



BILL RICHARDSON
Governor
DIANE DENISH
Lieutenant Governor

NEW MEXICO
ENVIRONMENT DEPARTMENT

Office of the Secretary

Harold Runnels Building
1190 Saint Francis Drive (87505)
PO Box 5469, Santa Fe, NM 87502-5469
Phone (505) 827-2855 Fax (505) 827-2836
www.nmenv.state.nm.us



RON CURRY
Secretary
SARAH COTTRELL
Deputy Secretary

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Contact: Marissa Stone Bardino, NMED Communications Director
Telephone: (505) 827-0314 or (505) 231-0475

Fifth Judicial District Court Grants Injunction to Block Environmental Improvement Board from Conducting Greenhouse Gas Rulemaking

(Santa Fe) – A judge in the Fifth Judicial District Court in Lea County granted a motion today to block the Environmental Improvement Board from moving forward with a rulemaking to limit greenhouse gases in New Mexico.

“I am disappointed that the judge granted this injunction before hearing the full merits of the case or before the board had a chance to hold a hearing and make a decision on the proposal,” said New Mexico Environment Department Secretary Ron Curry. “This is an obvious infringement on executive authority — we will weigh our options in this case.”

The request to stop the rulemaking procedure was submitted by 13 plaintiffs, including Public Service Co. of New Mexico, the New Mexico Oil and Gas Association and several Lea County legislators. The request came in response to a petition filed by the New Energy Economy to reduce greenhouse gas emissions in New Mexico from large industrial sources by three percent per year starting in 2012. The state Attorney General’s office represented the EIB in the case.

For more information contact Marissa Stone Bardino, NMED Communications Director, at (505) 827-0314 or (505) 231-0475.

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