



Certified Mail – Return Receipt Requested No. 7020 3160 0000 0515 4680

December 4, 2023

Dr. Juan Carlos Tomas
District Landfill Manager
Camino Real Landfill
1000 Camino Real Blvd.
Sunland Park, NM 88063

Re: Notice of Violation and Resolution – Camino Real Landfill, (CRL)

Dear Dr. Juan Carlos Tomas:

On October 4, 2023, Jaime Rodriguez, Dan Galasso and Ken Churan, Enforcement Officers, Solid Waste Bureau ("SWB"), New Mexico Environment Department ("NMED"), conducted an inspection at CRL, to determine compliance with the New Mexico Solid Waste Rules ("SWR"), 20.9.2 – 20.9.10 NMAC, and the New Mexico Recycling, Illegal Dumping and Scrap Tire Management Rule ("RIDSTMR"), 20.9.20 NMAC. Based on that inspection and review of information obtained the following violation was observed:

Failure to have adequate daily cover on the "Truck Cleaning" area and the access road leading to the active face – During the inspection of the commercial dumping and truck cleaning areas, solid waste/trash was seen sticking out of the ground and scattered throughout the truck cleaning area and access road leading to the active face/dumping area. The noted areas were not getting the attention for daily cover that the current active face does, leaving various amounts of trash not getting covered at the end of the working day. Within one week of the inspection, NMED received photos from CRL of the areas in violation, covered with the adequate amount of soil. CRL noted that all active areas used for dumping and cleaning will be checked for adequate daily cover at the end of each workday.

The SWR, 20.9.5.9.N NMAC, requires all municipal and special waste landfill owners and operators to cover the active face with a six-inch layer of earth or specifically approved alternate daily cover at the conclusion of each day's operation or more often as conditions may dictate.

NMED has determined that the violation was adequately addressed immediately after the inspection, therefore no further action is required. Please be aware that failure to address any future violations may result in CRL being considered for an elevated enforcement action. Also, be aware that any corrective action taken during our inspection, or in response to this letter, does not relieve CRL of its obligation to comply with any and all 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.

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:jr

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