



## Notification provided via E-mail

December 6, 2023

Brent Westmoreland; [brentw@donaanacounty.org](mailto:brentw@donaanacounty.org)  
Camino Real Regional Utility Authority, NM3502507  
PO Box 429  
Sunland Park, NM 88063

### RE: Notice of Violation – Arsenic Maximum Contaminant Level

Attention Brent Westmoreland:

This letter serves as Notice of Violation that the Camino Real Regional Utility Authority failed to notify New Mexico Environment Department Drinking Water Bureau (DWB) that the Industrial Park Arsenic Treatment Plant, Sunland Park Arsenic Treatment Plant, Santa Teresa Community Arsenic Treatment Plant have been offline and bypassed for over a year and that you were providing drinking water to your customers with high levels of arsenic.

20.7.10.400 E. states that *"Public water systems are required to notify NMED-DWB if the safety precautions or preventive measures required to be employed under this section fail to protect the public water system from unauthorized entry or contamination, or if the water supply is endangered for any reason, the supplier of water shall immediately notify the department and take appropriate action to protect the supply."*

Based on your failure to notify NMED that the arsenic treatment plants were bypassed and that you were providing drinking water to your customers that is high in arsenic, the New Mexico Environment Department Drinking Water Bureau (DWB) requires the Camino Real Regional Utility Authority to notify customers as required in 20.7.10.100 NMAC [incorporating 40 CFR Section 141.202(a)(9)]. Notice must be provided to all customers and others who drink the water within twenty-four (24) hours after the system learns of the violation and must be issued every three (3) months as long as the exceedance persists. In order to reach all people served, water systems are to use, at a minimum, one or more of the following forms of delivery: appropriate broadcast media (such as radio and television), hand or direct delivery and posting in conspicuous locations. This notice must remain posted as long as the violation persists.

Pursuant to 20.7.10.100 NMAC [incorporating 40 CFR Section 141.31(d)] the Camino Real Regional Utility Authority must certify that the notice was published and the method of publication, by submitting a completed copy of the enclosed Public Notification Certification Form to the DWB within 10 days of completing the public notification requirements. A representative copy of each type of notice distributed, published, posted or made available to the people served by the system must be included with the certification form.

Please fill out and return the enclosed Public Notice Certification Form to:

Tim Willy by email at [tim.willy@env.nm.gov](mailto:tim.willy@env.nm.gov)

Failure to comply with the public notice requirements will result in an additional violation(s) (failure to notify the public and the state) being issued without notice to the Camino Real Regional Utility Authority. Continued failure to comply with Public Notification Requirements, as defined in 20.7.10.100 NMAC [incorporating 40 CFR Sections 141.203 and 141.31(d)] will result in escalated enforcement actions including issuance of Administrative Orders with possible penalties assessed against the Camino Real Regional Utility Authority.

Please fill out and return the public notice, public notice certification Form and Level 2 Assessment Checklist to: Tim Willy by email to [tim.willy@env.nm.gov](mailto:tim.willy@env.nm.gov)

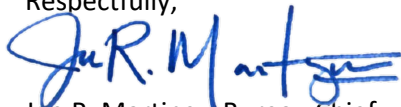
NMED-DWB reserves the right to take additional enforcement action regarding the violations identified in this NOV, to include the issuance of an Administrative Compliance Order compelling compliance and issuing civil penalties.

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 have any questions or need assistance, please contact Tim Willy at 505-690-6657 or by e-mail at [tim.willy@env.nm.gov](mailto:tim.willy@env.nm.gov).

Respectfully,

A handwritten signature in blue ink, appearing to read "Joe R. Martinez", with a stylized flourish at the end.

Joe R. Martinez, Bureau Chief  
Drinking Water Bureau  
Water Protection Division

Enclosures:     Public Notice Template  
                     Public Notice Certification Form

xc: Brandi Littleton, Southern Area Compliance Supervisor (electronic)  
     Tim Willy, Compliance Officer (electronic)  
     Electronic Central File

# PUBLIC NOTICE

## IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER Camino Real Regional Utility Authority Has Levels of Arsenic Above Drinking Water Standards

*Este informe contiene información importante acerca de su agua potable. Haga que alguien lo traduzca para usted, o hable con alguien que lo entienda.*

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we are doing to correct this situation.

Camino Real Regional Utility Authority failed to notify NMED that the arsenic treatment plants were bypassed and that we were providing drinking water to your customers with high levels of arsenic.

### What should I do?

- There is nothing you need to do. **You do not need to boil your water** or take corrective actions. However, if you have specific health concerns, consult your doctor.
- If you have a severely compromised immune system, have an infant, are pregnant, or are elderly, you may be at increased risk and should seek advice from your health care providers about drinking this water.

### What does this mean?

This is not an emergency. If it had been, you would have been notified within 24 hours. However, some people who drink water containing arsenic in excess of the MCL over many years could experience skin damage or problems with their circulatory system and may have an increased risk of getting cancer.

### What is being done?

[Describe corrective action.] We anticipate resolving the problem within [estimated time frame].

### For more information, please contact:

Brent Westmoreland, 575-649-9349  
Camino Real Regional Utility Authority, NM3502507  
PO Box 429  
Sunland Park, NM 88063

*\*Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail\**



**New Mexico Environment Department - Drinking Water Bureau**

**Public Notification Certification Form – All Tiers**

Requirements Pursuant to 40 CFR 141 (Subpart Q)

**\*\*This form and a copy of your Notice to the Public must be submitted to the State within 10 days of notifying your customers. \*\***

**PWSID#:** NM3502507    **Water System Name:** Camino Real Regional Utility Authority

**Violation or Situation Date:** 12/6/2023

**Individual Contaminant or Contaminant Group:**

**Violation or Situation Type:** 97- Failure to report as required in 20.7.10

**Violation or Situation Public Notification Tier:** Tier 1

Distributed the notice by the following method(s), and on the following date(s) in accordance with 40 CFR 141.201:

- |   |             |
|---|-------------|
| <input type="checkbox"/> Continuously Post                                  | Date: _____ |
| <input type="checkbox"/> Separate Mailing to Customers                      | Date: _____ |
| <input type="checkbox"/> Hand Deliver Notice to Customers                   | Date: _____ |
| <input type="checkbox"/> Publish Notice in Newspaper                        | Date: _____ |
| <input type="checkbox"/> Release Notice to and Announced by Broadcast Media | Date: _____ |
| <input type="checkbox"/> Post Notice on System Website                      | Date: _____ |
| <input type="checkbox"/> Billing  | Date: _____ |
| <input type="checkbox"/> Annual Report (Consumer Confidence Report)         | Date: _____ |
| <input type="checkbox"/> Other: _____                                       | Date: _____ |

**Attach a copy of the posted Public Notice(s) to this certification form.**

The public water system named above hereby certifies that public notification has been provided to its consumers in accordance with all delivery, content, and format requirements specified in 40 CFR Part 141:

**Water System Representative:** \_\_\_\_\_  
(Signature)                      (Print Name)                      (Phone Number)

Date of Certification: \_\_\_\_\_