



May 23, 2024

Representative Gabe Vasquez
1517 Longworth House Office Building
Washington, DC 20515-3102

Re: Camino Real Regional Water Utility Authority Drinking Water Quality Violations

Dear Representative Vasquez,

Thank you for your April 24 letter and your recognition of the New Mexico Environment Department's (NMED) swift response to drinking water contamination in the Camino Real Regional Utility Authority (CRRUA). I appreciate your advocacy to ensure your constituents' access to clean drinking water. We are continuing to work to that end.

NMED's Drinking Water Bureau is working diligently to identify the root causes of a string of failures leading to the arsenic exceedances we saw in CRRUA's delivered drinking water while working with the CRRUA to rebuild a durable water system for the people of Sunland Park. Since the exceedances identified in December 2023, NMED has:

- Performed random, unannounced and compliance testing for arsenic and other potentially harmful drinking water constituents required by the EPA. Compliance sampling done on April 3 showed that CRRUA was in compliance for arsenic and all other constituents, confirming their ability to meet requirements with their existing systems.
- Served CRRUA with an Administrative Compliance Order including \$251,580 in penalties for continued violations of the federal Safe Drinking Water Act and New Mexico Drinking Water Regulations.
- Launched additional investigations to understand the root causes of CRRUA's operational failures through a March 27, 2024 information demand letter. The investigation focuses on CRRUA's management of the arsenic treatment systems by seeking records related to sampling data, internal communications, financial and other information.
- Requested the New Mexico Department of Justice and New Mexico Office of the State Auditor review ongoing compliance issues for any potential violations of consumer protection laws and possible waste, fraud, and abuse of state and federal funds, respectively.
- On April 29, NMED and CRRUA signed an agreement to perform a comprehensive performance evaluation (CPE) of what led to operational failures that resulted in unsafe drinking water delivered to CRRUA customers. The CPE will begin May 28, 2024, and review all aspects of CRRUA operations to identify shortcomings and provide recommendations to ensure the delivery of safe drinking water. We share your interest in ensuring transparency for residents and meaningful community engagement. The audit, findings, and recommendations will be made public and shared through community meetings.

We look forward to continued partnership with your office and the entire Congressional delegation on this issue, including advocating for increases to our federal grants which help support NMED's Drinking Water Bureau to perform the aggressive compliance work they have shown in this case.

Sincerely,

A handwritten signature in blue ink, appearing to read "James C. Kenney". The signature is fluid and cursive, with a large initial "J" and "K".

James C. Kenney
Cabinet Secretary

Cc: Governor Michelle Lujan Grisham
Michael S. Regan, Administrator, U.S. Environmental Protection Agency