



LANL
File

State of New Mexico
ENVIRONMENT DEPARTMENT
Surface Water Quality Bureau



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CERTIFIED MAIL RETURN RECEIPT REQUESTED P 332 409 033

April 28, 1997

Mr. Tom Baca
Program Director
Environmental Management
Los Alamos National Laboratory
MS-J591
Los Alamos, NM 87544

Mr. G. Thomas Todd
Area Manager, US DOE
Los Alamos National Laboratory
528 35th St.
Los Alamos, NM 87544

RE: Cooperation

Dear Messrs. Baca and Todd:

I am writing you to express my concern and frustration regarding the indifference shown by your staff in addressing surface water issues at Environmental Restoration (ER) sites.

A letter from the Surface Water Quality Bureau (SWQB) dated February 8, 1996, requested LANL improve its procedures to ensure that ER activities are protective of surface water issues. LANL responded to this letter by providing NMED-SWQB with information and identifying 668 potential release sites (PRSS) located on or near a watercourse. NMED-SWQB has subsequently used this information to set up a database which focuses on surface water concerns.

Since LANL's first initial effort however, subsequent requests to obtain additional information have not been greeted enthusiastically. For example, a letter on February 5, 1997, from the SWQB requesting further explanation of the information provided regarding the 668 sites was finally received April 24, 1997.

Several requests by the DOE Oversight Bureau for surface water data were not as lucky, and have been completely ignored. Refer to letters dated May 10, 1995 to Ivan Trujillo, March 6, 1996 to Court Fesmire, and February 11 and March 10, 1997 to Mat Johansen

In addition, SWQB and DOE/OB staff have also worked with various groups at LANL to develop a checklist which would generate additional information needed to address surface water concerns at the 668 sites. The ER programs approach to this checklist was avoidance rather than cooperation and to date the information has not been provided. The phrase SWQB most commonly hears is "what's the regulatory driver"?



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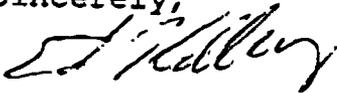
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Upper management at LANL have stated several times, "The Laboratory is committed to conduct operations associated with ER and operational activities in such a manner to ensure against the spread of contaminants harmful to human health or the environment". Yet, there seems to be a disconnect between staff and upper management. Revitalizing upper management's commitment and reestablishing the spirit of cooperation may solve the problem. If cooperation is not a workable arrangement, perhaps NMED should change its tactic toward enforcement.

The overall goal of this letter however, is not to threaten but to achieve positive solutions and work efficiently towards a common cooperative effort. I hope you agree with me. Let's start working together.

If you have any questions concerning this letter feel free to call me or Glenn Saums of my staff at (505) 827-2827. Your cooperation and prompt resolution of this matter is appreciated.

Sincerely,



Ed Kelley, Ph.D.
Director
Water and Wastewater Management Division

cc: J. Parker, NMED/DOE/OB
T. Michael, NMED/DOE/OB
S. Dinwiddie, NMED
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