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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 third quarter (Q3) 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 January 1 and March 31, 2024.

In the first three quarters of FY24, NMED staff has conducted more than 7,700 compliance inspections. In the third quarter alone, NMED conducted about 2,700 inspections, initiated almost 800 enforcement actions, and resolved 137 violations.

For inspections in the last quarter, three programs found compliance exceeding their benchmark while five regulatory program areas fell below the target:

- Radiation licensing program (i.e., medical equipment): 100% in compliance
- Liquid waste program (i.e., septic systems): 98.2% in compliance
- Groundwater discharge permittees: 97% in compliance
- Solid and infectious waste management facilities: 64% in compliance.
- Restaurants and food manufacturers: 64% in compliance
- Hazardous waste management facilities: 50% in compliance
- Air emitting sources: 12.5% in compliance
- Surface water discharge permittees: 0% in compliance

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.

Looking forward to FY25, during the 2024 legislative session, NMED secured full funding of the Executive Budget Recommendation for a 31%, or \$6.9 million general fund increase, including funding to provide 100% appropriate placement for staff across the Department. This funding ensures employees will be compensated appropriately based on their education and experience and will improve the Department's ability to retain and recruit high-value staff.

The report highlights settlements totaling more than \$5 million for excessive air pollution, including a civil penalty of \$1.2 million from Oxy USA, Inc., and a \$4 million penalty against Apache Corporation. Apache also agreed to undertake projects expected to cost at least \$5.5 million to ensure 422 of its oil and

gas well pads in New Mexico and Texas comply with state and federal clean air regulations and offset past illegal emissions.

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.

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 7,549 facilities to regulate.

Each technical staff member in the Construction Programs Bureau (CPB) oversees 136 individual projects. Despite this workload, CPB still initiated 40 new water infrastructure projects across the state in the third quarter, including \$3.21 million from NMED's Clean Water State Revolving Loan Fund to fund the City of Tucumcari's effluent disposal and reuse project, and distributed \$11.25 million into communities with water infrastructure needs.

View the FY24 Q3 Performance Assessment [here](#). An explainer video highlighting the findings of the report is available [here](#).

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