



## Notification provided via E-mail

March 18, 2024

Robert Ardovino, [rardovino@elp.rr.com](mailto:rardovino@elp.rr.com)  
Ardovinos Desert Crossing, NM3500907  
1 Ardovino Drive  
Sunland Park, NM 88063

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

Dear Robert Ardovino:

Our records indicate that the Ardovinos Desert Crossing 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 October and November 2022 RTCR Monitor & Reporting Notice of Violations (NOVs) issued on December 30, 2022.

Pursuant to Section 20.7.10.100 NMAC [incorporating 40 CFR Section 141.204], 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 a year from the date on the original NOV.

Pursuant to 20.7.10.100 NMAC [incorporating 40 CFR Section 141.31(d)] the Ardovinos Desert Crossing 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, the Ardovinos Desert Crossing water system is in violation.

Ardovinos Desert Crossing water system is still required to provide public notice and return the Public Notice Certification Form to NMED-DWB for the NOVs issued on December 30, 2022. Please complete the public notice requirements and return the public Notice and Public Notice Certification Form to Chet Markham at [chet.markham2@env.nm.gov](mailto:chet.markham2@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 February 19, 2024, the Cabinet Secretary has delegated the authority to issue Notice of Violations to DWB Area 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 or members of your staff have questions, please feel free to contact please contact Chet Markham at 505-629-3085 or [chet.markham2@env.nm.gov](mailto:chet.markham2@env.nm.gov).

Respectfully,

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

Brandi Littleton, Compliance Supervisor  
Drinking Water Bureau  
Water Protection Division

cc: Martin, Torrez, PWSS Manager (electronic)  
Chet Markham, RTCR Rule Administrator (electronic)  
Electronic Central File