



May 30, 2007

Mr. Carlos Salazar  
General Services Administration

*Via e-mail to carlos.salazar@gsa.gov*

Dear Mr. Salazar:

Nuclear Watch New Mexico hereby submits its formal comment to the General Services Administration (GSA) and the National Nuclear Security Administration (NNSA) on their joint proposal to build a new "more than" 1 million-plus sq. ft., half-billion dollar Kansas City Plant (KCP) within Kansas City limits.

On May 1, 2007 GSA and NNSA jointly announced in the *Federal Register* their intent to prepare an *Environmental Assessment* (EA) to evaluate the potential environmental impacts associated with this proposal.<sup>1</sup> We view this as a potentially serious legal matter under the *National Environmental Policy Act* (NEPA) given KCP's exclusion from the ongoing, nationwide review of NNSA's proposed transformation of its nuclear weapons complex, called the Complex 2030 Supplemental Programmatic Environmental Impact Statement. That exclusion is odd given the KCP web site's proclamation that "the Kansas City Plant is at the heart of the NNSA nuclear weapons complex," responsible for the manufacturing or procurement of 85% of all nuclear weapons components.

In general, we find that the NNSA's Complex 2030 plan and a new Kansas City Plant are:

- **Unnecessary.** Nuclear weapons are a Cold War relic, not useful in today's so-called "War on Terrorism." The existing US nuclear weapons stockpile is already reliable and verified in more than 1,000 nuclear tests. Even high-level ex-officials, such as Henry Kissinger, are now calling for a "world free of nuclear weapons."
- **Environmentally hazardous.** Under Complex 2030, DOE proposes to build a bomb plant capable of producing up to 125 plutonium pits (bomb cores) per year, that the Kansas City Plant will directly support. Before the U.S. proceeds with a major overhaul of the US nuclear weapons complex, it should first clean up the mess from the past production of nuclear weapons.
- **Arbitrary.** The Kansas City Plant has been arbitrarily removed from the nationwide analysis of the future nuclear weapons complex, even though KCP produces 85% of all nuclear weapons components. Moreover, KCP will play a key role in building new-design nuclear warheads.

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<sup>1</sup> *Federal Register*/Vol.72, No. 83/Tuesday, May 1, 2007, p. 23822.

- **Not in Kansas City's Best Interests.** The KCP has a history of environmental problems and funding has ended to clean them up. There is no money budgeted for cleaning up 42 contaminated sites at the existing plant or to continue groundwater treatment and monitoring beyond 2007. Yet somehow \$500 million taxpayer dollars are available for a new plant. Cleanup, Don't Build Up!
- **Not Sending the Right Message.** How can the U.S. build new nuclear weapons and tell other countries not to do the same?

Our specific objections on the KCP EA begin with the subtly deceptive title adopted for this project: "Transformation of Facilities and Infrastructure for the Non-Nuclear Production Activities Conducted at the National Nuclear Security Administration's Kansas City Plant."<sup>2</sup> In reality, the proposal has nothing to do with "transforming" facilities at NNSA's existing Kansas City Plant, as this title wrongly suggests, but rather involves the wholesale abandonment (and subsequent disposition) of the existing facilities and the transfer of "approximately two-thirds of the existing capital and process equipment to the new facilities," according to the main body of the *Federal Register* notice.

In a similar vein, the *May 1 NOI* goes on to state, incorrectly, that "the proposed action would continue the consolidation and downsizing of non-nuclear activities at the Kansas City Plant in the early 1990's," when in reality the proposed action calls for closing the current Kansas City Plant, lacks any proposal for further "consolidation" of similar activities from other NNSA sites, and calls for the construction of an entirely new Plant some eight miles away at a greenfield site. Most people would regard this outcome as the opposite of what is normally meant by "consolidation."

**I. The Current NNSA-GSA Proposal for a New Kansas City Plant is premised on preemptive agency judgments that prematurely narrow and effectively predetermine the NEPA analysis.**

The *May 1 NOI* also jumps preemptively to a sweeping, undocumented, and unwarranted conclusion: "GSA and NNSA believe that the relocation of the *non-nuclear production mission* to another location outside the Kansas City Metropolitan Area is not a reasonable alternative..." (Emphasis added.) Under NEPA, however, this is quintessentially the type of broad programmatic judgment that must be supported by an adequate and timely Programmatic Environmental Impact Statement (PEIS). Moreover, as a description of the status quo, it is not even accurate, as non-nuclear components are *already produced* at other nuclear weapons program sites, e.g. Los Alamos and Sandia National Laboratories, by KCP employees, and some are even procured commercially.

The *May 1 NOI* further states, or rather postulates, that "the alternatives are constructed around the mission need to maintain the Kansas City Plant while downsizing for cost efficiency," but we find no significant evidence of "downsizing" or improved cost efficiency in the NOI's Proposed Action, while the unique identification of NNSA's "mission need"

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<sup>2</sup> A more apt and accurate title for the project would be "Construction of a New Plant at a Greenfield Site in Kansas City, Missouri for NNSA Non-Nuclear Production Activities."

with continued operations in the Kansas City area is never explained. [FR Vol.72, No. 83, p. 23823]<sup>3</sup>

Can it really be the case that no other location or combination of locations “outside of the Kansas City Metropolitan Area” could constitute an objectively reasonable alternative for relocating and consolidating NNSA’s non-nuclear production mission? This preemptive judgment artificially constrains, and therefore would tend to arbitrarily and capriciously predetermine the scope of NEPA analysis and consideration, limiting it to locations within the Kansas City limits, when the obvious and necessary domain for analysis is *the nuclear weapons complex as a whole*.

Elemental common sense suggests this must be the case, but more importantly, so does the Department of Energy’s (DOE’s) September 1996 *Final PEIS for Stockpile Stewardship and Management* (the “SSM-PEIS”), the 11 year-old base document that NNSA is, in legal terms, intending to “supplement” in 2007. The *May 1 NOI* acknowledges that NNSA is simultaneously engaged in preparing a *Supplement to the Stockpile Stewardship and Management Programmatic Environmental Impact Statement—Complex 2030* (“Complex 2030 SPEIS”), and then it cites the *SPEIS October 2006 Notice of Intent* as follows:

NNSA believes that it is appropriate to separate the analyses of the transformation of non-nuclear production from the Supplemental PEIS because decisions regarding non-nuclear activities would neither significantly affect nor be affected by decisions regarding the transformation of nuclear production activities.<sup>4</sup>

This unsupported assertion is demonstrably false.

## **II. NNSA’s Proposed Segmentation of Its Non-Nuclear Fabrication Activities from the Ongoing Broad Environmental Review of its Proposed “Complex 2030” Violates NEPA**

First, on a technical level, we note that the shape, density, thickness, and composition of materials used for casings, filler materials, and other non-nuclear components can affect the reflected neutron and radiation-transfer environments in a nuclear weapons system, and hence the explosive performance of the nuclear components. Other “non-nuclear” components, such as neutron generators, tritium reservoirs and injection systems, and arming, fuzing and firing systems, are obviously also critical to the proper functioning of the primary system. Our fundamental point is that division of nuclear weapons production into

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<sup>3</sup> Pursuant to the December 1996 SSM-PEIS and Record of Decision (ROD) to “downsize in place” at KCP rather than consolidate elsewhere, the KCP footprint was to be reduced from the then current 3.2 million sq. ft. to 1.8 million sq. ft. by October 2003. This option was dubbed “KCP II.” [SSM-PEIS, 1996, p. A-182] Assuming this downsizing was actually achieved in practice, the proposed new KCP plant at “more than” 1 million sq. ft. may not be a cost effective reduction in floor space from the status quo (e.g., a new 1.5 million sq. ft. KCP would be only a 16.6% reduction). Similarly, downsizing to KCP II was said to require 1,669 workers for single shift operation, and 2,257 workers for three-shift operation. [SSM-PEIS, 1996, p. S-43] The May 1, 2007 NOI describes the proposed new KCP plant, located 8 miles away, as providing “over 2,000 surface parking spaces,” indicating a workforce comparable in size to the existing KCP II facility. Based on this limited data, no significant further “downsizing” is evident in the current KCP proposal.

<sup>4</sup> *Federal Register*/Vol. 71, No. 202, Thursday, October 19, 2006 at 6171-61736.

disconnected “nuclear” and “non-nuclear” enterprises represents an artificial “segmentation” of the nuclear weapons complex for the purposes of analyzing and understanding its potential “transformation,” a process which may ultimately cost American taxpayers at least \$150 billion.

NNSA’s own *Ten-Year Site Plans* for the Kansas City Plant demonstrate that the site will be deeply affected by proposed transformation of the nuclear weapons complex, and is itself playing a substantial role in transforming the complex. For example, consider this excerpt from the FY07 plan:

The KCP is aggressively evaluating transformation options in consideration of the goals from responsive infrastructure leadership at NNSA-HQ... The transformation options being considered include several different options that could be completed on a timeline to support qualification of the Reliable Replacement Warhead (RRW) program.<sup>5</sup> Emphases added.

This “transformation” objective is likewise clearly implicated in the *Complex 2030 SPEIS Notice of Intent*, which says under “Purpose and Need” that “The current [nuclear weapons] policy is contained in the Nuclear Posture Review, submitted to Congress in early 2002, which states that the United States will:..... Transform the NNSA nuclear weapons complex into a responsive infrastructure that supports the specific stockpile requirements established by the President.” In numerous instances on the public record, NNSA has stated that RRW is a vehicle for transforming the nuclear weapons complex.

Furthermore, the *KCP FY06 Ten-Year Comprehensive Site Plan* explicitly states:

The KCP is continuing on the path to work with the NNSA to transition from “protecting the capabilities of the past” to “creating the responsive infrastructure of the future.” [p. 21.]

As the Reliable Replacement Warhead (RRW) requirements emerge, strategic investments will be identified. [p. 22.]

The technologies, facilities, and equipment required to support responsive infrastructure and future weapons designs are expected to emerge from the responsive infrastructure analysis currently being led by NNSA and from the design concepts of Reliable Replacement Warheads (RRW) [p.27].

Readiness of production technology advances deployment of new manufacturing processes required for the next-generation weapon systems. [p. 40]

Implementation of responsive infrastructure strategies is expected to have a major impact to future TYCSPs [KCP Ten-Year Comprehensive Site Plans]...[p. 59.]

The most direct infrastructure requirements driven by planned and potential program workload are:.. Mission work for supplying tooling and nonnuclear components for the Modern Pit Facility.... There will be significant impact on

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<sup>5</sup> Kansas City Plant FY07 Ten-Year Site Plan, Honeywell Federal Manufacturing and Technologies, March 24, 2006, p. 12.

the facility from KCP's anticipated role in the nonnuclear support for a modern pit facility.<sup>6</sup> [p. 57.]

The KCP integrates technology planning, technology investments, and teaming within the NWC [nuclear weapons complex] to plan, prioritize, and establish the new capabilities and updates required for the currently assigned and projected workload. [p. 65.]

The Kansas City Plant has established a new organization to address strategic long term issues and to work with NNSA to develop an effective plan for the complex of the future. [p. 66.] Emphases added.

These statements from the Kansas City Plant's own *Site Plan* make abundantly clear that this facility will both critically affect, and be affected by the future nuclear weapons complex under review in the *Complex 2030 SPEIS*. Therefore, the KCP-EA must be terminated, and the both the existing KCP site and prospective future sites for the non-nuclear fabrication mission must be fully included within the scope of the *Complex 2030 SPEIS*.

### **III. NNSA's Predecessor Agency, DOE's Office of Defense Programs, Previously Regarded Consolidation of Non-Nuclear Fabrication to Potential Sites in Other States as a "Reasonable Alternative" Worthy of Detailed NEPA Analysis.**

The *Complex 2030 SPEIS Notice of Intent* states that a substantial part of NNSA's proposed action is to "consolidate, relocate, or eliminate duplicative facilities and programs and improve operating efficiencies." From there it goes on to note that nuclear weapons electrical and mechanical manufacturing functions were consolidated at the Kansas City Plant (from other sites now closed) under a Record of Decision (ROD) for the *1993 Nonnuclear Consolidation Environmental Assessment (EA)*.

It further notes that this earlier EA and the subsequent *1996 Stockpile Stewardship and Management PEIS* (to which the current *Complex 2030 SPEIS* is legally a "Supplement") "evaluated alternatives for consolidation of non-nuclear manufacturing, storage and surveillance functions of the Nuclear Weapons Complex to the Kansas City Plant and reducing the capacity for non-nuclear component fabrication." That description sins by omission.

Under "Nonnuclear Fabrication," the *1996 SSM PEIS* actually said:

In addition to the No Action alternative, two alternatives are being considered that would meet the needs of the Program: 1) downsizing the facilities that presently perform this mission at KCP and 2) transferring the KCP nonnuclear fabrication mission to LANL, LLNL and SNL by upgrading existing nonnuclear fabrication

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<sup>6</sup> Congress rejected the Modern Pit Facility. However, the major new facility proposed in NNSA's *Notice of Intent for the Complex 2030 SPEIS* is a "Consolidated Plutonium Center." This is comprised of a scaled down Modern Pit Facility plus all research activities involving Security Category I/II amounts of plutonium. Therefore, it is reasonable to assume that a Consolidated Plutonium Center, the pivotal facility in NNSA's Complex 2030, will significantly affect future KCP plant workload and operations, and hence its environmental impacts.

facilities at LANL and LLNL, and constructing new nonnuclear fabrication facilities at SNL. [p. S-41, emphases added]

SNL designs most of the components that KCP manufactures; therefore, SNL would become the major nonnuclear component supplier if a decision is made to transfer this function to the weapons laboratories. Other than potential synergisms with maintaining core competencies at the weapons laboratories, a major program consideration would be the cost of transferring product technologies and recreating facilities that already exist at KCP. [p. S-21, emphases added]

A decade ago, DOE's *SSM-PEIS Record of Decision* on non-nuclear component fabrication stated that DOE's decision to downsize the existing facilities at the KCP was "the environmentally preferable alternative", "exhibit[ed] the least technical risk" and was also "the least-cost alternative." [Federal Register, December 26, 1996, p. 68023.]

Given that today NNSA is proposing to pay for "transferring product technologies and recreating facilities that already exist at KCP," these near-term costs—which could well be more than offset by long-term savings from consolidation—are clearly not a sufficient justification for failing to examine consolidation alternatives for the non-nuclear fabrication functions now carried out by KCP.

In sum, nonnuclear consolidation to the NNSA weapons labs was actively considered as a "reasonable alternative" in the 1996 SSM PEIS, but was rejected at that time largely because of the up front costs and environmental impacts of relocating the KCP when compared to "downsizing in place." That justification is now entirely vitiated given the current GSA/NNSA proposal to build a new half-billion dollar KCP at a new site. It is unlikely in the extreme that the incremental costs of moving equipment the few hundred additional miles to the New Mexico weapons labs, rather than to a new KCP eight miles away, could now justify excluding the weapons lab option.<sup>7</sup>

To the contrary, there would likely be long-term savings by weeding out redundant facilities and programs, as the *Complex 2030 SPEIS* purports to do, and eliminating ongoing security and other overhead and administrative costs (including an NNSA Site Office) at one of the eight active NNSA sites. Further, according to KCP documents, at least 10% of its workforce has long been employed at the SNL/Kirtland AFB complex and LANL. That alone gives ample and practical precedent for consolidating KCP functions at the weapons labs.

#### **IV. Building a New KCP at a "Greenfield Site" Outside the Current Nuclear Weapons Complex Necessarily Involves Significant Environmental Impacts Requiring Consideration in an EIS.**

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<sup>7</sup> In the SSM-PEIS, NNSA's predecessor, DOE's Office of Defense Programs (DP), had little difficulty identifying and analyzing in detail a number of "reasonable alternatives" for relocating and consolidating the non-nuclear fabrication mission at existing long-established DP sites in New Mexico. None of these alternatives were characterized or discarded as "unreasonable." The 1996 analysis determined that the required upgrades to existing facilities at LANL and LLNL could be accomplished on the same timescale as the option ultimately chosen (KCP "Downsize in Place") These estimates were supported by some 40 pages of detailed analysis [SSM-PEIS Vol. II, A-182 to A-222]

Building a new KCP at a new and potentially less secure site may well not be the most environmentally preferable alternative for ensuring the future of this capacity within a transformed nuclear complex. Some Members of Congress have openly stated their opposition to any future NNSA nuclear weapons production sites being built at “greenfield sites,” for the very reasons noted in the *May 1 NOI*, which notes that in NNSA non-nuclear operations:

“Hazardous wastes are generated through general industrial processes and include acidic and alkaline liquids, solvents, oils, and coolants... operations do generate small quantities of low-level radioactive waste.” [FR/ Vol.72, No. 83/ May 1, 2007, p. 23823]

Thus, potential environmental hazards are clearly implicated in the operations of a future KCP, even as the old KCP explicitly states that it has environmental problems that it cannot resolve for lack of NNSA clean-up funding (as reported at length in the footnote below).<sup>8</sup> Further, the *May 1 NOI* hints at other potentially significant environmental impacts: “Concurrent with the preparation of the Environmental Assessment, GSA and NNSA will determine the applicability of floodplain management and wetland protection requirements (10 CFR Part 1022) and will publish a notice of proposed floodplain and/or wetland action as appropriate.”

The proposed site of the new KCP is directly across a state highway (Mo-150) from the former Richards-Gebaur Air Force Base (now owned by the Kansas City Port Authority) that is part of EPA’s Brownfields cleanup program. Once the contaminated areas at this former base have been cleaned up, “revitalization plans call for a state-of-the art intermodal distribution facility and a light industrial and commercial business complex.”<sup>9</sup>

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<sup>8</sup> “... there is currently no budgetary category to account for the elimination of [DOE] EM [Environmental Management] funding in FY2007 and beyond... This includes the cleanup of 42 out of 43 Solid Waste Management Units (SWMUs), groundwater treatment and monitoring, and EM program management... regulatory compliance is of the utmost concern. The KCP operates under a RCRA Post Closure Permit issued by the State of Missouri. If funding is not received, compliance with this Permit will be in jeopardy... the [PCB] limit has been exceeded 32 times [since 1992] and two Notices of Violation and one letter of warning have been received. A Consent Judgment is currently being negotiated between the State of Missouri and NNSA by the Department of Justice to define response actions... Additional environmental liabilities could be generated that are not contained in the current EM baseline... These are unplanned costs and there are currently no funding source or budgetary category to perform the EM work.” KCP FY06 Ten-Year Comprehensive Site Plan, pp. 61-62. “Long Term Stewardship (LTS) is required at the KCP to ensure that all remediation activities continue to be effective and protective of human health and environment following transition out of the DOE EM program... When transition occurs, soil and groundwater will still contain volatile organic compounds, petroleum hydrocarbons, and PCBs at concentrations similar to those present today... Long term groundwater monitoring and possibly treatment is expected indefinitely at the present remediation rate due to the presence of DNAPLs (Dense Non-Aqueous Phase Liquids) in fined grained soil... KCP LTS is scheduled to begin in FY2007. The funding source is undetermined at this time... The KCP currently has nothing scheduled for LTS other than the level-of-effort and cyclical work.” Ibid, pp. 104-104.

<sup>9</sup> “Brownfields 2006 Grant Fact Sheet, Kansas City Port Authority, MO,” [www.epa.gov/brownfields/06arc/kansascity.htm](http://www.epa.gov/brownfields/06arc/kansascity.htm), May 2006.

We question the physical security and strategic wisdom of locating a critical link in the national defense infrastructure in the immediate vicinity of a major intermodal inland port and container terminal, with scores of freight trains and thousands of tractor-trailers arriving every week with cargoes coming in directly from foreign ports. Such an external environment could make it easier to mask and mount a massive truck bomb or tank car attack against the facility, and this threat in turn could require additional security measures and expense, and suggests the need for a comparative analysis of more secure alternative locations for the plant. The proper locus for that discussion is the ongoing *SSM-SPEIS*.

We are painfully aware of DOE's/NNSA's tortured history of compliance with the National Environmental Policy Act (NEPA), but find it worthy of note that even the *1993 Final Nonnuclear Consolidation EA* recognized:

If any significant environmental impacts due to the Proposed Action are identified during the public comment period ... then the assessment of environmental impacts for consolidating nonnuclear functions would be incorporated into the Reconfiguration PEIS. In this case, no actions would be taken to consolidate the nonnuclear manufacturing activities unless they were included in the Reconfiguration PEIS Record of Decision (ROD).

In brief, the *1991 Reconfiguration PEIS* was ultimately abandoned by DOE, the *1996 SSM PEIS* became its successor, and the current *Complex 2030 SPEIS* is a "Supplement" to the latter document. The fact that DOE quietly satisfied its NEPA obligation 14 years ago with an EA regarding "Nonnuclear Consolidation,"—when both public and government attention was focused on containing the massive contamination caused by *nuclear* materials and components, and on ending *nuclear* test explosions—cannot not be viewed today as in any way dispositive, or as any kind of guide to what is required under NEPA in the present situation. Moreover, the consolidation at that time, by helping to phase-out a number of redundant and contaminated nuclear weapons program sites, served to reduce the overall environmental impact of the NNSA's nuclear weapons complex.

The still unresolved environmental hazards at the current KCP plant site, along with the location of a new \$500 million-plus facility in a potential floodplain and wetland immediately opposite a busy inland port, suggest to us that reasonably foreseeable environmental impacts of non-nuclear component production are significant enough in their own right to merit consideration in a full-blown EIS. But even if one were to set this contention aside, the KCP's non-nuclear component fabrication enterprise is inextricably connected to NNSA's overall nuclear weapons maintenance, development, and manufacturing complex now undergoing programmatic NEPA review. No one can dispute that the connected and cumulative potential impacts of this collective enterprise are "significant," and therefore that a range of reasonable alternatives for carrying out the functions of the KCP, including those having significantly reduced environmental impacts, must be fully considered in the *Complex 2030 Supplemental PEIS*.

Since non-nuclear components play a critical role in sustaining the existing stockpile, the non-nuclear fabrication enterprise plays a key role in future nuclear stockpile alternatives that emphasize the retention and maintenance of existing nuclear weapons, rather than the development and manufacture of new ones. For this reason alone, it belongs in the *SSM-SPEIS*.



Finally, given the reported half-billion dollar price tag for a new KCP, and given that DOE/NNSA chronically experiences serious cost overruns in its major construction projects, a lesser “environmental assessment” for such a costly proposed facility at a greenfield site is simply not appropriate or consistent with the purposes of NEPA. As a proposed major federal action by virtue of its future cost to American taxpayers, and in view of its potentially significant environmental impacts, a more comprehensive and thorough environmental impact statement is indicated. Given these realities, the future of a new KCP, whether or not it is located within Kansas City limits, must be fully analyzed and considered within the NEPA-required “hard look” at NNSA’s proposed transformation of its nuclear weapons complex under the *Complex 2030 Supplemental PEIS*. But if nothing else (and this is not to back down from our position that KCP’s future needs to be analyzed within the Complex 2030 SPEIS), the sheer \$.5 billion future bill to American taxpayers cries out for an environmental impact statement rather than a lesser environmental assessment.

As final matters, the description in the May 1 Notice of Intent of the future Plant as “more than” 1 million sq. ft. strikes us as perhaps intentionally vague. How much more, 1.1, 1.25 or 1.5 times more? How can a credible environmental analysis be done if the plant were to be, say, half again as big as 1 million sq. ft.? Moreover, what is the functional relationship between the entities involved in the future Plant? What percentage of xxx total gross sq. footage does NNSA, GSA, or the contractor Honeywell project for use? For what purposes would Plant floor space be used by non-NNSA entities? If Honeywell were to have dedicated floor space, please explain the financial relationship and implications of taxpayer-funded construction for a private corporation.

A NNSA/KCP handout asks the question “How will this new facility be funded?” It answers, “Funding to build the new facility would come from the commercial development community. Private investors would build the new facility and lease it to the General Services Administration (GSA) who would essentially sublease it to the NNSA.”

This raises a host of questions. Since private investors will provide construction funding, will the half-billion dollar price tag be reflected in the NNSA’s annual Congressional Budget Requests? Will it be a specific budget line item? If not, please explain why Congress will or will not have an accurate picture of rebuilding the NNSA’s nuclear weapons complex, and why this would not undermine Congress’ constitutionally-granted power to authorize and appropriate. Additionally, NNSA/GSA should provide a cost benefit analysis of private investment into construction funding versus the government bearing the cost of leasebacks. Finally, who are the private investors and what are their rates of expected profit? Are those profit rates guaranteed by the federal government?

## **V. NNSA Has Ignored Our Prior Objections to Exclusion of the KCP Non-Nuclear Fabrication Mission from the Stockpile Stewardship and Management Supplemental PEIS.**

For the record, in NEPA scoping comments to the NNSA Office of Transformation on January 17, 2007, Nuclear Watch New Mexico formally objected to the exclusion of KCP activities from the now ongoing SPEIS, as follows (excerpted):

We have already argued that important aspects of the Complex 2030 proposal are happening now, not sometime in the hazy future, such as the Reliable Replacement Warhead (RRW)... To say that a decision like that would not affect operations at the Kansas City Plant (KCP) defies belief... Finally, we note that broad NNSA budget categories under “Total Weapons Activities” are applied to KCP just like they would be at the other sites. We argue that NNSA makes an artificial distinction between nuclear and non-nuclear component production, when clearly the two are not only inextricably linked but are given additional emphasis in NNSA’s search for a more “responsive infrastructure...” In short, KCP should be fully considered in the Complex 2030 SPEIS...<sup>10</sup>

It appears that NNSA has chosen to ignore these previous, on-the-record objections, and without any initiative on its part to communicate the legal and policy basis for its position, is pressing ahead with actions that clearly violate NEPA regulations barring improper “segmentation” of programs and projects to avoid a more rigorous level of NEPA review.

These actions notwithstanding, we again urge NNSA to: (1) immediately suspend and withdraw the *Notice of Intent to Prepare an Environmental Assessment* that NNSA published jointly with GSA in the *Federal Register* on May 1, 2007, and (2) issue a new notice stating that henceforth NEPA analysis of reasonable alternatives for relocation and modernization of NNSA’s non-nuclear production activities will be conducted within the scope of the ongoing *Complex 2030 SPEIS*.

NNSA must uphold its NEPA obligation under the Complex 2030 PEIS to take a “hard look” at all the connected and cumulative impacts of its proposed “transformation” of its nuclear weapons complex. Such a hard look must include analysis of the potential environmental benefits flowing from all reasonable alternatives for consolidating nuclear weapons complex operations, including the non-nuclear fabrication mission, at a smaller number of less dispersed NNSA weapons program sites.

Respectfully submitted,

Jay Coghlan, Executive Director  
Nuclear Watch New Mexico

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<sup>10</sup> “Scoping Comments on the Future Bombplex,” Nuclear Watch NM, Jan. 17, 2007, to the Complex 2030 Document Manager, [http://www.nukewatch.org/facts/nwd/BomplexScopingComments\\_011707.pdf](http://www.nukewatch.org/facts/nwd/BomplexScopingComments_011707.pdf)