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FISCAL IMPACT REPORT

SPONSOR McSorley **ORIGINAL DATE** 02/05/14
LAST UPDATED _____ **HB** _____

SHORT TITLE Kirtland AFB Fuel Spill Cleanup **SM** 42

ANALYST Armstrong

APPROPRIATION (dollars in thousands)

| Appropriation | | Recurring or Nonrecurring | Fund Affected |
|---------------|------|------------------------------|------------------|
| FY14 | FY15 | | |
| | NFI | | |

(Parenthesis () Indicate Expenditure Decreases)

Relates to HJM 13
 Duplicates HM 62

SOURCES OF INFORMATION

LFC Files

Responses Received From

New Mexico Environment Department (NMED)
 Department of Health (DOH)
 Office of the State Engineer (OSE)

SUMMARY

Synopsis of Bill

Senate Memorial 42 requests that New Mexico's congressional delegation seek to fund and assemble an independent task force to report by November 2014 to the congressional delegation, the appropriate committee of the Legislature, the Albuquerque City Council, the Bernalillo County Board of County Commissioners, and the Albuquerque-Bernalillo County Water Utility Authority to:

- Identify and make recommendations for implementing an effective scientific plan to use technology to clean up the Kirtland Air Force Base bulk fuels facility jet fuel contamination;
- Determine the emergency and long-term clean-up measures necessary to protect the public health and environment and the City of Albuquerque and its drinking water supply; and
- Work with the affected neighborhood associations.

The memorial also requests that the governor direct all state and local agencies to fully cooperate with the task force.

FISCAL IMPLICATIONS

No fiscal impact.

SIGNIFICANT ISSUES

NMED analysis states:

The characterization and cleanup of the Kirtland Air Force Base fuel spill has progressed and is ongoing. Evaluation of interim measures (a short-term response to mitigate the fuel spill) has begun and will continue to be implemented in 2014 as the Air Force works through the procedures of the Resource Conservation and Recovery Act so that the NMED may select a final remedy to address the bulk fuel spill. Currently, NMED, the U.S. Air Force and their contractor CB&I, Inc., the U.S. Veterans administration, the Albuquerque Bernalillo County Water Utility Authority, the City of Albuquerque, the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineers, the New Mexico Office of the State Engineer and the U.S. Geological Survey are coordinating to characterize and evaluate cleanup of the fuel spill. A task force would likely include the same agencies that are currently coordinating to address the fuel spill and would thus be unnecessary in any attempt to accelerate remediation at the site.

Sentry wells have been installed between the leading edge of the contaminant plume and the closest municipal water supply wells. A robust water monitoring program has been prescribed by NMED and is being carried out by the Air Force. NMED regularly participates with the U.S. Air Force and the Albuquerque Water Utility Authority at citizen's advisory meetings to provide information on the progress related to the characterization and remediation of the fuel spill.

The contamination in the unsaturated zone and the groundwater is extensive. The amount of fuel released over the course of up to 40 years, ending with the removal of the fueling facilities in 2002, is estimated to be 8 million gallons or more. The dissolved-phase contaminant plume has migrated over a mile from the release locations. The leading edge of the contaminant plume is approximately 1.3 miles from the nearest municipal supply wells. Current estimates for remediation of the contamination encompass decades to fully clean up groundwater affected by the long-term release of aviation gasoline and jet fuel. Both short- and long-term remedial actions include remediation of the unsaturated zone, the fuel on and dissolved in the groundwater, and the ethylene dibromide which has dissolved out of the fuel and migrated beyond the Air Force Base property boundary.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HM 62 duplicates SM 42. HJM 13 requests the United State Air Force, the Albuquerque-Bernalillo County Water Utility Authority, the City of Albuquerque and the New Mexico Environment Department (NMED) clean up the groundwater impacted by the Bulk Fuel Facility Spill at Kirtland Air Force Base by July 2017.