



Jan. 19, 2012

Donovan Robinson
White House Office of Management and Budget (OMB)
Environmental Management
New Executive Office Building, Room 8025
725 17th Street, NW
Washington, DC 20503

[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**

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

Dear Mr. Robinson:

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

Tel: (202) 266-4920
Fax: (202) 266-4937
Email: ecos@ecos.org
Webpage: www.ecos.org

We understand that, in the coming days, you will be working with the U.S. Department of Energy's Office of Environmental Management (DOE-EM) to establish a budget request for FY2013.

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

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 DOE and to the Congress expressing these sentiments, but we also wanted to contact OMB 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 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 request, we urge you to allow DOE to request a strong FY2013 budget that will enable cleanup work to continue in accordance with state-federal agreements.

R. Steven Brown
Executive Director

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

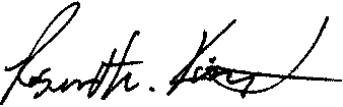
Sincerely,




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: Steven Chu, Secretary of Energy (DOE)
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.