

**MICHELLE LUJAN GRISHAM, GOVERNOR**

James C. Kenney, Cabinet Secretary

Jennifer J. Pruet, Deputy Secretary

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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.

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

New Mexico Environment Department offers guidance to the oil and gas industry

SANTA FE — In response to the challenges presented by the COVID-19 public health crisis, the New Mexico Environment Department is offering air quality regulatory guidance to the oil and gas industry to ensure the continued protection of human health and the environment.

The guidance, issued today, addresses the following topics: permitting and the electronic submission of documents, extensions related to certain activities like testing and reporting, and non-compliance stemming from COVID-19 and the Department's planned enforcement response under the federal Clean Air Act and the state Air Quality Control Act. NMED has been delegated authority to administer the portions of the Clean Air Act in New Mexico.

"The pandemic has presented challenges for both the regulated community and environmental regulators," said NMED Cabinet Secretary James Kenney. "We are absolutely committed to striking a balance that takes these hurdles into account while maintaining compliance with state and federal laws."

The guidance covers:

Permitting: NMED is now accepting electronic permit applications and other required documentation. Hard copies are still being accepted.

Extensions: NMED will evaluate requests for extensions for performance testing, monitoring, record keeping and reporting requirements on a case-by-case basis. NMED will not provide industry-wide extensions or waivers to existing permits or rules.

Inspections: During the Public Health Emergency, NMED will not routinely perform in-person air quality inspections. However, NMED may elect to conduct targeted, field-based investigations if warranted. Operators are reminded that they are responsible for monitoring the compliance status of their facilities and should disclose possible violations at the earliest opportunity.

Enforcement: Owners or operators claiming that the COVID-19 public health emergency directly or indirectly caused or contributed to a violation must meet certain conditions. NMED will evaluate such claims on a case-by-case basis under NMED's existing regulations and policies to determine what enforcement relief, if any, is warranted.

Public transparency: NMED will continue to use its [methane map](#) to provide the public information on its enforcement response to substantiated claims related to COVID-19.

This guidance is available on NMED's COVID-19 resources [website](#).

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Kristine Yurdin, Non-Discrimination Coordinator | NMED | 1190 St. Francis Dr., Suite N4050 | P.O. Box 5469 | Santa Fe, NM 87502
(505) 827-2855 or nd.coordinator@state.nm.us

If you believe that you have been discriminated against with respect to a NMED program or activity, you may contact the Non-Discrimination Coordinator.

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