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Environment Department Issues Notice of Violation to DOE and LANS for Waste Management Violations

(Santa Fe, NM) – The New Mexico Environment Department (NMED) sent a Notice of Violation to the U.S. Department of Energy (DOE) and Los Alamos National Security, LLC (LANS) this week for failing to properly manage hazardous waste at Los Alamos National Laboratory's (LANL's) Technical Area (TA) 16.

The notice, which NMED mailed to the lab Wednesday, alleges LANL stored mixed hazardous and non-hazardous waste from building demolitions at TA 16 without a permit and later moved that waste to another location that lacked monitoring and other environmental safety measures.

"Permits for the storage of hazardous waste aren't just formalities, they are tools specifically designed to protect New Mexicans from potentially dangerous contaminants," said NMED Secretary Ron Curry. "Lab managers seemed to ignore clear permitting and monitoring requirements in this case. Violations such as these seem to reveal a lack of respect for state laws written to protect the health of New Mexicans and their environment. In addition, it's not the lab's prerogative to make the determination of whether the waste is endangering the health of citizens or the environment."

LANL demolished a former explosives processing building at TA-16, which is known as the 340 Complex, in early 2005. Part of the building included sumps that held hazardous wastes, including explosives and solvents from lab operations there. During the demolition, the sumps mixed with the building debris, creating thousands of yards of hazardous waste.

Lab managers stored that waste at TA-16 for about a month and then moved the waste to Sigma Mesa in TA-60, where the waste was stored in a pile. The lab failed to obtain a permit from the state to store waste at Sigma Mesa.

The maximum penalty under the State Hazardous Waste Act for the violations in the notice is \$2.3 million. However, the lab has the right to enter into settlement negotiations with the state. This is the third notice NMED issued to LANL in the past 6 months.

NMED issued Notices of Violation to LANL on Sept. 15 because the lab failed to report chromium contamination in groundwater monitoring wells, and on July 12 for shipping potentially hazardous waste to the Los Alamos County Landfill. NMED and the Lab are negotiating terms for the settlement of those notices, which listed violations under the Order on Consent. The State of New Mexico entered into a historic fence-to-fence clean up order with LANL in March 2005.

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