



Jan. 19, 2012

The Honorable Dr. Steven Chu  
Secretary of Energy  
U.S. Department of Energy  
1000 Independence Avenue, SW  
Washington, DC 20585

[Via E-mail]

THE  
ENVIRONMENTAL  
COUNCIL OF  
THE STATES

**RE: State Environmental Agency Directors Support Fully Compliant FY2013  
Budget Request for US Dept of Energy's Nuclear Cleanup Work**

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50 F Street, N.W.  
Suite 350  
Washington, D.C. 20001

Dear Secretary Chu:

We are writing to you on behalf of ECOS, the national non-profit non-partisan association of state environmental agency directors.

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Tel: (202) 266-4920  
Fax: (202) 266-4937  
Email: [ecos@ecos.org](mailto:ecos@ecos.org)  
Webpage: [www.ecos.org](http://www.ecos.org)

We understand that, in the coming days, the U.S. Department of Energy's Office of Environmental Management (DOE-EM) will put forward a budget request for FY2013.

As you and your colleagues work to establish this budget request, we urge you to consider EM's nuclear cleanup work a funding priority.

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Thomas Burack  
Commissioner, New Hampshire  
Department of Environmental Services  
PRESIDENT

On March 24, 2010, the state environmental agency directors passed a resolution urging DOE to "request fully funded, fully compliant annual budgets for the EM program" and urging Congress to "appropriate the levels of funding necessary to ensure EM annual budgets are fully funded and fully compliant" noting that "stable funding leads to greater efficiencies in cleanup cost and schedule."

Teresa Marks  
Director, Arkansas Department of  
Environmental Quality  
VICE PRESIDENT

We plan to send letters to OMB and the Congress expressing these sentiments, but we also wanted to contact you to express our support for a strong nuclear cleanup budget in FY2013.

Dick Pedersen  
Director, Oregon Department of  
Environmental Quality  
SECRETARY-TREASURER

The nuclear weapons complex, which needs to be cleaned up, represents a large liability to the federal government. But this is a liability that continues to shrink as cleanup is achieved at the various sites within the complex.

Richard Opper  
Director, Montana Department of  
Environmental Quality  
PAST PRESIDENT

As states, we understand what it is like to make tough funding decisions. For this budget proposal, we urge DOE to request a strong FY2013 budget for EM that will enable cleanup work to continue in accordance with state-federal agreements.

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R. Steven Brown  
Executive Director

Please contact R. Steven Brown, Executive Director of ECOS if you have any questions about this letter.

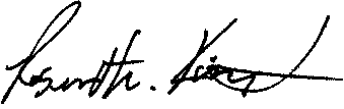
Sincerely,



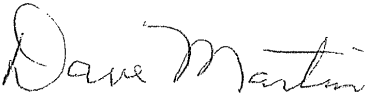
Ted Sturdevant  
Director  
Washington State Department of Ecology  
Chair, ECOS Cross-Media Committee



Colleen Cripps  
Administrator  
Nevada Division of Environmental Protection  
Chair, ECOS Federal Facilities Forum



Robert W. King, Jr.  
Deputy Commissioner  
South Carolina Department of Health and Environmental Control  
Chair, ECOS-DOD Sustainability Workgroup



David Martin  
Cabinet Secretary  
New Mexico Environment Department

Cc: Donovan Robinson, White House Office of Management and Budget (OMB)  
Thomas D'Agostino, Under Secretary for Nuclear Security (DOE-NNSA)  
David Huizenga, Acting Assistant Secretary for Environmental Management (DOE-EM)  
Teresa Tyborowski, Acting Deputy Assistant Secretary for Program Planning and Budget (DOE-EM)

ADDENDUM: Copy of ECOS Policy Resolution



Resolution Number 10-3  
Approved March 24, 2010  
Sausalito, California

As certified by  
R. Steven Brown  
Executive Director

### **CLEANUP BUDGETS FOR THE NUCLEAR WEAPONS COMPLEX**

WHEREAS, the nation's nuclear weapons production and research and development activities, conducted largely between the 1940s and 1980s, have left a legacy of hazardous, radiological, and mixed wastes scattered across sites widely referred to as the "nuclear weapons complex" (the "complex"); and

WHEREAS, proper cleanup of the complex is critical for protecting human health and to ensure that damages to natural resources are mitigated and/or compensated for; and

WHEREAS, the complex consists of over 100 sites in 33 states, thereby comprising one of the largest environmental cleanup operations being undertaken in the U.S.; and

WHEREAS, at least 14 states currently host active cleanup operations spearheaded by the U.S. Department of Energy (U.S. DOE) Office of Environmental Management (EM); and

WHEREAS, state environmental agencies are regulators with U.S. EPA and U.S. DOE, and may oversee cleanup operations within the complex as established by Federal Facility Agreements (FFAs), permits, and consent orders under FFCA, CERCLA, RCRA, and other laws; and

WHEREAS, some sites within the complex, including the Ohio Fernald and Colorado Rocky Flats sites, have benefited from accelerated cleanups that have generated cost savings from reduced future maintenance costs that were not redirected towards other site cleanups within the complex; and

WHEREAS, the influx of funding from the American Recovery and Reinvestment Act of 2009 (ARRA) has provided for further acceleration of nuclear and hazardous waste cleanups as well as decontamination and demolition of obsolete facilities within the complex; and

WHEREAS, recently-completed cleanups have shrunk the footprint and overall size and presence of nuclear weapons complex sites within the states; and

WHEREAS, notwithstanding these recent successes, continued cleanup of the complex remains a priority issue for the States; and

WHEREAS, stable funding leads to greater efficiencies in cleanup cost and schedule for both U.S. DOE and the States.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

ECOS strongly supports continued environmental cleanup of the nuclear weapons complex.

ECOS recommends that U.S. DOE continue cleaning up the nuclear weapons complex and maintain a strong forum for communication and planning with state oversight officials via ECOS.

ECOS urges U.S. DOE officials to request fully funded, fully compliant *annual budgets* for the EM program to ensure enough funds are provided to all sites to achieve cleanup milestones on schedule as required by FFAs, permits, and consent orders.

ECOS urges the U.S. Congress to appropriate the levels of funding necessary to ensure EM annual budgets are fully funded and fully compliant as just described.

ECOS urges U.S. DOE to establish mechanisms whereby any cost savings that result from accelerated cleanups are recouped and redirected toward funding other site cleanups within the nuclear weapons complex, and

This resolution will be transmitted to the U.S. Congress, the Secretary of Energy, the Assistant Secretary of Energy for Environmental Management, the National Governors Association, and other stakeholder groups.