



## Notification provided via E-mail

August 23, 2023

Marty Molina, [seboyetapresident@gmail.com](mailto:seboyetapresident@gmail.com)  
Seboyeta Water System, NM3525933  
HC 77, Box 6  
Seboyeta, NM 87014

### **RE: Notice of Violation – Failure to provide Public Notice**

Dear Marty Molina:

Our records indicate that the Seboyeta 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 Failure to Address Deficiency Notice of Violation (NOV) issued on April 26, 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 Seboyeta 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 Seboyeta Water System is in violation.

The Seboyeta Water System is still required to provide public notice and return the Public Notice Certification Form to NMED-DWB for the NOV issued on April 26, 2023. Please complete the public notice requirements and return the Public Notice and Public Notice Certification Form to Gordon Miller by email at [gordon.miller@env.nm.gov](mailto:gordon.miller@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 Gordon Miller at 505-258-3203 or by e-mail at [gordon.miller@env.nm.gov](mailto:gordon.miller@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, Bureau Chief  
Drinking Water Bureau  
Water Protection Division

cc: Brandi Littleton, Southern Compliance Supervisor (electronic)  
Gordon Miller, Compliance Officer (electronic)  
Electronic Central File



## New Mexico Environment Department - Drinking Water Bureau Violation Inventory Action Form

|  |                      |
|--|----------------------|
| General Information  | Tier 2-Public Notice |
| System Name: <b>Seboyeta Water System</b> Staff: <b>Gordon Miller</b> Manager: <b>Brandi Littleton</b><br>WSS#: <b>NM3525933</b> Data Steward: <b>Daniel Ramirez</b> Date: <b>8/23/2023</b><br>Violation Type: <b>75</b> Enforcement Type: <b>SIA SIE</b> Determination Date: <b>8/23/2023</b><br>Water System Facility #: <b>000</b> Violation Period(s): |                      |

|           |  |
|-----------|--|
| Comments: | Issue 75 for violation number: 2023-83661 and 2023-83662 |
|-----------|--|

|                  |   |
|------------------|---|
| Violation Action | <input checked="" type="checkbox"/> Validate<br><input type="checkbox"/> Reject (Needs Area Supervisor Approval Below)<br><input type="checkbox"/> Delete (Needs Area Supervisor and PWSS Manager Approval Below) |
|------------------|---|

|   |                                 |
|---|---------------------------------|
| Approval Required for Deleted or Rejected Violations                              |                                 |
| <b>AREA SUPERVISOR</b>  |                                 |
| <input type="checkbox"/> Approved   | <input type="checkbox"/> Denied |
| Area Supervisor Comments:   |                                 |
| Area Supervisor Name: _____ Date: _____<br>Area Supervisor Signature: _____       |                                 |
| <b>PWSS GROUP MANAGER</b>   |                                 |
| <input type="checkbox"/> Approved   | <input type="checkbox"/> Denied |
| PWSS Group Manager Comments:  |                                 |
| PWSS Group Manager Name: _____ Date: _____<br>PWSS Group Manager Signature: _____ |                                 |