk violations corrected out of 1,725 violations corrections due during routine inspections). The cumulative for quarters 1 and 2 is 85% (2,913 high risk violations corrected out of 3,431 violations corrections due during routine inspections). The result demonstrates an under-performance for the Food Program based on the 100% target. As protocol allows, NMED food inspectors must assess the severity and public health significance of any inspection results and may conduct a follow-up inspection (the violations may or may not be corrected at a follow-up), have the high risk violations corrected on-site or issue a Notice of Corrective Action Response (NCAR) form.

Action Plan: A challenge in achieving this goal remains the number of vacant positions. Existing staff continue to strive to meet the requirement of the Food Regulations by performing one inspection of annually permitted facilities. Additional inspections are difficult to accomplish, which are required in order to follow up on some of the violations cited. For violations that do not require follow up inspections, inspectors continue to strengthen efforts in requiring that the high risk violation noted be corrected at the time of the inspection and/or issue NCAR forms and following up on responses. The improvement seen from quarter 1 to quarter 2 is attributed to some vacancies being filled and new staff being trained on the importance of high risk violations being corrected.

High risk violations that are not corrected within the timeframe noted are followed up on by NMED staff; diligent effort is made in working with the facility to eventually get the violation corrected.

NMED's ability to meet this target is reliant on the facility making the corrections to high risk violations. It should be noted, however, that there are other actions the department takes for facilities that continuously fail at correcting high risk violations and are determined a public health risk. These actions include downgrades, suspensions and closures and are important in regard to protecting the public from possible food borne illness.

Field Operations & Infrastructure Program

Construction Programs Bureau

Performance Measure 1.	Explanatory FY 13
Total number of new projects funded and dollar amount of new loans made from the Clean Water State Revolving Fund Program (CWSRF) and the Rural Infrastructure Revolving Loan Program (RIP).	See Box Below
Objective: Provide information on new projects funded and new loans made from the Clean Water State Revolving Fund Program and the Rural Infrastructure Revolving Loan Program.	

Data Source: Loans and Grants Tracking System (LGTS) and Program Excel spreadsheets

Reliability: Information is updated by CPB Project Engineers and the Program Administrators as the project progresses.

Comments: Rural Infrastructure Revolving Loan Program (RIP) Loan activity 2nd Quarter FY13
(October 2012-December 2012)

1. **Lower Des Montes MDWCA** – NMED executed a loan agreement with the MDWCA on October 17, 2012 in the amount of \$60,000 for water system improvements.
2. **Santa Cruz MDWCA** – NMED executed a loan agreement with the MDWCA on December 10, 2012 in the amount of \$120,000 for a water system tank, meters and lines. The loan agreement is being routed for signatures.
3. **Dona Ana MDWCA** – Dona Ana has requested \$2,000,000 in RIP funds. NMED is working with the MDWCA to fund a loan. The project is to purchase the Picacho Hills water and wastewater systems and make improvements to the infrastructure.

Comments: Clean Water State Revolving Fund (CWSRF) Activity 2nd Quarter FY13 (October 2012-December 2012)

1. **City of Las Vegas** – NMED executed a loan agreement with the City on October 17, 2012 to fund a loan/grant combination in an aggregate amount of \$840,000 (\$356,000 loan/\$484,000 grant) for a sludge handling facility project.
2. **San Juan County** – NMED executed a loan agreement with the County on October 17, 2012 to fund a loan/grant combination in an aggregate amount of \$176,000 (\$86,000 loan/\$90,000 grant) for engineering and design of the Lower Valley decommissioning and lift station hookup project.



Taos Weather Station, Wastewater Treatment Plant, and Aerator Basin 2012

Construction Programs Bureau Continued

Performance Measure 2.	FY11 Actuals	FY 12 Actuals	FY 13 Targets
Number of Project Information Forms processed for water, wastewater and solid waste projects	265 (100% of all applications received)	259 (100% of all applications received)	Process 100% of all forms received
Objective: Provide information on the percent of new Project Information Forms processed to accommodate demand for water, wastewater, and solid waste infrastructure funding			

Data Source: Uniform Funding Application Database

Reliability: The database is maintained by CPB Community Service staff that follows up on each application filed to verify accuracy and eliminate duplications.

Comments: 139 new Project Information Forms (PIFs) were received and 100% were processed in the 2nd Quarter of FY13.

Action Plan: None needed.



Tucumcari Effluent Reuse 2012

Construction Programs Bureau Continued

Performance Measure 3.	FY 12 Actuals	FY 13 Target
Percent of Environmental Protection Agency clean water state revolving loan fund capitalization grant and matching state funds committed to New Mexico communities for wastewater infrastructure development in the state fiscal year following receipt of an EPA grant.	94%	75%
Objective: Provide the percent of the previous years' CWSRF Capitalization Grant committed to projects to show the use of funds for wastewater infrastructure statewide.		

Data Source: Official Notice(s) of Grant Award received from EPA, SHARE.

Reliability: Checked by ASD Grant Office and ASD SHARE staff and CPB loan staff before being expended.

Comments: In FY12, CPB was awarded \$7,222,000 in a CWSRF cap grant which requires \$1,444,400 in state match funds. The project period for this \$8,666,400 began April 1, 2012.

In FY13 Quarter 2 two new CWSRF base program loan/grant agreements were executed. The CWSRF executed loans described in Performance Measure 1 above total \$1,016,000 or 12% of the grant and associated state match funds.

Field Operations & Infrastructure Program

Drinking Water Bureau

Performance Measure 1.	FY 12 Actuals	FY 13 Target
Number and Location of boil water advisories issued to consumers when a water system violates the bacteria (or total coliform) standard and the presence of E. coli or fecal coliform is detected	Ten (10) boil water advisories and four (4) precautionary advisories issued in FY12	TBD - there is no way to estimate the number or percentage of water systems that may become contaminated
Objective: Ensure regulated facilities are in compliance with regulatory requirements		

Data Source: Safe Drinking Water Information System Database (SDWIS)

Reliability: Hard copies of all sampling records are maintained and are available for data verification purposes.

Comments: Two Boil Water Advisories were issued during this reporting period for San Cristobal MDWCA in Taos County on November 17, 2012 and Seboyeta Water System in Cibola County on November 19, 2012. San Cristobal's advisory was rescinded on November 30, 2012 and Seboyeta's was rescinded on November 22, 2012.

Action Plan: None needed.

Drinking Water Bureau Continued

Performance Measure 2.	FY 12 Actuals	FY 13 Target
Number of site visits and assistance actions provided to public water systems to ensure compliance with Safe Drinking Water Act regulations.	449 site visits 3675 assistance actions	200 Site visits and 3500 assistance actions
Objective: To determine the presence of chemical contamination so action may be taken to prevent exposure to contaminants in drinking water that are harmful to humans.		

Data Source: District Managers

Reliability: Hard copies of all inspections and test results are maintained in each field office.

Comments: The Bureau performed one hundred sixty four (164) site visits and six hundred eighty two (682) assistance actions during the 2nd quarter of SFY13.

*Water system assistance action examples include: regulatory guidance, technical guidance and assistance, engineering guidance and assistance, and best practices for water system management.

Drinking Water Bureau Continued

Performance Measure 3.	FY 12 Actuals	FY 13 Target
Percent of public drinking water systems inspected within one week of notification of system problems that might impact public health.	100%	100%
Objective: To ensure safe drinking water is provided to the public		

Data Source: District Managers/ Safe Drinking Water Information System Database (SDWIS)

Reliability: Hard copies of all inspections and test results are maintained in each field office.

Comments: The following systems reported problems that could have impacted public health:

- La Familia Medical Center in Santa Fe County had a nitrate exceedance during this reporting period; however, no site visit was conducted due to the fact that this is an on-going issue and DWB staff are continuing to work with the system to address the problem for the long term. Notices are posted and bottled water is provided at the facility. It should be noted that the DWB conducted a site visit immediately following the first incident.
- Ruidoso Water System contacted DWB staff on October 30, 2012 with concerns of low water in Grindstone Reservoir that supplies the Plant 4 Surface Water Treatment Plant. They have been unable to divert water from the Rio Ruidoso due to contamination from the Little Bear Wildfire. DWB conducted a site visit the same day and discussed options to consider in the event the plant needed to be shut down. On December 3, 2012 another Ruidoso Surface Water Treatment Plant lost chlorine residual. The DWB Water System Specialist contacted the system that day and provided technical assistance and followed up with a site visit on December 10, 2012.
- Masson Farms of New Mexico in Dona Ana County exceeded the nitrate MCL and a site visit was conducted within 24 hours. DWB staff are working with the system to address the problem.
- Pumpkin Patch Water System in Torrance County exceeded the nitrate MCL; however, no site visit was conducted due to the fact that this is an on-going issue and DWB staff are continuing to work with the system to address the problem for the long term.
- Forest Meadow Baptist Church in Bernalillo County exceeded the nitrate MCL; however, no site visit was conducted due to the fact that this is an on-going issue and DWB staff are continuing to work with the system to address the problem for the long term.

The current *Drinking Water Bureau Emergency Response Protocol for Threats or Intrusions to Public Water Systems* does not require a site visit to occur following a nitrate violation due to the nature of violations. The Water System Specialist uses best professional judgment to determine if a site visit is warranted. Site visits did not occur following these nitrate violations.

Action Plan: None Needed

Drinking Water Bureau Continued

Performance Measure 4.	FY 11 Actuals	FY 12 Actuals	FY 13 Target
Percent of public water systems surveyed to ensure compliance with drinking water regulations	91%	87.45%	90%
Objective: To ensure public water systems are able to comply with Safe Drinking Water Act requirements.			

Data Source: Safe Drinking Water Information System Database (SDWIS)

Reliability: Hard copies of all sanitary surveys (inspections) are maintained in each field office and also electronically available on the DWB server.

Comments: The percent of public water systems surveyed to ensure compliance with drinking water regulations is calculated using the following equation: $[100 - (\# \text{ of surveys due} / \# \text{ of systems} * 100)]$. During this reporting period the DWB conducted one hundred thirty one (131) sanitary surveys. At the end of the reporting period there were seventy (70) surveys that were due or past due out of a total of 1,154 drinking water systems. This means that 93.9% of the drinking water systems have sanitary surveys that are current, while 6.1% of the systems are due or past due for a survey. The DWB is continuously conducting sanitary surveys in a prioritized manner to protect public health. It is also important to take into consideration that the due date may be early in the calendar year and reported as past due in SDWIS, but in actuality systems have until the end of the calendar year to complete the survey and are not technically considered past due until the end of the calendar year.

Action Plan: None needed.