

## United States Senate

November 14, 2007

Mr. Richard E. Greene  
Regional Administrator, Region 6  
Environmental Protection Agency  
1445 Ross Avenue, Suite 1200  
Dallas, TX 75202-2733

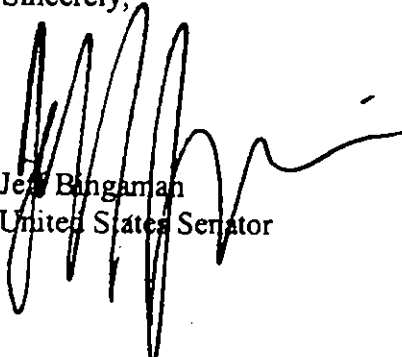
Dear Mr. Greene:

The attached letter was sent to my office by David B. McCoy, Executive Director of Citizen Action New Mexico, and Robert Gilkeson. In the letter, Citizen Action requests my assistance in ascertaining the status of EPA's review of a well monitoring network for a mixed waste landfill and when a copy of the completed technical review will be made available to Citizen Action.

To expedite the process, I respectfully request you respond directly to Messrs. McCoy and Gilkeson with a copy of your response to my attention.

Thank you for your prompt attention to this matter.

Sincerely,



Jeff Bingaman  
United States Senator

JB/dja

November 13, 2007  
 Citizens' Committee on the Environment  
 703 Hart Senate Office Bldg.  
 United States Senate  
 Washington, D.C. 20510

Dear Senator Bingaman,

On April 27, 2007, your office sent a letter requesting that the US Environmental Protection Agency give full consideration to performing a review of the well monitoring network and a New Mexico Environment Department document by William Moats. Citizen Action had requested the review in March, 2007. Citizen Action has been in touch with EPA Region 6 (Rich Mayer) and are informed that his group finished a technical review of the Mixed Waste Landfill well monitoring network nearly a month ago.

Collection. The Department of Energy has put out an October 31, "Long Term Maintenance and Monitoring Plan" for public review that admits to lacking important details for the long term well monitoring program at the Mixed Waste dump. Citizen Action and the public need the EPA report in order to respond to the deficiencies in the current monitoring network and on the long-term plan. We are informed by EPA technical staff that they shared many of the concerns that we raised when we requested the review. Those concerns include:

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Citizen Action has recommended in its comments to the NMED that before a Corrective Measures Implementation Plan is approved for the MWL, and before any cover is placed on the dump that the existing monitoring wells at the MWL be replaced with new wells and samples taken to establish an accurate baseline for ground water data.

The historical record over the years in the SNL reports of "no evidence of contamination" is technically unsound because of the serious deficiencies with the Sandia groundwater monitoring program.

Of particular note, DOE/SNL knew in May 1991 from the DOE Tiger Team Assessment of SNL that "The number and placement of wells at the mixed waste landfill is not sufficient to characterize the effect of the mixed waste landfill on groundwater."

A May 27, 1994, letter from the NMED to the DOE titled "Comments on the NMED's Review of Ground Water Monitoring at SNL's MWL, Dated March, 1993," states that:


"Mud-rotary is considered to be the worse [sic] drilling technology available to be used for the installation of ground water monitoring wells. Other better drilling technologies were in existence at the time the MWL wells were drilled"  
(Administrative record for the MWL, vol. 6 p. 006222, number 13).

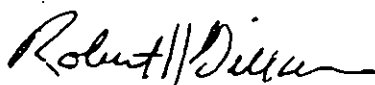
The wells that were a concern in 1991 And 1994 are still in use and represented as producing reliable and representative water samples which has in fact never been the case. The EPA report will be important toward the goal of achieving protection of the sole source groundwater resource for Albuquerque below the Mixed Waste dump.

Collecting water samples from a properly constructed new network of monitoring wells will provide information as to whether groundwater contamination at the MWL has occurred. New sampling will also provide verification concerning Sandia's prediction that the solvent known as perchloroethylene (PCE) will reach Albuquerque's drinking water supply as early as the year 2010. PCE is a manufactured compound widely used as a metal de-greaser and has been linked with liver and kidney damage, and various cancers in lab animals.

Thank you.

Sincerely,

  
David B. McCoy, Executive Director  
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