



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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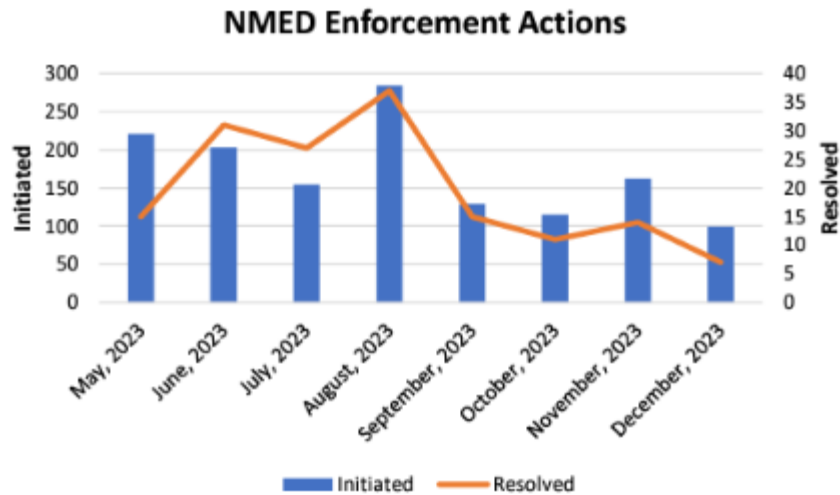
Enforcement Watch Celebrates its One Year Anniversary, Future Enhancements in the Works

164 enforcement actions initiated, two enforcement actions resolved in April 2024

SANTA FE — The New Mexico Environment Department (NMED) released updates for the month of April 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.

Over the last year, NMED added 1176 civil enforcement matters to the Enforcement Watch, while resolving 929 civil enforcement matters.

“Since launching the Enforcement Watch a year ago, the New Mexico Department has brought unprecedented transparency to our civil enforcement program,” said **NMED Compliance and Enforcement Director Bruce Baizel**. “Over the next two months, we will be working to enhance the Enforcement Watch to make this information even more helpful.”



Closing out the first year of Enforcement Watch, in the month of April, 164 new entries were added to the Active Matters listing and two were moved to the Resolved Matters listing.

The new additions to the report included:

- 77 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.
- 69 notices of violation issued by the Drinking Water Bureau.
- 11 notices of violation issued by the Occupational Health & Safety Bureau.
- 4 notices of violation issued by the Air Quality Bureau.
- 2 notices of violation issued by the Solid Waste Bureau.
- 1 notice of violation issued by the Hazardous Waste Bureau.

The following enforcement cases were resolved in April:

- 2 cases in the Hazardous Waste Bureau.

Highlights of violations and resolved cases in April include:

- The Drinking Water Bureau issued a [Notice of Violation](#) to Desertaire Water Company of Socorro for exceeding the fluoride maximum contaminant level (MCL) during the first quarter of 2024.
- The Occupational Health and Safety Bureau issued a [Citation and Notification of Penalty](#) to the City of Roswell Water Department for exposing employees to excavation hazards including cave-ins, water intrusion, and lack of appropriate means of egress when working in and near an excavation.
- 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 Solid Waste Bureau issued a [Notice of Violation](#) to the Clovis Regional Solid Waste Facility for failure to control litter, failure to cover the active face, failure to provide proper intermediate cover and failure to properly train employees.
- The Hazardous Waste Bureau issued a [Notice of Violation](#) with proposed penalties to USC Bag Manufacturing, LLC of Albuquerque for violating New Mexico Hazardous Waste regulations by failing to make a hazardous waste determination, failing to label containers of hazardous waste, storing flammable waste within 50 feet of a property line, and other violations.

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, 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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