

**From:** [Jose L. Villegas Sr](#)  
**To:** [Hearing](#)  
**Cc:** [REDACTED]  
**Subject:** [EXTERNAL] Public Input: U.S. Department of Energy Order 140.1 Proposal  
**Date:** Thursday, November 22, 2018 9:51:19 AM

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Defense Nuclear Facility Safety Board:

I would like to submit our public input and statement relating to DOE Order 140.1 proposal. Please include this document as part of the public record and public hearing process.

It is disheartening that in all the past years, the U.S. Department of Energy has continued to fail in addressing the New Mexico and Texas Tribal Nations concern's relating to the lack of emergency management, emergency response and core-capability, and specialized CBRNE/WMD training for our Tribal Nations First Responder's.

Here in New Mexico and Texas region's, the fact remains that we are a nuclear industry and many of the DOD Nuclear Facilities (i.e., LANL, SANDIA LAB, WIPP, etc.) are located adjacently and/or outside boundaries of the tribal lands (i.e., pueblos and reservations), including along the major Interstate and Tribal Highway Corridor's/Road Systems in the State of New Mexico and the State of Texas.

**Question: "In an event of a major catastrophe CBRNE/WMD event that results in a Mass Facilities of Native American Human Remains on tribal territories and tribal land-mass locations anywhere in the State of New Mexico and the State of Texas, can the DNFSB address this public safety question as an integral part of the DOE Order 140.1 proposal?"**

Clearly to this date, this same question has been presented to the Officials' of DOE, DOD, NRC, U.S. Homeland Security and the Local and State Emergency Response System's and so far, each federal, local and state entity are unable to answer it. Unfortunately, this type of CBRNE/WMD scenario has never been evidence-based tested in any type of emergency preparedness and response training program anywhere from the United States Homeland Security Training and Homefront arena, period!

Said that, "what the DNFSB Safety Professionals, including the Assigned Resident Inspector's of a NM DOD Nuclear Facilities need to do" is: **"Reach out to the New Mexico and Texas Tribal Nations and implement a serious "DNFSB, DOE, DOD, and NRC Tribal Consultation Policy" that addresses the above emergency management, emergency response and core-capability, public safety and specialized CBRNE/WMD training concerns for the Tribal Nations First Responder's Network."**

On the same note, the "Evolution of Safety" and "2014 Nuclear Facility Safety Programs Workshops" that was presented on October 21, 2014 to the DNFSB, definitely, missed a New Mexico and Texas Tribal Nation's true dialogue connection, perspective, and participation process.

In conclusion, the proposed DOE Order 140.1 does not reflect the above public safety concerns that I mentioned in this email message, specifically, outside of the confinements and parameters of a New Mexico DOD Nuclear Facility relating to any New Mexico Tribal Nation existing adjacently next door, including the lack of coordination and consultation with any Tribal Nation being adversely impacted involving an emergency preparedness, response, recovery, and mitigation process created by the DNFSB and DOE decision-making role, policy-making, and authoritative process.

End of Statement.

Chiokoe Uttessia,

Jose L. Villegas, Sr.

Texas Band of Yaqui Indians, Spokesman for Government Affairs

Southwest Inter-Tribal Emergency Manager's Coalition

Sent from [Mail](#) for Windows 10