



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: 158 enforcement actions initiated, 12 enforcement actions resolved in January 2024

SANTA FE — The New Mexico Environment Department (NMED) released updates for the month of January 2024 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 January, 158 new entries were added to the Active Matters listing and 12 were moved to the Resolved Matters listing.

The new additions to the report included:

- 130 notices of alleged violation issued by the Drinking Water Bureau
- 15 notices of alleged violation issued by the Petroleum Storage Tank Bureau
- 8 notices of alleged violation issued by the Occupational Health & Safety Bureau
- 2 notices of alleged violation issued by the Hazardous Waste Bureau
- 2 notices of alleged violation issued by the Solid Waste Bureau
- 1 notice of alleged violation issued by the Septic System Program

The following enforcement cases were resolved in January:

- 6 cases in the Drinking Water Bureau
- 3 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 January include:

- The Air Quality Bureau resolved a [Settlement Agreement and Stipulated Final Compliance Order](#) with Oxy USA, Inc. after the entity paid a civil penalty of \$1,200,000.
- The Hazardous Waste Bureau issued a [Notice of Violation](#) and Resolution to AeroParts Manufacturing and Repair for violations of the New Mexico Hazardous Waste Management Regulations related to a failure to make a hazardous waste determination during storage of wastes and failing to label containers of used oil.
- The Occupational Safety and Health Bureau issued a [Citation and Notice of Penalty](#) to Robinson Drilling of Texas for an alleged serious violation of the New Mexico Occupational Health and Safety Act related to not following an appropriate acclimatization schedule for employees working in high heat conditions.
- The Drinking Water Bureau issued a [Notice of Violation](#) to the Camino Real Regional Utility Authority for exceeding the arsenic maximum contaminant level (MCL), defined in the New Mexico Drinking Water regulations, during the first quarter of 2024 at Industrial Park Arsenic Treatment Plant.

“From citing systems for failing to treat drinking water for arsenic to holding employers accountable for failing to protect New Mexico’s workers from extreme heat, the Enforcement Watch demonstrates the department’s commitment to ensuring compliance with our health and safety regulations,” said **NMED Compliance and Enforcement Director Bruce Baizel**.

The Enforcement Watch provides the public, the business community, environmental nongovernment organizations, and municipal governments with easy access to see which organizations NMED 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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