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Environment Department Receives Plans to Investigate Groundwater Contamination at Elmira Dairy near Albuquerque

(Santa Fe, NM) – The New Mexico Environment Department received a Stage 1 Abatement Plan proposal to investigate soil and groundwater pollution at the Elmira Dairy located in southwest Albuquerque.

The department's Ground Water Quality Bureau required Elmira Dairy, located at 5560 Jaqueline Drive S.W., to submit the plan to address soil and groundwater pollution associated with its operations.

The dairy discharges wastewater into two evaporative lagoons and those discharges resulted in groundwater pollution. Storm water runoff at the dairy is retained in two unlined impoundments. Groundwater in the shallow aquifer is monitored regularly through wells at the site and is contaminated with nitrate at levels exceeding New Mexico groundwater quality standards. State groundwater quality standards are 10 parts per million (mg/L) for nitrate. The proposal shows current maximum concentrations of nitrate in groundwater as 38 mg/l.

The purpose of a Stage 1 investigation is to define the extent of soil and groundwater pollution at a site where groundwater contamination has been identified. New Mexico's water quality regulations require responsible parties to remediate groundwater pollution.

The Stage 1 Abatement Plan submitted by Elmira Dairy proposed it will investigate groundwater pollution through the review of current and historical site operations. The dairy proposed no additional collection of soil samples, installation of monitoring wells, or the collection of groundwater samples to define the extent of soil and ground water pollution. NMED will complete its review of the proposal and notify the dairy whether the proposal will be accepted. Once a Stage 1 Abatement Plan has been completed, a proposed Stage 2 Abatement Plan will be submitted to NMED outlining proposed actions to clean up the pollution identified as a result of the Stage 1 investigation. The public will have an opportunity to comment on the Stage 2 Plan and may also request a hearing. The department will seek public comment within 90 days of receiving the plan.

Monitoring data available to the department shows that more than 65 percent of dairies in the state have groundwater contamination associated with their facilities. Proposed discharge regulations specific to the dairy industry address issues such as how groundwater is best protected, the lining of wastewater lagoons and monitoring well requirements.

The department drafted new regulations for dairies as a result of legislation passed in the last regular session. Senate Bill 206 implemented changes to the New Mexico Water Quality Act and required the Water Quality Control Commission to adopt new regulations that identify specific requirements for the discharge of dairy wastewater to protect groundwater quality. The regulations, which the dairy industry requested to provide more certainty in laws governing dairies, are available at:

<http://www.nmenv.state.nm.us/gwb/documents/RevisedDairyRegs.pdf>. Those regulations include requirements for protective liners for wastewater storage lagoons and an early warning system of sentry wells to monitor and protect underground aquifers from pollution.

According to the regulation development schedule approved by the WQCC, a public hearing before the WQCC is scheduled to begin on March 9, 2010. Public notice regarding the public hearing and hearing participation is scheduled to be published by February 1, 2010.

A copy of the proposed Stage 1 Abatement Plan is available by contacting:

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