



GOVERNOR

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**Environment Department Finds Multiple Air Quality
Violations in Doña Ana and Otero Counties**

(Santa Fe, NM) — The New Mexico Environment Department (NMED) has uncovered numerous violations of federal and state air quality regulations and operating permits at several sand and gravel processing facilities in Doña Ana and Otero counties. Violations were discovered at six facilities owned and operated by CEMEX, a large multi-national corporation. One of the facilities, located at the Vado quarry near Vado, N.M., is owned by Mesa Verde Enterprises but is operated by CEMEX. NMED has issued CEMEX three notices of violation citing 12 violations and expects to issue more as the results of recent inspections are reviewed and infractions compiled.

NMED conducts annual air quality inspections at facilities around the state, but the number of violations discovered in Doña Ana and Otero counties over the last month is surprising. Monitored air concentrations of particulate matter in Doña Ana County are higher than other areas of the state, particularly during the spring when high winds tend to make the pollution worse. High concentrations of dust in the air can result in negative impacts to health and quality of life, especially among sensitive populations, such as the young and elderly, and those with respiratory ailments.

“Such a large number of violations in one county is unacceptable,” NMED Secretary Ron Curry said. “NMED will not allow these violations to continue unabated, especially in areas that are already on the brink of exceeding federal limits, and will send a strong message to violators that they must operate according to air quality standards and the conditions of their operating permits.

“It is critical that the state put extra effort into monitoring and enforcing air quality regulations in areas like Doña Ana County where air pollution levels approach health-based standards,” Secretary Curry

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CEMEX Air Quality Violations

continued. “The state will pursue these violators with its full authority and inspect their facilities frequently until we are sure they are achieving full compliance.”

Violations include: Operation of equipment without a permit, failure to notify NMED of equipment startup, failure to conduct air quality compliance tests, failure to maintain asphalt equipment at proper temperatures, and failure to post permits. Air quality violations can be assessed penalties of up to \$15,000 per day per violation until corrected. Penalties may be settled through cash payment to the state or through the implementation of an environmental project that benefits the community where the violation occurred. NMED will notify CEMEX of the penalties associated with each violation within 30 days. CEMEX has 30 days to take corrective action and remedy the non-compliance issues cited in the violations.

In the last two years, NMED has conducted a series of regional workshops, including one in Las Cruces, to inform and educate sand and gravel plant owners and operators about air quality requirements. The goal of the workshops was to improve the air quality compliance of sand and gravel processing facilities in the state. In the past, the number of sand and gravel facilities in the state not complying with federal and state standards has been high, requiring the state to monitor these facilities more frequently than others.

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