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James C. Kenney, Cabinet Secretary

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NEWS RELEASE*For Immediate Release***Nov. 20, 2020**

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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State issues administrative compliance order to dry cleaning business for alleged hazardous waste violations linked to groundwater contamination in Española

ESPAÑOLA — The New Mexico Environment Department (NMED) issued an [administrative compliance order](#) to D. and D. Mountain Air Cleaners, Inc. in Española (Mountain Air), for alleged violations of state and federal hazardous waste laws that are linked to groundwater contamination in the area. Part of the plume is also located on Santa Clara Pueblo lands. NMED has also required Mountain Air to [develop a clean-up plan](#) and begin remediation of the contamination.

A plume of contamination consisting of organic solvents common to dry cleaning operations was discovered during the site characterization at the nearby North Railroad Avenue Plume Superfund site conducted by NMED and the U.S. Environmental Protection Agency (EPA). After careful investigation, NMED concluded that this contamination, located near Calle Chavez in Española, is not associated with the Superfund site, but is attributable to Mountain Air, located at 309 N. Paseo De Oñate. The Calle Chavez plume includes concentrations of tetrachloroethene (PCE) and trichloroethene (TCE) at levels well above federal drinking water and New Mexico state groundwater standards. However, no known drinking water supplies are currently affected.

Further investigation by NMED revealed three violations of hazardous waste laws by Mountain Air, including failure to ensure delivery of hazardous waste to an off-site treatment, storage or disposal facility; failure to obtain a hazardous waste treatment, storage and disposal permit; and failure to design, construct, maintain and operate the facility in order to minimize the potential for the release of hazardous waste to air, soil, groundwater or surface water.

“Communities like Española and the Pueblo of Santa Clara are at greater risk when businesses disregard environmental laws while regulators lack meaningful resources to assure compliance,” said NMED Cabinet Secretary James Kenney. “We are committed to ensuring proper abatement and holding Mountain Air accountable.”

The enforcement action requires Mountain Air to draft procedures to ensure future proper disposal of hazardous waste and pay a civil penalty of \$56,000. Separately, under state Water Quality Act provisions, NMED is pursuing actions to hold Mountain Air responsible for cleaning up the contamination. Mountain Air may choose to voluntarily clean up the groundwater contamination under groundwater abatement rules or apply to NMED’s [Voluntary Remediation Program](#). Under either approach, Mountain Air will work with NMED to select and design an effective and expeditious abatement option for the

clean-up of contaminated groundwater to benefit the community in Española and the Pueblo of Santa Clara.

If the responsible party does not voluntarily undertake clean-up efforts, NMED will vigorously pursue further enforcement action.

More information on the Calle Chavez plume is available [here](#).

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