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# Fiscal Year 2023 Strategic Plan

New Mexico  
Environment  
Department





# Fiscal Year 2023 Strategic Plan



## **Secretary James Kenney**

In Fiscal Year 2023, the New Mexico Environment Department (NMED or the Department) will continue its noble mission of protecting public health and the environment as outlined in this strategic plan. We will measure our success throughout the fiscal year per our performance measures which focus on public health, the environment, compliance, economic investments and operational effectiveness. Appendix A lists all our Fiscal Year 2023 performance measures. We will assess our progress through quarterly reports published to our website.

# Vision, Mission and Values

## Our Vision

To foster a thriving and trusted, nationally leading organization known for protecting public health and the environment through its dedicated public servants.

## Our Mission

Protect and restore the environment and foster a healthy and prosperous New Mexico for present and future generations.

## Our Values



**Science** - Embracing the best available science to inform decision-making in support of our mission.



**Innovation** - Employing creative engineering and technological solutions to address challenges.

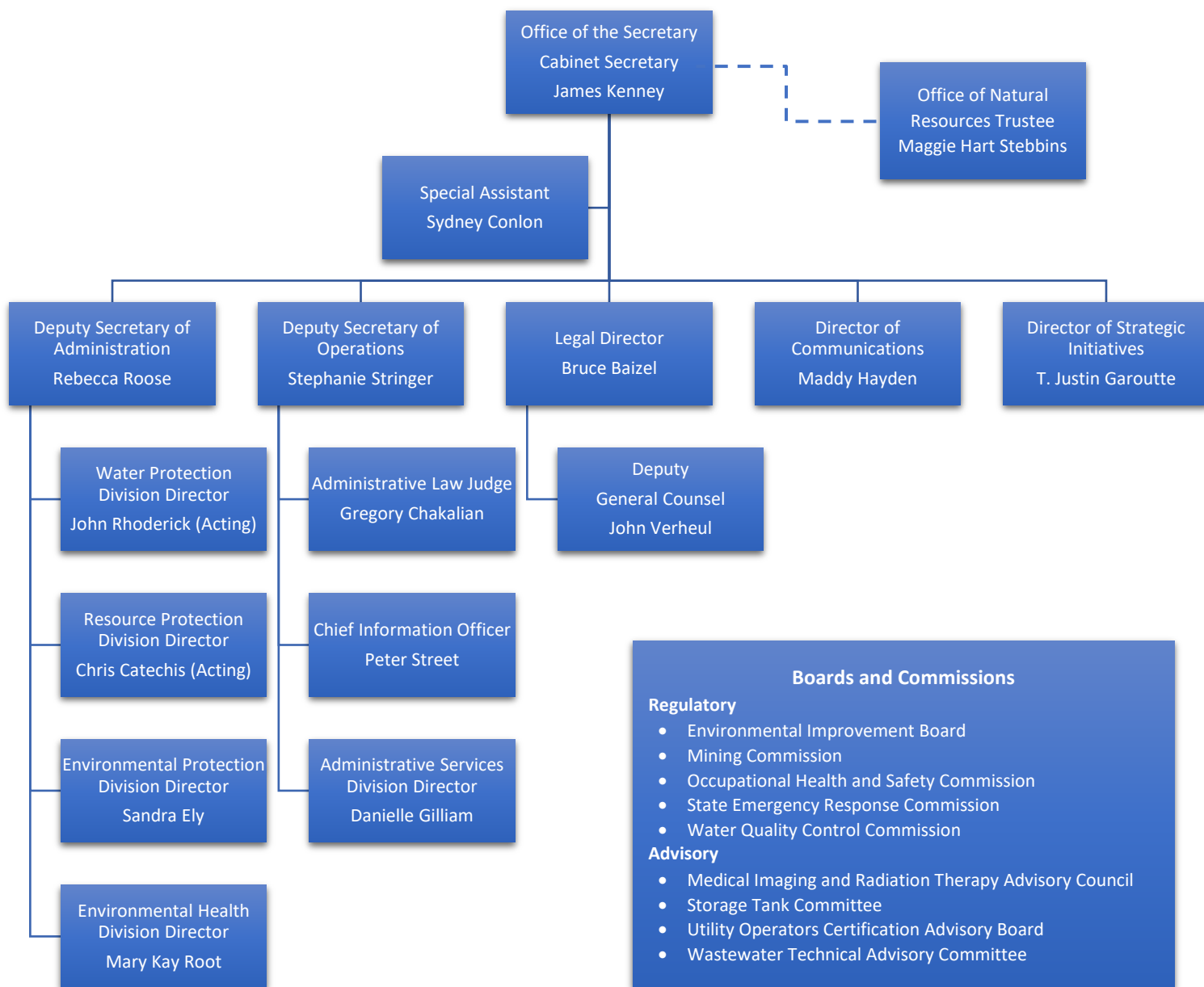


**Collaboration** - Engaging communities and interested stakeholders in decision-making outcomes.



**Compliance** - Ensuring accountability with permits and rules while maintaining a fair and level playing field.

# Organizational Structure



# Resource Management Division (P567)

## Purpose of the Program

To provide leadership and strategic vision across the Department. To empower all management and staff to implement the Department's mission to the fullest extent possible. To create and foster a professional, diverse and accountable workforce.

## Program Users

All stakeholders, the public, Tribes and Pueblos who place their trust in the air they breathe, water they drink and land on which they live. Internally, the NMED employees who work and live across New Mexico to fulfill our critical mission.

## Benefits to New Mexicans

- A well-funded and highly functioning NMED is able to protect public health and the environment equally for all New Mexicans and communities served.
- Responsive communication of complex scientific and technical issues in a clear manner to all members of the public in multiple languages.
- Timely, accurate and transparent access to public health and environmental information for community and family-based decision-making.
- Accountability and oversight of public funds.
- Expanded online program delivery that concurrently strengthens traditional program access where essential.
- Compliance with public health and environmental protections that provides a level playing field for all businesses and deterrence through vigorous enforcement when violations occur.
- Strong collaborations with stakeholders and other state agencies with a responsive workforce that is productive throughout public health emergencies.
- A more flexible workforce that advances efficient and safe customer service options.

## Budget and Full-Time Equivalent (FTE)

	FTE	Budget
Office of the Secretary	14.00	\$1,892,300.00
Office of General Counsel	15.00	\$1,648,200.00
Office of Information Technology	21.00	\$3,012,500.00
Administrative Services Division	28.25	\$2,863,000.00

***See Appendix A for our performance measures and Appendix B for a comprehensive listing of our statutory authority.***





# Resource Management Division (P567)

## Program Goals and Objectives

### Office of the Secretary

- Implement the mission of NMED in accordance with the Governor's and Secretary's vision, legislative authority and federal delegation, primacy and grant agreements.
- Provide open avenues of communication with Tribal governments to increase collaboration earlier in the rulemaking or permitting process and surrounding NMED action in other areas of interest.

### Office of General Counsel

- Provide strategic, innovative and effective legal advice and representation to NMED management and staff.
- Ensure accountability for noncompliance through strong and consistent enforcement policy and actions.
- Administer NMED's Inspection of Public Records Act program in an efficient and consistent manner.

### Office of Communications

- Improve transparency on NMED's work and operations through the public-facing website and media, including the online performance dashboard.
- Deliver quality and timely communications on matters affecting public health and the environment.
- Ensure equitable access to NMED information by individuals with limited English proficiency.



### Office of Strategic Initiatives

- Provide leadership in executing NMED's core values of science, innovation, collaboration and compliance through superior customer service to internal and external stakeholders.
- Improve our stewardship of federal funds through tools like Performance Partnership Grants.
- Foster strong relationships with the New Mexico Legislature and Legislative Finance Committee.
- Increase regulatory compliance through strong and consistent enforcement policies.
- Maintain robust participation in federal regulation and policymaking that promotes and defends the interests of New Mexico communities.

### Office of Information Technology

- Transform information technology (IT) by establishing consistent standards, practices and governance and adopting enterprise-oriented approaches to automate processes and data management.
- Implement new IT products and services utilizing NMED-developed frameworks based on current technologies and best practices.
- Modernize and enable NMED's core business processes of permitting, licensing and certification, compliance monitoring, enforcement and oversight, environmental corrective action, reporting, electronic transmission of large datasets to federal agencies, public outreach and education.
- Facilitate compliant online payments for NMED's core business processes.

### Administrative Services Division

- Manage NMED's resources in an equitable and compliant manner that facilitates our mission while maintaining the public's trust.
- Improve and modernize processes and programs to focus on the lifecycle of employee talent to include employee recruitment, retention, development and talent management to reduce NMED's vacancy rate.

# Resource Management Division (P567)

## Program Goals and Objectives (cont.)

### Office of Public Facilitation

- Facilitate exceptional customer service to the public and ensure public participation in docketed matters of the boards and commissions that the Office of Public Facilitation administers (i.e., Water Quality Control Commission and Environmental Improvement Board), public hearings assigned by the Secretary as a result of significant public interest and due process compliance orders served on respondents by bureaus that benefit from public participation.

## Strategic Actions

### Office of the Secretary

- Foster meaningful relationships with community members, elected officials, governmental agencies, the business community, industry, nongovernmental organizations and Tribal governments to inform sound policy and decision-making.
- Advocate for the Administration's legislative priorities and sustained state investment in services and policies for the betterment of New Mexicans.



### Office of General Counsel

- Expand the scope and range of legal advice and representation provided to NMED.
- Support all divisions and offices in integrating equity throughout delivery of services and operation of programs.
- Increase consistency and timeliness in compliance across programs to ensure a level playing field.

### Office of Communications

- Proactively highlight NMED's many contributions to a resilient state economy and healthy communities.
- Timely coverage of news media and public inquiries to increase the public's understanding of NMED programs and community impacts.

### Office of Strategic Initiatives

- Increase environmental justice capacity within NMED, including community-based mobile monitoring for health risks and impacts.
- Facilitate quarterly performance measures reporting and annual strategic planning process across NMED, including online publication of NMED's quarterly performance report.
- Develop and coordinate cross-divisional grant applications to support NMED priorities.
- Identify internal process improvements necessary to work smarter, not harder.
- Apply principles of continuous improvement through implementation and analysis of the annual Employee Engagement Survey to ensure NMED operations are informed by employee perspectives and concerns.
- Increase community engagement across New Mexico through strategic events and messaging.



# Resource Management Division (P567)

## Strategic Actions (cont.)

### Office of Information Technology

- Establish consistent standards, practices and governance for cloud, cybersecurity, data and geospatial technology.
- Implement enterprise-oriented low code application development platforms that will lead to process and workflow efficiencies and improvements to NMED's core business processes.
- Complete the final phase of NMED's online payments program while ensuring continuing Payment Card Industry compliance.
- Increase information available on NMED's website by creating informative charts, graphs and infographics, automating document posting and implementing an online document management system.
- Provide excellent customer service by ensuring reliable network, data, project portfolio, application development, web development and geographic information systems.

### Administrative Services Division

- Maintain delivery of services to New Mexicans and the regulated community commensurate with funding.
- Streamline and modernize administrative processes to improve public health and environmental outcomes and transparency of operations.
- Provide a broad range of technical and administrative assistance services to NMED that build program assets and develop new resources.
- Increase the enterprise-level funding capacity of NMED with a robust grant management and procurement capacity.
- Reduce NMED's vacancy rate to its budgeted vacancy rate through data-driven process improvements supported by implementation of new business technologies (e.g., paperless initiatives).
- Systematically implement recruitment and retention incentive programs through flex schedules, alternative work schedules, flex locations and telework opportunities.
- Create, track and expand employee training and development programs, with a focus on leadership development.
- Engage in compensation and classification analysis across NMED in order to ensure internal equity and balanced workloads, adjust to market conditions and orient NMED's staffing strategy to align with strategic growth and career advancement pathways.
- Foster high levels of employee engagement and productivity through an internal culture of mutual trust, respect, diversity and inclusion.

### Office of Public Facilitation

- Improve access to docketed matters for members of the public and parties to the litigation by implementing an electronic docketing system to manage pleadings and other legal documents.
- Develop or enhance forms for the public to submit general comments on docketed matters and a separate form for parties to submit pleadings and other legal documents.





# Water Protection Division (P568)

## Purpose of the Program

To ensure the cleanest and safest water supplies for New Mexicans today and into the future through the protection of surface water and groundwater quality. To provide financing for and oversight of water infrastructure projects across the state with added emphasis on projects related to the impacts of climate change.

## Program Users

A public that expects to consume clean and safe drinking water whether in an urban or rural community. A public that recreates in and along New Mexico's lakes, rivers and streams. Regulated entities who rely on relationships with regulators to provide technical and consistent expertise. Local governments, municipalities and private utilities in need of technical and/or financial assistance to repair, update or add water and wastewater infrastructure. Tribes, Pueblos and nations whose water quality may be impacted by others. All others who ensure our accountability to our mission, including: the Governor, Legislature, Federal Government and the public.

## Benefits to New Mexicans

- Safe, reliable and trusted sources of drinking water for today's growing economy and future generations of New Mexicans.
- Healthy rivers and lakes that fully support recreation, tourism and agriculture, which are essential components of a thriving state economy.
- Modernized and reliable infrastructure for our counties, cities and towns that fosters healthy communities.
- Economic development opportunities on formerly contaminated properties that reinvigorate communities.
- Easily accessible information about drinking water, groundwater and surface water quality, including in the aftermath of catastrophic events, such as the Gold King Mine spill.

## Budget and FTE

	FTE	Budget
Office of the Director	5.59	\$799,800.00
Construction Programs Bureau	25.00	\$3,253,100.00
Drinking Water Bureau	56.00	\$8,413,000.00
Ground Water Quality Bureau	63.00	\$12,325,800.00
Surface Water Quality Bureau	42.00	\$8,091,000.00

***See Appendix A for our performance measures and Appendix B for a comprehensive listing of our statutory authority.***



# Water Protection Division (P568)

## Program Goals and Objectives

- Develop and implement strategic actions to identify and address water contaminated with per- and polyfluoroalkyl substances (PFAS) and other emerging contaminants, as existing resources allow.
- Leverage available federal and state funding to maximize financing opportunities for water, wastewater, surface water and solid waste infrastructure investments and assist communities in utilizing available funding.
- Implement the Produced Water Act to preserve freshwater resources, protect water quality and public health and provide regulatory certainty.
- Improve public drinking water system compliance with health-based standards in large, mid-size and small communities.
- Support municipalities and public drinking water systems through robust implementation of the Water Conservation Fund Act.
- Improve the resiliency and efficiency of the groundwater discharge permit program to better serve the public.
- Strengthen enforcement and compliance for groundwater permits and facilities under abatement for groundwater contamination.
- Actively address clean-up and remediation of Superfund sites and other contaminated properties in New Mexico.
- Enhance the protection of surface waters by using all available tools, programs and resources and seeking additional tools, such as permits to control pollution.
- Identify and implement innovative approaches to leverage existing authorities to build communities and natural resource systems that are resilient to the impacts of climate change, consistent with the Governor's Executive Order 2019-003 on addressing Climate Change and Energy Waste Prevention and the 50 Year Water Plan.
- Effectively collaborate and communicate with key stakeholders across all programs to enhance program outcomes.



*Photo 1: Matt Smith of the Ground Water Quality Bureau providing water sampling technical assistance in May 2021 at San Ildefonso Pueblo.*

# Water Protection Division (P568)

## Strategic Actions

- Develop and maintain informative and interactive public facing tools, including story maps, on drought and PFAS to provide resources and current public health information to regulated entities, community leaders and other stakeholders.
- Lead action-oriented discussions with key partners and stakeholders to develop needed reforms to capital outlay funding for water infrastructure projects to improve outcomes for communities.
- Leverage innovative partnerships and conduct marketing outreach for water infrastructure financing programs to increase loan utilization rates.
- Support the ongoing work of the New Mexico Produced Water Research Consortium to fill science and technology gaps related to treatment and use of produced water for purposes outside the oil and gas sector.
- Finalize new rules to prevent contamination of water resources through implementation of the Produced Water Act prohibition on discharges of oil and gas wastewater outside of the oil and gas industry without an NMED-issued permit.
- Maximize the number of drinking water contaminants covered by NMED's sampling program through efficient management of Water Conservation Fund fees and supplemental funding, thereby avoiding additional costs for drinking water utilities.
- Maintain an enhanced drinking water compliance and enforcement program by increasing staff capacity to perform complex analysis of system monitoring data, conduct onsite inspections and take appropriate enforcement actions.
- Strengthen the Utility Operator Certification Program's support for more than 3,000 certified drinking water and wastewater utility operators through implementation of updated regulations, online exams, targeted technical assistance and partnerships to increase recruitment and training of new operators.
- Implement updated state water quality management plans and ambient monitoring plans that integrate climate change science to assess water quality of rivers, streams, lakes and wetlands and improve watershed health and resiliency.
- Execute a robust public outreach and education campaign about the importance of new state permitting authority to protect surface waters from pollution, which will inform development of legal and policy requirements, program structure and costs, funding mechanisms and public engagement tools.
- Oversee remediation activities at Superfund sites and ensure NMED has ample funding for all state cost obligations associated with remediation at these sites.
- Develop innovative approaches to address groundwater contamination associated with sites that lack a responsible party and require adequate financial assurance from entities that receive a discharge permit.
- Build more resilient communities through technical assistance and training on strategies to address climate change impacts through local source water planning.
- Implement enforcement policies and leverage modernized data management systems for surface water, groundwater and drinking water regulatory programs.
- Actively participate with other agencies and stakeholders to advance the New Mexico Water Data Initiative.





# Resource Protection Division (P569)

## Purpose of the Program

To maximize the prevention of new contamination and expeditiously address legacy pollution in New Mexico for the protection of public health and the environment. To ensure environmental justice for the equal protection and meaningful involvement of all people with respect to the development, implementation and enforcement of environmental laws, regulations and policies and the equitable distribution of environmental benefits. To ensure hazardous waste is managed – from cradle to grave – and contaminated sites are cleaned up as quickly as possible to lessen the burden to communities, their health and our environment. To closely monitor the environment within and around U.S. Department of Defense (U.S. DOD) and U.S. Department of Energy (U.S. DOE) facilities in New Mexico, taking swift and meaningful compliance actions when warranted. To ensure petroleum storage tanks are managed to prevent releases and that any releases are remediated as expeditiously as possible and as eligibility and the Corrective Action Fund allows. To ensure solid waste – including infectious waste – and recyclable materials are responsibly managed.

## Program Users

A public that trusts and expects that New Mexico's natural resources will not diminish their family's health, safety or economic prosperity regardless of where they live, work or play. This includes New Mexico's servicemembers who are stationed at U.S. Air Force installations, employees and contractors at U.S. DOE facilities and the residents who live in proximity to these installations. Regulated entities who rely on relationships with regulators to provide technical and consistent expertise. County and local governments/municipalities who rely on our expertise for emergency response and technical guidance, including best management practices to minimize costs to taxpayers where possible. Tribes, Pueblos and nations whose natural resources may be impacted by others. All others who ensure our accountability to our mission, including: the Governor, Legislature, Federal Government and public.

## Benefits to New Mexicans

- Timely responses to releases of hazardous substances that prevent exposure to people and the environment.
- Accountability and consequences for those who put New Mexicans at risk due to the improper management of waste.
- Federal facilities that comply with regulations and properly manage and clean up their waste.
- Robust environmental surveillance of U.S. DOE facilities to confirm U. S. DOE environmental results and inform surrounding communities.
- Financial assurance and incentives for the petroleum industry to prevent or clean up petroleum spills/releases.
- Landfills that are designed, operated and monitored to safely isolate waste from the environment, thereby protecting human health and the environment.
- Timely response to illegal dumping of trash.
- Reuse and recycling programs that encourage New Mexicans to turn their trash into treasures.

## Budget and FTE

	FTE	Budget
Office of the Director	5.58	\$661,900.00
DOE Oversight Bureau	18.00	\$2,894,400.00
Hazardous Waste Bureau	38.00	\$4,271,600.00
Petroleum Storage Tank Bureau	58.00	\$6,109,800.00
Solid Waste Bureau	24.00	\$2,226,900.00



***See Appendix A for our performance measures and Appendix B for a comprehensive listing of our statutory authority.***

# Resource Protection Division (P569)

## Program Goals and Objectives

- Provide increased regulatory oversight and accountability over hazardous waste generators, permittees, petroleum storage tank operators and solid waste facilities.
- Ensure new and legacy contaminated sites are cleaned up in a manner that is quick, safe and protective of human health and the environment and compliant with state and federal regulations.
- Maximize use of the Corrective Action Fund to clean up petroleum storage tank release sites.
- Increase public knowledge and awareness of environmental matters at U.S. DOE facilities and other regulated facilities through collaborative efforts.
- Effectively engage, collaborate and communicate with key stakeholders across all programs to ensure transparency and enhance program outcomes.
- Strengthen enforcement and compliance for waste management and corrective action in a manner that is consistent, fair and timely.
- Support state and local economic development by protecting and restoring New Mexico's natural resources and ensuring high quality public health.
- Further the state's climate change and emissions reductions goals through projects that turn waste into energy.

## Strategic Actions

- Hold the U.S. DOD accountable for PFAS contamination at U.S. DOD facilities that creates an imminent and substantial risk to public health and hurts the local economy.
- Hold the U.S. DOD accountable to finalize an expedited remedy selection plan and clean-up of the bulk fuel release at Kirtland Air Force Base.
- Collaborate with affected communities and stakeholders to facilitate the best possible environmental solutions and outcomes when addressing new and legacy contamination.
- Seek resources to build an illegal dumping prevention program.
- Address the most common and repeated violations by focused community outreach and enforcement, where appropriate.
- Implement environmental monitoring programs at high priority contamination or hazardous material storage sites, such as Los Alamos National Laboratory (LANL) or the Waste Isolation Pilot Plant (WIPP), and the surrounding areas, that align and support NMED's programs and strategic initiatives.
- Maximize use of the Corrective Action Fund for the remediation of petroleum release sites through collaboration with New Mexico's Economic Development Department.
- Provide funding for local governments to develop recycling programs and to abate illegal dumpsites.
- Leverage available resources, expertise and partnerships to implement waste-to-energy pilot projects, such as anaerobic digestion.
- Develop and implement updated enforcement policies to ensure compliance and accountability on a level playing field.



# Environmental Health Division (P570)

## Purpose of the Program

To promote and regulate New Mexico businesses, products and services in a manner that prevents adverse impacts and risks to public health and the environment; this includes commercially prepared foods, manufactured foods, hemp-finished products, adult use and medical edible cannabis products, public swimming pools and spas and liquid waste systems. To prevent workplace illnesses, injuries and fatalities to move our economy forward.

## Program Users

A public that eats at restaurants, purchases manufactured foods for their family, enjoys public pools and spas and expects and requires a safe working environment, as well as on-site septic system/property owners. The regulated community, including hemp and cannabis product manufacturers and food establishment owners. Other state agencies and institutions, county and local governments, and Tribes and Pueblos who participate in consultation. All others who ensure our accountability to our mission, including: the Governor, Legislature, Federal Government and public.

## Benefits to New Mexicans

- Safe food in restaurants and from New Mexico manufacturing facilities.
- Economic development, job growth and human health protection through responsible hemp and cannabis manufacturing.
- Safe public swimming pools and spas for recreation, fitness and medical care.
- Septic tanks for onsite liquid waste that protect local ground water supplies and residents.
- Workers and workplaces that are safe and protected from hazards both day-to-day and during public health emergencies.
- Successful businesses with safe and productive workplaces.

## Budget and FTE

	FTE	Budget
Environmental Health Division	121.50	\$11,416,800.00
Occupational Health and Safety Bureau	49.00	\$4,339,400.00

***See Appendix A for our performance measures and Appendix B for a comprehensive listing of our statutory authority.***



*Photo 2: NMED staff helping at a Bueno Foods Pop Up Vaccination Clinic in May 2021, one of many pop-up COVID-19 vaccination events supported by NMED across the state.*



# Environmental Health Division (P570)

## Program Goals and Objectives

- Ensure consumers and the general public are protected from adverse health and safety conditions through the inspection and enforcement of hemp and cannabis manufacturing facilities.
- Develop and maintain a timely and flexible response capacity to emergent public health risks, such as COVID-19, that create workplace hazards.
- Protect employees and the public from adverse health and safety conditions in workplaces and worksites through inspection and enforcement.
- Protect consumers and the public from adverse health and safety conditions such as foodborne and other illness in public food establishments through inspection and enforcement.
- Prevent and abate public health hazards from surface and ground water contamination by regulating onsite treatment and disposal of liquid waste.
- Ensure compliance at public swimming pools, baths and spas to protect public health.
- Develop recommendations for establishing or strengthening employee safety and health programs.
- Establish 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.

## Strategic Actions

- Continue to develop and implement a hemp and adult-use cannabis program, including permitting, compliance monitoring and enforcement functions, that ensures the protection of public health while supporting growth and sustainability of the industry.
- Provide free and confidential compliance assistance to businesses at their request by identifying workplace hazards, analyzing safety and health management systems.
- Manage funding and staffing levels to ensure timely permit issuance and compliance with liquid waste regulations.
- Administer the onsite wastewater systems indigent fund to provide financial support to low income families across New Mexico to ensure they operate a safe and legal onsite wastewater system.
- Develop dynamic, adaptative strategies to address emerging workplace hazards, including regulatory requirements to address the growing cases of heat illness.
- Expand NMED's skilled and trained team of food safety inspectors to keep pace with growth in food establishments across New Mexico and support local economies.
- Develop and implement training and retention strategies to maintain a team of workplace safety inspectors that provides requisite coverage of workplaces and worksites in New Mexico.
- Prevent workplace injuries by developing occupational health and safety emphasis programs for emerging industries, such as hemp and adult-use cannabis manufacturing, and established industries, such as the oil and gas sector, where employees may be exposed to serious health and safety hazards.



# Environmental Protection Division (P570)

## Purpose of the Program

To mitigate and prevent the impacts of climate change on our population, industries and infrastructure by decarbonizing our economy. To protect New Mexico's inhabitants and our natural beauty through clean and clear air. To prevent unnecessary risks to public health when medical or veterinary services are needed. To protect families and pets from over-exposure to radiation from x-ray equipment.

## Program Users

A public that breathes air and receives radiologic exams. The regulated community, including oil and gas producers. Other state agencies and institutions, county and local governments, including Tribes and Pueblos who participate in consultation. All others who ensure our accountability to our mission, including: the Governor, Legislature, Federal Government and public.

## Benefits to New Mexicans

- Clean air for all New Mexicans, including children, elderly and other vulnerable populations.
- Clear air for tourism and recreational opportunities from improved visibility at national and state parks and wilderness areas.
- Mitigating impacts of climate change by reducing greenhouse gas emissions and preparing for a warmer planet.
- Expanded energy options for families and businesses.
- Protection for workers and the public from the ill effects on human health and natural resources of radioactive materials in academic, medical and industrial applications.
- Reduced exposure to indoor radon.
- Critical assistance to current and former U.S. DOE or U.S. DOE-contracted facility nuclear workers who are ill because of exposure to radiation, chemicals or both.

## Budget and FTE

	FTE	Budget
Office of the Director	6.25	\$626,600.00
Air Quality Bureau	97.00	\$12,297,900.00
Climate Bureau	18.00	\$2,920,000.00
Radiation Control Bureau	18.00	\$2,129,800.00

***See Appendix A for our performance measures and Appendix B for a comprehensive listing of our statutory authority.***



# Environmental Protection Division (P570)

## Program Goals and Objectives

- Monitor and improve air quality and be proactive in areas where air quality is degrading by implementing emission control strategies and through timely, fair and consistent enforcement.
- Ensure facilities that are non-compliant with air quality regulations or permit conditions take immediate and appropriate corrective action.
- Partner with other state agencies to implement the Governor's Executive Order 2019-003 on addressing Climate Change and Energy Waste Prevention and develop climate adaptation strategies.
- Develop and implement regulatory programs that reduce greenhouse gas emissions from the transportation and oil and gas sectors and improve air quality for healthier communities.
- Reduce exposure to and increase knowledge on indoor radon through public outreach and education and targeted compliance initiatives.
- Protect and promote public and environmental health by preventing unnecessary radiation exposure through effective licensing, registration, inspection, special investigations and enforcement.
- Implement federal requirements that protect visibility and mandate that the clarity of our skies return to preindustrial levels by 2064.

## Strategic Actions

- Create a Climate Change Bureau to oversee NMED's implementation of Executive Order 2019-003, including implementing a clean fuel standard and low emission and zero emission vehicle standards; update the greenhouse gas emissions inventory and projections; and, develop a market-based program for reducing greenhouse gas emissions, in part through implementation of the Hydrogen Hub Act.
- Implement and enforce regulations to control volatile organic compounds and nitrogen oxides in areas that exceed 95 percent of the 2015 National Ambient Air Quality Standard for Ozone.
- Build and retain NMED's skilled and trained team of air quality permit writers and inspectors for the oil and gas sector to ensure timely air permit issuance and compliance with air quality regulations.
- Ensure ongoing compliance with the Naturally Occurring Radioactive Materials regulations for the oil and gas industry.



Photo 3: Secretary Kenney joins a ribbon cutting ceremony with the City of Albuquerque for a new electric vehicle charging station.



# Appendix A

## Performance Measures

### Public Health

Percent of the population breathing air meeting federal health standards

Percent of the population served safe and healthy drinking water

Number of drinking water systems serving drinking water that did not meet at least one standard compared to the total number of drinking water systems

Number of community water system violations returned to compliance as a result of NMED assistance

Number of superfund sites cleaned up as compared to the number of superfund sites remaining

Number of restaurants/food manufacturers that did not meet at least one standard compared to the total number of restaurants/food manufacturers

Number of employers that did not meet OSHA requirements for at least one standard compared to the total number of employers

### Environmental Protection

Amount of volatile organic compounds emitted statewide, in tons

Amount of volatile organic compounds emitted illegally, in tons

Amount of nitrogen oxides emitted statewide, in tons

Amount of nitrogen oxides emitted illegally, in tons

Quantity of nutrient-based pollutants reduced due to implementation of watershed restoration and on-the-ground improvement projects, in pounds

Reduction in nonpoint source sediment loading attributed to implementation of watershed restoration and on-the-ground improvement projects

Number of nonpoint source impaired waterbodies restored by the Department relative to the number of impaired water bodies

Number of underground storage tank sites cleaned up compared to the total number of leaking underground petroleum storage tank sites remaining

Number of completed cleanups of petroleum storage tank release sites that require no further action

### Economic Investment

Total investment of grants dollars awarded to communities, year to date

Number of brownfield acres of contaminated land cleaned up and available for reuse

Investments in water infrastructure, in dollars

Number of new water infrastructure projects

# Appendix A

## Compliance

<b>Air</b>	Percent of air emitting sources inspected
	Percent of air emitting sources in compliance
	Percent of air emitting sources in violation
<b>Groundwater</b>	Percent of groundwater permittees inspected
	Percent of groundwater permittees in compliance
	Percent of groundwater permittees in violation
<b>Hazardous Waste</b>	Percent of hazardous waste facilities inspected
	Percent of hazardous waste facilities in compliance
	Percent of hazardous waste facilities in violation
<b>Restaurants and Food Manufacturing</b>	Percent of restaurants/food manufactures inspected
	Percent of restaurants/food manufactures in compliance
	Percent of restaurants/food manufactures in violation
<b>Septic Systems</b>	Percent of new or modified liquid waste systems inspected
	Percent of new or modified liquid waste systems in compliance
	Percent of new or modified liquid waste systems in violation
<b>Solid and Infectious Waste</b>	Percent of solid and infectious waste management facilities inspected
	Percent of solid and infectious waste management facilities in compliance
	Percent of solid and infectious waste management facilities in violation
<b>Surface Water</b>	Percent of surface water permittees inspected
	Percent of surface water permittees in compliance
	Percent of surface water permittees in violation
<b>Radiation Sources in Medical Equipment</b>	Percent of ionizing/non-ionizing radiation sources inspected
	Percent of ionizing/non-ionizing radiation sources in compliance
	Percent of ionizing/non-ionizing radiation sources in violation

## Operational

Total dollars collected by NMED and transferred to the general fund resulting from successful prosecutions and/or settlements stemming from non-compliance with laws, rules, or permits administered by the Department

Vacancy rate by month

Percent of NMED financial transactions completed online by the public or regulated community

# Appendix B

## Statutory Authority

- NMSA 1978, §§ 3-29-1 to -21
  - NMSA 1978, §§ 9-7A-1 to -15
  - NMSA 1978, §§ 10-15-1 to -4
  - NMSA 1978, §§ 13-1-1 to -199
  - NMSA 1978, §§ 14-2-1 to -12
  - NMSA 1978, §§ 14-3-1 to -24
  - NMSA 1978, §§ 14-4-1 to -11
  - NMSA 1978, §§ 14-4A-1 to -6
  - NMSA 1978, §§ 14-16-1 to -21
  - NMSA 1978, §§ 25-1-1 to -16
  - NMSA 1978, §§ 25-2-1 to -21
  - NMSA 1978, §§ 26-2C-1 to -42
  - NMSA 1978, §§ 50-9-1 to -25
  - NMSA 1978, §§ 61-33-1 to -10
  - NMSA 1978, §§ 70-13-1 to -5
  - NMSA 1978, §§ 71-8-1 to -8
  - NMSA 1978, §§ 74-1-1 to -17
  - NMSA 1978, §§ 74-2-1 to -22
  - NMSA 1978, §§ 74-3-1 to -16
  - NMSA 1978, §§ 74-4-1 to -14
  - NMSA 1978, §§ 74-4G-1 to -12
  - NMSA 1978, §§ 74-6-1 to -17
  - NMSA 1978, §§ 74-6A-1 to -15
  - NMSA 1978, §§ 74-6B-1 to -14
  - NMSA 1978, §§ 74-9-1 to -43
  - NMSA 1978, §§ 74-13-1 to -20
  - NMSA 1978, §§ 76-24-1 to -10
- Sanitary Projects Act
  - Department of Environment Act
  - Open Meetings Act
  - Procurement Code
  - Inspection of Public Records Act
  - State Records Act
  - State Rules Act
  - Small Business Regulatory Relief Act
  - Uniform Electronic Transactions Act
  - Food Service Sanitation Act
  - Adulterated or Misbranded Food Act
  - Cannabis Regulation Act
  - Occupational Health and Safety Act
  - Utility Operators Act
  - Produced Water Act
  - Sustainable Development Testing Site Act
  - Environmental Improvement Act
  - Air Quality Control Act
  - Radiation Protection Act
  - Hazardous Waste Act
  - Voluntary Remediation Act
  - Water Quality Act
  - Wastewater Facility Construction Loan Act
  - Ground Water Protection Act
  - Solid Waste Act
  - Recycling and Illegal Dumping Act
  - Hemp Manufacturing Act