

NM Government  
Accountability Act  
NMED Strategic  
Plan

2020

The New Mexico Environment Department strategic plan outlines the organization's process of defining its goals, objectives, and strategy to achieve its mission.

New Mexico  
Environment  
Department

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## **Mission Statement**

The mission of the New Mexico Environment Department is to protect and restore the environment, and to foster a healthy and prosperous New Mexico for present and future generations.

## **Core values and Guiding Principles**

### ***INTEGRITY***

Honesty, consistency, directness, and respect for commitments made.

### ***EXCELLENCE***

Exceeding our stakeholder's performance expectations.

### ***RESPECT***

Positive regard for the dignity of all persons.

### ***STEWARDSHIP***

Efficient and innovative use of natural, human, and financial resources.

### ***COLLABORATION***

Unified effort to achieve superior results.

## Executive Summary

The mission of the New Mexico Environment Department (NMED or Department) is to protect and restore the environment, and to foster a healthy and prosperous New Mexico for present and future generations. The Department was established in the Department of Environment Act (Legislature 40), enacted July 1, 1991, created as a single, cabinet-level department to administer and oversee the State's environmental laws and to exercise the functions relating to environmental protection and regulation.

The Department's work is broad and includes the regulation and oversight of air, solid and hazardous waste, surface and groundwater quality, environmental and public health, drinking water, petroleum storage tank systems, radiation sources, and occupational health and safety. Through all of its statutory and regulatory programs and operations under both state and federal law, NMED has the chief executive function of protecting the environment and human health across the State. NMED's extensive regulatory and enforcement authority over state, federal, and private sector entities impact all New Mexicans, directly and indirectly.

Secretary of Environment Butch Tongate is committed to working with individuals, cities, counties, businesses, tribes, and nongovernmental entities in finding solutions for environmental concerns. Secretary Tongate frequently highlights the importance of interacting with interested parties and regulated entities on issues related to the Department's administrative and regulatory scope so that NMED understands the needs and concerns within the state.

The Department's approximately 640 employees serve the citizens of New Mexico through their work in outreach, permitting, inspection, enforcement, and project funding.

## Organizational Structure of the Department of Environment

### Resource Management Division (P567)

- Office of the Secretary (1210000000)
  - Public Relations and Facilitation
  - Policy and Planning
  - Border and Environmental Justice
  - Emergency Operations and Response
  - Inter-governmental Relations (Tribes, Pueblos, Nations)
- Office of General Counsel (1220000000)
- Office of Information Technology (1500000000)
- Administrative Services Division (1800000000)

### Water Protection Division (P568)

- Office of the Director (2010000000)
- Construction Programs Bureau (2090000000)
- Drinking Water Bureau (2080000000)
- Ground Water Quality Bureau (2030000000)
- Surface Water Quality Bureau (2060000000)

### Resource Protection Division (P569)

- Office of the Director (3100000000)
- Department of Energy (DOE) Oversight Bureau (3400000000)
- Hazardous Waste Bureau (3500000000)
- Petroleum Storage Tank Bureau (3200000000)
- Solid Waste Bureau (3300000000)

### Environmental Protection Division (P570)

- Office of the Director (4010000000)
- Air Quality Bureau (4040000000)
- Environmental Health Bureau (4080000000)
- Occupational Health and Safety Bureau (OSHA) (4030000000)
- Radiation Control Bureau (4070000000)

### Boards, Councils, & Commissions

- Environmental Improvement Board (EIB)
- Occupational Health and Safety Review Commission
- Office of Natural Resource Trustee (ONRT)
- Petroleum Storage Tank Committee
- Wastewater Technical Advisory Committee (Onsite treatment and disposal)
- Water Quality Control Commission (WQCC) (sets water quality standards)



## Financial Assistance Programs

- Clean Water State Revolving Loan Fund
- Corrective Action Fund (petroleum releases from underground storage tanks)
- DOE – Oversight Grants
- Drinking Water State Revolving Loan Fund
- Recycling and Illegal Scrap Tire Management and Dumping (RAID) Grants
- Rural Infrastructure Program
- Solid Waste Facility Grants
- Special Appropriations Program management (Construction Programs)
- Water Infrastructure Portal
- Brownfields Revolving Loan Fund

## Technical and Planning Assistance

- Drinking Water Capacity Development
- Community Services
- Technical Services (Construction Programs)
- OSHA Compliance Assistance
- Pollution Prevention Program
- Radiation Equipment Services
- Radon Outreach Program (indoor air)
- Small Business Environmental Assistance Program (Air)
- Solid Waste and Recycling Outreach
- Source Water Protection Program
- Targeted Brownfields Assessment Program
- Voluntary Remediation Program
- Watershed Planning
- Well Water Testing (residential)
- Well Water Testing (Septic Tank permit holders)

## Training

- Drinking Water Board and Utility Operators
- Food Safety
- Occupational Health and Safety
- Petroleum Storage Tank Operators
- Pollution Prevention workshops
- Solid Waste Facility Certified Operators
- Water and Wastewater Utility Operators

## Department Program Listing

### Resource Management Division (P567)

#### *Purpose*

The Resource Management Division provides overall executive leadership and administrative, legal, and information management support to all programs within the Department. This support allows the Department to operate in the most responsible, knowledgeable, efficient and cost-effective manner so that the public can receive the information it needs to hold the Department accountable.

#### *Program Components*

The Resource Management Division is comprised of the Office of the Secretary, Office of General Counsel and Environmental Policy, Office of Information Technology, and the Administrative Services Division.

#### *Office of General Counsel*

The Office of General Counsel is tasked with the representation of NMED which includes but is not limited to: ensuring full and proper implementation of statutory responsibilities; providing legal counsel to the Secretary and staff; and appearing on behalf of the Department in administrative and judicial proceedings. The General Counsel is the head of the Office of General Counsel and is the chief legal officer of the agency.

#### *Office of Information Technology*

The Office of Information Technology is responsible for information technology systems, software and hardware that support the operations and daily business processes of the Department.

#### *Administrative Services Division*

The Administrative Services Division (ASD) provides the operational infrastructure that supports the Department's programs and services. Specific functions include budget, procurement, accounting, payments, billing, revenue collection, federal grant reporting, human resources and property and material management for the department.

### *Authority*

The laws and regulations governing the Resource Management Division components include:

- 9-7A-6 NMSA 1978; Executive Department, Department of Environment;
- 74-1-1 to 17; Environmental Improvement Act;
- 74-1-6 NMSA 1978; Department Powers;
- 74-6A-2 NMSA 1978; Wastewater Facility Construction Loans;
- 74-9-14 NMSA 1978; Solid Waste Act;
- 74-13-1 through 20 NMSA 2005; Recycling and Illegal Dumping Act;
- 74-6A-1 through 74-6A-13 NMSA 1978; Wastewater Facility Construction Loan Act;
- 74-6B-1 through 74-6B-14 NMSA 1978; Ground Water Protection Act;
- 50-9-19 NMSA 1978; Occupational Health and Safety Act; and
- 29 CFR 102; Labor Law.

## Water Protection Division (P568)

### *Purpose*

The Water Protection Division is responsible for overseeing water infrastructure systems and water quality issues throughout the state. It regulates 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, agricultural, economic, and recreational activities; ensures that drinking water throughout the state is clean and healthy; that wastewater systems and drinking water systems are designed and constructed to meet regulatory standards; and, that public funds are responsibly appropriated to plan, design and construct these systems.

### *Program Components*

The Water Protection Division is comprised of the Construction Programs Bureau, Drinking Water Bureau, Ground Water Quality Bureau, and Surface Water Quality Bureau.

### *Construction Programs Bureau*

- The Construction Programs Bureau (CPB) works with communities to develop, track, and inspect the infrastructure needed for water, wastewater, and solid waste. CPB administers:
  - The Clean Water State Revolving Loan Fund (CWSRF), a source of low-cost financing for a wide range of wastewater or storm water drainage projects that protect surface and ground water;
  - The Rural Infrastructure Program (RIP) which provides financial assistance to eligible local authorities for the construction or modification of water, wastewater, and solid waste facilities; and
  - Capital Outlay funding awarded to communities for water, wastewater, and solid waste planning, design, and construction projects
- CPB provides technical project assistance and oversight for the New Mexico Finance Authority under a Memorandum of Agreement for the Water Trust Board, Drinking Water State Revolving Loan Fund, Local Government Planning Fund, and Colonias Infrastructure Fund projects. In addition, they provide technical project assistance to the Indian Affairs Department on selected Tribal Infrastructure Fund Projects and the Economic Development Department on the infrastructure for the Facebook project.

### *Drinking Water Bureau*

- The Drinking Water Bureau (DWB) enforces state drinking water regulations and the federal Safe Drinking Water Act through regulatory oversight of all of New Mexico's public water systems;
- Provides technical, managerial, and financial/funding assistance to public water systems, and conducts community outreach;
- Administers the Water Conservation Fund and collects all drinking water system entry point samples and pays for the analytical costs for all drinking water analyses for all public water systems; and
- Administers the Utility Operators Certification Program (UOCP).

### *Ground Water Quality Bureau*

- The Ground Water Quality Bureau (GWQB) protects the environmental quality of New Mexico's groundwater resources by providing regulatory oversight of the identification, investigation, and remediation of contaminated sites that pose a threat to human health and the environment;
- Oversees groundwater investigations and remediation activities;
- Identifies, investigates, and remediates inactive hazardous waste sites through the federal Superfund program (CERCLA, Comprehensive Environmental Response, Compensation, and Liability Act of 1980);
- Oversees agreements between the state and responsible parties for environmental cleanup; implements the Voluntary Remediation Program that assists redevelopment efforts at environmentally damaged properties; and
- Issues groundwater discharge permits for the reuse of recycled wastewater and the discharge of wastewater.

### *Surface Water Quality Bureau*

- The Surface Water Quality Bureau (SWQB) develops appropriate surface water quality standards, monitors surface water quality across the state, and identifies where standards are not being met;
- Develops water quality management and watershed-based planning documents to improve, protect, and enhance water quality;
- Implements innovative, community-based, watershed and wetlands restoration projects; and
- Assists the U.S. Environmental Protection Agency (U.S. EPA) in implementing its National Pollutant Discharge Elimination System (NPDES) permitting program to protect surface water quality. New Mexico is not currently a delegated State under the federal Clean Water Act and the permits are administered by the U.S. EPA, out of Region 6 in Dallas, Texas.

## Authority

The laws and regulations governing the Water Protection Division components include:

- 3-29-1 through 3-29-21 NMSA 1978; Sanitary Projects Act (Wastewater funding);
  - 61-1-1 through 61-1-33 NMSA 1978; Uniform Licensing Act (NM Board of Licensure for Professional Engineers and Professional Surveyors); Professional and Occupational Licenses, Utility Operators;
  - 69-25A-1 through 69-25A-36 NMSA 1978; Surface Mining Act;
  - 69-36-1 through 69-36-20 NMSA 1978; New Mexico Mining Act;
  - 74-6-1 NMSA 1978; State Water Quality Act;
  - 74-6-2 through 74-6-17 NMSA 1978; Environmental Improvement Act;
  - 74-6A-1 through 74-6A-15 NMSA 1978; Wastewater Facility Construction Loan Act;
  - 74-6B-1 through 74-6B-14 NMSA 1978; Ground Water Protection Act;
  - 75-1-1 through 75-1-6 NMSA 1978; Rural Infrastructure Act; and
  - 75-1-1 through 75-1-6 NMSA 1978; Rural Infrastructure Act.
- 
- 20 NMAC 6.1 through 20 NMAC 6.7; Environmental Protection, Water Quality, Ground and Surface Water Protection, Voluntary Remediation, Standards for Interstate and Intrastate Surface Waters, Ground Water Protection – Supplemental Permitting Requirements for Dairy Facilities, Ground Water Protection – Supplemental Permitting Requirements for Copper Mine Facilities;
  - 20 NMAC 7.2; Wastewater and Water Supply Facilities, Rural Water Supply, Wastewater and Solid Waste Infrastructure;
  - 20 NMAC 7.5 through 20 NMAC 7.7; Wastewater and Water Supply Facilities, Wastewater Facility Construction Loans; Policies and Guidelines; Review Procedures;
  - 20 NMAC 7.10; Drinking Water Regulations;
  - 20 NMAC 7.4; Environmental Protection, Wastewater and Water Supply Facilities, Utility Operator Certification;
  - US Clean Water Act 33 U.S.C.; The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters;
  - Title XIV of the Public Health Service Act: Safety of Public Water Systems (Safe Drinking Water Act); and
  - 40 CFR, Superfund National Contingency Plan; Superfund, Emergency Planning, And Community Right-To-Know Programs.

## Resource Protection Division (P569)

### *Purpose*

The Resource Protection Division protects public health and the environment by ensuring that solid waste and recyclable materials are properly transported, managed, handled and disposed; operations that generate, manage, store, process, transport, or dispose of hazardous wastes do so in a responsible manner; storage tanks are managed to prevent releases and ensure cleanup of releases of hazardous substances from regulated storage tanks; and U.S. Department of Energy (U.S. DOE) operations in New Mexico are performed in a conscientious and responsible manner.

### *Program Components*

The Resource Protection Division is comprised of the DOE Oversight Bureau, Hazardous Waste Bureau, Petroleum Storage Tank Bureau, and the Solid Waste Bureau.

#### *Department of Energy Oversight Bureau*

The Department of Energy Oversight Bureau (DOE OB) ensures that activities at U.S. DOE laboratories and facilities in New Mexico are managed and controlled in a manner that is protective of public health and the environment. The mission is achieved through four primary objectives:

- Assess U.S. DOE management of its New Mexico laboratories and facilities to ensure attainment of public health and environmental standards;
- Provides input to U.S. DOE for prioritization of its cleanup and compliance activities;
- Develops and implements an independent monitoring and oversight program; and
- Increases public knowledge and awareness of environmental matters at U.S. DOE laboratories and facilities in New Mexico.

#### *Hazardous Waste Bureau*

The Hazardous Waste Bureau (HWB) administers the Resource Conservation and Recovery Act (RCRA) Subtitle C program for hazardous waste management of generators, permitted facilities and corrective action activities at permitted facilities. HWB manages a listing of properties that once housed clandestine drug (meth) laboratories. It also coordinates and manages environmental complaints and emergency responses for incidents involving hazardous waste and other environmental emergencies.

#### *Petroleum Storage Tank Bureau*

The Petroleum Storage Tank Bureau (PSTB) carries out the legislative mandate to develop and implement a regulatory program to protect public health and the environment from releases from regulated above-ground storage tanks (ASTs) and underground storage tanks (USTs) by performing the following activities:

- Oversees and ensures compliance with installations, operations and maintenance, modifications, repairs, and closure requirements for tank systems that are intended to prevent and detect spills, overfills, and corrosion of tanks, piping and other metal components; and
- Oversees and implements investigation and cleanup activities at sites contaminated by releases from leaking storage tank systems.

PSTB also administers the Corrective Action Fund (CAF) which:

- Provides financial assurance coverage for tank owners and operators in the state;
- Pays the state's share of federal leaking underground storage tank trust fund cleanup costs as required by the federal Resource Conservation and Recovery Act; and
- Makes payments to or on behalf of owners and operators for corrective action at releases from a regulated petroleum storage tank as required.

### *Solid Waste Bureau*

The Solid Waste Bureau (SWB) permits, regulates, and completes reviews of operation plans and inspections at landfill operations (municipal solid waste, construction and demolition debris, special waste), transfer stations, and beneficial use diversion projects to assure compliance with the Solid Waste Rules. SWB performs reviews of engineering plans for landfills (landfill liner systems, final cover designs, and storm water management plans) and transfer stations and provides operational technical assistance and oversight of liner construction at landfills. SWB also completes inspections at infectious waste treatment facilities; waste collection centers; recycling facilities; composting facilities; scrap tire processing and storage facilities; solid and special waste haulers; law enforcement pharmaceutical collection programs; and household hazardous waste collection programs. SWB reviews and oversees implementation of groundwater, methane, and leachate monitoring at permitted (lined) landfills, and at old legacy (unlined) landfills. SWB provides training for certified landfill, transfer station, composting and recycling facility operators.

SWB manages financial assistance grant programs including:

- Recycling and Illegal Dumping (RAID) Grants;
- Tire management projects addressing abatement and clean-up of illegal tire dumpsites, construction projects using tire bales, recycling of scrap tires, and purchase of recycled tire products;
- Illegal dumpsite abatement, recycling equipment, and education projects; and,
- Solid Waste Facility Grants for municipalities, solid waste authorities, educational institutions, and cooperative associations for landfill closure, groundwater, and methane monitoring, transfer station improvements, or other solid waste facility improvements.



## *Authority*

The laws and regulations governing the Resource Protection Division components include:

- 74-1-1 through 74-1-15 NMSA 1978; Environmental Improvement Act;
- 74-4-1 through 74-4-14 NMSA 1978; Hazardous Waste Act;
- 74-4A-1 through 74-4A-14 NMSA 1978; Radioactive and Hazardous Materials Act;
- 74-4B-1 through 74-4B-14 NMSA 1978; Emergency Management Act;
- 74-4C-1 through 74-4C-4 NMSA 1978; Hazardous Waste Feasibility Study Act;
- 74-4E-1 through 74-4E-9 NMSA 1978; Hazardous Chemicals Information Act;
- 74-6B-1 through 74-6B-14 NMSA 1978, Ground Water Protection Act;
- 74-13A-1 NMSA 1978, Petroleum Products Loading Fee Act;
- 74-7-1 through 74-7-8 NMSA 1978; Environmental Compliance Act;
- 74-8-1 through 74-8-3 NMSA 1978; Solid Waste Incineration;
- 74-9-1 through 74-9-43 NMSA 1978; Solid Waste Act;
- 74-10-1 through 74-10-100 NMSA 1978; Solid Waste Authority Act;
- 74-13-1 through 74-13-20 NMSA 2005; Recycling and Illegal Dumping Act;
- 20.4.1 NMAC through 20.4.5 NMAC; Hazardous Waste;
- 20.5.101 NMAC through 20.5.125 NMAC; Petroleum Storage Tank Regulation;
- 20.9.2 NMAC through 20.9.10 NMAC; Solid Waste;
- 20.9.20.1 NMAC through 20.9.20.64 NMAC; Recycling, Illegal Dumping and Scrap Tire Management;
- 20.9.25.1 NMAC through 20.9.25.10 NMAC; Solid Waste Facility Grant Fund;
- Federal Resource Conservation and Recovery Act (RCRA) Subtitle C for hazardous waste (including the Hazardous and Solid Waste Amendments, Federal Facilities Compliance Act, and Land Disposal Program Flexibility Act);
- 40 CFR Part 503 (Standards for the Use or Disposal of Sewage Sludge; addresses composting for pathogen reduction); and
- Agreement between the United States Department of Energy and the State of New Mexico for Environmental Oversight, Monitoring and Emergency Response.

## Environmental Protection Division (P570)

### *Purpose*

The purpose of the Environmental Protection Division is to protect public health and the environment through programs that regulate air emissions; provide public outreach, education, and regulatory oversight for worker safety; regulation of radiation producing materials and equipment; protection of public health through regulation of food service and food processing facilities; regulation of liquid waste treatment and disposal; and regulation of public swimming pools, baths, and spas.

### *Program Components*

The Environmental Protection Division is comprised of the Air Quality Bureau, Environmental Health Bureau, Occupational Health and Safety Bureau, Radiation Control Bureau, and the Office of Nuclear Worker Advocacy.

### *Air Quality Bureau*

The Air Quality Bureau (AQB) develops plans in response to federal air quality regulations and initiatives, assists small businesses to comply with air quality requirements, monitors air quality, issues air quality permits, and enforces air quality regulations and permit conditions for industrial activities such as crushing and aggregate plants, hot mix asphalt plants, concrete batch plants, oil and gas operations, electrical power plants, mining facilities, landfills, and sources that emit hazardous air pollutants.

### *Environmental Health Bureau*

The Environmental Health Bureau (EHB) is responsible for protecting public health and the environment by implementing programs that:

- Regulate on-site treatment and disposal of liquid waste to prevent and abate public health hazards and surface and ground water contamination from on-site liquid waste treatment and disposal practices for residential and small commercial discharges under 5,000 gallons per day;
- Provide technical assistance, education, information, and free domestic well testing;
- Protect employees, consumers, and the public from adverse health and safety conditions such as foodborne illness in public food establishments; and
- Protect public health and safety at public swimming pools, baths, and spas.

### *Occupational Health and Safety Bureau*

The Occupational Health and Safety Bureau's (OHSB) purpose is to assure that every employee's work environment and working conditions are safe and healthful by enforcing Occupational Health and Safety Regulations within New Mexico. OHSB is responsible for:

- Providing free and confidential compliance assistance to businesses at their request by identifying workplace hazards; analyzing safety and health management systems; and developing recommendations for establishing or strengthening employee safety and health programs;
- Recognizing exemplary work sites through the Safety and Health Achievement Recognition Program (SHARP);
- Recognizing work sites that are self-sufficient in identifying and controlling workplace hazards through the Zia Star Voluntary Protection Program;
- Establishing strategic partnerships with groups of employers and employees to encourage, assist, and recognize efforts to eliminate serious hazards and achieve a high degree of employee safety and health;
- Administering the Alliance Program to work with trade, professional, and labor organizations, educational institutions, and government agencies; and
- Administering the Whistleblower Discrimination Assistance program to provide support for employees who believe they have been discriminated against by their employer because they have been involved in reporting safety and health issues.

### *Occupational Health and Safety Review Commission (OHSRC)*

The OHSRC is a labor and industrial commission whose three-members are appointed by the Governor to decide contests of citations or penalties resulting from Occupational Safety and Health Administration (OSHA) inspections of work places.

### *Radiation Control Bureau*

The Radiation Control Bureau regulates the beneficial uses of ionizing radiation while providing for protection against intrinsic hazards that it can pose to workers, the public, and the environment. The Bureau also advocates for those individuals that have been exposed to radiation and harmful chemicals during the normal course of business. The Bureau administers:

- Medical imaging and radiation therapy program;
- Licensing of radiation producing machines;
- Licensing and regulation of radioactive materials;
- Radiation equipment services program;
- Radon outreach program;
- Waste Isolation Pilot Plant (WIPP) emergency training program; and
- Radiation and Chemical Advocacy Office RCAO.

The Office of Nuclear Workers Advocacy (ONWA) provides advocacy, technical assistance, and acts as a liaison for people whose claims have been denied or who encountered obstacles with the claims process.

### *Authority*

The laws and regulations governing the Environmental Protection Division components include:

- 9-7A-1 through 9-7A-15 NMSA 1978; Department of Environment Act;
- 50-9-1 through 50-9-25 NMSA 1978; Occupational Health and Safety;
- 50-9-1 through 50-9-25 NMSA 1978; Occupational Health and Safety Act;
- 61-14E-1 through 61-14E-12 NMSA 1978; Medical Radiation Health and Safety Act;
- 74-1-1 through 74-1-17 NMSA 1978; Environmental Improvement Act;
- 74-2-1 through 74-2-17 NMSA 1978; Air Quality Control Act;
- 74-3-1 through 74-3-16 NMSA 1978; Radiation Protection Act;
- 7 NMAC 6.1; Food Service and Food Processing;
- 7 NMAC 18.1; Public Swimming Pools and Spas;
- 11 NMAC 5.1 through 11 NMAC 5.4; Occupational Health and Safety;
- 20.2.1 NMAC through 20.2.99 NMAC; Air Quality (Statewide);
- 20 NMAC 3.1; Radiation Protection;
- 20 NMAC 7.3; Liquid Waste;
- 20 NMAC 8.22; Nuisance Abatement, Mosquito Abatement and Control;
- 29 CFR 102; Labor Law;
- 29 CFR 1910, 1926, 1928; OSHA;
- Federal Clean Air Act implemented through 40 CFR Parts 50, 51, 58, 60, 61, 63, and 70; and
- Mammography Quality Standard Act of 1992, 21 CFR U.S. Food and Drug Administration; Radiation.

## Program Goals, Objectives, Strategies

### Resource Management Division (P567)

#### Tribal, Border, and Environmental Justice Liaison

##### *Goal*

To coordinate NMED facilitation of and response to tribal, border, and environmental justice concerns within the State of New Mexico.

##### *Objectives*

Ensure that public participation in the Department's processes is accessible, open, and fair.

##### *Strategy*

1. Implement policies and procedures that address, encourage and facilitate accessible open, fair, and active public participation for all New Mexicans.

##### *Objectives*

Provide open avenues of communication between tribal and pueblo governments and the Department to facilitate consultation efforts and collaboration. Ensure that NMED has a voice in border discussions related to cross-boundary environmental protection.

##### *Strategy*

1. Actively seek out involvement with tribal and pueblo governments to foster positive relationships and information sharing.
2. Participate in federally-initiated border groups and collaborations specific to the environment.

## Office of General Counsel

### *Goal*

To provide high quality legal services to the Department in a timely and effective manner.

### *Objectives*

Assist the Department in achieving the consistent application and effective compliance and enforcement of mandated statutes and regulations.

### *Strategy*

1. Encourage voluntary compliance whenever possible before undertaking formal enforcement action.
2. Promote the updating or amendment of regulations, as necessary.
3. Prioritize legal resources to address issues that are the highest risk to public health and the environment.
4. Assist Department staff in meeting regulatory and statutory mandates and responsibilities.
5. Ensure attorneys handle cases in a professional, timely, and effective manner.
6. Ensure requests for legal assistance are assigned to an attorney within a reasonable timeframe.
7. Encourage the Department to resolve controversies and disputes in the most efficient and effective manner.

## Office of Information Technology

### *Goal*

To provide high quality Information Technology services in a secure and effective manner to the Department and the public.

### *Objectives*

Work with bureau and program staff to automate environmental management processes to meet regulatory and statutory requirements for improved efficiency and access to department information systems while ensuring data integrity, quality, and accuracy.

### *Strategy*

1. Maintain current patch levels on all hardware, software, and information systems.
2. Protect information systems and hardware systems from malicious intrusion.
3. Meet the U.S. EPA information systems and information security requirements.
4. Adhere to Department of Information Technology policies, procedures and processes.
5. Ensure IT staff are appropriately provisioned with tools and training to perform their designated work.
6. Modernize information systems, as resources permit, to provide secure, well managed information resources to the Department's bureaus and programs to meet requirements for the U.S. EPA delegated authority, to meet state statutory environmental management requirements and to maintain public trust and confidence in the systems used to manage department data, documents and maps.
7. Work collaboratively with the U.S. EPA, states, tribes and local governments as co-regulators to design IT solutions that reduce redundancy and burden to the regulated public.
8. Use technology to facilitate public access to environmental data that has been verified and quality checked for release in a timely manner.

## Water Protection Division (P568)

### Construction Programs Bureau

#### *Goal*

To help communities develop sustainable and secure water, wastewater and solid waste infrastructure through funding, technical assistance, and project oversight.

#### *Objectives*

Ensure water, wastewater, and solid waste facility planning, design and construction projects are technologically and economically appropriate, environmentally sound, of high quality, and the process is free of waste, fraud, and abuse.

#### *Strategy*

1. Manage and monitor projects by examining plans, specifications, and other written documents.
2. Perform on-site inspections of projects to assure quality control and adherence to plans, standards, and specifications.
3. Provide grant oversight to communities through Executive Order compliance and fiscal agent and special condition application.
4. Ensure sound lending decisions with thorough comprehensive financial statement review and cost forecasting.
5. Perform audits of project files.
6. Continue to measure results of monitoring and project management through use of customer satisfaction surveys.
7. Modify policies and procedures as necessary based on results of performance measures.
8. Provide customers complete information in a timely manner and communicate regularly with project participants.

#### *Objectives*

Increase sustainable infrastructure funding opportunities for water and wastewater infrastructure projects.

#### *Strategy*

1. Participate in cooperative interagency groups such as the Water Infrastructure Team (WIT) and New Mexico FUNDIIt to develop strategies to coordinate, integrate, and leverage the funding of sustainable water, wastewater, and solid waste infrastructure projects.
2. Perform outreach to communities by attending conferences to speak with community leaders, display the Bureau booth, and present on the Bureau's funding program.
3. Distribute an annual report to legislators and others on Bureau funding programs.



## Drinking Water Bureau

### *Goal*

To preserve, protect, and improve New Mexico's drinking water quality for present and future generations and assist communities to develop sustainable water infrastructure.

### *Objectives*

Increase compliance with requirements of public water systems.

### *Strategy*

1. Ensure tracking and follow-up of water system compliance and enforcement activities by enhancing coordination between the enforcement program and district staff.
2. Continue to execute enforcement actions against public water systems when violations of federal and state regulations are identified.
3. Maintain an accurate inventory of all public water systems including infrastructure and regulatory compliance.
4. Continue to improve data flow and quality assurance of the Safe Drinking Water Information System (SDWIS) database.

### *Objectives*

Implement the Capacity Development Strategy to ensure water system sustainability and the ability to comply with state and federal regulations.

### *Strategy*

1. Provide training and education to staff, as necessary, to enable them to provide assistance to public water systems.
2. Provide training, education, assistance, and in-house professional resources to public water systems to increase capacity, water system viability, and sustainability and to ensure understanding of state and federal regulations and responsibilities of the system.

## Ground Water Quality Bureau

### *Goal*

To protect the quality of New Mexico's ground and surface water through the issuance of permits, establishing protective water quality standards, approving abatement plans, and monitoring ground water quality.

### *Objectives*

Develop, seek support for, and formally propose regulatory and statutory initiatives.

### *Strategy*

1. Develop and obtain Water Quality Control Commission (WQCC) approval for amendments to regulations.
2. Develop financial assurance regulations for industry.
3. Develop reuse regulations for recycled water uses.

### *Objectives*

Increase the number of permitted facilities in compliance with groundwater discharge permit requirements.

### *Strategy*

1. Ensure requirements of groundwater discharge permits are met by conducting inspections of permitted facilities.
2. Document groundwater inspection and compliance reviews in database.
3. Review and evaluate monitoring results submitted by permitted groundwater facilities to determine if facilities are in compliance with their permits.

### *Objectives*

Seek stable program funding mechanisms to ensure sustainability of water quality protection programs (e.g. non-discrimination policy compliance funding).

### *Strategy*

Propose amendments to statutes and fee rules to more effectively support ground water discharge permitting activities.

## Surface Water Quality Bureau

### *Goal*

To preserve, protect, and improve New Mexico's surface water quality for present and future generations.

### *Objectives*

Develop appropriate surface water quality standards and identify where these standards are not being met.

### *Strategy*

1. Develop appropriate water quality standards for New Mexico.
2. Monitor streams and lakes within targeted watersheds to determine if surface water quality is impaired or if impaired waters improve.
3. Develop total maximum daily loads (TMDLs) and watershed restoration plans to guide activities to address water quality impairments.

### *Objectives*

Implement innovative, community-based watershed and wetlands restoration projects.

### *Strategy*

1. Conduct watershed-based planning efforts.
2. Address nonpoint source water quality problems through innovative community-based efforts.
3. Wetland protection through monitoring, strengthening of water quality standards that pertain to wetland resources, integration into watershed restoration efforts, and education and outreach.
4. Implement and continue River Stewardship Program with legislative and executive support.

### *Objectives*

Ensure that EPA issued NPDES permits protect surface water quality.

### *Strategy*

1. Assist NPDES permitted facilities to achieve compliance with their permit.
2. Certify EPA issued NPDES permits to ensure they will comply with New Mexico water quality standards.

## Resource Protection Division (P569)

### Department of Energy (DOE) Oversight Bureau

#### *Objectives*

Independently assess environmental conditions at U.S. DOE laboratories and facilities through a program of independent environmental monitoring and data acquisition, validation, evaluation, and interpretation.

#### *Strategy*

1. Evaluate the adequacy of U.S. DOE activities related to environmental monitoring and the protection of human health and the environment.
2. Work with U.S. DOE and other stakeholders to develop long-term stewardship goals and activities.
3. Work with U.S. DOE and other stakeholders to develop future work plan activities to meet site-specific, community, regional, and state concerns.
4. Perform technical review and provide comments on U.S. DOE laboratory and facility work plans and laboratory- and facility-specific environmental reports and studies.
5. Coordinate with other NMED Bureaus to support Department activities at U.S. DOE laboratories and facilities.
6. Provide environmental monitoring data to NMED, U.S. DOE and its contractors, tribal nations and pueblos, federal/state/regional/municipal agencies, and the public.
7. Work with U.S. DOE to develop funding mechanisms for future program development and associated funding for DOE Oversight Bureau activities.

## Hazardous Waste Bureau

### *Goal*

To ensure that hazardous waste is managed and contaminated sites are cleaned up in a manner that is safe and protective of human health and the environment.

### *Objectives*

Ensure hazardous waste generator facilities are in compliance with regulatory requirements by inspecting facilities.

### *Strategy*

1. The U.S. EPA's RCRA Info database in 2018 includes 62 Large Quantity Generators in New Mexico.
2. Ensure compliance officers receive continuing training to effectively evaluate waste management practices throughout the industry.
3. Ensure sufficient budget is available for staff to travel to sites for inspections.
4. Organize workload to ensure annual inspection targets (performance measures) are met.

## Petroleum Storage Tank Bureau

### *Goal*

To reduce, mitigate and eliminate the threats to the environment posed by petroleum products or hazardous material or wastes released from underground and above ground storage tanks.

### *Objectives*

Protect public health and the environment from releases of hazardous substances from storage tank systems.

### *Strategy*

1. Maintain a registry of all regulated petroleum storage tanks, certified installers, junior installers and storage tank release sites.
2. Inspect facilities at least once every three years to ensure that owners are in compliance with the Petroleum Storage Tank Regulations to minimize the probability of releases to the environment.
3. Take enforcement actions against non-compliant owners and operators.
4. Approve and oversee corrective action at leaking storage tank sites to ensure expedient and cost effective corrective action.
5. Take enforcement actions against recalcitrant owners and operators of leaking storage tank facilities.
6. Administer the Corrective Action Fund in accordance with the regulations.

## Solid Waste Bureau

### *Goal*

To protect New Mexico's environmental quality and ensure solid waste is handled and disposed without harming groundwater, natural resources, and quality of life of New Mexicans.

Create opportunities for waste reduction, diversion for reuse, beneficial use, and recycling, proper management of household hazardous wastes and recycling of Universal waste.

### *Objectives*

Increase the number of permitted solid waste facilities in significant compliance with: Solid Waste Rules; approved permits and operations plans; and permit conditions as demonstrated by facility and record inspections completed by enforcement officers.

### *Strategy*

1. Complete rigorous permit application and engineering plan reviews, public notice, and hearing processes. Ensure that all approved solid waste, recycling, and composting operation plans incorporate best management practices and provide appropriate guidance to facility managers, operators and owners.
2. Ensure, through inspection by enforcement officers, that facility operators are properly certified and provided on-going training and understanding of requirements to successfully maintain all facets of facility operations including: equipment and site maintenance; disposal management; groundwater; leachate methane monitoring; and storm water management plans.
3. Complete facility inspections and take timely enforcement actions; issue Notices of Violations and Administrative Compliance Orders with penalties when appropriate to ensure timely return to compliance with Solid Waste Rules; and remediation of problems and deficiencies.
4. Provide technical assistance and operational guidance regarding permitting through outreach staff at solid waste facilities. Prepare, update, and disseminate guidance documents in person and/or on the Bureau's website.
5. Complete timely and thorough groundwater monitoring plan and report reviews; permit application reviews; public hearings; and site visits during groundwater and methane monitoring events and landfill liner and well installations to ensure use of approved engineering design plans, proper construction procedures, and practices.
6. Provide certified operator training, continuing education modules, and presentation at conferences and seminars, to operators and consultants regarding solid waste management, rules and regulations, and best operational and groundwater protection practices to assist them with achieving compliance.
7. Assist operators with preparation of technical Requests for Proposals to obtain the services of qualified engineers and groundwater scientists to complete sampling, data analysis, and preparation of landfill design plans.

8. Determine extent of groundwater contamination, selection of remedy, and implementation of a corrective action program, when necessary.
9. Maintain a dynamic SWB website including rules and groundwater guidance documents to increase public understanding about groundwater protection, solid waste management, diversion, and recycling opportunities.
10. Provide grant funds as available to eligible entities to make necessary improvements to solid waste operations and groundwater monitoring programs.



## Environmental Protection Division (P570)

### Air Quality Bureau

#### *Goal*

To protect the inhabitants and natural beauty of New Mexico by preventing the deterioration of air quality.

#### *Objectives*

Improve and protect air quality and be proactive in areas where air quality is degrading.

#### *Strategy*

1. Perform on- and off-site inspections of facilities to ensure that those facilities that are non-compliant with the regulations or permit conditions take immediate and appropriate corrective action to protect human health and the environment.
2. Provide appropriate follow-up to ensure that corrective action is taken in a timely manner.
3. Use incentives, voluntary approaches, and next generation on-line compliance reporting technology to improve air quality.
4. Make industry and stakeholders aware of the option to use Supplemental Environmental Projects (SEPs).
5. Encourage the use of permit streamlining processes.
6. Meet inspection and enforcement targets in accordance with the U.S. EPA grant.
7. Develop ozone control regulations in areas that exceed 95% of the ozone National Ambient Air Quality Standards, as appropriate.
8. Monitor levels of air pollution to assess trends over time.

## Environmental Health Bureau

### *Goal*

To protect public health and the environment through specific programs that provide public outreach and education and regulatory oversight.

### *Objectives*

Protect public health and safety and prevent illness outbreaks associated with unsafe, unsanitary, and/or excessive chemicals in public pools, spas, and baths.

### *Strategy*

1. Ensure compliance with the Aquatic Venue Regulations by conducting inspections of aquatic facilities.
2. Perform engineering reviews of construction permit application for newly constructed and remodeled aquatic venues to ensure they can be safely operated, as designed.
3. Provide qualified swimming pool operator certification training to EHB staff.
4. Assist facility owners in complying with the Federal Virginia Graeme Baker Pool and Spa Safety Act, which sets a national standard on entrapment prevention.
5. Provide the owners and operators of public pools and program staff with clearly defined guidance on rules and program policies and procedures.
6. Expand public information and outreach efforts, in collaboration with the Department of Health, and by using the internet, public presentations, and news media.

### *Objectives*

Protect water quality and public health by regulating on-site treatment and disposal systems of liquid waste under 5,000 gallons per day discharge.

### *Strategy*

1. Ensure compliance with Liquid Waste Regulations by performing proper inspections of new or modified systems.
2. Maintain standardized liquid waste permitting and inspection procedures for use by NMED field staff.
3. Issue compliance orders to resolve violations when voluntary compliance is not obtained.
4. Improve program efficiency with better staff training and data automation.
5. Provide the public with free field screening of certain contaminants of water from their private domestic wells.
6. When contamination is discovered, consult well water users on the health effects and options for water treatment.
7. Partner with other municipal county and state government agencies to develop indigent liquid waste programs.

### *Objectives*

Protect public health by reducing the incidence of food borne illness.

### *Strategy*

1. Ensure compliance with the Food Service Regulations by conducting inspections of food establishments.
2. Identify the components of, develop, and implement a Quality Assurance (QA) Program for a uniform inspection program.
3. Continue efforts in providing food safety trainings in a coordinated, state-wide effort.
4. Expand access to public information through the internet, news media, public presentations, translation of non-English language informational brochures, press releases, food safety videos, etc.
5. Develop a mandatory manager's food safety certification program in collaboration with the New Mexico Restaurant Association.
6. Continue development of a food recall and trace back protocol, in collaboration with other New Mexico food safety and health agencies. Implement the protocol after providing the appropriate training to staff.
7. Coordinate a Food Defense conference with other state food safety agencies, as part of the newly formed NM Rapid Response Team.

## Occupational Health and Safety Bureau

### *Goal*

To reduce injuries and illnesses in the workplace.

### *Objectives*

Monitor and influence improvements in workplace safety and health to reduce the incidence of injuries, illnesses, and fatalities.

### *Strategy*

1. Track serious violations issued by OHSB using information from the national Occupational Safety and Health Administration database and internal OHSB files.
2. Contact businesses that have been issued serious safety and health violations to encourage timely abatement.
3. Conduct follow-up inspections of employers that fail to abate violations within the designated timeframe.
4. Solicit employers in high-hazard industries (both private and public) to partner with OHSB to develop and implement partnership programs focused on workplace safety excellence.
5. Conduct Local Emphasis Programs, including enforcement inspections and consultation visits, in the construction and oil and gas industries.

## Radiation Control Bureau

### *Goal*

To protect workers and the public from health risks associated with ionizing radiation exposure.

### *Objectives*

Protect and promote the physical and environmental health of the people of New Mexico by preventing unnecessary radiation exposure through effective licensing, registration, inspection, special investigations, and enforcement.

### *Strategy*

1. Provide appropriate and required training to staff that meets or exceeds Food and Drug Administration (FDA) and U.S. Nuclear Regulatory Commission (U.S. NRC) core training requirements and the Conference of Radiation Control Program training, inspection, and regulatory recommendations.
2. Revise and update Radiation Protection Program Standard Operating Procedures (SOPs) to ensure quality and consistency of administrative, inspection and enforcement actions related to radioactive materials licensees, radiation machine registrants and the medical imaging and therapy programs.
3. Convene the Radiation Technical Advisory Council (RTAC) in order to revise rules to ensure compatibility with the U.S. NRC 10 CFR applicable rules; revise Radiation Machine rules to ensure new technology is regulated based on Conference of Radiation Control Program recommendations and current federal regulations and standards.

### *Objectives*

Decrease public exposure to indoor radon.

### *Strategy*

1. Collaborate with the National Radon Proficiency Program to provide training opportunities for the general public and the business community. Training should lead to certification in specific category of indoor radon services or provide continuous education units required to maintain certification.
2. Develop and participate in coalitions to address indoor air concerns in day care centers, public schools, and government buildings.
3. Participate in meetings of NM Indoor Air Coalition. Support goals in reducing indoor air toxins by addressing radon.
4. Conduct public outreach using the various means of communication (e.g. newspapers, websites, theatre, television) to inform the public of the risk associated with radon in homes.

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