



ENFORCEMENT WATCH ALERT

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

NEWS RELEASE

For Immediate Release

Aug. 2, 2023

Contact: Matthew Maez, Communications Director
New Mexico Environment Department
505.670.8911 | matthew.maez@env.nm.gov

**Enforcement Watch Alert: 154 Enforcement Actions Initiated,
27 Enforcement Actions Resolved in July 2023**

SANTA FE — The New Mexico Environment Department (NMED) released updates for the month of July 2023 on the [Enforcement Watch](#). The Enforcement Watch is a listing of all active and resolved enforcement cases. Active cases involve an alleged violation of a regulation, rule, permit, license, etc. Resolved cases are those that were adjudicated in court of law or administratively resolved. The Enforcement Watch also provides tools for the public to report alleged environmental or workplace safety violations.

In the month of July, 154 new entries were added to the Active Matters listing and 27 were moved to the Resolved Matters listing.

The new additions to the report included:

- 101 notices of alleged violation issued by the Food Safety Program to retail food establishments that failed to timely pay their permit fee which results in the assessment \$25.00 late fee
- 50 notices of alleged violation issued by the Drinking Water Bureau
- 2 notices of alleged violation issued by the Occupational Health and Safety Bureau
- 1 notice of alleged violation issued by the Air Quality Bureau.

The following enforcement cases were resolved in July:

- 11 enforcement cases by the Drinking Water Bureau
- 6 enforcement cases by the Hazardous Waste Bureau
- 6 enforcement cases by the Food Safety Program
- 4 enforcement cases by the Occupational Health & Safety Bureau

Highlights of alleged violations and resolved cases in July include:

- The Air Quality Bureau issued a [notice of alleged violation](#) to Targa Northern Delaware LLC (Targa) for air quality violations at the Red Hills Gas Plant in Artesia.
- The Hazardous Waste Bureau issued a [compliance advisory notice](#) to the U.S. Department of Energy and Salado Isolation Mining Contractors LLC for Generator Site Technical Review Reporting at the Waste Isolation Pilot Plant.

“The Enforcement Watch continues to provide transparency for New Mexicans with a list of businesses and municipalities that have not complied with state laws, rules and permits,” said **NMED Compliance and Enforcement Director Bruce Baizel**. “The best way to stay off the Enforcement Watch is to comply with state requirements.”

In addition to these cases, the department also modified how drinking water enforcement actions are reported on the watchlist. Starting this month, multiple violations in a single enforcement letter are listed as single row instead of multiple rows as previously reported. This change improves clarity of the watchlist and aligns the drinking water enforcement actions with the rest of NMED’s other enforcement programs. This change does not impact the nature of the Drinking Water Bureau’s enforcement actions, and each individual violation still generates a notice of violation for the purposes of the bureau.

The Enforcement Watch provides the public, the business community, environmental nongovernment organizations, and municipal governments with easy access to see which organizations the NMED has alleged are in violation of state regulations, permits, and/or licenses. Importantly, organizations remain on the Enforcement Watch until the alleged violations are corrected to the satisfaction of the Department. The easiest way for an organization to avoid appearing on the Enforcement Watch is to stay off it in the first place by remaining in full compliance with applicable regulations. NMED encourages organizations that are unclear of their regulatory responsibilities to contact a consultant and conduct a third-party compliance audit and disclose potential violations. Enforcement actions issued prior to April 2023 are added to the Enforcement Watch as staffing resources allow.

NMED provides detailed compliance and enforcement metrics in the Compliance Measures section of the [Quarterly Performance Report](#).

The full Enforcement Watch can be viewed at <https://www.env.nm.gov/enforcement-watch>.

###

NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Parts 5 and 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED’s non-discrimination programs, policies or procedures, you may contact: Kate Cardenas, Non-Discrimination Coordinator | NMED | 1190 St. Francis Dr., Suite N4050 | P.O. Box 5469 | Santa Fe, NM 87502 or (505) 827-2855 or nd.coordinator@env.nm.gov. If you believe that you have been discriminated against with respect to a NMED program or activity, you may contact the Non-Discrimination Coordinator.

###