



January 11, 2024

**Notice of Violation – Non-Imminent Hazard to Public Health
Liquid Waste Disposal & Treatment Regulations**

Steve Aguilar
PO Box 1314
Socorro, NM 87801

Dear Mr. Aguilar:

We are writing this notice to inform you that the New Mexico Environment Department (NMED) has become aware of the following facts and we have determined that you are in violation of the Liquid Waste Disposal and Treatment Regulations (LWDTR), 20.7.3 NMAC. We are requesting that you immediately bring your liquid waste system into compliance in accordance with the requirements as stated below.

Facts Constituting Non-Imminent Hazard:

Responsible Party: Steve Aguilar
Location of Violation: 15 B Windy's Farm RD, San Antonio, NM 87832
Date of Violation: January 10, 2024

On January 10, 2024, a site visit was conducted and the following observations were made:

Upon visiting the site to verify depth to groundwater and soil type prior to issuing a permit to construct it was discovered that a partial disposal field had been installed at the property.

LW Regulations which are in Violation: You are hereby notified that you are in violation of the following sections of the New Mexico Liquid Waste Disposal Regulations 20.7.3 NMAC Section(s):

NMAC 20.7.3.401 A - No person shall install or have installed a new on-site liquid waste system or modify or have modified an existing on-site liquid waste system, unless that person obtains a permit issued by the department, including payment of the permit fee, prior to construction of such installation or modification. Failure to obtain the required permit may result in the initiation of enforcement actions by the department.

NMAC 20.7.3.401 B- No person shall construct or modify a residential or commercial unit on, or transport a residential or commercial unit onto, a lot for which an on-site liquid waste system is required unless the department has issued an on-site liquid waste system permit prior to such construction, modification, or transportation

NMAC 20.7.3.401 F- The department shall require complete and accurate information before a permit is issued for an on-site liquid waste system

Requirements to bring the liquid waste system into Compliance:

You must do the following:

Submit updated application form with corrections and pay permit fee.

Please do not ignore this notice! If you cannot meet these requirements, please contact your environmental health inspector immediately via email or phone as listed below. We are here to assist you and we seek your voluntary compliance. **If you do not respond to this notice by Thursday, January 18 2024**, it will be necessary for us to elevate this matter to a more formal enforcement procedure, which could include the initiation of a criminal complaint in magistrate or district court or the issuance of an Administrative Compliance Order with penalties.

Please contact Chris Blaine, Environmental Health Inspector, (cell) 505-372-8226 chris.blaine@env.nm.gov

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 facility as appearing on this webpage. Your facility will remain on the Enforcement Watch website as an active matter until this matter is fully resolved, including the payment of the assessed civil penalty.

Pursuant to the NMED Delegation Order dated March 24, 2023, the Cabinet Secretary has delegated the authority to issue Notices of Violation to the Bureau Chief of the Environmental Health Bureau.

Respectfully,

William Chavez
Bureau Chief Environmental Health Bureau
New Mexico Environment Department

CC: District 1 Manager, Levi Cole