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**Dairy Farmers of America Pays State Environment Department
for Waste Water Violations**

(Santa Fe, NM) – In an agreement with the New Mexico Environment Department (NMED), the Dairy Farmers of America, Inc. (DFA) in Lovington, New Mexico, has agreed to pay \$100,000 for violations of the state Water Quality Act earlier this year.

In April, waste from the DFA plant was overflowing directly from City of Lovington manholes onto private property because the Lovington waste water system was unable to handle the volume of waste generated by DFA. The discharges were recurring and resulted in the city's wastewater plant malfunctioning and ultimately being shut down.

Consequently, the NMED issued enforcement orders against DFA for discharges of waste from DFA's cheese and whey plants in Lovington, and against the City of Lovington for the failure of the city's wastewater treatment plant to operate properly.

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Immediately after the NMED issued the compliance orders, both DFA and the city took action to prevent further unauthorized discharges.

While DFA had initially failed to receive the appropriate ground water discharge permit, DFA has since applied to NMED for a discharge permit to treat its waste on-site, and has stopped discharging to the city's wastewater plant. As part of the settlement with DFA, the NMED withdrew the portion of the compliance order addressing the manhole discharges. The NMED is negotiating with the City of Lovington over penalties for the unauthorized discharges from the manholes. The City has taken measures to bring its wastewater treatment plant back into operation; and it has been functioning properly.

Acknowledging the cooperation and efforts undertaken by both DFA and City, NMED Secretary Peter Maggiore stated, "The compliance orders against DFA and the City have had their intended effect – both entities have come into compliance quickly and have remedied, or are in the process of remedying, long standing problems that posed a health threat to the citizens of Lovington and to the protection of ground water. We are satisfied with both entities' responses."

For additional information contact Tannis Fox, Deputy General Counsel, NMED, at (505) 827-1603, or Marcy Leavitt, Ground Water Quality Bureau Chief, NMED, at (505) 827-2919.

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