



Notification provided via E-mail

March 25, 2024

Mark Harding, gm@timberonwater.com
Timberon W and SD, NM3546419
PO Box 40
Timberon, NM 88350

RE: Notice of Violation – Failure to provide Public Notice

Dear Mark Harding:

Our records indicate that the Timberon W and SD water system provided public notice to your customers and returned the public notice certification form to New Mexico Environment Department-Drinking Water Bureau (NMED-DWB) for the 45 SWR Notice of Violation (NOV) issued on January 24, 2024. However, the public notice was issued late after the 30 day deadline.

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.

Because the public notice was not provided within the 30-day deadline, the Timberon W and SD water system is in violation.

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 February 19, 2024, the Cabinet Secretary has delegated the authority to issue Notice of Violations to DWB 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 have any questions or need assistance, please contact Tim Willy at 505-690-6657 or by e-mail at tim.willy@env.nm.gov.

Respectfully,

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

Brandi Littleton, Compliance Supervisor
Drinking Water Bureau
Water Protection Division

Enclosures: Public Notice Template
 Public Notice Certification Form

xc: Martin Torrez, PWSS Manager (Electronic)
 Tim Willy, Compliance Officer (Electronic)
 Electronic Central File