

1 **NORTHERN NEW MEXICO CITIZENS’ ADVISORY BOARD**
2 **Recommendation to the Department of Energy**
3 **“Fiscal Year 2013 and 2014 Budget Appropriation Recommendation”**
4 **No. 2012-03**
5 **Carlos Valdez, Primary Author**
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7 The Department of Energy (DOE), The Los Alamos National Laboratory (LANL) and the New Mexico
8 Environment Department (NMED), signed the Order on Consent,¹ for clean- up of Legacy and Cold
9 War wastes in March 2005. In this document, LANL agreed to a schedule for completion of cleanup at
10 specified sites on the LANL grounds. At the time of signing this agreement, this team indicated that
11 appropriate cleanup could be completed by the end of 2015. DOE EM agreed to provide sufficient
12 funding to the Environmental Management Division (EM) of LANL to meet the cleanup timeframe. To
13 date, federal funding has not been sufficient to meet these timeframes.

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15 Since Operating Budgets have not been sufficiently funded to carry out the requirements in the Order on
16 Consent, LANL and NMED have had to renegotiate the work priorities, scope, and deadlines. On
17 October 1, 2011, a “Framework Agreement”² was reached, wherein LANL agreed to remove 3,706
18 cubic meters of non-cemented, above-ground TRU waste by June 3, 2014. In order to fulfill this
19 agreement, sufficient funding is essential to complete the necessary work.

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21 **Comments and Observations**
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23 According to the DOE Office of Environmental Management FY 2013 Budget Request, LANL’s Base
24 Budget Request is approximately \$239.1 million.³ The Executive Budget Request submitted for FY 14
25 was \$239.1 million. Since then, the Senate reduced the FY ‘14 amount to \$235.0 million, and the House
26 reduced the amount to \$217.0 million. To this day, the federal government operates under a Continuing
27 Resolution, thereby shortening the work schedule for LANL’s clean-up efforts.

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29 The Northern New Mexico Citizen’s Advisory Board (NNMCAB) has consistently recommended as one
30 of its “Top Three Issues” reported to EM Headquarters, the full budget baseline funding levels for the
31 agreed LANL EM work. In addition, LANL budget prioritization is an Action Item on both the Waste
32 Management subcommittee, and the Environmental Monitoring, Remediation and Surveillance
33 subcommittee within the NNMCAB.

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36 **Recommendation**
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- 38 1. The NNMCAB recommends that DOE Headquarters inform the Congressional
39 Appropriations Committee that in order for LANL- EM to fulfill the scope of work
40 included in the Consent Order, and to address health and safety considerations in and

¹ Compliance Order on Consent, signed March 1, 2005

² Los Alamos National Laboratory 3706 Transuranic Waste Campaign Presented by M. Lee Bishop, Jan. 5, 2012

³ FY 2014 Budget Request, DOE Office of Environmental Management, David Huizenga, Feb. 13, 2012.

41 around the Los Alamos area, full baseline funding included in the Executive Budget
42 Request is essential. Any decrease from that amount would be detrimental to established
43 deadlines in the Consent Order and the Framework Agreement between DOE and NMED.
44 2. The NNMCAB acknowledges that the funding issues associated with the current
45 Continuing Resolution budget will have a negative impact on Environmental Restoration
46 work at LANL. The NNMCAB is very concerned about the potential for increased risk of
47 contamination to both groundwater and the Rio Grande from any delays in the removal or
48 remediation of LANL wastes will result from budget shortfalls. Therefore, we strongly
49 recommend that DOE EM pursue as strongly as possible the full baseline funding for
50 LANL EM work.

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52 **Intent**

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54 It is the intent of the NNMCAB to support FY 2013 and FY 2014 funding for LANL at levels that will
55 adequately support clean-up work in progress, in order to complete scope on the Consent Order schedule
56 deadlines, and to fulfill DOE-EM, LANL, and NMED agreements.
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