



Notification provided via E-mail

January 10, 2024

Christopher Smith, ChristopherC.Smith@state.nm.us
Navajo Lake State Park - Sims Mesa, NM3593821
1002 Rio Brazos
Aztec, NM 87410

RE: Notice of Violation – Failure to provide Public Notice

Dear Christopher Smith:

Our records indicate that the Navajo Lake State Park - Sims Mesa water system did not provide public notice to your customers and/or did not return the public notice certification form to New Mexico Environment Department-Drinking Water Bureau (NMED-DWB) for the Failure to Provide Corrective Action Plan and/or Correct Significant Deficiency Notice of Violation (NOV) issued on August 16, 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 Navajo Lake State Park - Sims Mesa 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 Navajo Lake State Park - Sims Mesa water system is in violation.

The Navajo Lake State Park - Sims Mesa water system is still required to provide public notice and return the Public Notice Certification Form to NMED-DWB for the NOV issued on August 16, 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.

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 contact Gordon Miller at 505-258-3203 or by e-mail at 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: Wayne Jeffs, Northern 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: Navajo Lake State Park - Sims Mesa		Staff: Gordon Miller	Manager: Wayne Jeffs		
WSS# NM3593821	Data Steward: Daniel Ramirez	Date: 1/10/2024			
Violation Type: 75	Enforcement Type: SIA SIE	Determination Date: 12/20/2023			
Water System Facility #:	Violation Period(s):				

Comments:
Please issue 75 for violation number: 2023-37118.

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

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