New Mexico Environment Department



Neglected Contamination Sites Project: Remediation of New Mexico's Neglected Contamination Sites Update to Radioactive and Hazardous Materials Committee

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New Mexico Neglected Contamination Project

- What is a neglected contamination site?
- Why do neglected contamination sites exist?
- Where are neglected contamination sites located?
- What is currently being done?
- What are next steps?





What are Neglected Contamination Sites?

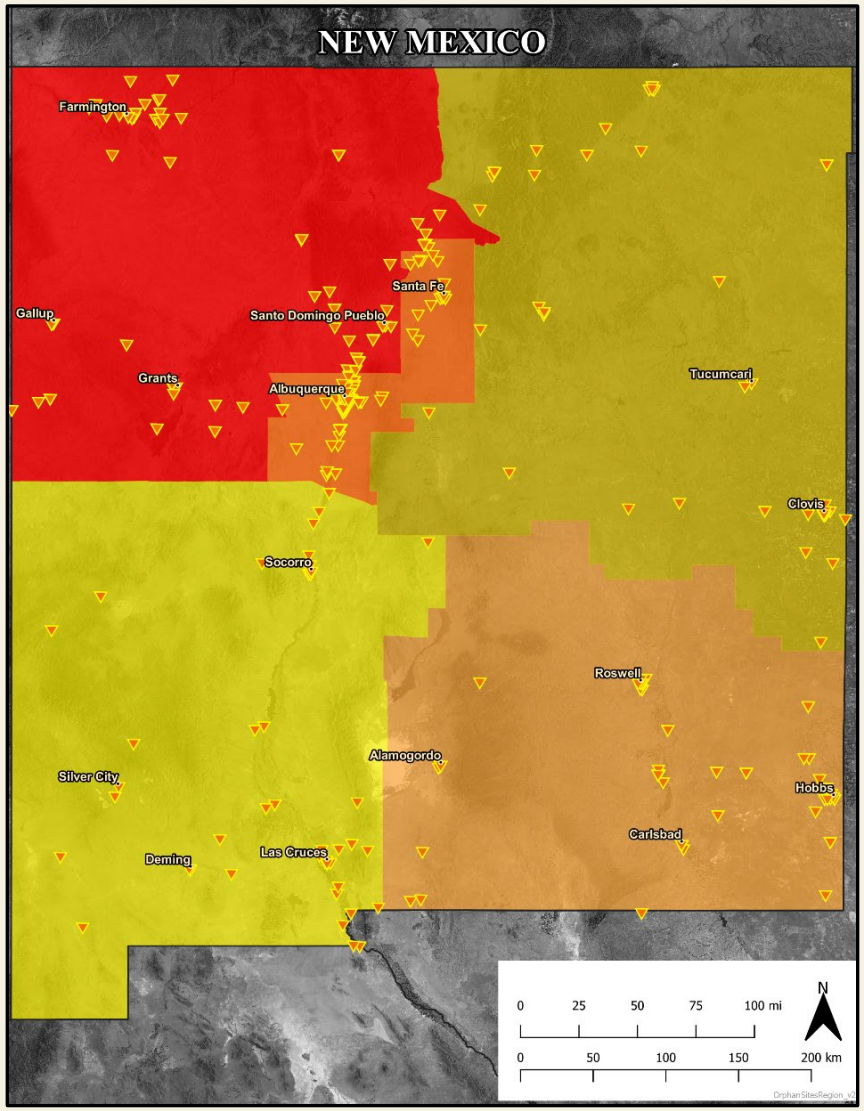
- Neglected contamination sites are locations where:
  - Known or suspected contamination is causing a threat to human health or the environment
  - Cleanup assistance through an existing state or federal program is not available
  - A responsible party (RP) is not identifiable to assess and cleanup the contamination, reasons include:
    - RP has not or cannot be identified or located
    - RP does not acknowledge responsibility
    - RP is unable or unwilling to proceed

Why Do Neglected Contamination Sites Continue to Exist?

- Contaminated sites are considered neglected when:
  - an RP cannot be identified
  - the site does not meet the federal cleanup funding requirements under the federal Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) to be placed on the National Priorities List (NPL)
- NMED's current state cleanup programs require an RP to take the initiative to assist and fund the cleanup of a contaminated site
- NMED does not have the legal authority, funding, or staffing level to address contaminated sites without an RP and that cannot be remediated under any other state or federal program

Where are Neglected Contamination Sites Located?

- These sites exist in every region of New Mexico
  - Releases may have occurred decades ago
  - RPs may be long-gone
  - Contamination persists
- Current Potential Site List:
  - 300 potential legacy sites with known or suspected contamination across the state
  - 130 with documented onsite release(s) of contamination



Neglected Contamination Site – Carlisle Village Cleaners, Albuquerque

NMED identified two historic dry cleaners at the South Carlisle Shopping Village strip mall in October 2021

Current objectives:

- Install protective systems on structures with unacceptable indoor air contaminant levels
- Propose to the National Priorities List in September 2024



Activities conducted to date:

- Air testing at 37 residences, 13 businesses, and 1 daycare to determine human exposure risk
- Soil gas testing to determine the horizontal and vertical extent of contamination



What's Been Done?

- Progress on neglected contamination sites
  - The Orphan (Neglected Contamination Site) Site Report (2021)
    - Overview of neglected contamination sites in the state and steps forward
    - Neglected Contamination Potential Site List
  - Neglected Contamination Sites Programmatic Gap Analysis (2022)
    - Main programmatic gap is resources (funding and staffing)
  - Neglected Contamination Sites Implementation Plan (2022)
    - Outlined programmatic development of a state-lead neglected contamination site cleanup program with a state cleanup fund

Next Steps – Water Quality Act Amendments

- Implement Action C1 of the Governor's 50-Year Water Action Plan by providing authority for the development of regulations to create a state-led response, investigation, and remediation program
- Enact a liability framework to clarify liability and provide liability protections for the abatement of water pollution and contamination in soil and soil vapor
- Create a fund with substantial appropriation to support the program work and address contamination so we are not forced to pick community winners and losers around the state

Resource Links

Orphan (Neglected Contaminated Site) Site Report

- https://service.web.env.nm.gov/urls/WqpaPfwV

Gap Analysis Report

- https://service.web.env.nm.gov/urls/gjjHmkRd

Implementation Plan

- https://service.web.env.nm.gov/urls/kQsubncu

NM 50 Year Water Action Plan

- https://www.nm.gov/water-security-in-new-mexico/

QUESTIONS?