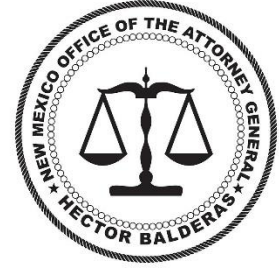


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Contact: Maddy Hayden, Communications Director
New Mexico Environment Department
505.231.8800 | maddy.hayden@state.nm.us

David Carl, Communications Director
New Mexico Attorney General Hector Balderas
505.288.2465 | dcarl@nmag.gov



Case against EPA, contractors, mining companies responsible for Gold King Mine spill to move forward

Judge denies defendants' motion to dismiss

Santa Fe — A judge has denied the federal defendants' motion to dismiss the claims brought by the State of New Mexico relating to damages caused by the 2015 Gold King Mine spill that contaminated hundreds of miles of the Animas and San Juan rivers.

The decision allows New Mexico and the Navajo Nation to move forward with lawsuits filed in 2016.

"This is a big day for New Mexico," said Environment Department Secretary James Kenney. "We are ready to continue our fight to hold the defendants responsible for the environmental and economic harm done to our communities."

"I am pleased the court has sided with the State of New Mexico and our citizens," said Attorney General Hector Balderas. "I look forward to continuing to fight for every New Mexican so that the EPA makes New Mexico whole."

Soon after New Mexico filed lawsuits for environmental damages and tort claims against the EPA, its contractors and mining companies for the massive blowout at Gold King Mine that released more than 3 million gallons of acid mine waste water into the Animas River, the defendants requested the court dismiss the claims, largely arguing sovereign immunity.

Among the damages sought by the state are more than \$130 million for lost income, taxes, fees, and revenue sustained by the state and agricultural and recreational operations in northwestern New Mexico. The state is also seeking to compel the EPA to clean up pollution to its rivers caused by the blowout.

A hearing has not yet been scheduled.

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Kristine Yurdin, Non-Discrimination Coordinator

New Mexico Environment Department

1190 St. Francis Dr., Suite N4050

P.O. Box 5469

Santa Fe, NM 87502

(505) 827-2855

nd.coordinator@state.nm.us

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