



Notification provided via E-mail

July 11, 2023

Logan Ross. loganross2@usda.gov
Smokey Bear RS Lincoln USFS, NM3590714
3463 Las Palomas Drive
Alamogordo, NM 88310

RE: Notice of Violation – Failure to provide Public Notice

Dear Logan Ross:

Our records indicate that the Smokey Bear RS Lincoln USFS water system did not provide public notice to your customers and did not return the public notice certification form to New Mexico Environment Department-Drinking Water Bureau (NMED-DWB) for a Chlorine Residual M&R Notice of Violation (NOV) issued on March 21, 2022.

Pursuant to Section 20.7.10.100 NMAC [incorporating 40 CFR Section 141.204], you were required to notify your customers of the violation by **mail or other direct delivery to each customer** and any other methods as necessary to inform the public, within a year from the date on the original NOV.

Pursuant to 20.7.10.100 NMAC [incorporating 40 CFR Section 141.31(d)] the Smokey Bear RS Lincoln USFS water system was required to certify, within 10 days of completing the public notice, that the public notice was published and the method of publication, by submitting a completed copy of the Public Notification Certification Form.

Because the public notice and public notice certification form were not provided to NMED-DWB, the Smokey Bear RS Lincoln USFS water system is in violation.

The Smokey Bear RS Lincoln USFS water system is still required to provide public notice and return the Public Notice Certification Form to NMED-DWB for the NOV issued on March 21, 2022. Please complete the public notice requirements and return the Public Notice and Public Notice Certification Form to John Pijawka by email at john.pijawka@env.nm.gov

NMED-DWB reserves the right to take additional enforcement action regarding the violations identified in this NOV, to include the issuance of an Administrative Compliance Order compelling compliance and issuing civil penalties.

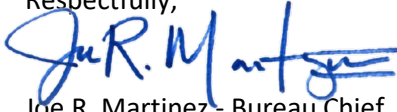
Pursuant to the NMED Delegation Order dated March 24, 2023, the Cabinet Secretary has delegated the authority to issue Notice of Violations to DWB Bureau Chief Joe R. Martinez.

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 public water system as appearing on this webpage. Your public

water system will remain on the Enforcement Watch website as an active matter until this matter is fully resolved.

If you or members of your staff have questions, please feel free to contact please contact John Pijawka at 575-973-0642 or by e-mail at john.pijawka@env.nm.gov

Respectfully,

A handwritten signature in blue ink, appearing to read "Joe R. Martinez", with a stylized flourish at the end.

Joe R. Martinez - Bureau Chief
Drinking Water Bureau
Water Protection Division

cc: Brandi Littleton- Southern Compliance Supervisor (electronic)
John Pijawka - Compliance Officer (electronic)
Electronic Central File