

**NEWS RELEASE****March 3, 2015****Media Contact:** Jill Turner ; (505) 205-6964; Jill.Turner@state.nm.us**COURT OF APPEALS AFFIRMS ENVIRONMENT DEPARTMENT APPROVAL
OF LONG TERM PLAN FOR SANDIA NATIONAL LABS MIXED WASTE LANDFILL**

Santa Fe - The New Mexico Court of Appeals posted its decision on February 23rd affirming the New Mexico Environment Department's (NMED) January 8, 2014 approval of the Long Term Monitoring and Maintenance Plan (LTMMP) for the Mixed Waste Landfill (MWL) at Sandia National Laboratories (Sandia). The Court rejected claims filed by Citizen Action New Mexico that the approval was unlawful and should be reversed.

Specifically, the Court held that Citizen Action's lawsuit was not timely filed because the decision they objected to was made by NMED in October, 2011, and was properly published on NMED's and Sandia's websites. The Court also held Citizen Action's claim - that the approval of the Plan resulted in a modification of SNL's permit - was not supported by any evidence in the record.

The MWL is a 2.6 acre fenced area at Sandia National Labs used from 1959 to 1988 as a repository for low-level radioactive waste and mixed waste (containing both hazardous and radioactive wastes). After an extensive investigative process initiated in 1992 and a full evidentiary hearing, NMED issued a Final Order in 2005 approving a remedy consisting of a vegetative soil cover over the landfill with a bio-intrusion barrier. The Order also required Sandia to submit for approval a series of major documents governing the continuing corrective action at the landfill, including a the LTMMP, Corrective Measures Implementation Report (CMI), and five-year review reports reevaluating the feasibility of excavation and analyzing the effectiveness of the selected remedy.

In 2009, after a delay caused in part by Citizen Action's lawsuit challenging the Final Order, installation of the final remedy was completed, allowing the post-remedy process envisioned by the Order to proceed. NMED is gratified that the Court did not allow Citizen Action's untimely challenge to create any further delay in the process. The Department will continue to diligently regulate Sandia's management of the Mixed Waste Landfill in order to ensure that human health and the environment are protected.

For more information on the Sandia Mixed Waste Landfill see the NMED website:

<http://www.nmenv.state.nm.us/HWB/snlperm.html>

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