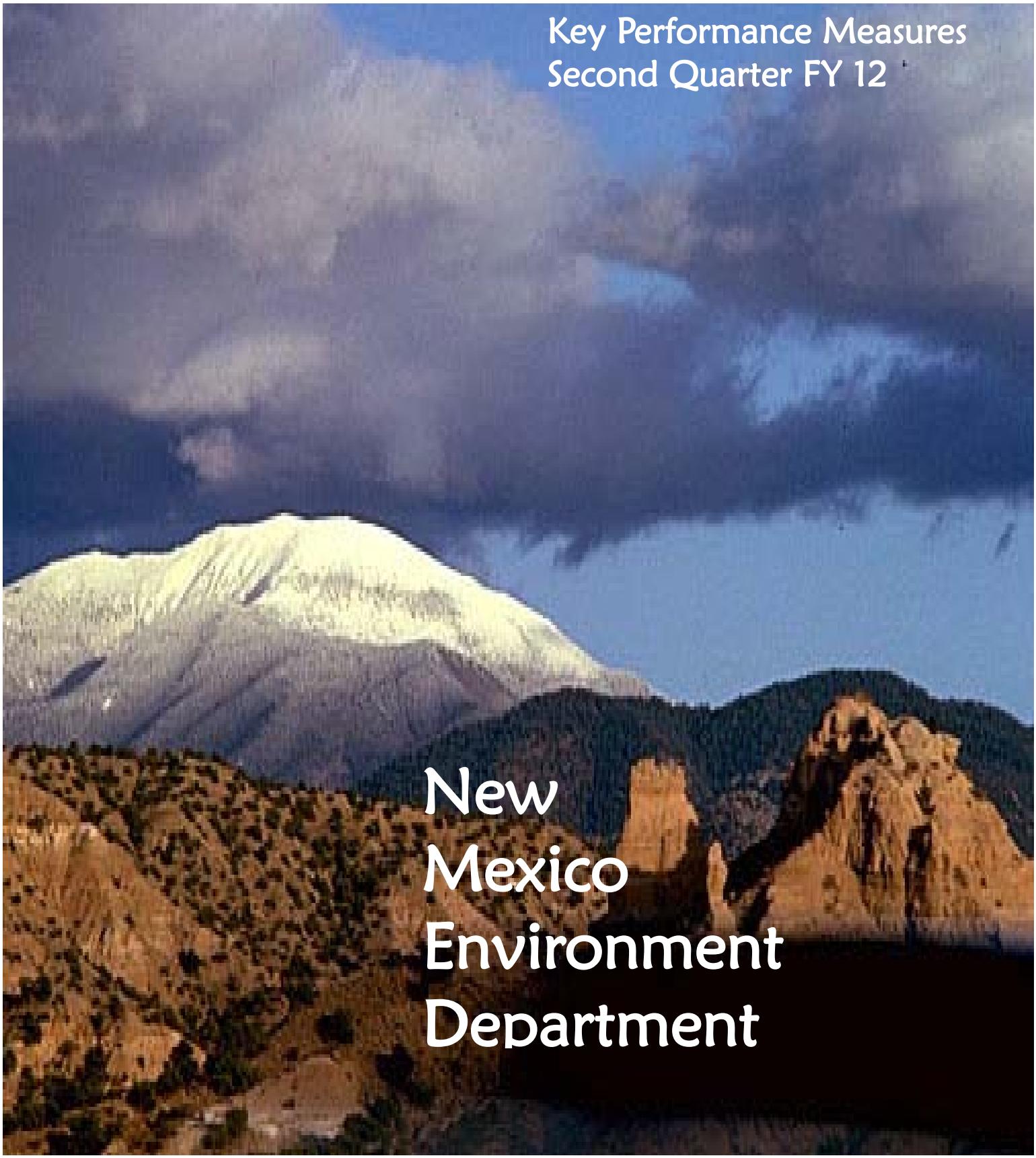

Key Performance Measures
Second Quarter FY 12

New Mexico Environment Department

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New Mexico
Environment Department

Key Performance Measures
Second Quarter FY 12

October 1 – December 31, 2011

Cabinet Secretary
F. David Marin

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. Through the American Recovery and Reinvestment Act, $40 million has been awarded for a variety of critical water quality, drinking water and wastewater infrastructure projects across the state. We continue to work with communities on those projects.

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

PROGRAM: Program Support

PURPOSE: Program Support 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 Council, Information Technology Division, the Administrative Services Division, and the Office of Communications.

AUTHORITY: The laws and regulations governing Program Support components include the Laws of 1987, Chapter 74 Articles 1 through 9; 9-7A-6; 74-1-6; 74-6A-2; 74-9-14; 74-6A-1 through 74-6A-13; 74-6B-1 through 74-6B-14; 50-9-19; 74-1-4; 74-6B-4 through 74-6-3.

PROGRAM: Water Quality

PURPOSE: The Water Quality Program 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 actives.

PROGRAM COMPONENTS: The Water Quality Program is comprised of the Ground Water, Surface Water, Department of Energy Oversight, and Hazardous Waste Bureaus.

AUTHORITY: The laws and regulations governing the Water Quality Program components include; 61-1-1 through 61-1-31 NMSA 1978, Section 61-33-1 through 10 Chapter 61, Article 33, 69-25A-1 through 69-25A-35 NMSA 1978, 69-36-1 through 20; 74-6-1 through 17 NMSA 1978, 74-6A-1 through 74-6A15, 74 -6B-1 through 14; 75-1-1 through 75-1-6 NMSA 1978; 20.6.1 through 6.2 NMAC, 20.7.4 NMAC, 110.2 NMAC; US Clean Water Act 33 U.S.C., Code of Federal Regulation - Title 40, Superfund National Contingency Plan, 74-4-1 through 14 NMSA 1978; 20.4.1 through 4.3 NMAC, federal Resource Conservation and Recovery Act Subtitle C (including Hazardous and Solid Waste Amendments); Federal Facilities Compliance Act.

PROGRAM: Environmental Protection

PURPOSE: The Environmental Protection Program protects New Mexico's air quality, prevents releases of petroleum products into the environment, ensures solid waste is handled and disposed of without harming natural resources, and ensures safe and healthful working conditions for employees.

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

AUTHORITY: The laws and regulations governing the Environmental Protection Program components include the Laws of 1987, Chapter 74 Articles 2 through 2 A; 74-2-1 through 74-2-17, Chapter 74 Article 12, 74-12.1, 20.2.70 through 2.74 NMAC; 20.2.79 NMAC, Federal Clean Air Act and EPA delegation authority (40 CFR Part 58), Laws of 1987, Chapter 74 Articles 4 through 4E-9; 74-1-1 through 74-1-15; 74-4-1 through 74-4-14; 74-4B-1 through 74-4B-14; 74-4C-1 through 74-4C-4, 74-4E-1 through 74-4E-9, Chapter 74 Article 6A, 74-6A-1

through 74-6B-14, Chapter 74, Article 7, 74-7-1 through 74-1-8, Chapter 74, Articles 8 through 11, 74-8-1 through 74-8-3, 74-9-1 through 74-9-42, 74-10-1 through 74-10-100, 74-11-1 through 74-11-17, 20.4.1 through 4.2 NMAC, 20.9.1 through 9.3 NMAC.

PROGRAM: Environmental Health

PURPOSE: The Environmental Health Program 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, medical radiation, drinking water, mosquito abatement and the Waste Isolation Pilot Plant (WIPP) transportation. The Environmental Health Program also provides public outreach and education about radon in homes and public buildings.

PROGRAM COMPONENTS: The Environmental Health Program is comprised of five district field offices and the Drinking Water and Radiation Bureaus.

AUTHORITY: The laws and regulations governing the Environmental Health Program components include the Laws of 1987, Chapter 50 Articles 9; 50-9-1 through 50-9-25, Chapter 61 Article 1, 61-1-1 through 61-1-31, Chapter 61 Article 14E, 61-14 E-1 through 61-14 E-12, Chapter 74, Article 4A, 74-4A-1 through 74-4A-14, 7NMAC 6.1, 7 NMAC 18.1, 11 NMAC 5.1 through 5.4, 20 NMAC 3.1, 20 NMAC 7.120 NMAC 7.3, 29

PROGRAM: Water and Wastewater Infrastructure Program

PURPOSE: The purpose of the water and wastewater infrastructure development 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.

PROGRAM COMPONENTS: The Water and Wastewater Infrastructure Development Program is composed of the Construction Programs and Drinking Water Bureaus.

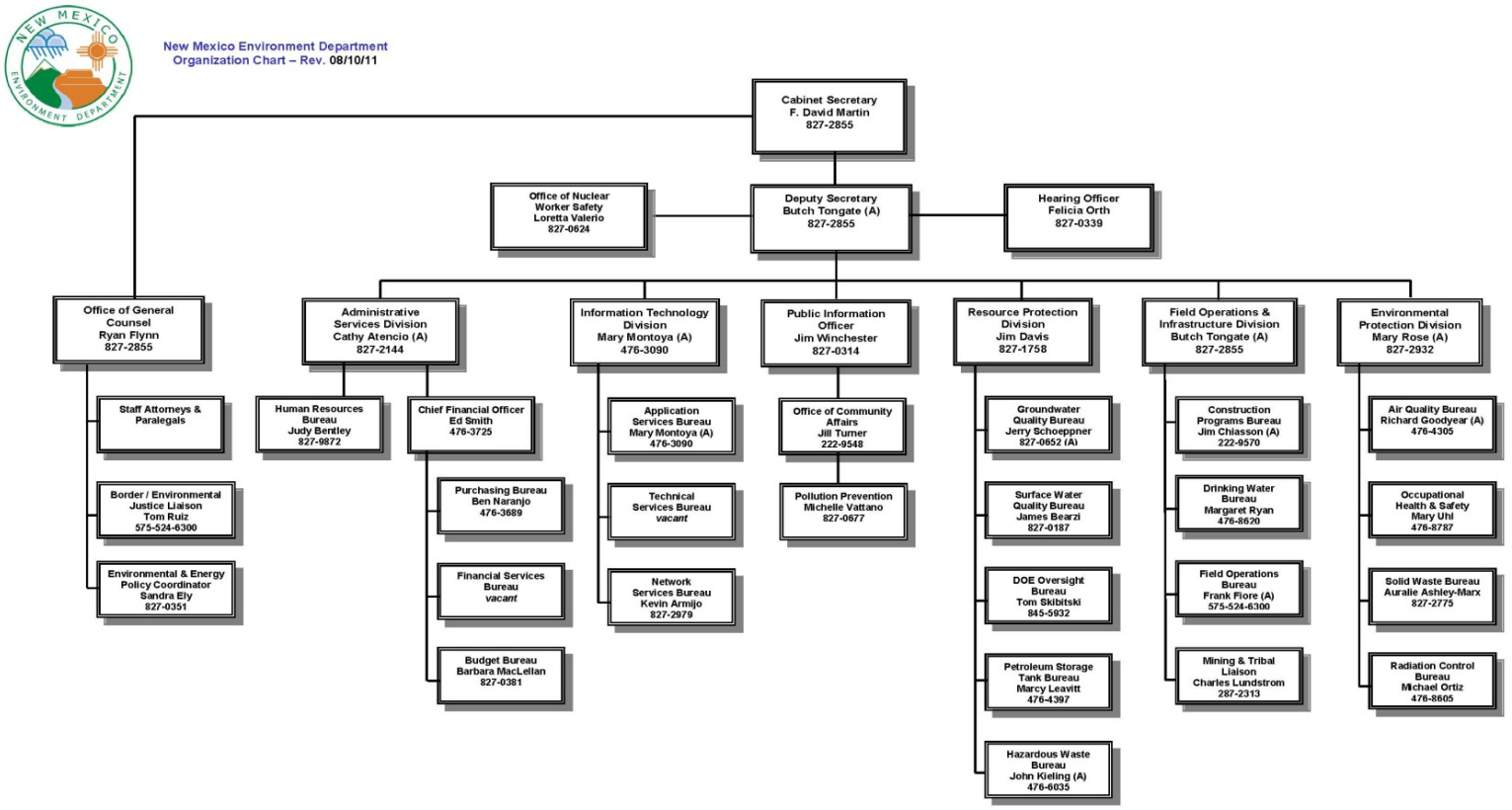
AUTHORITY: The laws and regulations governing the Water and Wastewater Infrastructure Development Program components include the Laws of The Department of the Environment Act, NMSA 1978, §§ 9-7A-1 et seq, Sanitary Projects Act, NMSA 1978, §§ 3-29-1 *et seq,* Environmental Improvement Act, NMSA 1978 §§ 74-1-1 *et seq* , Executive Order 2007-050; New Mexico Drinking Water Regulations § 20.7.10 NMAC; Wastewater Facility Construction Loan Act NMSA 1978 §§ 74-1-1 through 15; Rural Infrastructure Act, NMSA 1978 §§ 75-1-1 through 6; Rural Infrastructure Revolving Loan Program NMAC 20.7.2; Clean Water State Revolving Loan Fund NMAC 20.7.5 through 7.

FY12 Operating Budget by Program

(In thousands)

FY11 OPBUD	Program Support	Water & Waste Mgmt	Environ - mental Health	Environ - mental Protection	Water and Wastewater Infrastructure	Sp. Revs.	Totals
Personal Services	$ 6,069.2	$13,281.7	$7,656.6	$13,036.9	$ 6,578.8	$ 399.1	$ 47,022.3
Contractual Services	$ 827.4	$ 5,250.9	$ 171.0	$ 738.0	$3,109.4	$4,000.0	$ 14,096.7
Other Costs	$ 820.8	$ 2,241.9	$ 1,723.4	$ 2,641.8	$ 1,114.7	$ 7,387.5	$ 15,930.1
Other Financing Sources						$29,348.9	$ 29,348.9
Totals	$ 7,717.4	$20,774.5	$9,551.0	$16,416.7	$10,802.9	$41,135.5	$106,398.0
							FTE
Perm	45.0	46.0	109.0	70.0	29.0	5.0	304.0
Term	30.0	140.5	23.0	126.5	49.0	0.0	369.0
Totals	75.0	186.5	132.0	196.5	78.0	5.0	673.0

NMED Organizational Chart



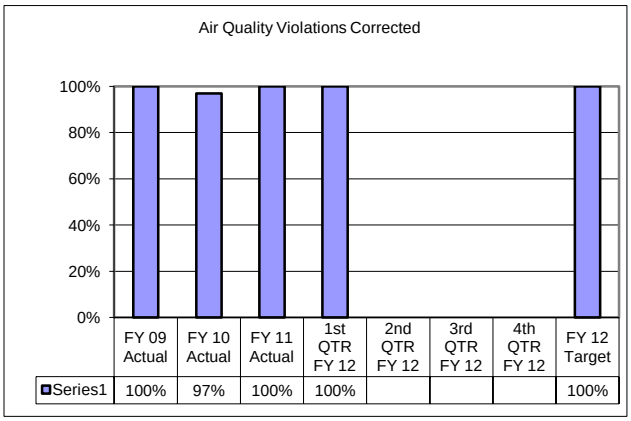
NMED KEY PERFORMANCE MEASURES

Reporting Period – 2nd Quarter FY 12 October 1 – December 31, 2011

Environmental Protection Division

Air Quality Bureau

Performance Measure 2.	FY09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 Target
Percent of facilities taking corrective action to mitigate air quality violations discovered as a result of inspections.	100%	97%	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 1st quarter of FY12 result was 100%. There were 11 enforcement actions requiring corrective action. All 11 facilities took corrective action to mitigate violations.

Action Plan: None needed.

Environmental Protection Division

Occupational Health & Safety Bureau

Performance Measure 1.	FY09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 Target
Percent of serious worker health & safety violations corrected within the timeframes designated on issued citations from the Consultation and Compliance Sections.	95.9%	95.7%	98.5%	95.0%
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 76 hazards and 59 were corrected timely for a 77.6% rate. The low number was due to one employer who was unable to correct numerous hazards in a timely fashion. The compliance section identified 98 hazards and 94 were corrected in a timely fashion for a 95.9% rate. The combined correction rate for all hazards was 87.9%.

Action Plan: The Acting Consultation Program Manager will continue to closely monitor abatement periods and will assist to obtain abatement verification.

Occupational Health & Safety Bureau Continued

FY 12		1st Quarter Report		
		# Hazards/ Violations	# Corrected on Time	% Corrected on Time
Consultation Section	1st Qtr	76	59	77.6%
	2nd Qtr			
	3rd Qtr			
	4th Qtr			
	Year	76	59	77.6%
Enforcement Section	1st Qtr	98	94	95.9%
	2nd Qtr			
	3rd Qtr			
	4th Qtr			
	Year	98	94	95.9%
Combined Total (Consult. & Enforce.)	1st Qtr	174	153	87.9%
	2nd Qtr			
	3rd Qtr			
	4th Qtr			
	Year	174	153	87.9%

Performance Measure 2.	FY 11 Actuals	FY 12 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	93.8%	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: Complaints 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 5 days of initial receipt. A Complaint Tracking Report run off of IMIS at the end of the quarter shows the date each complaint was received and the date the corresponding investigation was initiated.

Comments: OHSB received 81 referrals in the 1st quarter of FY12 and responded to 75 within 10 working days for a rate of 92.6%. This rate is slightly below the annual goal due to multiple priorities for compliance officers and travel distances.

Action Plan: The Compliance Program Manager monitors outstanding referrals and continues to assign compliance officers as priorities dictate.

Occupational Health & Safety Bureau Continued

FY 12		1st Quarter Report		
		# Referrals Received	# Inspected or Investigated within 10 days	% Inspected or Investigated on Time
	1st Qtr	81	75	92.6%
	2nd Qtr			
	3rd Qtr			
	4th Qtr			
	Year	81	75	92.6%

Environmental Protection Division

Solid Waste Bureau

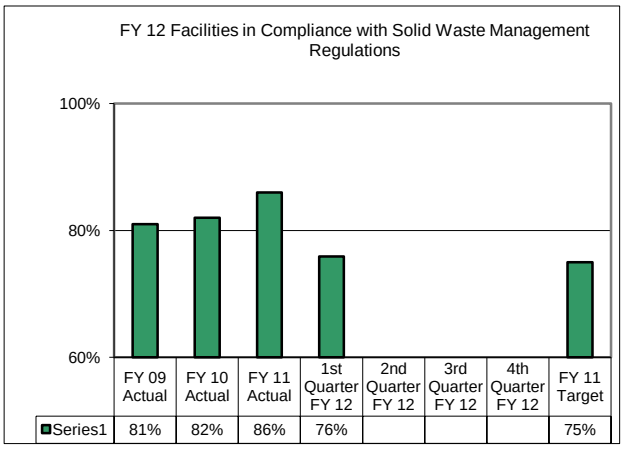
Performance Measure 1.	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 Target
Percent of permitted active solid waste facilities and infectious waste generators inspected that were found to be in compliance with the New Mexico solid waste rules	81%	82%	86%	75%
Objective: To inspect facilities and determine 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 75.9% for the 1st quarter of FY12. Twenty-nine (29) qualifying inspections were conducted, with twenty-two (22) inspections documenting no more than one substantial violation of the Solid Waste Act, rules or permit requirements (22/29 X 100 = 75.9%)

Action Plan: None needed.

Solid Waste Bureau Continued



FY12	No. of Inspected Facilities	No. with Two or more Significant Violations	No. with No More Than One Significant Violation	Notes
Enforcement Area I	15	3	12	Presbyterian Hospital and Tri-Core Labs had significant infectious waste violations; marginally serious monitoring and compost violations at Estancia Regional Land Fill
Enforcement Area II	4	2	2	Raton Municipal and Las Vegas TS had significant violations.
Enforcement Area III	3	0	3	Inspections included Camino Real Land Fill
Enforcement Area IV	1	0	1	Position is vacant, hiring packet is in process. Pre-permit hearing inspection of Lea Land Landfill was performed by EAIII staff.
Enforcement Area V	6	2	4	Gallup Indian and Rehoboth McKinley Medical Centers had significant infectious waste violations.
Enforcement Area VI	0	0	0	Position is vacant. This enforcement area is being removed and counties will be incorporated into other areas by next reporting period.
Totals	29	7	22	
*** Inspections with nor more than one significant violation divided total number of inspections x 100 = % in compliance				
Percent of Inspected Facilities in Substantial Compliance: 75.9%				

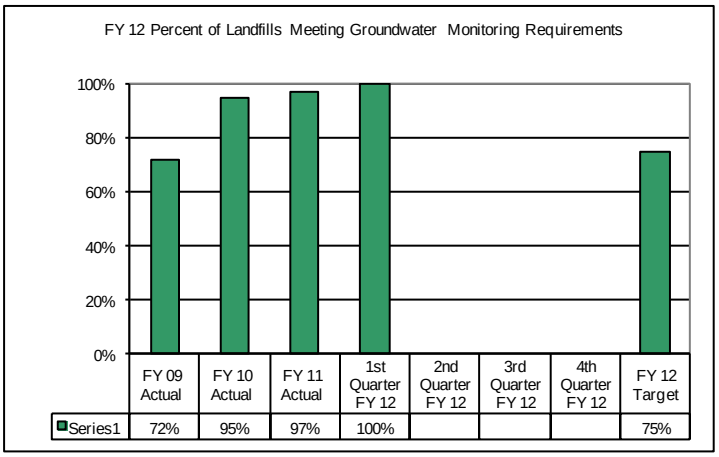
Solid Waste Bureau Continued

Performance Measure 2.	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 Target
Percent of landfills compliant with groundwater sampling and reporting requirements	72%	95%	97%	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 (70 as of June 2009) 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 1st quarter of FY12 result was 100% compliance. There are currently 21 permitted facilities that require ground water monitoring reports and all 21 submitted reports as required. The measure includes landfills that performed their ground water sampling as required in their ground water plan 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 Health Division

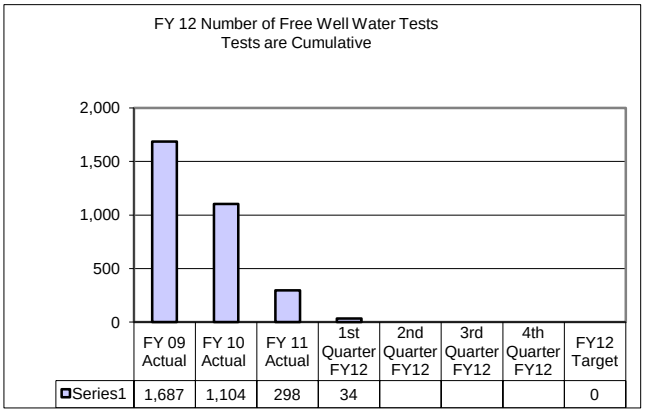
Liquid Waste Bureau

Performance Measure 1.	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 Target
Number of free well water Tests.	1,687	1,104	298	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.

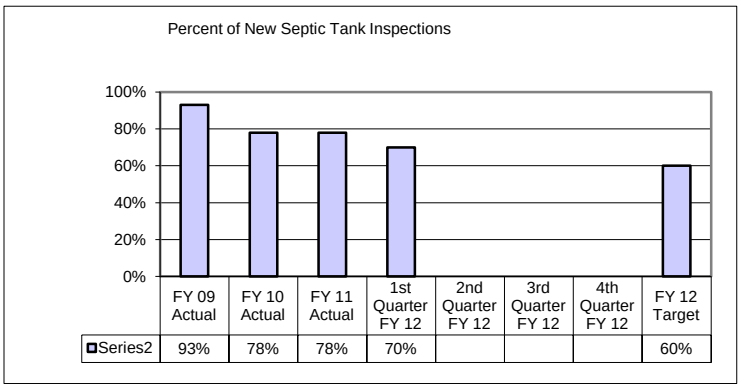
Comments: The FY12 1st quarter result was 34 well water tests performed. Field offices continue to advertise for and perform private well water testing services on demand and through water fairs (as chemical testing reagents and staff are available) in order to provide homeowners with a test of the quality 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.



Liquid Waste Bureau Continued

Performance Measure 2.	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 Target
Percent of new septic tank inspections completed.	93%	78%	78%	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 FY12 1st quarter result was 70.3%, or 638 inspections out of 908 permits issued for the quarter. The target was met for the 1st quarter.

Action Plan: Although the target was met for the quarter, the goal of the EHB is to inspect all new septic tanks. Challenges in achieving this goal remain budget constraints and the high number of vacant positions. Existing staff continue to maintain their workload while at best covering staff shortages across field offices. Requests to advertise vacant positions are in the approval process and once hired will assist with increasing the Department's inspection rate.

Liquid Waste Bureau Continued

Performance Measure 3.	FY 11 Actuals	FY 12 Target
Percent of homeowners with contaminated wells advised on how to eliminate or reduce health risks	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 FY12 1st quarter result was 100% with four (4) homeowners with contaminated wells advised out of four (4) wells tested.

Action Plan: None needed.

Environmental Health Division

Food Program

Performance Measure 1.	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 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%	100%
Objective: To assure protection of the public from possible food borne illness.				

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 1st quarter result for FY12 was 83% (1,471 high risk violations corrected out of 1,767 violations cited during routine inspections). The results demonstrate 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: This performance measure is reliant on the facility making the corrections to high risk violations which affects NMED's ability to meet this target. 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. Inspectors continue to strengthen efforts in requiring that the high risk violation noted be corrected at the time of the inspection and/or issuing NCAR forms and following up on responses. The inspectors strive to meet the requirement of the Food Regulations by performing one inspection of annually permitted facilities. Additional inspections are difficult to accomplish especially with the number of inspector vacancies in the program.

Environmental Health Division

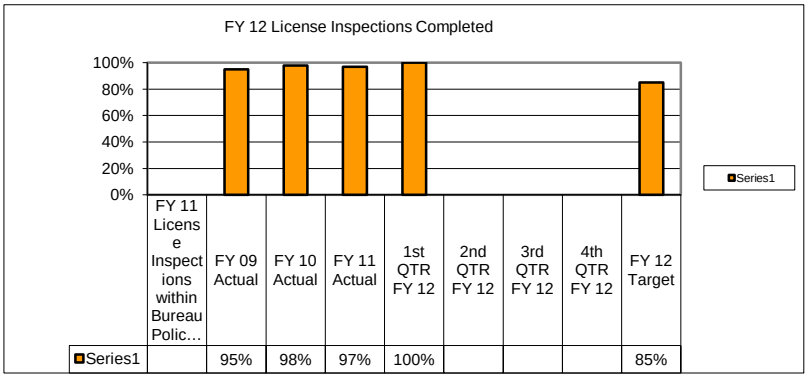
Radiation Control Bureau

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

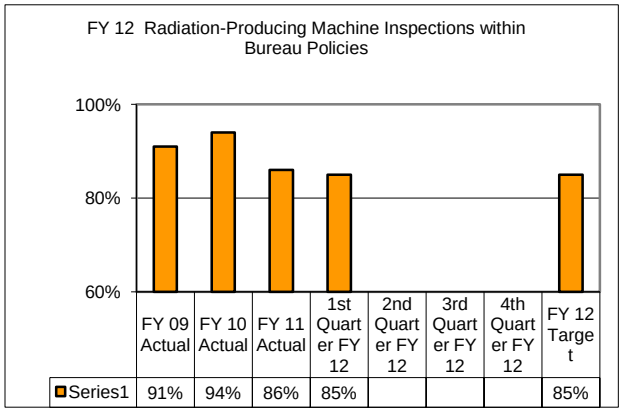
Comments: There were 26 RAM license inspections due and 26 (100%) were completed. The target was met for the 1st quarter of FY12.

Action Plan: None needed.



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

Radiation Control Bureau Continued



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 124 inspections due and 106 (85.5%) were completed. The target was met for the 1st quarter of FY12.

Action Plan: None needed.

Administrative Services Division

Budgets Management Bureau

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

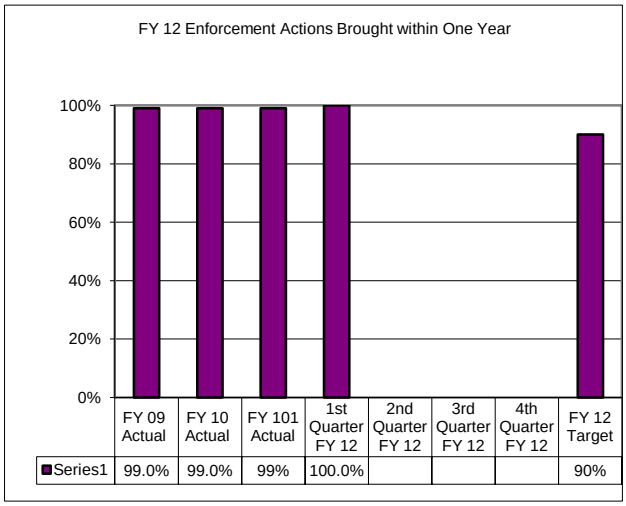
Data Source: Program Excel spreadsheets
Reliability: Spreadsheets are updated by program financial staff and reconciled to SHARE reports for accuracy. Reliability depends on accuracy of input data and whether or not the spreadsheets are updated in a timely manner.
Comments: 100% - Reviews for all programs were held in July to ensure that FY12 OPBUD Templates were updated and to discuss upcoming FY13 Request. Reviews were held again during the last week of September and first week of October to monitor FY12 OPBUD.

Action Plan: None needed.

Program Support

Office of General Counsel

Performance Measure 1.	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 Target
Percent of enforcement actions brought within one year of inspection or documentation of a violation.	99%	99%	99%	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.

Comments: FY 12 results as follows:
SWB – Eleven (11) of 11 (100%) enforcement actions were issued within 12 months of inspection or identification of non-compliance.
GWB – The Bureau issued 2 NOV's; 3 NOD's; and 1 NONC. All were issued within one year of inspection or file review.
HWB – HWB issued three (3) initial enforcement actions. All were notices of violation and all (100%) were brought within 1 year of inspection.
AQB – Twenty (20) of 20 enforcement actions were issued within 12 months of inspection or identification of non-compliance.

1st quarter average of Bureaus – 40 of 40 enforcement actions brought within one year of inspection or documentation of a violation = 100%.

Action Plan: None needed.

Water & Wastewater Infrastructure Development Division

Construction Programs Bureau

Performance Measure 1.	Explanatory FY 12
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: Access based Project Data Base 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 1st Quarter FY12 (July 2011 – September 2011)

1. **City of Deming** – Deming has requested $1,500,000 in RIP funds to match a US Economic Development Administration grant in the amount of $1,500,000. The project is for lagoon liner replacement at the wastewater treatment plant.

Comments: Clean Water State Revolving Fund (CWSRF) Activity 1st Quarter FY12 (July 2011 – September 2011)

Non-ARRA projects - <u>Base Loan Program activity</u>

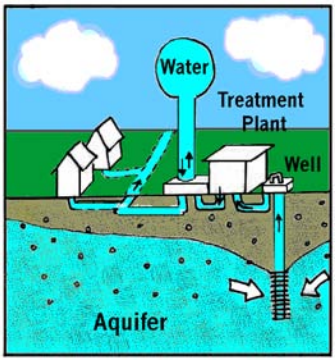
1. **Village of Chama** – NMED has been working with the Village to fund a loan/grant combination in an approximate amount of $950,000 for the planning and designing of a new wastewater treatment plant.
2. **Sandoval County/Village of Cuba** – NMED has been working with the County to fund a loan/grant combination in an approximate amount of $1,580,000 for Phase I Wastewater Treatment Plant Improvements.
3. **Village of Corrales** – NMED has been working with the Village to fund a loan/grant combination in an approximate amount of $1,540,000 to connect Corrales to the ABCWUA wastewater treatment system.
4. **El Valle de Los Ranchos W&SD** – NMED has been working with the W&SD to fund a loan/grant combination in an approximate amount of $860,000 for a new sewer collection system.
5. **City of Farmington** – NMED has been working with the City to fund a loan in an approximate amount of on a $5,500,000 for completion of Phase IIA construction of an additional medium rate activated sludge basin, a new clarifier and adding UV disinfection to the WWTP.

ARRA projects - <u>Grant and Base Loan Program funding (executed and activity)</u>

1. **Village of Questa** - NMED executed a loan increase in the amount of $60,000 to cover additional engineering expenses associated with the Village's ARRA project on September 12, 2011.
2. **Town of Taos** – NMED has been working with the Town to fund a loan increase in the amount of $200,000 to complete the ARRA wastewater treatment facility upgrade project. The loan documents are expected to be executed in October 2011.

Construction Programs Bureau Continued

Performance Measure 2.	FY11 Actuals	FY 12 Target
Number of Uniform Funding Applications processed for water, wastewater and solid waste projects	265 (100% of all applications received)	TBD
Objective: Provide information on the number of new applications to show 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: 39 Uniform Funding Applications were received and 100% were processed during the 1st quarter of FY12.

Action Plan: None needed.

Performance Measure 3.	FY 11 Actuals	FY 12 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.	100%	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 FY11 CPB was awarded $10,002,000 in a CWSRF cap grant which requires $2,000,400 in state match funds. The project period for this $12,002,400 began July 1, 2011. NMED has executed one CWSRF loan increase in the amount of $60,000. This executed loan increase along with the other CWSRF ongoing loan activity described in Performance Measure 1 above totals $10,690,000 or 89% of the grant and associated state match funds. NMED will execute agreements for all of the loan activity within state fiscal year 2012.

Action Plan: None needed.

Water & Wastewater Infrastructure Development Division

Drinking Water Bureau

Performance Measure 1.	FY 11 Actuals	FY 12 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	Five (5) boil water advisories and five (5) pre-cautionary advisory issued in FY 11	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 the 1st quarter of FY12. Ague Pura in Mora County was issued a BWA on August 7, 2011 which was rescinded on August 15th; South Hills Water System in Bernalillo County was issued a BWA on August 10, 2011 which was rescinded on August 20th.

Action Plan: None needed.

Performance Measure 2.	FY 11 Actuals	FY 12 Target
Number of site visits and assistance actions provided to public water systems to ensure compliance with Safe Drinking Water Act regulations.	520 site visits 4,406 assistance actions	180
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/ Safe Drinking Water Information System Database (SDWIS)
Reliability: Hard copies of all inspections and test results are maintained in each field office.

Comments: The Bureau performed 108 site visits and 824 assistance actions during the 1st quarter of FY12.

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

Performance Measure 3.	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 Target
Percent of public drinking water systems inspected within one week of notification of system problems that might impact public health.	100%	100%	100%	100%

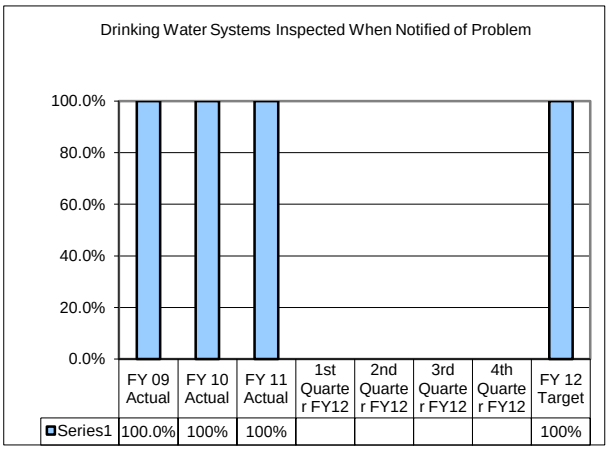
Data Source: District Managers/ Safe Drinking Water Information System Database (SDWIS)

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

Comments: Two incidents occurred during this reporting period that could have potentially impacted public health. The first occurred on July 28, 2011 at Truth or Consequences Water System and the second occurred on September 13, 2011 at Las Cruces Water System. Both water systems were inspected within one week from when the incident occurred, resulting in 100% of drinking water systems being inspected within one week after being notified of a problem that could impact public health.

Action Plan: None Needed.

Note: A precautionary Water Boil Advisory is issued when there is a potential impact to public health but no violation of the standard has occurred. An imposed Boil Water Advisory is issued when a violation of a standard has occurred.



Performance Measure 4.	FY 11 Actuals	FY 12 Target
Percent of public water systems surveyed to ensure compliance with drinking water regulations	91%	89.2%
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-(# of surveys due/# of systems*100)]. During this reporting period there were 88 surveys due and 41 surveys that are past due out of a total of 1,191 drinking water systems. This means that 89.2% of the drinking water systems have sanitary surveys that are current, while 10.8% 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. Additionally, the DWB is extremely short staffed due to the state hiring freeze. The DWB is very close to the target of 90% and will continue to conduct sanitary surveys to ensure compliance with drinking water regulations in a manner that prioritized public health protection.

Action Plan: None needed.

Water & Waste Management Division

Groundwater Quality Bureau

Performance Measure 1.	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 Target
Percent of groundwater discharge permitted facilities receiving annual field inspections and annual compliance evaluations	61%	42%	54%	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: During the 1st quarter, 10% of the total number of permitted facilities (96 of 950) received inspections or compliance evaluations. This calculation assumes a total of 950 permitted facilities, whereas the total number of permits for the 1st quarter is 944.

Action Plan: The quarterly performance is slightly under the pace to meet the annual goal due primarily to the loss of two key staff in the first quarter. Performance on this measure is expected to improve through the year.

Groundwater Quality Bureau Continued

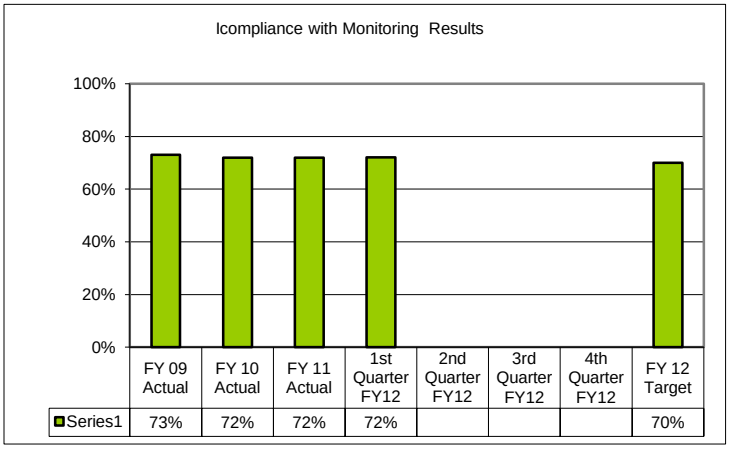
Performance Measure 2.	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 Target
Percent of permitted facilities where monitoring results demonstrate compliance with ground water standards	73%	72%	72%	70%
Objective: Increase the number of permitted facilities that have successfully prevented ground water 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 1st quarter FY12 result was 72.1% (681 of 944 active/inactive sites). This result is on pace to meet or exceed the annual goal of 70%.

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.



Water & Waste Management Division

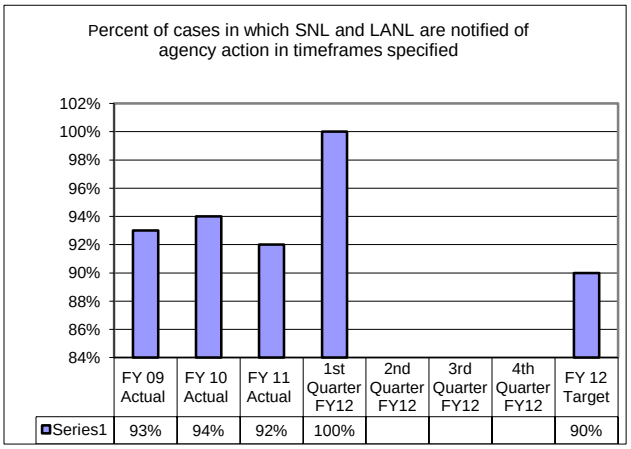
Hazardous Waste Bureau

Performance Measure 1.	FY 08 Actuals	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 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%	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.

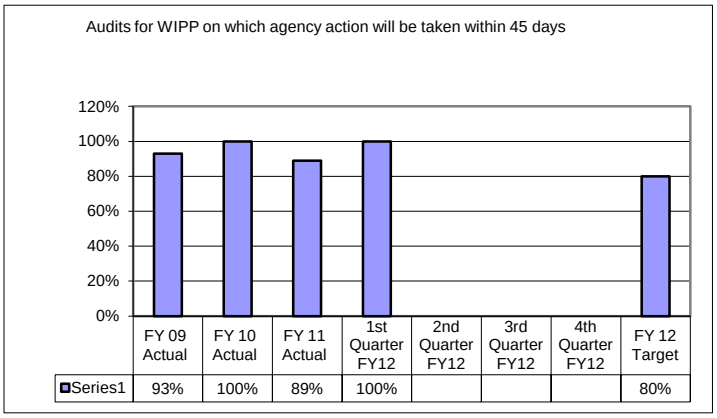
Comments: For the 1st quarter of FY12 there were four (4) documents with Notice Dates for Los Alamos National Labs. The Bureau provided notice on all four documents in the required time frames (100%). No documents had Notice Dates in the reporting period for Sandia National Labs. The Bureau is on target to meet this goal.

Action Plan: None needed.



Hazardous Waste Bureau Continued

Performance Measure 2.	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 Target
Percent of Department of Energy generator site audits for WIPP on which agency action will be taken within 45 days.	93%	100%	89%	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 1st quarter of FY12 the Bureau reviewed four audit reports. The Bureau provided approvals on all four documents in the required time frame (100%). The Bureau is on track to meet this goal.

Action Plan: None needed.

Hazardous Waste Bureau Continued

Performance Measure 3.	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 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%	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 1st quarter of FY12 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. The Bureau is on track to meet this goal.

Action Plan: None needed.

Performance Measure 4.	FY 11 Actuals	FY 12 Target
Percent reduction of active facilities that have never been inspected	2.9%	0%
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
Reliability: Federal audits of RCRAInfo and NM's RCRA program and supervisory review of data and RCRAInfo reports.

Comments: At the beginning of FY12, the EPA RCRAInfo database listed 1642 active hazardous waste generators of which 377 (22.9%) had never been inspected. At the end of the 1st quarter of FY12, the EPA database listed 1666 active hazardous waste generators of which 351 (21.0%) had never been inspected. This is a reduction of 1.9% in the quarter. The Bureau is on track to meet the target.

Action Plan: None needed.

Performance Measure 5.	FY 11 Actuals	FY 12 Target
Percent of large quantity hazardous waste generators inspected	45.7%	20.0%
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: Federal audits of RCRAInfo and NM's RCRA program and supervisory review of data and RCRAInfo reports.

Comments: At the beginning of the FY12, the EPA RCRAInfo database listed 65 LQGs in NM. Therefore, the 20.0% target is achieved by inspecting 13 LQGs. For the first quarter of FY12, the Bureau inspected 2 LQGs (3.1%), and is therefore on track to meet the target.

Action Plan: None needed.