



Notice of Intent to Red Tag: Class A Violation(s)
20.5.116 NMAC Delivery Prohibition

Date: September 16, 2025

To: Felipe Nevarez
Santa Fe Public Schools (Owner ID# 66/Operator ID# O1078)
610 Alta Vista St., Santa Fe, NM 87505
Fnevarez@sfps.k12.nm.us

Re: Santa Fe Public Schools Bus Depot (Facility ID# 27175, Inspection # 38 20250822 0154)
2201 Yucca St, Santa Fe, NM 87501

Date of LCAV: August 22, 2025

Following an inspection on August 22, 2025 by the New Mexico Environment Department’s (“Department”) Petroleum Storage Tank Bureau (“PSTB”), this facility was noted to have significant Class A violation(s) pursuant to section 20.5.116.1601.A(1) through (4) of the Petroleum Storage Tank Regulations, Title 20 Chapter 5 of the New Mexico Administrative Code (“NMAC”) that, if not corrected, could result in a release to the environment, or a release not being detected. The PSTB inspector provided you with a Warning Letter- Class A Violations (“WLA”) along with the inspection report informing you of the violation(s) that were identified during the inspection. **If the violation(s) in the table are not corrected within 30 days from the date of this Notice of Intent to Red Tag, the subject tank(s) noted in the table will be classified as ineligible for delivery, deposit or acceptance of product, in accordance with 20.5.116.1602.A NMAC.**

Violations included in this action:

Violation Code	Tank ID(s)	Violation Description
20.5.108.800.A NMAC	22431	Failure to provide a method or combination of methods of release detection on a UST system.

This means that, in accordance with 20.5.116.1603 NMAC, the following actions will occur:

- (a) The Petroleum Storage Tank Section (PSTS) will physically place red tag(s) prohibiting the delivery, deposit or acceptance of product on the fill port(s) of the tank(s) with the continuing Class A violation(s). The red tag(s) must remain affixed on the tank(s) until the violation(s) are corrected.
- (b) The PSTS will post the name and address of this facility on the PSTB’s website list of facilities that are ineligible for delivery, deposit or acceptance of product.
- (c) The PSTS will post a certificate, conspicuously displayed at the facility clearly prohibiting any delivery, deposit or acceptance of product at every storage tank at the facility to which the Department has affixed a red tag.

It is unlawful for any person, other than an authorized representative of the Department, to remove, tamper with, destroy or damage a red tag affixed to any storage tank or certificate posted at a storage tank facility by Department personnel (see 20.5.116.1603.C NMAC).

This facility is not in a rural and remote area, which is defined in 20.5.101.7.R(14) NMAC as “a storage tank facility [which] is located in an area that is more than 20 miles from another facility that sells fuel to the public and that is open year-round.” *If you believe that your facility fits this definition and this Notice of Intent to Red Tag does not designate it as rural and remote, please contact the PSTS Enforcement Officer.* The PSTS will defer classifying this facility as ineligible for delivery for up to 180 days if it is designated as rural and remote.

Please notify the PSTS Enforcement Officer, Philip Santana, at (505) 980-0398 if you do not understand the violation(s) cited, or to notify the PSTS of the schedule of when work is planned to be done in order to correct the violation(s). You are required to notify the PSTS of any equipment installation, replacement, repair or modification (see 20.5.116.1602.D NMAC). ***The PSTS will work with you to ensure the violation(s) are in compliance with 20.5 NMAC and are corrected as soon as possible.***

Unless the violation(s) cited in this Notice of Intent to Red Tag are corrected, the facility may not be in compliance with the requirements and provisions of the Petroleum Storage Tank Regulations as required for eligibility for reimbursement from the Corrective Action Fund if your facility has a release (see 20.5.123.2303 NMAC). ***If you have corrected the violation(s) cited in this Notice of Intent to Red Tag, please contact the PSTS Enforcement Officer immediately.***

Thank you in advance for your attention to this matter.

Kyle Staggs
Digitally signed by Kyle Staggs
Date: 2025.09.16 08:31:04 -06'00'

September 16, 2025

Kyle Staggs, Bureau Chief
Compliance & Enforcement Division
Resource Protection Compliance Enforcement Bureau

Date

cc: Tom Kricka, Office of General Counsel, New Mexico Environment Department (via electronic transmission)
Chris Hamilton, Supervisor, Petroleum Storage Tank Section (via electronic transmission)
Philip Santana, Enforcement Officer, Petroleum Storage Tank Section (via electronic transmission)
Diego Aragon, Enforcement Support Specialist, Petroleum Storage Tank Section (via electronic transmission)
Martha Juarez, Financial Specialist, Petroleum Storage Tank Bureau (via electronic transmission)
Marissa Ortiz, Business Operations Specialist, Petroleum Storage Tank Bureau (via electronic transmission)
PSTB Owner File