



Performance Assessment

Fiscal Year 2025 | 1st Quarter | July 1 – September 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 FY25, we are strategically deploying 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 FY25, NMED received appropriations totaling \$198.5 million to protect public health and the environment. This included \$33.3 million in general funds, \$67.9 million in special revenue funds (e.g., permit fees), \$97.3 million in federal funds, and \$22.7 million in non-recurring special appropriations for earmarked projects/purposes.

Our approximate recurring budget breakdown is:

- 16.8% state general fund;
- 34.2% special revenue funds; and
- 49.0% federal funds.

Beginning on page 7, this report covers 56 performance measures across these five categories:

- 7 Public Health Measures;
- 10 Environmental Protection Measures;
- 32 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 first quarterly performance assessment for FY25 and provides a retrospective look at the quarter while providing totals for the entire fiscal year.

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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New Mexico seeks damages for PFAS contamination

PFAS Blood Testing Begins

Blood sampling for PFAS began in Clovis. The first round of testing was 100% scheduled (250 appointments) and began on September 12. Participants will receive their PFAS blood test results in 3-4 months. The blood samples are spun and processed throughout the day and are kept in a freezer until they are shipped to the out of state lab.



Blood samples being spun to separate the blood serum.

PFAS, primarily from firefighting foams in this community, were discharged into soil at training areas around Cannon AFB. Those chemicals made their way into the underlying Ogallala Aquifer, a drinking and agricultural water source for thousands of residents in the area. Based on tests performed by the primary local drinking water supplier, public drinking water was deemed safe as recently as 2023. NMED does not have information on the PFAS testing cycles of some small public water systems in the area. Unlike at installations such as Reese Air Force Base in Lubbock, Texas, the U.S. Department of Defense has not cleaned up any of its PFAS plume that migrated off Cannon Air Force Base since its discovery. More information is available at our project webpage:



In July, NMED, the Office of Natural Resources Trustee (ONRT)) and the NMDOJ (New Mexico Department of Justice) amended New Mexico's lawsuit against the United States regarding per- and polyfluoroalkyl substances (PFAS) contamination present in and around military communities across the state. Notably, the amended lawsuit utilizes a newly-finalized EPA rule that went into effect on July 8, 2024, that allows New Mexico to recover the costs of clean-up actions and monetary damages for natural resources. The new EPA rule designated two widely used PFAS chemicals, perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS), as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), to ensure that polluters pay to clean up their contamination. The rule protects people from the health risks posed by "forever chemicals" in communities, as exposure to them has been linked to cancers, impacts to the liver and heart and immune and developmental damage to infants and children. The amended lawsuit seeks all past and future clean-up costs and all natural resource damages at Cannon Air Force Base, Holloman Air Force Base, Kirtland Air Force Base, White Sands Missile Range and Fort Wingate. The filing makes New Mexico the first state in the U.S. to take advantage of the EPA rule and will allow the State to hold the DOD accountable for paying for the cleanup of those areas affected by PFAS, including public and private water sources both on and near federal military bases.

PFAS are a group of manmade chemicals used in a variety of products, including food packaging, nonstick pans and firefighting foams used to extinguish jet fuel-based fires. Growing concerns about PFAS contamination are driven by evidence that exposure to some PFAS chemicals can lead to adverse health effects such as increased cholesterol, reproductive problems and cancer. In addition to its effects on humans, PFAS have also been documented to affect wildlife, especially birds. Birds ingesting PFAS have resulted in decreased hatching rates and overall destabilization of fragile ecosystems.



Secretary Kenney (standing on the left) leads a PFAS Q&A panel in Clovis. The panel members to the right are Sri Paladugu (NM Department of Health), Andy Jochems (NMED), and Ed Mendez (NM Department of Veterans' Services).

Providing Assistance in Communities

New program helps homeowners in need to repair and replace failing septic systems, protects public health

In September, NMED launched the Liquid Waste Assistance Fund (LWAF), a new program aimed at helping New Mexicans repair and replace failing septic systems that are threatening human and environmental health. Applications were due in October for \$200,000 available to address 12 septic systems. Award announcements are expected later this fiscal year. The program is targeted to homeowners in need of the financial support, with income limits based on U.S. Housing and Urban Development (HUD) guidelines, which vary per county and are revised yearly. There are approximately 330,000 septic systems across New Mexico. In many, primarily rural, communities, aging systems pose a threat to both public health and the environment.



NMED Participates on South Fork/Salt Fire and Flood Panel

On Aug. 5, NMED's Resource Protection Division Director Rick Shean participated on a panel of state and federal agencies providing support and resources to the Ruidoso community and Mescalero Apache Tribe as they contend with the aftermath of this summer's devastating wildfires and resulting floods. At least 100 members of the community and elected officials attended the event, which was hosted by state Rep. Harlan Vincent of District 56.



Senior staff from the Federal Emergency Management Agency, and the New Mexico Department of Homeland Security and Emergency Management, Department of Health, and Soil Conservation Districts, among others, provided the audience with information regarding activities, funding, recovery efforts, and time-frames for when their work will be initiated and completed. Director Shean updated the group on the status of phase 1 and phase 2 debris management activities occurring at that time or starting in the next couple of months at the site, as well as information on the approved areas for temporary staging and permanent debris disposal that have been approved for fire and flood debris.

Left: Director Shean participating on the South Fork/Salt Fire and Flood Panel in August.

Enforcement Watch Update

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 the first quarter of FY25, NMED initiated 459 enforcement actions and resolved 234.

Enforcement Watch Alerts for the First Quarter:

(click on the month to read the corresponding press release)

Month	Enforcement Actions	
	Initiated	Resolved
July, 2024	164	73
August, 2024	175	140
September, 2024	120	21
FY25 Total	459	234

Environment Department cracks down on over 100 drinking water systems for jeopardizing the health of their customers

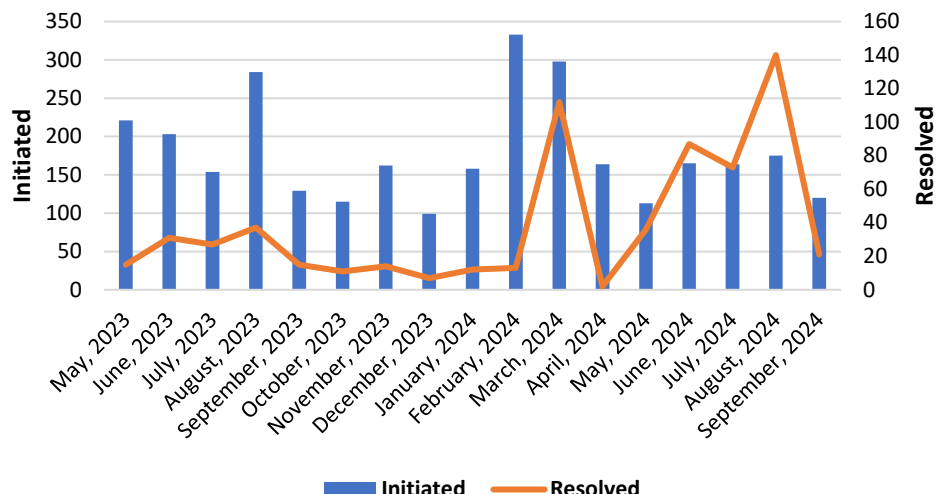
In July, NMED sent 138 letters to drinking water systems across the state, informing their owners of impending civil penalties if they continue to serve consumers unsafe drinking water. The 138 drinking water systems were jeopardizing the health of over 160,000 consumers. Those who received a letter must submit a plan to resolve their violation within 15 calendar days or risk a penalty of up to \$1,000 per day afterward as well as other sanctions by NMED or the EPA. The drinking water systems who were notified include a number of schools, a Boy Scout camp, and other sensitive populations — like children and seniors. Many of the drinking water systems have been out of compliance for years and even up to a decade. In some of the drinking water served to consumers, contaminants included elevated levels of Arsenic, Uranium, and Fluoride. [Click here](#) to view the news story and interactive map at the end of it to see if your local drinking water system is one of those targeted in this crackdown.

Troubled Waters: Is New Mexico's Drinking Water Safe?



[Larry Barker Investigation](#)

Enforcement Actions



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 FY25 targets.

	FY25 Target	Q1	Q2	Q3	Q4	FY25 Actual
Percent of the population (in NMED jurisdiction) breathing air meeting federal health standards.	95.0% or more	98.3%				
Percent of the population served safe and healthy drinking water.	95.0% or more	95.2%				
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.	200/560 (35.7%%)	222/560 (39.6%)				
Number of community water system violations returned to compliance as a result of NMED assistance.	250	26				
Number of superfund sites cleaned up as compared to the number of superfund sites remaining.	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%	72.0%				

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 collects the first early action credits for New Mexico's New Motor Vehicle Emissions Standards

The Environmental Improvement Board adopted New Mexico's New Motor Vehicle Emissions Standards (now NMAC, 20.2.91) last fall. This rule adopts California's motor vehicle emission standards known as Advanced Clean Cars II (ACC II) and Advanced Clean Trucks (ACT). These rules will reduce the emissions from vehicles on the road in New Mexico by requiring increasing percentages of new vehicles delivered for sale to New Mexico to be Zero Emission Vehicles (ZEVs).

While the first required ZEV deliveries under the rules will not occur until model year 2027, the rules allow manufacturers to voluntarily report deliveries of ZEVs for early action credits beginning in model year 2023 for light-duty vehicles, and model year 2025 for heavy-duty vehicles. NMED has received reports from 8 manufacturers requesting early action credits for delivery of 1,568 model year 2023 light-duty ZEVs and transitional ZEVs. NMED will be checking that these vehicles were indeed delivered to New Mexico over the coming months.

Environmental Protection Measures



Environmental protection is a set of mitigation techniques aimed at helping 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 FY25 targets.

	FY25 Target	Q1	Q2	Q3	Q4	FY25 Actual
Amount of volatile organic compounds emitted statewide, in tons per year (TPY).	90,986					
Amount of volatile organic compounds emitted illegally, TPY.	4,500					
Amount of nitrogen oxides emitted statewide, TPY.	123,215					
Amount of nitrogen oxides emitted illegally, in TPY.	6,000					
Quantity of nutrient-based pollutants reduced due to implementation of watershed restoration and on-the-ground improvement projects, in pounds.	1,300					
Reduction in nonpoint source sediment loading attributed to the implementation of watershed restoration and on-the-ground improvement projects, in tons.	900					
Number of nonpoint source impaired waterbodies restored by the Department relative to the number of impaired water bodies.	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%)	0				
Number of completed cleanups of petroleum storage tank release sites that require no further action. (Cumulative over all time.)	1,976	0				
Number of zero-emission vehicles registered in New Mexico*	Explanatory	14,958				
Number of liquid waste system violations resulting from complaints*	Explanatory	6.0				

*New Measure in FY25.

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.

NMED Wetlands Program Awarded \$957,203 for Two Projects

In August, EPA Region 6 awarded \$957,203 to NMED for two new Wetlands Program projects. For the first project, *“Wetlands Standards, Regulations, and Monitoring Team for New Mexico,”* NMED proposes to create narrative wetland standards and designated uses for certain wetlands, and assist with the development of a state permitting program to include wetland protection. The funds will also be used to develop a Wetlands Monitoring Team to collect wetlands data and create web-based training videos for data collection. The second project, *“New Mexico Rapid Assessment Method for Sub-Alpine Riverine Wetlands,”* allows NMED to further develop and validate data collection efforts using New Mexico Rapid Assessment Methods (NMRAM) for certain New Mexico wetlands at high elevations in the Upper Rio Grande, Chama and Canadian watersheds, and the Jemez Mountains in North Central New Mexico. Both projects advance the development and implementation of NMED’s statewide wetlands program and are consistent with the 2021 Wetlands Program Plan for New Mexico.

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.

	FY25 Target (%)	Q1 (%)	Q2 (%)	Q3 (%)	Q4 (%)	FY25 Actual (%)
Air						
Percent of air emitting sources inspected.	25.0	7.8				
Percent of air emitting sources in compliance.	85.0	50.0				
Percent of air emitting sources in violation.	15.0	50.0				
Cannabis and Hemp						
Percent of cannabis and hemp permittees inspected*	85	14.5				
Percent of cannabis and hemp permittee inspections showing compliance*	90	77.8				
Percent of cannabis and hemp permittees with active or ongoing violations*	5	0				
Groundwater						
Percent of groundwater permittees inspected.	65.0	10.7				
Percent of groundwater permittees in compliance.	92.0	97.4				
Percent of groundwater permittees in violation.	8.0	1.4				
Hazardous Waste						
Percent of hazardous waste facilities inspected.	13.0	1.3				
Percent of hazardous waste facilities in compliance.	90.0	40.6				
Percent of hazardous waste facilities in violation.	5.0	0.9				
Occupational Health and Safety						
Percent of high-hazard employers' facilities inspected*	2.0	45.7				
Percent of all employers inspected*	0.5	0.1				
Petroleum Tank Storage						
Percent of petroleum storage tank permittees Inspected*	50.0	8.0				
Percent of petroleum storage tank permittee inspections showing compliance*	80.0	50.0				
Percent of petroleum storage tank permittees with active or ongoing violations*	5.0	34.0				
Radiation Sources in Medical Equipment						
Percent of ionizing/non-ionizing radiation sources inspected.	20.0	5.6				
Percent of ionizing/non-ionizing radiation sources in compliance.	90.0	94.8				
Percent of ionizing/non-ionizing radiation sources in violation.	10.0	0.3				
Restaurants and Food Manufacturers						
Percent of restaurants/food manufacturers inspected.	90.0	21.0				
Percent of restaurants/food manufacturers in compliance.	88.0	84.6				
Percent of restaurants/food manufacturers in violation.	15.0	3.2				
Septic Systems						
Percent of new or modified liquid waste systems inspected.	85.0	48.9				

	FY25 Target (%)	Q1 (%)	Q2 (%)	Q3 (%)	Q4 (%)	FY25 Actual (%)
Percent of new or modified liquid waste systems in compliance.	85.0	99.8				
Percent of new or modified liquid waste systems in violation.	13.0	0.2				
Solid/Infectious Waste						
Percent of solid and infectious waste management facilities inspected.	85.0	10.9				
Percent of solid and infectious waste management facilities in compliance.	90.0	100.0				
Percent of solid and infectious waste management facilities in violation.	N/A	23.9				
Surface Water						
Percent of surface water permittees inspected.	100.0	10.0				
Percent of surface water permittees in compliance.	85.0	0.0				
Percent of surface water permittees in violation.	N/A	4.0				

*New Measure in FY25.

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.

NMED Agriculture Compliance Section Conducts Facility Inspections

The Agriculture Compliance Section conducted nine dairy inspections in August. Of these, six were dairies located in the Belen/Los Lunas area and three dairies were located in the Clovis/Portales area. The dairies in the Belen/Los Lunas area have not been inspected for many years and some have stopped milking. The purpose of these inspections is to check for compliance and also discuss closure requirements with the owners to get these facilities cleaned up so their discharge permits can be terminated. NMED personnel communicated the closure requirements clearly and it appeared that the permittees are willing to move forward with these requirements.

Right: A milking carousel at Jones Dairy in Veguita, NM.



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.

	FY25 Target	Q1	Q2	Q3	Q4	FY25 Actual
Total grant dollars awarded to communities.	\$65,000,000					
Number of brownfield acres of contaminated land cleaned up and available for reuse.	20					
Investments in water, in dollars.	\$30,000,000	\$14,900,000				
Number of new water infrastructure projects.	115	47				

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 Brownfields Program Leads Visioning Effort for Former BIA School Buildings in Magdalena

NMED's Voluntary Remediation/Brownfields Program (VRP) has worked closely with the Village of Magdalena for more than 20 years to explore opportunities for the redevelopment and reuse of a former BIA school property. Unfortunately, the lack of financial resources, along with continued vandalism and deterioration of the buildings, caused redevelopment efforts to falter – until now.

In Q1, an NMED contractor completed the abatement of asbestos-containing materials (ACM) and lead-based paint (LBP) in three structures using Brownfields grant funds obtained from the EPA. Depending on the availability of more grant funds, NMED will conduct abatement of ACM and LBP in additional site structures this winter.

The former BIA school in Magdalena operated from 1958 to 1985 and the property consists of 14 abandoned buildings on approximately 12 acres. The site includes dormitories, dining facilities, and utility buildings. Magdalena acquired the property in 1997 and plans to redevelop the site. Environmental assessments conducted at the property since 2000 revealed the presence of ACMs and LBPs in all the facility structures. Concurrent with the abatement actions, the VRP initiated a community visioning effort using Brownfields technical assistance grant funds obtained from the EPA. NMED sent a final Visioning Report to the Village of Magdalena in October to assist its leadership with future funding opportunities and decisions about site redevelopment.



Visioning concepts for the former BIA property were facilitated by the Voluntary Remediation/Brownfields Program.

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.

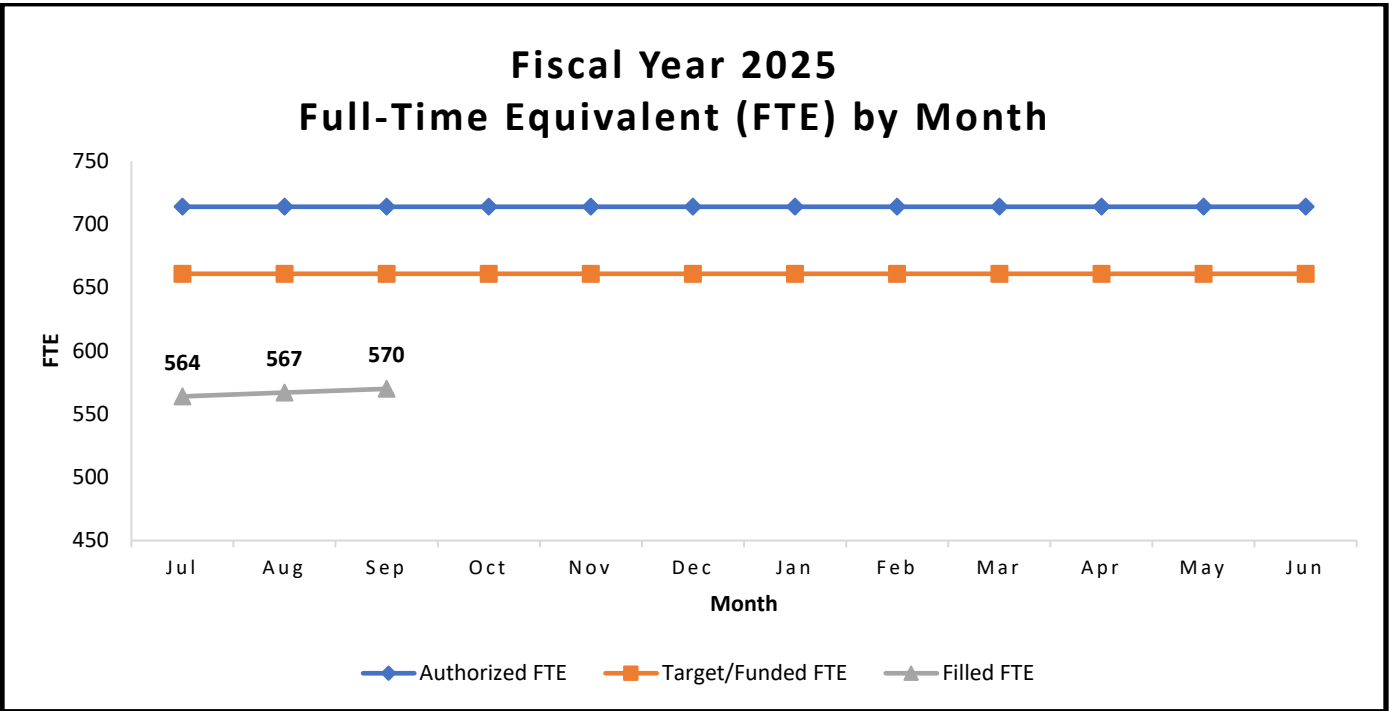
	FY25 Target	FY25 Actual
Percent of NMED financial transactions completed online by the public or regulated community.	50%	
Total dollars collected by NMED and transferred to the general fund resulting from successful prosecutions and/or settlements stemming from non-compliance with laws, rules, or permits administered by the Department.	\$750,000	

Vacancy rate by month													
FY25 Target	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FY25 Actual
6.0%	14.7%	14.2%	13.8%										

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, and in the first quarter of FY25, NMED saw a net gain of 11 filled positions. This represents a 2.0% increase in the number of positions filled, from 559 to 570. Still, employees in many of our programs are dealing with unreasonable workloads. Our NMED Staff Workload Snapshot, on page 11, highlights some of those areas.

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.



11 OSHA inspectors oversee 67,945 employers, or 6,177 employers per inspector



At current staffing levels, Air Quality Bureau staff can visit all permittees once every 5.7 years



The Drinking Water Bureau's 3 Utility Operator Certification employees support and provide services to 2,173 operators, or 724 operators for each NMED staff



The Surface Water Quality Bureau has 5 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 5 technical staff each manages 121 infrastructure projects

Drones with OGI and Thermal Cameras Arrive at NMED to Support Air Quality, Outdoor Workplace Safety, and More

NMED procured two Arcsky 55 Heavylift drone packages with Optical Gas Imaging (OGI) cameras, and five DJI Mavic 3T Enterprise drones, using a combination of special appropriations, capital outlay, and general funds awarded in 2024. The Department already held a training on the use of the drones for select compliance and inspection staff and are looking to expand it. The next step is to secure training for potential operators to test for and obtain the FAA 107 pilot certification.



Right: An Arcsky 55 Drone package with the camera and controller in the foreground.

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	10,278	58.0	50.0	25%	75%	206	10/11/2024
EHD	OHSB	Compliance Program	67,945	17.0	11.0	0%	100%	6,177	11/4/2024
EPD	AQB	Permitting and Enforcement	2,761	45.0	32.0	76%	24%	86	11/6//2024
EPD	RCB	Radiation Protection Program	1,752	11.0	6.0	95%	5%	292	11/4/2024
RPD	HWB	Compliance and Tech. Assistance Program	2,518	7.7	6.7	0%	100%	376	10/31/2024
RPD	HWB	Permitting Program	19	37.0	17.0	100%	0%	2	10/31/2024
RPD	PSTB	Prevention/Inspection - Delivery Prohibition	1,700	17.0	16.0	0%	100%	106	10/20/2024
RPD	PSTB	Remedial Action Program	972	18.0	7.0	0%	100%	139	10/20/2024
RPD	SWB	Permitting and Enforcement Program	933	15.0	8.0	60%	40%	117	11/5/2024
WPD	DWB	Public Water System Supervision	1,057	16.0	11.0	90%	10%	96	10/11/2024
WPD	GWQB	Agriculture Compliance Section	209	5.0	5.0	90%	10%	42	10/21/2024
WPD	GWQB	Mining Environmental Compliance Section	46	12.0	10.0	90%	10%	5	10/21/2024
WPD	GWQB	Pollution Prevention Section	456	18.0	11.0	90%	10%	41	10/21/2024
WPD	SWQB	Dredge/Fill Permits	76	4.0	3.0	15%	5%	25	10/18/2024
WPD	SWQB	NPDES permit compliance	5,751	7.0	5.0	50%	50%	1,150	10/18/2024

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	11/4/2024
RPD	HWB	Incident Coordination	365	Emergency calls	1.3	1.3	280.8	Emergency calls per Incident Coordination FTE	10/31/2024
RPD	SWB	Recycling and Illegal Dumping Grants	13	FY25 grants	1.1	0.4	37	FY24 grants per Recycling and Illegal Dumping Grants FTE	11/4/2024
WPD	CPB	Technical Section	603	Infrastructure Projects	7.0	5.0	121	Infrastructure Projects per Technical Section FTE	11/4/2024
WPD	DWB	Engineering	1,068	Public Water Systems	2.0	2.0	534	Public Water Systems per Engineering FTE	10/11/2024
WPD	DWB	Infrastructure Funding Support	1,057	Infrastructure Funding Support	2.0	0.0	1,057	Infrastructure Funding Support per Infrastructure Funding Support FTE	10/11/2024
WPD	DWB	Sustainable Water Infrastructure	1,057	Public Water Systems	14.0	10.0	106	Public Water Systems per Sustainable Water Infrastructure FTE	10/11/2024
WPD	DWB	Utility Operator Certification	2,173	Utility operators	4.0	3.0	724.3	Utility operators per Utility Operator Certification FTE	10/11/2024
WPD	GWQB	Remediation Oversight Section	192	Sites	10.0	9.0	21.3	Sites per Remediation Oversight Section FTE	10/21/2024
WPD	GWQB	Superfund Oversight Section	29	Sites	11.0	7.0	4.1	Sites per Superfund Oversight Section FTE	10/21/2024
WPD	SWQB	Water Quality Standards	6,698	Perennial stream miles in NM	5.0	4.0	1,675	Perennial stream miles in NM per Water Quality Standards FTE	10/18/2024

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	4.0	47,556	Non-perennial stream miles in NM per Water Quality Standards Program FTE	10/18/2024
WPD	SWQB	Monitoring Program	6,698	Perennial stream miles in NM	5.0	5.0	1,340	Perennial stream miles in NM per Monitoring Program FTE	10/18/2024
			190,225	Non-perennial stream miles in NM			38,045	Non-perennial stream miles in NM per Monitoring Program FTE	10/18/2024
			173	Number of Significant Lakes and Reservoirs			35	Number of Significant Lakes and Reservoirs per Monitoring Program FTE	10/18/2024
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	10/18/2024
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	10/18/2024
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	10/18/2024
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	10/18/2024

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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