



Notification provided via E-mail

September 6, 2023

Mayor Ernest Vigil, ernestv@villageofchama.org
Chama Water System, NM3501021
PO Box 794
Chama, NM 87520

RE: Notice of Violation – Failure to provide Public Notice

Dear Mayor Vigil:

Our records indicate that the Chama 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 the following Notices of Violation (NOVs):

Turbidity Treatment Technique: exceedance of maximum allowable turbidity in June 2023
Turbidity Treatment Technique: exceeding 0.3 NTU in more than 5% of the recordings in June 2023
Monitoring & Reporting: failure to submit complete monthly operating report for June 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 Chama 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 were not provided to NMED-DWB, the Chama Water System is in violation.

The Chama Water System is still required to provide public notice and return the Public Notice Certification Form to NMED-DWB for the NOVs listed 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 at 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.

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

Respectfully,

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

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

Electronic cc: Wayne Jeffs, Compliance Supervisor
Joe Savage, Surface Water Rule Administrator
Electronic Central File