



MICHELLE LUJAN GRISHAM
GOVERNOR

JAMES C. KENNEY
CABINET SECRETARY

Notification provided via E-mail

March 18, 2024

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) within the required timeframes for the following Notice of Violations (NOV).

April 2023 Failure to Maintain Turbidity-Issued on 5/16/2023 (Public Notice Certification was late)
May 2023 Turbidity Exceedance Issued on 6/12/2023
May 2023 Failure to Maintain Turbidity Issued on 6/12/2023

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 was not provided to NMED-DWB by the due date, the Chama Water System is in violation.

Chama Water System is still required to provide public notice and return the Public Notice Certification Form to NMED-DWB for the NOV dated 6/12/2023. Please complete the public notice requirements and return the public Notice and Public Notice Certification Form to Joe Savage 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.

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.

Pursuant to the NMED Delegation Order dated February 19, 2024, the Cabinet Secretary has delegated the authority to issue Notice of Violations to DWB Supervisor Brandi Littleton.

If you have any questions or need assistance, please contact Joseph C. Savage, Surface Water Rule Administrator at 575-973-0009 or: joe.savage@env.nm.gov

Respectfully,

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

Brandi Littleton, Southern Region Compliance Supervisor
Drinking Water Bureau
Water Protection Division

Electronic cc: Martin Torrez, PWSS Manager (electronic)
Joseph C. Savage, Surface Water Rule Administrator (electronic)
Electronic Central File