

April 28, 1994

Secretary Hazel O'Leary
U.S. Department of Energy
Forrestal Building
1000 Independence SW
Washington, DC 20585

Re: Request for moratorium on major new construction at Los Alamos National Laboratory (LANL)

Dear Secretary O'Leary:

For the past seventeen months, Indian Pueblos and citizens' groups have repeatedly petitioned the Department of Energy (DOE), LANL, and the University of California to provide a comprehensive National Environmental Policy Act (NEPA) analysis prior to any expansion of LANL's nuclear waste disposal areas. From the beginning, these New Mexicans have also sought long-overdue site-wide NEPA analysis of LANL, recognizing that the Department stands poised to make major programmatic decisions affecting the mission of the Laboratory and the ancestral Indian lands on which it operates. These requests began in October of 1992 and have involved all eight northern Indian Pueblos and at least two dozen environmental and peace organizations. The combined membership of the New Mexico environmental groups alone is at least 20,000 people.

Despite the reasonableness of these requests, despite the legal requirements which stand behind them, and despite the commitments you and your deputies have made to environmental justice and substantive public involvement, the Department continues to commit resources at LANL -- and in some cases to continue construction -- without NEPA compliance.

While the public participation mandates of NEPA are being neglected here in New Mexico, it appears possible that the nationwide four-year reconfiguration programmatic EIS (R-PEIS) process, in which tribes, the public and states participated in good faith, may not provide any further public analysis or comparison of alternatives for research, development and production of nuclear weapons. Without any published analysis or public comment, has your department quietly selected one of the R-PEIS alternatives -- upgrading nuclear weapons production facilities in place, primarily at LANL? If this is true, the inevitable outcome will be further desecration of the Pajarito Plateau.

Meanwhile, you have convened a Task Force to study the future missions of the DOE laboratories, and it has begun to meet -- without any representation from the Pueblos or citizens' groups. In both this and the R-PEIS process, decisions have been made or will be made about



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Los Alamos without benefit of local, state and tribal participation. These decisions will critically affect the people and the land of northern New Mexico. They will affect the return of tribal lands, they will affect our environment, they will affect our economy, and they will affect our identity as a region.

DOE's recently released Environmental Management 1994 lists LANL among the Department's four worst facilities in terms of environmental cost effectiveness--they did less and it cost more than all but a few other DOE sites. Last week LANL informed the public that its environmental restoration milestones would not be met due to funding cuts, yet we are being asked to accept increased nuclear waste generation without the opportunity to provide comment. We believe that if current policies continue, most of the contaminated areas will never be cleaned up. But there is a DOE request to spend \$200 million over the next eight years to upgrade just one nuclear weapons facility at LANL, the Chemistry and Metallurgy Research Building, not to mention more millions in requested funding for new weapons projects to be located here.

The NEPA compliance problems at LANL, including the lack of an adequate site-wide EIS and the construction of new facilities without any NEPA analysis or outside comment, have been recognized in two LANL audits and the DOE Tiger Team inspection.

Last September, the Albuquerque Field Office recommended in a memorandum to Facilities Management that a site-wide EIS not be prepared. The Pueblos and groups with long-standing interest in this question were not involved in this recommendation, and indeed did not know until months later that it had been made. Now, both LANL and DOE's Los Alamos Area Office have written letters in recent weeks requesting a site-wide EIS.

We applaud this shift in DOE's NEPA stance at LANL. However, the mere preparation of a NEPA document which will be completed many months -- if not years -- from now, long after the critical decisions have been made, is by no means what that law requires. We call your attention to the most fundamental requirements of the Council on Environmental Quality NEPA regulations (Chapter 40 of the Code of Federal Regulations):

§1500.1(b): NEPA procedures must insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken...

§1501.2: Agencies shall integrate the NEPA process with other planning at the earliest possible time to insure that planning and decisions reflect environmental values, to avoid delays later in the process, and to head off potential conflicts...

Contrary to this clear prescription, LANL's new weapons and waste management projects are advancing independently of either environmental analysis or public comment. There continues to be no indication whatsoever that any of the projects at LANL of greatest concern to the Pueblos and the public are being made contingent upon the outcome of any NEPA process.

Assistant Secretary Thomas Grumbly has said repeatedly that major and controversial decisions will not be made in a "new" DOE without active participation by Indian tribes and other affected communities. Your own commitment to openness and democratic accountability has distinguished you from your predecessors. We call on you to demonstrate the consistency of your vision by **declaring a moratorium on all major new projects at Los Alamos National Laboratory which may, taken singly or together, have significant environmental impact until the completion of a site-wide EIS and the subsequent appropriate level of NEPA analysis for each project.**

We know you will appreciate the gravity of our request and hope that you will grant us a prompt and favorable reply.

Sincerely,

(see attached signatory list)

cc: President Bill Clinton
Vice President Albert Gore
Senator Pete Domenici
Senator Jeff Bingaman
Congressman Bill Richardson
William Perry, Secretary of Defense
Governor Bruce King
Judith Espinosa, Secretary, NMED
Michael Burkhart, Secretary, NMDH
Bruce Twining, DOE/AL
Jerry Bellows, DOE/LAAO
Walter Massey, UC
Sig Hecker, LANL
Robert Galvin, SEAB

Signatories to Hazel O'Leary letter as of April 27, 1994:

Albuquerque Center for Peace and Justice
All Peoples Coalition
Archdiocese of Santa Fe
American Friends Service Committee-
Colorado Office, Denver, CO*
American Friends Service Committee-
New Mexico Project
American Friends Service Committee-Pacific
Southwest Regional Office,
Pasadena, CA*
Amigos Bravos
Auga Allegre Wellness Center
Carson Forest Watch
Citizen Alert, Reno, NV*
Citizens for Alternatives to
Radioactive Dumping
Communications Workers of America,
Local 7037
Concerned Citizens for Nuclear Safety
Conversion Alternatives and
Strategies Education
Citizens for Environmental Justice-
Savannah, GA*
Economists Allied for Arms Reductions*
El Rito Community United
Methodist Church
Energy Research Foundation-Columbia, SC*
Eight Northern Indian Pueblos Council
Florida Coalition for Peace and Justice*
Forest Guardians
Greenpeace*
Hospital and Health Care Workers,
District 1199
International Union of Operating Engineers
La Comunidad
Las Clinicas del Norte
Los Alamos Study Group
Lytle Foundation
Natural Resources Defense Council*

New Mexico Alliance
New Mexico Conference of Churches
New Mexico Public Interest Research Group
New Mexico Green Party
Nuclear Free Nation
Nuclear Guardianship Project
Oak Ridge Environmental Peace Alliance*
Panhandle Area Neighbors and
Landowners, Amarillo, TX*
People for Peace
Physicians for Social Responsibility-USA*
Physicians for Social Responsibility-NM
Picuris Pueblo
Portsmouth/Piketon Residents for
Environmental Safety &
Security-PRESS, OH*
Rio Grande, Rio Bravo
Rio Grande Chapter of Sierra Club
Rocky Mountain Peace Center*
Rural Alliance for Military Accountability
Sisters of Loretto
Sanctuary Foundation*
Snake River Alliance, Boise, ID*
Southwest Research and Information Center
STAND-Amarillo, Texas*
Tribal Environmental Watch Alliance
Tri-Valley CARES-Livermore, California*
Wildfire-Action for the Environment
Western States Legal Foundation*
Patti J. Bushee, Santa Fe City Councilor,
District 1
Cris Moore, Santa Fe City Councilor,
District 2
Steve Farber, Santa Fe City Councilor,
District 2
Debbie Jaramillo, Mayor, Santa Fe
Testing Alert Network, Las Vegas, NV*
Student Environmental Action Coalition, United
World College

*national or out-of-state organizations

QUALITY ASSURANCE PROJECT PLANS

Introduction

This document incorporates the national U.S. EPA Requirements for Quality Assurance Project Plans (QAPP) and the Region 6 policy requirements into one document for ease of use by our customers.

It is both a Regulatory requirement and policy of EPA that all projects and tasks involving environmentally related measurements shall have a QAPP developed and approved by the Agency prior to any such activities being accomplished. This chapter presents detailed instructions on what information must be contained in a Quality Assurance Project Plan (QAPP) for environmental data operations performed by or on behalf of EPA Region 6 and on the procedures for its review and approval. While there is diversity in the various programs, it is Region 6 policy that all elements applicable to the QAPP Use Category, to be discussed in detail further on in this document, will be addressed in each QAPP. To do otherwise would be to deviate from the national standard and could dilute EPA's goal of national consistency for Quality Assurance requirements.

The complexity of environmental data operations demands that a systematic process and structure be established to provide decision makers with the necessary confidence in the quality of data produced for the decisions to be made, as well as with the means to determine when the data are not fully usable and what to do about the situation. This process and structure is provided by the quality system for the organization conducting the environmental data operations. EPA policy requires that the collection of environmental data by and on behalf of the Agency be supported by a mandatory Quality System, documented in a Quality Management Plan (QMP).

An area that must be addressed in each QMP is the systematic planning process used for each project or task such as the Data Quality Objective process. All projects involving the generation, acquisition and use of environmental data shall be planned using a systematic planning process such as the Data Quality Objective process as defined by the current revision of Guidance for Planning for Data Collection in Support of Environmental Decision Making Using the Data Quality Objectives Process, EPA QA/G-4, or acceptable alternate. The use of the Data Quality Objectives process leads to definition of many of the specific elements required in a QAPP.

It is EPA policy that all decisions and work involving the use of environmental data be supported by a *Quality Assurance Project Plan*. The QAPP is the principal product of the planning process inasmuch as it integrates all technical and quality aspects for the life-cycle

of the project, including planning, implementation, and assessment. The QAPP provides a project- or task-specific blueprint of how QA and QC are applied to an environmental data operation to assure that the results obtained are of the type and quality needed and expected. Effective implementation of the QAPP should provide the best opportunity to achieve the technical and quality goals of a project.

The ultimate success of an environmental program or project depends on the quality of the environmental data collected and used in decision-making, and this may depend significantly on the adequacy of the QAPP and its effective implementation. Quality planning is an absolutely essential component of project management and the QAPP provides the mechanism for documenting the results of the planning process. In the sections to follow, the elements of the QAPP are discussed in detail. These elements represent the information that EPA believes to be necessary for data operations involving the characterization of environmental processes and conditions.

Quality Assurance Project Plan Requirements

QAPP Policy

All work performed by or on behalf of EPA that involves the collection and use of environmental data¹ shall be supported by an Agency-approved Quality Assurance Project Plan (QAPP). No work performed under contract, work assignment, technical directive, delivery order, assistance agreement, or inter-agency agreement involving the environmental data generated from direct measurement activities, collected from other sources, or compiled from computerized data bases and information systems shall be implemented without an approved QAPP or without a condition stating that the actual collection of data shall not occur until after the QAPP is approved. Region 6 has implemented this requirement by establishing a process that requires a joint certification of the presence and approval status of QMPs and QAPPs by the Region 6 Office of Quality Assurance and the Region 6 Program Office that has management responsibilities for the particular project.

QAPP Purpose

The QAPP is a critical planning document for any environmental data operation. The QAPP documents how QA and QC activities will be *planned, implemented, and assessed* during the life cycle of a program, project, or task. The QAPP is the "road map" or blueprint for how a particular project is integrated with the QA program of the organization performing the work and how the specific QA and QC activities will be applied during a particular project.

¹Environmental data include any information collected, produced, or derived from measurements, analyses, or models of environmental processes and conditions, or from experimental systems representing such processes and conditions, including results from laboratory analyses.