April 8, 2026

DRAFT
James Kenney
Secretary
New Mexico Environment Department
Harold Runnels Building
1190 St. Francis Dr. Suite N4050
Santa Fe, NM 87505

**RE: *WIPP is Critical to Environmental Cleanup in Los Alamos County and the Nation, and Restricting Shipments is Detrimental to the Local, State and National Cleanup Mission***

The Incorporated County of Los Alamos (County) writes to express our continued support of the Waste Isolation Pilot Plant's (WIPP) critical mission, and to express concern over the New Mexico Environment Department's (NMED) planned action to modify WIPP's Hazardous Waste Permit (Permit), potentially restricting shipments to WIPP vital to environmental cleanup at sites around the country and the operations of Los Alamos National Laboratory (LANL). [1]

As the most impacted community, along with Santa Fe County, Carlsbad, Artesia, Eddy County, Lea County and others, we believe that the last permit by NMED modified less than two (2) years ago addressed the key issues and prioritized legacy waste while ensuring that WIPP could operate efficiently. The 2024 permit seems to be working well and was touted by NMED as "successful negotiations"[2] and "a Legacy TRU Waste Disposal Plan" was introduced into the permit to define the term "legacy waste" and to work with generator/storage sites and stakeholders to accurately inventory this waste once defined. In addition, Panel 12 will be reserved for legacy waste to the extent practicable.

WIPP is the nation's only deep geologic repository for defense-related TRU waste, making it the linchpin for all cleanup efforts across the entire EM complex. Its continued operation and accessibility to sites across the nation are critical. The facility's mission is crucial, its success is a matter of record, and its continued operation – in alignment with the original submission – is essential to our nation's ability to move forward with cleaning up every site across the complex and fulfilling the legal and moral obligations to the nation's frontline cleanup communities, including Los Alamos. The WIPP facility has assisted in the remediation of 22 DOE sites of legacy TRU waste since operations began.

It is important to continue and accelerate shipping TRU waste from LANL to WIPP. However, allowing shipments from Idaho, Washington, Nevada, California, Tennessee, South Carolina, Illinois and other sites also remain critical. Modifications restricting WIPP's ability to accept shipments from across the EM complex could weaken WIPP's operations and threaten jobs at WIPP. Reducing shipments to WIPP could have a negative impact on the WIPP facility, potentially

[1] On February 11, NMED notified DOE that NMED plans to modify the WIPP Hazardous Waste Permit again because NMED believes that DOE failed to prioritize emplacement of transuranic (TRU) mixed waste shipments from the Los Alamos National Laboratory (LANL) as required by the permit.
[2] See NMED presentation, https://www.nmlegis.gov/handouts/RHMC%20091324%20Item%202%20WIPP%20Update%20NMED.pdf

impacting the jobs of fellow New Mexicans and disrupting WIPP's operations, to the detriment of all EM sites and their neighboring communities, including the County.

The current permit is new (2024) and adequately addresses the prioritization of legacy waste across the country and in Los Alamos. As hosts of the WIPP site, the State of New Mexico, the County, and the communities who neighbor WIPP are serving our country by helping to address national environmental cleanup and security concerns. The County requests that NMED continue to work under the current permit for WIPP.

We look forward to a continued productive conversation and we appreciate your recent meetings with the County to discuss these important issues. If you have any questions, please contact _____ at _____@losalamosnm.gov.

Sincerely,

Randall Ryti, County Council Chair

Cc: ECA Board of Directors
Seth Kirshenberg, Executive Director
Espanola Mayor, Dennis Tim Salazar
Carlsbad Mayor, Rick Lopez
Eddy County Commission Chair Sarah Cordova
Lea County Commission Chair Gary Eidson
Santa Fe County Commission Chair Justin Greene