



Certified Mail – Return Receipt Requested No. 7020 3160 0000 0515 4703

December 27, 2023

David Nunnelley
Utilities Director
City of Alamogordo, Utilities Department
42 Valley View Drive
La Luz, NM 99337
dnunnelley@ci.alamogordo.nm.us

Re: RESOLUTION OF NOTICE OF VIOLATION – Otero/Greentree Regional Landfill

Dear David Nunnelley:

On August 25, 2023, Aaron J. Blount, Enforcement Officer, Solid Waste Bureau (“SWB”), New Mexico Environment Department (“NMED”), conducted an inspection at the Otero/Greentree Regional Landfill, located at 4258 Highway 54 S, Alamogordo, New Mexico. Based on that inspection and review of information obtained, NMED issued a Notice of Violation (“NOV”) dated October 24, 2023.

NMED has reviewed your response to the NOV, dated November 14, 2023. Based on that review, NMED has determined that the violations cited in the NOV have been adequately addressed and no further action relative to the NOV on the part of Otero/Greentree Regional Landfill is required. Any action taken in response to this letter does not relieve your facility of its obligation to comply with any other applicable laws and regulations.

Pursuant to the NMED Delegation Order dated March 24, 2023, the Cabinet Secretary has delegated the authority to issue SWB Notices of Violation to the Chief of the SWB in the Resource Protection Division. Send any response to Rick Shean, Director, Resource Protection Division, NMED, NMED District I, 121 Tijeras Avenue NE, Suite 1000, Albuquerque, New Mexico 87102-3400. The failure to assure corrective action or continued non-compliance may result in additional enforcement action, which may include the assessment of a civil penalty.

All documentation submitted to NMED’s SWB related to this Notice of Violation must include the following certification, signed by you or a delegated responsible official:

"I certify under penalty of law that this document and all its attachments were prepared under my directions or supervision according to a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for the gathering of the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

If you have any questions, please contact me at (505) 629-6494 or rick.shean@env.nm.gov.

Sincerely,

Rick Shean
Director, Resource Protection Division
Acting Chief, Solid Waste Bureau

RS:drg:ajb

cc: Daniel R. Galasso, Enforcement Coordinator, Solid Waste Bureau *[via electronic mail]*
Jaime Rodriguez, Senior Enforcement Officer, Solid Waste Bureau *[via electronic mail]*
Aaron J. Blount, Enforcement Officer, Area III, Solid Waste Bureau *[via electronic mail]*