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Environment Department Issues Compliance Order with Proposed Penalty of \$15,000 to High Lonesome Dairy in Hobbs

Dairy Failed to Drill Well to Monitor Ground Water

(Santa Fe, NM) – The New Mexico Environment Department issued a compliance order with a proposed penalty of \$15,000 to High Lonesome Dairy in Hobbs for failing to install a monitoring well that would detect groundwater conditions beneath the dairy. The owner of the dairy, Eddie Schaap, failed to install the well on time by Thursday.

“We have been more than generous in the amount of time we have given High Lonesome Dairy to install monitoring wells,” said New Mexico Environment Department Secretary Ron Curry. “Mr. Schaap agreed to the terms of his permit that are designed to protect groundwater resources and public health. For him to now fail to live up to this agreement is especially disappointing.”

The installation of the well is a requirement of the state permit for the dairy, at 2515 Stiles Road. The dairy lies near several residences with drinking water wells that could be affected if groundwater contamination is discovered at the dairy.

The new monitoring well is required to be installed 50 feet hydrologically downgradient of a clay-lined lagoon. Clay-lined lagoons, which are no longer approved by the state, have failed to protect groundwater quality.

Schaap installed three of the four wells required by his state Ground Water Discharge Permit. The order requires Schaap to conduct the installation of the last well within 30 days.

In 2003, Schaap agreed to install monitoring wells under the terms of his Ground Water Discharge Permit Modification. He failed to install those wells. In 2006, the department issued a Discharge Permit Renewal and Modification to Schaap in which he agreed to a new installation date for those wells. Schaap again failed to complete the installation. The department subsequently issued three enforcement actions against Schaap for failing to meet the requirements of his permit. The department then established an Oct. 30 deadline by which Schaap was to have installed those wells.

State Water Quality Control Commission Regulations require dairy owners to install monitoring wells to detect whether pollution prevention measures at the facility protect public health, groundwater and surface water. The state Water Quality Act and state regulations allow the department to assess a civil penalty for the violation.

For more information, call Marissa Stone at (505) 827-0314.

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