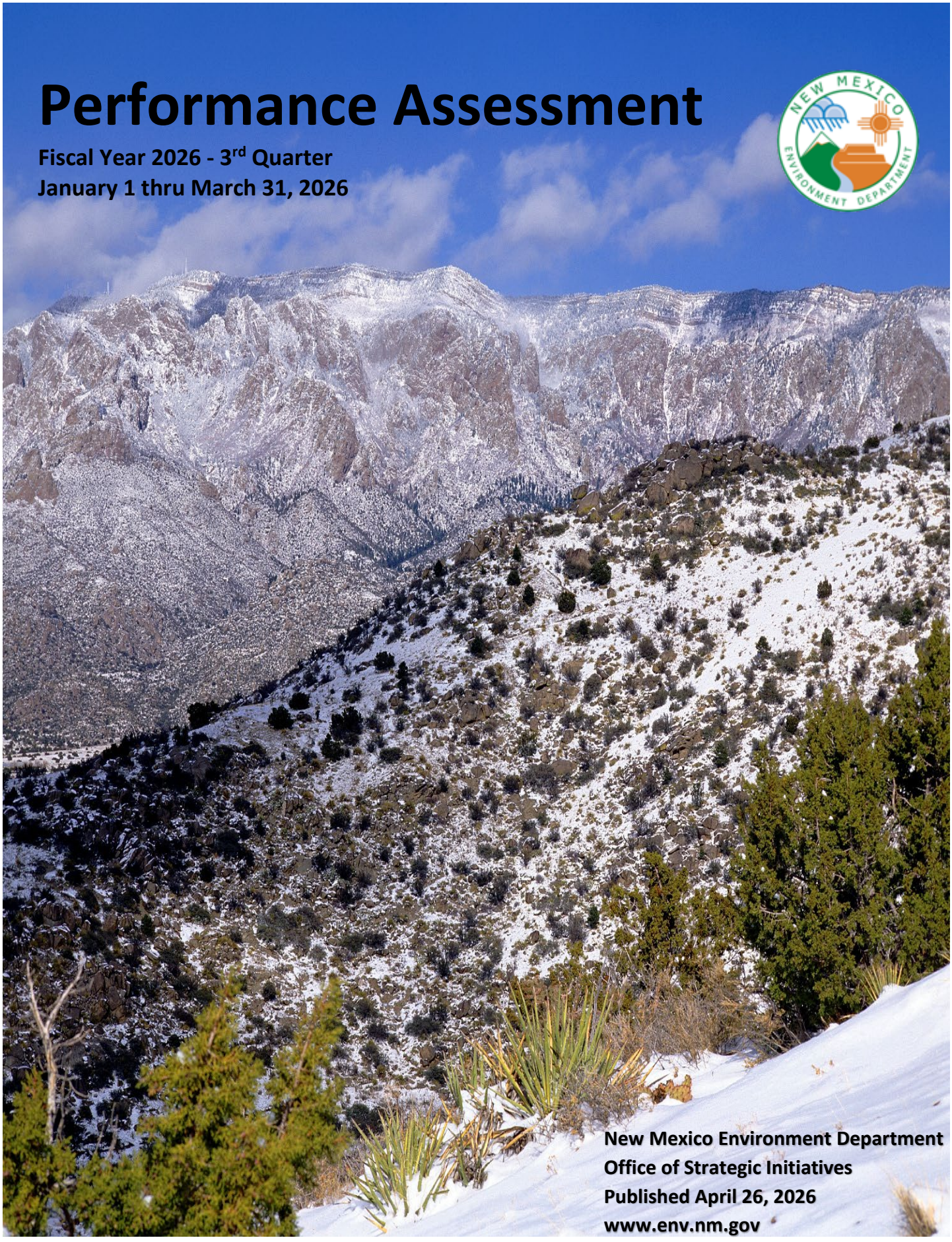
Performance Assessment

Fiscal Year 2026 - 3rd Quarter
January 1 thru March 31, 2026



New Mexico Environment Department
Office of Strategic Initiatives
Published April 26, 2026
www.env.nm.gov

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 FY26, we are strategically deploying our 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 FY26, NMED received appropriations totaling $232.2 million to protect public health and the environment. This included $34.2 million in general funds, $84.9 million in special revenue funds (e.g., permit fees) which include $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/purposes.

NMED's approximate recurring budget breakdown is:

- 14.7% state general fund
- 36.6% special revenue funds
- 41.1% federal funds

It is worth noting that NMED was appropriated an increase of $71.8 million for non-recurring, Special Appropriations. The largest portion is $40 million for the Strategic Water Supply Fund.

Beginning on page 26, 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
- 3 Operational Measures

About this Report

The New Mexico Environment Department (NMED) began publishing quarterly assessments in Fiscal Year 2022 (FY22). This is the second 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:
www.env.nm.gov > About > Performance
to see past reports and other metrics.

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Resource Management Division

Office of Strategic Initiatives - New Mexico takes National lead on PFAS Consumer Protection



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

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:

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.

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. 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.

Office of Information Technology

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.

Project Velocity Management – Platform Updates

- SWQB | Watershed Protection Section | Users can filter and locate Clean Water Act Section 401 certification documents associated with Section 404 permits – Complete

- AQB | Technical Services Section | 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

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 Office of Information Technology (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.

Multiple Bi-National, Intergovernmental Agencies Convene at Transboundary Spill Site in Anapra/Sunland Park



US EPA Region 6- El Paso, International Boundary and Water Commission (IBWC), IBWC Mexican counterpart CILA, Municipal Board for Water and Sanitation in Ciudad Juarez, the City of Sunland Park, CRUUA, El Paso Community Foundation, NMED and local land and business owners potentially being affected by the spills.

US. and Mexican officials meet to discuss transboundary issues. According to the North American Development Bank, transboundary sewage spills from Anapra in Ciudad Juarez, Mexico into Sunland Part, NM are driven by insufficient and failing wastewater infrastructure in the rapidly growing border area.



Site of recurring transboundary sewage flow crossing the border wall into New Mexico.

Office of Strategic Initiatives Hosts Two Externs from Taos Pueblo



Taos Pueblo

OSI will host two externs from Taos Pueblo, Jalen Kopepassah and Hawk Foster, from February through May. Along with five other young adults from the Eight Northern Pueblos (ENP), Jalen and Hawk are participants in the Northern New Mexico Climate Justice Leadership Development Program organized by the nonprofit Creative Startups. NMED is a partner in this program, along with the Eight Northern Indian Pueblo Council's Office of Environmental Technical Assistance, the Indigenous Design and Planning Institute at UNM, Amigos Bravos, and Communities for Clean Water. Our goal is to provide educational experience for young adults from the ENP, with a focus on learning about environmental issues, professional skills, opportunities to engage in NMED's public decision-making processes, as well as jobs and connections in the environmental field.

Compliance and Enforcement Division

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.

Air Quality of Compliance and Enforcement Division collaborated with Occupational Health & 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 image of pipeline release.



UAS Flying in front of pumpjacks.

Drinking Water Regulations Update: 20.7.10 NMAC Rulemaking

The Drinking Water Bureau (DWB) and Compliance and Enforcement Division (CED) held a stakeholder meeting on January 14, 2026, to initiate the rulemaking process under the New Mexico Environmental Improvement Board for planned revisions to 20.7.10 NMAC, New Mexico's primary drinking water regulations.

- Established requirements for public water system design, operation, monitoring, and compliance
- Focused on the need to modernize the rule
- Outlined the general scope of anticipated updates
- Staff discussed proposed revisions to definitions, engineering application requirements, operational expectations, and disinfection-related public health protections
- Detailed regulatory language was not presented at this stage

The meeting included 22 non-NMED participants representing 20 stakeholder organizations, including municipal and community water systems, water associations, and technical assistance providers. Stakeholders asked a limited number of clarifying questions and expressed no substantive opposition or concerns.

Water Protection Division

Brownfields Cleanup Loan for Rolling Still Distillery



Photo: Future Home of Rolling Still Distillery: A blighted mechanic shop in El Prado

The Rural Infrastructure Act created the Rural Infrastructure Revolving Loan Program (RIP provides financial assistance to local authorities through low interest loans and grants for the construction or modification of water, wastewater and solid waste facilities. Local authorities are any municipality, county, mutual domestic water consumers association, or water and sanitation district whose facility serves a community with a population of less than 20,000 or county less than 200,000. Eligible program expenses include the cost of planning, engineering, and construction. Project costs that are only eligible for loans and not grant funds include the cost of water rights, land, system acquisition, easements and rights-of-way, legal costs, and fiscal agents' fees.

Communities are eligible for up to $2 million per year of funding, with up to $500k provided in grants and up to $1.5 million in low interest (1%) loans amortized over 20 years.

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/

Drinking Water Bureau (DWB)

DWB Attends Water Professional International Innovation in Certification Conference



Antonio Neves-Keynote Speaker

DWB Chief, Joe Martinez and Brian Bennon, Utility Operator Certification Program (UOCP) Group Manager, attended the annual Innovation in Certification conference hosted by Water Professionals International (WPI). WPI develops and maintains the nationally recognized “ABC” operator certification exams and standards that many states use to structure their operator testing, certification, and training programs. In practice, this organization helps set the direction for how operator certification is done across the country and is the model DWB continues working toward as we work to reenvision and strengthen New Mexico’s program.

The conference brought together regulators and certification program staff from other states and Canada who are dealing with the same challenges: operator shortages, training gaps, and keeping programs modern and defensible. Sessions focused on improving certification standards, strengthening training effectiveness, and making exams and program requirements more consistent and accessible.

Keynote speaker Antonio Neves spoke about accountability and sustainability in demanding public service roles. He introduced his “1-Day Method,” which centers on focusing on what can be improved today instead of trying to fix everything at once, and encouraged people to look at their “last 30 days” as an honest check on how they are really showing up for work and for their families.

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.



WPI Conference

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 the 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.

For more information: https://watershedgeo.com/products/closureturf/

Los Lunas Quarry – Future Landfill



Los Lunas Quarry site; 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.

Environmental Protection Division

Air Quality Bureau

AQB Posted Draft 2024 Regional SO2 Emissions and Milestone Report



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

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

AQB 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



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

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

Air Quality Bureau

NMED Submits Regional Haze Plan to EPA

The New Mexico Environment Department submitted New Mexico's Regional Haze State Implementation Plan (SIP) revision for the Second Implementation Period (2019–2028) to the U.S. Environmental Protection Agency on March 17, 2026.

This submittal follows the Environmental Improvement Board's adoption of the SIP revision and companion rule, 20.2.68 NMAC – Regional Haze Requirements, on December 8, 2025, and issuance of the Final Order on January 26, 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. EPA will now conduct its completeness review and formal evaluation of the submittal. If approved, the SIP and rule will become federally enforceable, and implementation requirements tied to EPA approval would take effect.

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

Constituent Voices



"Over the past year, our community has relied on the State's support, and the results speak for themselves. While we were optimistically awaiting FY26 Capital Outlay funding to replace the 12-inch sewer line crossing El Rito Creek, that line ruptured on December 21, 2024. After containing the break and completing an emergency repair, we began searching for funding. NMED urged us to consider the Rural Infrastructure Program (RIP). Working efficiently within the City and with NMED, we passed a Resolution and signed a RIP agreement within two weeks.

On January 16, 2025, as the El Rito Creek project neared completion, we experienced another major underground sewer line rupture along Route 66 Boulevard and once again, we turned to NMED. With their support, we amended our RIP agreement, approved additional funding, and re-deployed some of the same contractor resources. We have also used the program's Solid Waste component to replace dumpsters throughout the City, purchase a garbage truck, and will use remaining funds to upgrade equipment at our wastewater treatment plant. As a growing rural community, this support has strengthened essential infrastructure and improved conditions for our residents."

Steve Farmer
Community and Economic Development
City of Santa Rosa

"The Strategic Water Supply investments represent confidence in rural New Mexico and in 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."

Mayor Denny Herrera
Village of Cuba

In the FY2027 Executive Budget Recommendation the Governor's Office included a glowing review and recommendation of NMED's Rural Infrastructure Program (RIP) Funding.

The review outlined RIP funding available to the City of Santa Rosa for a series of emergent wastewater projects last year, as well as funding provided for solid waste infrastructure.

NMED Attends Earth Day at the Roundhouse



Earth Science Day at the Roundhouse during the 2026 Legislative Session on January 31, 2026. Sharing information about the mission and current projects with students, professionals and lawmakers. Staff had a lot of fun showing off the benthic macroinvertebrate collection (i.e., aquatic bug collection) and how E. coli bacteria samples are analyzed.



L-R Nate Reynolds, Emily Miller & Meredith Zeigler showing bacteria and bug samples to spectators.



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

Air Quality Bureau: Monitoring Section Computer Upgrade



New Monitoring Site Computers

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.



Air Dispersion Modeling Group

Air dispersion modelers from the AQB gave a second air dispersion modeling presentation to the bureau staff. The presentation was very well attended and appreciated by AQB staff. A special thank you to Sahil Kassanjee and Bryant Fong who felt that with so many new staff at the bureau there was a need to introduce people to the modeling analyses.

Climate Change Bureau: Innovation Fuel Technology



Climate Change Bureau Staff

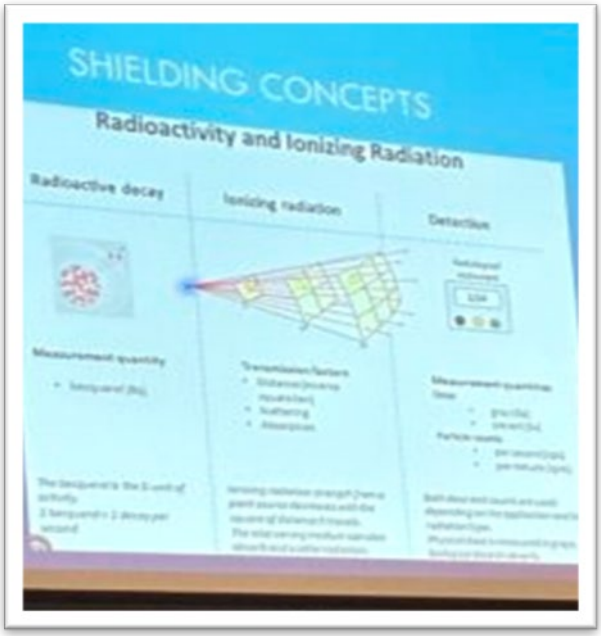
On February 9, 2026, staff the New Mexico Environment Department's Climate Change Bureau (NMED-CCB) met with Okie Hydrogen, a vehicle and fuel technology firm based in Duncan, Oklahoma. Okie Hydrogen has worked with local economic development authorities in Roswell, where they are looking

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.

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.

Radiation Control Bureau - Advancing Rulemaking and Regulatory Updates of Medical Imaging and Radiation Therapy



Shielding Presentation by retired RCB Scientist Jim Hesch

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 have 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



Deidra Kee, Jennifer Gilmore, Terri Shettle

Enforcement Watch

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 actives and resolved enforcement cases with online reporting tools. In the first quarter of FY26, NMED initiated 525 enforcement actions and resolved 260 violations.

FY26 Enforcement Watch Alerts:

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

	Enforcement Actions	
Month	**Initiated**	**Resolved**
July, 2025	137	59
August, 2025	223	56
September, 2025	165	145
October, 2025	175	45
November, 2025	257	132
December, 2025	123	133

January, 2026	235	41
February, 2026	226	38
March, 2026	153	69
FY26 Total	**1,694**	**718**

Key Enforcement Highlights

The Water Protection Compliance and Enforcement Bureau was established in July 2025 to strengthen NMED's ability to ensure compliance with state and federal drinking water, surface water, and groundwater regulations. Since its creation, the bureau has taken on several high-profile cases to protect New Mexico's precious water resources. For example, in February 2026, the WPCEB issued an Administrative Compliance Order to the U.S. Department of Energy related to the hexavalent chromium groundwater plume beneath Los Alamos National Laboratory.

The U.S. Department of Energy (DOE) is required to develop a corrective action plan for the mitigation and cleanup of the plume within 60 days and submit a revised groundwater discharge permit application to NMED. Additionally, a $9,784,503 civil penalty was assessed for exceedances of groundwater standards for chromium at Los Alamos National Laboratory. A copy of the enforcement action is available here.

"It is critical for the State of New Mexico to hold violators of the regulations and statutes protecting ground and surface water accountable," said WPCEB Bureau Chief Avery Young. "Through effective enforcement the Department is able to protect human health and water resources while working with violators to complete the required activities to return to compliance."

In addition to enforcement actions, WPCEB works with approximately 1,100 public water systems statewide to help ensure New Mexicans receive safe, reliable drinking water. Its staff also play a major role in developing and implementing new drinking water regulations, including rules related to lead and copper pipes and innovative PFAS protections.

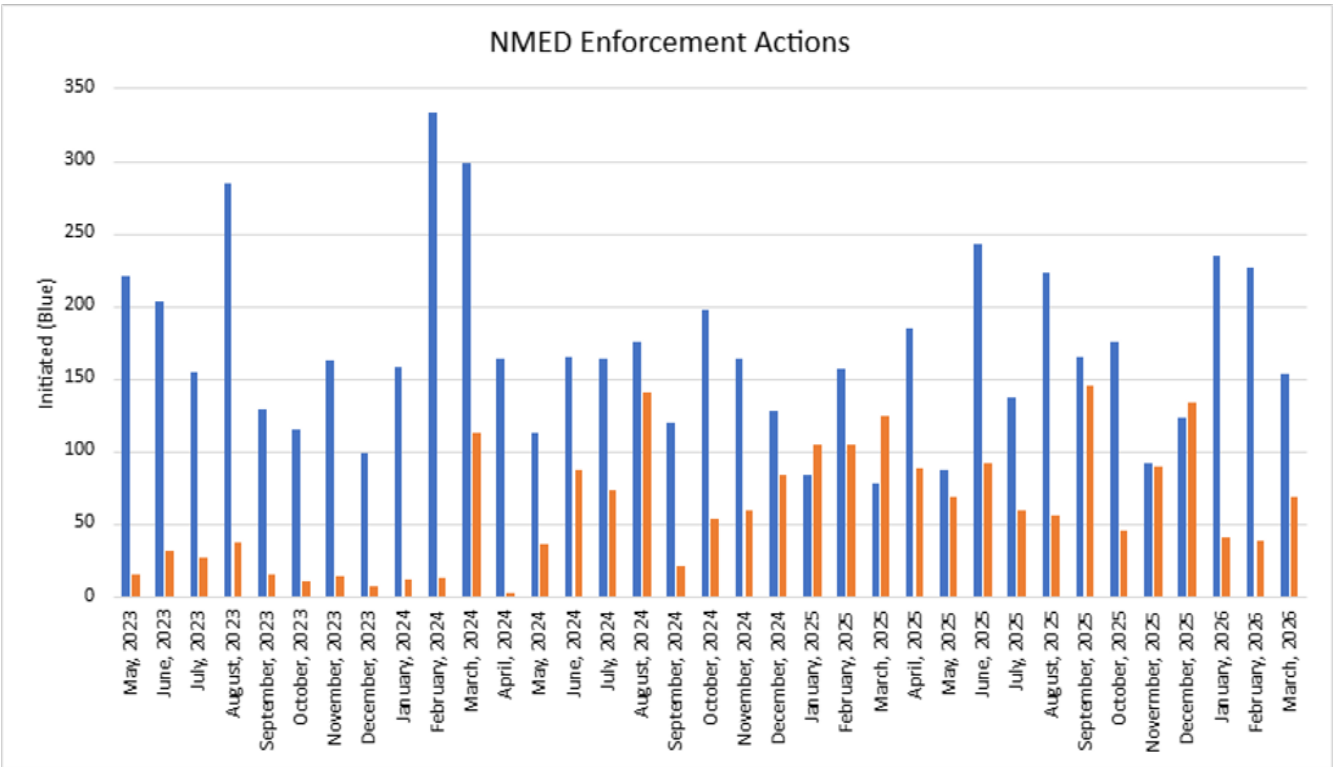
Additional highlights of alleged violations and resolved enforcement actions in March 2026 include:

- The Environmental Protection Compliance and Enforcement Bureau issued a Notice of Violation to Nutrien Ag Solution, of Loveland, Colorado regarding the Vado facility located near Vado, New Mexico. The notice cited the company's failure to pay New Source Review permit fees in 2025.

- The Water Protection Compliance & Enforcement Bureau issued a Notice of Violation to Sunlit Hills Water System of Santa Fe for exceeding the Nitrate maximum contaminate level at Well #7 during the 1st Quarter of 2026. Under New Mexico regulations, the park must notify its customers of the violation within 24 hours of learning of the violation and continue doing so every 3 months as long as the exceedance persists.

- The Resource Protection Compliance & Enforcement Bureau issued a Notice of Violation to the Timberon Water and Sanitation District of Timberon, New Mexico for operating an unregistered solid waste facility since 1996 — in violation of the New Mexico Solid Waste Rules.

- A Citation and Notification of Penalty was issued to Helmerich and Payne, Inc. following an OSHA investigation, which identified a serious safety violation totaling $16,554 in penalties. The violation stemmed from failing to ensure that employees were protected from struck-by falling object hazards related to installation of equipment which was new and unknown to employees.



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 FY26 targets.

	FY26 Target	Q1	Q2	Q3	Q4	FY26 Actual
Percent of the population (in NMED jurisdiction) breathing air meeting federal health standards.	95.0% or more	86.6%	100%	96%		86.6%
Percent of the population served safe and healthy drinking water.	95.0% or more	90.9%	57.8%	67.4%		90.9%
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%)	390/551 (70.8%)	97/553 (17.5%)	200/560 35.71%		390/551 (70.8%)
Number of community water system violations returned to compliance as a result of NMED assistance.	250	54	81	98		54
Number of superfund sites cleaned up as compared to the number of superfund sites remaining.	0/15					0/15
Number of employers that did not meet Occupational Safety and Health Administration (OSHA) requirements for at least one standard compared to the total number of employees. *	55.0%	0.1%	0.1%	41.3%		41.3%

Note: Grey boxes in tables represent fields with no data reported because the respective measures are 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.

*This data does not represent the percentage of all workplaces not complying with OSHA standards statewide because only a small percentage (approximately 0.6%) of workplaces are inspected each year. The measure conveys the effectiveness of targeting enforcement to establishments expected to have violations so that corrections can be made to protect workers. The program develops 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.

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 FY26 targets.

	FY26 Target	Q1	Q2	Q3	Q4	FY26 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.	1,275	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	.10%	0/936		01%)
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

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.

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 follow applicable laws, rules or permits. The table below provides an at-a-glance view of our progress toward our FY26 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.

	FY26 Target (%)	Q1 (%)	Q2 (%)	Q3 (%)	Q4 (%)	FY26 Actual (%)
Air						
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 and hemp permittees inspected	85.0	31.0	24.1	16.9		31.0
Percent of cannabis and hemp permittee inspections showing compliance	90.0	77.8	78.6	27.3		77.8
Percent of cannabis and hemp permittees with active or ongoing 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		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

	FY26 Target (%)	Q1 (%)	Q2 (%)	Q3 (%)	Q4 (%)	FY26 Actual (%)
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	.1	0.1		0.2
Percent of all employers inspected	0.5	0.1	.1			0.1
Petroleum Tank Storage						
Percent of petroleum storage tank permittees Inspected	50.0	29.0	29.0	74		29.0
Percent of petroleum storage tank permittee inspections showing compliance	80.0	69.0	6.2	11		69.0
Percent of petroleum storage tank permittees with active or 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
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/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

	FY26 Target (%)	Q1 (%)	Q2 (%)	Q3 (%)	Q4 (%)	FY26 Actual (%)
Percent of solid and infectious waste management facilities in violation.	5	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

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.

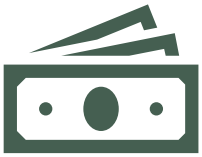
First Credits Issued for New Motor Vehicle Emission Standards-Voluntary Early Action Credits

Climate Change Bureau issued its first Voluntary Early Action Credits (EACs) to auto manufacturer for delivering Plug-in Hybrid Electric Vehicles (PHEVs) and Zero-Emission Vehicles (ZEVs) to New Mexico for sale. Auto manufacturers that provided PHEVs and ZEVs for sale in New Mexico can obtain EACs for vehicles delivered before the first compliance year to help them achieve the increasing percentages of ZEVs required for delivery in New Mexico under NMAC 20.2.91 (New Motor Vehicle Emission Standards) starting in the 2027 model year (calendar year 2026).

New Mexico currently has just over 20,000 Electric Vehicles (EVs) on the road, an increase of over 20% compared to this time last year. Auto manufacturers have prioritized delivering clean vehicles to New Mexico leading to cleaner air, improved public health, reduced consumer operating costs (as compared to conventional vehicles), and reduced climate pollution.

Even with the current regulatory uncertainty at the federal level, auto manufacturers are actively participating in this program and providing New Mexicans with alternative choices to traditional gas-powered vehicles to help reduce emissions.

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 FY26 targets.

	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					
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 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 FY26 targets.

	FY26 Target	FY26 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	

In FY25, NMED collected and deposited in the State's General Fund nearly $1.9 million in penalties assessed against municipalities, corporations and federal entities. Assessments were performed by the Air Quality Bureau, Hazardous Waste Bureau, Drinking Water Bureau and Occupational Health and Safety Bureau. In FY25, the Office of General Counsel (OGC) hired five new attorneys to alleviate the workload of over 500 matters, of which 243 are enforcement. In FY26, OGC expects to fill four more attorney positions, two in Air Quality, to assist NMED and the various bureaus in rulemakings and compliance and enforcement.

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

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.

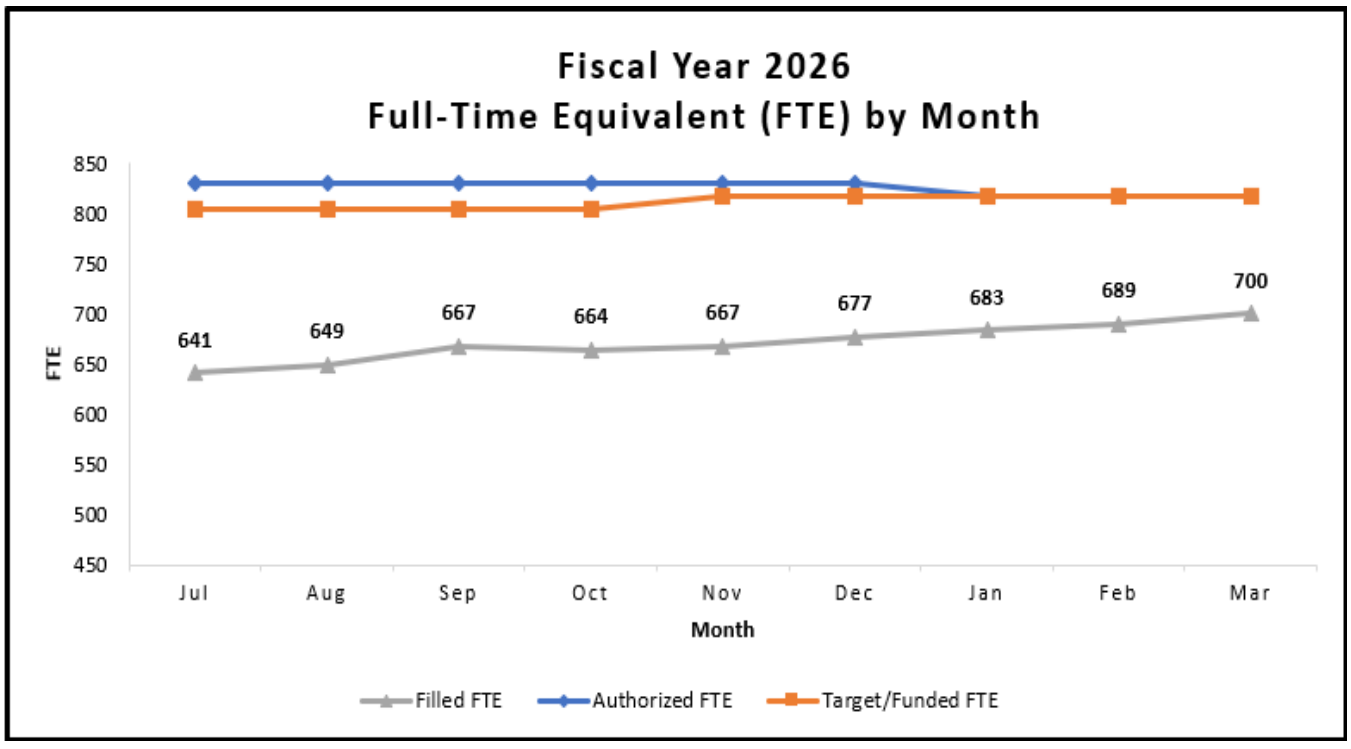
NMED reduced its vacancy rate by 106% over the course of FY25, and over the first three quarters of FY26, NMED saw a net gain of 59 filled positions. This represents a 9.2% increase in the number of

positions filled over the three quarters, from 641 to 700. Hiring to fill vacancies across the agency was supported by increased recruitment efforts by the Human Resources Division and an increased number of applicants from Federal entities, pursuing opportunities to apply their government experience and skills at NMED.

With the budget passed during the 2024 legislative session, the Department's FY25 budget included funding to increase salaries to appropriately compensate employees based on their education and experience in accordance with state regulations. NMED expects this will support the agency's efforts to fill positions, realign workloads to support employees and maintain a low 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 ensure 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.



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	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		Permitting 34/	Permitting 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 Program	2,557	10.0	9.0	0%	100%	284.11	4/21/2026
RPD	HWB	Permitting Program	19	32.0	28.0	100%	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	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 Section	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	Known Universe Category	Authorized FTE	Filled FTE	Workload per filled FTE	Descriptor	As of Date
EHD	OHSB	Consultation Program		Employers				Employers per Consultation Program FTE	10/23/2025
RPD	HWB	Incident Coordination		Emergency calls				Emergency calls per Incident Coordination FTE	10/23/2025
RPD	SWB	Recycling and Illegal Dumping Grants	21	FY26 grants	2.0	2.0	0.5	FY26 grants per Recycling and Illegal Dumping Grants FTE	10/1/2025
WPD	CPB	Technical Section		Infrastructure Projects	7.0	7.0		Infrastructure Projects per Technical Section FTE	4/30/2026
WPD	DWB	Engineering	1,050	Public Water Systems	3.0	3.0		Public Water Systems per Engineering FTE	5/5/2026
WPD	DWB	Infrastructure Funding Support	1,054	Infrastructure Funding Support	2.0	1.0	1,054	Infrastructure Funding Support per Infrastructure Funding Support FTE	5/5/2026
WPD	DWB	Sustainable Water Infrastructure	1,050	Public Water Systems	20.0	17.0		Public Water Systems per Sustainable Water Infrastructure FTE	5/5/2026
WPD	DWB	Utility Operator Certification	3,414	Utility operators	5.0	3.0		Utility operators per Utility Operator Certification FTE	5/5/2026
WPD	GWQB	Remediation Oversight Section	146	Sites	10.0	7.0	20.9	Sites per Remediation Oversight Section FTE	10/1/2025
WPD	GWQB	Superfund Oversight Section	29	Sites	11.0	9.0	3.2	Sites per Superfund Oversight Section FTE	10/1/2025
WPD	SWQB	Water Quality Standards	6,592/193,191	Perennial stream miles in NM	4.0	4.0	1,676/48,000	Perennial stream miles in NM per Water Quality Standards FTE	4/27/2026

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	193,191	Non-perennial stream miles in NM	4.0	4.0	48,000	Non-perennial stream miles in NM per Water Quality Standards Program FTE	4/27/2026
WPD	SWQB	Monitoring Program	6,592	Perennial stream miles in NM	4.0	4.0	1,341	Perennial stream miles in NM per Monitoring Program FTE	4/27/2026
			193,191	Non-perennial stream miles in NM			38,400	Non-perennial stream miles in NM per Monitoring Program FTE	4/27/2026
			173	Number of Significant Lakes and Reservoirs			35	Number of Significant Lakes and Reservoirs per Monitoring Program FTE	4/27/2026
WPD	SWQB	TMDL & Assessment	528	Number of assessed river/stream reaches	3.0	3.0	176	Number of assessed river/stream reaches per TMDL & Assessment FTE	4/27/2026
WPD	SWQB	Wetlands Protection	519,781	Acres of freshwater wetlands in NM	3.0	3.0	173,260	Acres of freshwater wetlands in NM per Wetlands Protection FTE	4/27/2026
WPD	SWQB	Nonpoint Source Pollution - Planning & Restoration	3,223	Number of sub-watersheds	10.0	10.0	322	Number of sub-watersheds per Nonpoint Source Pollution - Planning & Restoration FTE	4/27/2026
WPD	SWQB	Effectiveness Monitoring	287	Number of impaired river/stream reaches	1.0	1.0	287	Number of impaired river/stream reaches per Effectiveness Monitoring FTE	4/27/2026

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	“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

watershed restoration and on-the-ground improvement projects.	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.
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/evaluatenm/).
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
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.
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 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.
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 1st quarter, that facility may not be in the numerator for percent in violation for the 1st 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.
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.