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For Immediate Release

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## **Environment Department Penalizes LANL \$30,000 for Failing to Submit Documentation of Cleanup Plans at Old Waste Dump**

(Santa Fe, NM) – The New Mexico Environment Department (NMED) issued a \$30,000 penalty today to the U.S. Department of Energy (DOE) and Los Alamos National Security, LLC (LANS) for violating the Order on Consent by failing to adequately investigate contamination at a Cold War dump.

DOE and LANS accrued \$1,000 a day in stipulated penalties for the first 30 days of submitting an inadequate investigation report for Material Disposal Area (MDA) C. NMED ruled the investigation report incomplete because it lacked documentation of the drilling of four boreholes at MDA C to detect leaks from unlined pits of hazardous mixed and radioactive wastes buried there.

"The Environment Department's goal is a complete cleanup at the lab to protect the health of local citizens," said NMED Secretary Ron Curry. "LANL can cooperate with the cleanup and reporting requirements in the fence-to-fence order or they can continue to burden taxpayers with fines they incur. The state takes seriously its goal of enforcing the historic consent order and protecting future generations from pollution at the lab."

This penalty marks the third time in three months NMED assessed stipulated penalties against LANL. The lab also accrued penalties under the Consent Order for failing to clean up the Incinerator Ash Pile site in Los Alamos County on schedule. LANL also failed to submit a timely report on Sept. 12 concerning that cleanup and continues to accrue daily penalties that increased to \$3,000 a day on the 31<sup>st</sup> day of noncompliance.

NMED approved a workplan in October 2005 for the 11.8 acre landfill that required the lab to drill 11 boreholes to determine the extent of leaks from unlined pits of hazardous mixed and radioactive wastes buried there. However, after the lab expressed to NMED its concerns for worker's safety with drilling, the department agreed to allow the lab to reduce the number of borehole drillings required to four.

MDA C, which operated between 1948 and 1974, consists of six disposal pits, a chemical disposal pit and 108 shafts. Contaminants disposed of at the landfill include hazardous and radioactive wastes. Volatile organic compounds and tritium have leaked from the unlined pits and are now present hundreds of feet below the surface. If ingested, volatile organic compounds can cause cancer.

The lab's report on work conducted at MDA C did not comply with the requirements set forth in Consent Order because LANL did not conduct all the work required by the lab's NMED-approved workplan, and other

conditions imposed by the state, including the 4 boreholes. The workplan detailed field work conducted by the lab at the site between 2004 and 2006, including soil samples and pore gas sampling.

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

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