

April 27, 2018

NNSA Los Alamos Field Office ATTN: CMRR Project Management Office 3747 West Jemez Road Los Alamos, NM 87544

Via email to <u>RLUOBEA@hq.doe.gov</u>

Re: Additional comments on the Draft Environmental Assessment of Proposed Changes for Analytical Chemistry and Materials Characterization at the Radiological Laboratory/Utility/Office Building, Los Alamos National Laboratory, Los Alamos, New Mexico<sup>1</sup> (Hereinafter "Draft Rad Lab EA")

Dear CMRR Project Management Office:

Please accept for consideration these additional comments by Nuclear Watch New Mexico. We acknowledge the obvious: we are submitting them two days after the April 25<sup>th</sup> expiration of the comment period. However, only yesterday we ran across what we believe is pertinent information that the National Nuclear Security Administration (NNSA) and others should consider. Please be assured that we will submit no further comments after this.

Specifically what prompted us to submit these additional comments is this 2015 weekly report by the independent Defense Nuclear Facilities Safety Board (DNFSB):

**Plutonium Infrastructure Strategy:** Late last month, the Deputy Secretary of Energy approved a restructuring of the subprojects covered under the CMR Replacement project. There are now four subprojects: (1) RLUOB Equipment Installation, Phase 2; (2) Plutonium Facility Equipment Installation, Phase 1; (3) Plutonium Facility Equipment Installation, Phase 2; and (4) Re- categorizing the RLUOB to Hazard Category 3 with a material-at-risk limit of 400 g plutonium- 239 equivalent. The first two subprojects enable LANL to cease programmatic activities in the CMR by 2019, while the latter two subprojects primarily support the increased capacity required for larger pit manufacturing rates.<sup>2</sup>

We believe this is strong corroboration from an unimpeachable source of one of our central points in our previous comments.<sup>3</sup> Specifically, NNSA's current proposal to re-categorize the Rad Lab into a Hazard Category-3 nuclear facility by raising its administrative limit to 400

https://nukewatch.org/importantdocs/resources/NWNM-Rad-Lab-comments-4-25-18.pdf

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<sup>&</sup>lt;sup>1</sup> Available electronically at https://energy.gov/node/2501991

<sup>&</sup>lt;sup>2</sup> Los Alamos Report for Week Ending December 18, 2015, DNFSB, emphasis added,

https://www.dnfsb.gov/sites/default/files/document/8898/wr\_20151218\_65.pdf <sup>3</sup> Our extended comments submitted on April 25, 2018 are available at

grams of plutonium-239 (or the equivalent) is NOT just to maintain analytical chemistry (AC) and materials characterization capabilities at the Los Alamos National Laboratory (LANL), as this Draft Rad Lab EA claims. Instead, it is to directly support expanded plutonium pit production, which as explained in our earlier comments leads to a whole nest of issues under the National Environmental Policy Act.

Data from the NNSA's FY 2019 Congressional Budget Request (CBR) are instructive. The "Chemistry and Metallurgy Research Replacement Project" construction line item has four active subprojects, all focused on relocating LANL's AC and MC capabilities from the old, deteriorating Chemistry and Metallurgy Research Building to the Rad Lab and PF-4 (the Lab's facility for plutonium pit production). The first two subprojects, RLUOB Equipment Installation Phase 2 (REI2) and PF-4 Equipment Installation Phase 1 (PEI1)), are explicitly described as enabling that relocation by the end of 2021.

This aligns with a 2016 DNFSB weekly report:

Plutonium Facility Infrastructure: On Monday, the NNSA Administrator approved Critical Decision (CD)-2/3, Performance Baseline and Start of Construction, for the Radiological Laboratory Utility Office Building (RLUOB) Equipment Installation Phase 2 (REI-2) and Plutonium Facility Equipment Installation Phase 1 (PEI-1). **These subprojects of the CMR Replacement project (see 12/18/15 weekly) are needed to move the remaining analytical chemistry and material characterization activities out of CMR.** The CD-2/3 approval letter identifies the scope of the subprojects to include outfitting or repurposing 10,000 square feet of laboratory space in RLUOB and 2,800 square feet of space in the Plutonium Facility. Additionally, the letter indicates these projects are scheduled to receive approval for CD-4, Start of Operations, in early calendar year 2022. <sup>4</sup>

In a different 2016 DNFSB weekly report, the Safety Board noted how LANL's schedule for moving out of the old CMR Building had slipped from the original 2019 to 2021.<sup>5</sup> The key thing here is the revised target year of 2021 for moving out of the old CMR Building.

According to NNSA's FY 2019 budget request, funding for REI2 ends in 2021, the old CMR Building's end date for AC and MC operations, as shown in these excerpts:

• **REI Phase 2 (REI2) Subproject (04-D-125-04):** Maximizes the use of RLUOB laboratories by both reconfiguring some existing laboratory space and equipping empty laboratories with AC and MC capabilities. The RLUOB will operate at the increased radiological limit, 38.6 g of Pu-239 equivalent, consistent with the new limit established by NNSA Supplemental Guidance NA-1 SD G 1027, which enables additional AC and MC operations to move in. New gloveboxes/hoods and equipment will be installed in RLUOB through this subproject. *This project makes progress toward ceasing program operations in CMR*.

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<sup>&</sup>lt;sup>4</sup> Los Alamos Report for Week Ending November 4, 2016, DNFSB, emphasis added, https://www.dnfsb.gov/sites/default/files/document/9132/wr\_20161104\_65.pdf

<sup>&</sup>lt;sup>5</sup> Los Alamos Report for Week Ending December 9, 2016, DNFSB, https://www.dnfsb.gov/sites/default/files/document/9160/wr\_20161209\_65.pdf

FY 2017	17,000	10,000	13,395
FY 2022	15,334	18,892	29,390
FY 2023	30,000	40,000	37,375
FY 2024	30,000	43,442	40,290
Total Construction (04-D-125-05)	257,992	257,992	257,992
TEC (04-D-125-05)			
FY 2012	<u> </u>	0	0
FY 2013 FY 2013	0	0	Ö
FY 2014 FY 2014	0	21,690	5.212
FY 2015 FY 2015	<u> </u>	10,700 12,737	<u>26,833</u> 23,114
FY 2016 EY 2016	<u>15,187</u> 117,000	46,789 114,541	26;604 54,072
FY 2017 EY 2017	68,597 75,000	19;701 71,300	43,687 102,206
FY 2018 EY 2018		87;462 130,583	
EY 2019 EY 2019	45;580 149,262	45;580 118,224	44;415 136,312
EY 2020	90,270	54,574 117,570	126,812
FY 2021 FY 2021	5,804 21,066	28,24g	13,395 34,023
Total TPC (04-D-125-04)	633,25Ŏ	633,250	633,25Ŏ
FY 2023	0	0	0 6
Total TEC (04-D-125-05)	292,300	292,300	292,300
Other Project Cost (OPC)	an(	- 1	
S (OPC except D&D) S 1	Cl	a	10
Operations as shown in these exce	8,559 N	odg	0
EV 3913	8 308	ß	A
₩ 2013PF-4 Equipment Installati	on Phase 1 (PEI1) Su	bproiece%04-D-1	25-05): The PEI1
FY 2015 subproject involves the follo	wing: relocation of ex	isting PBB0 proces	sses to created
FY 2015 anon consolidated space rol	using avist7262 alough of ex	rag for 10,700 proces	
FY 2016		1 1 1 12:035	12:035
FY 2018 decontamination and decom	missioning $(13 \& D)$ of	old glogeboxes/ec	$[uipment_{247,775}] -4$
FX 2018 to create open laboratory sp	ace; and, <b>instag</b> lation of	f new <b>gsove</b> boxes	equipment and the
FY 2029 created open space. PEI1 with	ill support the AC and	MC capabolities th	nat require file
FY 2021 Total Design (04-D-125-05) UI	34;308at	34,808 n	34,308vard
Construction (04-D-125-05)	0	0 	<sup>0</sup> nit
FY 2012 Events program operation	48,499	security program	e production gpic
FY 2013 Sur Vernance, protonnum sere		security program	5. <del>β</del>
Total Drc except D&D (04-D-125-05)	101,700	101,700	101,700
FY 2012	65.356	24.759	1456
FY 2013	ee 020	16 120	14,569
EV 2014	28 100	28,983	<u>42,112</u>
EV 2015	17,262	11,188	27,246
VEX 2016 Activition / R.O. Construction /	15,187	46,789	29,884
A Current Project	ANI 75,615	FY 2019 69,087gssional B	udget Justific្នគុដ្ទឲ្យ
FY 2018	50,214	109,177	106,536
	378		

Weapon Activities/I&O Construction/

04-D-125 Number, CMR Replacement Project, LANL

## FY 2019 Congressional Budget Justification

		379 (Dollars in Thousands)	)	
		Budget Authority		
		(Appropriations)	Obligations	Cost
FY 2019		70,580	70,626	68,636
FY 2020		78,174	78,174	66,134
FY 2021		21,612	21,612	40,039
	Total TPC (04-D-125-05)	394,000	394,000	394,000

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	(Dollars in Thousar	nds)		
	Budget Authority			
	(Appropriations)	Obligations	Cost	
<sup>6</sup> Design (04-D-125-06)/(17-D-126)	1 n	n		
https://www.energy.gov/sites/prod/fi	iles/2018/03/f49/FV	$V_2$ 2019-Volume-1 rdf	0	
$^{7}$ FY 2013 pp 272 & 270 280 cmpha	$\frac{100}{0}$	-201)- v oluliie-1.pui	0	
FY 2014, pp. 572 & 579-580, empha	sis added. 0	0	0	2
FY 2 <b>Naclear Watch New Mexico</b> • 2	Added Comments o	on draft Rad Lab EA	• April 27, 2018 0	3
FY 2016	8,500	16,272	- 16,272	
FY 2017	1,591	1,591	1,591	
FY 2018	0	0	0	
FY 2019	15,253	13,662	12,253	

However, in marked contrast, funding for Re-categorizing the RLUOB to Hazard Category 3 (RC3) continues until 2024, as documented below. This is three years after AC and MC operations are terminated in the old CMR Building. Therefore, this can't possibly be just to maintain LANL's AC and MC capabilities as the Draft Rad EA claims, when those capabilities are scheduled to be relocated to the Rad Lab and PF-4 by 2021.

• De setereorizing DL LIOD to H <sup>(Dollars in Thousands)</sup> 07)/(RLUOB Reconfiguration F (Appropriations) 17 Obligations e Cost retront guring existing laboratory space, equipping the remaining empty laboratories with AC afd 2MC capabilities, and re-categorizing RL<sup>20</sup> B to a hazard category-3 facility with an FY 2022 material limit. RC3 will establish enduring 60,322 and MC capabilities for supporting 84,787 SA actinide-based missions. 61,000 61,000 61,000

	- /	- /	- ,
Total OPC (04-D-125-06)/(17-D-126)	200,098	200,098	200,098
Total Project Cost (TPC)			
FY 2012	296	0	0
FY 2013	0	0	0
FY 2014	0	0	0
FY 2015	9,000	0	0
FY 2016	23,423	31,491	31,491
FY 2017	8,000	8,000	7,390
FY 2018	2,718	2,718	2,718
FY 2019	16,177	14,586	12,253
FY 2020	16,291	17,519	15,872
FY 2021	129,246	130,837	133,542
FY 2022	183,276	159,276	160,561
FY 2023	225,913	249,913	191,827
FY 2024	61,000	61,000	119,686
Total TPC (04-D-125-06)/(17-D-126)	675,340	675,340	675,340

This is also true for PEI2. as documethed here ousands)

	Budget Authority			
	(Appropriations)	Obligations	Cost	
• Design (04-D-125-07)/(17-D-125)	1	S	-1	
Reconfiguration Project – 17-	D-126): Maximid	ze use of PF-4 by	onsolidating and	0
relocating existing capabilities,	replacing existing	g equipment, ins	tafling gloveboxes and	nd <sup>0</sup>
equipment and D&D of existing	g laboratory space	for AC/MC cap	babilities. <b>PEI2 will</b>	0
establish enduring AC and MC	<i>C</i> capabilities for	supporting NNS	SA <sub>0</sub> actinide-based mi	issijons.

FY 2017	0	0	0
FY 2018	0	0	0
FY 2019	1,000	1,000	1,000
FY 2020	30,000	30,000	30,000
FY 2021	13,000	13,000	13,000
FY 2022	0	0	0
Total Design (04-D-125-07)/(17-D-125)	44,000	44,000	44,000
Construction (04-D-125-07)/(17-D-125)			
FY 2012	0	0	0

Weapon Activities/I&O Construction/ 04-D-125 Number, CMR Replacement Project, LANL

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## FY 2019 Congressional Budget Justification

Ibid, pp. 373 & 384, emphasis added.

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## (Dollars in Thousands) Budget Authority (Appropriations) Obligations

Total Project Cost (TPC)			
FY 2012	639	0	0
FY 2013	0	0	0
FY 2014	0	0	0
FY 2015	0	0	0
FY 2016	0	162	162
FY 2017	1,000	1,000	321
FY 2018	943	943	1,622
FY 2019	1,000	1,477	1,477
FY 2020	54,865	54,865	52,000
FY 2021	102,082	102,082	101,733
FY 2022	101,724	101,724	98,046
FY 2023	58,087	58,087	48,683
FY 2024	18,994	18,994	35,290
Total TPC (04-D-125-07)/(17-D-125)	339,334	339,334	339,334

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Cost

Thus we have around a billion taxpayer dollars opens, to get AC and MC capabilities out of th Budget Authority ab and PF-4 by 2012. Then we have another billion taxpayer dollars spent on s. (Appropriations) Budget Authority ab and PF-4 by 2012. Then we have another (Appropriations) is ADBORT Cost WR is ADBORT 103-010 is ADBORT 103-010

Conferring "*RC3 [and PE12] will establish enduring AC and MC capabilities for supporting NAS\_4 actinide-based missions*": As extensively covered in our previous comments, NASA's primary actinide-based mission<sup>10</sup> is no mystery. It is expanded production of plutonium pits, as alfeadly statutorily required by the FY 2015 Defense Authorization Act. But this whole thing is a house of the existing nuclear weapons stock pile, but rather is for speculative future  $_{0}^{188}$  "Interoperable Warheads" that the Navy doesn't even want.<sup>11</sup> -73 0 Total Design (03-D-103-010) 63,573 63,573 63,573

In Period (04-D-125)FY 2007 FY 2012 FY 2012 In Period (04-D-125)FY 2012 FY 2012

Weapon Activities/I&O Construction/ - End of Added Comments -04-D-125 Number, CMR Replacement Project, LANL FY 2019 Congressional Budget Justification

These additional comments respectfully submitted.

Jay Coghlan Director Scott Kovac Research Director

<sup>&</sup>lt;sup>9</sup> Ibid, pp. 373 & 382, emphasis added.

<sup>&</sup>lt;sup>10</sup> Actinides are a series of radioactive elements from atomic number 89 (actinium) through 103 (lawrencium). The main actinide of concern for nuclear weapons is plutonium, atomic number 94.

<sup>&</sup>lt;sup>11</sup> Please refer to our previous Draft Rad Lab comments for a full explanation at https://nukewatch.org/importantdocs/resources/NWNM-Rad-Lab-comments-4-25-18.pdf