

**SUSANA MARTINEZ, GOVERNOR**Ryan Flynn, *Cabinet Secretary*Butch Tongate, *Deputy Secretary***NEWS RELEASE****May 23, 2016**

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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.*

**New Mexico [Sues U.S. Environmental Protection Agency,](#)  
and Mine Owners over Gold King Mine Spill**  
*Environmental and Economic Damages Top \$100 Million*

**Santa Fe** – Today the administration of Governor Susana Martinez and the New Mexico Attorney General Hector Balderas filed [a lawsuit](#) on behalf of the New Mexico Environment Department against the U.S. Environmental Protection Agency, along with the Colorado owners of the Gold King and Sunnyside Mines. The action will address the impacts resulting from the [2015 massive waste spill](#) in the Animas River that EPA officials admitted to causing. In August of last year, the EPA caused a release of three million gallons of toxic mine wastewater laden with 880,000 pounds of metals into the Animas and San Juan Rivers, depositing toxins downstream on the riverbed, agricultural lands, and elsewhere in New Mexico, Colorado, and Utah.

In the ten months since the spill, the New Mexico Environment Department has been responding to citizen concerns and maintaining safety oversight via [emergency preparedness plan](#) and [long-term monitoring activities](#) for health, wildlife, water, agriculture, and sediment to ensure public safety. Although, New Mexico has provided EPA with a wealth of data showing [continuing high levels of metals, turbidity, and suspended solids in New Mexico's rivers and sediment](#), the EPA has consistently discounted or ignored this data.

New Mexico Environment Secretary Ryan Flynn said, "Over the last seven months we have sought practical negotiations with EPA on topics ranging from their [bizarre sediment standard](#), to comprehensive long-term monitoring. Our requests have been simple: 'Please help us keep New Mexicans safe from the effects of the spill which you caused.'

"Rather than joining our monitoring efforts, EPA instead [cherry picks the data](#) they choose to monitor and present; and then dodges accountability at every turn."

New Mexico's Attorney General Hector Balderas wrote last week, "I am disappointed by the continued unwillingness to respond to the New Mexico Environment Department's numerous attempts to resolve this matter diplomatically and outside of court. The safe and peaceful livelihood of our citizens should override any political or scientific differences that we face."

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