Performance Assessment

Fiscal Year 2025 – 4th Quarter – April 1 thru June 30, 2025

New Mexico Environment Department
Office of Strategic Initiatives

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Investing for tomorrow, delivering today.

Our mission is to protect and restore the environment and to foster a healthy and prosperous New Mexico for present and future generations. We implement our mission guided by four core values: science, innovation, collaboration, and compliance. We use the best available science to inform our decision-making in protecting public health and the environment. We employ creative engineering and technical solutions to address environmental challenges. We engage communities and stakeholders in environmental decision-making. Finally, we ensure compliance with state regulations and permits, leveling the playing field by holding violators accountable. We embrace our mission and core values at every level of the organization.

In FY25, we are strategically deploying our limited funding and personnel to advance public health, protect our natural resources, hold responsible parties accountable, and work to ensure access to clean land, air, and water for New Mexicans. For more information on NMED's program workloads, see Appendix A, beginning on page 17 of this report.

For FY25, NMED received appropriations totaling $198.5 million to protect public health and the environment. This included $33.3 million in general funds, $67.9 million in special revenue funds (e.g., permit fees), $97.3 million in federal funds, and $22.7 million in non-recurring special appropriations for earmarked projects/purposes.

NMED's approximate recurring budget breakdown is:

- 16.8% state general fund
- 34.2% special revenue funds
- 49.0% federal funds

About this Report

The New Mexico Environment Department (NMED) began publishing quarterly assessments in Fiscal Year 2022 (FY22). This is the fourth quarterly performance assessment for FY25 and provides a retrospective look at the quarter while providing totals for the entire fiscal year.

For more information, please visit our website:
www.env.nm.gov > About > Performance
to see past reports and other metrics.

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Beginning on page 7, this report covers 56 performance measures across these five categories:

- 7 Public Health Measures
- 10 Environmental Protection Measures
- 32 Compliance Measures
- 4 Economic Investment Measures
- 3 Operational Measures

PFAS Litigation

NMED and NMDOJ File New Lawsuit Against Cannon Air Force Base

A new lawsuit ordering the U.S. Department of the Air Force to clean up its toxic PFAS contamination at Cannon Air Force Base near Clovis was filed in June by NMED and NMDOJ. The new lawsuit relies on existing and expanded authority under the new law, established by the passage of HB140 during the Legislative Session and signed by Governor Lujan Grisham.

HB140 gives direct authority to New Mexico to regulate discarded Aqueous Fire Fighting Foam containing PFAS as a hazardous waste. HB140 is consistent with 21 other states that sought greater protection from industry-specific hazardous wastes.

In addition to cleaning up the decades of ongoing PFAS releases and paying civil penalties, the lawsuit seeks to order the USAF to:

- End all use of PFAS-containing firefighting foam at Cannon for anything other than emergency purposes
- Provide water treatment systems to residents whose water has been affected by PFAS contamination
- Install drinking water lines for any willing residents currently serviced by private wells in the spill area
- Hold regular public meetings with the community
- Install stormwater controls and retention basins to prevent offsite migration of PFAS from contaminated media
- Valuate nearby private property affected by PFAS contamination
- Compensate the owners of said property for losses resulting from PFAS contamination

New Mexico PFAS Claim Filed as Federal Bellwether Case

Case could establish precedent for similar cases in national PFAS lawsuit

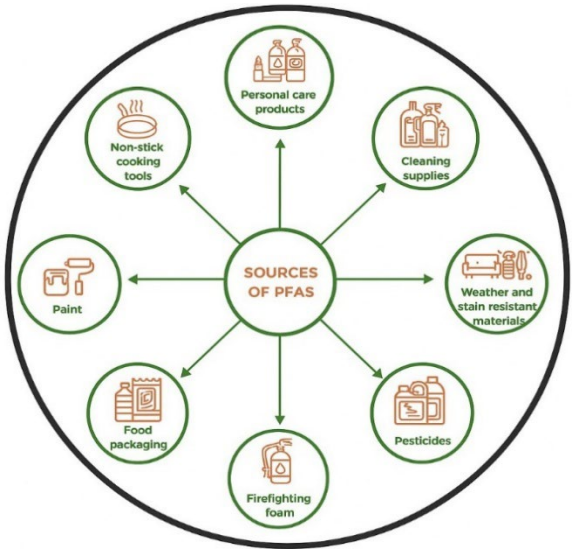
In June, a federal judge opened the door to New Mexico's pursuit of its ongoing civil case against Cannon Air Force Base for environmental and public health damage near Clovis.

The judge's statements pave the way for New Mexico's July 2024 lawsuit to serve as a national bellwether case for PFAS claims under the Comprehensive Environmental Response, Compensation, and Liability Act, commonly referred to as the federal Superfund law.

With this filing, New Mexico moves to the front of the line among states seeking compensation for damages to their natural resources resulting from the U.S. Air Force's decades-long use of toxic PFAS-laden firefighting foam. The foam leaked into nearby groundwater and caused devastating damage to Clovis residents' health and local agriculture.

New Mexico's case is one of hundreds that are part of multi-district litigation in a South Carolina federal court that aims to hold producers and users of PFAS-laden firefighting foam accountable for contamination at both military and civilian sites across the country. As such, any judgement in the New Mexico case will set a new precedent for states to hold polluters accountable across the United States.

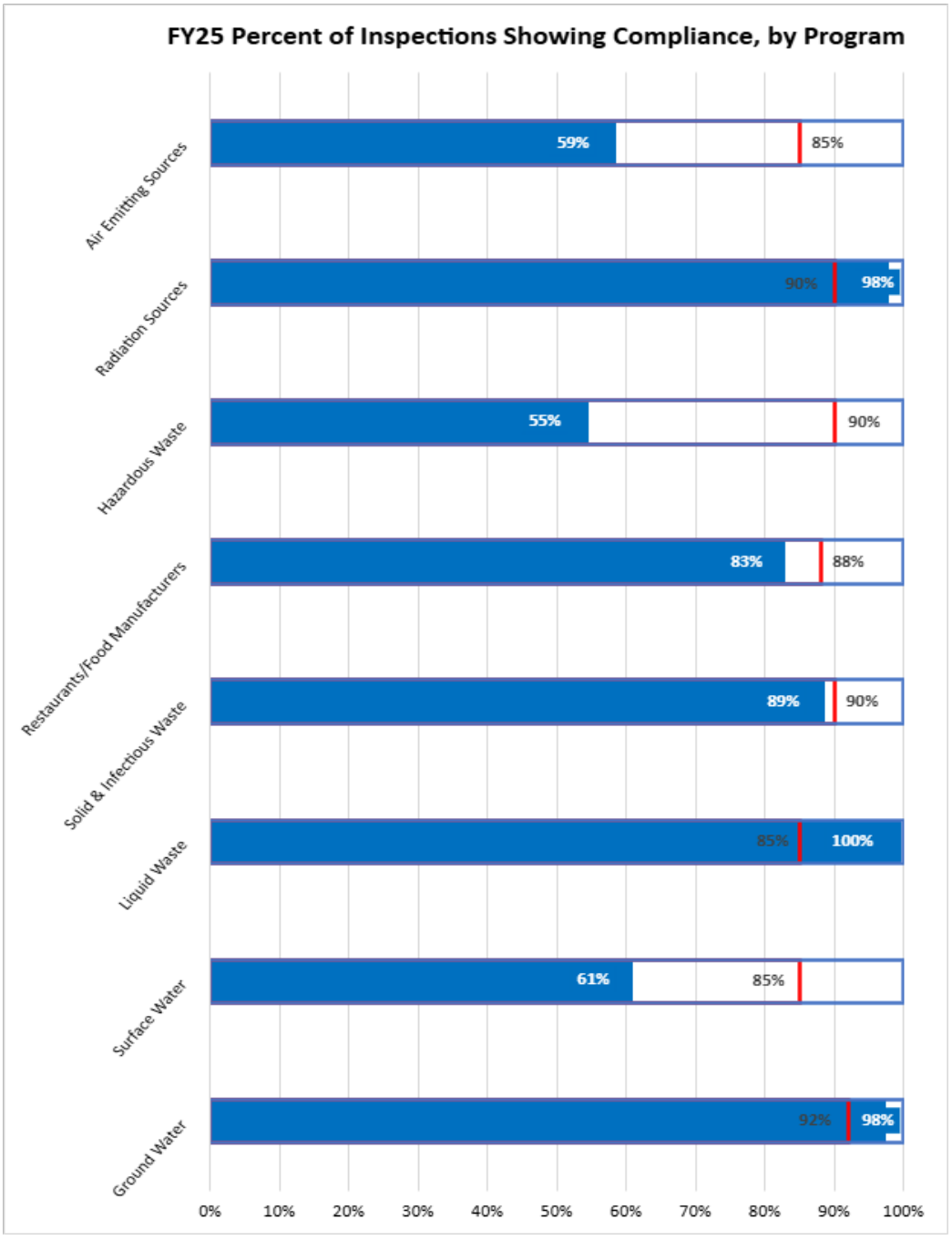
A decision that the United States is liable for natural resource damages under the Superfund law will force the federal government to compensate the state for ongoing contamination of its groundwater by paying the costs of projects that restore, protect, conserve, or replace groundwater. A declaration of liability will force the United States to work with New Mexico to address the PFAS contamination crisis around Cannon AFB.



Compliance and Enforcement

In FY25, NMED staff conducted 11,938 compliance inspections. In the fourth quarter alone, NMED conducted 2,851 inspections. In addition to these inspections, NMED staff frequently perform multiple inspections of a single facility in response to complaints from the public and follow-up inspections to check on issues identified in previous inspections and ensure compliance, adding up to thousands more inspections each year.

Based on all FY25 compliance inspections, the bar chart below shows compliance levels in programs across the Department compared to the performance benchmark or target. Regulated entities in five program areas fell below the target (depicted by the red line) and regulated industry in three program areas including Liquid Waste, Ground Water and Radiation exceeded the benchmark or target. Solid Waste came within half of a percent of achieving its target for FY25.



Ensuring Compliance with the Safe Drinking Water Act

The Drinking Water Bureau issued 59 Notices of Violation to 30 different water systems, including the municipalities of Lordsburg, Grady, Springer, Portales, Gallup and Carlsbad, across New Mexico for a range of violations of New Mexico public drinking water regulations. A health-based violation means a system has exceeded a protective standard meant to reduce health risks. In July 2024, the department cracked down on drinking water systems with chronic violations of drinking water standards. The department issued 138 letters to drinking water systems across the state, informing their owners of impending civil penalties if they continue to serve consumers unsafe drinking water.

Since then, the department has issued 14 Administrative Compliance Orders (ACOs) requiring public and private water suppliers to immediately fix health-based violations. The department assessed $887,820 in civil penalties, which are required by law to fund drinking water sampling and the training and development of water utility operators. Another 16 ACOs are currently in progress and expected to be issued soon. Progress in protecting New Mexico's drinking water is evident in the data on statewide violation trends. In Q3 of Fiscal Year 2025, the number of water systems with health-based violations dropped to 94 —down from the previous year's average of 115 to 125 systems per quarter.

Emerging Contaminants and PFAS in Drinking Water Systems

In April 2024, the U.S. Environmental Protection Agency (EPA) announced National Primary Drinking Water Regulation (NPDWR) for six per-and polyfluoroalkyl substances (PFAS). The regulation established Maximum Contaminant Levels (MCLs) for PFOA, PFOS, PFNA, PFHxS, and HFPO-DA (also known as GenX chemicals) as individual contaminants, and will regulate PFNA, PFHxS, HFPO-DA, and PFBS as a mixture through a Hazard Index. MCLs are enforceable maximum regulatory levels of a compound allowed in drinking water. The rule is expected to reduce PFAS exposure in drinking water for millions of people, preventing thousands of deaths and significantly lowering PFAS-related illnesses. The rule requires:

- Public water systems (PWSs) to monitor for these six PFAS. Systems have three years to complete initial monitoring (by 2027), followed by ongoing compliance monitoring. Water systems must also provide the public with information on the levels of these PFAS in their drinking water beginning in 2027. **Link to Monitoring Fact Sheet**.
- Public water systems have five years (by 2029) to implement solutions that reduce these PFAS if monitoring shows that drinking water levels exceed these MCLs.
- Beginning in five years (2029), public water systems that have PFAS in drinking water that violate one or more of these MCLs must take action to reduce levels of these PFAS in their drinking water and must provide notification to the public of the violation.

NMED Files Lawsuit Against CRRUA

NMED filed a lawsuit in the Third Judicial District Court in Las Cruces in May, asking the court to appoint an independent manager to oversee the daily operations of the Camino Real Regional Utility Authority, or CRRUA. If granted, the order would effectively place the troubled water system into a status like receivership. The request comes after more than a decade of mismanagement at the utility related to arsenic issues. In addition to failing to properly treat its drinking water, CRRUA also failed to inform its customers of the dangerous levels of arsenic in their tap water — a violation that has been repeated for years. NMED is seeking additional relief from the court, ordering CRRUA to implement real-time arsenic monitoring; distribute free arsenic test strips for all CRRUA customers; provide an alternative drinking water source if arsenic levels exceed state limits; conduct monthly public meetings; pay civil penalties which, per state law, fund drinking water and wastewater utility operators for communities across New Mexico.

Enforcement Watch Update

To bring our mission to life for every New Mexican, we must assure compliance with applicable laws, rules, and permits. This is why compliance is one of our four core values. NMED's Enforcement Watch provides a transparent, publicly accessible listing of all active and resolved enforcement cases with online reporting tools. In the fourth quarter of FY25, NMED initiated 513 enforcement actions and resolved 249 violations.

FY25 Enforcement Watch Alerts:

(click on the month to read the corresponding press release)

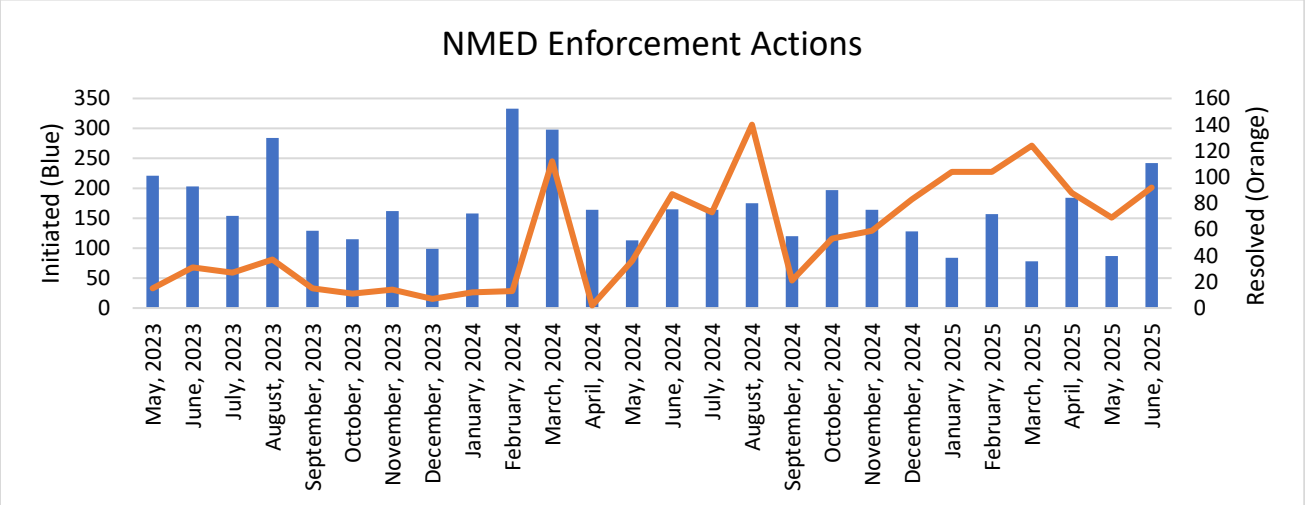
	Enforcement Actions	
Month	**Initiated**	**Resolved**
July, 2024	164	73
August, 2024	175	140
September, 2024	120	21
October, 2024	197	53
November, 2024	164	59
December, 2024	128	83
January, 2025	84	104
February, 2025	157	104
March, 2025	78	124
April, 2025	184	88
May, 2025	87	69
June, 2025	242	92
FY25 Total	**1,780**	**1,010**

Major enforcement actions taken in the fourth quarter include:

• Air: Administrative Compliance Order to DCP Operating Company, of Houston for 17 violations of their permit or New Mexico Air Regulations at seven compressor facilities in Eddy and Lea counties.

•The Groundwater Quality Bureau issued a Notice of Violation to the Village of Cimarron wastewater treatment facility for violations of New Mexico groundwater quality regulations.

•The Solid Waste Bureau issued a Notice of Violation to Corralitos Regional Landfill of Las Cruces for failing to control litter in violation of New Mexico Solid Waste regulations.



Public Health Measures

Clean air and land, safe drinking water and food, and healthy communities are critical public health measures for developing and maintaining a prosperous New Mexico. The table below provides an at-a-glance view of our progress toward our FY25 targets.

	FY25 Target	Q1	Q2	Q3	Q4	FY25 Actual
Percent of the population (in NMED jurisdiction) breathing air meeting federal health standards.	95.0% or more	98.3%	90.8%	90.8%	78.3%	78.3%
Percent of the population served safe and healthy drinking water.	95.0% or more	95.2%	94.8%	95.0%	94.7%	94.7%
Number of drinking water systems serving drinking water that did not meet at least one standard compared to the total number of drinking water systems.	200/560 (35.7%)	222/560 (39.6%)	238/559 (42.6%)	248/559 (44.4%)	310/559 (55.5%)	310/559 (55.5%)
Number of community water system violations returned to compliance as a result of NMED assistance.	250	26	22	58	58	164
Number of superfund sites cleaned up as compared to the number of superfund sites remaining.	0/15					0/15
Number of employers that did not meet Occupational Safety and Health Administration (OSHA) requirements for at least one standard compared to the total number of employers.	55.0%	72.0%	80.0%	64.3%	60.5%	60.5%

Note: Grey boxes in tables represent fields with no data reported because the respective measures are reported on a semi-annual or annual basis, rather than quarterly.

Our public health performance measures are described in detail in Appendix B. These explanations include additional definitions and assumptions to provide further insight into the significance of these measures.

Air Quality Bureau Monitors Pollutants Level Exceedances

NMED operates 20 monitoring stations throughout the state, monitoring multiple air pollutants to determine trends in air pollution and compliance with the National Ambient Air Quality Standards (NAAQS). The pollutants monitored include nitrogen dioxide (NO2), ozone, particulate matter (PM10), fine particulate matter (PM2.5) and sulfur dioxide (SO2). This measure calculates the percentage of New Mexicans that breathe air in compliance with these standards under the state's jurisdiction. NMED's Carlsbad monitor had ozone exceedances above the NAAQS this quarter. Dust issues occurred in Doña Ana County and Luna County, attributed to seasonal high wind events and dust is regulated in these counties for disturbed land. NMED has also been tracking and utilizing satellite data and other technologies to identify potential issues related to compliance. Air Quality Bureau's efforts in Eddy County focus on decreasing ozone pollution from the oil the gas industry through implementation of NMED's Ozone Precursor Rule (20.2.50 NMAC) - including compliance and enforcement efforts related to same. Many requirements in 20.2.50 NMAC are now in effect (with more to come in the next two years), that tighten the standards for emissions.

Environmental Protection Measures

Environmental protection is a set of mitigation techniques aimed at helping protect and manage different environmental issues. Environmental protection can be accomplished by reducing pollutants and other factors that contribute to the degradation of the environment. The table below provides an at-a-glance view of our progress toward our FY25 targets.

	FY25 Target	Q1	Q2	Q3	Q4	FY25 Actual
Amount of volatile organic compounds emitted statewide, in tons per year (TPY).	90,986					66,363
Amount of volatile organic compounds emitted illegally, TPY.	4,500					1,215
Amount of nitrogen oxides emitted statewide, TPY.	123,215					56,036
Amount of nitrogen oxides emitted illegally, in TPY.	6,000					75
Quantity of nutrient-based pollutants reduced due to implementation of watershed restoration and on-the-ground improvement projects, in pounds.	1,275		2,588		9,962	9,962
Reduction in nonpoint source sediment loading attributed to the implementation of watershed restoration and on-the-ground improvement projects, in tons.	1,000		2,165		5,187	5,187
Number of nonpoint source impaired waterbodies restored by the Department relative to the number of impaired water bodies.	1/377 (0.3%)					1/377 (0.3%)
Number of underground storage tank sites cleaned up compared to the total number of leaking underground petroleum storage tank sites remaining. (Denominator fluctuates as sites reach no further action status after completed cleanup.)	20/972 (2.1%)	2	0	4	0	6/972 (0.62%)
Number of completed cleanups of petroleum storage tank release sites that require no further action. (Cumulative over all time.)	1,976	0	0	4	0	4/1976
Number of zero-emission vehicles registered in New Mexico*	Explanatory	14,958	18,514	18,514	20,016	20,016
Number of liquid waste system violations resulting from complaints*	Explanatory	6.0	1.0	3.0	3.0	3.0

*New Measure in FY25.

Our environmental protection performance measures are described in detail in Appendix B. These explanations include additional definitions and assumptions to provide further insight into the significance of these measures.

Solid Waste Bureau's RAID Grants Clean Up!

In Q4 of FY25, the Solid Waste Bureau and the RAID Alliance awarded the 2026 Recycling and Illegal Dumping (RAID) grants. Through a competitive application process, 21 projects were selected to receive over $800,000 in funding to support scrap tire abatement, illegal dumpsite cleanup, recycling infrastructure, composting initiatives, and community education programs across the state. Among the 21 funded projects, several stand out for their innovative approaches and broad impact. The Southwest Solid Waste Authority will install 20 recycling bins throughout Silver City as part of a targeted outreach campaign to increase commercial cardboard recycling. Meanwhile, the City of Albuquerque will launch a bilingual public education initiative aimed at reducing recycling contamination, using a combination of digital media, billboards, social platforms, and in-person engagement. Other awardees for FY 2026 include municipalities, counties, pueblos, tribes, and solid waste authorities, many of which serve rural and frontier communities. Funded projects this cycle will: remove and recycle thousands of illegally dumped scrap tires; expand rural recycling drop-off infrastructure; launch or enhance composting initiatives; clean up legacy dumpsites near sensitive waterways; and deliver environmental education to youth and residents. The RAID Grant is funded through a dedicated fee on motor vehicle registrations and has supported over 400 projects with more than $13.4 million awarded since 2006. Projects are reviewed and recommended by the 12-member RAID Alliance and must be completed within the state fiscal year.

The following photos show the impact of the tire clean up and tire amnesty event held in Q4 2025.

Above left photo: dump site before cleanup. Above right: tire removal crew at work.
Below photo: dump site after tire and debris removal. (Photos provided by Shirlene Sitton, SWB Bureau Chief.)

Compliance Measures

Environmental regulatory compliance is essential to protect the environment and prevent harm to human health. Inspections are a valuable tool for NMED to determine whether regulated entities are in compliance with applicable laws, rules or permits. The table below provides an at-a-glance view of our progress toward our FY25 targets. The "compliance" measures reflect the results of inspections conducted within the reporting period. The "violation" measures reflect all active violations among all permittees. This difference in denominators can cause large differences between the "compliance" and "violations" rates.

	FY25 Target (%)	Q1 (%)	Q2 (%)	Q3 (%)	Q4 (%)	FY25 Actual (%)
Air						
Percent of air emitting sources inspected.	25.0	7.8	3.4	4.2	8.5	6.0
Percent of air emitting sources in compliance.	85.0	50.0	25.0	20.0	70.0	58.6
Percent of air emitting sources in violation.	15.0	50.0	75.0	80.0	30.0	51.7
Cannabis and Hemp						
Percent of cannabis and hemp permittees inspected*	85.0	14.5	13.0	5.3	15.8	95.0
Percent of cannabis and hemp permittee inspections showing compliance*	90.0	77.8	85.7	100.0	44.4	75.0
Percent of cannabis and hemp permittees with active or ongoing violations*	5.0	0.0	14.3	0.0	0.0	3.6
Groundwater						
Percent of groundwater permittees inspected.	65.0	10.7	9.3	9.5	9.2	38.4
Percent of groundwater permittees in compliance.	92.0	97.4	100.0	98.5	93.9	97.5
Percent of groundwater permittees in violation.	8.0	1.4	1.3	1.4	1.4	1.4
Hazardous Waste						
Percent of hazardous waste facilities inspected.	13.0	1.3	1.0	1.5	0.5	1.4
Percent of hazardous waste facilities in compliance.	90.0	40.6	60.0	64.9	50.0	54.6
Percent of hazardous waste facilities in violation.	5.0	0.9	0.9	0.8	0.5	0.8
Occupational Health and Safety						
Percent of high-hazard employers' facilities inspected*	2.0	0.1	0.1	0.2	0.1	0.1
Percent of all employers inspected*	0.5	0.1	0.05	0.1	0.1	0.1
Petroleum Tank Storage						
Percent of petroleum storage tank permittees Inspected*	50.0	8.0	21.0	31.0	38.0	38.9
Percent of petroleum storage tank permittee inspections showing compliance*	80.0	50.0	24.0	52.0	79.0	54.7
Percent of petroleum storage tank permittees with active or ongoing violations*	5.0	34.0	65.0	48.0	5.0	13.5
Radiation Sources in Medical Equipment						
Percent of ionizing/non-ionizing radiation sources inspected.	20.0	5.6	3.7	1.9	1.9	3.1
Percent of ionizing/non-ionizing radiation sources in compliance.	90.0	94.8	100.0	100.0	100.0	98.0
Percent of ionizing/non-ionizing radiation sources in violation.	10.0	0.3	0.3	0.0	0.2	0.2
Restaurants and Food Manufacturers						
Percent of restaurants/food manufacturers inspected.	90.0	21.0	17.1	21.8	21.3	95.0
Percent of restaurants/food manufacturers in compliance.	88.0	84.6	84.5	83.4	81.6	83.0
Percent of restaurants/food manufacturers in violation.	15.0	3.2	2.6	3.6	3.9	13.3
Septic Systems						
Percent of new or modified liquid waste systems inspected.	85.0	48.9	51.5	58.6	53.2	51.9

	FY25 Target (%)	Q1 (%)	Q2 (%)	Q3 (%)	Q4 (%)	FY25 Actual (%)
Percent of new or modified liquid waste systems in compliance.	85.0	99.8	99.7	99.1	99.6	99.7
Percent of new or modified liquid waste systems in violation.	13.0	0.2	0.3	0.9	0.4	0.3
Solid/Infectious Waste						
Percent of solid and infectious waste management facilities inspected.	85.0	10.9	13.0	17.0	34.8	19.0
Percent of solid and infectious waste management facilities in compliance.	90.0	100.0	83.3	100.0	81.3	88.6
Percent of solid and infectious waste management facilities in violation.	N/A	23.9	23.9	19.6	8.7	19.0
Surface Water						
Percent of surface water permittees inspected.	100.0	10.0	25.0	40.0	40.0	115.0
Percent of surface water permittees in compliance.	85.0	0.0	40.0	75.0	75.0	60.9
Percent of surface water permittees in violation.	N/A	4.0	3.0	3.0	4.0	3.8

*New Measure in FY25.

Our compliance performance measures are described in detail in Appendix B. These explanations include additional definitions and assumptions to provide further insight into the significance of these measures.

Clean Fuels Program to Protect Air and Boost Economy

NMED has proposed a Clean Transportation Fuel Program to the state's Environmental Improvement Board (EIB). If approved, New Mexico would become the fourth state in the nation with a clean transportation fuel standard, following Gov. Michelle Lujan Grisham's signing of House Bill 41 in March 2024. This innovative market-based program would allow producers, importers, and dispensers of low-carbon fuels to generate and sell credits to those producing high-carbon fuels. The program aims to: Strengthen and diversify New Mexico's economy; Create new economic opportunities in the $3 billion alternative fuels market; Attract investment in emerging industries like clean hydrogen and renewable propane.

NMED developed the proposal after extensive public input, including approximately 90 responses to a discussion draft published in December 2024. The department also met with industry representatives, environmental advocates, and tribal governments. A 60-day public comment period is expected to begin in mid-June 2025, with the EIB considering all feedback before making a final decision during the fall hearing.

At the end of Q4, a total of 20,016 electric vehicles registered in New Mexico (14,008 battery electric vehicles and 6,008 plug-in hybrid electric vehicles). The number of EVs registered on the road in the state has increased by 5,050 compared to Q4 2024; a 33.7% increase. To increase residents' familiarity with EVs, NMED has launched the "Electrify Your Ride" PSA across state media markets. The "Electrify Your Ride" PSA also alerts residents to the versatility of EVs, of existing state and utility incentives that may be applicable and encourages residents to visit their local dealerships for more sales information.

New Mexico's Climate Action Plan

Public meetings held in May and June provided New Mexicans with the opportunity to meet with NMED and EMNRD staff and provide public input on New Mexico's Climate Action Plan (CAP). Expected to be completed by December 2025, CAP will provide a roadmap to meet New Mexico's climate pollution reduction targets, and aims to ensure a healthy, secure, and prosperous future for all New Mexicans. Meeting participants gave insightful feedback to NMED and EMNRD staff, providing direction about forest management as climate solutions, environmentally friendly agricultural techniques, and new technologies to offset oil and gas emissions. The CAP team, comprised of NMED Climate Change Bureau and EMNRD Climate Policy Bureau staff conducted the series of meetings to strengthen community engagement and collaboration. Additional meetings throughout the summer will focus on further information gathering and analyzing how draft measures can most efficiently reduce greenhouse gases, benefit communities, and develop workforce opportunities. Continued engagement will support the move towards implementation of the plan. CAP is the culmination of a series of efforts initiated by the Governor's 2019 executive order directing that state to reduce climate pollution by 45% by 2030 and reach net-zero emissions by 2050. https://www.climateaction.nm.gov/CAP/

Economic Sector Climate Data

Industry — Industrial activities, primarily used in oil and gas production, generate 48% of the state's total emissions.

Transportation — Vehicles burning fossil fuels account for roughly 20% of greenhouse gas emissions.

Agriculture, Forests, and Wilderness — Fertilizer use, manure management, and livestock operations drive most of the emissions in this sector, which contributes about 12% of the total. In contrast, forests act as carbon sinks, helping to clean our air.

Buildings, Waste, and Materials — Heating and cooling systems, landfills, and wastewater treatment facilities produce the bulk of emissions from this sector, which makes up around 6% of the total.

Economic Investment Measures

NMED is dedicated to making economic investments that promote public health, improve environmental protection, and foster compliance. Economic investment is critical to New Mexico's ability to continue to build resilient environments. The table below provides an at-a-glance view of our progress toward our FY25 targets.

	FY25 Target	Q1	Q2	Q3	Q4	FY25 Actual
Total grant dollars awarded to communities.	$65,000,000					$70,607,000
Number of brownfield acres of contaminated land cleaned up and available for reuse.	20					3.7
Investments in water infrastructure, in dollars.	$30,000,000	$14,900,000	$49,500,000	$16,000,000	$23,800,000	$69,970,000
Number of new water infrastructure projects.	115	47	50	27	24	148

Our economic investment performance measures are described in detail in Appendix B. These explanations include additional definitions and assumptions to provide further insight into the significance of these measures.

City of Socorro saves $3.8 million by refinancing a federal loan with NMED Clean Water State Revolving Fund

The City of Socorro recently refinanced three USDA Rural Development 40-year infrastructure loans that were set at a 3.5% interest rate with NMED's Construction Programs Bureau.
Socorro completed an extensive replacement of deteriorating wastewater collection lines and upgrades to their wastewater treatment plant totaling $9.1 million. By consolidating the three USDA-RD loans and shortening the amortization period from 40-years to 25-years, Socorro will save $3.8 million in interest payments over the lifetime of the loan.

Since the City had to follow federal procurement and environmental review guidelines under the USDA-RD program, they met all CWSRF requirements, thereby making this loan consolidation and refinance possible.

Above and left:
City of Socorro Wastewater Treatment facilities

Operational Measures

NMED is committed to modernizing and improving operational efficiency while reducing operational costs with no loss in customer service. Increasing operational efficiency enables NMED to provide greater services to the public, industry, and our employees. The table below provides an at-a-glance view of our progress toward our FY25 targets.

	FY25 Target	**FY25 Actual**
Percent of NMED financial transactions completed online by the public or regulated community.	50%	23%
Total dollars collected by NMED and transferred to the general fund resulting from successful prosecutions and/or settlements stemming from non-compliance with laws, rules, or permits administered by the Department.	$750,000	$1,884,519

In FY25, NMED collected and deposited in the State's General Fund nearly $1.9 million in penalties assessed against municipalities, corporations and federal entities. Assessments were performed by the Air Quality Bureau, Hazardous Waste Bureau, Drinking Water Bureau and Occupational Health and Safety Bureau. In FY25, the Office of General Counsel (OGC) hired five new attorneys to alleviate the workload of over 500 matters, of which 243 are

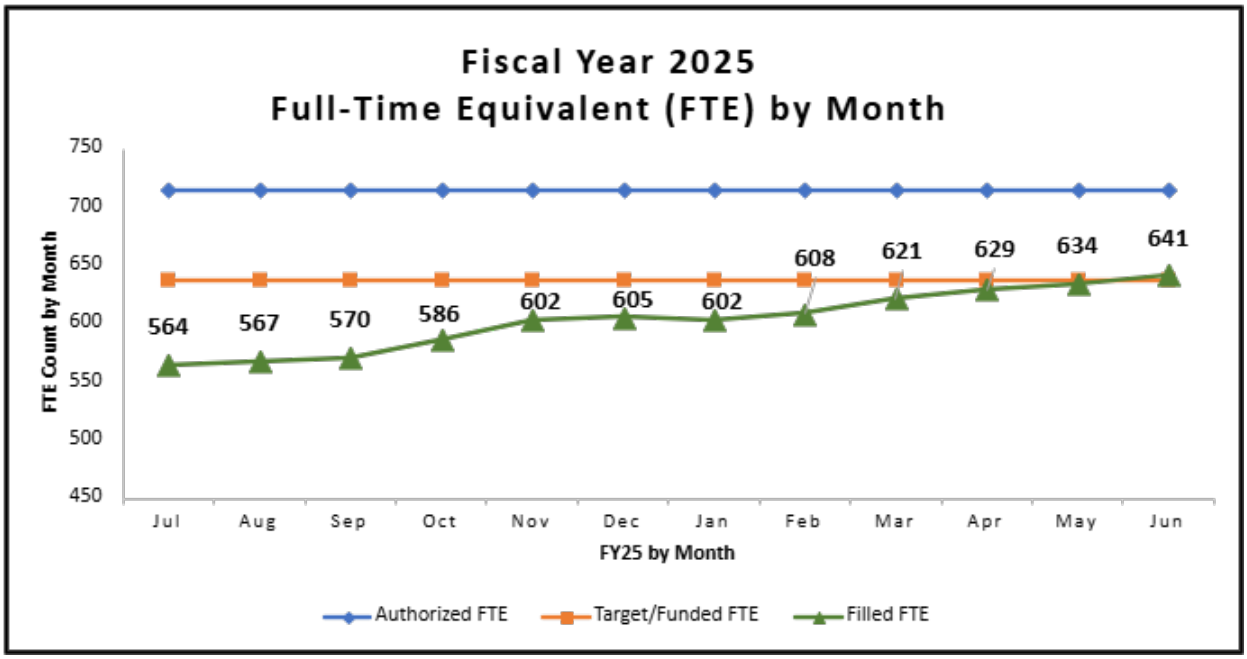
enforcement. In FY26, OGC expects to fill four more attorney positions, two in Air Quality, to assist NMED and the various bureaus in rulemakings and compliance and enforcement.

Funded Vacancy Rate by Month													
FY25 Target	**Jul**	**Aug**	**Sep**	**Oct**	**Nov**	**Dec**	**Jan**	**Feb**	**Mar**	**Apr**	**May**	**Jun**	**FY25 Actual**
6.0%	11.5%	11.0%	10.5%	8.0%	4.9%	5.0%	5.5%	4.6%	2.5%	1.3%	0.5%	-0.6%	5.4%

Our operational performance measures are described in detail in Appendix B. These explanations include additional definitions and assumptions to provide further insight into the significance of these measures.

NMED reduced its vacancy rate by 106% over the course of FY25, and in the fourth quarter of FY25, NMED saw a net gain of 20 filled positions. This represents a 3.2% increase in the number of positions filled in Q4, from 621 to 641. Hiring to fill vacancies across the agency was supported by increased recruitment through hiring fairs by the Human Resources Division and an increased number of applicants from Federal entities, pursuing opportunities to apply their government experience and skills at NMED. During FY25 Employees in many of our programs continue to struggle with unreasonable workloads. Our NMED Staff Workload Snapshot, on page 15, highlights some of those areas.

With the budget passed during the 2024 legislative session, the Department's FY25 budget included funding to increase salaries to appropriately compensate employees based on their education and experience in accordance with state regulations. NMED expects this will support the agency's efforts to fill positions, realign workloads to support employees and maintain an extraordinarily low vacancy rate.



NMED Staff Workload Snapshot

Based on existing staffing levels and assuming 235 workdays per year, it would take most NMED programs multiple years to conduct inspections to ensure compliance with *all* permitted or licensed facilities. Each year NMED carefully assesses, based on available resources, how to best regulate and assure compliance of businesses that are subject to laws passed by the Legislature, regulations adopted by state boards and commissions, and permits and licenses issued by the Department. With tens of thousands of regulated entities, NMED's employees, across programs and bureaus, carry a significant workload.

13 OSHA inspectors oversee 68,291 employers, or 5,253 employers per inspector

At current staffing levels, Air Quality Bureau staff can visit all permittees once every 6.3 years

The Drinking Water Bureau's 2 Utility Operator Certification employees support and provide services to 2,173 operators, or 1,086 operators for each NMED staff

The Surface Water Quality Bureau has 6 staff covering water quality monitoring of almost 200,000 stream miles, 173 lakes and reservoirs, and over 1,000,000 acres of wetlands

Construction Programs Bureau's 4 technical staff each manages 151 infrastructure projects

Appendix A

NMED Program Workload Data

Regulatory Permitting and Enforcement Programs

Division	Bureau	Program	Known Regulated Universe / Number of Permits	Authorized Permitting & Enforcement FTE	Filled Permitting & Enforcement FTE	% Time Permitting	% Time Enforcement	Regulated Entities/Permits per Filled Permitting & Enforcement FTE	As of Date
EHD	EHB	Liquid Waste, Food Safety, & Pool and Spa Programs	14,338	58.0	52.0	25%	75%	220	7/10/2025
EHD	OHSB	Compliance Program	68,381	18.0	14.0	0%	100%	4,884	7/9/2025
EPD	AQB	Permitting and Enforcement	3,169	45.0	31.0	78%	22%	102	6/30/2025
EPD	RCB	Radiation Protection Program	2,807	11.0	6.0	95%	5%	467	7/11/2025
RPD	HWB	Compliance and Tech. Assistance Program	2,547	9.7	7.0	0%	100%	364	7/14/2025
RPD	HWB	Permitting Program	17	28.0	20.0	100%	0%	1	7/21/2025
RPD	PSTB	Prevention/Inspection - Delivery Prohibition	1,710	17.0	16.0	0%	100%	106	6/30/2025
RPD	PSTB	Remedial Action Program	972	18.0	10.0	0%	0%	97	6/30/2025
RPD	SWB	Permitting and Enforcement Program	933	15.0	10.0	40%	60%	117	6/30/2025
WPD	DWB	Public Water System Supervision	1,054	14.0	11.0	90%	10%	96	7/14/2025
WPD	GWQB	Agriculture Compliance Section	200	5.0	5.0	90%	10%	42	7/11/2025
WPD	GWQB	Mining Environmental Compliance Section	45	12.0	11.0	90%	10%	4	7/11/2025
WPD	GWQB	Pollution Prevention Section	471	18.0	17.0	90%	10%	28	7/1/2025
WPD	SWQB	Dredge/Fill Permits	76	4.0	4.0	15%	5%	19	7/1/2025
WPD	SWQB	NPDES permit compliance	5,751	7.0	6.0	50%	50%	959	7/1/2025

Non-Regulatory Programs

Division	Bureau	Program	Permittees / Facilities	Known Universe Category	Authorized FTE	Filled FTE	Workload per filled FTE	Descriptor	As of Date
EHD	OHSB	Consultation Program	68,291	Employers	9.0	7.0	9,756	Employers per Consultation Program FTE	7/14/2025
RPD	HWB	Incident Coordination	365	Emergency calls	1.3	1.0	365.0	Emergency calls per Incident Coordination FTE	7/14/2025
RPD	SWB	Recycling and Illegal Dumping Grants	15	FY25 grants	4.0	3.0	5	FY25 grants per Recycling and Illegal Dumping Grants FTE	7/14/2025
WPD	CPB	Technical Section	603	Infrastructure Projects	7.0	4.0	151	Infrastructure Projects per Technical Section FTE	7/14/2025
WPD	DWB	Engineering	1,054	Public Water Systems	3.0	3.0	351	Public Water Systems per Engineering FTE	7/14/2025
WPD	DWB	Infrastructure Funding Support	1,054	Infrastructure Funding Support	2.0	1.0	1,054	Infrastructure Funding Support per Infrastructure Funding Support FTE	7/14/2025
WPD	DWB	Sustainable Water Infrastructure	1,054	Public Water Systems	15.0	12.0	88	Public Water Systems per Sustainable Water Infrastructure FTE	7/14/2025
WPD	DWB	Utility Operator Certification	2,173	Utility operators	7.0	2.0	1,087	Utility operators per Utility Operator Certification FTE	7/14/2025
WPD	GWQB	Remediation Oversight Section	146	Sites	10.0	9.0	16.2	Sites per Remediation Oversight Section FTE	7/15/2025
WPD	GWQB	Superfund Oversight Section	29	Sites	11.0	9.0	3.2	Sites per Superfund Oversight Section FTE	7/15/2025
WPD	SWQB	Water Quality Standards	6,703	Perennial stream miles in NM	4.0	4.0	1,676	Perennial stream miles in NM per Water Quality Standards FTE	7/1/2025
WPD	SWQB	Water Quality Standards Program	191,999	Non-perennial stream miles in NM	4.0	4.0	48,000	Non-perennial stream miles in NM per Water Quality Standards Program FTE	7/1/2025

Division	Bureau	Program	Permittees / Facilities	Known Universe Category	Authorized FTE	Filled FTE	Workload per filled FTE	Descriptor	As of Date
WPD	SWQB	Monitoring Program	6,703	Perennial stream miles in NM	5.0	5.0	1,341	Perennial stream miles in NM per Monitoring Program FTE	7/1/2025
			191,999	Non-perennial stream miles in NM			38,400	Non-perennial stream miles in NM per Monitoring Program FTE	7/1/2025
			173	Number of Significant Lakes and Reservoirs			35	Number of Significant Lakes and Reservoirs per Monitoring Program FTE	7/1/2025
WPD	SWQB	TMDL & Assessment	681	Number of assessed river/stream reaches	5.0	4.0	170	Number of assessed river/stream reaches per TMDL & Assessment FTE	7/1/2025
WPD	SWQB	Wetlands Protection	1,152,122	Acres of freshwater wetlands in NM	4.0	4.0	288,031	Acres of freshwater wetlands in NM per Wetlands Protection FTE	7/1/2025
WPD	SWQB	Nonpoint Source Pollution - Planning & Restoration	3,223	Number of sub-watersheds	10.0	10.0	322	Number of sub-watersheds per Nonpoint Source Pollution - Planning & Restoration FTE	7/1/2025
WPD	SWQB	Effectiveness Monitoring	243	Number of impaired river/stream reaches	1.0	1.0	243	Number of impaired river/stream reaches per Effectiveness Monitoring FTE	7/1/2025

Appendix B

Public Health Measures	Definitions and Assumptions
Percent of the population breathing air meeting federal health standards.	“Meeting federal health standards” means meeting the National Ambient Air Quality Standards (NAAQS) for air pollutants. “Population” means 32 percent of the total population of New Mexico since 35 percent of the total population live in 20 counties without air monitors and 33 percent of the total population live in Bernalillo County and the City of Albuquerque which operate their own air monitoring sites and monitors and do not contribute to the NMED data set. Therefore, 32 percent of the population will be used as the denominator when calculating the percent of the population in the 10 monitored counties breathing air meeting federal health standards.
Percent of the population served safe and healthy drinking water.	"Community water system" means a public water system that serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents. "Safe and healthy drinking water" is defined as drinking water served by a community water system that meets primary health-based drinking water standards. Health-Based Standards are standards that fall into one of three categories: 1) maximum contaminant levels (MCLs) that specify the highest allowable contaminant concentrations in drinking water; 2) maximum residual disinfectant levels (MRDLs) that specify the highest concentrations of disinfectants allowed in drinking water; and 3) treatment technique requirements that specify certain processes intended to reduce the level of a contaminant. The numerator will exclude the population served by systems with unresolved violations from prior quarters and will be based on the compliance status of each community water system at any time during the quarter. The denominator is the total number of people served by community water systems.
Number of drinking water systems serving drinking water that did not meet at least one standard compared to the total number of drinking water systems	"Drinking water system serving drinking water that did not meet at least one standard" is a community water system with one or more violations of primary health-based drinking water standards. See above for "community water system" definition. The numerator will exclude population served by systems with unresolved violations from prior quarters; also, the numerator will be based on compliance status of each community water system at any time during the quarter. The denominator is the total number of people served by community water systems.
Number of community water system violations returned to compliance as a result of NMED assistance.	See above for "community water system" definition. "Violations" means all violations, including monitoring, reporting, public notice, and exceedances. "Returned to compliance" means that a violation has gone from non-compliant status to compliant status in the data system of record (i.e., Safe Drinking Water Information System). Note that there can be a lag between when the system addresses the violation and when NMED documents that the system returned to compliance.
Number of superfund sites cleaned up as compared to the number of superfund sites remaining.	“Superfund site” means an entire Superfund Site on the National Priorities List, including all operational units. As of September 30, 2021, there are 15 Superfund Sites in New Mexico. Superfund Site clean-ups take many years, and it is common for Sites to remain on the National Priorities List for decades. As a result, most years the number of Superfund Sites cleaned-up will be zero. If, in a given year, a Superfund Site is partially delisted (e.g., one operational unit is delisted and one or more remains) we will note this in the narrative, but a partial delisting will not count toward this measure.
Number of restaurants/food manufacturers that did not meet at least one standard compared to the total number of restaurants/food manufacturers.	"One standard" means having at least one priority violation during an annual inspection. "Priority violations" are the highest risk violations that indicate the greatest risk of consumers possibly becoming ill as a result of eating food from the restaurant/food manufacturer. The denominator is the number of facilities for which NMED made a compliance determination during the quarter, following an inspection of the facility. The denominator does not include facilities for which the program made a compliance determination without conducting an inspection (e.g., based on records review).
Number of employers that did not meet Occupational Safety and Health Administration (OSHA) requirements for	"Number of employers that did not meet OSHA requirements" includes all employers issued at least one citation for violation(s) of OSHA standards (numerator). "Total number of workplaces" includes all employers found in compliance (case closed with no citations) and employers issued citation(s) during the fiscal year (denominator).

at least one standard compared to the total number of employers.	

Environmental Protection Measures	Definitions and Assumptions
Amount of volatile organic compounds emitted statewide, in tons.	This measure will use the annual calendar year volatile organic compounds (VOCs) emissions inventory which includes actual emissions (i.e., routine, start up, shut down, maintenance, malfunction (SSM/M)) and all illegal VOC emissions. The tons per year reported at the end of the fiscal year will constitute emissions for the previous calendar year. Qualified sources are defined in 20.2.73.300.B(1) as "Any source which emits, or has the potential to emit, 5 tons per year or more of lead or lead compounds, or 100 tons per year or more of PM10, PM2.5, sulfur oxides, nitrogen oxides, carbon monoxide, or volatile organic compounds shall submit an emissions report annually". NMED will assume for this performance measure that legal emissions are from sources in NMED's jurisdiction, which excludes Bernalillo County and Tribal areas.
Amount of volatile organic compounds emitted illegally, in tons.	"Illegal emissions" are those that exceed permitted (allowable) limits. This is a reporting of the illegal total tons of VOC emissions for comparison to total tons of emissions. The tons per year reported at the end of the fiscal year will constitute emissions for the previous calendar year. NMED will assume for this performance measure that illegal emissions are from sources in NMED's jurisdiction, which excludes Bernalillo County. This measure assumes all excess emissions reported to NMED by regulated facilities are in violation of state and federal law. Note: nonpermitted sources are not required to report excess emissions because they do not have an "allowable" limit.
Amount of nitrogen oxides emitted statewide, in tons.	This measure will use the annual calendar year nitrogen oxides (NOx) emissions inventory which includes actual emissions (i.e., routine, start up, shut down, maintenance, malfunction (SSM/M)) and all the illegal NOx emissions. The tons per year reported at the end of the fiscal year will constitute emissions for the previous calendar year. See above for "qualified sources" definition. NMED will assume for this performance measure that legal emissions are from sources in NMED's jurisdiction, which excludes Bernalillo County and Tribal areas. The data is collected from permitted and registered industrial facilities (point sources).
Amount of nitrogen oxides emitted illegally, in tons.	See above for "illegal emissions" definition. This is a reporting of the illegal total tons of NOx emissions for comparison to the total tons of emissions. The tons per year reported at the end of the fiscal year will constitute emissions for the previous calendar year. NMED will assume for this performance measure that illegal emissions are from sources in NMED's jurisdiction, which excludes Bernalillo County. This measure assumes all excess emissions reported to NMED by regulated facilities are in violation of state and federal law. Note: nonpermitted sources are not required to report excess emissions because they do not have an "allowable" limit.
Quantity of nutrient-based pollutants reduced due to implementation of watershed restoration and on-the-ground improvement projects, in pounds.	"Nutrient-based pollutants" are nitrogen and phosphorus. "Pounds of nitrogen" are measured as Total Nitrogen. "Pounds of phosphorus" are measured as Total Phosphorus. NMED will count load reductions toward this measure when NMED confirms individual project completion. The data do not include pollutant load reductions resulting from programs and projects not represented in the U.S. Environmental Protection Agency's (EPA) Grants Reporting and Tracking System (GRTS). Due to the requirement for NMED to report to EPA once annually, along with the cycle for implementation of water quality restoration projects that generate pollutant reductions, numbers reported for this measure mid-year may not demonstrate progress toward annual targets.
Reduction in nonpoint source sediment loading attributed to implementation of watershed restoration and on-the-ground improvement projects.	"Nonpoint source sediment loading" means the amount of sediment (in pounds) that is carried by rain and snowmelt and deposited in aquatic environments from many diffuse (i.e., nonpoint) sources over a specific period (e.g., day, year, etc.). "Nonpoint source pollutant" means a pollutant released into the aquatic environment from a wide area and many diffuse sources. NMED will count load reductions toward this measure when NMED confirms individual project completion. The data do not include pollutant load reductions resulting from programs and projects not represented in EPA GRTS. Due to the requirement for NMED to report to EPA once annually, along with the cycle for implementation of water quality restoration projects that generate pollutant reductions, numbers reported for this measure mid-year may not demonstrate progress toward annual targets.

Number of nonpoint source impaired waterbodies restored by the Department relative to the number of impaired water bodies.	See above for "nonpoint source pollutant" definition. "Impaired waterbody" means a surface water of the state (i.e., stream, river, lake, wetland) is not meeting the applicable surface water quality standards for one or more pollutants. In other words, the concentration of the pollutant(s) is higher than the levels established to protect fish, recreation, irrigation, and other uses. Full restoration of a waterbody takes years and typically many combined projects to address the causes of the impairment. Despite successful efforts to restore certain waterbodies and remove them from the impaired waters list, the total number of impaired waterbodies will increase over time due to: (1) monitoring and assessment of more waterbodies; and (2) the general trend for changing land uses over time, combined with impacts of climate change.
Number of underground storage tank sites cleaned up compared to the total number of leaking underground petroleum storage tank sites remaining.	"Cleaned up" means that soil and groundwater contaminants of concern have met the applicable state's standards. "Underground storage tank" means a single tank or combination of tanks, including pipes connected thereto, that are used to contain an accumulation of regulated substances and the volume of which, including the volume of the underground pipes connected thereto, is ten percent or more beneath the surface of the ground. "Petroleum storage tank" means a storage tank system that contains petroleum or a mixture of petroleum with de minimis quantities of other regulated substances. Such systems include those containing motor fuels, jet fuels, distillate fuel oils, residual fuel oils, lubricants, petroleum solvents, and used oils. "Leak" means any spilling, emitting, discharging, escaping, or disposing of a regulated substance due to the failure of components of a storage tank system to contain a regulated substance as designed. A leak may or may not result in a release to the environment. "Petroleum" means crude oil, crude oil fractions, and refined petroleum fractions, including gasoline, kerosene, heating oils, and diesel fuels. This measure does not reflect ongoing work to clean up sites to achieve No Further Action (NFA) status. Also, this measure does not report NFA releases from above ground storage tanks.
Number of completed cleanups of petroleum storage tank release sites that require no further action.	"No Further Action" is a technical determination issued by NMED that documents that the owner or operator of a site has met all applicable WQCC and EIB remediation standards and that no contaminant will present a significant risk of harm to public health, safety, welfare, and the environment. "Completed cleanups" is another term for "No Further Action." See above for "petroleum storage tank" definition. "Release" means any spilling, leaking, emitting, discharging, escaping, leaching, or disposing of a regulated substance from a storage tank system into the groundwater, surface water or soil. See above for "petroleum" definition. This measure does not reflect ongoing work to clean up sites to achieve NFA status.
Number of zero-emission vehicles registered in New Mexico*	Clean cars mean both battery electric vehicles (BEVs) and plug-in hybrid electric vehicles (PHEVs). By identifying all the clean cars registered in the state, the performance measure encompasses new and used vehicles. New Mexico Motor Vehicle Division (MVD) provides Atlas Public Policy vehicle information number (VIN) quarterly for all vehicles registered in New Mexico. Atlas Public Policy decodes the NM MVD VIN data to identify which vehicles are classified as clean vehicles. Atlas Public Policy posts the clean vehicle data with a visual interpretation on a public, New Mexico-specific dashboard (https://atlaspolicy.com/evaluatenm/).
Number of liquid waste system violations resulting from complaints*	A "complaint" is a negative report regarding a particular liquid waste system. A "liquid waste system violation" pertains to a new or modified liquid waste system that has been inspected and found to not meet regulatory requirements and could not be issued a final approval.

Compliance Measures	**Definitions and Assumptions**
Air	
Percent of air emitting sources inspected.	"Inspected" means a full compliance evaluation, either on-site or off-site (with photographic verification of equipment and other physical verifications required) that is conducted to inform a compliance determination and support enforcement actions, if appropriate. Inspections include evaluation of all appropriate regulatory requirements and permit conditions. "Air emitting source" means a source of air pollutants, usually an industrial facility, that is included in the Air Quality Bureau (AQB) list of sites to inspect in the universe of sources that may be included in a given annual Compliance Monitoring Strategy (CMS) Plan.

Percent of air emitting sources in compliance.	"Air emitting source" means an industrial facility that is included in the annual CMS Plan that is subject to approval by the EPA. “In compliance" means, upon completion of an on-site or off-site evaluation by NMED, the air emitting source meets all the requirements of permit(s), state regulations and federal regulations that apply to the facility and its operations. The denominator is the number of facilities for which NMED made a compliance determination during the quarter, following an inspection of the facility. The denominator does not include facilities for which the program made a compliance determination without conducting an inspection (e.g., based on records review).
Percent of air emitting sources in violation.	See above for "air emitting source" definition. "In violation" means that one or more potential violations were discovered through analysis of state or federal regulatory requirements or permit conditions. Numerator is all permittees with one or more potential violations that remain unresolved (i.e., permittees with an ongoing violation). Denominator is the total number of regulated entities (permittees/facilities).
Groundwater	
Percent of groundwater permittees inspected.	“Inspected” means an on-the-ground compliance inspection that is conducted to inform a compliance determination and support enforcement actions, if appropriate. "Groundwater permittees" means a person or facility with an active discharge permit issued by the NMED Ground Water Quality Bureau (GWQB) under the authority of Water Quality Control Commission (WQCC) regulations found at 20.6.2 NMAC, 20.6.6 NMAC, and 20.6.7 NMAC; this term does not include sites under abatement pursuant to WQCC regulations unless the facility is abating groundwater contamination under discharge permit. The numerator is the number of permittees inspected during the reporting period; the denominator is total regulated permittees. The denominator will be set on July 1 each year and quarterly inspection activity will vary. This measure will be tracked and reported cumulatively across quarters.
Percent of groundwater permittees in compliance.	See above for "groundwater permittees" definition. "In compliance" means that GWQB inspected the facility and determined that no violations of the permit conditions or regulations were found at the time of inspection. See above for which permits are included in this measure. This measure will provide a compliance rate as a snapshot in time (one quarter only). The numerator is the number of permittees inspected in past quarter that are in compliance with applicable requirements and permit conditions. The denominator is the number of permittees for which a compliance determination was made during the quarter following an inspection of the permittee. The denominator does not include facilities for which the program made a compliance determination without conducting an inspection (e.g., based on records review).
Percent of groundwater permittees in violation.	See above for "groundwater permittees" definition. "In violation" means a permittee with a violation that has not yet been resolved. This will include permittees that are working on ongoing corrective actions but have not completed them. See above for which permits are included in this measure. Numerator is the number of facilities with an unresolved violation, regardless of whether the violation was identified during the reporting quarter. Denominator is the total number of regulated facilities/entities.
Hazardous Waste	
Percent of hazardous waste facilities inspected.	“Inspected” means an on-the-ground compliance inspection that is conducted to inform a compliance determination and support enforcement actions, if appropriate. "Facilities" tracked under this measure include hazardous waste generators, transporters, and treatment, storage and disposal facilities.
Percent of hazardous waste facilities in compliance.	See above for "facilities" definition. “In compliance” means that there were no violations of the New Mexico Hazardous Waste Management Regulations (HWMR) 20.4.1 New Mexico Administrative Code (NMAC) found at the time of inspection. This percentage will be calculated based on the number of compliant facilities out of the total number of facilities inspected.
Percent of hazardous waste facilities in violation.	See above for "hazardous waste facilities" definition. “In violation” means the facility was found to be out of compliance with the New Mexico HWMR 20.4.1 NMAC at the time of inspection. Numerator is the number of facilities with an unresolved violation, regardless of whether the violation was identified during the reporting quarter. Denominator is the total number of regulated facilities/entities.
Petroleum Storage Tanks	

Percent of petroleum storage tank facilities inspected.	“Inspected” means an on-the-ground compliance inspection that is conducted to inform a compliance determination and support enforcement actions, if appropriate. "Facilities" tracked under this measure include hazardous waste generators, transporters, and treatment, storage and disposal facilities.
Percent of petroleum storage tank facilities in compliance after inspection.	“In compliance” means that there were no violations in the New Mexico Administrative Code (NMAC) found at the time of inspection. This percentage will be calculated based on the number of compliant facilities out of the total number of facilities inspected.
Percent of petroleum storage tank facilities with active/ongoing violations.	“In violation” means the facility was found to be out of compliance at the time of inspection.
Radiation Sources in Medical Equipment	
Percent of ionizing/non-ionizing radiation sources inspected.	“Inspection” means an official examination or observation including, but not limited to, tests, surveys and monitoring to determine compliance with rules, regulations, orders, requirements and license or registration conditions of the department. In other words, an on-the-ground compliance inspection that is conducted to inform a compliance determination and support enforcement actions, if appropriate. “Ionizing radiation” means a form of energy that acts by removing electrons from atoms and molecules of materials that include air, water, and living tissue. “Non-ionizing radiation” means a form of radiation with less energy than ionizing radiation. Unlike ionizing radiation, non-ionizing radiation does not remove electrons from atoms or molecules of materials that include air, water, and living tissue. The denominator is the total regulated entities.
Percent of ionizing/non-ionizing radiation sources in compliance.	See above for “ionizing radiation” and “non-ionizing radiation” definitions. “In compliance" means no violations of state regulations were found during onsite or virtual inspections. The denominator is the number of facilities for which NMED made a compliance determination during the quarter, following an inspection of the facility. The denominator does not include facilities for which the program made a compliance determination without conducting an inspection (e.g., based on records review).
Percent of ionizing/non-ionizing radiation sources in violation.	See above for “ionizing radiation” and “non-ionizing radiation” definitions. "In violation" means a violation of at least one state regulation was found during and on-site or virtual inspection. Numerator is the number of facilities with an unresolved violation, regardless of whether the violation was identified during the reporting quarter. Denominator is the total number of regulated facilities/entities.
Restaurants and Food Manufacturing	
Percent of restaurants/food manufactures inspected.	“Inspected” means an on-the-ground compliance inspection that is conducted to inform a compliance determination and support enforcement actions, if appropriate. The denominator is the total regulated entities with scheduled inspections within the quarter being reported.
Percent of restaurants/food manufactures in compliance.	"Compliance" means an inspected facility did not have priority violations during an annual inspection. "Priority violations" are the highest risk violations that indicate the greatest risk of consumers possibly becoming ill as a result of eating food from the restaurant/food manufacturer. The denominator is the number of facilities for which NMED made a compliance determination during the quarter, following an inspection of the facility. The denominator does not include facilities for which the program made a compliance determination without conducting an inspection (e.g., based on records review).
Percent of restaurants/food manufactures in violation.	"Violation" means having at least one priority violation during an annual inspection. See above for "priority violations" definition. Numerator is the number of facilities with an unresolved violation, regardless of whether the violation was identified during the reporting quarter. Denominator is the total number of regulated facilities/entities.
Cannabis and Hemp	
Percent of cannabis and hemp permittees inspected.	“Inspected” means a routine, annual on-the-ground compliance inspection that is conducted to inform a compliance determination and support enforcement actions, if appropriate.

Percent of cannabis and hemp permittees showing compliance.	"Compliance" means not having priority violations during an annual inspection. "Priority violations" are the highest risk violations that indicate the greatest risk of consumers possibly becoming ill as a result of eating or consuming cannabis edibles or hemp finished products.
Percent of cannabis and hemp permittees with active/ongoing violations.	"Violation" means having at least one priority violation during an annual inspection. "Priority violations" are the highest risk violations that indicate the greatest risk of consumers possibly becoming ill as a result of eating or consuming cannabis edibles or hemp finished products.
Occupational Health and Safety	
Percent of high-hazard facilities inspected	Bureau management and administrative staff develop targeting systems, including emphasis programs, each year based on data identifying establishments considered high hazard by industry, illness/injury rate or other neutral selection criteria. Management assigns cases to compliance officers who enter inspection and violation data in OIS in accordance with the New Mexico Field Operations Manual (FOM).
Percent of all employers inspected	The intent of this measure is to display the number of employers issued at least one citation for OSHA standard violations compared to the total number of employers inspected during the reporting period.
Septic Systems	
Percent of new or modified liquid waste systems inspected.	“Inspected” means an on-the-ground compliance inspection that is conducted to inform a compliance determination and support enforcement actions, not including photo or virtual inspections. A liquid waste system inspection includes, for the purpose of this measure, an inspection of a new or modified system that has been installed, complete and not ready for a compliance inspection. This measure does not include compliance-based inspections. The denominator is total number of systems inspected as a result of the installation of a new or modified system.
Percent of new or modified liquid waste systems in compliance.	“Compliance” of a new or modified liquid waste systems means the system has been inspected on-site and found to meet regulatory requirements during the initial inspection and may be issued a final approval. The denominator is the total number of systems inspected as a result of the installation of a new or modified system by department personnel, not including photo and unpermitted system inspections.
Percent of new or modified liquid waste systems in violation.	“Violation” of new or modified liquid waste systems are those that have been inspected and have been found to not meet regulatory requirements and could not be issued a final approval. The system installation requires a re-inspection before final approval. The denominator is the total number of systems inspected as a result of the installation of a new or modified system by department personnel, not including photo and unpermitted system inspections.
Surface Water	
Percent of surface water permittees inspected.	“Inspected” means an off-site or on-site compliance inspection that is conducted to evaluate compliance with the EPA permit and support EPA enforcement actions, if appropriate. "Surface water permittees" refers to NPDES surface water discharge permittees. The numerator is the number of permittees subject to NMED-led inspections completed that quarter; the denominator is the number of NMED-led inspections planned for the fiscal year through SWQB’s commitment to EPA Region 6. This measure represents surface water discharge inspections NMED conducts on behalf of EPA Region 6, which is currently the permitting authority for these regulated entities in New Mexico.
Percent of surface water permittees in compliance.	See above for "surface water permittees" definition. "In compliance" means the permittee scored a 3 or higher on their facility evaluation rating on a scale of 1 (very unreliable programs) to 5 (very reliable programs). The denominator is the number of permittees for which NMED issued a final Facility Evaluation Rating during the quarter, following an NMED-led inspection of the permittee. The numerator is the number of permittees for which final inspection reports were issued with a Facility Evaluation Rating of 3 or higher during the quarter.

Percent of surface water permittees in violation.	See above for "surface water permittees" definition. "In violation" means that EPA issued an enforcement action against an inspected facility. Numerator is the number of facilities with an unresolved violation, regardless of whether the violation was identified during the reporting quarter. Denominator is the total number of regulated facilities/entities. “Enforcement action” is an EPA-issued administrative order or administrative penalty order. If SWQB completes an inspection report during the 1st quarter, that facility may not be in the numerator for percent in violation for the 1st quarter because the noncompliance determination may not be made until another quarter. This facility would end up in the numerator for the percent in violation measure in the quarter when the EPA issues the enforcement action.

Economic Investment Measures	**Definitions and Assumptions**
Total investment of grants dollars awarded to communities, year to date.	"Investment" means the action of investing money to a particular undertaking with the expectation of a worthwhile result. “Grant dollars” means money from state or federal funds. “Communities” means a physical location of census tracts or a neighborhood bounded by certain streets and geophysical features. “Awarded” means funds given to communities. This performance measure will include data from many sources, including but not limited to: Solid Waste Bureau’s Recycling and Illegal Dumping (RAID) grants, the Construction Program Bureau (CPB)’s Clean Water State Revolving Loan Fund (CWSRF) and Rural Infrastructure Program (RIP). These data do not include tracking funds as they are reimbursed or capital outlay funds. Also, these data do not include funds awarded to contractors or areas without populations.
Number of brownfield acres of contaminated land cleaned up and available for reuse.	“Brownfield acres” means brownfields sites that utilize the Brownfield Revolving Loan Fund (BRLF) program or a national brownfield grant to fund assessment or clean-up. "Cleaned up and available for reuse” means the acres are remediated and “Ready for Anticipated Use (RAU),” a technical determination that environmental conditions at the site are protective of human health and the environment based on current use(s) or planned future use(s). This measure will not report on sites being regulated through the State Cleanup Program.
Investments in water infrastructure, in dollars.	"Investments" means actual disbursements from CWSRF, RIP and Capital Outlay to communities for water infrastructure projects. "Water infrastructure" includes drinking water, wastewater, stormwater and any other projects eligible for CWSRF or RIP, and any Capital Outlay projects appropriated to NMED and managed by the CPB. These data are reported by quarter, not as a rolling total of dollars from quarter to quarter. It is important to note that the number of new Capital Outlay projects in a given year is dependent on legislative appropriation. Disbursements from programs not managed directly by CPB are not included in this measure, so a total amount of financial impact to the state from water programs CPB only participates in as a contractor are not included.
Number of new water infrastructure projects.	"New water infrastructure project" means Clean Water State Revolving Loan Fund (CWSRF), Rural Infrastructure Program (RIP) and capital outlay projects with a funding agreement executed during the reporting period (i.e., quarter). Capital outlay funding agreements are a consequence of appropriations made to the NMED by the Legislature. Because this measure does not capture disbursements from programs not managed directly by NMED CPB, reporting of this measure does not reflect the total amount of financial impact to the State of New Mexico from all water infrastructure financing programs.

Operational Measures	**Definitions and Assumptions**

Total dollars collected by NMED and transferred to the general fund resulting from successful prosecutions and/or settlements stemming from non-compliance with laws, rules, or permits administered by the Department.	Enforcement actions are administrative or judicial actions initiated by NMED in response to some information that a regulated entity is violating a statute and/or rule (regulation) for which NMED has legal enforcement authority, or a permit administered by NMED. NMED administers permits pertaining to the following: air quality, water quality, drinking water quality, solid waste, hazardous waste, liquid waste, food safety, ionizing radiation, hemp (warehousing, extraction processing, manufacturing), and public recreation water safety. NMED has enforcement authority for all these matters, in addition to occupational health and safety. The intent of this measure is to display the success of enforcement actions and litigation, as well as the benefit to the entire state via general fund revenue generation. Ideally, the target is zero since compliance with state rules and permits is always required. Realistically, and as the compliance and violation performance measures indicate, NMED is likely to see violations that merit civil penalties in all regulatory programs. Note that NMED may transfer penalties to the general fund from actions initiated by NMED, the Attorney General, a federal agency, etc.
Vacancy rate by month.	The intent of this measure is to track NMED's effort to achieve our budgeted vacancy rate. A negative trend will convey greater staff retention and increased hiring to reduce our vacancy rate. “Vacancy rate” is calculated by subtracting the number of filled full-time equivalent (FTE) positions from the number of budgeted FTE positions (i.e., 662 for FY23) and dividing by the number of authorized FTE positions. Note that as FTE goes down, vacancy rate increases.
Percent of NMED financial transactions completed online by the public or regulated community.	A “financial transaction” facilitates the utilization of ACH and credit card payments for NMED license permitting, loan payments, corrective action fees, certification renewal fees, and other compliance, primacy, and regulatory fees which NMED bills to the constituent and regulated community via email, paper mail, or at the Wells Fargo portal, who pay directly to Wells Fargo, who processes the payment, and the money is deposited into individual program’s Wells Fargo account. The intent of this measure is to drive NMED's modernization, cost-saving efforts, and improved customer service (e.g., online transactions require different resources than in-person or by mail). A positive trend will convey that a greater share of financial transactions is being completed online, directly resulting from modernization, human capital, and cost-saving efforts to improve efficiency and provide enhanced customer service. The following transactions are not being measured here: legal settlements, compliance agreements, State of New Mexico budgets, federal and state grants, inter/intra agency transfers, and special revenue funds.