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Northern New Mexico Citizens' Advisory Board
A U.S. Department of Energy Site-Specific Advisory Board
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EP2013-5134

June 14, 2013

Mr. Geoffrey Beausoleil, Manager
Los Alamos Field Office
3747 West Jemez Road, MS A316
Los Alamos, NM 87544

Mr. Pete Maggiore
Assistant Manager for Environmental Operations
Los Alamos Field Office
3747 West Jemez Road, MS A316
Los Alamos, NM 87544

Dear Messrs. Beausoleil and Maggiore,

I am pleased to enclose Recommendation 2013-07, unanimously adopted by the Northern New Mexico Citizens' Advisory Board at its June 12th meeting in Pojoaque.

Please call Lee Bishop, DDFO or Menice Santistevan, Executive Director, if you have questions regarding this recommendation. We look forward to the response from the Department of Energy.

Very truly yours,

Carlos J. Valdez
Chair, NNMCAB

Enclosure: a/s
Cc w/encl:
U. S. Senator Martin Heinrich
U.S. Senator Tom Udall
U. S. Congressman Ben R. Lujan
Secretary Ryan Flynn, NMED
Cate Alexander, DFO (via e-mail)
Lee Bishop, DDFO
Robert Pfaff, LASO/EPO
John Kieling, NMED
Rich Mayer, EPA
Jeffrey Mousseau, LANS
Dean Hammons, USACE (via e-mail)
Menice B. Santistevan, Executive Director
CAB File

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NORTHERN NEW MEXICO CITIZENS' ADVISORY BOARD
Recommendation to the Department of Energy
No. 2013-07
REALIGN REMAINING MILESTONES IN THE CONSENT ORDER
Authored by: Carlos Valdez

Background

The Order on Consent (CO) was signed on March 1, 2005, by the Los Alamos National Laboratory (LANL), the Department of Energy (DOE), and the New Mexico Environment Department (NMED). In this document, LANL agreed to a schedule for completion of cleanup at various sites on the LANL grounds. At the time of signing this agreement, both sides indicated that, with sufficient funding, appropriate cleanup could be completed by the end of 2015. It has since been determined that insufficient funding has put this timeline in jeopardy. Having to operate under a Continuing Resolution has made clean-up efforts much more difficult as well.

In 2009, LANL received American Recovery and Reinvestment Act (ARRA) funding. This funding was used in 2009, 2010, and 2011 and helped accelerate clean-up efforts but did not make up for base budget deficits. In addition, the funding was non-recurring. ARRA funds have since been expended.

Due mostly in part to the dangers and risks manifested by the Las Conchas fire, LANL, NMED and DOE/EM met in December 2011, and developed a Framework Agreement that would expedite the removal of above ground TRU waste (3706 campaign). The Framework Agreement does not contain the same mandatory responsibilities that the Consent Order contains. However, it does realign work efforts from the original plan and changes milestones. Successful completion of this campaign will entail moving most of the activity and TRU volume out of Area G by June 2014, and reprioritizing other clean-up efforts.

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Comments and Observations

The Northern New Mexico Citizen's Advisory Board (NNMCAB) has consistently assisted and supported LANL EM in developing and supporting the clean-up priorities in and around the Laboratory. As of this date, the 3706 Campaign is proving successful and continues to meet all regulatory milestones. Removal of TRU is either on or ahead of schedule. NMED has been instrumental in this success with the granting of several deadline extensions contained in the CO. With the anticipated successful completion of the 3706 Campaign in 2014, LANL EM staff will be able to focus on the remaining work requirements in the Consent Order.

Although LANL operates under a Continuing Resolution and focus is currently on the 3706 Campaign, protection of ground and surface water remains a high priority to the NNMCAB, LANL, NMED and the citizens of Northern New Mexico. In order to make the best possible progress in protecting air, ground and surface waters, and to ensure the health of our population and the safety of our environment, a review of all remaining tasks should be accomplished by LANL so that activities, scopes of work, and

critical path forward priorities can be agreed upon, planned and followed. This review shall be presented to the NNMCAB for review, comment, and recommendation for further action

Recommendation

1. The NNMCAB recommends that at this time, DOE/EM should use all current knowledge, technologies and lessons learned from complex-wide clean-up efforts, to realign and create additional efficiencies in the efforts necessary to meet the remaining Consent Order milestones. This should include meeting with NMED and re-establishing reasonable and attainable deadlines, with primary consideration for the protection and safety of human health and the environment.

Intent

It is the intent of this NNMCAB recommendation to encourage LANL to review all remaining tasks of the Consent Order and formulate a "Path Forward" for completion of these tasks in a manner which is both timely and most protective of human health and environment. This Path Forward shall be presented to the NNMCAB, NMED and public for comment, consideration and acceptance.

References

1. Compliance Order on Consent, signed March 1, 2005
2. Framework Agreement, (the 3706 Campaign): Realignment of Environmental Priorities, January 2012

U1301444