



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

September 21, 2021

OFFICE OF  
LAND AND EMERGENCY  
MANAGEMENT

The Honorable Michelle Lujan Grisham  
Governor of New Mexico  
New Mexico State Capitol  
490 Old Santa Fe Trail, Room 400  
Santa Fe, New Mexico 87501

Dear Governor Lujan Grisham:

Thank you for your petition of June 23, 2021, to the U.S. Environmental Protection Agency (EPA). In the petition, you requested that per- and polyfluoroalkyl substances (PFAS) be listed as hazardous wastes, either individually or as a class, under Subtitle C of the Resource Conservation and Recovery Act (RCRA).

This letter acknowledges that the EPA has received and is reviewing the information provided in your petition. Administrator Regan and the EPA share your concerns about the risks of these chemicals to human health and the environment, which are impacting residents and communities in New Mexico and across the country. We have greatly appreciated the constructive dialogue with Secretary Kenney of the New Mexico Environment Department regarding these concerns and your petition, and our conversations are ongoing. The EPA is evaluating your petition and looks forward to responding.

We appreciate your engagement on this important issue. If you have any questions, please do not hesitate to contact me, or your staff may contact Chief of our Waste Characterization Branch, Kim Kirkland, at [Kirkland.Kim@epa.gov](mailto:Kirkland.Kim@epa.gov) or EPA's Deputy Associate Administrator for Intergovernmental Relations, Casey Katims, at [Katims.Casey@epa.gov](mailto:Katims.Casey@epa.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "B. N. Breen", followed by a horizontal line.

Barry N. Breen  
Acting Assistant Administrator

cc: James Kenney, NMED Secretary