



Certified Mail – Return Receipt Requested No. 7019 1640 0000 7895 3709

March 2, 2026

Wendy Case
General Manager
Timberon Water and Sanitation District
1 Bobwhite Street
Timberon, NM 88350
accounting@timberonwsd.com

Re: Notice of Violation – Timberon Collection Center

Dear Wendy Case:

On January 14, 2026, Aaron J. Blount, Enforcement Officer, Compliance and Enforcement Division, Resource Protection Compliance & Enforcement Bureau (“CEB”), formerly the Solid Waste Bureau, New Mexico Environment Department (“NMED”), conducted a records review regarding the Timberon Collection Center, located on Pawnee Drive, Timberon, New Mexico (32.640162, -105.694008). The records review documented non-compliance with the New Mexico Solid Waste Rules (“SWR”), 20.9.2 - 20.9.10 NMAC. The following violation was documented:

Failure to file an application for registration (unregistered solid waste facility) - A review of NMED files determined that the facility has not filed an application for registration since beginning operation in 1996. Correspondence was also sent to the Timberon Water and Sanitation District on February 8, 2011, requesting a registration application to be completed. As of this date, the NMED Resource Recovery Bureau has not received the requested information or an application for registration. Thus, the facility has been operating as an unregistered solid waste facility since 1996.

The SWR, 20.9.3.27.A NMAC, requires facilities to file an application for a registration at least 30 days prior to any operations and every five years thereafter. Facilities that do not timely file a complete application for registration are hereby deemed unregistered solid waste facilities, and the owner or operator may be subject to penalties, registration requirements and nuisance abatement orders.

Pursuant to the NMED Delegation Order dated June 23, 2025, the Cabinet Secretary has delegated the authority to issue CEB Notices of Violation to the Chief of the Compliance and Enforcement Division. The NMED is seeking your voluntary cooperation in the immediate

correction of this violation. To avoid elevated enforcement, please correct the violation within 30 calendar days of receipt of this notice. If you have any questions, please respond within 10 calendar days of receipt of this notice to Kyle Staggs, Chief, Compliance and Enforcement Division, Resource Protection Compliance & Enforcement Bureau, NMED, 2905 Rodeo Park Drive E Building 1, Santa Fe, New Mexico 87505. 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 CEB 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 Aaron J. Blount at (575) 202-7501 or aaron.blount@env.nm.gov.

Sincerely,

Kyle Staggs
Chief, Compliance and Enforcement Division, Resource Protection Compliance & Enforcement Bureau
New Mexico Environment Department

KS:ajb

cc: Jaime Rodriguez, Manager, CEB, NMED *[via electronic mail]*
Daniel R. Galasso, Supervisor, CEB, NMED *[via electronic mail]*
Aaron J. Blount, Enforcement Officer, Area-III, CEB, NMED *[via electronic mail]*

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