



Notification provided via E-mail

March 4, 2024

John Baldwin, jboydbaldwin@gmail.com
Tyrone MDWCA, NM3538309
PO Box 1879
Silver City, NM 88062

RE: Notice of Violation – Failure to provide Public Notice

Dear John Baldwin,

Our records indicate that the Tyrone MDWCA did not provide public notice to customers and did not return a Public Notice Certification Form to the New Mexico Environment Department-Drinking Water Bureau (NMED-DWB) for the Fluoride Secondary Maximum Contaminant Level (SMCL) Notice issued on December 15, 2022.

Pursuant to Section 20.7.10.100 NMAC [incorporating 40 CFR Section 141.204], the Tyrone MDWCA was required to notify customers of the secondary exceedance by **mail or other direct delivery to each customer** and any other methods as necessary to inform the public, within one year from the date on the original NOV.

Pursuant to 20.7.10.100 NMAC [incorporating 40 CFR Section 141.31(d)], the Tyrone MDWCA was required to certify, within 10 days, that the public notice was published and specify the method of publication by submitting a completed copy of the Public Notification Certification Form.

The Tyrone MDWCA is still required to provide public notice for the Exceedance Notice issued on December 15, 2022. Please complete the public notice requirements and return the Public Notice Certification Form to Aaron Beckworth by email at: aaron.beckworth@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 Compliance Supervisor Brandi Littleton.

Please note that your public water system 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 until this matter is fully resolved.

If you have any questions or need clarification, please contact DWB Compliance Officer Aaron Beckworth at 505-372-8174 or by e-mail to: aaron.beckworth@env.nm.gov

Respectfully,

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

Brandi Littleton, Compliance Supervisor
Drinking Water Bureau
Water Protection Division

Enclosures: Public Notice Template
 Public Notice Certification Form

xc: Martin, Torrez, PWSS Manager (electronic)
 Aaron Beckworth, Compliance Officer (electronic)
 Electronic Central File