

**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 launches radioactive material licensing compliance initiative focused on oil and natural gas industry

The New Mexico Environment Department (NMED) launched a compliance initiative to ensure oil and natural gas companies are properly licensed and in compliance with rules governing the management of regulated Natural Occurring Radioactive Materials (NORM).

Under regulations adopted by the Environmental Improvement Board more than two decades ago, oil and natural gas operators must obtain a license through NMED if their activities alter, concentrate or cause potential human exposure to NORM at certain levels. These activities may consist of extraction, transfer, transport, storage, or disposal of materials. NMED currently regulates two NORM licensees.

The Department's regulations specifically address NORM found in equipment from oil, gas, soil, produced water, sludges, scale deposits in pipes, tanks, and equipment from gas processing, fractionation, and dry gas distribution above certain levels. For example, pipes transporting fluids brought up during operations may accumulate scale over time. If this scale contains NORM at certain concentrations, a license may be required. Licenses require entities to provide details as to how the material is managed, handled, and disposed of to ensure public health and the environment are protected.

NMED is issuing letters to approximately 20 oil and gas companies that operate a combined 39,000 wells in New Mexico. Any company receiving such a letter must respond to NMED within 60 days describing their compliance status. Failure to comply with the requirements outlined in the letter may result in civil penalties of up to \$15,000 per day.

Over the next few months, NMED will determine the extent of compliance or non-compliance with the rules by the oil and natural gas industry and take appropriate enforcement action if warranted.

Operating without a license is a violation of state law. It may result in enforcement proceedings in accordance with NMSA 1978, Section 74-3-11.1, including the following: (1) a compliance order with civil penalties of up to \$15,000 per day for each violation or (2) a civil action in district court for appropriate relief, including injunctive relief.

More information on NORM is available [here](#).

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NMED does not discriminate on the basis of race, color, national origin, disability, age, or sex in the administration of its programs or activities, as required by applicable laws and regulations. NMED is responsible for the coordination of compliance efforts and receipt of inquiries concerning nondiscrimination requirements implemented by 40 C.F.R. Parts 5 and 7, including Title VI of the Civil Rights Act of 1964, as amended; Section

504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's non-discrimination programs, policies, or procedures, you may contact:

Kathryn 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 an NMED program or activity, you may contact the Non-Discrimination Coordinator.

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