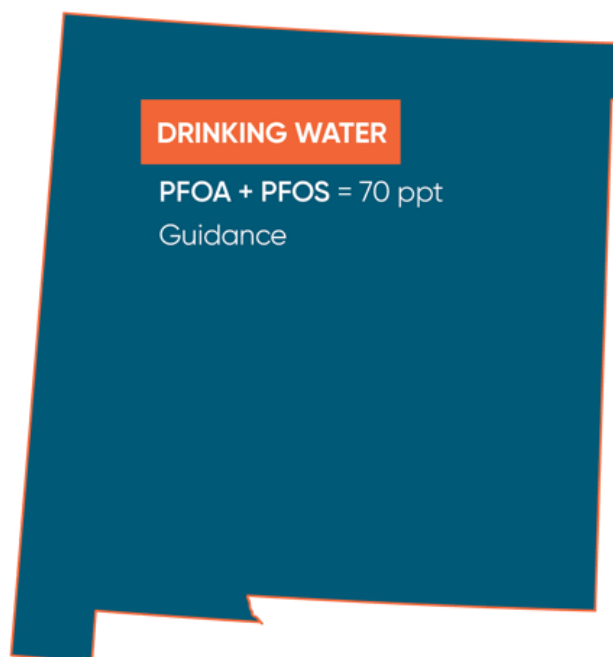


Insights

PFAS STATE SNAPSHOT: NEW MEXICO PFAS REGULATION

Feb 18, 2020

New Mexico is one of several states that has started regulating per- and polyfluoroalkyl substances (“PFAS”) in drinking water. This client alert reflects the status of PFAS regulations in New Mexico as of February 12, 2020.



DRINKING WATER

NM ADC 20.6.2. New Mexico has adopted the non-binding EPA Health Advisory level of 70 ppt for PFOA + PFOS (combined). Public well systems are responsible for two items: (1) managing testing and monitoring requirements, and (2) quarterly reporting requirements. Testing for private wells is recommended, but not required.

There are restrictions upon discharges or injections of PFOA, PFOS, and PFHxS to Drinking Water, but no limits on their presence in Drinking Water.

Important Note: PFAS contamination believed to originate from two air force bases allegedly contaminated the drinking water supply of a large dairy farm and forced the culling of the entire herd. In March 2019, this contamination led to a lawsuit by the New Mexico Department of the Environment and the Attorney General against the United States and the United States Air Force. That lawsuit is still pending.

For more information on PFAS chemicals, and the regulatory and litigation risks that they pose, please visit our [PFAS webpage](#). If you have a question about how to manage PFAS risk in New Mexico, or any other jurisdiction, please contact Tom Lee, Susan Brice, John Kindschuh, or any other member of our PFAS team at Bryan Cave Leighton Paisner LLP.

RELATED PRACTICE AREAS

- Environment
- PFAS Team

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