



23 June 2023

Grand Cloudcroft Hotel
CO: Dan Hughes
PO Box 653
Cloudcroft, NM 88317

NOTICE OF VIOLATION

Dear Dan Hughes:

This letter is to inform you that you are in violation of the New Mexico Public Aquatic Venues Regulations 7.18.1 NMAC.

Information received by the Department indicates that a swimming pool and spa were built at the Grand Cloudcroft Hotel, 1207 James Canyon Hwy, Cloudcroft, NM 88317.

Violation

7.18.1.12 CONSTRUCTION PERMITS:

- A. No person shall construct or substantially alter a public aquatic venue or part thereof, or convert a private aquatic venue without first:
- (1) submitting a construction permit application that shall include plans, specifications, supporting material, and other information required by the department;
 - (2) receiving a construction permit: and
 - (3) paying all applicable fees.

Compliance

- 1) Cease construction of pool and spa at 1207 James Canyon Hwy, Cloudcroft, NM 88317.
- 2) Submit plans and specifications to the Department per the Public Aquatics Venue Regulations 7.18.1 NMAC. The regulations may be obtained from the New Mexico Environment Departments website under Public Pool and Spa Safety Program.
<https://www.env.nm.gov/pools/>
- 3) Submit to the Department your intentions on how you are going to correct this violation.
- 4) Do not allow any use of the pool or spa until approval is given by the Department.

Penalty

7.18.2.56 PENALTY: Any person who violates any provision of this rule shall be subject to the penalty provisions in NMSA 1978, Section 74-1-10 of the Environmental Improvement Act, in addition to any other penalties provided for in the public swimming pool rules.[7.18.2.56 NMAC- Rp, 7.18.2.56 NMAC, 07/30/08]

Please submit required information to as soon as possible.

Pursuant to the NMED Delegation Order dated March 24, 2023, the Cabinet Secretary has delegated the authority to issue a Notice of Violation to the Bureau Chief of the Environmental Health Bureau.

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 facility as appearing on this webpage. Your facility will remain on the Enforcement Watch website as an active matter until this matter is fully resolved, including the payment of the assessed civil penalty.

If you have any questions, please contact Levi Cole at (575) 562-9149 or levi.cole@env.nm.gov or submit an email to aquatics.program@env.nm.gov

Sincerely,

William Chavez
Bureau Chief,
Environmental Health Bureau
New Mexico Environment Department

cc: Levi Cole, Pool Program Manager
Michael Kesler, District Manger
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