

**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: 99 enforcement actions initiated, seven enforcement actions resolved in December 2023**

**SANTA FE** — The New Mexico Environment Department (NMED) released updates for the month of December 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 December, 99 new entries were added to the Active Matters listing and seven were moved to the Resolved Matters listing.

The new additions to the report included:

- 86 notices of alleged violation issued by the Drinking Water Bureau
- 7 notices of alleged violation issued by the Occupational Health & Safety Bureau
- 5 notices of alleged violation issued by the Air Quality Bureau
- 1 notice of alleged violation issued by the Solid Waste Bureau
- No new actions were issued by the Food Safety Program in December due to a software transition

The following enforcement cases were resolved in December:

- 3 cases in the Hazardous Waste Bureau
- 2 cases in the Solid Waste Bureau
- 1 case in the Air Quality Bureau
- 1 case in Radiation Control Bureau

Highlights of alleged violations and resolved cases in December include:

- The Solid Waste Bureau issued a [Notice of Violation](#) to Sono Bello Albuquerque for multiple alleged violations of New Mexico Solid Waste Regulations related to disposal of infectious waste.
- The Air Quality Bureau resolved a [Settlement Agreement and Stipulated Final Compliance Order](#) with Robert Medina and Sons Concrete and Sand, Inc. after the entity paid a civil penalty of \$110,000.
- The Solid Waste Bureau issued a [Notice of Violation and Resolution](#) to Camino Real Landfill for an alleged violation of New Mexico Solid Waste Rules related inadequate daily cover on the “Truck Cleaning” area and the access road leading. The alleged violation was adequately addressed immediately after inspection.
- The Radiation Control Bureau resolved a [Notice of Violation](#) with Lotus LLC over the proper licensing for the export of regulated Naturally Occurring Radioactive Waste generated by the oil and gas industry to permitted hazardous waste disposal facilities.

“The transparency provided by Enforcement Watch allows the citizens of New Mexico to see not only violators but also those who work responsibly to resolve compliance issues,” said **NMED Compliance and Enforcement Director Bruce Baizel**. “We applaud companies such as Lotus LLC, who worked with our Radiation Control Bureau to make sure that regulated Naturally Occurring Radioactive Waste is disposed of by properly licensed companies at permitted hazardous waste disposal facilities.”

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 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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