



Performance Assessment

Fiscal Year 2024 | 4th Quarter | April 1 – June 30, 2024

**New Mexico Environment Department
Office of Strategic Initiatives**

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Investing for tomorrow, delivering today.

Our mission is to protect and restore the environment and to foster a healthy and prosperous New Mexico for present and future generations. We implement our mission guided by four core values: science, innovation, collaboration, and compliance. We use the best available science to inform our decision-making in protecting public health and the environment. We employ creative engineering and technical solutions to address environmental challenges. We engage communities and stakeholders in environmental decision-making. Finally, we ensure compliance with state regulations and permits, leveling the playing field by holding violators accountable. We embrace our mission and core values at every level of the organization.

In FY24, we strategically deployed our limited funding and personnel to advance public health, protect our natural resources, hold responsible parties accountable, and work to ensure access to clean land, air, and water for New Mexicans. For more information on NMED's program workloads, see Appendix A, beginning on page 13 of this report.

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

Our approximate recurring budget breakdown is:

- 17.3% state general fund;
- 42.4% special revenue funds; and
- 40.3% federal funds.

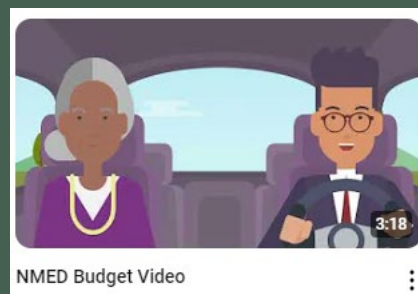
Beginning on page 7, this report covers 46 performance measures across these five categories:

- 6 Public Health Measures;
- 9 Environmental Protection Measures;
- 24 Compliance Measures;
- 4 Economic Investment Measures; and
- 3 Operational Measures.

About this Report

The New Mexico Environment Department (NMED) began publishing quarterly assessments in Fiscal Year 2022 (FY22). This is the fourth quarterly performance assessment for FY24 and provides a retrospective look at the quarter while providing totals for the entire fiscal year.

Watch a video explaining [NMED's budget](#) on our YouTube Channel:



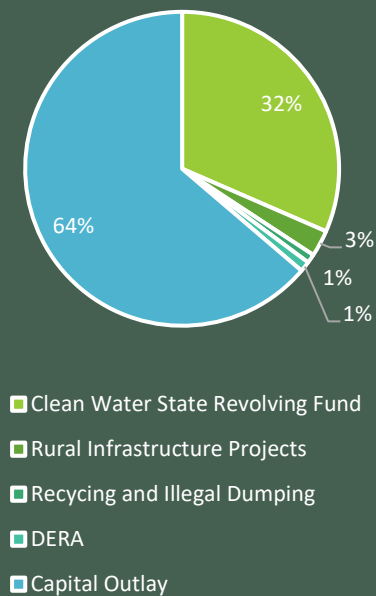
For more information, please visit our website, www.env.nm.gov > [About > Performance](#), to see past reports and other metrics. You can also contact:

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NMED in New Mexico Communities

NMED Invests \$87.1 Million in Communities

NMED administers significant funds for community projects throughout the state. Most of that funding is related to water infrastructure projects and consists of loans, grants, and capital outlay. Of the \$87.1 million for communities, the following diagram shows the funds that NMED awarded in FY24:



The funding includes:

- \$55.5 million for Capital Outlay projects;
- \$27.5 million for projects related to the Clean Water State Revolving Fund;
- \$2.4 million for Rural Infrastructure Program projects;
- \$936,000 from the Diesel Emissions Reduction Act program; and
- \$800,000 from the Recycling and Illegal Dumping Fund.

NMED Fire Response

In late June, Secretary Kenney visited the NMED field office and the Emergency Operations Center in Ruidoso. At the Emergency Operations Center, the Secretary talked with local and federal officials who worked tirelessly with NMED staff to assess the risk to and safety of drinking water systems servicing the fire-impacted area. NMED's field office in Ruidoso worked to respond to local officials and restaurants with questions about drinking water quality, and assisting contractors in moving construction projects forward.



Secretary Kenney reviews fire update maps with Joe Savage of NMED's Drinking Water Bureau and federal officials at the Emergency Operations Center

Solar panels for Santa Rosa wastewater system

Using a \$1.5 million Clean Water State Revolving Fund loan from NMED, the City of Santa Rosa constructed a net metered solar photovoltaic system at their wastewater treatment plant that will reduce the plant's electricity costs. These savings will allow the City to pay for the solar upgrades, and to reinvest savings into other needed system improvements and allow them to maintain compliance with water quality standards, while reducing emissions that contribute to climate change. The cost savings may also defray future rate increases. New Mexico is a top ranked state for solar and many other communities could benefit from similar projects.

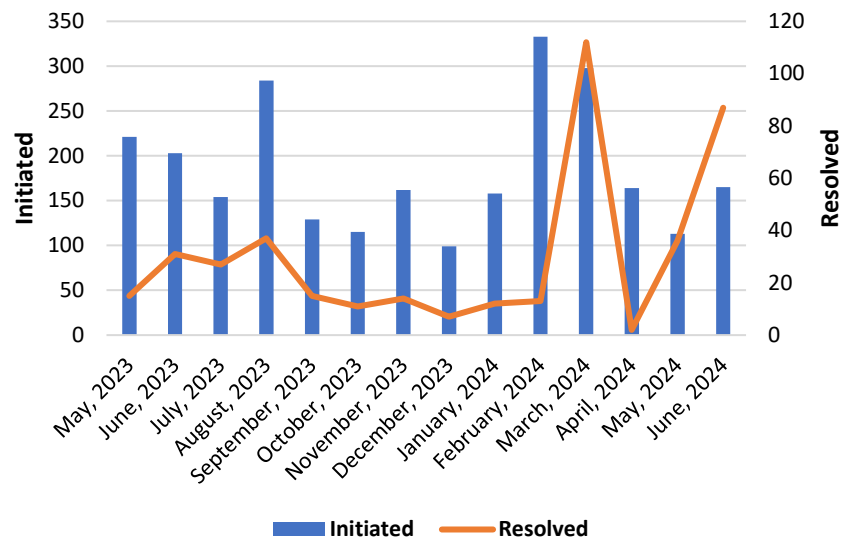


Enforcement Watch Update

In order to bring our mission to life for every New Mexican, we must assure compliance with applicable laws, rules, and permits. This is why compliance is one of our four core values. NMED's [Enforcement Watch](#) provides a transparent, publicly accessible listing of all active and resolved enforcement cases with online reporting tools. In FY24, NMED initiated nearly 2,200 enforcement actions and resolved 373.

Enforcement Watch Alerts for FY24

Month	Enforcement Actions	
	Initiated	Resolved
July, 2023	154	27
August, 2023	284	37
September, 2023	129	15
October, 2023	115	11
November, 2023	162	14
December, 2023	99	7
January, 2024	158	12
February, 2024	333	13
March, 2024	298	112
April, 2024	164	2
May, 2024	113	36
June, 2024	167	87
FY24 Total	2,176	373



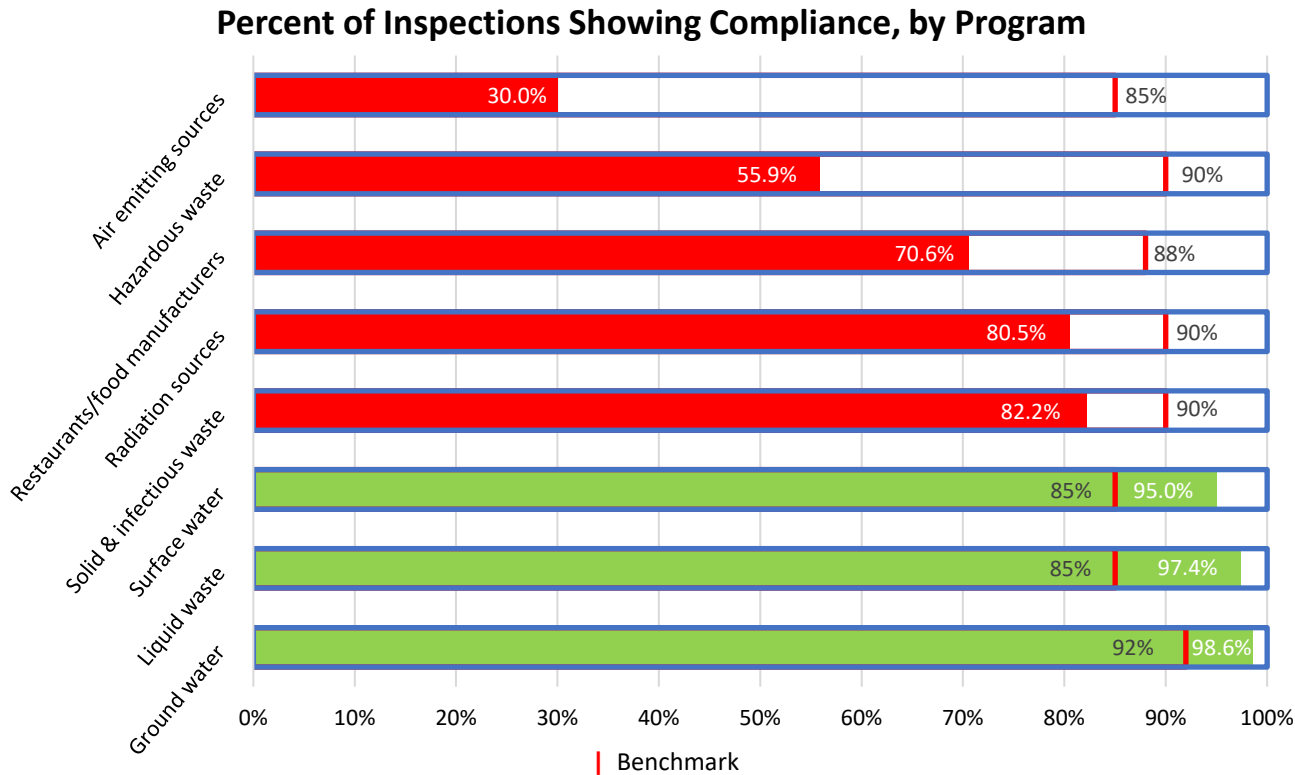
Enforcement actions taken in the fourth quarter include:

- The Air Quality Bureau issued a Notice of Violation under New Mexico Air Quality Control Act regulation for seven facilities to Enduring Resources LLC, the owner and operator of the facilities near Counselor and Nageezi, for failure to inspect, failure to fix leaks, failure to operate and maintain a closed vent system and other violations.
- The Groundwater Quality Bureau issued a notice of violation to the Town and Country Mobile Home Park in Carlsbad for operating under an expired groundwater discharge permit, in violation of New Mexico Water Quality regulations and the Water Quality Act.
- The Solid Waste Bureau issued a notice of several violations to Estancia Solid Waste Authority for failure to conduct random load inspections, failure to apply and compact soil over disposed construction and demolition debris, including wind turbine blades, and failure to cut/demolish all wind turbine blades at the Vaughn Construction and Demolition/Asbestos Landfill.

Compliance and Enforcement

In FY24, NMED staff conducted 9,802 compliance inspections. In the fourth quarter alone, NMED conducted about 2,080 inspections, initiated 444 enforcement actions, and resolved 125 violations. In addition to these initial inspections, NMED staff frequently perform multiple inspections of a single facility in response to complaints from the public and follow-up inspections to check on issues identified in previous inspections and ensure compliance, adding up to thousands more inspections each year.

Based on all FY24 compliance inspections, the figure below shows compliance levels in programs across the Department compared to the performance benchmark or target. Regulated entities in five program areas fell below the target (depicted in red) and regulated industry in three program areas exceeded the benchmark or target (depicted in green).



NMED cites City of Roswell for the death of a worker in a trench

In April, NMED issued willful and serious citations with penalties of \$637,311 to the City of Roswell following a six-month investigation into the fatal injury of a city utility worker. In the early morning hours of October 21, 2023, four members of an on-call crew for the City were dispatched to repair a leaking water main. One of the crew members was working within a trench to repair the leaking pipe when the earth walls caved in, trapping the worker. The other crew members and emergency personnel were unable to rescue the buried worker before he died.

OHSB cited the City for four willful violations, with penalties of \$621,768, including:

- Failing to train workers on excavation safety requirements.
- Failing to have a person competent in excavation safety inspect the trench prior to entry.
- Failing to prevent water accumulation in the trench while crew members were making repairs.
- Failing to use protective methods like sloping, shoring or a trench box to prevent walls from collapsing.

The Bureau also issued one serious citation to the City for failing to ensure a method of escape from the trench, such as a ladder, which was not used. The penalty for a serious violation is \$15,543. Currently, NMED is in settlement negotiations with the City after it contested the penalty. The citations are available [here](#).

New Mexico reaches \$24.5 million settlement with Ameredev for Air Quality Violations

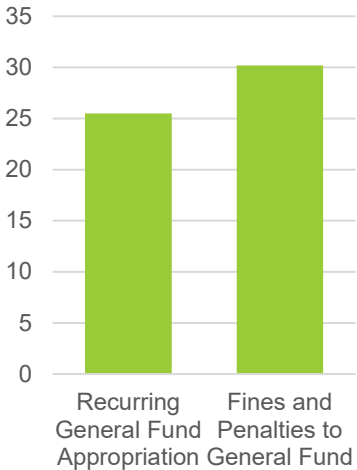
NMED announced in April that oil and gas company Ameredev II, LLC (Ameredev) agreed to pay \$24.5 million to settle alleged violations of state air quality regulations. This is the largest settlement the Department ever reached in a civil oil and gas settlement.

Under state law, \$24.1 million of the penalty was deposited into New Mexico’s General Fund. For comparison, NMED received general fund appropriations of \$25.5 million for recurring agency operations in FY24 and transferred \$30.2 million in penalties, like this one against Ameredev, to the general fund. Overall, NMED transferred \$4.7 million more to the general fund in FY24 than the Department received in recurring general fund appropriations.

On Ameredev, NMED issued an Administrative Compliance Order (ACO) on June 29, 2023, and identified five facilities that flared over 3.2 billion cubic feet of natural gas, releasing an amount of CO2 equivalent to heating 16,640 homes for one year. The flaring also resulted in over 7.6 million pounds of excess hydrogen sulfide, sulfur dioxide, nitrogen oxides, carbon monoxide and volatile organic compounds, being released into the air. These pollutants are known to cause serious health issues, including respiratory issues, impaired cognition, and convulsions, as well as contribute to climate change. Upon discovery of the compliance issues by NMED staff, Ameredev engaged a third-party contractor to review its compliance with New Mexico requirements and made the results available to NMED’s Air Quality Bureau.

[Click here](#) to read the full news story.

Return on Investment in NMED



An unauthorized flare at Ameredev’s Nandina facility, photo by NMED inspectors taken on Dec. 31, 2019.

Public Health Measures



Clean air and land, safe drinking water and food, and healthy communities are critical public health measures for developing and maintaining a prosperous New Mexico. The table below provides an at-a-glance view of our progress toward our FY23 targets.

	FY24 Target	Q1	Q2	Q3	Q4	FY24 Actual
Percent of the population (in NMED jurisdiction) breathing air meeting federal health standards.	95.0% or more	98.3%	100.0%	99.0%	99.0%	99.0%
Percent of the population served safe and healthy drinking water.	95.0% or more	90.1%	90.5%	89.0%	88.2%	88.2%
Number of drinking water systems serving drinking water that did not meet at least one standard compared to the total number of drinking water systems.	260/563 (46.2%)	232/563 (43.8%)	205/563 (36.4%)	210/563 (37.3%)	207/563 (36.8%)	36.8%
Number of community water system violations returned to compliance as a result of NMED assistance.	500	16	16	11	28	71
Number of superfund sites cleaned up as compared to the number of superfund sites remaining.	0/15					0/15
Number of employers that did not meet Occupational Safety and Health Administration (OSHA) requirements for at least one standard compared to the total number of employers.	55.0%	73.2%	52.3%	82.1%	60.7%	63.6%

Note: Grey boxes in tables represent fields with no data reported because the respective measure is reported on a semi-annual or annual basis, rather than quarterly.

Our public health performance measures are described in detail in Appendix B. These explanations include additional definitions and assumptions to provide further insight into the significance of these measures.

NMED offers free domestic water well testing and home radon test kits at Cabinet in Your Community events

Governor Michelle Lujan Grisham's first [Cabinet in Your Community](#) event of 2024 was in Farmington on April 11 at Animas Elementary School. The event was followed by a resource fair and a town hall on the same day, and on April 12 cabinet secretaries hosted a second Cabinet in Your Community event at Shiprock High School with the same venue as Farmington. NMED staff tested well water samples and distributed 100 radon home test kits at each event. Additional *Cabinet in Your Community* events will take place throughout the calendar year in locations around the state.



Water Protection Division Director John Rhoderick and Secretary Kenney (center) visit a home near Shiprock to celebrate the installation of solar panels.

Environmental Protection Measures



Environmental protection is a set of mitigation techniques aimed to help protect and manage different environmental issues. Environmental protection can be accomplished by reducing pollutants and other factors that contribute to the degradation of the environment. The table below provides an at-a-glance view of our progress toward our FY24 targets.

	FY24 Target	Q1	Q2	Q3	Q4	FY24 Actual
Amount of volatile organic compounds emitted statewide, in tons per year (TPY).	90,986					295,690
Amount of volatile organic compounds emitted illegally, TPY.	4,500					1,834
Amount of nitrogen oxides emitted statewide, TPY.	123,215					211,728
Amount of nitrogen oxides emitted illegally, in TPY.	6,000					119
Quantity of nutrient-based pollutants reduced due to implementation of watershed restoration and on-the-ground improvement projects, in pounds.	1,300		2,588		9,104	9,104
Reduction in nonpoint source sediment loading attributed to the implementation of watershed restoration and on-the-ground improvement projects, in tons.	900		2,165		4,450	4,450
Number of nonpoint source impaired waterbodies restored by the Department relative to the number of impaired water bodies.	1/377 (0.3%)					1/377 (0.3%)
Number of underground storage tank sites cleaned up compared to the total number of leaking underground petroleum storage tank sites remaining. (Denominator fluctuates as sites reach no further action status after completed cleanup.)	20/944 (2.1%)	10/842 (1.2%)	2/849 (0.2%)	3/859 (0.3%)	0/865 (0 %)	15/865 (1.7%)
Number of completed cleanups of petroleum storage tank release sites that require no further action. (Cumulative over all time.)	1,976	2,018	2,020	2,023	2,036	2,036

Our environmental protection performance measures are described in detail in Appendix B. These explanations include additional definitions and assumptions to provide further insight into the significance of these measures.

New Mexico's Rivers Named Most Endangered in the Nation

The national nonprofit organization American Rivers has named the "Rivers of New Mexico" #1 in its 2024 annual report on the nation's most endangered rivers, citing the impact of the May 2023 U.S. Supreme Court ruling in *Sackett v. EPA*. The ruling scaled back federal clean water protections for many streams and wetlands nationwide, arguably impacting New Mexico most of all the states because many waters in NM are not perennial here and because the State does not have a state-run permitting program to prevent or minimize pollution from entering its surface waters. To learn more, and download the report, [click here](#) to visit the American Rivers website.



Compliance Measures

Environmental regulatory compliance is essential to protect the environment and prevent harm to human health. Inspections are a valuable tool for NMED to determine whether regulated entities are in compliance with applicable laws, rules or permits. The table below provides an at-a-glance view of our progress toward our FY24 targets. The “compliance” measures reflect the results of inspections conducted within the reporting period. The “violation” measures reflect all active violations among all permittees. This difference in denominators can cause large differences between the “compliance” and “violations” rates.

	FY24 Target (%)	Q1 (%)	Q2 (%)	Q3 (%)	Q4 (%)	FY24 Actual (%)
Air						
Percent of air emitting sources inspected.	50.0	7.8	6.6	6.5	11.3	32.1
Percent of air emitting sources in compliance.	85.0	50.0	37.5	12.5	21.4	30.0
Percent of air emitting sources in violation.	15.0	50.0	62.5	87.5	78.6	70.0
Groundwater						
Percent of groundwater permittees inspected.	65.0	5.8	10.3	8.2	6.3	30.6
Percent of groundwater permittees in compliance.	92.0	97.5	100.0	96.6	100.0	98.6
Percent of groundwater permittees in violation.	8.0	0.7	0.7	1.3	1.1	1.1
Hazardous Waste						
Percent of hazardous waste facilities inspected.	12.0	0.8	0.8	1.1	1.0	3.8
Percent of hazardous waste facilities in compliance.	90.0	60.0	40.0	50.0	72.0	55.9
Percent of hazardous waste facilities in violation.	8.0	0.7	0.6	0.7	0.6	0.6
Radiation Sources in Medical Equipment						
Percent of ionizing/non-ionizing radiation sources inspected.	85.0	5.6	4.4	4.6	2.2	16.7
Percent of ionizing/non-ionizing radiation sources in compliance.	87.0	94.8	100.0	100.0	37.9	80.5
Percent of ionizing/non-ionizing radiation sources in violation.	10.0	0.3	0.0	0.0	0	0.0
Restaurants and Food Manufacturers						
Percent of restaurants/food manufacturers inspected.	90.0	20.8	20.2	21.5	18.0	80.4
Percent of restaurants/food manufacturers in compliance.	85.0	73.4	68.3	64.0	77.8	70.6
Percent of restaurants/food manufacturers in violation.	15.0	5.5	6.4	7.8	4.0	4.0
Septic Systems						
Percent of new or modified liquid waste systems inspected.	85.0	91.8	90.6	89.5	84.4	89.5
Percent of new or modified liquid waste systems in compliance.	85.0	95.8	98.2	97.7	98.8	97.4
Percent of new or modified liquid waste systems in violation.	15.0	4.2	1.8	2.3	1.2	2.6
Solid/Infectious Waste						
Percent of solid and infectious waste management facilities inspected.	85.0	24.4	22.2	23.9	28.3	98.9
Percent of solid and infectious waste management facilities in compliance.	85.0	90.9	90.0	63.6	84.6	82.2
Percent of solid and infectious waste management facilities in violation.	N/A	31.1	15.6	17.4	18.2	8.7
Surface Water						
Percent of surface water permittees inspected.	100.0	5.0	10.0	5.0	80.0	100.0
Percent of surface water permittees in compliance.	85.0	100.0	100.0	0.0	100.0	95.0
Percent of surface water permittees in violation.	15.0	6.0	4.0	4.0	6.0	6.1

Our compliance performance measures are described in detail in Appendix B. These explanations include additional definitions and assumptions to provide further insight into the significance of these measures.

Economic Investment Measures



NMED is dedicated to making economic investments that promote public health, improve environmental protection, and foster compliance. Economic investment is critical to New Mexico's ability to continue to build resilient environments. The table below provides an at-a-glance view of our progress toward our FY24 targets.

	FY24 Target	Q1	Q2	Q3	Q4	FY24 Actual
Total grant dollars awarded to communities.	\$65,000,000					\$87,069,556
Number of brownfield acres of contaminated land cleaned up and available for reuse.	20					12.8
Investments in water, in dollars.	\$30,000,000	\$16,184,572	\$25,669,744	\$11,247,353	\$24,868,402	\$77,970,071
Number of new water infrastructure projects.	115	65	98	40	10	175

Our economic investment performance measures are described in detail in Appendix B. These explanations include additional definitions and assumptions to provide further insight into the significance of these measures.

NMED provides financing to United Parcel Service to replace 16 package cars

During this quarter, NMED awarded United Parcel Service (UPS) \$473,222 in grant funding to replace 16 delivery vehicles with low pollution compressed natural gas (CNG) delivery vehicles.

New Mexico is helping school districts and nonprofit organizations reduce their climate-warming emissions from their vehicle fleets, and now UPS is following suit by retiring diesel-fueled vehicles and replacing them with cleaner vehicles.

Over the life of the vehicles, oxides of nitrogen (NOX) will be reduced by 9 tons, and fine particulate matter (PM2.5) will be reduced by over half a ton. NOX contributes to the formation of ground-level ozone, and both ozone and PM2.5 contribute to the formation of smog.



United Parcel Service – CNG delivery vehicle

UPS is replacing trucks based in Albuquerque, Santa Fe, Carlsbad, Silver City, Clovis, Hobbs and Farmington. The new replacement vehicles will be relocated to operate from Albuquerque. Funding from NMED will partially reimburse UPS for the replacement of these vehicles. The total project cost of replacing the trucks is \$1,440,000.

Since 2008, NMED has awarded over \$2.3 million in grant funding for qualifying diesel emissions reduction projects, including this project. Additional information and application materials to the DERA program are available [here](#).

Operational Measures

NMED is committed to modernizing and improving operational efficiency while reducing operational costs with no loss in customer service. Increasing operational efficiency enables NMED to provide greater services to the public, industry, and our employees. The table below provides an at-a-glance view of our progress toward our FY24 targets.

	FY24 Target	FY24 Actual
Percent of NMED financial transactions completed online by the public or regulated community.	50%	22.9%
Total dollars collected by NMED and transferred to the general fund resulting from successful prosecutions and/or settlements stemming from non-compliance with laws, rules, or permits administered by the Department.	\$750,000	\$30,178,527

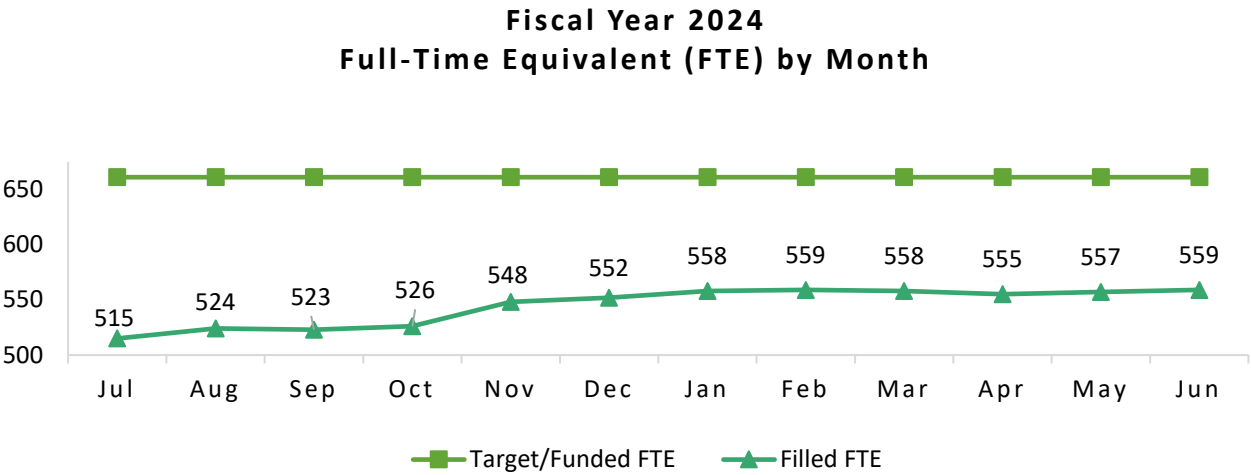
Vacancy rate by month													
FY24 Target	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY24 Actual
6.0%	22.1%	20.7%	20.9%	20.4%	17.1%	16.5%	15.6%	15.4%	15.6%	16.0%	15.7%	15.4%	17.6%

Our operational performance measures are described in detail in Appendix B. These explanations include additional definitions and assumptions to provide further insight into the significance of these measures.

NMED reduced its vacancy rate by 30% in FY24, having a net gain of 44 filled positions from July 2023 through June 2024. This represents an 8.5% increase in the number of filled positions, from 515 to 559. Still, employees in many of our programs are dealing with unreasonable workloads. Our NMED Staff Workload Snapshot, on page 12, highlights some of those areas.

At the end of FY24, NMED had 559 filled full-time equivalent positions (FTE). While the Department has 714 authorized FTEs, the FY24 staffing budget funded 661 of those (based on NMED’s average FTE cost) because the Legislature did not fully fund that expense. For FY24, NMED was the only state agency to receive a separate appropriation to help cover the cost of a 6 percent raise for state employees.

With the budget passed during the 2024 legislative session, the Department’s FY25 budget includes funding to increase salaries to appropriately compensate employees based on their education and experience in accordance with state regulations. NMED expects this will support a further reduction in the vacancy rate.



NMED Staff Workload Snapshot

Based on existing staffing levels and assuming 235 workdays per year, it would take most NMED programs multiple years to conduct inspections to assure compliance with *all* permitted or licensed facilities. Each year NMED carefully assesses, based on available resources, how to best regulate and assure compliance of businesses that are subject to laws passed by the Legislature, regulations adopted by state boards and commissions, and permits and licenses issued by the Department. With tens of thousands of regulated entities, NMED's employees, across programs and bureaus, carry a significant workload.



9 OSHA inspectors oversee 67,945 employers, or 7,549 employers per inspector



At current staffing levels, Air Quality Bureau staff can visit all permittees once every 8.1 years



The Drinking Water Bureau's 4 Utility Operator Certification employees support and provide services to 2,173 operators, or 543 operators for each NMED staff

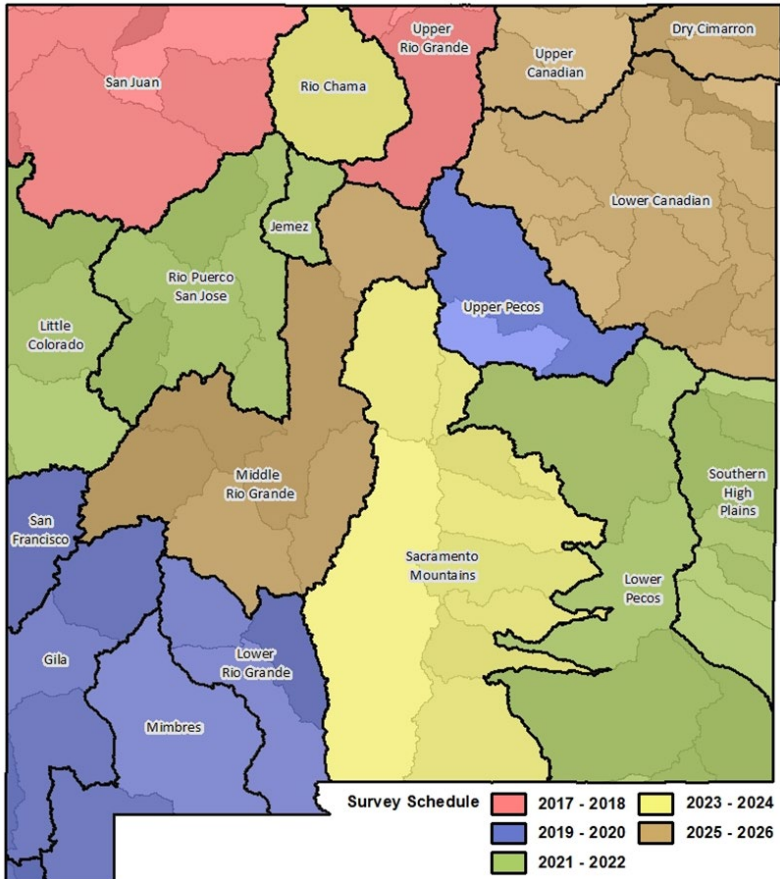


The Surface Water Quality Bureau has 6 staff covering water quality monitoring almost 200,000 stream miles, 173 lakes and reservoirs, and over 1,000,000 acres of wetlands



Construction Programs Bureau's 4 technical staff each manages 117 infrastructure projects

Surface Water Monitoring Design, 2017-2026



At the end of FY24, NMED had a team of 6 filled positions working to monitor streams, lakes, and wetlands in New Mexico. With this staffing level, this process takes ten years. Building support for this team through internal cross-training of other NMED staff and internship opportunities for college students, NMED is finding ways to more efficiently keep an eye on New Mexico's most precious resource. The Department is considering a shorter monitoring schedule to more frequently assess water quality statewide.

It currently takes 10 years for NMED's surface water quality monitoring team to cover all of the waters and wetlands in New Mexico

Appendix A

NMED Program Workload Data

Regulatory Permitting and Enforcement Programs

Division	Bureau	Program	Known Regulated Universe / Number of Permits	Authorized Permitting & Enforcement FTE	Filled Permitting & Enforcement FTE	% Time Permitting	% Time Enforcement	Regulated Entities/Permits per Filled Permitting & Enforcement FTE	As of Date
EHD	EHB	Liquid Waste, Food Safety, & Pool and Spa Programs	15,631	58.0	49.0	25%	75%	313	7/22/2024
EHD	OHSB	Compliance Program	67,945	17.0	9.0	0%	100%	7,549	7/30/2024
EPD	AQB	Permitting and Enforcement	3,628	26.0	19.0	90%	10%	190	8/20/2024
EPD	RCB	Radiation Protection Program	1,729	11.0	6.0	95%	5%	292	6/30/2024
RPD	HWB	Compliance and Tech. Assistance Program	2,495	7.7	6.7	0%	100%	372	7/1/2024
RPD	HWB	Permitting Program	19	37.0	17.0	100%	0%	1	8/20/2024
RPD	PSTB	Prevention/Inspection - Delivery Prohibition	1,699	17.0	16.0	0%	100%	106	7/23/2024
RPD	PSTB	Remedial Action Program	960	18.0	7.0	0%	100%	137	7/23/2024
RPD	SWB	Enforcement Program	933	10.0	4.0	0%	100%	133	7/24/2024
RPD	SWB	Permitting Program	933	6.0	3.0	100%	0%	311	7/24/2024
WPD	DWB	Public Water System Supervision	1,057	15.0	13.0	90%	10%	81	7/24/2024
WPD	GWQB	Agriculture Compliance Section	206	5.0	5.0	90%	10%	41	7/24/2024
WPD	GWQB	Mining Environmental Compliance Section	46	13.0	10.0	90%	10%	5	7/24/2024
WPD	GWQB	Pollution Prevention Section	450	16.0	11.0	90%	10%	41	7/24/2024
WPD	SWQB	Dredge/Fill Permits	76	4.0	4.0	15%	5%	19	7/17/2024
WPD	SWQB	NPDES permit compliance	4,641	7.0	5.0	50%	50%	928	7/17/2024

Non-Regulatory Programs

Division	Bureau	Program	Permittees / Facilities	Known Universe Category	Authorized FTE	Filled FTE	Workload per filled FTE	Descriptor	As of Date
EHD	OHSB	Consultation Program	67,945	Employers	7.0	5.0	13,589	Employers per Consultation Program FTE	7/30/2024
RPD	HWB	Incident Coordination	365	Emergency calls	1.3	1.3	280.8	Emergency calls per Incident Coordination FTE	7/1/2024
RPD	SWB	Recycling and Illegal Dumping Grants	19	FY24 grants	1.1	0.7	27	FY24 grants per Recycling and Illegal Dumping Grants FTE	6/30/2024
WPD	CPB	Technical Section	467	Infrastructure Projects	7.0	4.0	117	Infrastructure Projects per Technical Section FTE	7/12/2024
WPD	DWB	Engineering	1,068	Public Water Systems	2.0	2.0	534	Public Water Systems per Engineering FTE	7/24/2024
WPD	DWB	Infrastructure Funding Support	1,068	Infrastructure Funding Support	2.0	0.0	1,068	Infrastructure Funding Support per Infrastructure Funding Support FTE	7/24/2024
WPD	DWB	Sustainable Water Infrastructure	1,068	Public Water Systems	14.0	10.0	107	Public Water Systems per Sustainable Water Infrastructure FTE	7/24/2024
WPD	DWB	Utility Operator Certification	2,173	Utility operators	4.0	4.0	543.3	Utility operators per Utility Operator Certification FTE	7/24/2024
WPD	GWQB	Remediation Oversight Section	192	Sites	10.0	9.0	21.3	Sites per Remediation Oversight Section FTE	7/24/2024
WPD	GWQB	Superfund Oversight Section	29	Sites	11.0	8.0	3.6	Sites per Superfund Oversight Section FTE	7/24/2024
WPD	SWQB	Water Quality Standards	6,698	Perennial stream miles in NM	5.0	3.0	2,233	Perennial stream miles in NM per Water Quality Standards FTE	7/17/2024

Division	Bureau	Program	Permittees / Facilities	Known Universe Category	Authorized FTE	Filled FTE	Workload per filled FTE	Descriptor	As of Date
WPD	SWQB	Water Quality Standards Program	190,225	Non-perennial stream miles in NM	5.0	3.0	63,408	Non-perennial stream miles in NM per Water Quality Standards Program FTE	7/17/2024
WPD	SWQB	Monitoring Program	6,698	Perennial stream miles in NM	5.0	4.0	1,675	Perennial stream miles in NM per Monitoring Program FTE	7/17/2024
			190,225	Non-perennial stream miles in NM			47,556	Non-perennial stream miles in NM per Monitoring Program FTE	7/17/2024
			173	Number of Significant Lakes and Reservoirs			43	Number of Significant Lakes and Reservoirs per Monitoring Program FTE	7/17/2024
WPD	SWQB	TMDL & Assessment	622	Number of assessed river/stream reaches	5.0	4.0	156	Number of assessed river/stream reaches per TMDL & Assessment FTE	7/17/2024
WPD	SWQB	Wetlands Protection	1,053,809	Acres of freshwater wetlands in NM	4.0	2.0	526,905	Acres of freshwater wetlands in NM per Wetlands Protection FTE	7/17/2024
WPD	SWQB	Nonpoint Source Pollution - Planning & Restoration	3,223	Number of sub-watersheds	9.0	7.0	460	Number of sub-watersheds per Nonpoint Source Pollution - Planning & Restoration FTE	7/17/2024
WPD	SWQB	Effectiveness Monitoring	138	Number of impaired river/stream reaches	1.0	1.0	138	Number of impaired river/stream reaches per Effectiveness Monitoring FTE	7/17/2024

Appendix B

Public Health Measures	Definitions and Assumptions
Percent of the population breathing air meeting federal health standards.	"Meeting federal health standards" means meeting the National Ambient Air Quality Standards (NAAQS) for air pollutants. "Population" means 32 percent of the total population of New Mexico since 35 percent of the total population live in 20 counties without air monitors and 33 percent of the total population live in Bernalillo County and the City of Albuquerque which operate their own air monitoring sites and monitors and do not contribute to the NMED data set. Therefore, 32 percent of the population will be used as the denominator when calculating the percent of the population in the 10 monitored counties breathing air meeting federal health standards.
Percent of the population served safe and healthy drinking water.	"Community water system" means a public water system that serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents. "Safe and healthy drinking water" is defined as drinking water served by a community water system that meets primary health-based drinking water standards. Health-Based Standards are standards that fall into one of three categories: 1) maximum contaminant levels (MCLs) that specify the highest allowable contaminant concentrations in drinking water; 2) maximum residual disinfectant levels (MRDLs) that specify the highest concentrations of disinfectants allowed in drinking water; and 3) treatment technique requirements that specify certain processes intended to reduce the level of a contaminant. The numerator will exclude the population served by systems with unresolved violations from prior quarters and will be based on the compliance status of each community water system at any time during the quarter. The denominator is the total number of people served by community water systems.
Number of drinking water systems serving drinking water that did not meet at least one standard compared to the total number of drinking water systems	"Drinking water system serving drinking water that did not meet at least one standard" is a community water system with one or more violations of primary health-based drinking water standards. See above for "community water system" definition. The numerator will exclude population served by systems with unresolved violations from prior quarters; also, the numerator will be based on compliance status of each community water system at any time during the quarter. The denominator is the total number of people served by community water systems.
Number of community water system violations returned to compliance as a result of NMED assistance.	See above for "community water system" definition. "Violations" means all violations, including monitoring, reporting, public notice, and exceedances. "Returned to compliance" means that a violation has gone from non-compliant status to compliant status in the data system of record (i.e., Safe Drinking Water Information System). Note that there can be a lag between when the system addresses the violation and when NMED documents that the system returned to compliance.
Number of superfund sites cleaned up as compared to the number of superfund sites remaining.	"Superfund site" means an entire Superfund Site on the National Priorities List, including all operational units. As of September 30, 2021, there are 15 Superfund Sites in New Mexico. Superfund Site clean-ups take many years, and it is common for Sites to remain on the National Priorities List for decades. As a result, most years the number of Superfund Sites cleaned-up will be zero. If, in a given year, a Superfund Site is partially delisted (e.g., one operational unit is delisted and one or more remains) we will note this in the narrative, but a partial delisting will not count toward this measure.
Number of restaurants/food manufacturers that did not meet at least one standard compared to the total number of restaurants/food manufacturers.	"One standard" means having at least one priority violation during an annual inspection. "Priority violations" are the highest risk violations that indicate the greatest risk of consumers possibly becoming ill as a result of eating food from the restaurant/food manufacturer. The denominator is the number of facilities for which NMED made a compliance determination during the quarter, following an inspection of the facility. The denominator does not include facilities for which the program made a compliance determination without conducting an inspection (e.g., based on records review).

Number of employers that did not meet Occupational Safety and Health Administration (OSHA) requirements for at least one standard compared to the total number of employers.	"Number of employers that did not meet OSHA requirements" includes all employers issued at least one citation for violation(s) of OSHA standards (numerator). "Total number of workplaces" includes all employers found in compliance (case closed with no citations) and employers issued citation(s) during the fiscal year (denominator).
Environmental Protection Measures	Definitions and Assumptions
Amount of volatile organic compounds emitted statewide, in tons.	This measure will use the annual calendar year volatile organic compounds (VOCs) emissions inventory which includes actual emissions (i.e., routine, start up, shut down, maintenance, malfunction (SSM/M)) and all illegal VOC emissions. The tons per year reported at the end of the fiscal year will constitute emissions for the previous calendar year. Qualified sources are defined in 20.2.73.300.B(1) as "Any source which emits, or has the potential to emit, 5 tons per year or more of lead or lead compounds, or 100 tons per year or more of PM10, PM2.5, sulfur oxides, nitrogen oxides, carbon monoxide, or volatile organic compounds shall submit an emissions report annually". NMED will assume for this performance measure that legal emissions are from sources in NMED's jurisdiction, which excludes Bernalillo County and Tribal areas.
Amount of volatile organic compounds emitted illegally, in tons.	"Illegal emissions" are those that exceed permitted (allowable) limits. This is a reporting of the illegal total tons of VOC emissions for comparison to total tons of emissions. The tons per year reported at the end of the fiscal year will constitute emissions for the previous calendar year. NMED will assume for this performance measure that illegal emissions are from sources in NMED's jurisdiction, which excludes Bernalillo County. This measure assumes all excess emissions reported to NMED by regulated facilities are in violation of state and federal law. Note: nonpermitted sources are not required to report excess emissions because they do not have an "allowable" limit.
Amount of nitrogen oxides emitted statewide, in tons.	This measure will use the annual calendar year nitrogen oxides (NOx) emissions inventory which includes actual emissions (i.e., routine, start up, shut down, maintenance, malfunction (SSM/M)) and all the illegal NOx emissions. The tons per year reported at the end of the fiscal year will constitute emissions for the previous calendar year. See above for "qualified sources" definition. NMED will assume for this performance measure that legal emissions are from sources in NMED's jurisdiction, which excludes Bernalillo County and Tribal areas. The data is collected from permitted and registered industrial facilities (point sources).
Amount of nitrogen oxides emitted illegally, in tons.	See above for "illegal emissions" definition. This is a reporting of the illegal total tons of NOx emissions for comparison to the total tons of emissions. The tons per year reported at the end of the fiscal year will constitute emissions for the previous calendar year. NMED will assume for this performance measure that illegal emissions are from sources in NMED's jurisdiction, which excludes Bernalillo County. This measure assumes all excess emissions reported to NMED by regulated facilities are in violation of state and federal law. Note: nonpermitted sources are not required to report excess emissions because they do not have an "allowable" limit.
Quantity of nutrient-based pollutants reduced due to implementation of watershed restoration and on-the-ground improvement projects, in pounds.	"Nutrient-based pollutants" are nitrogen and phosphorus. "Pounds of nitrogen" are measured as Total Nitrogen. "Pounds of phosphorus" are measured as Total Phosphorus. NMED will count load reductions toward this measure when NMED confirms individual project completion. The data do not include pollutant load reductions resulting from programs and projects not represented in the U.S. Environmental Protection Agency's (EPA) Grants Reporting and Tracking System (GRTS). Due to the requirement for NMED to report to EPA once annually, along with the cycle for implementation of water quality restoration projects that generate pollutant reductions, numbers reported for this measure mid-year may not demonstrate progress toward annual targets.

Reduction in nonpoint source sediment loading attributed to implementation of watershed restoration and on-the-ground improvement projects.	“Nonpoint source sediment loading” means the amount of sediment (in pounds) that is carried by rain and snowmelt and deposited in aquatic environments from many diffuse (i.e., nonpoint) sources over a specific period (e.g., day, year, etc.). “Nonpoint source pollutant” means a pollutant released into the aquatic environment from a wide area and many diffuse sources. NMED will count load reductions toward this measure when NMED confirms individual project completion. The data do not include pollutant load reductions resulting from programs and projects not represented in EPA GRTS. Due to the requirement for NMED to report to EPA once annually, along with the cycle for implementation of water quality restoration projects that generate pollutant reductions, numbers reported for this measure mid-year may not demonstrate progress toward annual targets.
Number of nonpoint source impaired waterbodies restored by the Department relative to the number of impaired water bodies.	See above for “nonpoint source pollutant” definition. “Impaired waterbody” means a surface water of the state (i.e., stream, river, lake, wetland) is not meeting the applicable surface water quality standards for one or more pollutants. In other words, the concentration of the pollutant(s) is higher than the levels established to protect fish, recreation, irrigation, and other uses. Full restoration of a waterbody takes years and typically many combined projects to address the causes of the impairment. Despite successful efforts to restore certain waterbodies and remove them from the impaired waters list, the total number of impaired waterbodies will increase over time due to: (1) monitoring and assessment of more waterbodies; and (2) the general trend for changing land uses over time, combined with impacts of climate change.
Number of underground storage tank sites cleaned up compared to the total number of leaking underground petroleum storage tank sites remaining.	“Cleaned up” means that soil and groundwater contaminants of concern have met the applicable state’s standards. “Underground storage tank” means a single tank or combination of tanks, including pipes connected thereto, that are used to contain an accumulation of regulated substances and the volume of which, including the volume of the underground pipes connected thereto, is ten percent or more beneath the surface of the ground. “Petroleum storage tank” means a storage tank system that contains petroleum or a mixture of petroleum with de minimis quantities of other regulated substances. Such systems include those containing motor fuels, jet fuels, distillate fuel oils, residual fuel oils, lubricants, petroleum solvents, and used oils. “Leak” means any spilling, emitting, discharging, escaping, or disposing of a regulated substance due to the failure of components of a storage tank system to contain a regulated substance as designed. A leak may or may not result in a release to the environment. “Petroleum” means crude oil, crude oil fractions, and refined petroleum fractions, including gasoline, kerosene, heating oils, and diesel fuels. This measure does not reflect ongoing work to clean up sites to achieve No Further Action (NFA) status. Also, this measure does not report NFA releases from above ground storage tanks.
Number of completed cleanups of petroleum storage tank release sites that require no further action.	“No Further Action” is a technical determination issued by NMED that documents that the owner or operator of a site has met all applicable WQCC and EIB remediation standards and that no contaminant will present a significant risk of harm to public health, safety, welfare, and the environment. “Completed cleanups” is another term for “No Further Action.” See above for “petroleum storage tank” definition. “Release” means any spilling, leaking, emitting, discharging, escaping, leaching, or disposing of a regulated substance from a storage tank system into the groundwater, surface water or soil. See above for “petroleum” definition. This measure does not reflect ongoing work to clean up sites to achieve NFA status.

Compliance Measures	Definitions and Assumptions
Air	
Percent of air emitting sources inspected.	"Inspected" means a full compliance evaluation, either on-site or off-site (with photographic verification of equipment and other physical verifications required) that is conducted to inform a compliance determination and support enforcement actions, if appropriate. Inspections include evaluation of all appropriate regulatory requirements and permit conditions. "Air emitting source" means a source of air pollutants, usually an industrial facility, that is included in the Air Quality Bureau (AQB) list of sites to inspect in the universe of sources that may be included in a given annual Compliance Monitoring Strategy (CMS) Plan.
Percent of air emitting sources in compliance.	"Air emitting source" means an industrial facility that is included in the annual CMS Plan that is subject to approval by the EPA. "In compliance" means, upon completion of an on-site or off-site evaluation by NMED, the air emitting source meets all the requirements of permit(s), state regulations and federal regulations that apply to the facility and its operations. The denominator is the number of facilities for which NMED made a compliance determination during the quarter, following an inspection of the facility. The denominator does not include facilities for which the program made a compliance determination without conducting an inspection (e.g., based on records review).
Percent of air emitting sources in violation.	See above for "air emitting source" definition. "In violation" means that one or more potential violations were discovered through analysis of state or federal regulatory requirements or permit conditions. Numerator is all permittees with one or more potential violations that remain unresolved (i.e., permittees with an ongoing violation). Denominator is the total number of regulated entities (permittees/facilities).
Groundwater	
Percent of groundwater permittees inspected.	"Inspected" means an on-the-ground compliance inspection that is conducted to inform a compliance determination and support enforcement actions, if appropriate. "Groundwater permittees" means a person or facility with an active discharge permit issued by the NMED Ground Water Quality Bureau (GWQB) under the authority of Water Quality Control Commission (WQCC) regulations found at 20.6.2 NMAC, 20.6.6 NMAC, and 20.6.7 NMAC; this term does not include sites under abatement pursuant to WQCC regulations unless the facility is abating groundwater contamination under discharge permit. The numerator is the number of permittees inspected during the reporting period; the denominator is total regulated permittees. The denominator will be set on July 1 each year and quarterly inspection activity will vary. This measure will be tracked and reported cumulatively across quarters.
Percent of groundwater permittees in compliance.	See above for "groundwater permittees" definition. "In compliance" means that GWQB inspected the facility and determined that no violations of the permit conditions or regulations were found at the time of inspection. See above for which permits are included in this measure. This measure will provide a compliance rate as a snapshot in time (one quarter only). The numerator is the number of permittees inspected in past quarter that are in compliance with applicable requirements and permit conditions. The denominator is the number of permittees for which a compliance determination was made during the quarter following an inspection of the permittee. The denominator does not include facilities for which the program made a compliance determination without conducting an inspection (e.g., based on records review).
Percent of groundwater permittees in violation.	See above for "groundwater permittees" definition. "In violation" means a permittee with a violation that has not yet been resolved. This will include permittees that are working on ongoing corrective actions but have not completed them. See above for which permits are included in this measure. Numerator is the number of facilities with an unresolved violation, regardless of whether the violation was identified during the reporting quarter. Denominator is the total number of regulated facilities/entities.

Hazardous Waste	
Percent of hazardous waste facilities inspected.	"Inspected" means an on-the-ground compliance inspection that is conducted to inform a compliance determination and support enforcement actions, if appropriate. "Facilities" tracked under this measure include hazardous waste generators, transporters, and treatment, storage and disposal facilities.
Percent of hazardous waste facilities in compliance.	See above for "facilities" definition. "In compliance" means that there were no violations of the New Mexico Hazardous Waste Management Regulations (HWMR) 20.4.1 New Mexico Administrative Code (NMAC) found at the time of inspection. This percentage will be calculated based on the number of compliant facilities out of the total number of facilities inspected.
Percent of hazardous waste facilities in violation.	See above for "hazardous waste facilities" definition. "In violation" means the facility was found to be out of compliance with the New Mexico HWMR 20.4.1 NMAC at the time of inspection. Numerator is the number of facilities with an unresolved violation, regardless of whether the violation was identified during the reporting quarter. Denominator is the total number of regulated facilities/entities.
Radiation Sources in Medical Equipment	
Percent of ionizing/non-ionizing radiation sources inspected.	"Inspection" means an official examination or observation including, but not limited to, tests, surveys and monitoring to determine compliance with rules, regulations, orders, requirements and license or registration conditions of the department. In other words, an on-the-ground compliance inspection that is conducted to inform a compliance determination and support enforcement actions, if appropriate. "Ionizing radiation" means a form of energy that acts by removing electrons from atoms and molecules of materials that include air, water, and living tissue. "Non-ionizing radiation" means a form of radiation with less energy than ionizing radiation. Unlike ionizing radiation, non-ionizing radiation does not remove electrons from atoms or molecules of materials that include air, water, and living tissue. The denominator is the total regulated entities.
Percent of ionizing/non-ionizing radiation sources in compliance.	See above for "ionizing radiation" and "non-ionizing radiation" definitions. "In compliance" means no violations of state regulations were found during onsite or virtual inspections. The denominator is the number of facilities for which NMED made a compliance determination during the quarter, following an inspection of the facility. The denominator does not include facilities for which the program made a compliance determination without conducting an inspection (e.g., based on records review).
Percent of ionizing/non-ionizing radiation sources in violation.	See above for "ionizing radiation" and "non-ionizing radiation" definitions. "In violation" means a violation of at least one state regulation was found during and on-site or virtual inspection. Numerator is the number of facilities with an unresolved violation, regardless of whether the violation was identified during the reporting quarter. Denominator is the total number of regulated facilities/entities.
Restaurants and Food Manufacturing	
Percent of restaurants/food manufactures inspected.	"Inspected" means an on-the-ground compliance inspection that is conducted to inform a compliance determination and support enforcement actions, if appropriate. The denominator is the total regulated entities with scheduled inspections within the quarter being reported.
Percent of restaurants/food manufactures in compliance.	"Compliance" means an inspected facility did not have priority violations during an annual inspection. "Priority violations" are the highest risk violations that indicate the greatest risk of consumers possibly becoming ill as a result of eating food from the restaurant/food manufacturer. The denominator is the number of facilities for which NMED made a compliance determination during the quarter, following an inspection of the facility. The denominator does not include facilities for which the program made a compliance determination without conducting an inspection (e.g., based on records review).
Percent of restaurants/food manufactures in violation.	"Violation" means having at least one priority violation during an annual inspection. See above for "priority violations" definition. Numerator is the number of facilities with an unresolved violation, regardless of whether the violation was identified during the reporting quarter. Denominator is the total number of regulated facilities/entities.

Septic Systems	
Percent of new or modified liquid waste systems inspected.	"Inspected" means an on-the-ground compliance inspection that is conducted to inform a compliance determination and support enforcement actions, not including photo or virtual inspections. A liquid waste system inspection includes, for the purpose of this measure, an inspection of a new or modified system that has been installed, complete and not ready for a compliance inspection. This measure does not include compliance-based inspections. The denominator is total number of systems inspected as a result of the installation of a new or modified system.
Percent of new or modified liquid waste systems in compliance.	"Compliance" of a new or modified liquid waste systems means the system has been inspected on-site and found to meet regulatory requirements during the initial inspection and may be issued a final approval. The denominator is the total number of systems inspected as a result of the installation of a new or modified system by department personnel, not including photo and unpermitted system inspections.
Percent of new or modified liquid waste systems in violation.	"Violation" of new or modified liquid waste systems are those that have been inspected and have been found to not meet regulatory requirements and could not be issued a final approval. The system installation requires a re-inspection before final approval. The denominator is the total number of systems inspected as a result of the installation of a new or modified system by department personnel, not including photo and unpermitted system inspections.
Surface Water	
Percent of surface water permittees inspected.	"Inspected" means an off-site or on-site compliance inspection that is conducted to evaluate compliance with the EPA permit and support EPA enforcement actions, if appropriate. "Surface water permittees" refers to NPDES surface water discharge permittees. The numerator is the number of permittees subject to NMED-led inspections completed that quarter; the denominator is the number of NMED-led inspections planned for the fiscal year through SWQB's commitment to EPA Region 6. This measure represents surface water discharge inspections NMED conducts on behalf of EPA Region 6, which is currently the permitting authority for these regulated entities in New Mexico.
Percent of surface water permittees in compliance.	See above for "surface water permittees" definition. "In compliance" means the permittee scored a 3 or higher on their facility evaluation rating on a scale of 1 (very unreliable programs) to 5 (very reliable programs). The denominator is the number of permittees for which NMED issued a final Facility Evaluation Rating during the quarter, following an NMED-led inspection of the permittee. The numerator is the number of permittees for which final inspection reports were issued with a Facility Evaluation Rating of 3 or higher during the quarter.
Percent of surface water permittees in violation.	See above for "surface water permittees" definition. "In violation" means that EPA issued an enforcement action against an inspected facility. Numerator is the number of facilities with an unresolved violation, regardless of whether the violation was identified during the reporting quarter. Denominator is the total number of regulated facilities/entities. "Enforcement action" is an EPA-issued administrative order or administrative penalty order. If SWQB completes an inspection report during the 1 st quarter, that facility may not be in the numerator for percent in violation for the 1 st quarter because the noncompliance determination may not be made until another quarter. This facility would end up in the numerator for the percent in violation measure in the quarter when the EPA issues the enforcement action.

Economic Investment Measures	Definitions and Assumptions
Total investment of grants dollars awarded to communities, year to date.	"Investment" means the action of investing money to a particular undertaking with the expectation of a worthwhile result. "Grant dollars" means money from state or federal funds. "Communities" means a physical location of census tracts or a neighborhood bounded by certain streets and geophysical features. "Awarded" means funds given to communities. This performance measure will include data from many sources, including but not limited to: Solid Waste Bureau's Recycling and Illegal Dumping (RAID) grants, the Construction Program Bureau (CPB)'s Clean Water State Revolving Loan Fund (CWSRF) and Rural Infrastructure Program (RIP). These data do not include tracking funds as they are reimbursed or capital outlay funds. Also, these data do not include funds awarded to contractors or areas without populations.
Number of brownfield acres of contaminated land cleaned up and available for reuse.	"Brownfield acres" means brownfields sites that utilize the Brownfield Revolving Loan Fund (BRLF) program or a national brownfield grant to fund assessment or clean-up. "Cleaned up and available for reuse" means the acres are remediated and "Ready for Anticipated Use (RAU)," a technical determination that environmental conditions at the site are protective of human health and the environment based on current use(s) or planned future use(s). This measure will not report on sites being regulated through the State Cleanup Program.
Investments in water infrastructure, in dollars.	"Investments" means actual disbursements from CWSRF, RIP and Capital Outlay to communities for water infrastructure projects. "Water infrastructure" includes drinking water, wastewater, stormwater and any other projects eligible for CWSRF or RIP, and any Capital Outlay projects appropriated to NMED and managed by the CPB. These data are reported by quarter, not as a rolling total of dollars from quarter to quarter. It is important to note that the number of new Capital Outlay projects in a given year is dependent on legislative appropriation. Disbursements from programs not managed directly by CPB are not included in this measure, so a total amount of financial impact to the state from water programs CPB only participates in as a contractor are not included.
Number of new water infrastructure projects.	"New water infrastructure project" means Clean Water State Revolving Loan Fund (CWSRF), Rural Infrastructure Program (RIP) and capital outlay projects with a funding agreement executed during the reporting period (i.e., quarter). Capital outlay funding agreements are a consequence of appropriations made to the NMED by the Legislature. Because this measure does not capture disbursements from programs not managed directly by NMED CPB, reporting of this measure does not reflect the total amount of financial impact to the State of New Mexico from all water infrastructure financing programs.
Operational Measures	Definitions and Assumptions
Total dollars collected by NMED and transferred to the general fund resulting from successful prosecutions and/or settlements stemming from non-compliance with laws, rules, or permits administered by the Department.	Enforcement actions are administrative or judicial actions initiated by NMED in response to some information that a regulated entity is violating a statute and/or rule (regulation) for which NMED has legal enforcement authority, or a permit administered by NMED. NMED administers permits pertaining to the following: air quality, water quality, drinking water quality, solid waste, hazardous waste, liquid waste, food safety, ionizing radiation, hemp (warehousing, extraction processing, manufacturing), and public recreation water safety. NMED has enforcement authority for all these matters, in addition to occupational health and safety. The intent of this measure is to display the success of enforcement actions and litigation, as well as the benefit to the entire state via general fund revenue generation. Ideally, the target is zero since compliance with state rules and permits is always required. Realistically, and as the compliance and violation performance measures indicate, NMED is likely to see violations that merit civil penalties in all regulatory programs. Note that NMED may transfer penalties to the general fund from actions initiated by NMED, the Attorney General, a federal agency, etc.
Vacancy rate by month.	The intent of this measure is to track NMED's effort to achieve our budgeted vacancy rate. A negative trend will convey greater staff retention and increased hiring to reduce our vacancy rate. "Vacancy rate" is calculated by subtracting the number of filled full-time equivalent (FTE) positions from the number of budgeted FTE positions (i.e., 662 for FY23) and dividing by the number of authorized FTE positions. Note that as FTE goes down, vacancy rate increases.

<p>Percent of NMED financial transactions completed online by the public or regulated community.</p>	<p>A “financial transaction” facilitates the utilization of ACH and credit card payments for NMED license permitting, loan payments, corrective action fees, certification renewal fees, and other compliance, primacy, and regulatory fees which NMED bills to the constituent and regulated community via email, paper mail, or at the Wells Fargo portal, who pay directly to Wells Fargo, who processes the payment, and the money is deposited into individual program’s Wells Fargo account. The intent of this measure is to drive NMED's modernization, cost-saving efforts, and improved customer service (e.g., online transactions require different resources than in-person or by mail). A positive trend will convey that a greater share of financial transactions is being completed online, directly resulting from modernization, human capital, and cost-saving efforts to improve efficiency and provide enhanced customer service. The following transactions are not being measured here: legal settlements, compliance agreements, State of New Mexico budgets, federal and state grants, inter/intra agency transfers, and special revenue funds.</p>
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