

**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: 298 enforcement actions initiated, 112 enforcement actions resolved in March 2024

SANTA FE — The New Mexico Environment Department (NMED) released updates for the month of March 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 March, 298 new entries were added to the Active Matters listing and 112 were moved to the Resolved Matters listing.

The new enforcement cases include the following:

- 145 notices of 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
- 134 notices of violation issued by the Drinking Water Bureau
- 7 notices of violation issued by the Air Quality Bureau
- 6 notices of violation issued by the Occupational Health & Safety Bureau
- 2 notices of violation issued by the Solid Wasted Bureau
- 2 notices of violation issued by the Petroleum Storage Tank Bureau
- 1 notice of violation issued by the Ground Water Quality Bureau
- 1 notice of violation issued by the Hazardous Waste Bureau

The following enforcement cases were resolved in March:

- 79 cases in the Food Safety Program
- 19 cases in the Drinking Water Bureau
- 8 cases in the Petroleum Storage Tank Bureau
- 5 cases in the Occupational Health & Safety Bureau
- 1 case in the Solid Waste Bureau

Highlights of alleged violations and resolved cases in March include:

- The Air Quality Bureau issued a [Notice of Violation](#) of state and federal air regulations to Hilcorp Energy Company for the San Juan Gas Plant east of Bloomfield for failure to operate a flare with no visible emissions and failing to correct or update its permit to reflect different equipment with a higher operating capacity. This is Hilcorp Energy Company's second [Notice of Violation](#) related to air quality issues since 2019.
- The Drinking Water Bureau issued a [Notice of Violation](#) to the Town of Springer for failing to correct significant deficiencies identified during the 2023 sanitary survey, including improper treatment of drinking water, an insufficient emergency response plan, lack of sufficient spare parts and other deficiencies.
- The Groundwater Quality Bureau issued a [Notice of Violation](#) to HORVAC Environmental Liquid Waste Land Application Site for operating in violation of the conditions of the Discharge Permit, the WQCC Regulations and the Water Quality Act by having insufficient berms, improper signage and allowing ponding of wastewater.
- The Hazardous Waste Bureau issued an [Administrative Compliance Order](#) to Ortega's Shell Plaza, Inc. regarding a property in Tucumcari that required Ortega's to comply with the Hazardous Waste Act and assesses \$333,891 charges for costs incurred by the department in cleanup of the hazardous substance incident that occurred on September 18, 2023.
- The Occupational Health and Safety Bureau issued a [Citation and Notice of Penalty](#) to Bluebonnet Labs of Albuquerque for violations involving hazards to employees, not providing adequate eye wash stations, not ensuring that protective equipment was functioning properly, and other violations.
- The Petroleum Storage Tank Bureau issued a [Notice of Violation](#) to Mavco Enterprise Inc. DBA Triple S Grocery in Espanola for failing to correct violations of the Petroleum Storage Tank Regulations identified during a previous inspection.
- The Surface Waste Bureau issued a [Notice of Violation](#) to the Sandoval County Landfill for failing to operate the facility in a manner that does not cause a public nuisance or created a potential hazard, failing to provide proper cover of municipal solid waste, and other violations.

“Our work to hold polluters accountable not only protects our air, land, and water,” said **NMED Compliance and Enforcement Director Bruce Baizel**. “Robust enforcement also protects taxpayers from expensive cleanup costs when bad actors pollute our environment and walk away.”

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 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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