



# La Jicarita

An Online Magazine of Environmental Politics in New  
Mexico

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AUGUST 29, 2020

## Bureaucratic Stagnation Over Removal of Sandia National Laboratory Mixed Waste

By KAY MATTHEWS

*La Jicarita* has been covering Sandia National Laboratory’s Mixed Waste Landfill in Albuquerque since 2013, especially the [concerns raised by Dave McCoy](#), director of Citizen Action New Mexico. McCoy has been trying to get the Lab and the New Mexico Environment Department (NMED), which is responsible for oversight of the radioactive and chemical wastes in the landfill, to excavate the waste and transfer it offsite. Instead, since 2009, the waste has been covered with a layer of dirt that McCoy and many others believe inadequately protects the aquifer from which Albuquerque gets its drinking supply. In 2015 testimony regarding the landfill, Dr. Michael Barcelona, Ph.D., a professor of chemistry and member of the Union of Concerned Scientists, stated: “The [MixedWaste Landfill] cover will not last sufficient time considering the persistence for millennia of the Mixed Waste Landfill contents. The use of a dirt cover without a liner beneath the cover and the waste is completely worthless.”



*Dave McCoy speaking to Sandia representatives at a public meeting on Sandia's permit application to permanently store radioactive and toxic wastes in an shallow, unlined dump covered in dirt. Photo by David Correia*

From 1959 to 1989, Sandia dumped between 100,000 and 1.5 million cubic feet of toxic and radioactive waste in a shallow, unlined pit a few hundred feet above the aquifer. The New Mexico Environment Department issued Sandia a conditional permit to store those wastes on-site in 2005 that required Sandia to consider a plan to extract and remove the waste (5-year repeated reports are required to examine the feasibility of extraction).

Finally, 15 years later, as the waste remains buried under the same layer of dirt Sandia finally concluded in its [2018 5-Year Report](#) that excavation and offsite disposal is feasible, the safest and most effective long-term cleanup remedy with disposal pathways for all contaminants. The problem, however, is that the NMED misrepresents Sandia's conclusion in its March 2020 Mixed Waste Landfill Briefing, which McCoy obtained from a public records request, claiming that "remedy [of a dirt cover] is protective now and in the future" for "human health and the environment." The public records request also reveals that NMED hasn't responded to the public comment on the 2018 Report that calls for it to move forward with the cleanup.



*Aerial view of the mixed waste landfill at Sandia National Laboratory*

McCoy shared with *La Jicarita* Citizen Action's supplement to the NMED 2020 Mixed Waste Landfill Briefing that lays out the argument for removal of the waste. It's a long one: 22 pages worth. Citizen Action's fundamental argument is that removal of the waste is the safest, most cost effective, and quickest way to remove the clear and present danger the waste presents to Albuquerque's groundwater (according to the supplement, the site is already leaking PCE and TCE toxic solvents into the aquifer). The federal government, rather than the state, would be responsible for the cost of removal, and the present landfill could be returned for use as an industrial or residential site. Removal of the waste would also remove a national security hazard as the landfill is located on a military base with nuclear weapons, 20,000 plus personnel, and aircraft take-offs and landings with fuel loads and live bombs. Additionally, the dirt cover of the landfill fails the Resource Conservation and Recovery Act (RCRA) requirements of liners beneath a qualified RCRA "cap" and a liner beneath the pits and trenches of the dump.

The dump has been an official concern of the U.S. Environmental Protection Agency, the New Mexico Environment Department, the City of Albuquerque Water Protection Advisory Board,

independent technical experts, and citizens attending hearings, filing thousands of letters and comments, presenting expert witnesses, and lawsuits.

Citizen Action New Mexico is asking that NMED protect public health and safety by ordering Sandia to begin a Corrective Measures Implementation Plan (CMIP) for cleanup of the Mixed Waste Landfill. The current 678 page 5-Year Report contains descriptions from 2003 and 2018 for how excavation and offsite removal would be safely accomplished for workers and the public. According to Citizen Action's supplement, "As of December 2018 when the 5-Year Report was submitted, Sandia estimated it could begin the CMIP planning process by 6/30/2020. (Pg. D 3-11). There are no emails or other documents showing that NMED made efforts during the 1½ year period from December 2018 to May 2020 to consider the DOE/Sandia recommendations of excavation and offsite disposal." Additionally, hundreds of comments to the 2018 5-year Report from concerned citizens requested that NMED issue Sandia National Laboratories an Order for a CMIP.

In its supplement to the NMED Briefing, Citizen Action New Mexico details many more deficiencies of the NMED Briefing, including defective groundwater monitoring well data that does not support the 2005 permit for the dirt cover. In summation, Citizen Action requests that if the agency does not issue an Order to proceed with excavation and offsite disposal it must provide reasons for why it should not issue such an Order, and also provide timely written responses to the public comments that were provided to NMED during the comment period for the 2018 5-Year Report.