



**For More Information, Contact:
Lynn Komer—505-660-7682 cell
Rick Carpenter—505-955-4206; 660-5696 cell**

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**BUCKMAN DIRECT DIVERSION PROJECT BOARD AND
U.S. DEPARTMENT OF ENERGY SIGN MEMORANDUM OF UNDERSTANDING ON DOE
RESPONSE TO SIX ACTION ITEMS**

Santa Fe—The Chair of the Buckman Direct Diversion (BDD) Project Board of Directors and the U.S. Department of Energy (DOE) Assistant Secretary for Environmental Management have finalized a Memorandum of Understanding that sets forth the DOE's continuing actions in response to the BDD Board's request that it take six action steps to protect the quality of the Rio Grande following flash floods and heavy rains.

"We have promised the BDD Project will provide the people of Santa Fe with safe drinking water that doesn't contain LANL contamination, and the signing of this MOU will help us meet this promise," said Rebecca Wurzbarger, Chair of the BDD Project Board, Santa Fe Mayor Pro Tem and Santa Fe City Councilor. "We appreciate the New Mexico Environment Department, the New Mexico Legislature and our members of Congress for their support in helping us reach this important milestone," she said.

Rio Grande water at the Buckman Diversion site has been tested and LANL contamination is absent or sometimes detected at levels below the Rio Grande at Buckman human health standards for LANL-origin contaminants that the New Mexico Water Quality Control Commission is expected to finalize. This new water quality standard was advocated by the BDD Project and supported through its testimony. However, flash floods from Los Alamos Canyon and its tributaries can contaminate the Rio Grande at Buckman until the flood flow from Los Alamos Canyon has flowed past the diversion, which is three miles downstream.

No LANL-origin contaminants in the Rio Grande at Los Alamos Canyon and its tributaries were detected in two separate 2009 NMED water sampling studies, or by a study conducted by the BDD and LANL over the past two years. While this is good news, the infrequent storm events that would cause water to flow in the Los Alamos Canyon and its tributaries have made it difficult to sample and characterize the Rio Grande water at the right time. The early notification system and sampling agreements outlined in the MOU provide for automatic sample collection from the Rio Grande at Buckman when Los Alamos Canyon flood flows are entering the Rio Grande.

(MORE)

The BDD Project includes a multi-barrier approach to assure the BDD Project provides safe drinking water. Proactive actions to protect the water quality of the Rio Grande are an important part of this approach. In November 2007, the BDD Board requested six specific actions of the DOE and LANL to safeguard the Rio Grande.

In response to the requests to: 1) stop the migration of contamination to the Rio Grande, and 2) to properly monitor the contamination that is transported by surface water flows, the DOE has implemented effective barriers to sediment migration in Los Alamos Canyon and its tributaries. The DOE will be measuring and publicly reporting their effectiveness in response to new requirements under the DOE consent order with the NMED and under a first of its kind U.S. Environmental Protection Agency storm water quality control permit. Additional federal and state regulatory requirements for LANL to stop contaminant transport will be considered, depending on the measured effectiveness of the significant work that DOE has recently implemented.

To address the request for a reliable early notification system when flash floods from Los Alamos Canyon and its tributaries enter the Rio Grande, the DOE has agreed to provide wireless data and alarms from three Los Alamos Canyon stream gages. The data will be sent to the BDD Project's automated control system, which will alert the Charge Operator and halt pumping from the river until the flood or high water flow has subsided.

Another request called for the DOE to measure the amount of contamination existing in the water during a flash flood or heavy rain and report to the New Mexico Environment Department (NMED) and to the BDD Project, which will publish the data on its website. The MOU lays the groundwork to accomplish those requests. DOE will provide funding for five years of BDD Project sampling of the Rio Grande at the BDD diversion location in conjunction with the early notification system. The DOE also will fund one year of intensive and thorough measurements of BDD Project diverted water, sand return, and treated drinking water. The BDD Project will report these measurements on the BDD website.

The 2008 successful completion of a diversion site core sampling study was completed by the BDD Project and NMED. The BDD in 2009 secured a \$200,000 DOE grant to hire an independent firm to provide a transparent independent peer review of the risk of public exposure to LANL-origin contaminants via drinking water pathways. The BDD Project's expert contractor will complete the public risk assessment before the BDD Project starts operations. The independent peer review will issue draft and final public reports and conduct a public meeting regarding each.

(MORE—FINAL ADD)

“We particularly appreciate the federal cooperation and presence today of Dr. Inés Triay, the U.S. Department of Energy Assistant Secretary for Environmental Management, demonstrating a new era of resolving issues of mutual concerns between neighbors in Santa Fe and neighbors in Los Alamos. We will continue to work cooperatively with the U.S. DOE, LANL, and the NMED to assure the safety and quality of the drinking water produced by the BDD,” said Virginia Vigil, vice-chair of the BDD Board and Santa Fe County Commissioner.

About the Buckman Direct Diversion Project - *the BDD Project will provide a sustainable way for the City of Santa Fe and Santa Fe County to access surface water supplies by diverting San Juan-Chama Project water and native Rio Grande water to reduce their reliance on over-taxed ground water resources. Design and construction on the BDD began in September 2008 and is expected to be completed, with the project operational, in spring 2011.*

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