



REGIONAL COALITION of LANL COMMUNITIES

City of Española – Pueblo of Jemez – Los Alamos County – Ohkay Owingeh
Rio Arriba County – Santa Fe County – City of Santa Fe – Taos County – Town of Taos

April 26, 2016

Secretary of Environment Ryan Flynn
New Mexico Environment Department
PO Box 5469
Santa Fe, NM 87502-5469

Dear Secretary Ryan Flynn,

The Regional Coalition of LANL Communities writes to submit official public comment regarding the revised Consent Order. We first want to thank you for taking the time to address the Board on April 8, 2016, providing a clear overview of the NMED perspective on the updated 2016 Consent Order (CO) process. We are grateful for your time and expertise on ensuring our communities are well served by this document, including your cleanup request of \$255M for Fiscal Year 2017, demonstrating your understanding of the risk-based priorities to be addressed through the various campaigns in the CO. We are in support of the approach you have decided to take in updating the CO, though we do have a few concerns we would like to address.

Based upon further review of the CO documents distributed for public comment, we are addressing priority concerns we would like you to consider for any modifications to the Consent Order before it is approved. First, in regards to deciding the best remedy for a given cleanup campaign our Board wants to ensure each of our communities and/or the general public are alerted on all proposed remedies to ensure they can provide input on their suggestion for the best possible final cleanup. For instance, as it pertains to options for selecting the final remedy for MDA-A at TA-21, we advise the area be fully remediated versus a cap-and-cover solution, which will allow for a greater return to the community on cleanup investment.

Secondly, we ask that you stratify cleanup projects into two separate campaigns by consistently dividing them up by characterization and remedy. The example of doing so exists within the Chromium remediation campaign plans listed in Appendix B. The separation of interim measure/characterization and final remedy into two separate campaigns supports public understanding of when a remedy option is being prepared once the campaign has been officially characterized. Once characterized, our communities can therefore participate in the decision making process on deciding the best option for final remediation. Conversely, grouped into one campaign is the 'RDX IM & Remedy'. We would like NMED to consider dividing this, and other campaigns like it, into two parts with corresponding milestones into two separate campaigns distinguishing characterization/interim measures from the final remedy.

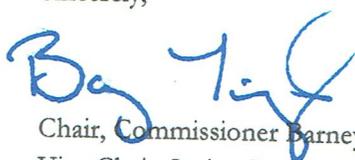
We are in support of current cleanup milestones listed in Appendix B and future campaigns proposed in Appendix C. Most critically, we want to ensure Chromium plume remediation, RDX cleanup, and TA-21 are among the highest priorities based on risk and community benefit.

In addition to our aforesaid requests, we ask that the New Mexico Environment Department continue its allied movement with the Regional Coalition of LANL Communities in maximizing cleanup dollars at LANL. As we all are well aware of variable annual budget negotiations and the anticipated limitations of funding for Department of Energy's Environmental Management budget for cleanup, we ask that we are well informed of progress made and budgets anticipated for future fiscal years.

Our Board's strength comes as advocates on behalf of the citizens we represent, and we hope we can count on you to continue to explain and educate us on the strategy put forth for future mandated milestones and proposed investments in cleanup, especially as Congressional budget cycles approach. We hope to be updated in a timely fashion on any updates or changes in cleanup plans made by NMED, so we have the wherewithal to best understand campaign progress, allowing us to defend forthcoming budget requests as budgets are designated and later appropriated. We aspire to represent sensible cleanup goals as future fiscal year budgets are proposed, often times, up to two years in advance of appropriations and execution of cleanup plans. We ask for your continued collaboration and support in this process.

Once the 2016 Consent Order is fully executed—and we are in full support of the sensible, yet expeditious approval of this updated Consent Order—we look forward to being updated on the milestones achieved and what next steps will be in getting the cleanup work accomplished. Again, we thank you for your willingness to take the time to address our Board with details on the Consent Order and we wish you the best in final negotiations for solidifying this plan with the Department of Energy.

Sincerely,



Chair, Commissioner Barney Trujillo, Rio Arriba County

Vice Chair, Javier Gonzales, Mayor of Santa Fe

Secretary/Treasurer, Councilor Kristin Henderson, Los Alamos County

Mayor Alice Lucero, City of Española

Commissioner Henry Roybal, Santa Fe County

Rep. Ron Lovato, Pueblo of Ohkay Owingeh

Lt. Governor Ward Yeppa, Pueblo of Jemez

Councilor Darien Fernández, Town of Taos

Commissioner Mark Gallegos, Taos County

Andrea Romero, RCLC Executive Director

CC: Senator Martin Heinrich, U.S. Senate
Senator Tom Udall, U.S. Senate
Representative Ben Ray Luján, U.S. House of Representatives
Doug Hintze, Director of Environmental Management, Los Alamos
Doug Sayre, Chair of Northern NM Citizens' Advisory Board