



**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*

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**Enforcement Watch Alert: 284 Enforcement Actions Initiated,  
37 Enforcement Actions Resolved in August 2023**

**SANTA FE** — The New Mexico Environment Department (NMED) released updates for the month of August 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 August, 284 new entries were added to the Active Matters listing and 37 were moved to the Resolved Matters listing.

The new additions to the report included:

- 148 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 of a \$25.00 late fee
- 115 notices of alleged violation issued by the Drinking Water Bureau
- 14 notices of alleged violation issued by the Occupational Health & Safety Bureau
- 3 notices of alleged violation issued by the Cannabis and Hemp Bureau for operating without a valid permit
- 1 notice of alleged violation issued by the Air Quality Bureau
- 1 administrative compliance order issued by the Ground Water Quality Bureau
- 1 notice of alleged violation issued by the Hazardous Waste Bureau
- 1 notice of alleged violation issued by the Septic System Program

The following enforcement cases were resolved in August:

- 14 cases in the Drinking Water Bureau
- 11 cases in the Food Safety Program
- 9 cases in the Hazardous Waste Bureau
- 2 cases in the Air Quality Bureau

- 1 case in the Petroleum Storage Tank Bureau

Highlights of alleged violations and resolved cases in August include:

- The first notices of violation from the Cannabis and Hemp Bureau to three cannabis companies for operating without a permit. These businesses are: [Minerva Canna](#) in Bernalillo, NM, [Stoned Ape Canna Co.](#) in Carlsbad, NM and [Buffalo Bud Farming](#) in Silver City NM.
- The Ground Water Quality Bureau issued an [administrative compliance order to Karlee, LLC](#) for failing to submit a Stage 1 Abatement Plan related to cleanup of tetrachloroethene (PCE) released from a dry cleaner facility in Artesia. The order carries a civil penalty of \$349,414.
- The Hazardous Waste Bureau issued a [notice of violation to Omnicare of Albuquerque](#) for violations of the New Mexico Hazardous Waste Act including failure to conduct weekly inspections of a storage area and storing hazardous waste without a permit. The notice carries a civil penalty of \$43,450 for these violations.
- The Air Quality Bureau resolved cases against [Davis Gas Processing, Inc.](#) and [Mewbourne Oil Company](#) for violations of air quality regulations.

“New Mexico’s growing cannabis industry provides quality jobs to New Mexicans through the legal manufacturing and sale of adult-use edible products,” said **NMED Cannabis and Hemp Bureau Chief Johnathan Gerhardt**. “Companies that operate outside of the law by producing cannabis edible products without a permit jeopardize public health and will face fines and legal action.”

The Enforcement Watch provides the public, the business community, environmental nongovernmental organizations, and municipal governments with easy access to see which organizations the New Mexico Environment Department has alleged are in violation of regulations, permits, and/or licenses administered by the Department. It is updated as violations are alleged or resolved. Retrospective enforcement matters are added as staffing resources allow. 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 and permits. 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.

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>.

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