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OA/ID Number: 4299
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Folder Title:
Los Alamos National Laboratory

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S	61	7	1	3



Department of Energy

Washington, DC 20585

August 12, 1993

Mr. Pete Martinez
Governor
Pueblo de San Ildefonso
Route 5, Box 315-A
Santa Fe, New Mexico 87501

Dear Governor Martinez:

Your letter of March 12, 1993, to Ms. Kathleen McGinty, Office of Environmental Policy, Office of the Vice-President, has been referred to the Department of Energy (DOE) for reply. I am the cognizant DOE official responsible for management of the Los Alamos National Laboratory (LANL).

As you are aware, the Department has engaged in a continued dialogue with the San Ildefonso Pueblo over the past year in an effort to address your concerns and improve our government-to-government relationship. We understand and support the Pueblo's concerns regarding the health and safety of their people and their tribal lands. The DOE is committed to manage all of its facilities, including LANL, in a sound and responsive manner in order to build public trust in our stewardship of the facilities and resources entrusted to our care.

With regard to item one of your letter, the Department supports the idea of including a Native American in the White House Office of Environmental Policy to enhance their understanding of tribal environmental concerns.

Item two of your letter concerns the level of review under the National Environmental Policy Act (NEPA) of proposed activities at the Laboratory. San Ildefonso suggests that an Environmental Impact Statement (EIS) would be appropriate to address the Department's proposal to expand TA-54, Area G, at the Laboratory. The Assistant Secretary for Environmental Restoration and Waste Management has determined that the NEPA process will begin with the preparation of an Environmental Assessment (EA). If the EA indicates that significant adverse impacts would be expected to occur if this facility were constructed, then the Department will prepare a full EIS. The San Ildefonso Pueblo will be given the opportunity to comment on the draft EA. In addition, the Department is in the initial phases of planning for a programmatic site-wide EIS which would analyze all activities at the Laboratory.

Two recent letters are enclosed regarding San Ildefonso concerns: the first, dated May 17, 1993, responds to a March 3, 1993, letter from Senator Bingaman; the second, dated June 30, 1993, responds to a letter from Lt. Governor Sanchez. I believe that the answers provided by the Department in these letters address items three and four of your March 12, 1993, letter.

Again, I would like to stress that we are working together with the San Ildefonso Pueblo to find solutions to the problems you have identified. As you indicated in your letter, in December 1992 the Department signed Accords with the four Pueblos, including San Ildefonso, that lie closest to LANL. We believe that the Accords have opened new avenues of communication between our agency and the Pueblos, and we will strive to build on our new relationship.

If you have additional questions or need additional information on this matter, please contact me or have your staff contact Roger Dintaman at (301) 903-4142.

Sincerely,


Victor H. Reis
Assistant Secretary
for Defense Programs

Enclosures

cc w/encls:
Ms. Kathleen McGinty, Director
White House Office on
Environmental Policy

memorandum

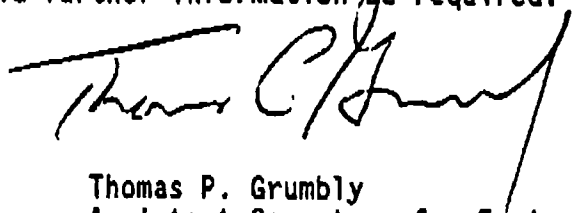
DATE: JUL 13 1993

REPLY TO
ATTN OF: EM-452 (R. Harris 3-8199)

SUBJECT: Action Description Memorandum for Mixed Waste Disposal Facility
at Los Alamos National Laboratory, Los Alamos, New Mexico

TO: Manager, DOE Albuquerque Operations Office

This is to notify you that, based on review of the Action Description Memorandum for the Mixed Waste Disposal Facility at the Los Alamos National Laboratory, an Environmental Assessment (EA) will need to be prepared to analyze the potential environmental consequences of the subject action. The State of New Mexico and the San Ildefonso Indian Pueblo have been notified of the intent to prepare an EA. Please contact Randall J. Harris of my staff at (301) 903-8199 should further information be required.



Thomas P. Grumbly
Assistant Secretary for Environmental
Restoration and Waste Management

cc:
R. Scott, EM-20
C. Soden, AL



Department of Energy
Washington, DC 20585
June 30, 1993

Mr. Gilbert Sanchez
First Lt. Governor
Pueblo of San Ildefonso
Route 5, Box 315-A
Santa Fe, New Mexico 87501

Dear Mr. Sanchez:

On behalf of Secretary O'Leary, I am responding to your letter of May 11, 1993, regarding the Pueblo's involvement in activities of the Los Alamos National Laboratory.

The Department of Energy is committed to manage our facilities, including the Los Alamos National Laboratory, in a manner that ensures the health and safety of our workers and the public and provides sound stewardship of the natural resources entrusted to our care. We recognize that the Pueblo of San Ildefonso, with tribal lands adjacent to the Laboratory, has a special interest in our work and we are sensitive to the issues you have raised.

Your letter raised two primary issues: funding for the Pueblo's participation in Laboratory activities and the return of surplus Federal lands to the Pueblo. With respect to funding, the Department will honor its commitment to provide \$50,000 to the four Pueblos with whom we have signed Accords. Proposals from the Pueblos for the expenditure of this money were received recently and are under review by the Los Alamos Area Office. Mr. Jerry Bellows, the manager of that office, will discuss this matter further at your meeting on July 1, 1993.

The two grant proposals submitted to the Secretary during the meeting with the National Congress of American Indians are under review by the Office of Environmental Restoration and Waste Management, as is your \$779,000 proposal to develop environmental baseline data. That office will communicate with you directly within two weeks about its review. Concerning the \$1.2 million proposal, it is my understanding that there has been no formal proposal. Rather, it was a

preliminary estimate, given by the Pueblo to the Office of Defense Programs, of the amount required by the four Pueblos to purchase equipment and conduct administrative activities, travel, training, and environmental monitoring in connection with the Accords. The Department's reaction at the time was that the program office could not commit to that level of funding. Senator Bingaman was informed that the Department would make \$50,000 available as seed money to the four Pueblos to help them administer the joint project established by the Accords. The Senator was also informed that we are considering whether a similar program with the State of New Mexico regarding environmental concerns at the Laboratory would duplicate the effort you propose or whether a comparable program might be established with the Pueblos without duplication. This matter remains under consideration.

Regarding the Pueblo's interest in acquiring the 900 acres in Rendija Canyon, the Los Alamos Area Office is now in the process of studying the tract to resolve competing demands and to determine the ultimate use of this land. The transfer of Federal lands to private parties or from one administering agency to another is governed by the Federal Property and Administrative Services Act of 1949, 10 U.S.C. Sections 471 et seq., and related Federal regulations. Mr. Bellows will be happy to discuss this matter as well at your meeting.

Thank you for bringing these important matters to our attention.

Sincerely,



William J. Taylor, III
Assistant Secretary
Congressional, Intergovernmental,
and International Affairs



Department of Energy

Washington, DC 20585

May 17, 1993

The Honorable Jeff Bingaman
United States Senate
Washington, D.C. 20510-3102

Dear Senator Bingaman:

Thank you for your letter of March 3, 1993, regarding concerns raised by the San Ildefonso Pueblo about the Department of Energy's (DOE) Los Alamos National Laboratory (LANL). Since I am the cognizant DOE official responsible for the management of LANL, your letter has been referred to me for response.

The DOE is committed to manage all of its facilities, including LANL, to ensure the health and safety of our workers, and the public, to provide sound stewardship of natural resources. The lands of the San Ildefonso Pueblo are adjacent to LANL, and we are especially sensitive to issues raised by that Pueblo.

In December 1992, the DOE entered into Accords with the four Pueblos closest to LANL: Cochiti, Jemez, Santa Clara, and San Ildefonso. A copy of the Accord with San Ildefonso is enclosed for your information. The Accords provide a framework to implement the Department's policy of maintaining a government-to-government relationship with American Indian tribes. Through the Accords, the Department agreed to pursue funding for the four Pueblos to assist them to evaluate and verify the impacts of LANL on Pueblo lands.

During the discussions leading to the Accords, San Ildefonso submitted an estimate that the four Pueblos would need approximately \$1.2 million to obtain equipment and carry out administrative activities, travel, training, and monitoring. San Ildefonso offered to administer any funds provided for the benefit of the four Pueblos. The estimate was not submitted as a formal proposal, and the Department has never validated it.

You requested that we consider providing the San Ildefonso Pueblo with \$1.2 million this year or next year. Since Defense Programs (DP) discretionary funds are extremely limited, we believe we should approach this situation another way. We intend to provide a seed money grant of \$50,000 to the four Pueblos to help them administer the joint project established by the four Accords. We have been advised that the \$50,000 provided to San Ildefonso from the Department of the Interior, Bureau of Indian Affairs, is to be used for monitoring equipment; we do not know if San Ildefonso intends to use this for the joint Pueblos project or strictly for their own monitoring program.



Department of Energy

Washington, DC 20585

May 17, 1993

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United States Senate
Washington, D.C. 20510-3102

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Department of Energy

Washington, DC 20585

August 12, 1993

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Governor
Pueblo de San Ildefonso
Route 5, Box 315-A
Santa Fe, New Mexico 87501

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Sincerely,


Victor H. Reis
Assistant Secretary
for Defense Programs

Enclosures

cc w/encls:
Ms. Kathleen McGinty, Director
White House Office on
Environmental Policy

THE WHITE HOUSE
WASHINGTON

July 26, 1993

Mr. Pete Martinez
Governor
Pueblo de San Ildefonso
Route 5, Box 315-A
Santa Fe, New Mexico 87501

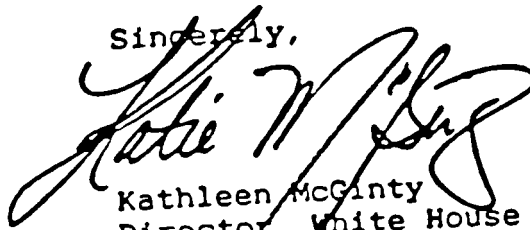
Dear Mr. Martinez:

Thank you for contacting me regarding an Environmental Impact Statement for the Los Alamos National Laboratory. I sincerely apologize for my delay in responding, and I appreciated the opportunity to meet with you this spring.

I appreciate hearing your concerns about the Los Alamos National Laboratory and the Los Alamos project funding. I have forwarded a copy your information to DOE Secretary Hazel O'Leary for her review and response to your specific concerns.

I appreciate hearing about your efforts, and wish you the best of luck in your endeavors.

Sincerely,



Kathleen McGinty
Director, White House Office on
Environmental Policy

KAM/avl

Office of Governor
Pete Martinez



Route 5, Box 315-A
Santa Fe, New Mexico 87501

March 12, 1993

Telephone
(505) 455-2273
FAX (505) 455-7351

Kathleen McGinty
Office of Environmental Policy
Office of the Vice-President
358 Old Executive Office Building
Washington, D.C. 20500

RE: Pueblo of San Ildefonso

Dear Ms. McGinty:

Thank you for meeting with the delegation of San Ildefonso Pueblo, headed by 1st Lt. Governor Gilbert Sanchez. As we discussed, San Ildefonso Pueblo is located in north central New Mexico. Its congressionally-recognized Sacred Area borders a toxic and nuclear waste "dump" or storage site operated by Los Alamos National Laboratory. We discussed the following matters:

1. Indian Desk Requested Having one of your estimated ten staff members being a Native American Tribal member, and serving as the "Indian Desk" would greatly improve Indian tribal involvement in the environmental area. This could help progress toward the "environmental justice" desired by the new Administration and the Pueblos.
2. Los Alamos Laboratory Environmental Impact Statement (EIS). The Los Alamos National Laboratory (LANL) borders San Ildefonso Pueblo (you received a Los Alamos area map from our delegation). LANL has not prepared an environmental impact statement since 1979. Since then, numerous federal laws concerning federal laws concerning hazardous and nuclear wastes, as well as amendments to the Clean Water and Clean Air Act have been enacted by Congress. The exemption for DOE's national laboratories from compliance with federal environmental laws has also been removed by Congress.

LANL informs the Pueblo that it is considering expanding the hazardous and nuclear waste storage next to the San Ildefonso Sacred Area. An environmental impact statement should be prepared for that planned storage facility expansion, and each other significant federal action at LANL.

3. Land Return. The Department of Energy (DOE) declared over 900 acres of land in Rendija Canyon (pronounced Ran-dee-ha) surplus to its purposes over ten years ago. Until recently, some of those and other lands inside San Ildefonso's original exclusive use (Indian title) area were proposed for exchange with a land developer. He no longer wants to acquire Rendija Canyon land because of its cultural significance. The Pueblo now wants DOE to transfer that land to the Secretary of the Interior in trust for the benefit of San Ildefonso Pueblo. Archeological studies show so many significant Indian sites that the contract archeologist concluded that the Rendija Canyon lands qualified as traditional cultural property for listing on the National Register of Historic Places. Transferring those lands from the Department of Energy (DOE) to the Interior Department in trust for the Pueblo will protect that traditional cultural property for future generations. Congressional action, if needed to accomplish the transfer, will be greatly helped by support from the DOE and this Administration.

4. Los Alamos Project Funding. The Pueblo of San Ildefonso, and three other Pueblos each signed an Accord with the Department of Energy in 1992. DOE agreed to provide money and information for the Pueblos to independently evaluate information concerning LANL operations. A copy of the San Ildefonso Pueblo Accord is enclosed for your information. The other Accords are identical, except for the name of the Pueblo. The delegation of San Ildefonso provided to you a copy of its proposal for 1993 environmental monitoring and analysis in the amount of \$779,000 that was also given to DOE. A budget for \$1.2 million for full year operation has been previously submitted to the DOE. While we were in Washington, the Pueblo presented its proposal to DOE, as well as to our congressional offices, Senators Bingaman, Domenici and Representative Richardson. We heard repeated support for permanent federal funding through DOE for Pueblo participation in environmental decisions involving Los Alamos National Laboratory. Senator Bingaman suggested identifiable funding is possible this fiscal year, and definitely for 1994.

Kathleen McGinty
March 12, 1993
Page 3

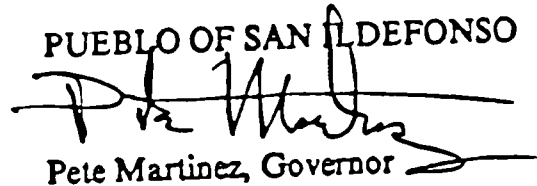
We hope you and your staff can help see full Pueblo participation in the environment monitoring effort surrounding LANL. Funding for that purpose is urgently needed. Your help in achieving that will be greatly appreciated.

Thank you for your attention to these matters. We look forward to hearing from you soon, and working with you in the days, months, and years ahead to accomplish these goals. The types of empowerment requested by the Pueblo of San Ildefonso benefit not only itself, but also the national interests.

We hope this finds you well.

Sincerely yours,

PUEBLO OF SAN ILDEFONSO

A handwritten signature in dark ink, appearing to read "Pete Martinez", is written over a horizontal line. The signature is fluid and cursive.

Pete Martinez, Governor

PCC:mpg
Enclosure - Accord
cc: Guy Fringer
Peter Chestnut, Tribal Attorney

ACCORD
between the
PUEBLO OF SAN ILDEFONSO, A FEDERALLY RECOGNIZED INDIAN TRIBE
and the
UNITED STATES DEPARTMENT OF ENERGY

I. PREAMBLE AND GUIDING PRINCIPLES

This ACCORD, with an effective date of December 15, 1992, is executed between the Pueblo of San Ildefonso, a Federally recognized Indian Tribe, hereafter referred to as "the Pueblo," through its Governor, and the United States Department of Energy, an Executive Department of the United States of America, hereafter referred to as "DOE," through its Assistant Secretary on behalf of the Secretary, in order to better achieve mutual goals through an improved relationship between the parties. The Assistant Secretary has program authority for carrying out Department of Energy missions and functions authorized by the Atomic Energy Act of 1954 and has overall administrative responsibility for the Los Alamos National Laboratory. His execution of this ACCORD is binding on the Department of Energy as a whole.

This ACCORD provides the framework for a government-to-government relationship between the parties and procedures to assure implementation of that relationship.

Each party to this ACCORD respects the sovereignty of the other. Consistent with Federal laws, DOE acknowledges that the sovereign character of the Pueblo gives it the authority to

govern and DOE recognizes and respects the continued existence of the Pueblo's government, values, and culture.

DOE has authority to enter into this ACCORD and conduct negotiations concerning issues of mutual concern with the Pueblo pursuant to Public Law 95-91 and other applicable law. The Pueblo has authority, as recognized by the United States of America, to enter into this ACCORD and conduct negotiations concerning issues of mutual concern with DOE.

DOE recognizes that a trust relationship derives from the historical relationship between the Federal government and American Indian Tribes as expressed in certain treaties and Federal Indian law.

DOE will consult with the Pueblo to assure that tribal rights, responsibilities, and concerns are addressed prior to the DOE taking actions, making decisions, or implementing programs that may affect the Pueblo.

Consistent with Federal laws, including the American Indian Religious Freedom Act (Public Law 95-341), DOE, through its Albuquerque Field Office, its Los Alamos Area Office, and other DOE organizations, including DOE Headquarters as appropriate, will consult with the Pueblo about the potential impacts of proposed actions on the Pueblo and its cultural, religious and environmental resources and will avoid unnecessary interference with traditional practices.

DOE will identify and seek to remove impediments to working directly and effectively with the Pueblo on DOE programs.

DOE will work with other Federal agencies and State and local agencies that have responsibilities related to activities at the Los Alamos National Laboratory to clarify the roles and responsibilities of such organizations which appear to be conflicting or overlapping as they relate to the Pueblo. DOE will also work with its contractors and subcontractors, including the University of California, that have, from time to time, responsibilities related to activities at the Los Alamos National Laboratory to clarify their roles and responsibilities as they relate to the Pueblo.

DOE will incorporate the principles of this ACCORD into its long-term planning and management processes.

Finally, the parties to this ACCORD share a desire for a complete understanding between DOE and the Pueblo reflecting a full government-to-government relationship and the parties will work with all elements of DOE and the Pueblo to achieve such an understanding.

II. DEFINITIONS

"ACCORD," for purposes of this ACCORD, shall mean a written agreement stating the basic understandings and commitments of the parties and describing the general framework for their working together.

"ASSISTANT SECRETARY," for purposes of this ACCORD, shall mean the DOE Assistant Secretary for Defense Programs, who is the Department of Energy's principal secretarial officer with line

management responsibility for and accountability for both DOE Headquarters and field operations related to the Los Alamos National Laboratory.

"CHARTER," for purposes of this ACCORD, is the agreement among the Pueblos of San Ildefonso, Santa Clara, Cochiti, and Jemez which governs inter-Pueblo rights and responsibilities in relation to the LOS ALAMOS-PUEBLO PROJECT.

"GOVERNOR" is the Governor of the Pueblo of San Ildefonso.

"LOS ALAMOS NATIONAL LABORATORY" is a facility of the Department of Energy, which is located in Los Alamos County, New Mexico, and which is operated by The Regents of the University of California pursuant to a contract with the Department of Energy.

"LOS ALAMOS-PUEBLO PROJECT" is the working group or team established pursuant to this ACCORD composed of authorized representatives of the Pueblos of San Ildefonso, Santa Clara, Cochiti, and Jemez and DOE.

"SECRETARY" is the Secretary of the United States Department of Energy.

"TRIBAL COUNCIL," for purposes of this ACCORD, is the Tribal Council of the Pueblo of San Ildefonso.

III. PARTIES

The parties to this ACCORD are DOE and the Pueblo.

IV. PURPOSES AND OBJECTIVES

This ACCORD formalizes the government-to-government

relationship between DOE and the Pueblo, a relationship consistent with DOE policy issued by the Secretary on November 29, 1991. This relationship respects the sovereignty of the Pueblo and affirms the trust relationship of the United States of America towards the Pueblo as a Federally recognized tribe.

This ACCORD is intended to build confidence and trust and to improve communication between the parties in the government-to-government relationship by outlining the process for implementing the relationship and by institutionalizing the relationship within the organizations represented by the parties.

This ACCORD provides the foundation and framework for developing agreements between the parties to address and resolve specific issues of mutual concern.

This ACCORD will assure that the Pueblo, through participation in the Los Alamos-Pueblo Project, has access to information which is not otherwise restricted by law and resources necessary for the Pueblo to participate meaningfully in DOE activities prior to DOE taking actions, making decisions, or implementing programs that may affect the interests of the Pueblo.

V. IMPLEMENTATION PROCESS AND RESPONSIBILITIES

The parties have established the Los Alamos-Pueblo Project to carry out the purposes and objectives of this ACCORD.

The Pueblo has already approved, or will approve in the near future, a Resolution accepting the Charter which authorizes the participation of Pueblo representatives in the Los Alamos-Pueblo Project. The Pueblo will participate in negotiations and other discussions with DOE through the Los Alamos-Pueblo Project with representatives from other Pueblos which have adopted the Charter.

The parties agree that the Los Alamos-Pueblo Project shall meet regularly to establish goals, objectives and delineation of tasks relating to implementation of the principles of this ACCORD and to identify obstacles to the achievement of those goals, objectives and tasks.

The parties agree to work toward more efficient and beneficial communications to enhance participation by the Pueblo in DOE actions, including, but not limited to, on-going activities, long-range planning, and decisions and their implementation, which may affect the interests of the Pueblo.

DOE acknowledges that meaningful Pueblo participation in DOE actions and in the Los Alamos Pueblo-Project requires access to accurate information concerning the Los Alamos National Laboratory and other related DOE activities, the resources to independently verify the validity of the information received, as well as its consequences to the Pueblo, and the resources to take actions which are necessitated by DOE actions affecting the interests of the Pueblo. DOE also acknowledges that meaningful participation requires access to monetary resources beyond that

available to the Pueblo at this time. DOE agrees to pursue funding for the Pueblo for these purposes.

The parties recognize that implementation of this ACCORD will require a comprehensive effort to educate members and officials of the Pueblo and agents, employees, contractors, and subcontractors of DOE and other interested Federal, State, and County agencies of the government-to-government relationship between DOE and the Pueblo. The parties agree to develop strategies for carrying out this educational effort.

The parties recognize that a key principle of their relationship is a requirement that individuals working to resolve issues of mutual concern are accountable to act in a manner consistent with this ACCORD. In furtherance of this principle, the Area Manager of the DOE Los Alamos Area Office shall be accountable to the Assistant Secretary, who shall, in turn, be accountable to the Secretary, for implementation of this ACCORD. Pursuant to the Charter of Pueblo members of the Los Alamos-Pueblo Project, the Pueblo representative is accountable to the Pueblo's Tribal Council and the Governor.

As a component of the system of accountability, the parties agree that the Los Alamos-Pueblo Project will review and evaluate, on an annual basis, the Los Alamos-Pueblo Project's ability to implement the government-to-government relationship and to prepare for the Secretary and the Tribal Council an annual report summarizing this evaluation.

The Secretary shall, in good faith, use his executive discretion to help implement the government-to-government relationship. The Governor shall, in good faith, use his discretion to implement the government-to-government relationship.

VI. RESERVATION OF RIGHTS

In executing this ACCORD, neither party waives any rights, including, but not limited to, treaty rights, immunities, including sovereign immunities, or jurisdictional defenses or defenses based on other laws protecting status. Neither does this ACCORD diminish any rights or protections afforded other Indian persons or entities under state or Federal law.

Except as otherwise provided herein, nothing in this ACCORD creates, nor shall be construed to create, any right of action by either party against the other.

VII. DISPUTES

While the relationship described by this ACCORD increases the ability of the parties to solve problems, it likely will not resolve all issues. Therefore, the ACCORD does not affect the right of each party to elevate any disputed issue, which is being considered by the Los Alamos-Pueblo Project, to a higher decision-making authority of another party, and to defer to that decision-making authority, including, when appropriate, to the Secretary, the Tribal Council, or the Governor.

VIII. AMENDMENT

This ACCORD may be amended by mutual written agreement between the Pueblo and DOE.

NOW, THEREFORE, the signatory parties have executed this ACCORD on the dates shown by their signatures and agreed to be duly bound by its commitments as of the effective date hereinbefore stated.

UNITED STATES DEPARTMENT OF ENERGY

BY: Richard A. Claytor
Richard A. Claytor, Assistant Secretary
for Defense Programs

DATE: Dec. 8, 1992

PUEBLO OF SAN ILDEFONSO

BY: Agapito Martinez
Agapito Martinez, Governor

DATE: Dec. 8-1992

APPROVED AS TO FORM:
UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

BY: Sidney Mills
Sidney Mills, Area Director

DATE: 12/11/92

WEDNESDAY, FEBRUARY 3, 1993

50 CENTS

THE SANTA FE

NEW MEXICAN

LANL reactor leaking radioactive water

By KEITH EASTHOUSE
The New Mexican

A 37-year-old nuclear reactor at Los Alamos National Laboratory has been leaking radioactive coolant water for the past four days at a rate of about three gallons per hour, lab officials said Tuesday.

The cause of the leak had not been determined and was still under investigation Tuesday night, said Lab

spokeswoman Diane Banegas.

Surface water samples taken Saturday in a drainage area outside the lab's Omega West reactor, located in a canyon south of downtown Los Alamos, showed levels of radioactive tritium 2½ times above state and federal drinking water standards, according to Alex Gancarz, leader of the lab's Isotope and Nuclear Chemistry Division.

Banegas said that because the coolant has been leaking continuously,

levels of tritium in the area could be higher.

However, she said, it is unclear whether the elevated reading taken Saturday is due to the leak at the inactive reactor or is contamination left over from a nearby facility no longer in operation.

In either case, she said, the tritium contamination does not pose a threat to the community's drinking water supplies, which are drawn from approximately 900 feet underground.

The reactor has been shut down since Dec. 11, so there is no danger that the leaking coolant would cause the reactor to heat up beyond control, Banegas said. The leak is confined to laboratory property, Banegas said. The Omega reactor is located in Los Alamos Canyon, behind a McDonald's restaurant. Banegas said most soil and water samples taken Saturday in the vicinity of the reactor did not detect radiation above normal background levels. She said newer samples are expected. State Environment Department scientists will visit the site Wednesday and probably Thursday to assess the extent of the contamination, department spokesman John Geddie said. A meeting between state and lab officials has been scheduled for Friday. Banegas said lab officials believe

Please see LEAK, Page A-2

Source of reactor Tritium-contaminated water being pumped into stream

By KEITH EASTHOUSE
The New Mexican

Los Alamos National Laboratory does not know how long its Omega West nuclear reactor has been leaking radioactive coolant water, a lab official said Wednesday.

When the lab announced the leak earlier this week, officials said they believed the leak began Saturday.

Additionally, water contaminated with levels of tritium five times the federal drinking water standard is being pumped out of a basement in the reactor directly into a stream that edges the reactor building, according to Alex Gancarz, leader of Los Alamos Isotope and Nuclear Chemistry Division.

Gancarz said 100 yards downstream, the water meets federal drinking standards because of dilution.

The highest level of tritium initially reported by lab officials was 2½ times the federal limit. Tritium is a radioactive form of hydrogen.

Gancarz said the reactor was continuing to leak water laced with tritium at the rate of three gallons an hour. He said there are no visible signs of a leakage. The only indication is the decline in coolant levels, he said.

Gancarz said lab workers still have not determined the source or cause of the leak.

Tritium is used in nuclear weapons and builds up in the coolant water of nuclear reactors during normal operations.

Both lab and state officials stressed that the leaking reactor, located in an Energy Department-owned canyon south of downtown Los Alamos, does not pose an immediate health hazard.

"If we thought this was an emergency situation, there'd be bells and alarms," said Bruce Swanton, of the state Environment Department's Los Alamos Oversight Office. "It's not that kind of situation."

Swanton said, however, that doesn't mean there's not a cause for concern.

"Any time you've got delivery to the land surface of a contaminated waste stream that exceeds health-based standards, that's something that needs to be paid attention to," Swanton said.

Lab officials said that any surface contamination caused by the leaking reactor does not pose a threat to drinking water supplies, which are drawn from groundwater 600 feet deep.

However, state officials said the presence of surface contaminants in the canyon's stream bed is potentially a serious problem because it raises the possibility that the contaminants could migrate downward toward the deep aquifer.

The leaking coolant does not mean the reactor could heat up out of control because the reactor has been shut down for several weeks.

Lab and state officials and scientists who originally had agreed to meet Friday to discuss the situation met instead on Wednesday. Swanton and Gancarz said the session was designed to educate the state about the situation.

Gancarz said lab workers first noticed a possible loss of coolant during the first week of January. He said a series of tests were conducted and a firm determination of a leak was made last Saturday.

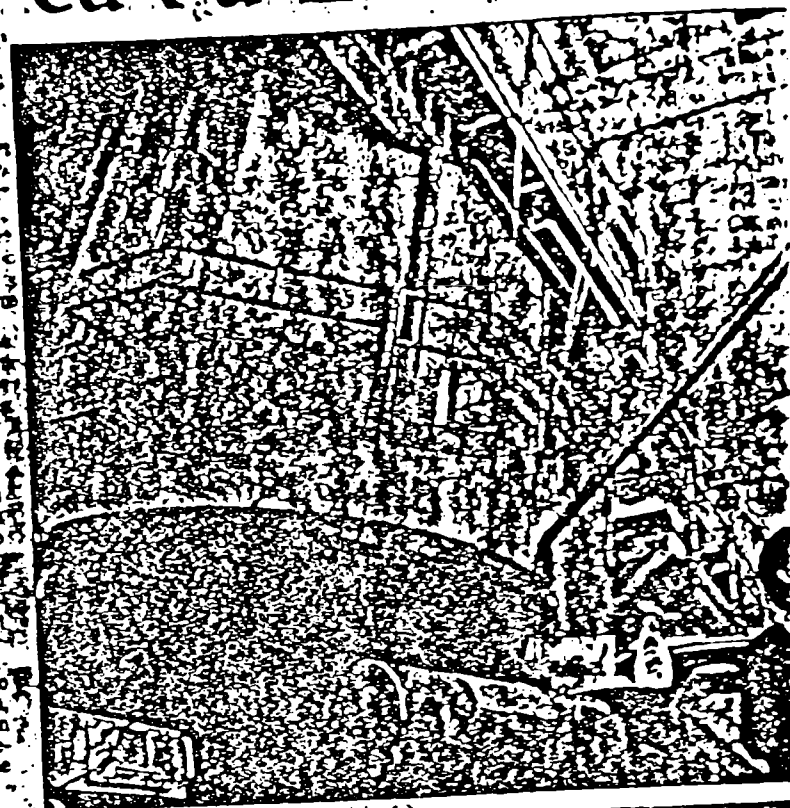
Gancarz said it is not possible at this time to determine how long the reactor's been leaking — in part, because the source of the leak has not been discovered.

"If we knew where the problem was, we might be able to make an estimate," Gancarz said.

He said one indication that the reactor might not have been leaking too long is that the lab monitors Los Alamos Canyon fairly frequently and unusually high levels of tritium were not detected until the last few days.

Gancarz said that about three-quarters of the reactor's cooling system has been inspected so far. He said the

Please see REACTOR, Page A-8



Alex Gancarz, center above, leader of the Isotope and Nuclear Chemistry Division, stands with public relations officer John Webster on the ground level of Omega West in this photograph taken in 1991. Behind Gancarz is the cooling tower that contains the reactor core. The Omega West Reactor and its cooling tower are seen behind a fence at the bottom of Los Alamos Canyon, right. The photo also was taken in 1991.

Photo taken by Kitz Langdon/The New Mexican



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REACTOR

Continued from Page A-8

lab might need to transfer the reactor's "highly radioactive" nuclear fuel to a storage pit so all of the cooling system can be inspected.

Gancarz said such a transfer would be a complicated, hazardous job. He said it could be undertaken next week, if necessary.

Gancarz said there typically is water in the basement of the reactor building because the basement is below the water ta-

ble. Because there is far more tritium in the basement water — on the order of 100 nanocuries per liter — than usual, lab researchers suspect a connection with the leak.

A nanocurie is a billionth of a curie, which is a measure of radioactivity.

Gancarz said tritium typically is in the basement water because of a plume of tritium contamination in the soils and surface waters of the canyon from a now-closed facility upstream of the reactor.

Gancarz said if the leaking reactor is

discharging tritium into the environment, it would be contributing pollution to an already contaminated area.

Gancarz said lab officials do not believe there is a connection between the leak and an emergency shutdown of the reactor Dec. 11 after an operator's error caused the reactor to heat up beyond normal limits.

The reactor has been shut down since then. The Energy Department is conducting a review of the incident.

Reactor heating suspected in leak

Repair costs might doom aging facility

By KEITH EASTHOUSE
The New Mexican

A connection may exist between an emergency shutdown of Los Alamos National Laboratory's Omega West nuclear reactor in December and a leak of radioactive water from the reactor discovered in late January, a lab official said Tuesday.

The official also said the cost of repairing the leak may be too high to justify restarting the 37-year-old reactor.

Lab officials had previously denied any connection between the leak and the shutdown.

On Tuesday, Bob Charles, leader of the Omega West reactor recovery team, said the Dec. 11 shutdown, which occurred automatically after an operator error caused the reactor to heat above normal limits, may have caused the cooling system's piping to expand and then contract.

Charles said researchers still do not know the cause of the leak.

Department of Energy officials will have to decide whether to fund the repair costs, estimated to be as high as \$1.5 million, he said.

"It would be a business decision" by the DOE, Charles said.

The 8-megawatt reactor has been used for research related to nuclear weapons development. The reactor is considered crucial to a relatively new laboratory program to produce radioactive isotopes used in nuclear medicine.

The future of that program is already in doubt. The DOE has indicated it might eliminate funding next year of the Los Alamos Meson Physics Facility, a subatomic particle accelerator that is also crucial in the production of medical isotopes.

The leak of the coolant water, which contains tritium, a radio-

halted Feb. 17 after most of the coolant water was drained out of the reactor and pumped to a storage tank at the lab's radioactive liquid waste treatment plant.

Lab officials detected the 3-gallon-per-hour leak at the end of January. They said it is possible the reactor, in a 400-foot-deep canyon immediately south of the Los Alamos town site, was leaking radioactive tritium for several weeks before the problem was detected.

Department of Energy officials will have to decide whether to fund the repair costs, estimated to be as high as \$1.5 million.

Laboratory and state Environment Department officials have said the leak does not pose an immediate health hazard. However, state officials have said the leak could be contributing to a longstanding tritium contamination problem from past laboratory operations in Los Alamos Canyon.

In a telephone interview with several members of the media, Charles said the source of the leak at Omega West has still not been precisely identified. He reiterated the view of lab officials that the leak is located somewhere in a portion of the reactor's liquid coolant system that is located underground in concrete and soil.

He said researchers have exhausted all "nonintrusive" methods of detecting the source of the leak and that workers will have to excavate the underground portion of the system.

He said the lab hopes that operation — which could take a week to complete — can begin Friday.

Before it can, however, the lab must remove the reactor's highly radioactive core from a deep storage well beneath the reactor and place it in a pool next to the reactor. He said the

Contaminants might have reached water, officials say

By KEITH EASTHOUSE
The New Mexican

Radioactive contamination from past operations in Los Alamos Canyon might have penetrated up to 200 feet underground, toward the deep aquifer that supplies the community's drinking water, a Los Alamos National Laboratory scientist said Thursday.

The canyon is home to the lab's Omega West Reactor, which is now leaking new radioactivity into the canyon.

Alan Stoker, a hydrogeologist with the lab's Environmental Protection Group, said it is unlikely the old radioactivity would reach the 700- to 800-foot-deep aquifer in concentrations sufficient to pose a health hazard.

He also said it is possible the radioactivity never would reach the aquifer because the aquifer is separated from the surface by a layer of mostly impermeable volcanic tuff.

The contamination of Los Alamos Canyon by tritium — a radioactive form of hydrogen — has come into focus since Tuesday, when the lab disclosed the Omega West reactor was leaking coolant water containing tritium at the rate of 3 gallons per hour.

Water in the reactor's basement has concentrations of tritium five times higher than federal drinking water standards. That water is being pumped directly into a stream next to the reactor, according to lab officials.

That information worries scientists at the state Environment Department who say the tritium could migrate downward toward the deep aquifer.

State and lab scientists agree the leaking reactor — on Department of Energy property south of downtown Los Alamos — poses no immediate health hazard.

Stoker said there are several monitoring wells in the canyon that tap into shallow groundwater, about 10 to 20 feet deep. Those wells consistently have revealed small amounts of tritium over the years, Stoker said.

He said there is also a monitoring well 2 miles downstream from the reactor that taps into the deep aquifer. "We've never seen any measurable contaminants in the deep aquifer well since it was built in 1947," he said.

That is the case, Stoker said, despite the fact that levels of tritium in shallow groundwater in the canyon were more than 10 times the current drinking water standard in the 1960s.

The contamination came from a facility called W site, where tritium was handled. That facility is upstream of the reactor. It is not in operation.

Stoker said the lab plans to drill a well into the shallow groundwater in Los Alamos Canyon this week as a spot between the waste and the reactor. The purpose is to determine what portion of the tritium contamination is coming from the old site, and what portion is coming from the leaking reactor.

Dennis McQuillan, a geologist with the state Environment Department's Ground Water Bureau, said the main question is whether there is a hydrologic connection between the shallow groundwater and the deeper reservoir.

Stoker said the lab is confident there is no major hydrologic connection between the two, mostly because of the intervening volcanic tuff layer and layers of other materials such as conglomerate rock and basalt.

The lab is now trying to get a better picture of the situation by drilling two holes 200 feet deep into another canyon, Stoker said.

Tritium contamination has been detected in vapor form at that depth in Los Alamos Canyon south of Los Alamos.

Stoker said "I would expect a somewhat similar situation could occur in Los Alamos Canyon."

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"We've never seen any measurable contaminants" in the deep aquifer well since it was built in 1947, he said. That is the case, Stoker said, despite the fact that levels of tritium in shallow ground water in the canyon were more than 20 times the current drinking water standard in the 1960s.

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Lab will partially drain reactor water to seek leak source

NEW MEXICAN 2-9-93

By KATHLEEN PARKER
and KEITH EASTHOUSE

LOS ALAMOS — Los Alamos National Laboratory is preparing to partially drain the Omega West reactor this week after tests confirmed that it is the source of elevated tritium levels in Los Alamos Canyon, Department of Energy and lab officials said Monday.

By draining the reactor, officials hope to find the source of the leak and figure out how to fix it. They also expect that as water used to cool the reactor is reduced, water pressure will decline and the rate of the leak — currently three gallons an hour — will slow.

The laboratory began the hazardous job Monday of removing highly radioactive fuel rods from the reactor's core in preparation to begin draining, expected to start Wednesday.

Alfred P. Sattelberger, deputy division leader of the lab's Isotope and Nuclear Chemistry Division, said the draining would take several days and that it could be a week before the source of the leak has been found.

The reactor, located at the bottom of Los Alamos Canyon immediately south of downtown Los Alamos, has been leaking tritium-contaminated coolant water for at least 10 days. Lab officials say it is possible the reactor has been leaking tritium, a radioactive form of hydrogen, for several weeks longer than that.

The reactor is used for nuclear re-

drinking water standards have been detected in a basement sump in the reactor building. The contaminated water is being pumped out of the basement into a stream that borders the facility.

Downstream from the reactor, levels of tritium $2\frac{1}{2}$ times greater than the federal limit have been detected, according to lab officials. By the time the stream reaches a fence line 100 yards downstream from the reactor, dilution has caused tritium levels to drop to a point equal to the drinking water standard, the officials said.

Both the lab and the New Mexico Environment Department say the leak, which is confined to lab property, does not pose an immediate health hazard.

However, state officials have expressed concern that the leak is contributing pollution to an already contaminated area and could pose a health problem in the future.

A lab official said last week that tritium contamination from an old facility in the canyon could have migrated up to 200 feet underground, toward the 700-800 foot aquifer from which the lab and the community draw drinking water.

However, layers of mostly impermeable volcanic rock and other materials make it unlikely — maybe impossible — for tritium to reach the aquifer in sufficient concentrations to pose a health hazard, the official said.

Bruce Swanton, program manager of the state Environment Department's DOE-LANL Oversight Pro-

REACTOR

Continued from Page A-5

gram, said the "state is not entirely convinced of this.

"We just don't feel like there is enough evidence one way or another," Swanton said.

Sattelberger said 6,000 gallons of contaminated coolant water would be drained out of the reactor and pumped by an underground pipe to a liquid waste treatment facility. The facility, Technical Area 50, only can process about 2,000 gallons of water daily, so the draining will take a minimum of three days, he said.

During the draining, cooling water levels in the reactor will be lowered by at least 20 feet to take the water level below inlet and outlet pipes that go from the reactor to a surge tank that stores cooling water. Dan Glenn, chief of DOE's Facilities Operation Branch, told the Los Alamos County Council Monday night.

That will allow lab personnel to determine whether the source of the leak is the surge tank and pipes leading to the reactor core or if the core itself is leaking.

To lower the water level in the reactor core, LANL personnel must first lower seven spent radioactive fuel rods from near the top of the reactor to the bottom, he said. These must be kept under water so that the water can continue to act as a shield to minimize exposure of lab personnel to radioactivity, he said.

The draining process probably will begin in about two

the reactor will be put in a holding tank and kept at Technical Area 50, a storage site for radioactive materials, he said.

If the reactor core is leaking, 32 fuel rods will have to be removed from the core and lowered into deep storage wells, according to lab spokeswoman Diane Banegas. Then, according to Glenn, the reactor would be emptied of all water. The reactor holds 16,500 gallons of water.

Banegas, in an interview earlier Monday, said a new monitoring well had been drilled 10-20 feet deep into the canyon floor between the reactor and W-site, an inactive facility upstream from the reactor that lab researchers thought might be contributing to the elevated tritium levels.

The well showed barely detectable levels of tritium, meaning that the reactor is the source of the elevated tritium, Banegas said.

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The reactor is used for nuclear research.

Tritium at levels five times federal

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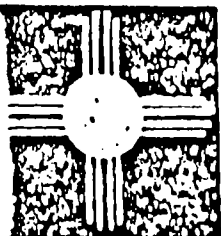
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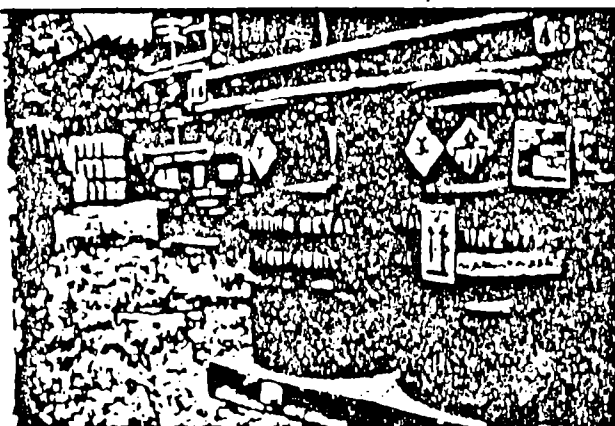
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THE SANTA FE NEW MEXICAN



Billy Lashon/The New Mexican

This file photo shows a storage hut at Los Alamos National Laboratory's Area G that contains radioactive and hazardous waste. The New Mexico Environment Department has fined the lab \$1.6 million for violating federal hazardous waste storage standards elsewhere in the dump area.

LANL fined \$1.6 million

By KEITH EASTHOUSE
The New Mexican

The state Environment Department has fined Los Alamos National Laboratory and its operator, the University of California, \$1.6 million for violating federal waste storage standards at the lab's nuclear waste dump.

A state official said Thursday the fine is the largest penalty ever imposed by the state agency and may be the largest ever levied by any state against a U.S. Department of Energy facility.

The violations involve the storage of 17,000 barrels of waste under dirt, which has made regular visual inspections

impossible, state officials said.

Regular inspection of the 55-gallon drums is required by the Resource Conservation and Recovery Act, a federal law administered in part by the state.

Lab officials Thursday acknowledged the storage violations but said the financial penalty may be unfairly harsh, raising the possibility of a major legal battle between the lab and the state.

LANL spokesman John Gustafson said it will take at least \$20 million to bring the lab into compliance, a goal he said may not be reached until the end of the decade.

Tom Gunderson, leader of the lab's Environmental Management Division, said the storage

violations do not pose a health

hazard either to workers at the dump site called Area G or to the public.

State officials, however, said the inability to visually inspect each waste barrel means that some barrels could be leaking contaminants into the environment.

The state is not assessing a financial penalty against DOE before a law was passed last

year making it possible to sue the federal government for violating federal and state environmental regulations.

Rick Malstrom, DOE spokesman, declined to comment. He said university attorneys have been in contact with LANL and

are aware of the state's enforcement action.

The 17,000 steel barrels in Area G contain radioactive waste and waste contaminated with both radioactive and chemical substances destined for the Waste Isolation Pilot Plant.

Lab workers last spring found that of about 100 drums inspected, eight had surface corrosion and one had a pinhole surrounded by a stained area.

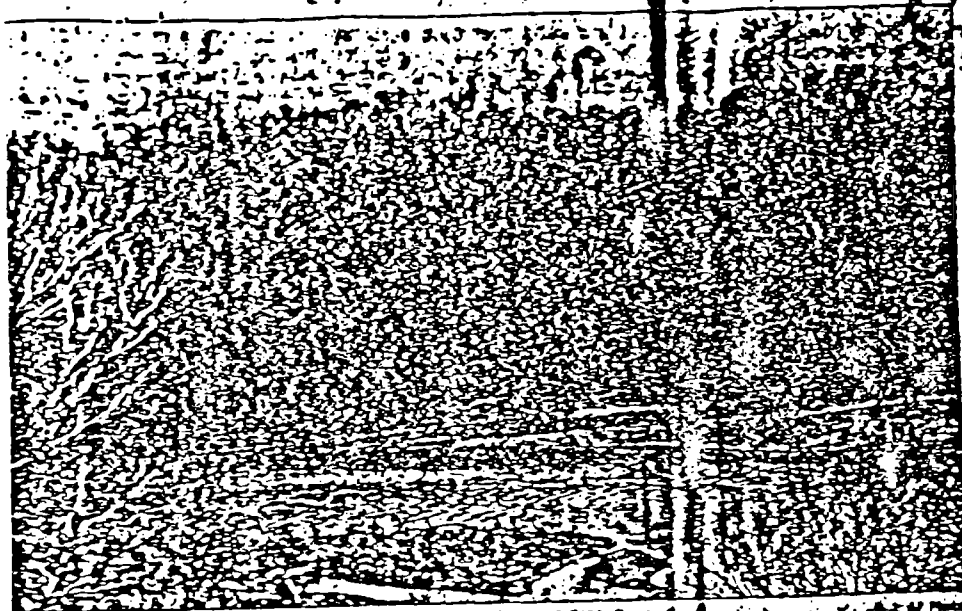
While there is no evidence that any of the drums are leaking, the state is concerned that many more drums could be corroded — and may be releasing

toxic contaminants into the environment, according to Kathleen

Please see VIOLATION, Page A-2.

Santa Fe Marine survives snip

costs as Indians crack down on water quality



The Rio Grande flows past the towers of Isleta Pueblo. The pueblo was the first to enact water quality standards.

through the pueblo lands," said Lloyd Suina, assistant director of the Pueblo Office of Environmental Protection, set up last year by the All Indian Pueblo Council.

"Water is life," Lucero said. "Without water, nobody is going to survive."

"We want to help everybody, not just the Pueblo of Isleta, but every user in the (Rio Grande) valley. I don't know what why it would upset anyone when all we're trying to do is prolong life with good drinking water."

The EPA last year granted Isleta status equal to that of a state to develop water quality standards. In December, the agency approved the pueblo's strict water quality standards, and Isleta announced Feb. 4 it had begun implementing its law. The pueblo lies just south of Albuquerque.

In January, the EPA granted Isleta equivalent status to Santa Pueblo on the Rio Grande north of Albuquerque. The EPA is reviewing Sandia's standards, which are similar to Isleta's. A decision could be made by early March, Meacham said. San Juan Pueblo north of Eschola has just begun the process. The pueblo has approved its water quality standards, but

the EPA is months away from deciding whether to grant it state status and will not review its water standards until then, Meacham said.

Meanwhile, Albuquerque has sued the EPA — but not Isleta Pueblo — over the approval of Isleta's standards. The city contends the standards cannot be supported scientifically and would cause an extreme financial burden on Albuquerque rate payers.

Isleta raised a red flag because the pueblo wants the water safe for ceremonial uses, which include drinking small amounts of river water. City officials worry that could bring extremely stringent federal standards into play.

Albuquerque officials say the bill to meet Isleta's regulations could run between \$60 million and \$250 million, forcing a sewer rate increase of 15 percent to 40 percent, depending on how strictly the standard is interpreted.

City waste-water discharge permits are rewritten to meet any new standards as those permits come up for renewal, Meacham said.

Albuquerque's discharge permit is being reviewed. Meacham expects the process to take several months because

of the interest raised by Isleta's action. "Sometimes it's a difficult balancing act, but what we try to do is address everyone's concerns and come up with a permit that will maintain the water quality but at the same time not cause undue economic hardship," he said.

David Stollker, president of the New Mexico Municipal League's Water Quality Association, said municipalities in New Mexico want to comply with water quality requirements.

"We do not want to sidestep the issue of protecting the environment," said Stollker, an environmental engineer for the city of Santa Fe. "What the municipalities are asking is that we be allowed a forum to have open communication of where the standards are going and have time to plan for implementation of those standards."

And they would like some help paying to meet the standards.

The cost to the municipall-

ties to increase our treatment capability to meet the increased water quality standards being implemented by the Indian pueblos is going to be enormous," Stollker said.

If the federal government dictates the water quality levels that should meet, then the federal government should pay for it, he said.

"We in the municipalities care about the environment just like the Indians," Stollker said. "Our real problem is unlike the Indians, we pay for water quality improvements at the local level. The Indians can go to the federal government for improvements, we can't."

Lucero also talks of cooperation.

"Let's work together and solve the problem. Maybe perhaps have a good environment for all of the people," he said.

He also said the Clean Water Act is a congressional mandate to clean up the water.

THE WHITE HOUSE
WASHINGTON

The Honorable Hazel O'Leary
Secretary
Department of Energy
James Forrestal Building
1000 Independence Avenue, S.W.
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On Los Alamos Cancer Rates

By Tamar Stieber

JOURNAL STAFF WRITER

LOS ALAMOS — A committee overseeing a study of cancer here is one small step closer to finding out why thyroid cancer in the county that gave birth to the atomic bomb increased to four times the state rate starting in the mid-1980s.

The group, which includes national epidemiology experts, agreed Tuesday to come up with the best possible study to see if, and which, environmental exposures may be responsible for the increase.

Their choices come down to finding a group of people who have had the normally non-fatal disease and compare them to a similar group that hasn't, or to pick out a population that may have been exposed to a cancer-causing agent and see who got the disease and who didn't.

Committee member Scott Davis, who heads up a large-scale study of thyroid cancer near the Hanford Nuclear Reservation in Richland, Wash., noted that any analytical study the committee recommends might not necessarily be limited to thyroid cancer.

Referring to the still-undecided question of whether Los Alamos has a high rate of brain cancer, Davis said, "What if five more cases of brain cancer pop up in the next five months?"

There's no doubt the jury is still out on the issue of brain cancer, which is what originally prompted the New Mexico Department of Health to undertake the epidemiology study.

There is concern in the county and nearby Indian pueblos that radioactive or chemical emissions from Los Alamos National Laboratory may be causing cancer.

Responding to the statistics on thyroid cancer, the Los Alamos nuclear weapons laboratory has pointed out that its release of radioactive iodine, which has been associated with thyroid disease, is in the area of 200,000 times less than similar releases at Hanford.

Statistics compiled for the study by the New Mexico Tumor Registry show the incidence of brain cancer increased nine-fold from the 1970s to the period from 1986-90.

They also show that the Western

"What if five more cases of brain cancer pop up in the next five months?"

—Scott Davis,
Committee member

site of a possible brain cancer cluster, had a brain cancer incidence rate nearly three times that of the state from 1980-90.

But a health department draft report on the federally funded cancer study says the high rates may be due to chance because they're based on extremely small numbers of cases.

Health department epidemiologist William Athas also pointed out later that Los Alamos had no brain cancer cases in 1990 or 1991.

When asked if that meant that brain cancer is a non-issue, committee chairman Dr. Jon Johnson, a Los Alamos internist, said, "If you're asking, 'Do the conclusions of this study reassure me that my risk of getting brain cancer from living in the Western Area is not any greater than living anywhere else?' yes, they do reassure me."

But Davis noted that while there doesn't at present seem to be anything "remarkable" about the incidence of brain cancer in Los Alamos or the Western Area, "these data don't rule out that there could be a problem."

He added, however, "My opinion is that there's no horrible epidemic or problem at this point."

The committee will continue surveillance of the Los Alamos brain cancer rate as well as ovarian cancer, which is about double the state rate.

In the North Mesa/Barranca Mesa area, in the northeastern part of the county, the incidence of ovarian cancer was more than three times that of the county as a whole from 1980-90 and six times higher than the state rate during that.

But the rate on the mesas is based on only nine cases compared to 22 in

MORE: See STUDY on PAGE 3

mesa for dump site

By KEITH EASTHOUSE
The New Mexican

Los Alamos National Laboratory is planning to build a 22-million dump on 60 acres of laboratory property to dispose of waste containing radioactive and chemical substances, officials of the lab and the Department of Energy said Tuesday. The lab hopes to have the dump, called the Mixed Waste Disposal Facility, in operation by 1997. The dump would serve as a permanent disposal site for waste retrieved during laboratory-wide environmental cleanup project that is in its beginning stages and is expected to take 20 years to complete, officials said. The dump, which must be approved by the DOE and the New Mexico Environment Department, would be designed to hold about 475,000 cubic yards of waste.

The dump would be located on Pajarito Mesa, a part of the laboratory that has never been used and is relatively pristine. According to Bob Gillis, LANL's technical team leader for the project, the area slated for the dump includes Indian ruins.

The laboratory revealed its plans for the dump Tuesday at a public meeting in Los Alamos. The purpose of the meeting was to keep the community apprised of progress in its environmental restoration project, which could require the cleanup of almost 2,000 separate sites at an estimated cost of \$2 billion.

A similar meeting is to be held tonight at 7 at the Sweeney Center in Santa Fe.

Dean Nelson of the laboratory said the waste dump makes sense because it would remove the need to transport waste off site.

But First Lt. Gov. Gilbert Sanchez of San Ildefonso Pueblo, whose land borders lab property, expressed concern about the project.

"Each time they dump something in the ground and put up a fence, it eliminates some of the cultural and social activities of my people," said Sanchez, who

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attended Tuesday's meeting.

The lab needs to go beyond assessing the technical aspects of the project and "look at the social and cultural impacts," Sanchez said.

One of the first decisions that needs to be made is whether the lab should study the proposal by performing an environmental assessment. A DOE official said could be completed by the summer.

An environmental impact statement, which would take longer and require public hearings, is expected to be completed by the DOE in the fall. The DOE is expected to make a decision on that issue, according to officials at Tuesday's meeting.

To operate the dump, the lab must obtain a permit from the U.S. Environmental Protection Agency. That authority to regulate mixed waste under the Federal Resource Conservation and Recovery Act would be held as part of the state program.

DOE and DOE officials are working to give Stalen of DOE's Los Alamos office, the site would be deposited. The site would include contaminated soil and rubble, toxic solvents and other materials collected during the environmental restoration work.

There'll be a little of everything, Stalen said. Stalen and laboratory officials haven't been decided whether the dump also could serve as a disposal site for mixed waste contaminated by radioactive and chemical substances generated by ongoing lab operations.

Last May, the lab voluntarily halted operations that generate mixed waste to avoid violating federal storage regulations. The lab is negotiating a solution to the problem with the Environmental Protection Agency.

A DOE official said that if waste generated by lab operations ends up at the proposed dump, it would add about 25,000 cubic yards to the total disposed there.

Gillis said the lab is conducting a geological study of the area to determine its suitability as a waste repository site.