



Notification provided via E-mail

February 21, 2024

Bobby A. Little Bear, potcoservices@gmail.com
Potco Water System, NM3500333
P.O. Box 3328
Milan, NM 87021

RE: Notice of Violation – Failure to provide Public Notice

Dear Bobby A. Little Bear:

Our records indicate that the Potco Water System did not provide public notice to your customers and did not return the public notice certification form to New Mexico Environment Department-Drinking Water Bureau (NMED-DWB) for April, May, June, July, August, September, October, November, and December 2022 RTRC Monitor & Reporting Notices of Violation (NOV) issued on May 20, June 22, July 29, August 26, November 4, November 4, December 30, and December 30, 2022 and January 20, 2023.

Pursuant to Section 20.7.10.100 NMAC [incorporating 40 CFR Section 141.204], you were required to notify your customers of the violation by **mail or other direct delivery to each customer** and any other methods as necessary to inform the public, within a year from the date on the original NOV.

Pursuant to 20.7.10.100 NMAC [incorporating 40 CFR Section 141.31(d)] the Potco Water System was required to certify, within 10 days of completing the public notice, that the public notice was published and the method of publication, by submitting a completed copy of the Public Notification Certification Form.

Because the public notice and public notice certification form was not provided to NMED-DWB, the Potco Water System is in violation.

The Potco Water System is still required to provide public notice and return the Public Notice Certification Form to NMED-DWB for the NOVs issued on May 20, June 22, July 29, August 26, November 4, November 4, December 30, and December 30, 2022, and January 20, 2023. Please complete the public notice requirements and return the public Notice and Public Notice Certification Form to Gordon Miller by email at gordon.miller@env.nm.gov.

NMED-DWB reserves the right to take additional enforcement action regarding the violations identified in this NOV, to include the issuance of an Administrative Compliance Order compelling compliance and issuing civil penalties.

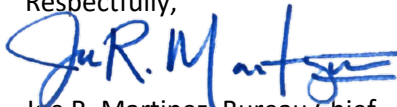
Pursuant to the NMED Delegation Order dated March 24, 2023, the Cabinet Secretary has delegated the authority to issue Notice of Violations to DWB Bureau Chief Joe R. Martinez.

Please note that your facility will appear on the Department's Enforcement Watch as a result of this NOV (see: <https://www.env.nm.gov/enforcement-watch/>). Further, the Department will issue a press release

to local media highlighting your public water system as appearing on this webpage. Your public water system will remain on the Enforcement Watch website as an active matter until this matter is fully resolved.

If you or members of your staff have questions, please contact Gordon Miller at 505-258-3203 or by e-mail at gordon.miller@env.nm.gov.

Respectfully,

A handwritten signature in blue ink that reads "Joe R. Martinez". The signature is stylized with a large initial "J" and a long horizontal stroke at the end.

Joe R. Martinez, Bureau Chief
Drinking Water Bureau
Water Protection Division

cc: Wayne Jeffs, Northern Compliance Supervisor (electronic)
Gordon Miller, Compliance Officer (electronic)
Electronic Central File