

For John Tynekowich

SENT BY: Xerox Telecopier 7021 ; 9-15-94 ; 14:24 ;

6655552→

665 3811: # 2

A **Los Alamos**
NATIONAL LABORATORY
Los Alamos, New Mexico 87545

public information group news release

CONTACTS: John R. Gustafson, (505) 667-7000

LOS ALAMOS RECEIVES NEW COMPLIANCE ORDER FROM STATE

LOS ALAMOS, N.M., Sept. 16, 1994 — Los Alamos National Laboratory recently received a compliance order from the New Mexico Environment Department accompanied by proposed fines totalling nearly \$250,000.

The order, issued against the Department of Energy and the Regents of the University of California, lists a number of alleged violations of New Mexico regulations governing hazardous wastes that were identified by NMED inspectors in August 1993.

Los Alamos employees will present information they believe demonstrates that a number of the alleged violations, including many of the items associated with the largest proposed fines, are incorrect. Laboratory employees also are identifying which items in the order have already been addressed — many at the time of last year's inspection — and are taking steps to address others.

"The compliance order principally identifies deficiencies that are procedural in nature and certainly do not constitute any direct environmental insult," said Alan McMillan, Los Alamos' deputy division director for environment, safety and health. "We intend to work with the Department of Energy to demonstrate to NMED officials which items we have corrected and which ones we believe NMED incorrectly describes as violations."

Nearly one third of the 26 alleged violations that have proposed fines associated with them relate to improper labeling or marking of containers. Although seemingly minor, the Laboratory has repeatedly been faulted by NMED on this issue.

"The fact that we can't address these procedural matters properly has gone beyond being an embarrassment," McMillan said. "We need to address this situation head on if we are going to correct it once and for all."

-more-



16587

NEW COMPLIANCE ORDER

PAGE 2:

On another six violations, which constitute nearly three fourths of the total amount of proposed fines, NMED alleges that the Laboratory failed to conduct a hazardous waste determination on certain wastes. Laboratory employees are assembling information to demonstrate that such a determination was conducted and done properly for most of these items.

"We did perform a determination for those hazardous constituents NMED lists in its compliance order and we feel we did an adequate characterization of the materials," McMillan said. "We have since done additional analyses that confirm our initial determination. We will provide this information as part of the formal response to the compliance order."

The compliance order also had 28 required corrective action items associated with it. Fifteen of the items had to be carried out within one working day of receipt of the order. Laboratory employees have confirmed and documented that all of those items have been corrected.

Laboratory personnel next addressed the five-day action items (of which there were five) and are now addressing the remaining eight action items that had longer times for response.

"In all, the citizens of New Mexico should be reassured that Lab activities that could affect their well-being are scrutinized thoroughly by the NMED inspectors," McMillan said.

"None of the deficiencies identified in the NMED compliance order represents a substantial or immediate threat to the environment. Indeed, we strive hard to maintain a safe environment for protection of the surrounding communities, where we live and raise our kids, and for our workers, especially those whose jobs bring them into contact with hazardous wastes," he said.

Los Alamos National Laboratory is a multidisciplinary research organization that applies science and technology to problems of national security ranging from defense to energy research. It is operated by the University of California for the U.S. Department of Energy.