



# 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



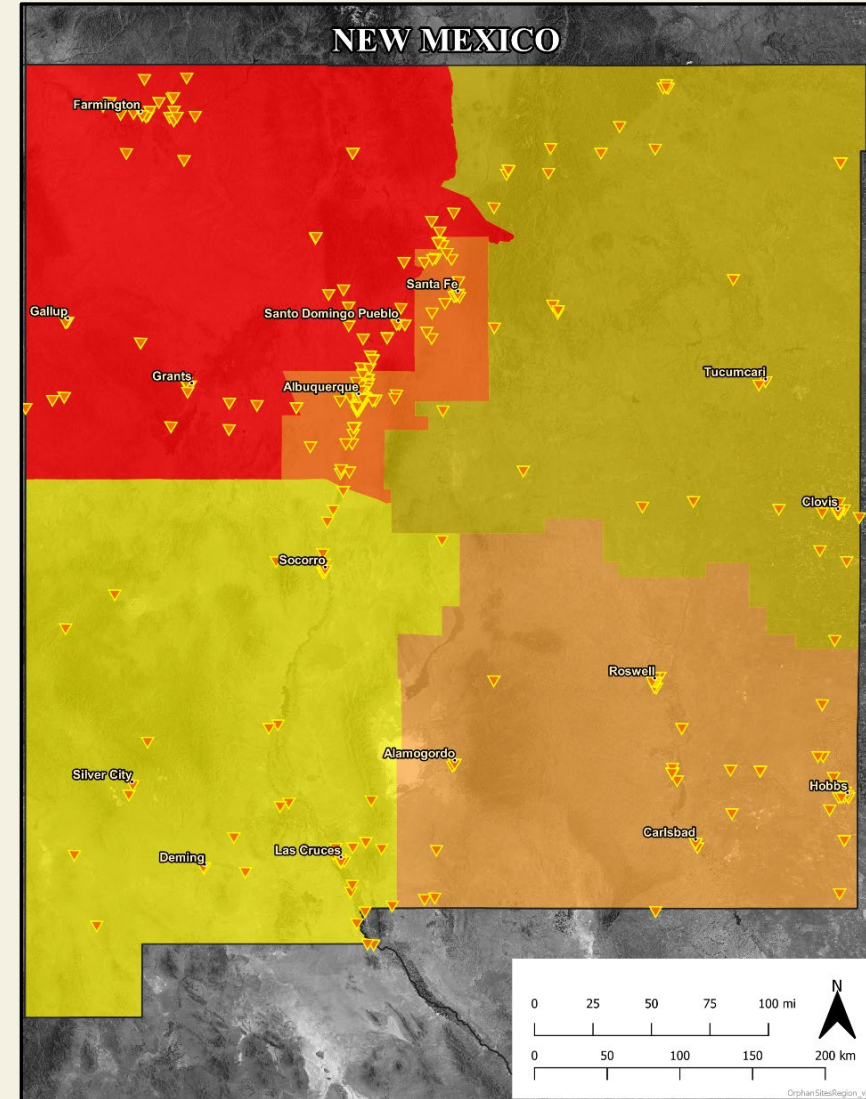
# Why Do Neglected Contamination Sites Continue to Exist?

- ❑ 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/>



# New Mexico Neglected Contamination Project

QUESTIONS?