

FOR IMMEDIATE RELEASE
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Additional Groups Ready to File Suit over LANL Clean Water Act Violations

March 29, 2007. – In May 2006, six community organizations sent an historic 60-Day Notice of Intent to Sue to the Department of Energy (DOE) for violations of the Clean Water Act at Los Alamos National Laboratory (LANL). The Notice of Intent is a result of LANL's unwillingness to deal effectively with its historic and on-going toxic discharges, which threaten the Río Grande watershed and regional drinking water supplies.

Today, three new community groups and two individuals are joining to re-send the 60-Day Notice of Intent to Sue DOE and the new management of LANL. These groups and individuals include: the SouthWest Organizing Project (SWOP), the New Mexico Acequia Association, the Don Gabino Andrade Community Acequia, Gilbert Sanchez, and Kathy Sanchez. Original groups that signed on to the first Notice are Amigos Bravos, Concerned Citizens for Nuclear Safety, Embudo Valley Environmental Monitoring Group, Partnership for Earth Spirituality, Rio Grande Restoration and Tewa Women United.

“We joined this Notice because we are concerned about contamination from LANL impacting downstream irrigators and farmers” said Paula Garcia, executive director of the New Mexico Acequia Association. “We want to hold LANL accountable for more than 60 years of contamination.”

Re-sending the Notice will allow inclusion of the new corporate management for LANL, which is now responsible for dealing with LANL's toxic legacy. The corporation, Los Alamos National Security, LLC (LANS), was created specifically to manage LANL and is headed up by Bechtel. LANS includes two additional corporations with nuclear facilities experience, BWX Technologies and Washington Group International, and LANL's original managers, the Regents of the University of California.

The Notice charges LANL with an unprecedented number of violations of the Clean Water Act. Filing a Notice is required under the Clean Water Act prior to filing a lawsuit in court.

“Our future drinking water supply is threatened,” said Kathy Sanchez, of the Pueblo of San Ildefonso. “There are more than 1400 documented contaminated sites at LANL, and every time it rains or snows, these contaminants move through our canyons and springs to the Río Grande. We want zero contaminants discharged from LANL and we want them to implement Best Management Practices for discharges and dumping.”

Matthew Bishop, of the Western Environmental Law Center and legal counsel for the groups, explained that the impending lawsuit is based on five specific violations of the Clean Water Act:

- Failure to conduct adequate, representative monitoring;
- Failure to report violations;
- Failure to have pollution control measures in place;
- Failure to comply with water quality standards; and
- Unauthorized discharges.

Numerous studies by the community groups, the New Mexico Environment Department (NMED), and LANL itself show that New Mexico's future water supply is threatened by highly toxic pollutants, including PCBs at more than 25,000 times the New Mexico Water Quality Standard protective of human health. Other toxins of critical concern include 1,4-dioxane, hexavalent chromium (the same carcinogenic compound featured in the *Erin Brockovich* movie), nitrates, fluoride, perchlorate (a chlorine-based chemical linked to thyroid dysfunction), high explosives, selenium, and numerous radioactive elements, such as americium, cesium, cobalt, plutonium, strontium and tritium, that have been detected in the regional aquifer.

Robby Rodriguez, Executive Director of SWOP, said that the groups expect the lawsuit would result in LANL honoring its commitments.

"LANL has a budget well over \$2 billion," Rodriguez said. "It is inexcusable that they are failing to clean up their toxic mess, which affects nearby Pueblos and small towns and cities along the Río Grande. We want Federal and State regulators to hold LANL accountable. LANL needs to take immediate and effective action to protect our waters."

The parties to the Notice of Intent expect LANL to be treated like any other corporate polluter. They want violations from prior and on-going toxic discharges to be vigorously pursued. They want total fines to be paid in full and allocated to complete and effective independent monitoring and remediation of the sites in question to prevent future contamination of our waters.

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The organizations and individuals joining the re-filing of the 60-Day Notice include:

Don Gabino Andrade Community Acequia Association – A new acequia in the South Valley of Albuquerque concerned with water quality issues and providing water to small farmers.

New Mexico Acequia Association – Strengthening our communities by sustaining ancestral connections to land, water, and culture.

SouthWest Organizing Project – Working to empower our communities to realize racial and gender equality and social and economic justice.

Gilbert Sanchez – Member of Tribal Environmental Watch Alliance (TEWA) and a community activist at the Pueblo of San Ildefonso.

Kathy Sanchez – Director of Tewa Women United and a community activist at the Pueblo of San Ildefonso caring for Mother Earth.

Organizations that jointly sent the original 60-Day Notice in May 2006 include:

Amigos Bravos – Protecting and restoring New Mexico's rivers since 1988.

Concerned Citizens for Nuclear Safety – Protecting all living beings and the environment from the effects of radioactive and other hazardous materials now and in the future.

Embudo Valley Environmental Monitoring Group – Focuses on the public and environmental safety issues related to air emissions generated by LANL activities that affect our watersheds.

Partnership for Earth Spirituality – An interfaith group of people working for care of God's creation through reflection, education and action.

Rio Grande Restoration – Focuses on the depletion of surface water on the Río Grande.

Tewa Women United – A civic group empowering women from the Northern New Mexico Pueblos.

Western Environmental Law Center, a non-profit, public interest law firm dedicated to protecting the land, sky, water, wildlife and culture of the West is representing the community groups and individuals.