Parties agree to settle stormwater lawsuit

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Agreement, new permit are a “win-win”

LOS ALAMOS, New Mexico, April 27, 2011 — Los Alamos National Laboratory today announced it has reached a settlement that will result in the dismissal of a 2008 environmental lawsuit by nine citizens groups and individuals.The suit, filed by the Western Environmental Law Center, alleged that LANL violated its EPA Clean Water Act permit, and allowed stormwater bearing contaminants from more than 100 legacy (Cold War era) environmental sites to run off at levels above standards—charges LANL denies.Under the terms of the settlement, WELC agreed to drop the lawsuit in exchange for access to inspect certain sites, funding for technical consulting and a portion of legal fees.Many of the issues in the suit were resolved through a new permit issued by the EPA under the Clean Water Act. Under this permit, LANL agreed to manage

its stormwater sites to meet stringent requirements governing stormwater run-on and run-off at about 400 legacy sites. The permit contains requirements for stabilizing and monitoring the sites. Field improvements will help prevent contamination from running off during large storms.“These permits and agreements are a major step forward in the Lab’s commitment to protecting people and the environment,” said Chris Cantwell, LANL’s associate director for environment, safety, health, and quality. “We are pleased that the parties were able to amicably settle the lawsuit, and are confident that LANL’s new CWA permit, one of the most stringent in the nation, will help protect people and the environment.”Meanwhile, under the Consent Order agreement with the state of New Mexico, those sites are being investigated or cleaned up.The EPA permit establishes a three-to-five year implementation schedule and incorporates “target action levels” based on New Mexico’s water quality standards. It also requires public meetings and Internet posting of permit-related documents.“The agreement is a win-win achievement,” said Cantwell. “It helps us protect the public and the environment while saving the taxpayers costly legal expenses, and allows us to safely continue our important science and security work for the nation.”

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