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LANL Pays Penalty to Environment Department for Violations of Hazardous Waste Law

(Santa Fe, NM) -- The New Mexico Environment Department resolved an enforcement action against the Los Alamos National Laboratory, assessing a \$165,000 penalty for violations of state hazardous waste laws. On May 20, 2002, the Environment Department and LANL agreed to the penalty based on the Department's allegations that LANL had unlawfully abandoned approximately 170 cylinders containing various gases, including fluorine and osmium compounds that are potentially lethal. No person was injured as a result of the violations.

"This incident was particularly serious because of the potential harm the chemicals could have done," said Environment Secretary Peter Maggiore.

In August 1997, LANL personnel discovered the cylinders in a part of the lab that was undergoing demolition. A hazardous materials team secured the containers. The United States Department of Energy, which owns the lab, and the University of California, which co-operates the lab in conjunction with DOE, informed the Environment Department of the abandoned cylinders in February 1998. Later that year, the Environment Department issued an administrative compliance order alleging that the cylinders had been abandoned and improperly stored under state hazardous waste laws. After the

compliance order was issued, LANL took the position that the cylinders were not unlawfully abandoned.

The Environment Department and LANL then engaged in discovery and settlement negotiations.

In settling the compliance order, LANL continues to take the position that it did not violate any laws.

Environment Department Secretary Peter Maggiore stated that the “LANL’s management of chemicals has been a long-term concern for the Environment Department. By resolving this matter, I am hopeful that the Department and the Lab will be able to work together more cooperatively to prevent future incidents.”

The penalty payment will be credited to the Environment Department’s Hazardous Waste Emergency Fund which is used to clean up hazardous chemicals in case of emergencies or when responsible parties cannot be found.

For additional information, please contact Tannis Fox, Deputy Gen. Counsel, Hazardous Waste Bureau, at (505)428-2512, or Cathy Tyson-Foster, Communications Dir., at (505) 827-0314.

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