

NNSA Los Alamos Field Office
Comments: LANL SWEIS SA
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[Date]

By email to: lanlsweissa@nnsa.doe.gov, Subject line: LANL SWEIS SA

Re: Comments on NNSA's draft LANL SWEIS Supplement Analysis

Dear LANL SWEIS SA Document Manager:

I respectfully submit these comments for the National Nuclear Security Administration's (NNSA's) *Draft Supplement Analysis of the 2008 Site-Wide Environmental Impact Statement for the Continued Operation of Los Alamos National Laboratory (LANL) for Plutonium Operations*.

First, I request that the public comment period for the LANL SWEIS Supplement Analysis be extended until at least June 19, 2020, as requested by Senators Tom Udall and Martin Heinrich. NNSA is simply wrong ramming through this Supplement Analysis during the COVID-19 pandemic.

NNSA's preliminary decision in its draft Supplement Analysis to not prepare a new LANL Site-Wide Environmental Impact Statement (SWEIS) is wrong. But first NNSA must complete a new programmatic environmental impact statement (PEIS) on its nation-wide plans for expanded plutonium pit production, then followed by a new LANL SWEIS. NNSA must first prepare a new PEIS because a second site, the Savannah River Site (SRS) in South Carolina, is now proposed for simultaneous pit production, which is inherently a "programmatic" decision. While NNSA's earlier 2008 Complex Transformation PEIS considered various levels of expanded plutonium pit production at five specific NNSA candidate sites, it did not consider simultaneous production at two sites. This changed circumstance is ample justification alone for a new PEIS.

As you know, the opportunity for public review and comment on proposed major federal actions is required by the National Environmental Policy Act. Using some of that law's legal language, the expansion of plutonium pit production at LANL and the repurposing of an existing facility for pit production at SRS are clearly "connected," "cumulative," and "similar" actions. Therefore, "their environmental effects must be considered in a single impact statement," and a new PEIS is the legally and practically appropriate way to accomplish this. Both proposed actions at LANL and SRS are "systematic and connected agency decisions" undertaken to implement the specific "executive directive" in Trump's 2018 Nuclear Posture Review to produce at least 80 plutonium pits per year by 2030. Accordingly, DOE's own NEPA regulations mandate the preparation of a nation-wide programmatic environmental impact statement for which the Department should fully comply.

Moreover, damning conclusions by independent experts (the Institute for Defense Analysis) on the feasibility of NNSA's plans for expanded plutonium pit production buttress the need for full programmatic review. In addition, the drivers and the requirements for expanded plutonium pit production have substantially changed since 2008, therefore a new PEIS is needed.

It is imperative that a new PEIS clearly defines the specific need for expanded plutonium pit production, given that none is scheduled to maintain the safety and reliability of the existing nuclear weapons stockpile. Future production will not for exact replicas of existing pit designs but instead will be modifications for speculative new-design nuclear weapons. This could lower confidence in stockpile reliability since newly produced pits cannot be tested given the global nuclear weapons

testing moratorium. Alternatively, it could prompt the U.S. back into testing, which would have severe international proliferation consequences.

Independent experts (the “JASONS”) have concluded that pits last at least a century, with no proscribed end date. At least 15,000 pits are already stored at NNSA’s Pantex Plant near Amarillo, TX. A new nation-wide PEIS should examine the reuse of existing pits as a credible and more environmentally and fiscally responsible alternative to virgin production. Further, a new PEIS should analyze the need for any needed pit work to begin with given their longevity and the extensively tested reliability of the existing nuclear weapons stockpile.

New programmatic review is also required to consider and analyze all the possible future competing radioactive waste disposal demands from expanded pit production on the Waste Isolation Pilot Plant (WIPP). The risks of transport of plutonium back and forth to LANL from such sites as the Pantex Plant and the Savannah River Site must also be analyzed in a new PEIS.

A new PEIS should analyze the impacts of diverting taxpayer dollars to new nuclear weapons facilities instead of cleaning up the massive environmental damage caused by past research and production. What are the long-term public health and environmental effects of leaving radioactive and chemical contaminants that can pollute precious water resources, while new, unnecessary, and costly nuclear facilities that will produce more contaminants are being built? This is amplified by DOE’s plans to cut cleanup at LANL by nearly 50%.

Following a nation-wide programmatic environmental impact statement on expanded plutonium pit production, NNSA must complete a new LANL Site-Wide Environmental Impact Statement that does not solely focus on pit production. Simply amending the Record of Decision on the 2008 Site-Wide Environmental Impact Statement for the Continued Operation of Los Alamos National Laboratory, as NNSA plans to do, will not be sufficient to formally raise the agency’s desired level of plutonium pit production from the currently sanctioned level of 20 pits per year.

NNSA states that if the need arose LANL could “surge” from 30 to 80 pits per year. The agency claims that any surge has already been analyzed as a standing capacity of producing 80 pits per year. But a surge is different from a planned built-in capacity. A rapid surge from 30 to 80 pits could cause more safety accidents in the short-term than having an established standing capacity of 80 pits.

The independent Defense Nuclear Facilities Safety Board has long reported on LANL’s track record of chronic nuclear safety incidences, which must be addressed in a new Site-Wide Environmental Impact Statement. In addition, a new SWEIS should make clear that Safety Board access to inspect nuclear facilities will not be restricted, as NNSA and LANL have repeatedly tried to do.

NNSA has created a Franken-document monster in the LANL SWEIS SA, which relies on various parts of existing outdated documents. Expanded plutonium pit production is too important not to have the “hard look” required by National Environmental Policy Act in a new LANL SWEIS.

The impacts of the Lab not completing seismic upgrades on its existing plutonium facility (PF-4) must be analyzed. The Safety Board has been requesting that LANL seismically upgrade PF-4 since 2013. As it stands, seismic upgrades will not be completed before scheduled expanded pit production.

A new Site-Wide Environmental Impact Statement must include LANL’s other facility involved in pit production, the Radiologic Laboratory Utility Office Building (AKA the “Rad Lab”). NNSA proposes to convert the Rad Lab into a hazard category 3 nuclear facility, for which it was not originally designed. A seismically induced fire would have major consequences for workers and the surrounding public. All Safety Board seismic concerns with the Rad Lab must be fully addressed.

LANL and NNSA must complete a new comprehensive Probabilistic Seismic Hazard Analysis. NNSA requires PSHA review every ten years, yet LANL's last PSHA was done in 2009.

These comments on expanded plutonium pit production at LANL respectfully submitted,

Name, Town or City, State