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**BDD PROJECT BOARD STATEMENT ON MEMORANDUM OF AGREEMENT  
WITH LOS ALAMOS NATIONAL LABORATORY**

After more than three years of repeated formal requests to the U.S. Department of Energy (DOE) and Los Alamos National Laboratory (LANL) to implement a formal Memorandum of Agreement, the BDD Board is asking assistance from our legislators and congressional delegation to implement the formal agreement.

Last year, the Legislature passed House Memorial 120, requesting a Memorandum of Understanding to address contamination emanating from LANL so the BDD Project could ensure safe drinking water to its customers. Nearly a year later, despite numerous public verbal assurances and agreed upon specifics for the early notification system to both the BDD Board and staff, the Memorandum of Agreement has still not been addressed. A new memorial, House Memorial 21, has been recently introduced to address the same issues, and it contains a specific timeline for reporting progress on the MOA.

The formal Memorandum of Agreement has multiple goals and would formally set forth specific commitments including cost sharing, operation responsibilities, maintenance, sample testing and a completion schedule for an early warning system. These terms would be contained in an agreement, or contract, and would contain provisions for non-performance.

The early warning system is one of six actions requested by the BDD Board in November 2007 (nearly one year before construction began on the BDD Project). The BDD Project is planned to be operational in the spring of 2011. Construction of the diversion project is nearly 60 percent complete and time is running out.

While the BDD Board has worked successfully with LANL on surface water quality measures and appreciates their efforts and support of the BDD Project, BDD Board and staff have continuing concerns and must be certain that storm water runoff from LANL is properly managed, regulated and monitored to ensure contaminants are contained on LANL property and do not reach the Rio Grande.

The early warning notification system as part of drinking water quality monitoring remains unaddressed and the time has come for further cooperation to conclude this process promptly.

It is time for DOE and LANL to be good neighbors and prove themselves credible to the greater community.

The BDD Board has been active on many fronts to assure drinking water produced by the BDD Project meets all safe drinking water standards, and scientifically demonstrate that drinking water is safe with respect to LANL environmental pollution. **(MORE)**

**BDD Project Board Statement on Memorandum of Understanding with Los Alamos National Laboratory – Only add**

The BDD Board appreciates the continued support of the legislature to ensure the safety of Santa Fe's drinking water, as well the New Mexico Environment Department's (NMED) actions to protect the long-term viability and safety of the water supply to communities downstream of LANL.

Studies have shown that the Rio Grande almost always has water quality that will comply with the most stringent standards advocated for contaminants of LANL origin, and while we are confident our five tiers of protection ensure drinking water will be better than all federal and state safe drinking water requirements, the BDD Board will continue to advocate for additional safe drinking water actions.

The BDD Board and Staff must be certain that storm water runoff from LANL is managed and regulated to ensure contaminants are contained on LANL property and do not reach the Rio Grande.

Thank you to Representative Egolf for sponsoring this memorial.

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**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.*