



MICHELLE LUJAN GRISHAM
GOVERNOR

JAMES C. KENNEY
CABINET SECRETARY

March 18, 2025

Ten Thousand Waves
Oyu Hot & Cold
c/o Duke Klauck
21 Ten Thousand Waves Way
Santa Fe, NM 87501

NOTICE OF VIOLATION

Dear Ten Thousand Waves,

This letter is to inform you that you are in violation of the New Mexico Public Aquatic Venues Regulations 7.18.1 NMAC.

Information provided to the department indicates aquatic venues were built without a “Permit to Construct” issued by New Mexico Environment Department (NMED) at 21 Ten Thousand Waves Way, Santa Fe, NM 87501.

Violation

7.18.1.12 CONSTRUCTION PERMITS:

- A. No person shall construct or substantially alter a public aquatic venue or part thereof, or convert a private aquatic venue without first:
 1. Submitting a construction permit application that shall include plans, specifications, supporting material, and other information required by the department;
 2. Receiving a construction permit; and
 3. Paying all applicable fees.

Compliance

1. Submit required plans and specifications to NMED per the Public Aquatics Venue Regulations 7.18.1 NMAC. The regulations may be obtained from the New Mexico Environment Departments website under Swimming Pool Program <https://www.env.nm.gov/pools/>.
2. Submit to the department your intentions on how you are going to correct this violation.

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Penalty

7.18.2.56 PENALTY: Any person who violates any provision of this rule shall be subject to the penalty provisions in NMSA 1978, Section 74-I-10 of the Environmental Improvement Act, in addition to any other penalties provided for in the Public Aquatic Venue rules.
[1.18.2.56 NMAC-Rp, 7.18.2.56, 07/30/08]

Please submit the required information as soon as possible.

Pursuant to the NMED Delegation Order dated November 26, 2024, the Cabinet Secretary has delegated the authority to issue a Notice of Violation to the Bureau Chief of the Environmental Health Bureau.

Please note that your facility 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 facility as appearing on this webpage. Your facility will remain on the Enforcement Watch website as an active matter until this matter is fully resolved, including the payment of the assessed civil penalty.

If you have any questions, please contact Stephanie Neff, Aquatics Program Specialist at 505-819-7451 or aquatics.program@env.nm.gov.

Sincerely,

William Chavez
Chief, Environmental Health Bureau
New Mexico Environment Department

cc: Thomas Vigil, District Manager
James Rivera, Staff Manager
Aquatics Program
File

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