



NEW MEXICO ENVIRONMENT DEPARTMENT

Quarterly Performance Assessment

Fiscal Year 2026 — 3rd Quarter

January 1 – March 31, 2026

OUR MISSION

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.

ABOUT THIS REPORT

The New Mexico Environment Department (NMED) began publishing quarterly assessments in Fiscal Year 2022 (FY22). This is the third quarterly performance assessment for FY26 and provides a retrospective look at the quarter while providing totals for the entire fiscal year.

For more information, please visit our website at www.env.nm.gov > About > Performance to see past reports and other metrics.

OFFICE OF STRATEGIC INITIATIVES — CONTACTS

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FY26 BUDGET OVERVIEW

In FY26, NMED is strategically deploying funding and personnel to advance public health, protect natural resources, hold responsible parties accountable, and ensure access to clean land, air, and water for New Mexicans.

NMED received appropriations totaling \$232.2 million to protect public health and the environment, including \$34.2 million in general funds, \$84.9 million in special revenue funds (including \$1.5M from the Land of Enchantment Fund for Water Protection), and \$95.5 million in federal funds. Separately, NMED was appropriated \$94.5 million in non-recurring special appropriations for earmarked projects.

14.7% State General Fund	36.6% Special Revenue Funds	41.1% Federal Funds	\$71.8M Special Appropriations Increase <i>incl. \$40M Strategic Water Supply Fund</i>
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PERFORMANCE MEASURES SUMMARY

Beginning on page 15, this report covers 56 performance measures across five categories:

6 Public Health Measures	11 Environmental Protection Measures	32 Compliance Measures	4 Economic Investment Measures	3 Operational Measures
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Resource Management Division Highlights

Office of the Secretary

NMED Project Velocity Management — Platform Updates

Bureau / Program	Update	Status
SWQB Watershed Protection	Filter and locate Clean Water Act Section 401 certification documents associated with Section 404 permits	Complete
AQB Technical Services	View all new 2025 permits and identifying facilities associated with Targa Northern Delaware	Complete
EORB	Access documents related to a recent facility incident	Complete
PSTB Remedial Action	Pilot QA review of scanned documents, validating scan quality, processing pilot files, and confirming document classification	Complete
HWB Permits Management	Locate Sparton annual reports	In Progress
GWQB Pollution Prevention Section	Validate folder file discoverability	In Progress

Page Count: 65,590,718 | Users: 283

Project Velocity Milestones

The Project Velocity team has made significant advances in the document management system and Luma platform. Through the large-scale scanning efforts at the Springer and Horizon buildings, along with the integration of the digital records. The platform now contains more than 65.5 million pages of regulatory documents from across the agency. Though not complete, these efforts provide a strong foundation to the testing and demonstrating of the system functionality.

Office of the Secretary — Watson Building Update

As of February 17th, the new NMED office location at the Watson Building was being renovated and a new floor plan developed and approved. Workstations are being designed by the furniture vendor and the OIT Network Team have subsequently begun network setup. Property owners have been processing the demolition and construction, and decisions pending final cost and timeline review. A tentative date for a phased occupancy transition is expected to begin in October 2026.

Office of Strategic Initiatives

New Mexico Takes a National Lead on PFAS Consumer Protection

Landmark labeling and phase-out rules adopted

BACKGROUND Per- and polyfluoroalkyl substances (PFAS) — known as ‘forever chemicals’ — are synthetic compounds found in cookware, food packaging, children’s toys, cosmetics, and other everyday products. They persist in the environment and the human body, and have been linked to cancer, immune disruption, and developmental harm. Once PFAS contaminate soil and groundwater, remediation is costly and complex — making prevention the most effective and fiscally sound strategy.

REGULATORY PROCESS NMED’s Office of Strategic Initiatives (OSI) and Office of General Counsel (OGC) jointly drove a rigorous, three-stage rulemaking process before the New Mexico Environmental Improvement Board (EIB):

Jan. 16	NMED files Notice of Intent with the EIB to present Technical Testimony on the PFAS Protection Act
Feb. 23– Mar. 6	Two-week evidentiary hearing: OSI presents 10 expert witnesses covering PFAS chemistry, health effects, exposure pathways, environmental fate and transport, remediation costs, and economic reasonableness
Mar. 23	EIB adopts landmark PFAS labeling and phase-out rules

WHAT THE RULES REQUIRE Manufacturers must display a universal PFAS symbol on any product with intentionally added PFAS. No obligation is placed on retailers or consumers. The rules also implement a statutory phase-out schedule:

- 2027 — Cookware, food packaging, and children’s toys
- 2028 — Cosmetics, furniture, and carpets
- 2032 — All remaining non-exempt PFAS-containing products

These tiered deadlines prioritize products with the greatest human exposure risk — particularly those used by children and in food preparation — before extending to a comprehensive market prohibition.



Dr. Eric Chapman (OSI), Acting Director Christina Keyes (OSI), Greg Smithkier, (OGC) and Cabinet Secretary James Kenney

“Today marks a monumental day for New Mexico, putting our state at the forefront of tackling the public health and environmental effects of PFAS. The rules place families on equal footing with the manufacturers.”

— James Kenney, Environment Secretary

WHY IT MATTERS

National Leadership

New Mexico is among the first states to implement universal PFAS labeling, setting a national precedent.

Consumer Empowerment

Shoppers gain the right to know which everyday products contain PFAS before purchasing.

Health Protection

Reduces PFAS exposure for families, with special protections for children and pregnant women.

Environmental Safeguards

Prevents PFAS from entering the waste stream and contaminating soil and groundwater.

Science-Based Rulemaking

Testimony from 5 national PFAS experts and 5 NMED/DOH specialists ensures sound scientific technical underpinnings.

STATUTORY FOUNDATION

The rules implement New Mexico’s **PFAS Protection Act**, signed by Governor Michelle Lujan Grisham in 2025. OSI and OGC translated legislative intent into enforceable, science-backed regulation.



Multiple Binational Intergovernmental Agencies Convene at Transboundary Spill Site

US and Mexican officials met in Anapra/Sunland Park to discuss recurring transboundary sewage flow crossing the border wall into New Mexico. According to the North American Development Bank, these spills from Ciudad Juárez are driven by insufficient and failing wastewater infrastructure in the rapidly growing border area. Participating agencies included US EPA Region 6, International Boundary and Water Commission (IBWC), CILA (Mexican counterpart), the City of Sunland Park, and NMED.



OSI Hosts Two Externs from Taos Pueblo

OSI hosted Jalen Kopepassah and Hawk Foster from Taos Pueblo, February through May. Along with five other young adults from the Eight Northern Pueblos (ENP), they participated in the Northern New Mexico Climate Justice Leadership Development Program — a partnership between Creative Startups, NMED, the Eight Northern Indian Pueblo Council, UNM's Indigenous Design and Planning Institute, Amigos Bravos, and Communities for Clean Water.

Environmental Justice Coordinator, Melisa White explains that this program provides educational experience for young adults from the ENPs that focuses on environmental issues, professional skills, opportunities to engage with NMED's public decision-making processes, as well as jobs and connections in environmental fields.



Taos Pueblo

Compliance and Enforcement Division Highlights

Air Quality Compliance and Enforcement Collaborated with Occupational Health and Safety Bureau to Conduct Unmanned Aerial System (UAS) Operations

Methane response investigations conducted by Compliance and Enforcement Division contractors equipped with Optical Gas imaging and visible light payloads at three oil and gas facilities flagged by Carbon Mapper as sources of large Methane plumes. They were able to identify, pinpoint, and record a natural gas pipeline release near a facility where staff were located.



L-R Roman Varela, Casey M Stavert, and Peyton Holloway



Thermal imaging of pipeline release.



UAS flying in front of pumpjacks.

Emergency Operations and Response Bureau

Environmental Notification Tracking System (ENTS)

ENTS is an agency-wide system that documents environmental notifications (complaints, tips, spills, releases, and other incidents) and actions that lead to resolution. Two training courses were provided for the appropriate NMED staff by Stephen Connolly, Incident Response Coordinator in February 2026.

Environmental Crimes Task Force Training/Symposium



On Wednesday, March 4th, State, Tribal and Federal partners met in Santa Fe for an in-depth learning opportunity with the U.S. Environmental Protection Agency (EPA). The training focused on environmental crime enforcement to protect public health and safeguard New Mexico's natural resources.

Discussion/analysis included environmental crimes, common violations such as illegal hazardous waste disposal, and violations associated with the Clean Water Act and Clean Air Act. Attendees also examined key environmental statutes, including the CWA, CAA, RCRA, and CERCLA—while gaining a clearer understanding of the differences between criminal and civil enforcement.

Finally, the training also strengthened investigative skills, highlighted effective interagency coordination with prosecutors, and deepened understanding of how fraud, false reporting, and other violations threaten the integrity of our regulatory systems.

Water Protection Division Highlights

Rural Infrastructure Program (RIP) - Executive Budget Commendation in FY27

The Governor's Office included a strong endorsement of NMED's Rural Infrastructure Program in its FY27 Executive Budget Recommendation. Community and Economic Development Director, Steve Farmer of the City of Santa Rosa detailed how support from NMED and RIP funding supported emergent wastewater projects and solid waste infrastructure throughout the city. The Rural Infrastructure Act authorizes low-interest loans and grants for water, wastewater, and solid waste facilities serving communities under 20,000 population, with up to \$2 million per year per community (\$500K grants + \$1.5M at 1% over 20 years).

Also, from Mayor Denny Herrera of the Village of Cuba, he credited the Strategic Water Supply investments represent confidence in rural New Mexico and Cuba's future. "The Village is deeply grateful to the Legislature and state partners who recognized both the urgency of our water challenges and the opportunity to lead with innovative, responsible solutions."

Ground Water Quality Bureau

Brownfields Cleanup Loan for Rolling Still Distillery

If you know of a rural community that can benefit from RIP funding, please have them apply at the link: <https://www.env.nm.gov/funding-opportunities/>



*Future Home of Rolling Still Distillery —
formerly a blighted mechanic shop in El Prado*

Drinking Water Regulations Update — 20.7.10 NMAC Rulemaking

The Drinking Water Bureau and the Compliance and Enforcement Division held a stakeholder meeting on January 14, 2026, to initiate rulemaking before the Environmental Improvement Board for revisions to 20.7.10 NMAC, New Mexico's primary drinking water regulations. The meeting included 22 non-NMED participants representing 20 stakeholder organizations. Key areas addressed during the meeting included:

- ▶ Establishing requirements for public water system design, operation, monitoring, and compliance
- ▶ Focusing on modernizing existing rules
- ▶ Outlining proposed revisions to definitions, engineering application requirements, and disinfection-related public health protections

WPI Innovation in Certification Conference

Drinking Water Bureau Chief Joe Martinez and Utility Operator Certification Program (UOCP) Group Manager Brian Bennon attended the annual Innovation in Certification conference hosted by Water Professionals International (WPI), which develops and maintains nationally recognized operator certification exams and standards. Sessions focused on improving certification standards, training effectiveness, and workforce sustainability. Keynote speaker Antonio Neves introduced his "1-Day Method" focusing on what can be improved today — encouraging practitioners to honestly assess their recent 30-day performance. Overall, the conference helped keep DWB connected to National standards and partners while bringing back practical ideas to strengthen operator training, certification, and long-term workforce stability in New Mexico.



Antonio Neves — Keynote Speaker



WPI Conference

Ground Water Quality Bureau offers Free Well Water Testing to Ruidoso residents

Ruidoso residents who rely on private wells for drinking water had their water tested free of charge March 28, through a joint event hosted by the New Mexico Environment Department and the New Mexico Department of Health. The event was free to the first 100 participants while supplies last. Well water tests typically cost about \$150. Residents must bring their own water samples to the event. Test results will be mailed to participating households following the event within two to three weeks.

"Private well owners in Lincoln County can come to this water fair and find out more about the quality of their household drinking water," said **Ground Water Quality Bureau Chief Justin Ball**. "With just one test, families can gain the confidence they need to keep their water safe for years to come." The state's water testing programs—known as "water fairs" -- provide an opportunity for well owners to measure pH and nitrate levels -- measurements that are crucial to maintaining safe drinking water. These contaminants may be naturally occurring or result from sources including fertilizer, animal waste, and septic tanks. High nitrate levels can be dangerous to pregnant women and infants. [Learn more about the water fair program.](#)

NMED at the 2026 Legislative Session Earth Science Day at the Roundhouse



Students listen and watch NMED Staff



L-R Nate Reynolds, Emily Miller & Meredith Seigler showing bacteria and bug samples to young inquirers.



L-R Avery Simpson, Heidi Henderson, and Dan Guevara of SWQB

Resource Protection Division Highlights

Resource Recovery Bureau and Resource Protection of Compliance and Enforcement Division

Innovative Landfill Projects — Site Visits

The Resource Recovery and Resource Protection Compliance and Enforcement Bureaus conducted two landfill site visits involving innovative projects — one facility nearing end-of-life and one in initial planning stages:



Eric Gordon learns how new areas are blasted at the Los Lunas quarry.

Rio Rancho Landfill (Waste Management of NM):

Permit Manager Daniele Berardelli and Waste Management Engineers discuss slopes to be covered in Closure Turf.

This facility is approaching permitted capacity and proposes a final cover system utilizing Closure Turf — an engineered synthetic turf and composite final cover system comprised of a structured geomembrane, engineered turf, and a specified aggregate infill. Though used in 80+ projects nationally, this would be the first application in New Mexico. More information:

<https://watershedgeo.com/products/closureturf/>

Los Lunas Quarry — Future Landfill:

The RRB Permit team visited a quarry in Los Lunas that has applied to become a municipal solid waste and special waste landfill. The application is under review; the team visited to evaluate proposed construction and operational plans. While there, the team learned about quarry operations and hopes to come back to observe new area excavations as they work through the landfill permit process.

**Hazardous Waste Bureau****WIPP Group Approves Three Final Audit Reports**

The HWB WIPP Group approved three Final Audit Reports for generator/storage sites that ship waste to WIPP for disposal. The US Department of Energy's Carlsbad Field Office is required to submit the Final Audit Report under the WIPP Permit to ensure the continued adequacy, implementation, and effectiveness of waste characterization processes for WIPP-bound wastes relative meet the requirements of the WIPP Permit. The three approvals were for audits conducted at the Los Alamos National Lab (LANL), the Advanced Mixed Waste Treatment Project (AMWTP) at the Idaho National Lab outside Idaho Falls, ID, and the Savannah River Site (SRS) outside Aiken, South Carolina.

The WIPP Group is also preparing to observe future audits to be held at Idaho National Lab in March 2026 and Oak Ridge National Lab in Tennessee in April 2026.

Environmental Protection Division Highlights

Air Quality Bureau

Draft 2024 Regional SO₂ Emissions and Milestone Report

Under Section 309 of the Federal Regional Haze Rule, New Mexico has participated in a voluntary regional program to reduce sulfur dioxide emissions that impair visibility at Class I areas on the Colorado Plateau. Since reporting began in 2003, New Mexico has experienced a pronounced long-term decline in SO₂ emissions. Statewide emissions were 11,944 tons per year in 2015 and decreased to 2,232 tons per year in 2022, followed by further reductions to 905 tons per year in 2023 and 564 tons per year in 2024. These substantial reductions reflect significant changes in the state's emissions profile, most notably the closure of the San Juan Generating Station, which was historically one of the largest sources of SO₂ emissions in the state. As a result, New Mexico continues to demonstrate sustained progress in reducing SO₂ emissions and improving visibility in Class I areas.

The draft report can be viewed at: <https://westar.org/regional-haze>



A major SO₂ source, the San Juan Generating Station being demolished. Picture from the Durango Herald.

Public Informational Meeting on Fees

The Air Quality Bureau (AQB) and its NMED Attorney held a virtual public meeting about a request to the Environmental Improvement Board to update fees from regulated entities sufficient to cover costs for program operations. Presentations by Cindy Hollenberg, AQB Chief and Brian Polgar, AQB Planning Section Chief as to why the fee increase is needed and answered questions from participants.

The presentation can be viewed on YouTube at: https://www.youtube.com/watch?v=d4mnYB5_Vk

The SIMR3 Zonal Monitoring Team responds to Toxic Hexavalent Chromium Plume

The NMED SIMR-3 Zonal Monitoring Team demonstrated exceptional performance, professionalism, and dependability in responding to the discovery that a toxic hexavalent chromium plume had migrated beyond LANL boundaries onto Pueblo de San Ildefonso land. As a multidisciplinary team of subject matter experts, they quickly mobilized to provide coordinated



technical oversight of well placement, drilling, zonal sampling, field measurements, laboratory verification, and regulatory compliance. Despite shifting drilling schedules and technical challenges, the Team worked extended hours and weekends while maintaining consistent communication with leadership and key stakeholders. Their rapid verification of field results and transparent reporting ensured timely notification to Tribal leadership, the State Engineer, DOE representatives, and the public. Through their technical expertise, transparency, and commitment to NMED's mission, the SIMR-3 Team strengthened public trust, enhanced interagency coordination, and provided unbiased, science-based information regarding DOE operations. Their dedication, teamwork, and responsiveness under high-profile and sensitive conditions make them highly deserving of recognition.

Working late hours, SIMR3 group: Mike Petersen, Kay Tauscher, and Kylian Robinson of HWB; Caitlin Martinez and Brinson Willis of GWQB and Kevin Boyko of DOEOB

NMED Submits Regional Haze Plan to EPA

NMED submitted New Mexico's Regional Haze State Implementation Plan (SIP) revision for the Second Implementation Period (2019–2028) to the US EPA on March 17, 2026. The SIP establishes New Mexico's strategy to reduce visibility-impairing pollution in Class I areas and is projected to reduce more than 23,000 tons per year of haze-forming pollutants. This followed the Environmental Improvement Board's adoption of the SIP revision on December 8, 2025, and the Final Order on January 26, 2026.

Additional information on Regional Haze planning is available at: <https://www.env.nm.gov/air-quality/reg-haze/>

Air Quality Bureau: Monitoring Section Computer Upgrade

The Monitoring Section has begun upgrading computers at all the monitoring sites and has completed 13 out of 20 sites. All 8 computers have been deployed and are operating at all northern sites. Both sites in the southeast have been deployed and operating. The last portion of the state to be upgraded is the southwest which has begun deploying the replacement computers and completed 3 out of the 10 sites.

Monitoring staff expect to completely transition to new computers at all the network sites by the end of February. The photo of a computer on the left represents a computer for a smaller site.



New Monitoring Site Computers

Climate Change Bureau: Innovation Fuel Technology

On February 9, 2026, staff the New Mexico Environment Department's Climate Change Bureau (NMED-CCB) met with Okie Hydrogen, a vehicle and fuel technology firm based in Duncan, Oklahoma. Okie Hydrogen has worked with local economic development authorities in Roswell, where they are looking to set up a production and distribution shop. They are looking to test their technology in New Mexico. The company views the Land of Enchantment as the ideal location to gather data on whether and to what degree their technology reduces tailpipe emissions of greenhouse gases (GHGs) as well as diesel particulate matter (DPM) and other criteria pollutants. They are particularly excited to see how their technology fits with New Mexico's Climate Action Plan (CAP) and related initiatives.



Climate Change Bureau Staff

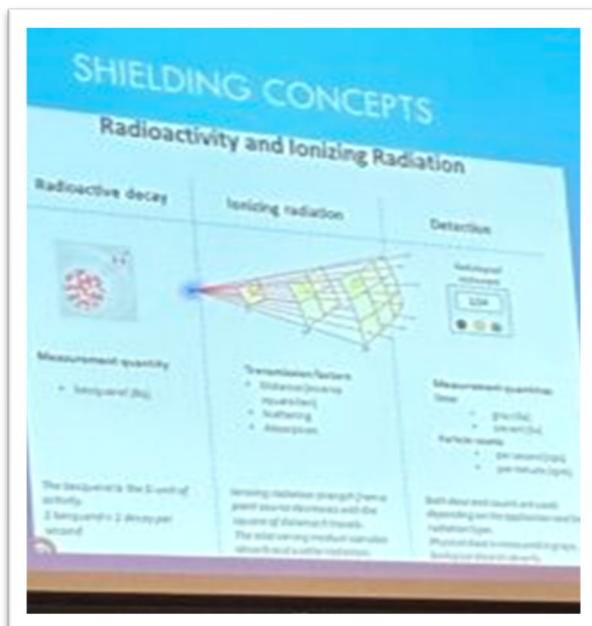
Okie Hydrogen specializes in equipping diesel-fueled vehicles with modular "hydrogen-on-demand" (HOD) units. Vehicles using HOD units make "monoatomic" (HHO) hydrogen as an augmentation fuel that feeds into a diesel engine's air intake manifold. Because HOD can be fitted directly onto diesel-powered vehicles and equipment, they can provide immediate reductions for New Mexico's existing on and off-road combustion engine fleets.

Environmental Health Division

Environmental Health Bureau — Advancing Rulemaking and Regulatory Update of Medical Imaging and Radiation Therapy

The Radiation Control Bureau (RCB) made significant progress in advancing key rulemaking efforts through the successful coordination of the Medical Imaging and Radiation Therapy Advisory Committee (MIRTAC) meeting. A major contributor to this effort was Thomas Collins, who played a critical role in organizing and facilitating the review of proposed regulatory updates. With legal counsel and engagement with stakeholders, Tom helped ensure that proposed changes were clearly developed, properly vetted, and aligned with current regulatory and professional standards.

Toms's leadership and work has helped establish a strong foundation for continued regulatory development, ensuring that proposed updates are both practical and defensible. The RCB will incorporate the approved changes into draft regulations and prepare for continued review and refinement in upcoming committee meetings.



Shielding Presentation by retired RCB Scientist Jim



Deidra Kee, Jennifer Gilmore, Terri Shettle

Enforcement Watch Update

To bring our mission to life for every New Mexican, NMED must assure compliance with applicable laws, rules, and permits. NMED's Enforcement Watch provides a transparent, publicly accessible listing of all active and resolved enforcement cases with online reporting tools. Access here: [Enforcement Watch](#)

1,702 Enforcement Actions Initiated FY26 Year-to-Date	645 Violations Resolved FY26 Year-to-Date
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FY26 Enforcement Watch Alerts — Monthly Summary

Month	Actions Initiated	Violations Resolved
July 2025	137	59
August, 2025	223	56
September, 2025	165	145
October, 2025	175	45
November, 2025	223	56
December, 2025	165	145
January, 2026	235	41
February, 2026	226	38
March, 2026	153	69
FY26 Q3 Total	1,702	645

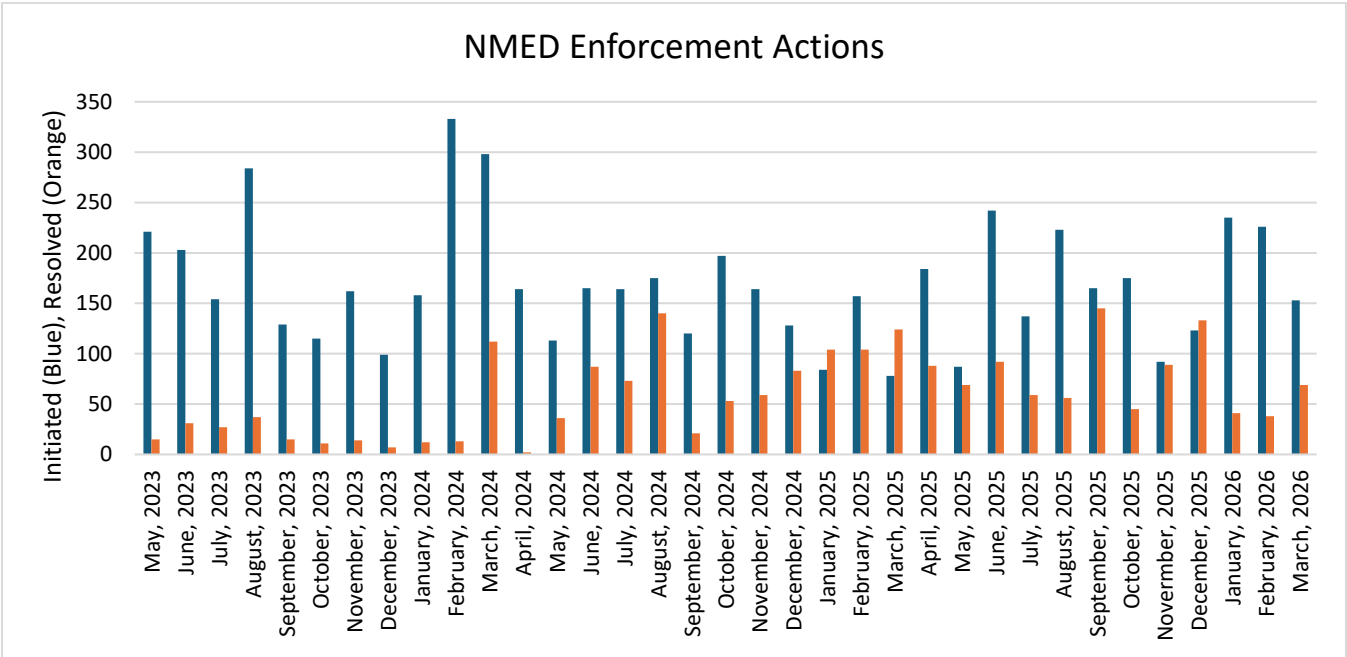
Key Enforcement Highlights

WPCEB — LANL Hexavalent Chromium Order

In February 2026, the Water Protection Compliance and Enforcement Bureau issued an Administrative Compliance Order to the US Department of Energy related to the hexavalent chromium groundwater plume beneath Los Alamos National Laboratory. DOE is required to develop a corrective action plan within 60 days and submit a revised groundwater discharge permit. A \$9,784,503 civil penalty was assessed for exceedances of groundwater standards for chromium at LANL.

Additional enforcement highlights from Q3:

- ▶ EPCEB issued a Notice of Violation to Nutrien Ag Solutions (Vado facility) for failure to pay New Source Review permit fees in 2025. [Notice of Violation](#)
- ▶ WPCEB issued a Notice of Violation to Sunlit Hills Water System (Santa Fe) for exceeding Nitrate maximum contamination level at Well #7 in Q1 2026. [Notice of Violation](#)
- ▶ RPCEB issued a Notice of Violation to Timberon Water and Sanitation District for operating an unregistered solid waste facility since 1996. [Notice of Violation](#)
- ▶ A Citation and Notification of Penalty was issued to Helmerich and Payne, Inc. following an OSHA investigation identifying a serious struck-by safety violation — \$16,554 in penalties. [Notification of Penalty](#)



Performance Measures

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 progress toward FY26 targets.

Measure	FY26 Target	Q1	Q2	Q3	Q4	FY26 Actual
Percent of population (in NMED jurisdiction) breathing air meeting federal health standards	≥95.0%	86.6%	100%	96%		86.6%
Percent of population served safe and healthy drinking water	≥95.0%	90.9%	57.8%	67.4%		90.9%
Number of drinking water systems not meeting ≥1 standard compared to the total number of drinking water systems	200/560 (35.7%)	390/551 (70.8%)	97/553 (17.5%)	200/560 (35.7%)		390/551 (70.8%)
Number of community water system violations returned to compliance via NMED assistance	250	54	81	98		54
Number of superfund sites cleaned up compared to the number of superfund sites remaining	0/15					0/15
Number of employers not meeting OSHA requirements for ≥1 standard vs. total number of employees	55.0%	0.1%	0.1%	41.3%		—

Data reflects effectiveness of targeted enforcement — only ~0.6% of workplaces are inspected annually.
Grey cells indicate semi-annual or annual reporting.

Environmental Protection Measures



Environmental protection measures track mitigation techniques aimed at managing environmental issues and reducing pollutants. The table below provides an at-a-glance view of progress toward FY26 targets.

Measure	FY26 Target	Q1	Q2	Q3	Q4	FY26 Actual
Amount of VOC (Volatile Organic Compounds) emitted statewide (tons per year).	90,986					
Amount of volatile organic compounds emitted illegally, TPY.OC emissions — illegal (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.	1,275	9,962	9,962	4,252		9,962
Reduction in nonpoint source sediment loading attributed to the implementation of watershed restoration and on-the-ground improvement projects, in tons.	1,000	5,187	5,187	2,025		5,187
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%)	1/377 (0.3%)	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.)	5%	1/983 (0.1%)	0.10%	0/936		0.1%
Number of completed cleanups of petroleum storage tank release sites that require no further action. (Cumulative over all time.)	2,050	9	0	5/255		9/983
Number of zero-emission vehicles registered in New Mexico	Explanatory	21,546	24,887	25,901		21,546
Number of liquid waste system violations resulting from complaints.	Explanatory	2.0	0	5		2.0

Compliance Measures

Environmental regulatory compliance is essential to protect the environment and prevent harm to human health. Inspections help NMED determine whether regulated entities follow applicable laws, rules, and permits. "Compliance" measures reflect results of inspections conducted within the reporting period; "violation" measures reflect all active violations among all permittees.

Measure	FY26 Target (%)	Q1 (%)	Q2 (%)	Q3 (%)	Q4 (%)	FY26 Actual (%)
Air Quality						
Percent of air emitting sources inspected	25.0	110	40	40		110
Percent of air emitting sources in compliance	85.0	63.6	75	83		63.6
Percent of air emitting sources in violation	15.0	36.4	25	17		36.4
Cannabis and Hemp						
Percent of cannabis/hemp permittees inspected	85.0	31.0	24.1	16.9		31.0
Percent of cannabis/hemp inspections showing compliance	90.0	77.8	78.6	27.3		77.8
Percent of cannabis/hemp permittees with active violations	5.0	0.0	0.0	0.0		0.0
Groundwater						
Percent of groundwater permittees inspected	100.0	50.0	5.7	5.6		50.0
Percent of groundwater permittees in compliance	92.0	100.0	100.0	100.0		100.0
Percent of groundwater permittees in violation	8.0	2.0	2.0	2.3		2.0
Hazardous Waste						
Percent of hazardous waste facilities inspected	13.0	1.1	1.3	1.2		1.1
Percent of hazardous waste facilities in compliance	90.0	0.9	0.8	0.7		0.9
Percent of hazardous waste facilities in violation	5.0	0.2	1.3	1.0		0.2
Occupational Health and Safety						
Percent of high-hazard employers' facilities inspected	2.0	0.2	0.1	0.1		0.2
Percent of all employers inspected	0.5	0.1	0.1	—		0.1
Petroleum Storage Tanks						
Percent of petroleum storage tank permittees inspected	50.0	29.0	29.0	74.0		29.0
Percent of inspections showing compliance	80.0	69.0	6.2	11.0		69.0
Percent of permittees with active/ongoing violations	5.0	108.0	70.0	70.0		108.0
Radiation Sources in Medical Equipment						
Percent of ionizing/non-ionizing radiation sources inspected	20.0	8.8	2.8	2.7		8.8
Percent of ionizing/non-ionizing radiation sources in compliance	90.0	96.9	62.0	97.5		96.9
Percent of ionizing/non-ionizing radiation sources in violation	10.0	0.3	1.1	0.1		0.3

Measure	FY26 Target (%)	Q1 (%)	Q2 (%)	Q3 (%)	Q4 (%)	FY26 Actual (%)
Restaurants and Food Manufacturers						
Percent of restaurants/food manufacturers inspected	90.0	86.7	81.6	76.7		86.7
Percent of restaurants/food manufacturers in compliance	88.0	81.7	76.4	80.5		81.7
Percent of restaurants/food manufacturers in violation	15.0	3.9	3.8	3.3		3.9
Septic Systems						
Percent of new or modified liquid waste systems inspected	85.0	50.9	54.4	50.9		50.9
Percent of new or modified liquid waste systems in compliance	85.0	99.1	90.3	80.2		99.1
Percent of new or modified liquid waste systems in violation	13.0	0.9	0.4	0.8		0.9
Solid and Infectious Waste						
Percent of solid and infectious waste management facilities inspected	85.0	13.0	22.2	26.7		13.0
Percent of solid and infectious waste management facilities in compliance	90.0	6.5	20.0	13.3		6.5
Percent of solid and infectious waste management facilities in violation	5.0	0.0	2.2	0.0		0.0
Surface Water						
Percent of surface water permittees inspected.	100.0	50.0	35.0	25.0		50.0
Percent of surface water permittees in compliance.	85.0	90.0	100.0	80.0		90.0
Percent of surface water permittees in violation.	N/A	4.0	4.0	4.0		4.0

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 building resilient environments. The table below provides an at-a-glance view of our progress toward our FY26 targets.

Measure	FY26 Target	Q1	Q2	Q3	Q4	FY26 Actual
Total grant dollars awarded to communities	\$65,000,000					
Number of Brownfield acres of contaminated land cleaned up and available for reuse	10 acres					
Investments in water infrastructure, in dollars	\$30,000,000	\$161,870,000	\$7,500,000	\$13,410,000		\$161,870,000
Number of new water infrastructure, projects	115	39	28.75	107		39

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.

Operational Measures

NMED is committed to modernizing and improving operational efficiency while reducing costs with no loss in customer service. The table below provides an at-a-glance view of progress toward FY26 targets.

Measure	FY26 Target	FY26 Actual
Percent of NMED financial transactions completed online	50%	—
Total dollars collected and transferred to general fund from enforcement actions	\$750,000	—

In FY25, NMED collected and deposited nearly \$1.9 million in penalties into the State's General Fund. In FY25, the Office of General Counsel hired five new attorneys to address a workload of 500+ matters (243 enforcement). In FY26, OGC expects to fill four more attorney positions, including two in Air Quality.

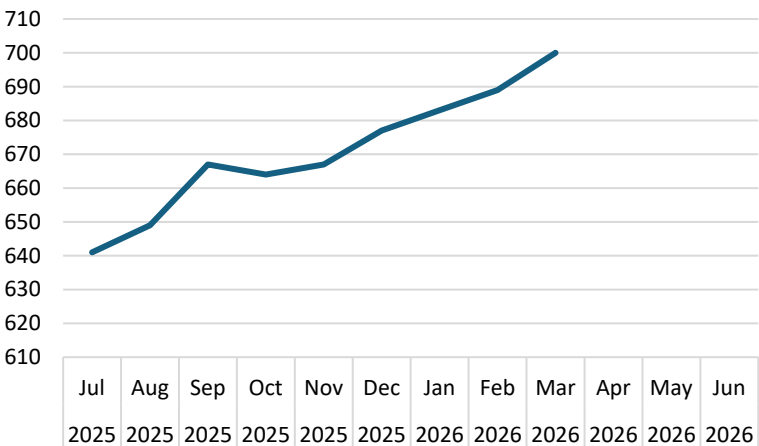
Funded Vacancy Rate by Month

FY26 Target	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
8.0%	20.2%	19.2%	17.8%	19.9%	19.5%	18.3%	16.3%	15.6%	14.2%			

Vacancy Rate Trend

NMED reduced its vacancy rate by 106% over the course of FY25, achieving a net gain of 20 filled positions in Q4 FY25 — a 3.2% increase from 621 to 641 filled positions. During FY26, NMED experienced increased workloads requiring additional recruitment efforts. This has resulted in nearly 700 positions being filled. Hiring is supported by increased recruitment through hiring fairs and an influx of applicants from Federal entities seeking to apply their government experience at NMED.

Fiscal Year 2026
Full-Time Equivalent (FTE) by Month



NMED Staff Workload Snapshot

Based on existing staffing levels and approximately 235 workdays per year, it would take most NMED programs multiple years to conduct inspections of all permitted or licensed facilities. Each year NMED carefully assesses — based on available resources — how best to regulate and assure compliance of businesses subject to laws passed by the Legislature, regulations adopted by state boards and commissions, and permits issued by the Department.

Appendix A — NMED Program Workload Data

Regulatory Permitting and Enforcement Programs

Division	Bureau	Program	Regulated Universe / Permits	Auth. FTE	Filled FTE	% Permitting	% Enforcement	Entities / Permits per FTE	As of Date
EHD	EHB	Liquid Waste, Food Safety, & Pool/Spa	14,186	35.0	34.0	25%	75%	417	4/27/2026
EHD	OHSB	Compliance Program	68,045	9.0	5.0	0%	100%	13,609	5/5/2026
EPD	AQB	Permitting and Enforcement	—	Perm. 34+	Perm. 33+	100%	—	—	5/5/2026
EPD	RCB	Radiation Protection Program	3,041	11.0	8.0	60%	40%	506	4/24/2026
RPD	HWB	Compliance and Tech. Assistance	2,557	10.0	9.0	0%	100%	284	4/21/2026
RPD	HWB	Permitting Program	19	32.0	28.0	100%	0%	0.68	5/5/2026
RPD	PSTB	Prevention/Inspection — Delivery Prohibition	1,199	5.0	5.0	0%	100%	239.8	5/5/2026
RPD	PSTB	Remedial Action Program	—	—	—	0%	0%	—	N/A
RPD	SWB	Permitting and Enforcement Program	933	8.0	7.0	50%	50%	—	4/21/2026
WPD	DWB	Public Water System Supervision	978	14.0	11.0	80%	20%	95	4/21/2026
WPD	GWQB	Agriculture Compliance Section	201	4.0	3.0	90%	10%	67	4/27/2026
WPD	GWQB	Mining Environmental Compliance	39	11.0	10.0	90%	10%	4	4/27/2026
WPD	GWQB	Pollution Prevention Section	444	18.0	14.0	90%	10%	32	4/27/2026
WPD	SWQB	Dredge/Fill Permits	76	4.0	4.0	15%	5%	19	4/27/2026
WPD	SWQB	NPDES Permit Compliance	6,160	7.0	7.0	50%	50%	880	4/27/2026

Non-Regulatory Programs

Division	Bureau	Program	Permittees / Facilities	Auth. FTE	Filled FTE	Workload / FTE	Descriptor	As of Date
EHD	OHSB	Consultation Program	—	—	—	—	Employers per Consultation FTE	10/23/2025
RPD	HWB	Incident Coordination	2,557	2	2	107	Emergency calls per FTE	5/15/2026
RPD	SWB	Recycling/Illegal Dumping Grants	21 FY26 grants	2.0	2.0	0.5	FY26 grants per FTE	10/1/2025
WPD	CPB	Technical Section	—	7.0	7.0	—	Infrastructure Projects per FTE	4/30/2026
WPD	DWB	Engineering	1,050 PWS	3.0	3.0	—	Public Water Systems per FTE	5/5/2026
WPD	DWB	Infrastructure Funding Support	1,054	2.0	1.0	1,054	Infrastructure Support per FTE	5/5/2026

Division	Bureau	Program	Permittees / Facilities	Auth. FTE	Filled FTE	Workload / FTE	Descriptor	As of Date
WPD	DWB	Sustainable Water Infrastructure	1,050 PWS	20.0	17.0	—	Public Water Systems per FTE	5/5/2026
WPD	DWB	Utility Operator Certification	3,414 operators	5.0	3.0	—	Utility operators per FTE	5/5/2026
WPD	GWQB	Remediation Oversight Section	146 sites	10.0	7.0	20.9	Sites per FTE	10/1/2025
WPD	GWQB	Superfund Oversight Section	29 sites	11.0	9.0	3.2	Sites per FTE	10/1/2025
WPD	SWQB	Water Quality Standards	6,592 perennial mi / 193,191 non-perennial mi	4.0	4.0	1,676 / 48,000	Stream miles per FTE	4/27/2026
WPD	SWQB	Monitoring Program	6,592 perennial / 173 lakes	4.0	4.0	1,341 / 35	Stream miles / Lakes per FTE	4/27/2026
WPD	SWQB	TMDL & Assessment	528 river/stream reaches	3.0	3.0	176	Assessed reaches per FTE	4/27/2026
WPD	SWQB	Wetlands Protection	519,781 acres	3.0	3.0	173,260	Acres per FTE	4/27/2026
WPD	SWQB	Nonpoint Source Pollution	3,223 sub-watersheds	10.0	10.0	322	Sub-watersheds per FTE	4/27/2026
WPD	SWQB	Effectiveness Monitoring	287 impaired reaches	1.0	1.0	287	Impaired reaches per FTE	4/27/2026

Appendix B — Performance Measure Definitions

The following section provides detailed definitions and assumptions for all performance measures, offering additional context into the significance and methodology behind each metric.

Public Health Measures

Measure	Definitions and Assumptions
Percent of 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 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 ≥ 1 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 via 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

Measure	Definitions and Assumptions
	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 vs. 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 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

Measure	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 on 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.

Measure	Definitions and Assumptions
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 does 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.
Number of zero-emission vehicles registered in New Mexico*	Clean cars mean both battery electric vehicles (BEVs) and plug-in hybrid electric vehicles (PHEVs). By identifying all the clean cars registered in the state, the performance measure encompasses new and used vehicles. New Mexico Motor Vehicle Division (MVD) provides Atlas Public Policy vehicle information number (VIN) quarterly for all vehicles registered in New Mexico. Atlas Public Policy decodes the NM MVD VIN data to identify which vehicles are classified as clean vehicles. Atlas Public Policy posts the clean vehicle data with a visual interpretation on a public, New Mexico-specific dashboard (https://atlaspolicy.com/evaluatnm/).
Number of liquid waste system violations resulting from complaints*	A “complaint” is a negative report regarding a particular liquid waste system. A “liquid waste system violation” pertains to a new or modified liquid waste system that has been inspected and found to not meet regulatory requirements and could not be issued a final approval.

Compliance Measures

	Definitions and Assumptions
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

	Definitions and Assumptions
	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

	Definitions and Assumptions
	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.
Petroleum Storage Tanks	
Percent of petroleum storage tank 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 petroleum storage tank facilities in compliance after inspection.	"In compliance" means that there were no violations in the 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 petroleum storage tank facilities with active/ongoing violations	"In violation" means the facility was found to be out of compliance at the time of inspection.
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

	Definitions and Assumptions
	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.
Cannabis and Hemp	
Percent of cannabis and hemp permittees inspected.	"Inspected" means a routine, annual on-the-ground compliance inspection that is conducted to inform a compliance determination and support enforcement actions, if appropriate
Percent of cannabis and hemp permittees showing compliance.	"Compliance" means not having 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 or consuming cannabis edibles or hemp finished products.
Percent of cannabis and hemp permittees with active/ongoing violations.	"Violation" 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 or consuming cannabis edibles or hemp finished products.
Occupational Health and Safety	
Percent of high-hazard facilities inspected	Bureau management and administrative staff develop targeting systems, including emphasis programs, each year based on data identifying establishments considered high hazard by industry, illness/injury rate or other neutral selection criteria. Management assigns cases to compliance officers who enter inspection and violation data in OIS in accordance with the New Mexico Field Operations Manual (FOM).
Percent of all employers inspected	The intent of this measure is to display the number of employers issued at least one citation for OSHA standard violations compared to the total number of employers inspected during the reporting period.
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.

	Definitions and Assumptions
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

Measure	Definitions and Assumptions
Total investment of grants dollars awarded to communities, year to date.	"Investment" means the action of investing money in 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

Measure	Definitions and Assumptions
	future use(s). This measure will not report on sites being regulated through the State Cleanup Program.
Investments in water infrastructure (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

Measure	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.
Percent of NMED financial transactions completed online by the public or regulated community.	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.