



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TEXAS 75202 – 2733

Office of the Regional Administrator

May 16, 2016

Ms. Trais Kliphuis
Director, Water Protection Division
New Mexico Environment Department
P.O. Box 26110
Santa Fe, New Mexico 87502

Dear Ms. Kliphuis:

Thank you for your letter of April 21, 2016, requesting that the Environmental Protection Agency (EPA) provide assistance to the New Mexico Environment Department (NMED) to address the impacts of the Gold King Mine (GKM) release.

NMED has been designated as the lead department for the state's reimbursement of expenses associated with the spill. For months, our program and financial staff have been working together to advance the award of grant funds in an expeditious manner. To date, \$1,301,681 has been awarded to NMED to reimburse your response cost and pay for monitoring, as well as reimbursement to other entities within the state for their costs.

EPA has been reviewing all of our authorized appropriations available to pay costs for response and long term monitoring and spring run-off expenses as long as required accounting and eligibility requirements are met. We believe that sufficient funds are available for award to meet your needs in the upcoming year.

The EPA expedited and awarded New Mexico's request for \$728,681 to reimburse NMED along with other communities for response costs from August 5 to December 31, 2015, in direct support of the Gold King Mine incident. EPA is committed to expediting reimbursements as soon as NMED provides the required information.

In March 2016, NMED provided EPA with a copy of their \$6 million two year monitoring plan and we immediately began to find ways to fund as many activities that we could. EPA allocated \$2 million in funding to support states' and tribes' long-term monitoring plans and \$465,000 has been awarded to NMED. EPA made an additional \$628,000 available to states and tribes to support spring run-off monitoring of which \$155,000 is available to NMED.

In addition, we are continuing to work with NMED to use the \$7.1 million in unliquidated obligated DWSRF set-aside funds already available to the state from EPA. EPA approved using \$108,000 of these funds for two stream monitoring stations with real-time monitoring equipment and for conducting

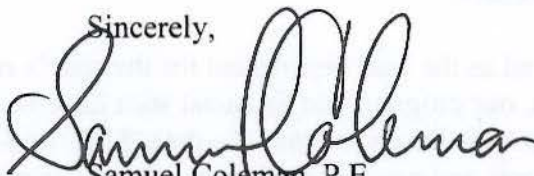
sampling and analysis to support both the Animas and San Juan River Spring Runoff Preparedness Plan and NMED's monitoring plan. The real-time monitors are in place and collecting information.

EPA is fully supportive of collecting data that allows for a representative characterization of water quality in the Animas/San Juan watershed. To that end, we encourage states and tribes to collaborate on data quality objectives so that monitoring efforts are complimentary and to fully utilize available scientifically valid data currently being collected.

Finally, in response to your question concerning the Gladstone interim Water Treatment Plant, the treatment units are currently operating and meeting the objectives and standards required. EPA is preparing responses to the questions submitted by New Mexico representatives to our Denver office. Regarding the availability of CERCLA funds to pay for the Preparedness Plan, Mathy Stanislaus and Joel Beauvais responded to this request on May 3, 2016, in a letter to States and Tribes.

We appreciate all that you do to protect the waters of the state of New Mexico. Please do not hesitate to call me at (214) 665-2100 if you should have any questions or concerns.

Sincerely,



Samuel Coleman, P.E.
Deputy Regional Administrator

cc: David Ostrander, CERCLA Program Director, EPA-Region 8
Senator Tom Udall
Senator Martin Heinrich
Representative Ben Ray Lujan
Representative Michelle Lujan-Grisham
Representative Steve Pearce