

**MICHELLE LUJAN GRISHAM, GOVERNOR**

James C. Kenney, Cabinet Secretary

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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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Environment Department releases quarterly performance assessment highlighting achievements, enforcement actions

SANTA FE — The New Mexico Environment Department (NMED) released the second quarter (Q2) performance assessment for fiscal year 2024 (FY24) that offers the public, stakeholders, and legislators the opportunity to track the department's progress in protecting public health and the environment between October 1 and December 31, 2023. The assessment also provides insights on budget and staffing challenges impacting performance.

Second-quarter accomplishments highlighted in the assessment include:

- Adoption of the Advanced Clean Cars and Advanced Clean Trucks rules by the Environmental Improvement Board and the Albuquerque/Bernalillo County Air Quality Control Board;
- Investigating the cause of elevated pH levels impacting the water supply of approximately 20,000 residents in or near Sunland Park and Santa Teresa;
- Initiating 376 enforcement actions and resolving 32 others;
- Reaching a \$214,000 settlement with Los Alamos National Laboratory for alleged violations of the Hazardous Waste Act and Hazardous Waste Management Regulations, including failure to dispose of hazardous waste; and
- Awarding over \$750,000 to communities to remove trash, prevent illegal dumping, and jump-start recycling programs.

For FY24, NMED received recurring appropriations totaling \$147.7 million to protect public health and the environment. This included \$25.5 million in general funds, \$62.7 million in special revenue funds (e.g., permit fees), and \$59.5 million in federal funds. NMED also received \$45.5 million in one-time appropriations for earmarked projects/purposes.

The performance assessment, developed by NMED's Office of Strategic Initiatives, provides data on 46 performance measures over five broad categories for FY24 as follows:

- 6 public health measures,
- 9 environmental protection measures,
- 24 compliance measures,
- 4 economic investment measures, and
- 3 operational measures.

The 46 performance measures largely stem from agreements between NMED and the Department of Finance and Administration and the Legislative Finance Committee for state fiscal year 2024 pursuant to the Accountability in Government Act. NMED uses these assessments to provide additional context and information to the public and the legislature.

Highlights from the assessment indicate:

- NMED staff conducted 2,323 compliance inspections across the state.
- For the inspections conducted, five programs found compliance exceeding their benchmark while three regulatory program areas fell below the target:
 - Surface water discharge permittees: 100% in compliance
 - Groundwater discharge permittees: 100% in compliance
 - Radiation licensing program (i.e., medical equipment): 100% in compliance
 - Liquid waste program (i.e., septic systems): 98.2% in compliance
 - Solid and infectious waste management facilities: 90.0% in compliance.
 - Restaurants and food manufacturers: 68.3% in compliance
 - Hazardous waste management facilities: 40.0% in compliance
 - Air emitting sources: 37.5% in compliance
- NMED Drinking Water Bureau staff provided direct technical assistance to 16 community water systems to help them move from a status of non-compliance to compliance.

The report includes an “NMED Staff Workload Snapshot” and supporting data in Appendix A that provide insight into the workload challenges facing the agency. For example, at current staffing levels, each NMED Occupational Health and Safety inspector has an average of 6,804 facilities to regulate. If each one inspected a facility every workday, it would take this team 29 years to visit each site.

Each technical staff member in the Construction Programs Bureau (CPB) oversees 115 individual projects. Despite this workload, CPB still initiated 98 new water infrastructure projects across the state in the second quarter, disbursing \$31.5 million into communities with water infrastructure needs.

NMED’s vacancy rate was approximately 16.5% at the end of the second quarter. Based on exit interview data and the Department’s annual employee engagement surveys, NMED’s vacancies are driven by opportunities for greater compensation with less complex work and retirements.

View the FY24 Q2 Performance Assessment [here](#). An explainer video highlighting the findings of the report is available [here](#).

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