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James C. Kenney, Cabinet Secretary

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The Environment Department's mission is to protect and restore the environment and to foster a healthy and prosperous New Mexico for present and future generations.

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State takes enforcement action against Cannon Air Force Base for discharging without a permit

SANTA FE — Today, the New Mexico Environment Department (NMED) issued an administrative compliance order to the United States Air Force for ongoing violations of state law related to the protection of groundwater resources. The administrative compliance order seeks immediate compliance with groundwater discharge permitting requirements and assesses a civil penalty of \$1,699,872.60.

In 2018, the state began protecting groundwater resources from three per- and poly-fluoroalkyl substances (PFAS) chemicals, a group of manmade chemicals known to cause adverse health effects. Thereafter, certain entities with groundwater discharge permits began monitoring for and disclosing the presence of these chemicals.

Cannon Air Force Base's groundwater discharge permit expired on March 31, 2019. Prior to the expiration of the discharge permit and then subsequent to its expiration, NMED notified the Air Force on multiple occasions that PFAS monitoring was required. In spite of state law, the Air Force has been unlawfully discharging wastewater without a groundwater permit since April 1, 2019.

"The Air Force continues to ignore New Mexico's environmental laws," said NMED Cabinet Secretary James Kenney. "Rather than address PFAS contamination, the Department of Defense shows no interest in helping afflicted communities and impacted natural resources."

To remedy the violations, the Air Force must submit a Discharge Permit application along with the civil penalty within 30 days. NMED may assess additional penalties of up to \$25,000 a day for continued noncompliance.

NMED and the New Mexico Office of the Attorney General are currently in litigation with the Air Force over the existing PFAS contamination at Cannon and Holloman Air Force bases.

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