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Headline News**Lab, state agree to reduced fine**

ROGER SNODGRASS Monitor Assistant Editor

The New Mexico Environment Department settled for a little less than a third of a penalty proposed last year to Los Alamos National Laboratory for violations in reporting chromium contamination in a groundwater monitoring.

NMED announced Friday that a settlement had been reached that included a penalty of \$251,870 for violations of the laboratory's hazardous waste permit and a Consent Order that governs the ongoing comprehensive environmental cleanup program.

"LANL is pleased to conclude the settlement agreement with NMED," said Susan Stiger, LANL associate director for environmental programs in a statement on Friday.

"As a result, we will provide NMED and the public with more expansive and more timely groundwater information. We remain committed in letter and in spirit to meeting our commitments under the Consent Order," she said.

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A notice of violation issued in September 2006 proposed a penalty of \$795,620 with the offer to negotiate a settlement.

The penalty, along with some additional commitments from LANL, were the result of four groundwater samples collected between 2004 and 2005 that showed concentrations of hexavalent chromium in the regional aquifer below the laboratory at four times the drinking water standard and eight times the state's water quality standard.

Hexavalent chromium is considered harmful to human health when ingested, even in small amounts.

Almost two years elapsed between the first sample and the laboratory's reporting the detections to NMED.

The laboratory's corrective action follow-up on the chromium has been underway for more than a year now, including an effort to characterize the nature and extent of the problem.

Most recently, a monitoring well, R-35 has been installed in Sandia Canyon. Located along the presumed path of the chromium plume and 500 yards up-gradient of the county drinking well, known as PM-3, it will serve as a sentry well.

Hexavalent chromium has not been detected in any Los Alamos County drinking wells to date, according to the most recent quarterly reports.

"This enforcement action should remind the operators of LANL that they have a duty to report significant environmental contamination to the state and residents promptly," said New Mexico Environment Department Secretary Ron Curry in announcing the settlement.

"Chromium contamination is a serious issue. It should be addressed as quickly as possible, and the state and the public need to be informed immediately."

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The settlement requires the laboratory to review analytical data from all groundwater monitoring constantly and to report verbally within one business day if any previously undetected contaminant concentrations in monitoring wells exceed state or federal water quality standards.

The settlement also revives the role of the Risk Analysis, Communication, Evaluation and Reduction (RACER) project, which provides environmental data to the laboratory and the public concerning lab operations.

RACER will continue to be funded, NMED indicated, under the terms of the settlement.

During testimony to a legislative oversight panel last fall, Curry complained to the committee that he saw signs that the new laboratory managers were "pushing back" against their environmental obligations. Among the examples he gave was that LANL was proposing to let the RACER project wind down.

RACER had included an innovative program for public participation to help prioritize environmental "risks," as input in the cleanup process.

NMED's announcement said the RACER database, including soil and groundwater monitoring data, will be turned over to an independent manager, the New Mexico Community Foundation, by Sept 1, 2008.

A spokesperson for NMED said, "We believe RACER is an important tool in making information about environmental contamination from LANL more accessible to residents."

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