

**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: 333 enforcement actions initiated, 13 enforcement actions resolved in February 2024**

**SANTA FE** — The New Mexico Environment Department (NMED) released updates for the month of February 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 February, 333 new entries were added to the Active Matters listing and 13 were moved to the Resolved Matters listing.

The new additions to the report included:

- 150 notices of alleged violation issued by the Drinking Water Bureau
- 140 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
- 24 notices of alleged violation issued by the Petroleum Storage Tank Bureau
- 6 notices of alleged violation issued by the Air Quality Bureau
- 6 notices of alleged violation issued by the Occupational Health & Safety Bureau
- 3 notices of alleged violation issued by the Ground Water Quality Bureau
- 3 notices of alleged violation issued by the Hazardous Waste Bureau
- 1 notice of alleged violation issued by the Surface Water Quality Bureau

The following enforcement cases were resolved in February:

- 6 cases in the Hazardous Waste Bureau
- 3 cases in the Occupational Health & Safety Bureau
- 3 cases in the Drinking Water Bureau
- 1 case in the Petroleum Storage Tank Bureau

Highlights of alleged violations and resolved cases in February include:

- The Air Quality Bureau issued a [notice of 14 violations](#) to DCP, the owner and operator of the Eunice Gas Plant, for exceeding emission limits, failing to limit usage of a flare, and various equipment operation failures.
- The Surface Water Quality Bureau issued a [Notice of Noncompliance](#) with the New Mexico Water Quality Act to the City of Santa Fe Paseo Real Wastewater Treatment Plant, due to discharges of water contaminants, disposal of refuse into the Santa Fe River, and failure to comply with New Mexico water quality standards.
- The Groundwater Quality Bureau issued a [Notice of Violation](#) to the City of Estancia for not operating its wastewater treatment plant in compliance with the Water Quality Act and its regulations, by not utilizing a certified operator, by not submitting monitoring reports, and by not drilling required monitoring wells.
- The Hazardous Waste Bureau issued a [Notice of Violation](#) to Los Alamos National Laboratory for violating New Mexico Hazardous Waste regulations by not protecting containers of hazardous waste from precipitation and not preventing stormwater run-on or run-off from potentially impacting containers of hazardous waste.
- The Petroleum Storage Tank Bureau issued a [notice of violation](#) to Grant County for the lack of spill containment in the loading and unloading of fuel at the county airport.
- The Hazardous Waste Bureau [resolved violations](#) issued in 2023 to the University of New Mexico – Gallup related to managing hazardous waste in labs.

“Enforcement Watch is becoming a useful tool for other state agencies in New Mexico, as they use it to check on the compliance history of applicants for leases and permits,” said **NMED Compliance and Enforcement Director Bruce Baizel**. “This will strengthen efforts to clean up and protect our state for all New Mexicans.”

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. 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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