

Justin S. Greene
Commissioner, District 1

Lisa Cacari Stone
Commissioner, District 2

Camilla Bustamante
Commissioner, District 3



Adam F. Johnson
Commissioner, District 4

Hank Hughes
Commissioner, District 5

Gregory S. Shaffer
County Manager

May 26, 2026

Via electronic submission

Secretary James Kenney
New Mexico Environment Department
Harold Runnels Building
1190 St. Francis Drive
Santa Fe, New Mexico 87505

Re: Public Comment in Support of Proposed Permit Modifications to the Waste Isolation Pilot Plant Hazardous Waste Facility Permit

Dear Secretary Kenney:

The Board of County Commissioners of Santa Fe County writes in strong support of the New Mexico Environment Department's proposed modifications to the Waste Isolation Pilot Plant (WIPP) hazardous waste facility permit issued on April 23, 2026. These modifications represent a necessary and long-overdue step toward fulfilling the cleanup commitments that accompanied WIPP's opening in 1999.

The Department's proposal to require that Los Alamos National Laboratory (LANL) legacy waste account for at least 55 percent of the total volume of waste emplaced at WIPP from 2027 through 2031, rising to 75 percent beginning in 2032, is both appropriate and legally grounded in the Department of Energy's own 2023 settlement agreement with the State of New Mexico. The Department of Energy's decision to prioritize shipments from out-of-state sites, shipping nearly five times as much waste from Idaho National Laboratory to WIPP as from LANL between 2021 and 2025, is inconsistent with that agreement and with New Mexico's interests.

The legacy waste buried at LANL's Material Disposal Area G in Technical Area 54 poses an ongoing and serious threat to the environment and public health of northern New Mexico. Santa Fe County residents will be directly affected by LANL's decisions regarding legacy waste. The hexavalent chromium plume originating at LANL and migrating toward the Rio Grande, the primary drinking water source for the City of Santa Fe, underscores that NMED's permitting decisions have serious public health implications.

The Board also supports the Department's proposed requirement that all above-ground legacy waste at Material Disposal Area G be shipped to WIPP by July 1, 2028. The risk that wildfire or other


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catastrophic event could cause a release of radioactive contamination from surface-stored waste is not hypothetical; it was demonstrated during the Cerro Grande Fire in 2000 and remains a serious concern given escalating wildfire risk in the region.

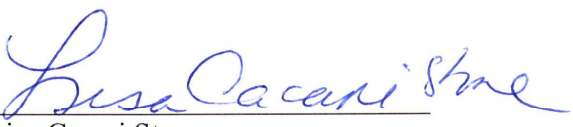
The residents of Santa Fe County are entitled to clean air and clean water, and to confidence that the federal government will honor its commitments to New Mexico. The Board of County Commissioners urges the Department to finalize and implement these permit modifications without further delay.

Respectfully submitted,

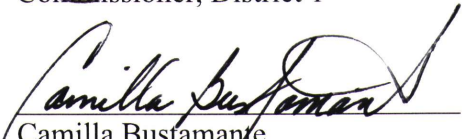
Board of County Commissioners
Santa Fe County, New Mexico



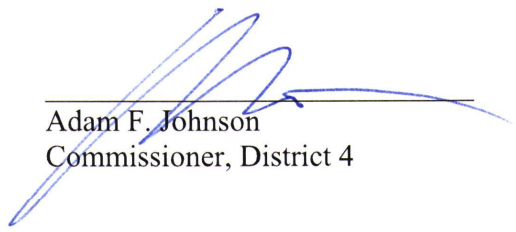
Justin S. Greene, Chair
Commissioner, District 1



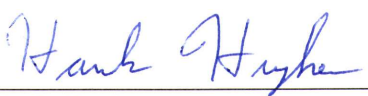
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