

General

LANL Consent Order
Las Conchas Fire
Force Majeure - DOE

Cobrain, Dave, NMENV

From: Maggiore, Peter [PMaggiore@doeal.gov]
Sent: Wednesday, July 13, 2011 11:14 AM
To: Kieling, John, NMENV; Cobrain, Dave, NMENV
Cc: 'George, Victoria A'; Rael, George
Subject: FW: Resumption of a Substantial Number of Normal Operations



John / David -

Please accept the below email from Ms. Tori George as reflecting the U.S. Department of Energy's position as well.

Best regards -

Pete Maggiore
Deputy Assistant Manager
Environmental Projects Office
NNSA / Los Alamos Site Office
505-665-5025
pmaggiore@doeal.gov

----- Original Message -----

From: George, Victoria A <torig@lanl.gov>
To: 'john.kieling@state.nm.us' <john.kieling@state.nm.us>; 'dave.cobrain@state.nm.us' <dave.cobrain@state.nm.us>
Cc: 'mjgraham@bechtel.com' <mjgraham@bechtel.com>; Graham, Michael J <mjgraham@lanl.gov>; Rael, George; Maggiore, Peter; Schappell, Bruce G <schapp@lanl.gov>; Cox, Daniel R <dan_cox@lanl.gov>; McInroy, David J <mcinroy@lanl.gov>; Douglass, Craig R <craigd@lanl.gov>; Baumer, Andrew R II <andybaumer@lanl.gov>; Chaloupka, Allan B <allanc@lanl.gov>; Johns-Hughes, Kathryn W <kathryn@lanl.gov>; Clemmons, James S <jscllemmons@lanl.gov>; Toddings, Anita G <gtoddings@lanl.gov>; Nevergold, Debra S <nevergold@lanl.gov>; Katzman, Danny <katzman@lanl.gov>; English, Charles J <cenglish@lanl.gov>; Lynnes, Kathryn D <klynnes@lanl.gov>; Wurden, Katherine J <kwurden@lanl.gov>; Schreiber, Arleen T <arleen@lanl.gov>
Sent: Wed Jul 13 12:05:17 2011
Subject: Resumption of a Substantial Number of Normal Operations

Pursuant to the direction in your correspondence dated July 5, 2011, regarding the Las Conchas fire force majeure event, this email is to notify the New Mexico Environment Department (NMED) that as of today, July 13, 2011, the Laboratory has resumed a substantial number of its operations associated with the March, 2005, Compliance Order on Consent (Consent Order).

As you know, Mr. Pete Maggiore and Ms. Tori George provided oral notification of a force majeure event on Monday, June 27, 2011, pursuant to the terms of the Consent Order. The cause of the event was the Las Conchas wildfire, which began Sunday, June 26, 2011. At that time, the extent of the impact of the wildfire on Consent Order work was unknown, but had resulted in closure of the Laboratory and a mandatory evacuation of Los Alamos. An email constituting DOE's and LANS's written notice of force majeure due to the impacts of the Las Conchas wildfire followed on Wednesday, June 29, 2011, fulfilling the requirement for written notice of force majeure within seven days of the verbal notice in Section III.H of the Consent Order. We received NMED's written agreement that a force majeure event had occurred in the above referenced July 5, 2011 correspondence.

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The Laboratory reopened Wednesday, July 6, 2011, and began implementing wildfire recovery actions in order to safely resume Laboratory operations and to minimize potential impacts. To date, a great deal of the Laboratory's work has returned to normal. However, not all Laboratory areas have fully resumed normal operations. In relation to Consent Order work, there are several canyons that are at risk of flash flooding and fieldwork in these canyon bottoms is currently restricted due to safety concerns. Additionally, a number of technical resources have been diverted from Consent Order work to recovery efforts, and may remain engaged in recovery or flood mitigation efforts for some period.

It should also be noted that the Las Conchas wildfire is still not fully contained. There may be additional impacts from smoke, ongoing fire, runoff and flood potential, extreme fire conditions and limited facility access, or other unforeseen events, which may continue to delay field work. Mitigative actions to minimize these delays are currently underway as we continue to exercise due diligence in determining the full extent of the Las Conchas wildfire's impact on Consent Order related work.

As requested, we will send a follow-up letter within seven business days that identifies the submittal dates and any other deadlines affected by this force majeure event and the length of time that force majeure was in effect.

Thank you for your support during this continuing situation.