

**MICHELLE LUJAN GRISHAM, GOVERNOR**

James C. Kenney, Cabinet 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.

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Environment Department issues civil penalty to Lovelace Biomedical Research Institute in Albuquerque

SANTA FE — The New Mexico Environment Department (NMED) issued an administrative compliance order to Lovelace Biomedical Research Institute (LBRI) for failing to provide financial assurance sufficient to cover the cost of decommissioning radioactive materials at the facility and for failing to maintain records important to the decommissioning of the facility. The facility is located on a privately-owned parcel of land which is accessed through Kirtland Air Force Base.

To remedy the violations, LBRI must immediately increase its financial assurance from \$1,500,000.00 to \$8,485,253.00 and provide the requested records to NMED in order to comply with the New Mexico Radiation Protection Act, NMSA 1978, Sections 74-3-1 to -16 (1953, as amended through 2003); the New Mexico Radiation Protection Regulations, 20.3 NMAC; and with the terms and conditions of LBRI's New Mexico Radioactive Material License. The violations must be remedied within 45 days.

NMED has attempted to obtain the needed financial assurance and documentation from the facility for many years without success. Insufficient funds to decommission the facility – which involves properly moving or disposing of radioactive materials when a facility closes – or to properly manage a release of radioactive materials possessed at the facility present potential risks to public health and the environment. NMED's administrative compliance order rightfully ensures that New Mexicans will not bear the financial burden to decommission the LBRI facility when that time comes.

LBRI may contest the administrative compliance order and request a public hearing. If contested, NMED will vigorously defend the administrative compliance order on behalf of New Mexicans.

The Administrative Compliance Order is available [here](#).

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Katherine Becker, Non-Discrimination Coordinator | NMED | 1190 St. Francis Dr., Suite N4050 | P.O. Box 5469 | Santa Fe, NM 87502
(505) 827-2054 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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