



# Communities for Clean Water

A Northern New Mexico Network

January 9, 2020

Secretary James C. Kenney  
New Mexico Environment Department  
1190 St. Francis Drive  
Santa Fe, NM 87505

Re: Review of New Mexico Environment Department Consent Order for  
Los Alamos National Laboratory (LANL)

Dear Secretary Kenney:

The Communities for Clean Water (CCW) is a network of organizations whose mission is to ensure that community waters impacted by Los Alamos National Laboratory (LANL) in New Mexico are kept safe for drinking, agriculture, sacred ceremonies, and a sustainable future. Our growing network includes Amigos Bravos, Concerned Citizens for Nuclear Safety (CCNS), Honor Our Pueblo Existence (HOPE), the New Mexico Acequia Association, Partnership for Earth Spirituality, and Tewa Women United. CCW brings together the vast expertise and commitment of widely respected and well-tested advocacy groups from culturally diverse backgrounds. Collectively CCW represents the only community-based coalition in Northern New Mexico that has been monitoring and advocating for better public water policy to address the toxic threats from LANL to the Pajarito Plateau and the Rio Grande. As the sacred homeland of the Pueblo Peoples, it is vitally important that clean water be protected on the Pajarito Plateau. Since 2004 CCW has participated in numerous state and federal regulatory proceedings related to ground and surface water protections.

CCW fully supports the New Mexico Environment Department's plans to review the 2016 Consent Order for LANL and potentially re-negotiate it. Any review must include a comparison of the 2005 Consent Order with the 2016 Consent Order.

It is time for the Consent Order incorporate field studies for the use of bioremediation and mycoremediation in cleanup activities. As a scientific laboratory, investigating cleanup methods must be part of examining all of the possible alternatives.

CCW requests that the following be incorporated in a new, revised, or updated Consent Order:

1. An acknowledgement that First People's have a spiritual and cultural right to access to their ancestral lands for healing and caretaking.
2. Requirements to incorporate field studies for the use of bioremediation and mycoremediation in cleanup activities. Through our fieldwork, we have seen mushrooms growing in the canyon bottoms at LANL. There are many scientific studies

that have shown that mycoremediation can be effective in cleaning up toxins. We urge NMED to require investigation into mycoremediation as a treatment method in any new, revised, or updated Consent Order.

3. A requirement for Community collaborations and input into how the mycoremediation is designed. Many times NMED's version and the Community's version and perspectives are radically different in design and carryout. We cite the bioremediation work being done at the Superfund site in Española. The Community's perspective includes the entire ecological restoration combined with mycelium and traditional ceremony.
4. Reinstate surface water requirements.
5. Require treatment of run-on and run-off at each solid waste management unit (SWMU), Area of Concern (AOC), and Potential Release Site (PRS).
6. Reinstate public participation requirements, in compliance with the federal Resource Conservation and Recovery Act (RCRA) and the New Mexico Hazardous Waste Act.
7. Require Community study sessions for groundwater reports, Technical Area 54 cleanup reports, Technical Area 16 Outfall 260 reports; Technical Area 21 cleanup documents, etc.
8. Reinstate stipulated penalties, with the opportunity for public review and comment before they become finalized.
9. Require the installation of contained burn facilities as an alternative to open burning of hazardous waste.
10. Require the installation of contained detonation facilities as an alternative to open detonation activities.

Thank you for moving forward with a new, revised, or updated Consent Order. Please contact us with any questions or comments.

Sincerely,

The Communities for Clean Water

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