

**MICHELLE LUJAN GRISHAM, GOVERNOR**

James C. Kenney, Cabinet Secretary

Jennifer J. Pruet, Deputy Secretary

NEWS RELEASE

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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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Groundwater discharge permit denied due to repeated noncompliance by permittee

TAOS — On Feb. 19, 2020, the New Mexico Environment Department (NMED) denied the renewal of a groundwater discharge permit in Taos due to the permittee's documented history of permit noncompliance.

S&R Septic sought renewal of its permit, which would have allowed for the continued discharge of domestic septage and other types of waste through land application. The S&R Septic property is located approximately three miles northwest of Taos on the north side of Highway 64, in Taos County. NMED held a public hearing on the permit renewal application on Oct. 16 and 21, 2019 in Taos.

After review of the administrative record, the applicant's compliance history, and comments from the public and parties involved, NMED Cabinet Secretary James Kenney denied the permit pursuant to NMED's powers under the New Mexico Water Quality Act. Past instances of noncompliance, as documented in the [final order](#), include: operating without a permit, failing to submit monitoring reports for three years, and refusing access to Department staff to assure compliance with the permit.

In addition to historical noncompliance, the permit renewal application did not demonstrate the permittee could provide adequate financial assurance to guarantee the provisions of the proposed permit would be achieved.

"A core value of the New Mexico Environment Department is compliance," said Secretary James Kenney. "The failure of any permittee to share this core value can have adverse consequences for public health and the environment."

The permittee was ordered to begin closure activities pursuant to the permit. The permittee has 30 days from the issuance of the denial to appeal the decision to the New Mexico Water Quality Control Commission.

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