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Conservation Voters New Mexico's
comments on the
Los Alamos National Laboratory
Hazardous Waste Facility Permit
Community Relations Plan

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Conservation Voters New Mexico hereby submits its comments on the Hazardous Waste Facility Permit Community Relations Plan for Los Alamos National Laboratory (“the Community Relations Plan”).

Introduction

Conservation Voters New Mexico (“CVNM”) is a statewide non-profit non-partisan organization that values responsible stewardship of New Mexico’s water, land, and other natural resources. CVNM believes that ecological health and social equity among New Mexico’s diverse and culturally rich communities protect our state’s quality of life. CVNM is dedicated to ensuring democratic accountability and access for all New Mexicans in decision making at all levels of government. CVNM supports policies that promote long-term ecological and economic sustainability.

CVNM’s concerns about the Community Relations Plan are based on CVNM’s commitment to New Mexico’s communities and their residents, and the needs of those communities and their residents to be able to access and receive information about activities at Los Alamos National Laboratory

(“LANL”). It is CVNM’s position that New Mexico communities and their residents who are affected by activities at LANL must be able to be aware of, to understand, and to influence governmental decisions that affect them and their environments. The following CVNM comments on the Community Relations Plan are based on CVNM’s values.

CVNM’s comments are limited to the impacts of the Community Relations Plan on New Mexico communities and the residents of those communities.

Argument

- I. The Community Relations Plan is required by the New Mexico Hazardous Waste Act Permit for LANL.

The New Mexico Hazardous Waste Act Permit (“Permit”) issued by the New Mexico Environment Department for LANL requires the development and implementation of the Community Relations Plan. Section 1.12 of the Permit mandates that the U.S. Department of Energy (“DOE”), which owns and co-operates LANL, and Triad National Security and Newport News Nuclear BWXT-Los Alamos, LLC (collectively “the Permittees”) establish and implement the Community Relations Plan.

Specifically, that section of the Permit mandates that the Community Relations Plan “describe how the Permittees will:

1. establish an open working relationship with communities and interested members of the public;
2. establish a productive government to government relationship with local tribes and pueblos (including the Pueblos of San Ildefonso, Santa Clara, Jemez, and Cochiti);
3. keep communities and interested members of the public informed of permit actions of interest (*e.g.*, clean-up activities, implementation of the Contingency Plan, Permit modification requests)
4. minimize disputes and resolve differences with communities and interested members of the public;
5. provide a mechanism for the timely dissemination of information in response to individual requests; and

6. provide a mechanism for communities and interested members of the public to provide feedback and input to the Permittees.”

However, there are several respects in which the Community Relations Plan does not meet these requirements.

- II. The Community Relations Plan’s provisions for public notification lack necessary details.

The public notification provisions of the Community Relations Plan are set forth in section 5.3.3 of the Community Relations Plan. It indicates that notice shall be given to members of the public by several means, including public service announcements on local radio stations, advertisements in local newspapers, news releases, and announcements in four named newspapers. Although the use of these varied means is appropriate, there are details missing that must be included to make the use of these means effective.

Specifically, changes should be made in the Community Relations Plan to:

1. establish an open working relationship with communities and interested members of the public;
2.
3. keep communities and interested members of the public informed of permit actions of interest (*e.g.*, clean-up activities, implementation of the Contingency Plan, Permit modification requests);
4.
5. provide a mechanism for the timely dissemination of information in response to individual requests; and
6. provide a mechanism for communities and interested members of the public to provide feedback and input to the Permittees.

First, the provision for announcements in newspapers should specify that the announcements will be printed in places in the newspapers other than the classified advertisements or legal advertisements sections of the newspapers. The classified advertisements sections of newspapers are normally read only by people who are looking to buy or sell something, and the legal advertisements sections of newspapers are usually read only by attorneys and title searchers.

Announcements of activities at LANL are not likely to be noticed if those announcements are printed in either the classified advertisements or the legal advertisements sections of the named newspapers.

Second, the use of announcements on radio are not likely to reach people if those announcements are made only as public service announcements in English. Public service announcements are frequently aired at times when few people are listening to the radio. Rather than relying on those announcements, the Community Relations Plan should mandate that announcements on the radio be made at times when the most people will be listening to the radio.

Third, the Community Relations Plan also should require that some, if not all, of the announcements on the radio be made in Spanish or the predominant language used by members of the community in the four Pueblos – San Ildefonso Pueblo, Santa Clara Pueblo, Jemez Pueblo, and Cochiti Pueblo – for whom the activities at LANL have the most direct impacts. In each of those Pueblos, and in other communities surrounding LANL, there are people whose primary means of communication is not spoken English. In order to reach those people, announcements of activities at LANL should be provided orally in the predominant language of the community. That may be Spanish or a Native language, but it is not likely that the predominant language is always English.

Fourth, although the use of meetings called for by section 5.3.1 of the Community Relations Plan is appropriate, the Plan should require that speakers at those meetings include translators. A meeting that is conducted only in English will not have much meaning for individuals who communicate primarily in Spanish or a Native language.

III. The Community Relations Plan should provide alternative means of access for people who do not have internet access.

There are some provisions in the Community Relations Plan that provide means of communication through both internet access and other means. Perhaps the best examples of this are section 5.3.3, which provides for notification by both electronic and non-electronic means, and section 5.3.5, which provides access to information repositories through the internet and by means of the Public Reading Room, which is located at the offices of the Northern New

Mexico Citizens' Advisory Board at 94 Cities of Gold Road in Pojoaque.¹ On the other hand, some parts of the Community Relations Plan rely only on communications using the internet. The best example of this is section 5.3.4, which provides for information addressing specific subject matter areas. However, providing information only by means of the internet is not appropriate.

According to the census, approximately 35% of the households in New Mexico do not have internet access. The only Pueblo near LANL for which CVNM has statistics on internet access – the San Ildefonso Pueblo – indicates that in 2023 60% of the households in that Pueblo did not have internet access. That is not surprising given that 19.3 percent of San Ildefonso residents are classified as being below the federal poverty line.

CVNM does not have statistics on the number of households without internet access in the other Pueblos that surround LANL, but the poverty rates for Santa Clara Pueblo – 19.8 percent – and Jemez Pueblo – 20.9 percent – are comparable to the poverty rate for San Ildefonso Pueblo.² It therefore is reasonable to assume that a significant number of households in those Pueblos are also without internet access.

For these reasons, the Community Relations Plan should rely on both internet accessible means and other means to provide information to New Mexico communities and their residents.

Conclusion

The Community Relations Plan therefore must be amended in the ways explained above to improve access to information about activities at LANL. Without the amendments spelled out above, the Community Relations Plan will not achieve the goals relating to communications with communities and their residents spelled out on page three above.

¹ However, the Reading Room in Pojoaque is a significant distance from the Jemez Pueblo and the Cochiti Pueblo, both of which are of particular concern in the Community Relations Plan.

² The only one of the four Accord Pueblos with a significantly different poverty rate is Cochiti Pueblo, where the poverty rate is 10.81 percent of the population.

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