

PFAS NOTIFICATION - TIME SENSITIVE

The New Mexico Rural Water Association continues to monitor issues and regulatory efforts associated with PFAS, the forever chemical.

New Mexico is limited in its ability to regulate PFAS usage in the oil industry, such as adding PFAS to hydraulic fracturing fluid.

Commonly used chemicals include fluorinated benzoic salts, fluoroalkyl alcohol substituted polyethylene glycol, fluorosurfactants, meta-perfluoromethylcyclohexane and nonionic fluorosurfactant, which is the most commonly listed. "PFAS contamination in New Mexico has already ruined farms, dairies and threatened our water supply across my district. It puts lives, livelihoods, and this beautiful place we call home at risk", said U.S. Representative Teresa Leger Fernández.

There are hundreds of documented cases of produced water (water that comes out of the well with the crude oil and other fracking chemicals) spills each year in New Mexico.

Source: <https://nmpoliticalreport.com/2021/07/16/report-documents-pfas-use-in-fracking-in-new-mexico/>



As the MCL is established and these forever compounds are labeled hazardous substances, water and wastewater systems will see an increased financial burden for testing, treatment and remediation if detected in drinking water sources or effluent stream & biosolids.

POTENTIAL CONTAMINATION SOURCES

- Landfills
- Firefighting Facilities
- Airports
- Bio Solid Disposal on Land
- Manufacturer

The US DOD improperly disposed of AFFF at Holloman and Cannon air force bases for decades, causing groundwater contamination in the area. The DOD didn't disclose the contamination until 2018 and, as a result, the New Mexico Environment Department is suing the DOD.

Source: <https://nmpoliticalreport.com/2021/06/07/nmed-investigates-size-of-pfas-plumes-in-eastern-new-mexico/>

THERE ARE NO THRESHOLDS OR COSTS TO REGISTER.

- The action taken is cost recovery not punitive.
 - It is filed against the global manufactures of these forever compounds thus does not impact a local company who may have used them.
- There is no threshold to register, even if the system has not tested.
Definitely, if there are detects at any level, the system should register onto the cost recovery rolls.
- There is no upfront cost to register onto the rolls and benefit from this action.
The program can be described as an insurance policy without a premium.

REGISTER NOW

HOW TO REGISTER?

Again, there is no threshold to register your utility and protect your utility and ratepayers from this financial burden. There are 3 ways to register your utility:

Register at www.napolilaw.com/nrwa-pfas.

There is also additional information on PFAS, the cost recovery action and the law firm.

- Email **Sam Wade**, former CEO of the National Rural Water Association, at Swade@napolilaw.com
- Contact **Sam Wade** by phone at (580) 917-1425

To help utilities with the financial burden of testing, treatment and remediation, New Mexico Rural Water supports the National Rural Water PFAS Cost Recovery Program which allows utilities the opportunity to register at, no cost, and be eligible to have their current and projected future expenses reimbursed from a legal settlement against the global manufacturers of these compounds.

CONTACT SAM WADE