

**STATE OF NEW MEXICO
NEW MEXICO NATURAL RESOURCE TRUSTEE
NEW MEXICO ATTORNEY GENERAL**

Notice of Lodging of Consent Decree under the Oil Pollution Act and the New Mexico Natural Resources Trustee Act

Notice is hereby given that on December 22, 2020, a proposed Consent Decree in *THE NEW MEXICO NATURAL RESOURCES TRUSTEE AND NEW MEXICO OFFICE OF NATURAL RESOURCES TRUSTEE v. FRONK OIL COMPANY, Inc.* Civil Action No. 1:20-cv-01338, was lodged with the United States District Court for the District of New Mexico.

In this action, the State of New Mexico (State), the New Mexico Office of Natural Resources Trustee (ONRT) sought damages under the federal Oil Pollution Act, 33 U.S.C. § 2702, and the New Mexico Natural Resources Trustee Act, NMSA (1978) §§ 75-7-1–5, from Fronk Oil Company for injury to, destruction of, or loss of natural resources, including lost ecological services, resulting from releases of oil into the Cimarron River near Eagle Nest, New Mexico in a December 2016 tanker truck accident.

The Consent Decree provides for Fronk Oil to pay a total of \$150,000 to the State to resolve the claims alleged in the Complaint. In exchange for the payment, ONRT covenants not to take further action against Fronk Oil for natural resources injuries resulting from the 2016 release. The funding will be used to replace or restore the injured natural resources or to acquire equivalent natural resources. Details of the use of the settlement proceeds will be subject to a future public notice and comment process.

From December 28, 2020 to February 1, 2021, the ONRT will accept comments relating to the Consent Decree. The Consent Decree may be examined at <https://onrt.env.nm.gov/fronk-oil-spill/>. Comments should be addressed to Ralph Gruebel, Office of New Mexico Natural Resources Trustee at ralph.gruebel@state.nm.us or at 121 Tijeras NE, Suite 1000, Albuquerque, NM 87102, and should refer to: *Fronk Oil Consent Decree*.