



MICHELLE LUJAN GRISHAM
GOVERNOR

JAMES C. KENNEY
CABINET SECRETARY

Notification provided via E-mail

March 18, 2024

Michael Rife: rutheronwater@gmail.com
Rutheron Mutual Water Association, NM3502221
PO Box 204
Los Ojos, NM 87551

RE: Notice of Violation – Failure to provide Public Notice

Dear Michael Rife:

Our records indicate that the Rutheron Mutual Water Association water system did not provide public notice to customers and did not return the public notice certification form to New Mexico Environment Department-Drinking Water Bureau (NMED-DWB) for the following NOVs:

June 23, 2023-Failure to maintain turbidity level of 0.3 NTU in May 2023
January 24, 2024-Failure to submit MORs in December 2023

Pursuant to Section 20.7.10.100 NMAC [incorporating 40 CFR Section §141.203], 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 30 days from the date on the original NOV.

Pursuant to 20.7.10.100 NMAC [incorporating 40 CFR Section 141.31(d)] the Rutheron Mutual Water Association 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 Rutheron Mutual Water Association water system is in violation.

The Rutheron Mutual Water Association water system is still required to provide public notice and return the Public Notice Certification Form to NMED-DWB for the NOVs noted above. Please complete the public notice requirements and return the Public Notice and Public Notice Certification Form to Joe Savage, Surface Water Rule Administrator by email: joe.savage@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.

SCIENCE | INNOVATION | COLLABORATION | COMPLIANCE

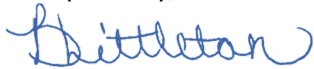
Po Box 5469, Santa Fe, NM 87502 | 505-476-3730 | www.env.nm.gov

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 Compliance Supervisor Brandi Littleton.

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 feel free to contact please contact Joe Savage at 575-973-0009 or by e-mail to joe.savage@env.nm.gov

Respectfully,

A handwritten signature in blue ink that reads "Littleton".

Brandi Littleton, Compliance Supervisor
Drinking Water Bureau
Water Protection Division

Electronic cc: Martin Torrez, PWSS Manager
Joe Savage, Surface Water Rule Administrator
Electronic Central File