

Solid Waste Enforcement/Sludge: New Mexico Environmental Department Notice of Violation to City of Bayard



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The New Mexico Environment Department (“NMED”) issued a September 4th Notice of Violation (“NOV”) to the City of Bayard alleging a violation of the New Mexico Solid Waste Rules, 20.9.8.16.C (1) NMAC.

The NOV provides that the City of Bayard, New Mexico operates a wastewater treatment facility.

NMED states that during a review of sludge documentation at the Southwest Regional Landfill, that it determined that the City of Bayard Wastewater treatment facility failed to sample and provide analysis of their sludge before disposal at the landfill. This is alleged to violate the previously referenced Solid Waste Rule that addresses failure to obtain and analyze representative samples of sludge prior to disposal.

The NOV alleges that the City of Bayard had disposed of approximately 105 loads of sludge, between August 1, 2023, and May 8, 2025, without having collected and analyzed representative samples.

NMED states that it is seeking voluntary cooperation in the immediate correction of this violation. It provides the opportunity to respond in writing within 10 calendar days of receipt of the notice as to what action has been taken, or is planned to be taken, to correct the violation.

A copy of the NOV can be downloaded [here](#).