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SENATE MEMORIAL 30

**51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014**

INTRODUCED BY

Cisco McSorley

A MEMORIAL

REQUESTING THE DEPARTMENT OF ENVIRONMENT TO ESTABLISH A COMPLIANCE SCHEDULE ORDERING SANDIA NATIONAL LABORATORIES TO CONDUCT THE FEASIBILITY STUDY REQUIRED PURSUANT TO THE DEPARTMENT OF ENVIRONMENT'S 2005 FINAL ORDER AND TO REPORT ON THE FEASIBILITY STUDY TO THE PUBLIC AND THE APPROPRIATE COMMITTEE OF THE LEGISLATURE.

WHEREAS, the mixed waste landfill at Sandia national laboratories operated from 1959 to 1988 to receive radioactive and hazardous wastes from nuclear weapons production; and

WHEREAS, these radioactive and hazardous wastes were dumped into unlined pits and trenches and are leaking into Albuquerque's drinking water aquifer that serves over six hundred thousand residents; and

WHEREAS, the documented wastes in the mixed waste landfill

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1 include more than one hundred barrels of long-lived  
2 plutonium-contaminated wastes, along with tons of depleted  
3 uranium and tritium and hazardous wastes such as lead,  
4 beryllium and solvents such as trichloroethylenes, or "TCE";  
5 polychlorinated biphenyls, or "PCBs"; and perchloroethylene, or  
6 "PCE"; and

7 WHEREAS, the wastes in the mixed waste landfill pose a  
8 long-term danger to the aquifer that serves Albuquerque  
9 residents; and

10 WHEREAS, the department of environment's 2005 final order  
11 requires Sandia national laboratories to have the legislative  
12 interim water and natural resources committee conduct a  
13 feasibility study every five years for the feasibility for  
14 excavation of the mixed waste landfill and the suitability of  
15 the dirt cover over the landfill; and

16 WHEREAS, the department of environment's 2005 final order  
17 also requires the feasibility study to provide an update with  
18 current data regarding the fate and transport model for the  
19 mixed waste landfill; and

20 WHEREAS, the department of environment's 2005 final order  
21 requires the feasibility study to include a reevaluation of the  
22 likelihood of contaminants in the mixed waste landfill reaching  
23 ground water; and

24 WHEREAS, Sandia national laboratories has not performed  
25 the required feasibility study;

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1           NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE  
2 OF NEW MEXICO that in order to protect the public health and  
3 environment, the department of environment be requested to  
4 order Sandia national laboratories to conduct the feasibility  
5 study required pursuant to the department of environment's 2005  
6 final order; and

7           BE IT FURTHER RESOLVED that the department of environment  
8 be requested to report to the public, the appropriate committee  
9 of the legislature, the Albuquerque city council, the  
10 Bernalillo county board of county commissioners and the  
11 Albuquerque-Bernalillo county water utility authority with the  
12 results of the excavation study conducted by Sandia national  
13 laboratories pursuant to the 2005 final order; and

14           BE IT FURTHER RESOLVED that the appropriate committee be  
15 requested to report to the senate by January 2015 with  
16 recommendations for further cleanup; and

17           BE IT FURTHER RESOLVED that copies of this memorial be  
18 transmitted to the secretary of environment, the director of  
19 Sandia national laboratories and the co-chairs of the New  
20 Mexico legislative council.