



MWL

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS TX 75202-2733

ENTERED

JUL 9 2010

Mr. David B. McCoy, Director
Citizen Action New Mexico
P.O. Box 4262
Albuquerque, NM 87196-4276

Dear Mr. McCoy:

On May 17, 2010, the Environmental Protection Agency (EPA) Office of Inspector General (OIG) Hotline received an email complaint from you alleging mismanagement of the Sandia National Laboratories Mixed Waste Landfill (MWL). On June 1, 2010, the OIG referred your complaint to EPA Region 6 for response.

Many of the issues you raise were thoroughly discussed in the late 1990s and early 2000s through the Citizen's Advisory Board (CAB). The CAB included local citizens, regulatory officials from the New Mexico Environment Department (NMED), EPA and the Department of Energy (DOE), and representatives from Citizen Action New Mexico. The CAB was formed specifically to gain public input and discuss technical environmental issues at Sandia. In 2005, following studies, technical reviews, public input and legal challenges, the NMED Secretary of Environment issued a Final Order to address remedy selection at the MWL which included long term monitoring and a vegetated soil cover installed to prevent erosion and animal intrusion.

As we have previously stated, we believe the NMED, which has been authorized to administer the Resource Conservation and Recovery Act (RCRA) Program, is providing adequate and appropriate regulatory oversight for the MWL. The TechLaw reports to which you refer, were made available to the public by NMED prior to the release of the OIG's April 14, 2010 Hotline Report. To date, the controls in place meet Federal requirements for the protection of human health and the environment. Our conclusions are based on current groundwater data and historical groundwater, soil, soil vapor and air sampling data.

Please contact Carrie Thomas in our Office of Regional Counsel at (214) 665-7121 if you need additional information.

Sincerely,

Susan Spalding
Associate Director, RCRA