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Environment Department Issues \$30,000 Stipulated Penalty to Los Alamos National Laboratory for Clean Up Violation

(Santa Fe, NM) – The New Mexico Environment Department (NMED) issued a stipulated penalty for \$30,000 to the U.S. Department of Energy (DOE) and Los Alamos National Security, LLC (LANS) for violating the Order on Consent by failing to clean up the Incinerator Ash Pile site in Los Alamos County on schedule, and to submit to NMED a report documenting the cleanup.

“Schedule and reporting requirements are absolutely central to getting a complete and thorough clean up at LANL,” said NMED Secretary Ron Curry. “I am disappointed the lab’s managers did not make an effort to ensure that this site was cleaned up on time. Fortunately, the fence-to-fence clean up order addresses issues like this by imposing strict penalties to encourage compliance.”

The lab accrued \$1,000 a day in stipulated penalties for the first 30 days of failing to clean up the site. Penalties increased to \$3,000 a day beginning on the 31st day. The lab also neglected to submit a report documenting that work to NMED by Sept. 12.

The Ash Pile site contained an incinerator and was used to burn classified documents and dispose of other garbage in the 1950s. Samples from the ash pile showed the presence of polychlorinated biphenyls (PCBs), dioxins and furans and metals such as lead and cadmium in the ash. PCBs have the potential to cause cancer.

The State of New Mexico entered into a historic fence-to-fence clean up order with LANL in March 2005. The order included requirements that the Ash Pile site be cleaned up in early 2006. This marks LANL’s third violation of the Consent Order.

NMED issued a Notice of Violation to DOE and LANS concerning the same site on July 12 after NMED alleged the lab and DOE disposed of 20 tons of potentially hazardous debris from the Ash Pile at Los Alamos County municipal landfill in November 2005. NMED also issued a Notice of Violation to DOE and LANS on Sept. 15 for failing to report chromium contamination in a groundwater monitoring well at the lab in 2005. NMED and the lab are still in negotiations regarding the previous violations.

For more information contact Marissa Stone, NMED Communications Director, at (505) 827-0314 or (505) 231-0475.

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