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**Contact:** Scott Kovac, Nuclear Watch NM, 505.989.7342, [scott@nukewatch.org](mailto:scott@nukewatch.org)  
Jay Coghlan, Nuclear Watch NM, 505.989.7342, [jay@nukewatch.org](mailto:jay@nukewatch.org)

## **NukeWatch Lawsuit Settlement Speeds Up Cleanup at Los Alamos Lab**

**Santa Fe, NM** – Today, Nuclear Watch New Mexico is announcing successful settlement of a lawsuit it brought against the Department of Energy (DOE) over its slow cleanup of the Los Alamos National Laboratory (LANL). The watchdogs' lawsuit alleged violations of a 2005 Consent Order, which was a site-wide cleanup agreement between the New Mexico Environment Department (NMED) and DOE to address radioactive and toxic wastes at the Lab. NMED has since sued DOE to terminate a revised 2016 Consent Order issued under the Martinez Administration that is far weaker than the original 2005 Order.

After a six-year court battle, NukeWatch's settlement agreement requires DOE to:

1. Reestablish a surface water flow monitoring station near where the Los Alamos Canyon meets the Rio Grande. This is critical because the Canyon has long been a known pathway for plutonium contaminants to migrate as far as 20 miles south to Cochiti Lake, a popular recreational area. The Buckman Direct Diversion Project (BDDP), three miles south of the Canyon, supplies drinking water directly out of the river to the City and County of Santa Fe. The original monitoring station warned the BDDP to close its intake gates as a precaution during stormwater events and allowed characterization of the radioactive contaminants in the stormwater flows." However, it was destroyed during a 2013 flood and DOE had refused to reinstall it ever since, despite repeated BDDP requests. Meanwhile, during that same period of time, funding doubled for LANL's nuclear weapons research and production programs that caused the radioactive and toxic pollution to begin with.
2. Begin treating 158 corrugated metal culverts containing cemented radioactive liquid waste buried in Area G, the Lab's largest waste dump. These large pipes need to be sheared down in size for shipment to the Waste Isolation Pilot Plant (WIPP) in southern New Mexico. The settlement agreement requires that size-reduction and packaging for shipment be completed no later than March 30, 2024. This, in turn, will help to accelerate final cleanup of Area G.
3. Investigate, characterize and, if necessary, clean up a total of 290 specific contaminant sites listed in the settlement. These 290 sites are almost 40% of the approximately 780 areas remaining at LANL that still need investigation and possible remediation. DOE shall conduct these investigations and initiate any necessary remediations of these 290 sites no later than October 1, 2024. NukeWatch will remain involved in that process to help ensure that appropriate cleanup is completed.
4. Perform a feasibility study of comprehensive cleanup at one of the major waste pits at Area G. This will include feasibility analyses of radioactive and toxic wastes

characterization, retrieval and shipment of radioactive transuranic wastes to WIPP, and reburial of low-level radioactive wastes in a modern landfill with liners and a leachate collection system. DOE's current plan for its so-called cleanup is to "cap and cover" Area G, leaving some 900,000 cubic yards of radioactive and toxic wastes permanently buried in unlined pits and trenches, a permanent threat to our shared regional groundwater aquifer.

Anna Hansen, Santa Fe County District 2 Commissioner, commented, "We, the residents of Santa Fe County, City, and the State of New Mexico, are fortunate to have organizations like Nuclear Watch New Mexico. Through this settlement agreement with DOE, Nuclear Watch NM is working to protect the residents of our communities from the dangers of the nuclear, toxic and hazardous wastes that have been generated by LANL over nearly 80 years of operations. I am grateful to Nuclear Watch for their leadership, persistence, and efforts to protect the public from the dangers that DOE creates every day at LANL. It is the hope of the Buckman Direct Diversion Project that DOE will move forward to install the flow monitoring station prior to the coming monsoon season."

Scott Kovac, Operations Director for NukeWatch, explained that the feasibility study will provide a case study for why the New Mexico Environment Department should not approve DOE plans to permanently burden New Mexicans with radioactive and toxic wastes. He commented, "DOE must get out of the cap-and-cover mindset for radioactive and hazardous waste that is threatening Northern New Mexico's regional aquifer. DOE simply cannot leave all that waste in unlined trenches above our aquifer. Comprehensive cleanup would be a real win-win, permanently protecting the environment and precious water resources while providing hundreds of high-paying jobs."

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The court-approved settlement is available at <https://nukewatch.org/approval-order-and-settlement-agreement-3-17-22/>

This press release is available at <https://nukewatch.org/cleanup-settlement-pr-3-23-22/>