



Certified Mail – Return Receipt Requested No. 7020 3160 0000 0515 4710

January 11, 2024

Fabien Gomez
Manager, Sandpoint Landfill
410 East Derrick Road
Carlsbad, New Mexico 88220

Re: Notice of Violation – Sandpoint Landfill

Dear Fabien Gomez,

On November 29, 2023, Aaron Blount, Enforcement Officer, Solid Waste Bureau (“SWB”), New Mexico Environment Department (“NMED”), inspected the Sandpoint Landfill to determine compliance with the New Mexico Solid Waste Rules (“SWR”), 20.9.2 – 20.9.10 NMAC, and the New Mexico Recycling, Illegal Dumping and Scrap Tire Management Rule (“RIDSTMR”), 20.9.20 NMAC. The following violation was observed:

Failure to control litter – The inspection documented excessive windblown litter near and around the active working face.

The SWR, 20.9.5.8.A(2) NMAC, states that owners and operators of each solid waste facility shall “control and mitigate odor and litter.”

Note: Mr. Gomez stated that the facility has purchased new windscreens to place around the working face to reduce windblown litter, and contractors are on site actively working to clean up current litter issues.

Pursuant to the NMED Delegation Order dated March 24, 2023, the Cabinet Secretary has delegated the authority to issue SWB Notices of Violation to the Chief of the SWB in the Resource Protection Division. The NMED is seeking your voluntary cooperation in the immediate correction of these violations. Please respond in writing within 10 calendar days of receipt of this notice as to what action you have taken, or plan to take, to correct the violations. Send your response to Rick Shean, Acting SWB Chief, Enforcement Section, Solid Waste Bureau, NMED District I, 121 Tijeras Avenue NE, Suite 1000, Albuquerque, New Mexico 87102-3400. The failure to assure corrective action or continued non-compliance may result in additional enforcement action, which may include the assessment of a civil penalty.

All documentation submitted to NMED's SWB related to this Notice of Violation must include the following certification, signed by you or a delegated responsible official:

"I certify under penalty of law that this document and all its attachments were prepared under my directions or supervision according to a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for the gathering of the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

If you have any questions, please contact me at (505) 629-6494 or rick.shan@env.nm.gov.

Sincerely,

Rick Shan
Director, Resource Protection Division
Acting Chief, Solid Waste Bureau

Enclosure – Copy of Solid Waste Facility Inspection Report

RS:drg:ajb

cc: Daniel R. Galasso, Enforcement Coordinator, Solid Waste Bureau *[via electronic mail]*
Aaron J. Blount, Enforcement Officer, EA-III, Solid Waste Bureau *[via electronic mail]*