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SENATE MEMORIAL 63

**50TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2012**

INTRODUCED BY

Gerald Ortiz y Pino

A MEMORIAL

REQUESTING THE NEW MEXICO LEGISLATIVE COUNCIL TO CHARGE THE APPROPRIATE LEGISLATIVE INTERIM COMMITTEE WITH CONDUCTING WELL-PUBLICIZED HEARINGS REGARDING THE QUALITY OF DRINKING WATER SUPPLIED BY THE ALBUQUERQUE-BERNALILLO COUNTY WATER UTILITY AUTHORITY.

WHEREAS, more than five hundred thousand people in the city of Albuquerque and the county of Bernalillo depend upon the Albuquerque-Bernalillo county water utility authority for their drinking water; and

WHEREAS, the water that the Albuquerque-Bernalillo county water utility authority treats and supplies comes from sources that include well water from the Santa Fe group aquifer and water from the San Juan-Chama drinking water project; and

WHEREAS, the Albuquerque-Bernalillo county water utility

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1 authority's mission is to "provide reliable, high quality,  
2 affordable and sustainable water supply, wastewater collection  
3 treatment, and reuse systems"; and

4 WHEREAS, part of ensuring a safe water supply is examining  
5 the sources of water and any possible contaminants to the  
6 waters; and

7 WHEREAS, according to environmental experts such as Dr.  
8 Arjun Makhijani, the federal Safe Drinking Water Act of 1974  
9 standards on which the Albuquerque-Bernalillo county water  
10 utility authority relies are so out of date that the water that  
11 Americans drink can pose serious health risks and still be  
12 legal; and

13 WHEREAS, there are at least one hundred thousand  
14 industrial chemicals in the environment, and over ninety-nine  
15 percent of the industrial chemicals in the United States are  
16 unregulated by the federal Safe Drinking Water Act of 1974; and

17 WHEREAS, according to the Albuquerque-Bernalillo county  
18 water utility authority's web site, the last assessment that  
19 the department of environment performed on the Albuquerque-  
20 Bernalillo county water supply took place in 2002; and

21 WHEREAS, some public health advocacy groups have had  
22 difficulty obtaining current and detailed water quality data  
23 from the Albuquerque-Bernalillo county water utility authority;  
24 and

25 WHEREAS, there are no current national standards for

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1 pharmaceuticals in drinking water, though research by the  
2 associated press reveals that these pharmaceuticals are present  
3 in almost every drinking water system tested; and

4 WHEREAS, the Las Conchas fire and the preventive fires  
5 that burned on or near the site of Los Alamos national  
6 laboratory resulted in ash and other pollutants that entered  
7 the Rio Grande waters in 2011; and

8 WHEREAS, Los Alamos national laboratory is upstream from  
9 the Rio Grande watershed that feeds the San Juan-Chama drinking  
10 water project; and

11 WHEREAS, the existing gross alpha maximum contamination  
12 level of fifteen picocuries per liter does not provide adequate  
13 protection from radiation contamination and should be set at a  
14 more stringent level of fifteen hundredths picocuries per liter  
15 for long-lived, alpha-emitting transuranic radionuclides such  
16 as plutonium 239; and

17 WHEREAS, Colorado and California have more protective  
18 surface water standards than New Mexico for alpha-emitting  
19 radionuclides such as plutonium and also for tritium; and

20 WHEREAS, the Albuquerque-Bernalillo county water utility  
21 authority treatment facilities do not include a membrane  
22 filtering system such as those found in most modern drinking  
23 water treatment plants, including those in Tucson, Arizona, and  
24 El Paso, Texas; in Santa Fe's Buckman direct diversion project;  
25 and in home and commercial drinking water filters and

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1 dispensers; and

2 WHEREAS, the people supplied by the Albuquerque-Bernalillo  
3 county water utility authority include infants, children,  
4 women, seniors, infirm individuals and others with weakened or  
5 underdeveloped immune systems, all of whom require the safest  
6 possible drinking water supply; and

7 WHEREAS, contaminants and high contamination levels can  
8 take decades to cause serious health effects, and as a result,  
9 it is important to maintain very low contaminant  
10 concentrations; and

11 WHEREAS, the importance of the Albuquerque-Bernalillo  
12 county water supply cannot be overstated, as its waters will  
13 continue to be used in increasing amounts by an expanding  
14 population, even while there remain questions regarding the  
15 security of the area's water supply;

16 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE  
17 OF NEW MEXICO that the New Mexico legislative council be  
18 requested to charge the interim legislative committee that  
19 studies water and natural resources with conducting well-  
20 publicized hearings regarding the quality of drinking water  
21 provided by the Albuquerque-Bernalillo county water utility  
22 authority as the water emerges from the San Juan-Chama drinking  
23 water project, as well as the effect that plans to inject and  
24 store drinking water in the aquifer will have on the quality of  
25 this water; and

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1 BE IT FURTHER RESOLVED that the New Mexico legislative  
2 council be requested to charge the committee with receiving  
3 independent expert testimony on the effectiveness and  
4 reliability of the Albuquerque-Bernalillo county water utility  
5 authority water treatment process; and

6 BE IT FURTHER RESOLVED that the committee be requested to  
7 hold hearings to examine the possible influence of upstream  
8 contaminants in the Rio Grande, including wastewater  
9 discharges, on the quality of the finished tap water that is  
10 diverted via the San Juan-Chama drinking water project; and

11 BE IT FURTHER RESOLVED that copies of this memorial be  
12 transmitted to the co-chairs of the New Mexico legislative  
13 council.