

**MICHELLE LUJAN GRISHAM, GOVERNOR**

James C. Kenney, Cabinet Secretary

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.

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**Enforcement Watch Alert: 162 Enforcement Actions Initiated,
14 Enforcement Actions Resolved in November 2023**

SANTA FE — The New Mexico Environment Department (NMED) released updates for the month of November 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 November, 162 new entries were added to the Active Matters listing and 14 were moved to the Resolved Matters listing.

The new additions to the report included:

- 86 notices of alleged violation issued by the Food Safety Program to retail food establishments that failed to pay their permit fee on time which results in a \$25.00 late fee and 1 notice of alleged violation for food service permit suspension to Teriyaki Grill & Pho LE in Belen;
- 58 notices of alleged violation issued by the Drinking Water Bureau;
- 7 notices of alleged violation issued by the Occupational Health & Safety Bureau;
- 6 notices of alleged violation issued by the Petroleum Storage Tank Bureau;
- 2 notices of alleged violation issued by the Air Quality Bureau;
- 2 notices of alleged violation issued by the Ground Water Quality Bureau.

The following enforcement cases were resolved in November:

- 7 cases in the Drinking Water Bureau;
- 5 cases in the Food Safety Program;
- 1 case in the Hazardous Waste Bureau;
- 1 case in the Cannabis and Hemp Bureau.

Highlights of alleged violations and resolved cases in November include:

- The Petroleum Storage Tank Bureau (PSTB) issued a [Significant Class A violation](#) to Taos Gravel Products for alleged violations of Petroleum Storage Tank Regulations related to failure to protect the Aboveground Storage Tank (AST) system from corrosion.
- PSTB issued a [Class B Violation](#) to Roadrunner Redi-Mix for alleged violations of Petroleum Storage Tank Regulations related to failure to install a containment sump underneath each dispenser system associated with a Aboveground Storage Tank (AST).
- The Air Quality Bureau issued a [Notice of Violation](#) to Western Refining Terminals, LLC in Bloomfield for multiple alleged violations of Air Quality Control Regulations or Air Quality Conditions.
- The Hazardous Waste Bureau [resolved](#) a Notice of Violation with Freeland NM Holdings, LLC in Brazos for alleged violations of the hazardous waste management regulations. Freeland NM cleaned up used oil releases and corrected container labeling and storage issues observed during the initial inspection.

“The Enforcement Watch provides New Mexicans with transparency as to those businesses and governmental bodies that are falling short of their responsibility to comply with state laws, rules and permits that are in place to protect the public’s health and the environment,” said **NMED Compliance and Enforcement Director Bruce Baizel**. “By shining this light on compliance in New Mexico, our department is encouraging businesses and government bodies to take their responsibilities seriously.”

The Enforcement Watch provide the public, the business community, environmental nongovernment 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 when 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. 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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