



NEW MEXICO'S  
ANNUAL  
PUBLIC WATER SYSTEMS  
COMPLIANCE REPORT  
-2009-

**Drinking Water Bureau**  
**New Mexico Environment Department**  
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## Table of Contents

Table of Contents.....	1
Introduction .....	2
Public Water Systems in New Mexico.....	3
PWS Compliance with SDWA Requirements.....	5
Water System Violations.....	7
Inorganic Chemical (IOC) Contaminants.....	8
Organic Chemical Contaminants .....	9
Radionuclide Contaminants/ Radionuclides Rule .....	9
Coliforms/ Total Coliform Rule (TCR) .....	10
Disinfection Byproducts Rule (DBP) .....	11
Surface Water Treatment Rule/Interim Enhance Surface Water Treatment Rule (SWTR/IESWTR).....	11
Lead and Copper Rule (LCR) .....	12
Groundwater Rule (GWR).....	13
Public Notification (PN) .....	13
Consumer Confidence Reports (CCR).....	14
Summary of Violations .....	14
Conclusions .....	16

## **Introduction**

The Safe Drinking Water Act (SDWA) is the primary federal law originally enacted in 1974 to protect public health by regulating the nation's public water supplies. The SDWA applies to the 50 States, the District of Columbia, Indian Lands, Puerto Rico, the Virgin Islands, American Samoa, Guam and the Commonwealth of the Northern Mariana Islands. It was amended in 1986 and 1996 to ensure protection of the nations water supplies from the source (rivers, lakes, reservoirs, springs, and ground water wells) to the tap. Contaminants can enter public water supplies from many sources, including improper disposal of chemicals; animal wastes; pesticides; human wastes; wastes injected deep underground; and naturally-occurring substances. Additionally, drinking water that is not properly treated or disinfected, or which travels through an improperly maintained distribution system, may also pose a health risk. The SDWA establishes national health-based standards for drinking water to protect against both naturally-occurring and man-made contaminants that may be found in drinking water and authorizes the Public Water System Supervision (PWSS) Program to ensure proper implementation of the SDWA.

The SDWA allows States and Territories to seek United States Environmental Protection Agency (EPA) approval to administer their own PWSS Programs. The authority to run a PWSS Program is called primacy. To receive primacy, States (or tribes or territories) must meet certain requirements laid out in the SDWA and the federal regulations, including the adoption of drinking water regulations that are at least as stringent as the federal regulations and a demonstration that they can enforce the program requirements. EPA currently administers PWSS Programs on all Indian lands except the Navajo Nation, which was granted primacy in late 2000. The State of New Mexico (NM) has been a primacy state since 1976 with the New Mexico Environment Department (NMED) Drinking Water Bureau (DWB) as the lead agency responsible for implementing the PWSS Program. DWB protects drinking water quality by providing technical assistance, water system oversight, enforcement, and source water protection to NM's public water systems (PWSs).

Primacy states must implement a PWSS program adequate to enforce the requirements of the SDWA and ensure that PWSs comply with the National Primary Drinking Water Regulations. Key activities carried out by NMED DWB under NM's PWSS program include:

- developing and maintaining state drinking water regulations;

- developing and maintaining an inventory of PWSs throughout the state;
- developing and maintaining a database to hold compliance information on PWSs;
- conducting sanitary surveys of PWSs;
- reviewing public water system plans and specifications;
- providing technical assistance to managers and operators of PWSs;
- ensuring that the PWSs regularly inform their consumers about the quality of the water that they are providing;
- certifying laboratories that can perform the analysis of drinking water that will be used to determine compliance with the regulations; and
- carrying out an enforcement program to ensure that the PWSs comply with all of the state's requirements.

Each year NMED DWB prepares and submits to EPA *New Mexico's Annual Public Water Systems Compliance Report* (this report). The purpose of the report is to provide the public with a summary of the different types of drinking water violations accrued by PWSs during the previous calendar year. This report is a mandated requirement of the federally funded PWSS Program and encompasses drinking water violations that were verified during calendar year 2009. NM is required by the SDWA to make this report available to the public. NMED DWB posts the report on their website at: <http://www.nmenv.state.nm.us/dwb/dwbtop.html>. Interested individuals can also obtain a copy upon request to the DWB Grants Coordinator by calling toll free (877) 654-8720.

## **Public Water Systems in New Mexico**

PWSs and the types of systems in NM are defined in the table below. A PWS must have the ability to achieve and maintain compliance with applicable drinking water standards so that systems can provide safe and affordable water to their customers. PWSs are responsible for complying with all regulations including sampling, monitoring, reporting, performing treatment techniques, record keeping, and public notice requirements. To meet these requirements they must perform routine monitoring and report results to the State regulatory agency. Violations must also be reported to the public and corrected. Failure to perform any of these functions can result in enforcement actions and penalties. NM's PWSS Program provides oversight of PWSs, determines whether they are in

compliance with federal and state drinking water laws and regulations and takes enforcement actions when necessary to protect public health.

Public Water System Types and Definitions		
<b>Public Water System</b>	<b>PWS</b>	A system that provides water for human consumption, if such system has at least 15 service connections or regularly serves at least 25 individuals at least 60 days out of the year.
<b>Community</b>	<b>C</b>	A system that serves at least 15 service connections (which may include factories, schools, or places of housing that are on the same distribution system as residences) used by year-round residences or regularly serve at least 25 year-round residents.
<b>Transient Non-Community</b>	<b>NC</b>	A system that serves at least 25 of the same persons over six months per year not at their residence (e.g., schools or factories that have their own water source).
<b>Non transient, Non-community</b>	<b>NTNC</b>	A system that serves at least 25 persons (but not the same 25) over six months per year not at their residence (e.g., campgrounds or highway rest stops that have their own water source).

In 2009, there were approximately 1,221 PWSs that provided drinking water in NM. See tables below for specific inventories by type, population and sources. These PWSs provide drinking water to approximately 1,921,326 people. This is approximately 96% of the population of NM. Of the total PWSs in NM, approximately 96% purchase or use ground water as the primary source of drinking water.

Number of PWSs in NM by Type and Population (as of 12/31/2009)										
PWS Type	Very Small (≤ 500)		Small (501-3,300)		Medium (3,301-10,000)		Large (>10,000)		TOTAL	
	SYS	POP	SYS	POP	SYS	POP	SYS	POP	SYS	POP
<b>C</b>	433	74,077	123	171,418	36	226,400	25	1,319,887	<b>617</b>	<b>1,791,782</b>
<b>NC</b>	422	41,256	26	33,538	1	5,000	0	0	<b>449</b>	<b>79,794</b>
<b>NTNC</b>	135	20,664	18	21,191	2	7,895	0	0	<b>155</b>	<b>49,750</b>
<b>TOTAL</b>	<b>990</b>	<b>135,997</b>	<b>167</b>	<b>226,147</b>	<b>39</b>	<b>239,295</b>	<b>25</b>	<b>1,319,887</b>	<b>1,221</b>	<b>1,921,326</b>

Number of PWSs in NM by Source and Population (as of 12/31/2009)														
PWS Type	GWUDI <i>Ground Water Under the Direct Influence of Surface Water</i>		GWUDIP <i>Ground Water Under Direct Influence of Surface Water - Purchased</i>		GW <i>Ground Water</i>		GWP <i>Ground Water - Purchased</i>		SW <i>Surface Water</i>		SWP <i>Surface Water - Purchased</i>		TOTAL	
	SYS	POP	SYS	POP	SYS	POP	SYS	POP	SYS	POP	SYS	POP	SYS	POP
<b>C</b>	5	592	0	0	543	898,366	29	16,415	27	844,615	13	31,794	<b>617</b>	<b>1,791,782</b>
<b>NC</b>	6	5,616	2	450	425	67,679	8	2,151	6	2,201	2	1,697	<b>449</b>	<b>79,794</b>
<b>NTNC</b>	0	0	0	0	142	42,964	8	5,958	2	153	3	675	<b>155</b>	<b>49,750</b>
<b>TOTAL</b>	<b>11</b>	<b>6,208</b>	<b>2</b>	<b>450</b>	<b>1,110</b>	<b>1,009,009</b>	<b>45</b>	<b>24,524</b>	<b>35</b>	<b>846,969</b>	<b>18</b>	<b>34,166</b>	<b>1,221</b>	<b>1,921,326</b>

The vast majority of NM's population was served by community water systems such as the City of Albuquerque and the City of Santa Fe. It is important to understand that the community water systems have many more regulations and rules to follow in comparison to transient non-community water systems. This is important because people typically obtain the majority of their water at home and would have an increased exposure to any health risks from the home water supply, should it become contaminated, compared to that of a rest stop along an isolated stretch of highway.

### PWS Compliance with SDWA Requirements

Under the SDWA and the 1986 Amendments, EPA has set national limits on contaminant levels in drinking water to ensure that the water is safe for human consumption. These limits are known as Maximum Contaminant Levels (MCLs) and the Maximum Residual Disinfectant Levels (MRDLs) and apply to all PWSs. For some regulations, EPA has established treatment techniques (TTs) in lieu of a MCL to control unacceptable levels of contaminants in water. The Agency also regulates how often PWSs monitor their water for contaminants and when they need to report the monitoring results to the states or EPA. Generally, the larger the population served by a PWS, the more frequent the monitoring and reporting (M/R) requirements become. In addition, EPA requires PWSs, to monitor unregulated contaminants to provide data for future regulatory development; however, this report only includes violations pertaining to rules and regulations. Finally, EPA requires PWSs to notify their consumers when they have violated these regulations. The 1996 Amendments to the SDWA require consumer notification to include a clear and understandable explanation of the nature of the violation, its potential adverse health affects, steps that the PWS is undertaking to correct the violation and the possibility of alternative water supplies during the violation.

All of the information described above must be tracked by the primacy agency for each PWS in the state/territory. NM uses the Safe Drinking Water Information System (State) (SDWIS/State), an automated database developed by EPA, to track inventory, sampling, monitoring and enforcement information. EPA also maintains the federal version of the database, SDWIS/FED. These databases are important tools which help states and EPA regions manage their drinking water programs and fulfill EPA reporting requirements. Primacy agencies are required to submit all of this information to EPA on a quarterly basis and these databases facilitate that process. In accordance with EPA's *Guidance for States on Preparing Annual Public Water System Compliance Reports (2010)*, NMED DWB uses SDWIS/FED records of violations and the data retrieved from SDWIS/FED Reporting Services *Summary Annual Compliance* and *Ad hoc* Reports to compile this document.

This report, produced annually, provides a representation of the numbers of violations for the following categories: MCLs (includes MRDLs), treatment techniques (TT), variances and exemptions (V/E), monitoring and reporting (M/R), public notification (PN) and consumer notification (CN). Each category is described in more detail in the table below. This report provides the number of violations in each of these categories that were verified during 2009, typically organized by regulated contaminant type or by Rule and then further divided by violation type (MCL, TT, M/R, PN and CN).

Violation Type		Description
Maximum Contaminant Levels	MCL	Under the SDWA and State Drinking Water Regulations, federal and state governments both set limits on the level of contaminants in drinking water. These limits, called maximum contaminant levels, which also includes maximum residual disinfection levels, are established to ensure that the water is safe for people to drink. Each public water system is tested according to sample schedules to verify that no contaminants are above the prescribed limits. If a public water system test result exceeds a MCL, a violation has occurred.
Treatment Techniques	TT	In some cases, techniques to treat the water have been established in lieu of a MCL to control viruses, some bacteria, turbidity and total organic carbon. Filtration of surface water sources, such as reservoirs, rivers and lakes is an example of a water supply treatment technique. Each system is monitored to ensure that all required treatment technologies are properly designed, installed and operated. If a system fails to follow the required TT, a violation has occurred.
Variations and Exemptions	V/E	Variations and exemptions to specific requirements may be granted if a public water system cannot meet MCLs due to reasons beyond the system's control and there is no unreasonable risk to public health. Each exemption includes a schedule to bring the system into full compliance. If a system fails to meet the conditions outlined in the variance and exemption, then a violation has occurred. <b>During this reporting period, NM has not issued any exemptions or variations.</b>
Monitoring and Reporting Requirements	M/R	A public water system is required to periodically monitor the water quality to verify that MCLs are not being exceeded. If a public water system fails to take the required tests and/or fails to report the results of the tests to the primacy agency, then a violation has occurred.
Public Notification Requirements	PN	SDWA prescribes specific public notification requirements based on the potential of a violation to cause serious effects. When a water system fails to properly notify its customers, then a violation has occurred.
Consumer Notification	CN	Every community water system is required to deliver to its customers a brief annual water quality report. This report is to include some educational material, and will provide information on the source water, the levels of any detected contaminants and compliance with drinking water regulations. When a water system fails to produce this report a violation has occurred.

## Water System Violations

The following sections summarize the significant violations and the number of PWSs with reported violations that were verified during calendar year 2009. This includes violations that began before January 1 of the year and continued into the year covered by the report; violations that ended during the year covered by the report; and violations at a public water system that operated for only part of, or permanently ceased operations during the year covered by the report. If a system returned to compliance before the year covered by the report and remained in compliance throughout the year covered by the report, its violations are not counted.

All MCL and TT violations are included in this report; however, only those violations that are considered “significant” are reported for M/R, PN and CN categories. A significant M/R violation occurs, with rare exceptions, when no samples are taken or no results are reported during a compliance period. A significant PN violation occurs when a community water system fails to properly notify its users according to the procedures specified in the Drinking Water Regulations. A significant CN violations occurs when a community water system fails to provide the required annual Consumer Confidence Report by the designated due date.

### **Inorganic Chemical (IOC) Contaminants**

PWSs are required to monitor 15 inorganic compounds such as fluoride, heavy metals and nitrate. Inorganic contaminants are metals, salts, and other compounds that do not contain carbon. These chemicals sometimes contaminate water supplies as a result of human activity; however, many are naturally occurring in certain geographic areas. The majority of the inorganic MCL contaminant violations in NM are suspected to be associated with naturally occurring sources; however, Nitrate MCL violations are likely to have originated from anthropogenic sources such as septic disposal systems.

<b>IOC Contaminant MCL Violations</b>	<b>MCL (mg/L)</b>	<b># of Violations</b>	<b># Return to Compliance Violations</b>	<b># of PWSs in Violation</b>
Arsenic	0.01	85	3	32
Fluoride	4.0	20	2	8
Nitrate-Nitrite (as Nitrogen)	10	2	1	2
<b>Totals</b>		<b>107</b>	<b>6</b>	<b>41*</b>

\*A single water system could violate more than one MCL.

IOC Monitoring & Reporting Violations	# of Violations	# Return to Compliance Violations	# of PWSs in Violation
Antimony	2	0	1
Arsenic	4	0	3
Barium	2	0	1
Beryllium	2	0	1
Cadmium	2	0	1
Chromium	2	0	1
Fluoride	1	1	1
Mercury	2	0	1
Nickel (no longer regulated)	2	0	1
Nitrate-Nitrite (as Nitrogen)	1	0	1
Selenium	2	0	1
Thallium	2	0	1
<b>Totals</b>	<b>24</b>	<b>1</b>	<b>5*</b>

\*A single water system could violate more than one monitoring and reporting requirement.

### **Organic Chemical Contaminants**

Organic chemicals are compounds that contain one or more carbon atoms. Sources of organic chemical compounds can be natural, such as from decaying vegetation, or anthropogenic. Organic chemicals that are regulated in drinking water typically come from industrial and agricultural activities and include substances such as components of pesticides and industrial and commercial products. During 2009 there were no organic chemical MCL violations.

**There were no MCL or M/R violations validated for organic chemicals for any PWS in NM during 2009.**

### **Radionuclide Contaminants/ Radionuclides Rule**

Radionuclide contaminants consist of radioactive particles such as radium-226, radium-228, gross alpha, and beta particle/photon radioactivity. The implementation of the Radionuclides Rule has significantly increased the total number of violations associated with radionuclide contaminants. These contaminants can occur naturally, or may result from human activity. It should be noted that the NM is geologically rich in naturally occurring radioactive uranium ore deposits such as those found in the San Juan Basin and the Pojoaque Valley.

Radionuclide Contaminant MCL Violations	MCL (pCi/L)	# of Violations	# Return to Compliance Violations	# of PWSs in Violation
Gross Alpha, Excluding Radon & Uranium	15	13	6	3
Combined Uranium	30	34	6	11
<b>Totals</b>		<b>47</b>	<b>12</b>	<b>12*</b>

\*A single water system could violate more than one MCL.

Radionuclide Monitoring & Reporting Violations	# of Violations	# Return to Compliance Violations	# of PWSs in Violation
Combined Uranium	1	0	1
<b>Totals</b>	<b>1</b>	<b>0</b>	<b>1*</b>

\*A single water system could violate more than one monitoring and reporting requirement.

### **Coliforms/ Total Coliform Rule (TCR)**

The Total Coliform Rule (TCR) requires all PWSs to monitor for coliform bacteria. Although coliform bacteria tend to be found in decaying organic material and the intestinal tract of humans and animals, it is not usually harmful to human health. The presence of coliform bacteria in the distribution systems of public water supplies is used as an indicator that more dangerous microbiological contamination may be present. The total coliform MCL is the most frequently violated health-based standard in both NM and the United States. The large number of monitoring violations can be attributed in part to the complexity of this rule. The DWB recognizes the need to educate the water system operators and has focused on individual and group training sessions through DWB staff and technical assistance providers to reduce these violations. DWB feels these efforts will assist with the reduction of TCR violations in future years.

TCR MCL Violations	# of Violations	# Return to Compliance Violations	# of PWSs in Violation
MCL, Acute	4	1	4
MCL, Monthly	71	14	54
<b>Totals</b>	<b>75</b>	<b>15</b>	<b>54*</b>

\*A single water system could violate more than one MCL.

TCR Monitoring & Reporting Violations	# of Violations	# Return to Compliance Violations	# of PWSs in Violation
Routine Major	128	21	86
Repeat Major	23	2	20
<b>Totals</b>	<b>151</b>	<b>23</b>	<b>101*</b>

\*A single water system could violate more than one monitoring and reporting requirement.

### **Disinfection Byproducts Rule (DBP)**

The Disinfection Byproducts Rule (DBP) applies to all PWSs that add a chemical disinfectant, except for transient water systems that add a disinfectant other than chlorine dioxide. This rule requires these water systems to monitor for disinfection byproduct contaminants and disinfectants within the system. The DBP is a new and complicated rule that is proving to be difficult for PWSs to understand and maintain compliance.

DBP MCL Violations	# of Violations	# Return to Compliance Violations	# of PWSs in Violation
DBP MCL Violations (SDWIS/FED does not report by individual analytes)	15	0	6
<b>Totals</b>	<b>15</b>	<b>0</b>	<b>6*</b>

\*A single water system could violate more than one MCL.

DBP Treatment Technique Violations	# of Violations	# Return to Compliance Violations	# of PWSs in Violation
No Certified Operator	8	0	7
<b>Totals</b>	<b>8</b>	<b>0</b>	<b>7*</b>

\*A single water system could violate more than one treatment technique requirement.

DBP Monitoring & Reporting Violations	# of Violations	# Return to Compliance Violations	# of PWSs in Violation
Routine Monitoring	12	3	9
<b>Totals</b>	<b>12</b>	<b>3</b>	<b>9*</b>

\*A single water system could violate more than one monitoring and reporting requirement.

### **Surface Water Treatment Rule/Interim Enhance Surface Water Treatment Rule (SWTR/IESWTR)**

The Surface Water Treatment Rule (SWTR) requires PWSs that are served by either surface water or ground water under the direct influence (GWUDI) of surface water to treat the water by filtration and disinfection in an effort to reduce the potential exposure to microbiological contamination. This rule applies to approximately 66 PWSs in NM.

The Surface Water Treatment Rule/Interim Enhance Surface Water Treatment Rule (SWTR/IESWTR) is designed to address the health risks from microbial contaminants without significantly increasing the danger from chemical contaminants. The IESWTR applies to PWSs that use surface water or ground water under the direct influence of surface water (GWUDI) as a source and serve 10,000 or more people. This rule applies to approximately 6 PWSs in NM.

SWTR/IESWTR Treatment Technique Violations	# of Violations	# Return to Compliance Violations	# of PWSs in Violation
Filter Effluent/Residual Disinfection Concentration	5	3	5
Failure to Filter	8	3	5
Single combined filter effluent – maximum turbidity value exceeded 1.0 NTU	2	2	2
Monthly combined filter effluent – 95 <sup>th</sup> percentile turbidity value exceeded 0.3 NTU	11	8	4
<b>Totals</b>	<b>26</b>	<b>16</b>	<b>11</b>

\*A single water system could violate more than one treatment technique requirement.

SWTR/IESWTR Monitoring & Reporting Violations	# of Violations	# Return to Compliance Violations	# of PWSs in Violation
Monitoring of Treatment (SWTR-Filter)	7	6	2
Monitoring Turbidity (Enhanced SWTR)	12	7	3
<b>Totals</b>	<b>19</b>	<b>13</b>	<b>4*</b>

\*A single water system could violate more than one monitoring and reporting requirement.

### **Lead and Copper Rule (LCR)**

The Lead and Copper Rule (LCR) applies to all community and non-transient non-community water systems and requires them to monitor lead and copper in an effort to identify and minimize the risk of exposure to lead and copper in drinking water. If action levels are exceeded, the PWS may need to take steps and apply various treatment techniques to minimize exposure such as installing corrosion control, providing public education, treating the source water or replacing lead service lines. All of the violations of LCR were for the water system's failure to provide public education or monitor/report. Throughout the implementation history of this rule, very few PWSs in NM have been identified to have significant lead and copper action level exceedences. The vast majority of historical violations associated with this rule pertain to failing to meet the monitoring requirements.

LCR Treatment Technique Violations	# of Violations	# Return to Compliance Violations	# of PWSs in Violation
Public Education	1	1	1
<b>Totals</b>	<b>1</b>	<b>1</b>	<b>1*</b>

\*A single water system could violate more than one treatment technique requirement.

LCR Monitoring & Reporting Violations	# of Violations	# Return to Compliance Violations	# of PWSs in Violation
Initial Tap Sampling for lead (Pb) and copper (Cu)	29	10	23
Routine Tap or Follow-Up Sampling	158	19	122
<b>Totals</b>	<b>187</b>	<b>29</b>	<b>139*</b>

\*A single water system could violate more than one monitoring and reporting requirement.

### **Groundwater Rule (GWR)**

The Groundwater Rule (GWR) applies to all systems that use ground water as a source of drinking water, including systems that purchase groundwater and mix groundwater and surface water. The purpose of the rule is to reduce disease incidence associated with disease-causing microorganisms in drinking water. The rule establishes a risk-based approach to target ground water systems that are vulnerable to fecal contamination. Ground water systems that are identified as being at risk of fecal contamination must take corrective action to reduce potential illness from exposure to microbial pathogens. The rule took effect on December 1, 2009 and therefore the data reported represent one month as opposed to one year.

GWR Monitoring & Reporting Violations	# of Violations	# Return to Compliance Violations	# of PWSs in Violation
Source Monitoring	2	0	2
<b>Totals</b>	<b>2</b>	<b>0</b>	<b>2*</b>

\*A single water system could violate more than one monitoring and reporting requirement.

### **Public Notification (PN)**

All PWSs are required to notify its customers when: (1) the system fails to comply with drinking water regulations, (2) the system has a variance or exemption from drinking water regulations or (3) the system is facing some other situation posing a public health risk. Violations identified in this report are for PWSs that failed to properly inform their customers regarding one of these topics.

<b>Public Notification Violations</b>	<b># of Violations</b>	<b># Return to Compliance Violations</b>	<b># of PWSs in Violation</b>
Failure to provide proper public notification linked to a drinking water regulation violation	383	31	161
<b>Totals</b>	<b>383</b>	<b>31</b>	<b>161</b>

\*A single water system could violate more than one public notification requirement.

### **Consumer Confidence Reports (CCR)**

All community water systems are required to prepare and provide to their customers an annual Consumer Confidence Report (CCR). The CCR summarizes the quality of the drinking water and any violations. It also includes some educational material, provides information on the source water, the level of any detected contaminants, and compliance with drinking water regulations. These violations persist each year until every CCR is prepared properly and provided to the consumers of the PWS.

<b>Consumer Confidence Report (CCR) Violations</b>	<b># of Violations</b>	<b># Return to Compliance Violations</b>	<b># of PWSs in Violation</b>
Failure to provide CCR	170	73	124
<b>Totals</b>	<b>170</b>	<b>73</b>	<b>124*</b>

\*A single water system could violate more than one CCR requirement.

### **Summary of Violations**

All of the violations presented in this report are summarized in the following table.

Summary of NM Public Water System Violations												
Contaminant Type or Rule	MCLs			Monitoring and Reporting			Treatment Technique			Public Notification and Consumer Confidence Reporting		
	# of Violations	# of RTC Violations	# PWS in Violation	# of Violations	# of RTC Violations	# PWS in Violation	# of Violations	# of RTC Violations	# PWS in Violation	# of Violations	# of RTC Violations	# PWS in Violation
OC	107	6	41	24	1	5						
SOC	0	0	0	0	0	0						
VOC	0	0	0	0	0	0						
RAD	47	12	12	1	0	1						
<b>Contaminant Sub-Totals</b>	<b>154</b>	<b>18</b>	<b>52</b>	<b>25</b>	<b>1</b>	<b>6</b>						
TCR	75	15	54	151	23	101						
DBP	15	0	6	12	3	9	8	0	7			
SWTR/IESW TR				19	13	4	26	16	11			
LCR				187	29	139	1	1	1			
GWR				2	0	2	0	0	0			
PN										170	73	124
CCR										383	31	161
<b>Grand Totals</b>	<b>244</b>	<b>33</b>	<b>111</b>	<b>396</b>	<b>69</b>	<b>239</b>	<b>35</b>	<b>17</b>	<b>19</b>	<b>553</b>	<b>104</b>	<b>262</b>

## Conclusions

The water quality of NM's PWSs is generally very high, as documented by routine sampling and analysis. Sixty three percent (63%) of NM's PWS did not have any significant violations reported during 2009 and are considered to be in compliance of the SDWA and state drinking water regulations. During 2009 approximately 451, or 37%, of PWSs received at least one significant violation resulting in a grand total of 1,228 significant violations being reported for NM. One-hundred eleven (111), or 9%, of the PWSs in NM had health based violations of a MCL. Of the health based violations, 52 PWSs had 154 chemical, or radionuclide MCL violations; 54 PWSs had 75 total coliform MCL violations, and 6 PWSs had 15 Disinfection Byproduct Rule violations. These MCL violations account for 20% of the total number of violations. The majority of violations that occurred during 2009 were associated with non-water quality and non-health based requirements such as failing to monitor routinely as required by the Total Coliform Rule (TCR) and the Lead and Copper Rule. Two-hundred thirty-nine (239) PWSs had a total of 396 monitoring and reporting violations accounting for 32% of the total number of violations. Nineteen (19) PWSs had 35 TT violations accounting for 3% of the total violations. One-hundred twenty-four (124) PWSs had 170 PN violations accounting for 14% of the total number of violations and 161 PWSs had 383 CCR violations, accounting for 31% of the total number of violations.

Compliance determination has improved through better internal communication, expanded enforcement efforts, supplemental training on compliance and enforcement reporting, and the implementation of the SDWIS/State database. Of the 1,228 violations identified in 2009, 223 of the violations were returned to compliance (18%). DWB compliance staff continues to work with PWSs to address all violations and return each system to compliance. An increase in the identification of drinking water violations as well as better reporting by staff ensures that safer drinking water will be available for NM citizens.

During 2009 escalated enforcement actions were used to bring PWSs that had a history of significant violations back into compliance. The increase in DWB's enforcement activities reflects a positive enhancement of the NMED's regulatory capabilities for the constituents identified in this report. Programs such as the Capacity Development program provided means to allow DWB and contracted

assistance providers to identify needs and provide assistance in order to increase the technical, financial, and managerial capacity of many of these systems. The implementation of the Expense Reimbursement Grant and Training Program for Water System Operators has trained many certified operators in NM. It is anticipated that this program will increase PWS compliance with drinking water regulations by offering the incentives of expense reimbursement and additional training opportunities to small water operators throughout rural NM. All these activities combined provide information demonstrating enhanced reporting mechanisms as well as enhanced support of SDWA compliance and oversight.