

Key Performance Measures
Fourth Quarter FY 12

New
Mexico
Environment
Department

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New Mexico Environment Department

Key Performance Measures Fourth Quarter FY 12

April 1st – June 31st, 2012

**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 activities.

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 74-6A-15, 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

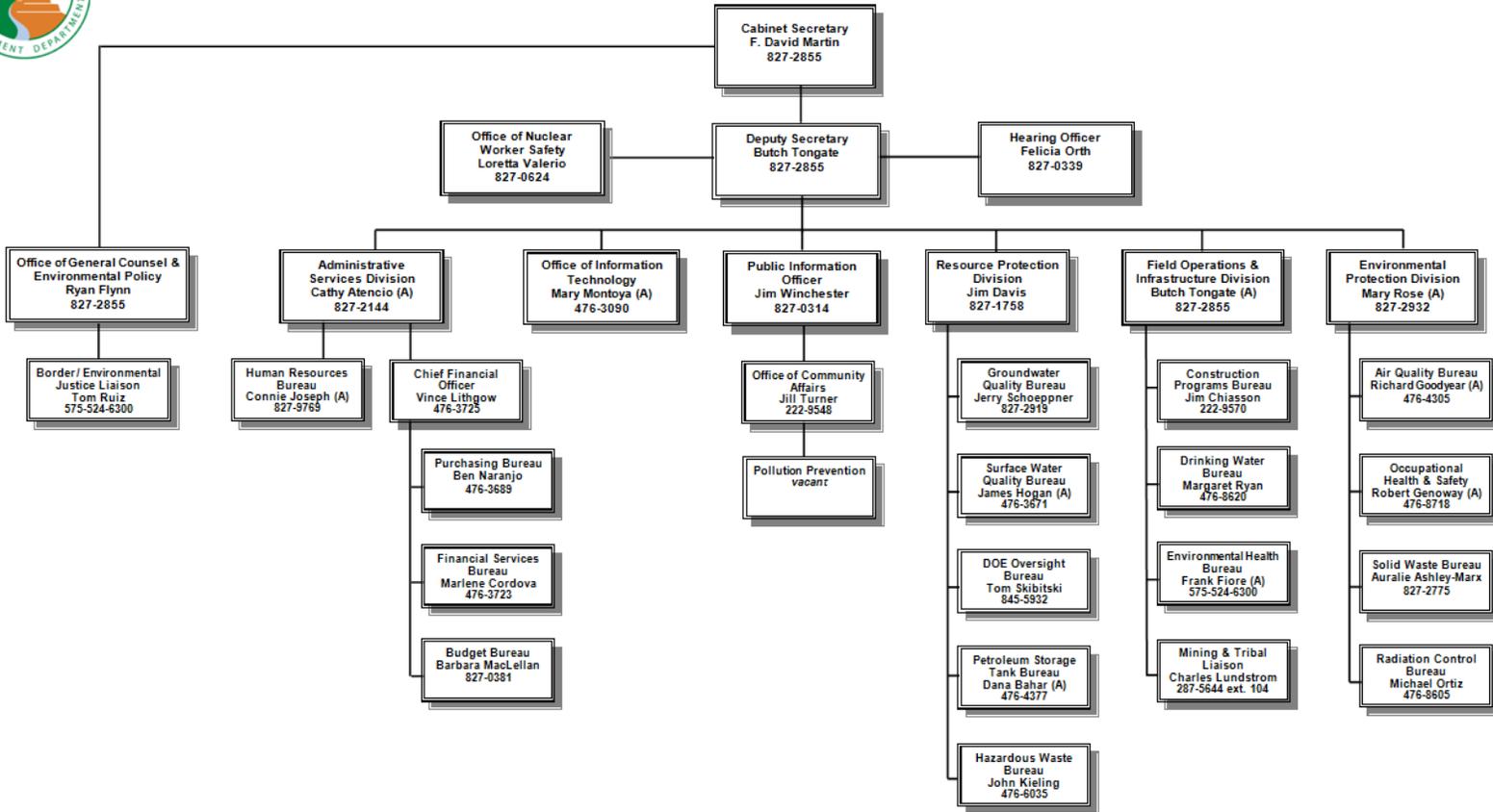
(In thousands)

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



New Mexico Environment Department
Organization Chart – Rev. 07/13/12



* unless otherwise noted, telephone numbers have 505 area code

NMED KEY PERFORMANCE MEASURES

Reporting Period – 4th Quarter FY 12 April 1, 2012 through June 30, 2012

Environmental Protection Division

Air Quality Bureau

Performance Measure 2.	FY09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 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%	100%
Objective: Ensure that appropriate corrective action is taken to protect human health and the environment.					

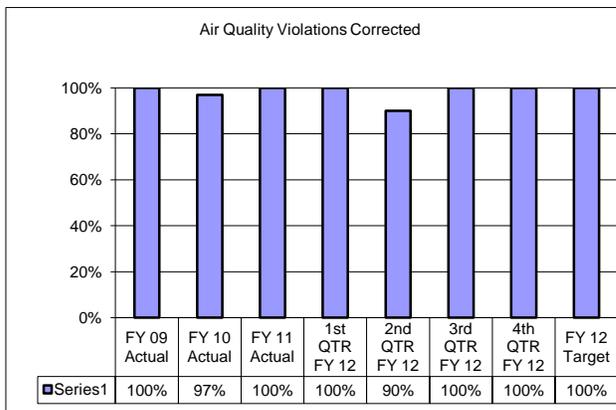


Data Source: AQB Data Tracking System (DTS)

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 4th quarter of FY12 result was 100%. There were 7 enforcement actions requiring corrective action. All 7 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 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%	93.6%	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 125 hazards and 109 were corrected timely for a 87.2% rate. The compliance section identified 84 hazards and 79 were corrected in a timely fashion for 94% rate. The combined correction rate for all hazards was 89.9%

A consultation visit was interrupted by a mandatory OSHA accident investigation resulting in 14 of the 16 hazards not being verified timely. As a result of the compliance investigation, all hazards were subsequently verified, although later than the target date.

Enforcement continues to experience a staff shortage as well as having to investigate an unusually high number of fatalities reported to OHSB during the period.

Action Plan: Continue monitoring as usual.

Occupational Health & Safety Bureau Continued

FY 12		1st Quarter Report		
		# Hazards/ Violations	# Corrected on Time	% Corrected on Time
Consultation Section	1 st Qtr	76	59	77.6%
	2 nd Qtr	124	124	100%
	3 rd Qtr	173	167	96.5%
	4 th Qtr	125	109	87.2%
	Year	498	459	92.2%
Enforcement Section	1 st Qtr	98	94	95.9%
	2 nd Qtr	136	133	97.8%
	3 rd Qtr	119	111	93.3%
	4 th Qtr	84	79	94.0%
	Year	437	417	95.4%
Combined Total (Consult. & Enforce.)	1 st Qtr	174	153	87.9%
	2 nd Qtr	260	257	98.8%
	3 rd Qtr	292	278	95.2%
	4 th Qtr	209	188	89.9%
	Year	935	876	93.6%

Performance Measure 2.	FY 11 Actuals	FY 12 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%	93.1%	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 79 referrals in the 4th quarter of FY12 and responded to 75 within 10 working days for a rate of 94.9%.

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
	1 st Qtr	81	75	92.6%
	2 nd Qtr	63	58	92.1%
	3 rd Qtr	75	71	94.5%
	4 th Qtr	79	75	94.9%
	Year	219	204	93.1%

Environmental Protection Division

Solid Waste Bureau

Performance Measure 1.	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 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%	85%	75%
Objective: To inspect facilities and determine if there are violations of one of the critical requirements for substantial compliance.					

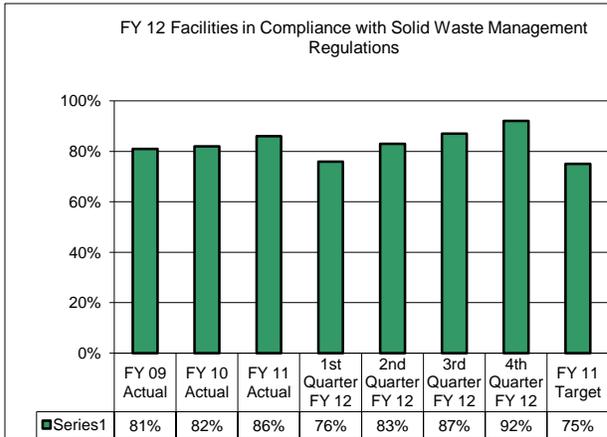
Data Source: SWB Database

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 92% for the 4th quarter of FY12.

Action Plan: None needed.

Solid Waste Bureau Continued



FY12Q4	No. of Inspected Facilities	No. with Two or more Significant Violations	No. with No More Than One Significant Violation	Notes
Enforcement Area I	7	0	7	
Enforcement Area II	2	0	2	
Enforcement Area III	1	1	0	Gerald Champion Medical Center, Alamogordo, had substantial violations
Enforcement Area IV	1	0	1	
Enforcement Area V	2	0	2	
Totals	13	1	12	
*** Inspections with no more than one significant violation divided total number of inspections x 100 = % in compliance				
Percent of Inspected Facilities in Substantial Compliance: 92%				

Solid Waste Bureau Continued

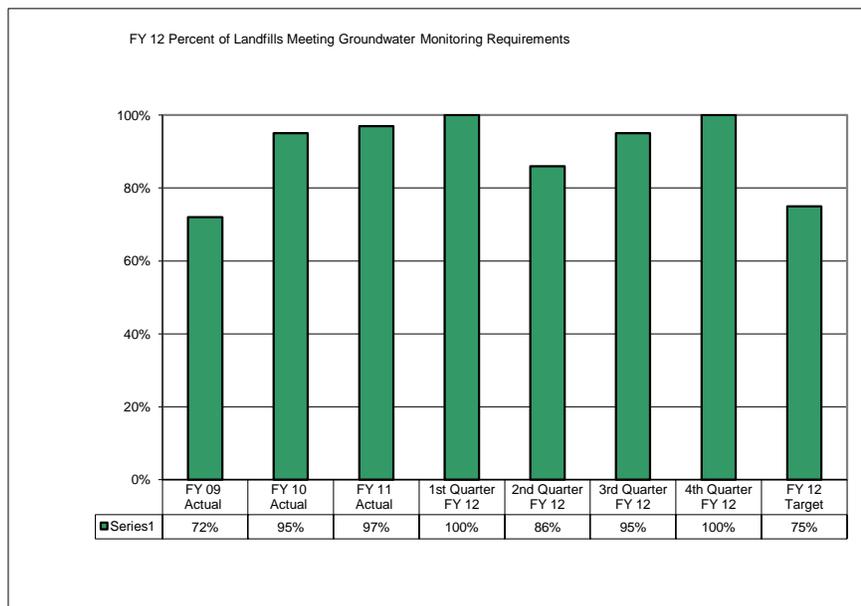
Performance Measure 2.	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 Actuals	FY 12 Target
Percent of landfills compliant with groundwater sampling and reporting requirements	72%	95%	97%	95%	75%
Objective: To ensure that the impacts to groundwater quality from permitted landfills are prevented through 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 4th quarter of FY12 result was 100% compliance. There are currently 21 permitted facilities that require ground water monitoring reports and all 21 facilities 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 Protection Division

Petroleum Storage Tanks Bureau

Performance Measure 1.	FY 11 Actuals	FY 12 Actuals	FY 12 Target
Number of confirmed sites contaminated by petroleum products that require no further action as a result of aggressive remediation.	38	47	30/yr.

Data Source: Corrective Action Fund (CAF) database

Reliability: Remedial Action Program Manager reviews remediation reports documenting achievement of NFA status submitted by project managers and prepares a summary report.

Comments: Reported result (47) is based on the number of sites where No Further Action letters were issued by the Bureau.

Performance Measure 2.	FY 11 Actuals	FY 12 Actuals	FY 12 Target
Number of storage tank sites with confirmed releases of petroleum products that are high risk and are undergoing aggressive corrective action.	59	78	150

Data Source: Corrective Action Fund (CAF) database

Reliability: Reported result is based on the number of work plan approvals and requests for proposals issued by the Bureau during the fiscal year.

Comments: Available resources have been focused on aggressively remediating several large, high-priority storage tank sites that have had confirmed releases of petroleum products, such as the Sunshine Service Station site in Ribera, the Cibola Chevron site in Grants and the Mike's Auto Detail site in Belen, rather than many smaller, lower-priority release sites.

Petroleum Storage Tanks Bureau Continued

Performance Measure 3.	FY 10 Actuals	FY 11 Actuals	FY 12 Actuals	FY 12 Target
Percent of underground storage tank facilities in significant operational compliance with release prevention and release detection regulations of the petroleum storage tank regulations.	55%	62%	69%	70%
Objective: To track percentage of facilities in compliance with release prevention and release detection requirements which are designed to minimize petroleum releases to the environment.				

Data Source: One Stop database and Inspection reports

Reliability: This statistic is tracked by accumulating the information from individual inspection reports generated and signed by Inspectors stationed state wide. The inspection reports are maintained as hard paper copies in files both in the individual Inspector's offices and in the central offices in Santa Fe. The percentage of compliance reported is the number of facilities in compliance divided by the total number inspected that year.

Comments: For FY 12, 791 compliance inspections were performed for underground storage tank facilities. 547 facilities (69%) were in compliance with significant operating compliance (SOC) measures for release prevention and release detection requirements. This is an increase from a 62% compliance rate in FY 2011.

Action Plan: There has been a marked improvement since FY 2009 as our compliance rates have increased from 53% to 69%. The Bureau continues to document compliance concerns upon first inspection and perform re-inspections to confirm that corrections were made. New operator training requirements that became effective in June 2010 has assisted tank owners and operators to achieve increased compliance with tank system operation and maintenance and this improvement in compliance rates is expected to continue into FY 2013.

Environmental Health Division

Liquid Waste Bureau

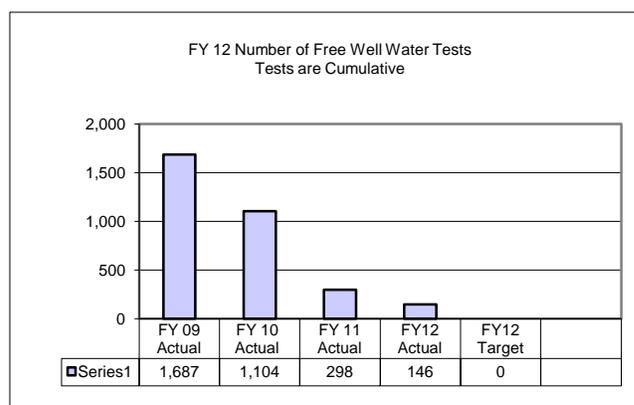
Performance Measure	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 Actuals	FY 12 Target
Number of free well water Tests.	1,687	1,104	298	146	0 (Sampling will continue as resources become available)

Data Source: District Managers

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

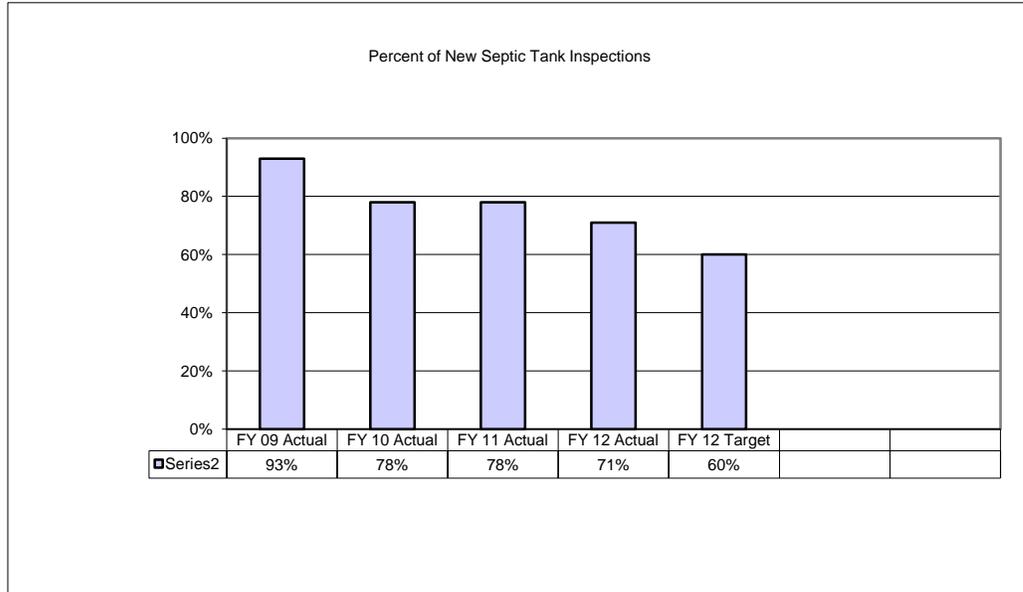
Comments: The FY12 4th quarter result is 48 well water tests performed; 146 cumulative tests for FY12. Field offices continue to advertise for and perform private well water testing services on demand and through water fairs (as chemical testing reagents and staff are available) in order to provide homeowners 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 Actuals	FY 12 Target
Percent of new septic tank inspections completed.	93%	78%	78%	71%	60%



Action Plan: Although the target was met for the quarter, the goal of the EHB is to inspect all new septic tanks. A challenge in achieving this goal is the high number of vacant positions. Existing staff continue to maintain their workload while at best covering staff shortages across field offices. New hires and requests to advertise vacant positions are in process and once the positions are filled the inspection rate will improve.

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 4th quarter result is 66%, or 760 inspections out of 1,146 permits issued for the quarter; 71% cumulative, or 2,561 inspections out of 3,589 permits issued for FY12. The target was met for the 4th quarter.



Liquid Waste Bureau Continued

Performance Measure 3.	FY 11 Actuals	FY 12 Actuals	FY 12 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 FY12 4th quarter result is 100% with 5 homeowners with contaminated wells advised out of 5 contaminated well test results; 100% cumulative, with 14 homeowners advised out of 14 contaminated well results for FY12.
Action Plan: None needed.

Environmental Health Division

Food Program

Performance Measure 1.	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 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%	83%	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 4th quarter result for FY12 is 82% (1,188 high risk violations corrected out of 1,452 violations cited during routine inspections); 83% cumulative for FY12, with 5,119 high risk violations corrected out of 6,169 violations cited. 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: A challenge in achieving this goal is the high 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 issuing NCAR forms and following up on responses. New hires and requests to advertise vacant positions are in process and once the positions are filled there will be an improvement in violation corrections relative to staff's role in this measure.

Another challenge that affects NMED's ability to meet this target is that this performance measure 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.

Environmental Protection Division

Radiation Control Bureau

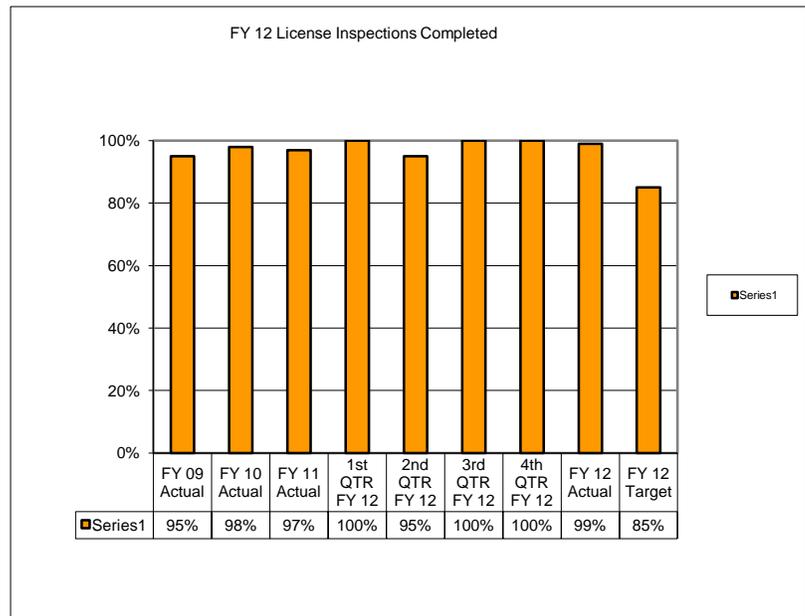
Performance Measure 1	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 Actuals	FY 12 Target
Percent of license inspections completed within the timelines identified in the Radiation Control Bureau policies.	95%	98%	97%	99%	85%

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.

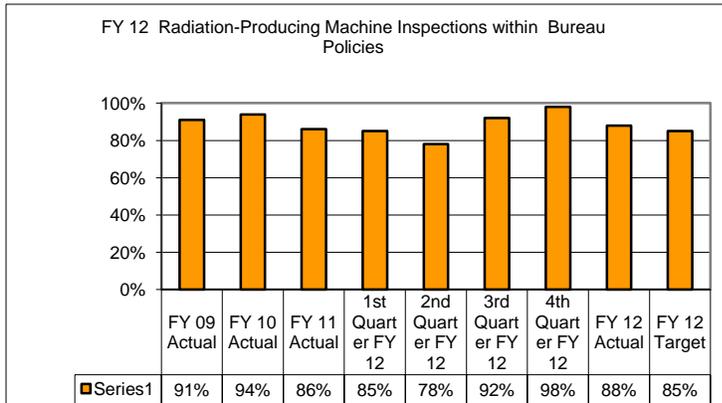
Comments: There were 25 RAM license inspections due and 25 (100%) were completed. The target was met for the 4th quarter of FY12

Action Plan: None needed.



Performance Measure 2	FY 09 Actuals	FY 10 Actuals	FY11 Actuals	FY 12 Actuals	FY 12 Target
Percent of radiation - producing machine inspections completed within the timeframes identified in the Radiation Control Bureau Policies.	91%	94%	86%	88%	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 89 inspections due and 87 (98%) were completed. The target was met for the 4th 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 Actuals	FY 12 Target
Percent of budgets reviewed and analyzed quarterly to the lowest program level.	100%	100%	100%	100%	100%

Data Source: Program Excel spreadsheets

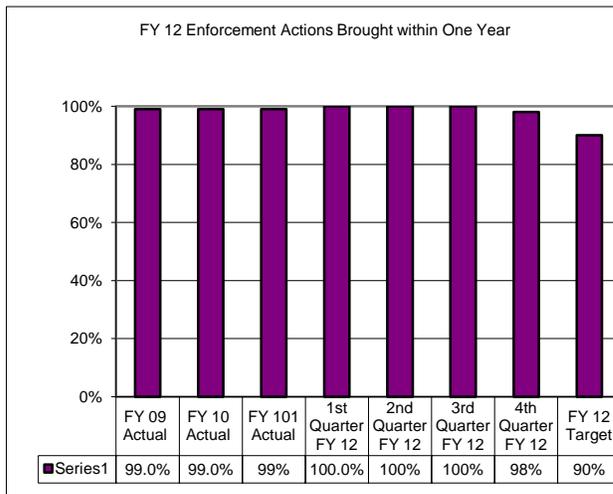
Reliability: Spreadsheets are updated by program financial staff and reconciled to SHARE reports for accuracy. Reliability depends on accuracy of input data and whether or not the spreadsheets are updated in a timely manner.

Comments: 100% - Reviews with all programs were held the last week in March. Budgets and fund balances were discussed to ensure budget sufficiency through the end of FY12. No deficiencies were identified. Additionally, FY13 OPBUD information was disseminated and forms distributed to all programs in preparation for May 1st submission deadline.

Program Support

Office of General Counsel

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

Comments: FY 12 results as follows:
SWB – Eighteen (18) of 18 enforcement actions were issued within 12 months of inspection or identification of non-compliance (100%).

GWB – The Bureau issued 1 NOV's; 0 NOD's; and 1 NONC. All were issued within one year of inspection or file review.

HWB – The Bureau issued two (2) initial enforcement actions during the 4th Quarter. HWB issued a total of twenty (20) initial enforcement actions during FY12. All were notices of violation (one with an associated Stipulated Order) and all (100%) were brought within 1 year of inspection.

AQB - For the 4rd quarter of FY 12, fifteen (15) of sixteen (16) enforcement actions (93.75%) were issued within 12 months of inspection or identification of non-compliance. One enforcement action was brought 370 days after discovery

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

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 FY12 (July 2011- June 2012)

Five (5) new RIP loans were made in FY12 totaling \$2,990,000:

1. **City of Deming** – NMED executed a loan agreement with the City on February 2, 2012 in the amount of \$1,800,000 for RIP funds to match Colonias grants in the amount of \$115,000 plus an additional \$1,285,000 pending. The project is for lagoon liner replacement at the wastewater treatment plant.
2. **San Antonio MDWCA** – NMED executed a loan agreement with the MDWCA on February 6, 2012 in the amount of \$150,000. The project is for an arsenic removal system, sludge drying beds, lined containment pond, and related appurtenances.
3. **Otis MDWC & SWA** – NMED executed a loan agreement with the MDWC & SWA on February 28, 2012 in the amount of \$300,000. The project is for purchase of well, water rights and the property the well is on.
4. **De Baca County** - NMED executed a loan agreement with the County on March 22, 2012 in the amount of \$400,000. The project is for a solid waste transfer station.
5. **Jemez Springs DWA (FY 12 4Qrt)** – NMED executed a loan agreement with the DWA on May 17, 2012 in the amount of \$340,000 for the construction of an Arsenic Treatment System.
6. **Chamita MDWCA (FY 12 4Qrt)** – NMED is working with Chamita on a \$319,000 RIP loan request. The project is for a new well and other water system improvements.
7. **Santa Cruz MDWCA (FY 12 4Qrt)** – NMED is working with Santa Cruz on a \$176,300 RIP loan request. The project is for water system tank, meters and liners.
8. **Lower Des Montes MDWCA (FY 12 4Qrt)** – NMED is working with Lower Des Montes on a \$60,000 RIP loan request. The project is for water system improvements.

Comments: Clean Water State Revolving Fund (CWSRF) Activity FY12 (July 2011- June 2012)

Four (4) new and two (2) increased CWSRF loans were made in FY12 totaling \$5,190,000:

Non-ARRA projects – Grant and Base Loan Program funding (executed and activity)

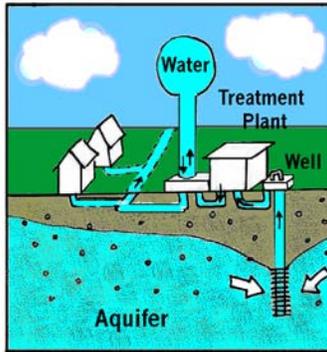
1. **Village of Chama** – NMED executed a loan/grant agreement with the Village on December 12, 2011 in the aggregate amount of \$950,000 (\$100,000 loan/\$850,000 grant) for the planning and design of a new wastewater treatment plant.
2. **Sandoval County/Village of Cuba** – NMED executed a loan/grant agreement with the County in an aggregate amount of \$1,580,000 (\$360,000 loan/\$1,220,000 grant) on January 8, 2012 for Phase I Wastewater Treatment Plant Improvements.
3. **Village of Corrales** – NMED executed a loan/grant agreement with the Village in an aggregate amount of \$1,540,000 (\$540,000 loan/\$1,000,000 grant) on January 20, 2012 to connect Corrales to the ABCWUA wastewater treatment system.
4. **El Valle de Los Ranchos W&SD** – NMED executed a loan/grant agreement with the W&SD in an aggregate amount of \$860,000 (\$430,000 loan/\$430,000 grant) on March 8, 2012 for a new sewer collection system.
5. **City of Farmington (FY 12 4Qrt)** – NMED is working with the City to fund a loan in an approximate amount of \$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.
6. **City of Las Vegas (FY 12 4Qrt)** – NMED is working with the City to fund a loan/grant combination in an aggregate amount of \$605,000 (\$121,000 loan/\$484,000 grant) for a sludge handling facility project.

ARRA projects - Grant and Base Loan Program funding (activity)

1. **Village of Questa (FY 12 4Qrt)** - 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 (FY 12 4Qrt)** – NMED executed a loan increase in the amount of \$200,000 to complete the ARRA wastewater treatment facility upgrade project on October 12, 2011.

Construction Programs Bureau Continued

Performance Measure 2.	FY11 Actuals	FY 12 Actuals
Number of Uniform Funding Applications processed for water, wastewater and solid waste projects	265 (100% of all applications received)	259 (100% of all applications received)
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: 112 new UFA applications were received and processed (100%) in the 4th Quarter of FY12. We received and processed 259 UFA applications in FY12. (Our goal of 300 applications received and processed in FY11 was almost met. We had previously proposed measuring the percent of new applications processed as our goal instead of number processed because we do not have control of the number of new applications from communities. We again proposed a measure for FY12 of % of new applications processed with 100% as our goal. In FY13 and FY14 the measure will be % processed.)

Performance Measure 3.	FY 12 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.	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 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.

In FY12 Q4, no new CWSRF base program loan/grant agreements were executed. The Q3 total of \$3,980,000 along with the Q2 amount of \$1,150,000, the Q1 amount of \$60,000 and the other CWSRF ongoing loan activity described in Performance Measure 1 above totals \$11,295,000 or 94% of the grant and associated state match funds.

Water & Wastewater Infrastructure Development Division

Drinking Water Bureau

Performance Measure 1.	FY 12 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	Four (4) boil water advisories and four (4) pre-cautionary advisory issued in FY	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: The following Boil Water Advisories were issued during this reporting period:

1. New Mexico Water Works in Bernalillo County was issued a Precautionary Boil Water Advisory on April 12, 2012 following a water outage. The advisory was lifted on April 16th after water quality sampling indicated no contamination.
2. The Village of Columbus in Luna County was issued a Water Advisory on April 23, 2012 due to an electronic failure within the treatment facility that temporarily prevented reverse osmosis treatment. The water provided to consumers was disinfected, and therefore the advisory did advise consumers to boil the water as boiling would have no effect. The inability to use the reverse osmosis treatment meant that the water provided to consumers could have elevated levels of fluoride, gross alpha, and arsenic above acceptable standards, but did not pose an immediate threat to public health and consumers did not need to use an alternative water source. The DWB is working with the system to bring the reverse osmosis treatment back on-line and will sample the water after repairs have been completed. The advisory remains in effect.
3. Little Bear Fire Burn Area, Lincoln County – In June 2012 the Ruidoso area was badly damaged by a wildfire that ravaged the area and destroyed numerous structures and devastated the community. Numerous water systems were affected, although the full extent of the damage is not yet fully known. A general Precautionary Boil Water Advisory and Water Conservation Request were issued for the area on June 11, 2012. On June 16, 2012 a mandatory Boil Water Advisory was issued for Enchanted Forest Water Corporation, Bonita Park Nazarene Conference Center, and Villa Madonna based on assessments conducted by the Emergency Response Team. The Boil Water Advisories were rescinded on June 22, 2012 for Enchanted Forest Water Corporation and on July 3rd for Bonita Nazarene Conference Center. The advisory remains in effect for Villa Madonna. Ski Apache was issued a mandatory Boil Water Advisory on June 19, 2012 and remains in effect. Numerous staff from the DWB and the NMED are working closely with the community to address problems as they arise and ensure that safe drinking water is available.
4. Pine Springs Summer Camp in Otero County was issued a Boil Water Advisory after bacteriological contamination was detected and confirmed in drinking water samples from the system. The advisory remains in effect.
Precautionary boil water advisories are issued when there is a potential impact to public health, but no violation of the standard has occurred. An imposed or mandatory Boil Water Advisory is issued when a violation of a standard has occurred.

Action Plan: None needed.

Drinking Water Bureau Continued

Performance Measure 2.	FY 12 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.	449 site visits 3675 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 160 site visits and 1115 assistance actions during the 4th 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%

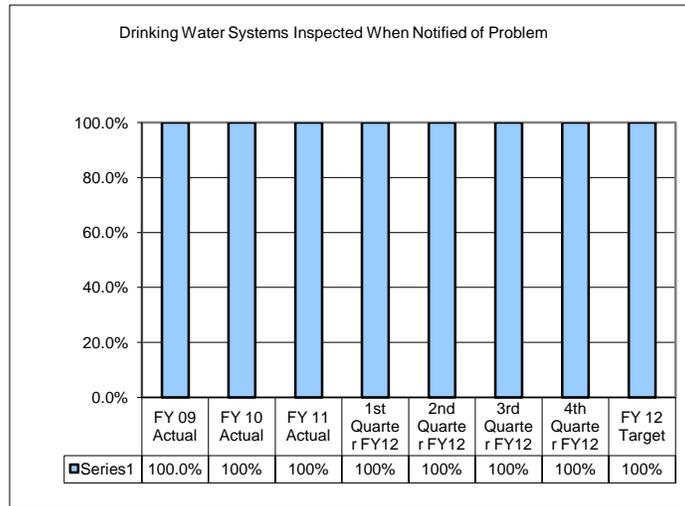
Data Source: District Managers/ Safe Drinking Water Information System Database (SDWIS)

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

Comments: In addition to the Little Bear Fire described in the section above the Whitewater-Baldy Fire in the Gila Forest was occurring during this period. Fortunately no water systems were compromised during this period. DWB staff in Silver City kept in contact with systems that were on the outer fringes of the fire which did not encounter any issues as far as water facilities being compromised. Most of the fire occurred in rough terrain and did not impact any systems. Silver City staff contacted US Forest Service staff who were proactive and closed down any active Forest Service water systems that were in danger of being affected by the fire. There were no other incidents reported to the DWB that might have impacted public health.

Action Plan: None Needed

Drinking Water Bureau Continued



Performance Measure 4.	FY 11 Actuals	FY 12 Actuals	FY 12 Target
Percent of public water systems surveyed to ensure compliance with drinking water regulations	91%	87.45%	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: $[100 - (\# \text{ of surveys due} / \# \text{ of systems} * 100)]$. During this reporting period there were 145 surveys that were due or past due out of a total of 1,155 drinking water systems. This means that 87.45% of the drinking water systems have sanitary surveys that are current, while 12.55% 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. The DWB expects to meet the target of 90% in the following quarters, as Sanitary Surveys are more easily scheduled during the warmer months and will continue to conduct sanitary surveys to ensure compliance with drinking water regulations in a manner that prioritized public health protection.

Water & Waste Management Division

Groundwater Quality Bureau

Performance Measure 1.	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 Actuals
Percent of groundwater discharge permitted facilities receiving annual field inspections and annual compliance evaluations	61%	42%	54%	46%



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 4th quarter, 46.2% of the total number of permitted facilities (443 of 958) received inspections or compliance evaluations. This calculation assumes a total of 958 permitted facilities, whereas the total number of permits for the 4th quarter is 971 (the number of permits ranged from 945 in the second quarter to 971 in the 4th quarter). This performance measure for FY12 falls short of the annual goal of 50%.

Action Plan: This performance measure is slightly under the annual goal primarily due to a suspension of dairy inspections before the new dairy regulations became effective in the 3rd quarter of FY12, and to vacancies in the program. Performance on this measure is expected to improve in FY12 with the addition of two new staff persons.

Groundwater Quality Bureau Continued

Performance Measure 2.	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 Actuals
Percent of permitted facilities where monitoring results demonstrate compliance with ground water standards	73%	72%	72%	71%
Objective: Increase the number of permitted facilities that have successfully prevented ground water pollution and maximize the availability of high quality ground water supplies.				

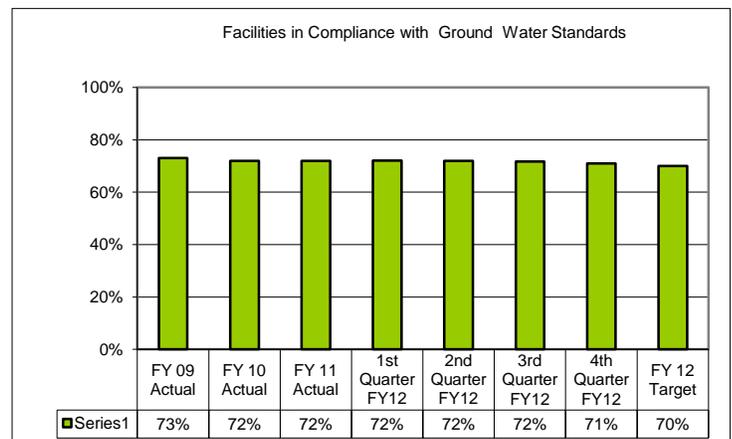
Data Source: Tempo database

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 4th quarter FY12 result was 71.3% (693 of 971 active/inactive sites). This result exceeds the annual goal of 70% for FY12.

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

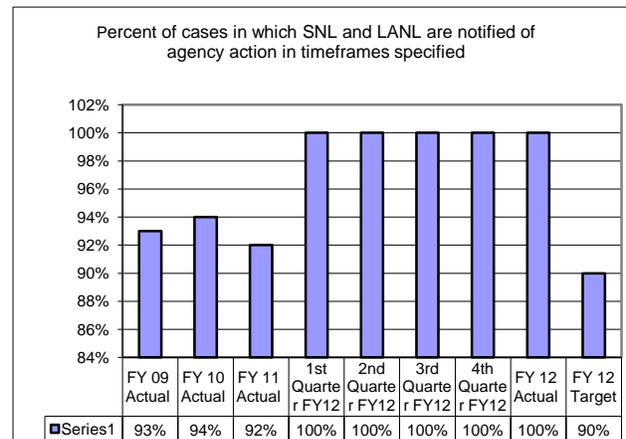
Performance Measure 1.	FY 08 Actuals	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 Actuals
Percent of cases in which Sandia National Laboratory and Los Alamos National Laboratory are notified of agency action on documents submittals within the timeframe specified in the executed consent orders	92%	93%	94%	92%	100%
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.

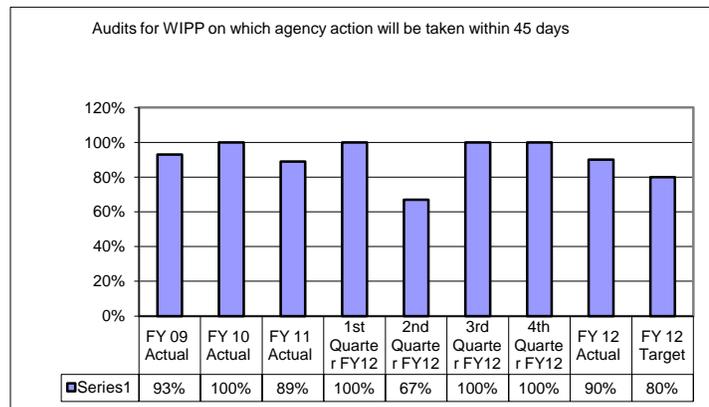
Comments: For the 4th quarter of FY12 there was one document with a Notice Date for Los Alamos National Laboratory. No documents had Notice Dates in the reporting period for Sandia National Labs. For FY12 Notice Dates were met for all documents and meet this goal.

Action Plan: None needed.



Hazardous Waste Bureau Continued

Performance Measure 2.	FY 09 Actuals	FY 10 Actuals	FY 11 Actuals	FY 12 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%	90%	80%



Data Source: Count of notices required during reporting period.

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

Comments: For the 4th quarter of FY12 the Bureau received three audit reports for review and action was taken for all within 45 days. For FY12 the Bureau reviewed 10 audit reports and met this 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 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%	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 4th 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 met this goal.

Action Plan: None needed.

Performance Measure 4.	FY 11 Actuals	FY 12 Actuals	FY 12 Target
Percent reduction of active facilities that have never been inspected	2.9%	7.7%	4.0%
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 RCRA Info 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 373 (22.7%) had never been inspected. During the 4th quarter of FY12 HWB inspected 33 facilities that had never been inspected. This is a reduction of active facilities that have never been inspected of 2.0% for the period. During FY12 HWB inspected a total of 131 facilities that had never been inspected. This is a reduction of active facilities that have never been inspected of 7.7% for the period. HWB met the annual target.

Action Plan: None needed.

Performance Measure 5.	FY 11 Actuals	FY 12 Actuals	FY 12 Target
Percent of large quantity hazardous waste generators inspected	45.7%	26.2%	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 FY12, the EPA RCRAInfo database listed 65 active LQGs in NM. Therefore, the 20% target is achieved by inspecting 13 LQGs. For the 4th quarter of FY12, HWB inspected 4 LQGs (6.2%). For the entire FY12, HWB inspected 17 LQGs (26.2%). HWB met the annual target.

Action Plan: None needed.