



December 31, 2025

Permian Basin Climate Justice Coalition & Supporting Organizations
c/o Rebecca Sobel, Climate & Health Program Director
Wild Earth Guardians
301 N Guadalupe St #201
Santa Fe, New Mexico 87501

Re: November 19, 2025 Letter Requesting Independent Air Monitoring and Public Health Information Following Artesia Refinery Explosion

Dear Permian Basin Climate Justice Coalition & Supporting Organizations:

Thank you for your letter expressing concern about the October 31, 2025 explosion and fire at the HF Sinclair Navajo Refinery in Artesia, New Mexico.

We agree with your observations that additional, real-time, publicly-funded air monitoring is needed in the Permian Basin in southwestern New Mexico, as well as other upgraded programmatic needs for both our Environmental Protection Division (which houses NMED's air quality monitoring team) and the Compliance Enforcement Division (which houses NMED's emergency response and compliance assurance teams).

This is a significant reason why on December 19, 2025, NMED petitioned the Environmental Improvement Board to address the woefully deficient fees on which its air program depends and ensure that NMED's air programs have adequate financial resources to not only support baselevel operations – but fulfill current and increasing demands including additional air monitoring. These fees have not been substantially changed in over twenty years – long before the Permian Basin boom. Increased fees will immediately equate to NMED's ability to do more to fulfill its mission across the state and specifically in this community. We have attached the recent order on the proceedings here (No. EIB 25-77(R) *In the Matter of Proposed Repeal and Replacement of 20.2.71 NMAC – Operating Permit Emissions Fees and 20.2.75 NMAC – Construction Permit Fees*), and more information is available at <https://www.env.nm.gov/opf/docketed-matters/>.¹ We welcome the Coalition becoming a party to this matter and supporting the Department's petition.

As a threshold matter, an increase in fee funding for NMED's air programs will directly lead to NMED's ability to respond to requests from the Permian Basin Climate Justice Coalition. And, below are our responses to the specific requests made in the November 19, 2025, letter:

1. **Install a permanent, state-operated air-quality monitor in Artesia**, capable of measuring particulate matter, volatile organic compounds (VOCs), sulfur dioxide, and other refinery-related pollutants.

¹ As you may know, all air programs at NMED are funded through this regulatory fee structure, and the New Mexico Legislature has delegated authority to the Environmental Improvement Board to ensure fees cover the reasonable costs of the air programs.

NMED will need additional funding from its fee increase petition to ensure it has enough financial resources to hire/contract personnel and equipment needed to deliver on the request.

2. **Provide real-time public access to air-monitoring data** through an easily accessible online dashboard and local notification system (SMS, radio, or community alert).

NMED currently houses real-time public access to air monitoring data online for its existing network, and that access is available here: <https://aqi.air.env.nm.gov/> and at <https://www.airnow.gov/>. NMED does work with other agencies, such as the New Mexico Department of Transportation, to issue air alerts as needed, which most often occurs in the context of high wind dust events. Additional financial resources will enable NMED to expand this program to meet the community needs. In the interim, we welcome the Coalition organizing discussions with local government officials, community groups, HF Sinclair Navajo Refinery, and the public to better scope this request for action by NMED when resources are available. NMED would be happy to participate in any Coalition efforts in the community with you.

3. **Develop and distribute clear community health guidance**—in English and Spanish—on steps residents can take during industrial emergencies, including safe shelter-in-place practices, mask use, and when to seek medical attention.

NMED will request the City of Artesia and HF Sinclair establish an emergency notification system for the HF Sinclair Navajo Refinery for industrial emergency planning in English and Spanish.

4. **Convene a public meeting in Artesia** to brief residents on current air-quality conditions, monitoring plans, and opportunities for community participation in long-term oversight.

During and immediately following the event, NMED released air quality information. Currently, the air quality data indicates that there were no adverse effects to the air quality as a result of the event. Further, NMED is still conducting its own civil enforcement investigation of the explosion and subsequent fire. Upon completing our investigation and initiating any respective enforcement action(s), NMED would be better positioned to answer the communities' questions on this incident and path forward.

5. **Execute the \$500,000 settlement agreement** with Wild Earth Guardians to deploy a mobile air monitoring unit in the Permian, which is invaluable in emergencies like this.

NMED has identified the proper equipment and is proceeding through the lengthy procurement process to purchase the needed units. The suppliers have also notified NMED that there are current supply chain issues. NMED anticipates it will be able to launch the units sometime in the second half of calendar year 2026, and would like to launch more mobile units with additional funding and personnel after a successful fee increase.

The department appreciates and shares your concerns and hopes that you will support our efforts to gain additional financial resources so that we can address these concerns.

Sincerely,



James C. Kenney
Cabinet Secretary