

# **2024 ANNUAL REPORT:**

## **PUBLIC WATER SYSTEMS COMPLIANCE**



### **DRINKING WATER BUREAU**

### **NEW MEXICO ENVIRONMENT DEPARTMENT**

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**Submitted to: United States Environmental Protection Agency**  
**July 2025**

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## List of Acronyms

|         |  |
|---------|--|
| C       | Community System   |
| CCR     | Consumer Confidence Report                                 |
| CN      | Consumer Notice  |
| DBPR    | Disinfectant and Disinfection Byproduct Rule               |
| DWB     | Drinking Water Bureau                                      |
| EPA     | Environmental Protection Agency                            |
| GWR     | Ground Water Rule  |
| GWUDI   | Ground Water Under the Direct Influence (of Surface Water) |
| IESWTR  | Interim Enhanced Surface Water Treatment Rule              |
| IOC     | Inorganic Contaminant                                      |
| LCR     | Lead and Copper Rule                                       |
| MCL     | Maximum Contaminant Level                                  |
| mg/L    | milligrams per liter                                       |
| mrem/yr | millirem per year  |
| M/R     | Monitoring and Reporting                                   |
| MRDL    | Maximum Residual Disinfectant Level                        |
| NC      | Non-Community System                                       |
| NM      | New Mexico   |
| NMED    | New Mexico Environment Department                          |
| NTNC    | Non-Transient, Non-Community System                        |
| pCi/L   | picoCuries per liter                                       |
| PN      | Public Notice  |
| PWS     | Public Water System  |
| PWSS    | Public Water System Supervision                            |
| RTCR    | Revised Total Coliform Rule                                |
| SDWA    | Safe Drinking Water Act                                    |
| SDWIS   | Safe Drinking Water Information System                     |
| SOC     | Synthetic Organic Contaminant                              |
| SWTR    | Surface Water Treatment Rule                               |
| TT      | Treatment Technique  |
| TCR     | Total Coliform Rule  |
| µg/L    | micrograms per liter                                       |
| V/E     | Variances and Exemptions                                   |
| VOC     | Volatile Organic Contaminant                               |

## **Introduction**

The Safe Drinking Water Act (SDWA), originally enacted in 1974, is the primary federal law that protects public health by regulating the nation's public drinking water supplies. The SDWA applies to all 50 states, the District of Columbia, Indian Lands, Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands. It was amended in 1986 and 1996 to strengthen protections for drinking water from source to tap—including rivers, lakes, reservoirs, springs, and groundwater wells.

Contaminants can enter public water systems through various pathways, such as improper disposal of chemicals, pesticide application, animal and human wastes, underground injection of waste, and naturally occurring substances. In addition, water that is not properly treated or disinfected, or that travels through a poorly maintained distribution system, may also pose significant health risks.

The SDWA establishes national health-based standards for drinking water to safeguard against both naturally occurring and human-made contaminants. It also authorizes the Public Water System Supervision (PWSS) Program to ensure effective implementation and enforcement of these standards.

The Safe Drinking Water Act (SDWA) allows states and territories to apply for approval from the United States Environmental Protection Agency (EPA) to administer their own Public Water System Supervision (PWSS) Programs. This authority is known as primacy. To obtain primacy, a state, territory, or tribe must meet specific SDWA requirements, including adopting drinking water regulations that are at least as stringent as federal standards and demonstrating the capability to enforce program requirements.

Currently, the EPA administers PWSS Programs for all sovereign Indigenous communities, except for the Navajo Nation, which was granted primacy in 2000. The State of New Mexico has held primacy since 1976. The New Mexico Environment Department (NMED) Drinking Water Bureau (DWB) serves as the lead agency responsible for implementing the PWSS Program in the state. The DWB protects drinking water quality by providing technical assistance, regulatory oversight, enforcement, and source water protection for New Mexico's public water systems (PWSs).

Primacy states are required to implement a Public Water System Supervision (PWSS) Program that is sufficient to enforce the Safe Drinking Water Act (SDWA) and ensure compliance with the National Primary Drinking Water Regulations. Under New Mexico's PWSS Program, the New Mexico Environment Department (NMED) Drinking Water Bureau (DWB) performs a range of key activities, including:

- Developing and maintaining state drinking water regulations
- Maintaining an inventory of all public water systems (PWSs) in the state
- Managing a compliance database for PWSs
- Conducting sanitary surveys of PWSs
- Reviewing plans and specifications for PWS infrastructure
- Providing technical assistance to PWS managers and operators
- Ensuring that PWSs inform consumers about the quality of their drinking water
- Certifying laboratories to conduct compliance testing on drinking water samples
- Enforcing state drinking water requirements through a formal compliance program

Each year the NMED DWB prepares and submits to EPA *New Mexico's Annual Public Water Systems Compliance Report* (this report). The purpose of the report is to provide the public with a summary of the different types of drinking water violations accrued by PWSs during the previous calendar year. This report is a mandated requirement of the federally funded PWSS Program and encompasses drinking water violations that were verified during calendar year 2024. NM is required by the SDWA to make this report available to the public. The DWB posts the report on their website at: [www.env.nm.gov/drinking\\_water/](http://www.env.nm.gov/drinking_water/).

## **Public Water Systems in New Mexico**

PWSs in New Mexico and their classifications are defined in the table below. A PWS must demonstrate the ability to achieve and maintain compliance with applicable drinking water standards to ensure the provision of safe and affordable water to its customers. PWSs are responsible for adhering to all regulatory requirements,

including sampling, monitoring, reporting, implementation of treatment techniques, recordkeeping, and issuing public notices.

To meet these obligations, each PWS must conduct routine monitoring and report sample results to the State regulatory agency. Any violations must be reported to the public and promptly addressed. Failure to fulfill these responsibilities may result in enforcement actions and penalties.

New Mexico's Public Water System Supervision (PWSS) Program provides oversight by evaluating whether PWSs are in compliance with federal and state drinking water laws and regulations, and by initiating compliance and enforcement actions when necessary to protect public health.

| Public Water System Types and Definitions |             |   |
|---|-------------|---|
| <b>Public Water System</b>                | <b>PWS</b>  | A system that provides water for human consumption, if such system has at least 15 service connections or regularly serves at least 25 individuals at least 60 days out of the year.  |
| <b>Community</b>                          | <b>C</b>    | A system that serves at least 15 service connections (which may include factories, schools, or places of housing that are on the same distribution system as residences) used by year-round residences or regularly serve at least 25 year-round residents. |
| <b>Non-Transient Non-Community</b>        | <b>NTNC</b> | A system that serves at least 25 of the same persons over six months per year not at their residence (e.g., schools or factories that have their own water source).   |
| <b>Transient Non-community</b>            | <b>NC</b>   | A system that serves at least 25 persons (but not the same 25) over six months per year not at their residence (e.g., campgrounds or highway rest stops that have their own water source).  |

In 2024, approximately 1,050 Public Water Systems (PWSs) provided drinking water to an estimated 2,104,394 people in New Mexico. The tables below provide detailed inventories by system type, population served, and water source.

Of these PWSs, drinking water was delivered to approximately 2,001,022 year-round residents through Community Water Systems—representing roughly 94% of New Mexico's total population of 2,130,256 based on 2024 U.S. Census Bureau data ([Census](#)).

Approximately 55% of PWSs in the state rely on groundwater—either purchased or pumped directly—as their primary drinking water source. These groundwater-based systems supply water to approximately 1,155,196 individuals, accounting for about 54% of all consumers served by a PWS in New Mexico.

| Number of PWSs in NM by Type and Population (as of 12/31/2024) |                    |                |                   |                |                       |                |                 |                  |              |                  |
|--|--------------------|----------------|-------------------|----------------|-----------------------|----------------|-----------------|------------------|--------------|------------------|
| PWS Type   | Very Small (≤ 500) |                | Small (501-3,300) |                | Medium (3,301-10,000) |                | Large (>10,000) |                  | TOTAL        |                  |
|  | C                  | 371            | 66,057            | 118            | 164,360               | 32             | 198,501         | 33               | 1,572,104    | 554              |
| NC   | 337                | 39,535         | 15                | 22,563         | 1                     | 4,500          | 0               | 0                | 364          | 66,598           |
| NTNC   | 114                | 19,109         | 14                | 17,665         | 0                     | 0              | 0               | 0                | 132          | 36,774           |
| <b>TOTAL</b>   | <b>822</b>         | <b>124,701</b> | <b>147</b>        | <b>201,693</b> | <b>33</b>             | <b>203,001</b> | <b>33</b>       | <b>1,572,104</b> | <b>1,050</b> | <b>2,104,394</b> |

| Number of PWSs in NM by Source and Population (as of 12/31/2024) |  |              |   |          |                           |                  |  |               |                            |                |   |               |              |                   |
|--|--|--------------|---|----------|---------------------------|------------------|--|---------------|----------------------------|----------------|---|---------------|--------------|-------------------|
| PWS Type   | GWUDI<br><i>Ground Water Under the Direct Influence of Surface Water</i> |              | GWUDIP<br><i>Ground Water Under Direct Influence of Surface Water - Purchased</i> |          | GW<br><i>Ground Water</i> |                  | GWP<br><i>Ground Water - Purchased</i> |               | SW<br><i>Surface Water</i> |                | SWP<br><i>Surface Water - Purchased</i> |               | TOTAL        |                   |
|  | SYS  | POP          | SYS   | POP      | SYS                       | POP              | SYS                                    | POP           | SYS                        | POP            | SYS                                     | POP           | SYS          | POP               |
|  | C  | 3            | 701   | 0        | 0                         | 483              | 1,038,255                              | 29            | 14,965                     | 26             | 826,815                                 | 15            | 34,550       | 556               |
| NC   | 5  | 589          | 0   | 0        | 338                       | 62,359           | 14                                     | 3,534         | 6                          | 1,199          | 2                                       | 125           | 365          | 67,806            |
| NTNC   | 0  | 0            | 0   | 0        | 118                       | 33,685           | 10                                     | 2,398         | 1                          | 28             | 4                                       | 2,000         | 133          | 38,111            |
| <b>TOTAL</b>   | <b>8</b>   | <b>1,290</b> | <b>0</b>  | <b>0</b> | <b>939</b>                | <b>1,134,299</b> | <b>53</b>                              | <b>20,897</b> | <b>33</b>                  | <b>828,042</b> | <b>21</b>                               | <b>36,675</b> | <b>1,054</b> | <b>2,021,2023</b> |

The vast majority of New Mexico’s population is served by community water systems, including large systems such as those operated by the City of Albuquerque and the City of Santa Fe. Community water systems are subject to more extensive regulations and requirements compared to transient non-community water systems.

Data comparisons suggest that most people primarily receive their drinking water at their place of residence. As a result, the potential health risks associated with contaminated drinking water are greater in community systems, where long-term exposure is more likely, than in transient systems where exposure is typically brief and infrequent.

### PWS Compliance with SDWA Requirements

Under the Safe Drinking Water Act (SDWA) and its 1986 Amendments, the U.S. Environmental Protection Agency (EPA) established national limits on contaminant levels in drinking water to ensure water is safe for human consumption. These limits are referred to as Maximum Contaminant Levels (MCLs) and Maximum Residual Disinfectant Levels (MRDLs), and they apply to all public water systems (PWSs). For certain

contaminants, the EPA has established treatment techniques (TTs) in lieu of MCLs to control unacceptable levels.

The EPA also regulates how frequently PWSs must monitor for contaminants and when to report those results to the state or EPA. Generally, the larger the population served by a PWS, the more frequent the monitoring and reporting (M/R) requirements. Additionally, the EPA requires PWSs to monitor for unregulated contaminants to support future regulatory development. However, this report includes only violations related to promulgated rules and regulations.

When a violation occurs, PWSs must notify consumers. The 1996 Amendments to the SDWA require these notifications to include a clear, understandable explanation of the nature of the violation, its potential health effects, the steps being taken to correct it, and whether alternative water supplies are needed during the violation period.

All compliance information must be tracked by the state's primacy agency. In New Mexico, the New Mexico Environment Department (NMED) Drinking Water Bureau (DWB) uses the Safe Drinking Water Information System/State (SDWIS/State)—an EPA-developed automated database—to manage data related to inventory, sampling, monitoring, and enforcement. EPA also maintains a federal version of the database, SDWIS/FED, which facilitates reporting and program oversight at the national level. Primacy agencies are required to submit data to EPA on a quarterly basis, and SDWIS supports this process.

In accordance with EPA's Guidance for States on Preparing Calendar Year 2017 Annual Compliance Reports, the DWB compiles this document using records of violations from SDWIS/FED and associated reports generated through EPA's Reporting Services and internal ad hoc queries. While NMED DWB uses SDWIS for compliance tracking, the Bureau acknowledges that additional development is needed to fully support the implementation of certain rule revisions, such as the Lead and Copper Rule Revisions (LCRR).

This annual report summarizes the total number of violations recorded in 2024 across the following categories: MCLs (includes MRDL), Treatment Technique (TT), Variances and Exemptions (V/E), Monitoring and Reporting (M/R), Public Notification (PN), and Consumer Notification (CN). Each category is described in the table below. The data are generally presented by regulated contaminants or rule and are further divided by violation type (e.g., MCL, TT, M/R, PN, CN).

| Violation Type                        |     | Description   |
|---------------------------------------|-----|---|
| Maximum Contaminant Levels            | MCL | Under the SDWA and State Drinking Water Regulations, federal and state governments both set limits on the level of contaminants in drinking water. These limits, called maximum contaminant levels, which also includes maximum residual disinfection levels, are established to ensure that the water is safe for people to drink. Each public water system is tested according to sample schedules to verify that no contaminants are above the prescribed limits. If a public water system test result exceeds an MCL, a violation has occurred. |
| Treatment Techniques                  | TT  | In some cases, techniques to treat the water have been established in lieu of a MCL to control viruses, some bacteria, turbidity and total organic carbon. Filtration of surface water sources, such as reservoirs, rivers and lakes is an example of a water supply treatment technique. Each system is monitored to ensure that all required treatment technologies are properly designed, installed and operated. If a system fails to follow the required TT, a violation has occurred.   |
| Variations and Exemptions             | V/E | Variations and exemptions to specific requirements may be granted if a public water system cannot meet MCLs due to reasons beyond the system's control and there is no unreasonable risk to public health. Each exemption includes a schedule to bring the system into full compliance. If a system fails to meet the conditions outlined in the variance and exemption, then a violation has occurred. <b>During this reporting period, NM has not issued any exemptions or variations.</b>  |
| Monitoring and Reporting Requirements | M/R | A public water system is required to periodically monitor the water quality to verify that MCLs are not being exceeded. If a public water system fails to take the required tests and/or fails to report the results of the tests to the primacy agency, then a violation has occurred.   |
| Public Notification Requirements      | PN  | SDWA prescribes specific public notification requirements based on the potential of a violation to cause serious effects. When a water system fails to properly notify its customers, then a violation has occurred.  |
| Consumer Notification                 | CN  | Every community water system is required to deliver to its customers a brief annual water quality report. This report is to include some educational material, and will provide information on the source water, the levels of any detected contaminants and compliance with drinking water regulations. When a water system fails to produce this report a violation has occurred.   |

## Water System Violations

The following sections summarize significant violations and the number of public water systems (PWSs) with reported violations that were verified during calendar year 2024. This includes:

- Violations that began prior to January 1, 2024, and continued into the reporting year,
- Violations that ended during the reporting year, and
- Violations at PWSs that operated only part of the year or permanently ceased operations in 2024.

Violations are not counted if a system returned to compliance prior to January 1, 2024, and remained in compliance throughout the reporting year.

All Maximum Contaminant Level (MCL) and Treatment Technique (TT) violations are included in this report. However, for Monitoring and Reporting (M/R), Public Notification (PN), and Consumer Confidence Report (CN) violations, only those classified as significant are reported.

- A significant M/R violation generally occurs when no samples are collected, or no results are reported during a compliance period.
- A significant PN violation occurs when a community water system fails to properly notify users in accordance with the drinking water regulations.
- A significant CN violation occurs when a community water system fails to submit the required annual Consumer Confidence Report by the established deadline.

### **Chemical Phase Rules (IOC, SOC, VOC)**

The Chemical Phase Rules establish regulatory standards for three contaminant groups: Inorganic Chemicals (IOCs), Synthetic Organic Chemicals (SOCs), and Volatile Organic Chemicals (VOCs). These rules aim to protect public health by reducing chronic risks associated with:

- Cancer,
- Organ damage, and
- Disorders of the circulatory, nervous, and reproductive systems.

Additionally, the rules are designed to reduce the occurrence of methemoglobinemia, or "blue baby syndrome," which can result from ingestion of elevated levels of nitrate or nitrite.

All public water systems (PWSs) are required to monitor for nitrate and nitrite. Community water systems (CWSs) and non-transient non-community water systems (NTNCWSs) must also monitor for the full range of IOCs, SOCs, and VOCs.

### **Inorganic Chemical (IOC) Contaminants**

PWSs must monitor for fifteen (15) inorganic compounds, including fluoride, heavy metals, and nitrate. Inorganic contaminants are defined as metals, salts, and other non-carbon-based compounds. These substances

may enter drinking water through human activity (e.g., industrial or agricultural practices), but many are naturally occurring in specific geographic regions.

In New Mexico, most IOC Maximum Contaminant Level (MCL) violations are believed to stem from naturally occurring sources. However, nitrate MCL violations are more likely associated with anthropogenic sources, such as septic systems.

| IOC Contaminant MCL Violations | MCL (mg/L) | # of Violations | # Return to Compliance Violations | # of PWSs in Violation |
|--------------------------------|------------|-----------------|-----------------------------------|------------------------|
| Arsenic                        | 0.01       | 25              | 11                                | 6*                     |
| Fluoride                       | 4.0        | 22              | 0                                 | 6*                     |
| Thallium                       | 0.002      | 2               | 0                                 | 2*                     |
| Nitrate-Nitrite (as Nitrogen)  | 10         | 1               | 0                                 | 1*                     |
| <b>Totals</b>                  |            | <b>50</b>       | <b>11</b>                         | <b>15*</b>             |

\*A single water system could violate more than one MCL.

| Inorganic Chemical Contaminants Monitoring & Reporting Violations | # of Violations | # Return to Compliance Violations | # of PWSs in Violation |
|---|-----------------|-----------------------------------|------------------------|
| Arsenic   | 19              | 11                                | 2*                     |
| Fluoride  | 3               | 3                                 | 1*                     |
| Nitrate-Nitrite Routine Monitoring                                | 2               | 1                                 | 2*                     |
| <b>Totals</b>   | <b>24</b>       | <b>15</b>                         | <b>5*</b>              |

\*A single water system could violate more than one MCL.

### **Organic Chemical (SOC/VOC) Contaminants**

Organic chemicals are compounds that contain one or more carbon atoms. These compounds can originate from natural sources, such as decaying vegetation, or from anthropogenic sources. In the context of drinking water, regulated organic chemicals typically stem from industrial and agricultural activities and may include components of pesticides, solvents, and various commercial products.

In 2024, no validated Maximum Contaminant Level (MCL) violations or Monitoring and Reporting (M/R) violations for Synthetic Organic Chemicals (SOCs) or Volatile Organic Chemicals (VOCs) were identified at any public water system in New Mexico.

### **Radionuclides Rule**

Radionuclide contaminants include radioactive particles such as radium-226, radium-228, gross alpha emitters, and beta particle/photon radioactivity. The implementation of the Radionuclides Rule has led to an increase in

the total number of violations associated with these contaminants.

Radionuclides may be naturally occurring or result from human activities. New Mexico's geology includes areas with elevated levels of naturally occurring radioactive materials—particularly uranium ore deposits—such as those found in the San Juan Basin and the Pojoaque Valley.

| Violation Code    | Radionuclide Contaminant MCL Violations | MCL            | # of Violations | # Return to Compliance Violations | # of PWSs in Violation |
|-------------------|---|----------------|-----------------|-----------------------------------|------------------------|
| Violation Code 02 | Gross Alpha, Excluding Radon & Uranium  | 15 (pCi/L)     | 0               | 0                                 | 0*                     |
| Violation Code 02 | Combined Uranium                        | 30 (µg/L)      | 14              | 0                                 | 3*                     |
| Violation Code 02 | Combined Radium (226 & 228)             | 5 (pCi/L)      | 0               | 0                                 | 0*                     |
| Violation Code 02 | Beta/photon emitters**                  | 4 (mrem/yr)*** | 0               | 0                                 | 0                      |
| <b>Totals</b>     |   |                | <b>14</b>       | <b>0</b>                          | <b>3</b>               |

\*A single water system could violate more than one MCL.

\*\*Most systems will never need to monitor for beta particle and photon radioactivity. These emitters generally come from nuclear facilities; commercial nuclear power plants; institutional sources such as research facilities, hospitals, and universities; and from industrial sources such as laboratories and pharmaceutical companies. Unless a system is vulnerable to this type of contamination, or is already contaminated by beta and photon emitters, systems are not required to monitor for these contaminants.

\*\*\* mrem/yr is defined as a Measure of radiation absorbed by the body

| Radionuclides Rule Monitoring & Reporting Violations | # of Violations | # Return to Compliance Violations | # of PWSs in Violation |
|--|-----------------|-----------------------------------|------------------------|
| Routine Monitoring                                   | 2               | 0                                 | 1                      |
| <b>Totals</b>  | <b>2</b>        | <b>0</b>                          | <b>1*</b>              |

\*A single water system could violate more than one monitoring and reporting requirement.

### **Revised Total Coliform Rule (RTCR)**

The Revised Total Coliform Rule (RTCR) was adopted by the U.S. Environmental Protection Agency (EPA) on February 13, 2013, and became effective for all public water systems (PWSs) on April 1, 2016. The New Mexico Environment Department Drinking Water Bureau (NMED DWB) received interim primacy for the RTCR on March 15, 2016, and was granted final primacy on November 12, 2016.

The RTCR maintains the requirement for coliform bacteria monitoring but includes additional provisions to better protect public health. Key requirements include:

- Start-up procedures for seasonal systems prior to opening each year, and
- Assessment and corrective action requirements for PWSs that detect the presence of total coliform or E. coli bacteria.

These assessments help identify potential sanitary defects and require timely corrective actions to prevent contamination of the drinking water supply.

| Violation Code    | RTCR MCL Violations            | # of Violations | # Return to Compliance Violations | # of PWSs in Violation |
|-------------------|--------------------------------|-----------------|-----------------------------------|------------------------|
| Violation Code 1A | E.coli MCL (Violation Code 1A) | 4               | 2                                 | 4                      |
|                   | <b>Totals</b>                  | <b>4</b>        | <b>2</b>                          | <b>4</b>               |

\*A single water system could violate more than one MCL.

| Violation Code    | RTCR Monitoring & Reporting Violations | # of Violations | # Return to Compliance Violations | # of PWSs in Violation |
|-------------------|--|-----------------|-----------------------------------|------------------------|
| Violation Code 3A | Monitoring, Routine (RTCR)             | 218             | 129                               | 85*                    |
| Violation Code 5A | Sample Siting Plan Errors (RTCR)       | 0               | 0                                 | 0*                     |
|                   | <b>Totals</b>                          | <b>218</b>      | <b>129</b>                        | <b>85*</b>             |

\*A single water system could violate more than one monitoring and reporting requirement.

| Violation Code    | RTCR Treatment Technique Violations            | # of Violations | # Return to Compliance Violations | # of PWSs in Violation |
|-------------------|--|-----------------|-----------------------------------|------------------------|
| Violation Code 2A | Treatment Technique, Level 1 Assessment (RTCR) | 5               | 2                                 | 5*                     |
| Violation Code 2B | Treatment Technique, Level 2 Assessment (RTCR) | 4               | 1                                 | 3*                     |
|                   | <b>Totals</b>                                  | <b>9</b>        | <b>3</b>                          | <b>8*</b>              |

\*A single water system could violate more than one monitoring and reporting requirement.

### **Disinfectants and Disinfection Byproducts Rule (DBPR)**

The Disinfectants and Disinfection Byproducts Rule (DBPR) applies to all public water systems (PWSs) that use chemical disinfectants—excluding transient non-community systems that use chlorine dioxide. This rule requires affected systems to monitor both disinfectant levels and the presence of disinfection byproduct (DBP) contaminants throughout the distribution system.

The DBPR is a complex regulation that many PWSs find challenging to fully understand and comply with. To support consistent implementation, the New Mexico Environment Department Drinking Water Bureau (NMED DWB) has designated a DBPR Rule Administrator to manage and oversee statewide compliance.

This centralized oversight has enabled the NMED DWB to apply the rule uniformly across all eligible systems in New Mexico, improving clarity, guidance, and regulatory consistency.

| Violation Code    | STAGE 2 DBP MCL Violations | # of Violations | # Return to Compliance Violations | # of PWSs in Violation |
|-------------------|----------------------------|-----------------|-----------------------------------|------------------------|
| Violation Code 02 | DBP2 MCL Violations        | 126             | 22                                | 31                     |
|                   | <b>Totals</b>              | <b>126</b>      | <b>22</b>                         | <b>31</b>              |

| Violation Code    | STAGE 2 DBP Treatment Technique Violations | # of Violations | # Return to Compliance Violations | # of PWSs in Violation |
|-------------------|--|-----------------|-----------------------------------|------------------------|
| Violation Code 46 | Precursor Removal                          | 17              | 0                                 | 1*                     |
|                   | <b>Totals</b>                              | <b>17</b>       | <b>0</b>                          | <b>1*</b>              |

\*A single water system could violate more than one treatment technique requirement.

| Violation Code    | STAGE 2 DBP Monitoring & Reporting Violations | # of Violations | # Return to Compliance Violations | # of PWSs in Violation |
|-------------------|---|-----------------|-----------------------------------|------------------------|
| Violation Code 27 | Routine Monitoring                            | 114             | 76                                | 46                     |
|                   | <b>Totals</b>                                 | <b>114</b>      | <b>76</b>                         | <b>46</b>              |

**Surface Water Treatment Rule/Interim Enhance Surface Water Treatment Rule (SWTR/IESWTR)**

The Surface Water Treatment Rule (SWTR) requires public water systems (PWSs) that use either surface water or ground water under the direct influence of surface water (GWUDI) to treat the water through both filtration and disinfection. This is intended to reduce the risk of exposure to microbial contaminants. Approximately 34 PWSs in New Mexico are subject to the SWTR.

The Interim Enhanced Surface Water Treatment Rule (IESWTR) builds upon the SWTR by addressing microbial health risks with more stringent requirements, while aiming not to increase risks from chemical disinfectants or byproducts. The IESWTR applies to systems using surface water or GWUDI sources that serve 10,000 or more people. Approximately 8 PWSs in New Mexico fall under this rule.

To support statewide compliance, the New Mexico Environment Department Drinking Water Bureau (NMED DWB) has designated a Surface Water Rule Administrator. This role oversees all aspects of SWTR and IESWTR implementation for all Subpart H systems in New Mexico. Centralized administration ensures consistent application and regulatory support across the state.

| Violation Code    | SWTR/IESWTR Treatment Technique Violations  | # of Violations | # Return to Compliance Violations | # of PWSs in Violation |
|-------------------|---|-----------------|-----------------------------------|------------------------|
| Violation Code 41 | Treatment Technique (SWTR and GWR)  | 7               | 5                                 | 3                      |
| Violation Code 42 | Failure to Filter (SWTR)  | 7               | 1                                 | 4                      |
| Violation Code 43 | Single combined filter effluent – maximum turbidity value exceeded 1.0 NTU                      | 2               | 1                                 | 2                      |
| Violation Code 44 | Monthly combined filter effluent – 95 <sup>th</sup> percentile turbidity value exceeded 0.3 NTU | 2               | 1                                 | 2*                     |
| <b>Totals</b>     |   | <b>18</b>       | <b>8</b>                          | <b>11*</b>             |

\*A single water system could violate more than one treatment technique requirement.

| Violation Code    | SWTR/IESWTR Monitoring & Reporting Violations  | # of Violations | # Return to Compliance Violations | # of PWSs in Violation |
|-------------------|--|-----------------|-----------------------------------|------------------------|
| Violation Code 36 | Monitoring of Treatment (SWTR-Filter)          | 10              | 3                                 | 7*                     |
| Violation Code 33 | Failure to Submit Treatment Requirement Report | 0               | 0                                 | 0                      |
| Violation Code 38 | Monitoring, Turbidity (Enhanced SWTR)          | 4               | 3                                 | 2*                     |
| <b>Totals</b>     |  | <b>14</b>       | <b>3</b>                          | <b>9*</b>              |

\*A single water system could violate more than one monitoring and reporting requirement.

### Lead and Copper Rule (LCR)

The Lead and Copper Rule (LCR) applies to all community and non-transient non-community water systems. It requires these systems to monitor lead and copper levels to identify and minimize the risk of exposure in drinking water. If action levels are exceeded, the public water system (PWS) may be required to implement various treatment techniques (TTs) to reduce exposure, such as installing corrosion control measures, providing public education, treating the source water, or replacing lead service lines.

All LCR violations reported were due to the water systems' failure to monitor and/or report. Historically, very few PWSs in New Mexico have experienced significant lead or copper action level exceedances. Most violations under this rule have been related to noncompliance with monitoring requirements.

The NMED Drinking Water Bureau (DWB) has assigned a Lead and Copper Rule Administrator to oversee implementation of the rule for all systems statewide. This designation ensures consistent application of this complex regulation across New Mexico.

| Violation Code    | LCR Monitoring & Reporting Violations                                  | # of Violations | # Return to Compliance Violations | # of PWSs in Violation |
|-------------------|--|-----------------|-----------------------------------|------------------------|
| Violation Code 51 | Initial Tap Sampling for lead (Pb) and copper (Cu) (Violation Code 51) | 49              | 7                                 | 22*                    |
| Violation Code 52 | Routine Tap or Follow-Up Sampling (Violation Code 52)                  | 328             | 283                               | 34*                    |
| Violation Code 66 | Lead Consumer Notice (Violation Code 66)                               | 0               | 0                                 | 0                      |
|                   | <b>Totals</b>  | <b>377</b>      | <b>290</b>                        | <b>56*</b>             |

\*A single water system could violate more than one monitoring and reporting requirement.

### Groundwater Rule (GWR)

The Groundwater Rule (GWR) applies to all systems that use groundwater as a source of drinking water, including those that purchase groundwater or blend it with surface water. The purpose of the rule is to reduce the incidence of illness caused by disease-causing microorganisms in drinking water.

The rule establishes a risk-based approach to identify groundwater systems that are vulnerable to fecal contamination. Systems identified as at risk must take corrective action to reduce the potential for illness resulting from exposure to microbial pathogens.

The NMED Drinking Water Bureau (DWB) participated in a GWR workgroup that included EPA staff and New Mexico service providers. The group's objective was to identify challenges and propose solutions for public water systems (PWSs) in New Mexico that struggle to address significant deficiencies identified during sanitary surveys.

It is anticipated that small changes—such as incorporating a corrective action plan form into sanitary survey reports—will help address some of the 45 recorded violations.

| Violation Code    | GWR Treatment Technique Violations | # of Violations | # Return to Compliance Violations | # of PWSs in Violation |
|-------------------|------------------------------------|-----------------|-----------------------------------|------------------------|
| Violation Code 45 | Treatment Technique (SWTR and GWR) | 316             | 213                               | 76*                    |
|                   | <b>Totals</b>                      | <b>316</b>      | <b>213</b>                        | <b>76*</b>             |

| Violation Code    | GWR Monitoring & Reporting Violations | # of Violations | # Return to Compliance Violations | # of PWSs in Violation |
|-------------------|---------------------------------------|-----------------|-----------------------------------|------------------------|
| Violation Code 34 | Routine Monitoring                    | 17              | 12                                | 17*                    |
|                   | <b>Totals</b>                         | <b>17</b>       | <b>12</b>                         | <b>17*</b>             |

**Public Notification Rule (PNR)**

All PWSs are required to notify its customers when: (1) the system fails to comply with drinking water regulations, (2) the system has a variance or exemption from drinking water regulations or (3) the system is facing some other situation posing a public health risk. Violations identified in this report are for PWSs that failed to properly inform their customers regarding one of these topics.

| Violation Code    | Public Notification Violations  | # of Violations | # Return to Compliance Violations | # of PWSs in Violation |
|-------------------|---|-----------------|-----------------------------------|------------------------|
| Violation Code 75 | Failure to provide proper public notification linked to a drinking water regulation violation     | 487             | 231                               | 158*                   |
| Violation Code 76 | Failure to provide proper public notification not linked to a drinking water regulation violation | 22              | 9                                 | 22                     |
|                   | <b>Totals</b>   | <b>509</b>      | <b>240</b>                        | <b>172*</b>            |

\*A single water system could violate more than one public notification requirement.

**Consumer Confidence Report Rule (CCR)**

All community water systems are required to prepare and distribute an annual Consumer Confidence Report (CCR) to their customers. The CCR provides a summary of drinking water quality, including any violations. It also contains educational information, details about the source water, levels of any detected contaminants, and the system’s compliance with drinking water regulations.

Violations related to the CCR persist each year until a properly completed report is prepared and delivered to all consumers served by the public water system (PWS).

The NMED Drinking Water Bureau (DWB) has assigned a Consumer Confidence Rule Administrator to oversee CCR compliance for all systems statewide. This role supports the consistent and effective implementation of the rule across New Mexico.

| Violation Code    | Consumer Confidence Report (CCR) Violations | # of Violations | # Return to Compliance Violations | # of PWSs in Violation |
|-------------------|---|-----------------|-----------------------------------|------------------------|
| Violation Code 71 | Failure to provide CCR                      | 68              | 39                                | 67*                    |
| Violation Code 72 | Inadequate Reporting of CCR                 | 303             | 198                               | 51*                    |
|                   | <b>Totals</b>                               | <b>371</b>      | <b>237</b>                        | <b>118*</b>            |

\*A single water system could violate more than one CCR requirement.



| Summary of NM Public Water System Violations |                 |                     |                    |                          |                     |                    |                     |                     |                    |   |                     |                    |
|--|-----------------|---------------------|--------------------|--------------------------|---------------------|--------------------|---------------------|---------------------|--------------------|---|---------------------|--------------------|
| Contaminant Type or Rule                     | MCLs            |                     |                    | Monitoring and Reporting |                     |                    | Treatment Technique |                     |                    | Public Notification and Consumer Confidence Reporting |                     |                    |
|  | # of Violations | # of RTC Violations | # PWS in Violation | # of Violations          | # of RTC Violations | # PWS in Violation | # of Violations     | # of RTC Violations | # PWS in Violation | # of Violations                                       | # of RTC Violations | # PWS in Violation |
| IOC  | 40              | 11                  | 15*                | 2                        | 2                   | 2*                 |                     |                     |                    |   |                     |                    |
| RAD  | 14              | 0                   | 3*                 | 2                        | 0                   | 1                  |                     |                     |                    |   |                     |                    |
| SOC  | 0               | 0                   | 0                  | 0                        | 0                   | 0                  |                     |                     |                    |   |                     |                    |
| VOC  | 0               | 0                   | 0                  | 0                        | 0                   | 0                  |                     |                     |                    |   |                     |                    |
| <b>Contaminant Sub-Totals</b>                | <b>54</b>       | <b>11</b>           | <b>18*</b>         | <b>4</b>                 | <b>2</b>            | <b>3*</b>          |                     |                     |                    |   |                     |                    |
| RTCR   | 4               | 2                   | 4*                 | 218                      | 103                 | 79*                | 9                   | 3                   | 8*                 |   |                     |                    |
| SWTR/ IESWTR                                 |                 |                     |                    | 14                       | 3                   | 9*                 | 18                  | 8                   | 11*                |   |                     |                    |
| LCR  |                 |                     |                    | 328                      | 283                 | 34*                | 0                   | 0                   | 0                  |   |                     |                    |
| DBP1   | 0               | 0                   | 0                  | 0                        | 0                   | 0                  | 0                   | 0                   | 0                  |   |                     |                    |
| DBP2   | 126             | 22                  | 31*                | 114                      | 76                  | 46                 | 17                  | 0                   | 1*                 |   |                     |                    |
| GWR*   |                 |                     |                    | 14                       | 12                  | 14*                | 316                 | 213                 | 38*                |   |                     |                    |
| CCR  |                 |                     |                    |                          |                     |                    |                     |                     |                    | 371   | 237                 | 67*                |
| PN   |                 |                     |                    |                          |                     |                    |                     |                     |                    | 509   | 240                 | 172*               |
| <b>Grand Totals</b>                          | <b>184</b>      | <b>35</b>           | <b>53*</b>         | <b>692</b>               | <b>479</b>          | <b>185*</b>        | <b>360</b>          | <b>224</b>          | <b>58*</b>         | <b>880</b>  | <b>447</b>          | <b>239*</b>        |

## **Conclusions**

In 2024, the New Mexico Environment Department's Drinking Water Bureau (NMED DWB) continued its consistent implementation of drinking water regulations across the state, resulting in a significant number of violations being issued. A total of 535 public water systems (PWSs), representing approximately 50% of all systems in New Mexico, received at least one violation. In total, 2,116 violations were reported statewide. Of these, 184 PWSs—roughly 8%—were cited for health-based violations of a Maximum Contaminant Level (MCL). Specifically, 18 PWSs were responsible for 54 chemical or radionuclide MCL violations, and 4 PWSs incurred 4 MCL violations under the Revised Total Coliform Rule (RTCR).

The majority of violations issued in 2024 were not related to water quality or health-based standards but instead stemmed from failures to meet routine monitoring and reporting requirements, particularly under the RTCR. Monitoring and reporting (M/R) violations were issued to 185 PWSs, accounting for 692 violations, or approximately 33% of all reported violations. Treatment technique (TT) violations totaled 360, affecting 58 PWSs and comprising 17% of the total. Additionally, 172 PWSs received 509 public notice (PN) violations, accounting for 25%, and 67 PWSs were cited for 371 Consumer Confidence Report (CCR) violations, also representing 17% of the total.

Although the DWB has continued to make significant progress with compliance determinations, the program is struggling to ensure that core functions are being met. The lack of adequate funding to maintain minimal staffing levels and our ability to ensure that that the program can function at a basic level continue to be significant challenges. While the numbers in this report continue to show progress with compliance actions such as the issuance of violations, the DWB is not able to fully dedicate resources to other important issues such as potable reuse, emerging contaminants, enforcement actions, utility operator recruitment, retention, and training, and small systems compliance. In many cases, DWB staff are required to cover responsibilities for multiple programmatic functions to meet basic programmatic needs.

The NMED DWB also continues to be significantly understaffed for the amount of work that is expected of the program. With the federal regulatory determinations over the past several years on the disinfection byproduct

rules, revised total coliform rules, lead and copper rule revisions, proposed consumer confidence rule revisions and now PFAS regulatory determinations, the overall resources required to effectively implement these rules have exponentially increased over the years; however, the federal grant dollars have not kept pace with those resource requirements. Additionally, in New Mexico, almost 80% of our community water systems serve populations of less than 1,000 people. These small community water systems are often disadvantaged and underserved and require a significant amount of assistance from our drinking water program to achieve and maintain compliance with increasingly stringent drinking water regulations. Lastly, states are managing a significant increase in overall workloads due to additional factors such as the Bipartisan Infrastructure Law funding through the State Revolving Fund programs while facing retirements of technical staff and trained operators, putting states in the unreasonable and unsustainable position of being forced to do more with less. While the Bipartisan Infrastructure Law funding has had a positive impact on our ability to keep pace with increasing programmatic costs, the lack of adequate long-term funding is expected to be problematic, exacerbating our current staffing and resource challenges. The continued trend of insufficient funding for core programmatic functions continues to be one of the biggest challenges for New Mexico's Drinking Water Program.