

GABE VASQUEZ  
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SUBCOMMITTEE ON FORESTRY

April 24, 2024

Secretary James C. Kenney  
New Mexico Environment Department  
Harold L. Runnels Building  
1190 St. Francis Drive, Suite N4050  
Santa Fe, NM 87505

Dear Secretary Kenney,

Thank you for your swift action on behalf of my constituents to address the water contamination issues faced by residents who receive service from the Camino Real Regional Utility Authority (CRRUA). I'm writing to you today to ask your department to take all additional actions necessary to ensure the safety of my constituents, including conducting unannounced, random water quality testing throughout CRRUA's service territory for the next calendar year.

In December 2023, CRRUA issued a "Do Not Drink" order to residents of Doña Ana County following reports of "slimy" water – an indication of high-pH water caused by a system failure. Unacceptably, CRRUA failed to notify residents of this failure for more than twenty-four hours.<sup>1</sup> Also in December, New Mexico Environment Department (NMED) identified 58 deficiencies across CRRUA's system, including with four arsenic treatment plants. According to the U.S. EPA, arsenic can cause a variety of health impacts including nausea and diarrhea and is also linked to cancer and other serious disease.

As a result of these egregious safety violations, NMED issued an Administrative Order on March 1, 2024, under the Safe Drinking Water Act that included financial penalties, and has also initiated an investigation into CRRUA's larger pattern of deficiencies and federal clean water statute violations. On March 26, your department received results from random testing of CRRUA's system that identified at least one site with arsenic levels above the federal maximum contaminant level (MCL).<sup>2</sup> A Washington Post article on April 18, also identified a historical pattern of arsenic exposure through the system.<sup>3</sup> This level of repeated, documented safety violations is simply unacceptable and must be corrected immediately.

I appreciate your leadership on this issue to ensure that residents of Doña Ana County have access to clean water, and I request that your agency do the following as part of your mission to ensure accountability:

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<sup>1</sup> <https://www.env.nm.gov/wp-content/uploads/2023/12/2023-12-05-COMMS-Environment-Department-issues-update-on-drinking-water-from-Camino-Real-Regional-Utility-Authority-Final.pdf>

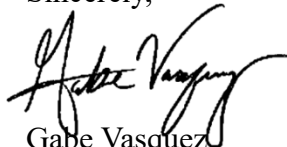
<sup>2</sup> <https://www.env.nm.gov/wp-content/uploads/2024/03/2024-03-28-COMMS-Camino-Real-Regional-Utility-Authority-exceeds-Arsenic-Drinking-Water-Standard-Final-1.pdf>

<sup>3</sup> <https://www.washingtonpost.com/nation/2024/04/18/new-mexico-arsenic-drinking-water/>

- 1) Provide regular updates to my office on the status of all federal drinking water statute enforcement actions taken by your office.
- 2) Hold routine community meetings in Doña Ana County to update residents on the status of NMED investigation and provide an opportunity for residents to share their concerns and experiences.
- 3) Conduct random, unannounced water quality testing for no less than one calendar year or until arsenic levels are routinely below the EPA's MCL, consistent with federal law, to provide residents the peace of mind that their water is safe to drink.
- 4) While CRRUA has received more than \$13.6 million in state loans and grants for water and wastewater projects since 2012, I ask that NMED continue to make state and federal clean water project funding available to ensure that CRRUA's systems are functional and safe for the benefit of residents.<sup>4</sup>

Clean drinking water should be a right, not a privilege, which is why I am committed to working with you to ensure that all tools available to you under federal law are being used to correct the injustice that residents of Doña Ana County have been facing. Thank you for your attention to this serious issue and I look forward to your response.

Sincerely,



Gabe Vasquez  
Member of Congress

CC:  
The Honorable Michael S. Regan  
Administrator, U.S. EPA

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<sup>4</sup> see footnote 2.