

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION NO. 2021-__**

3 **INTRODUCED BY:**

4
5 Councilor Renee Villarreal

6 Councilor Signe I. Lindell

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10 **A RESOLUTION**

11 **REQUESTING THE NATIONAL NUCLEAR SECURITY ADMINISTRATION PREPARE**
12 **AND COMPLETE A NEW SITE-WIDE ENVIRONMENTAL IMPACT STATEMENT**
13 **FOR LOS ALAMOS NATIONAL LABORATORY BEFORE EXPANDING PLUTONIUM**
14 **PIT PRODUCTION AT THE FACILITY.**

15
16 **WHEREAS**, the City of Santa Fe has a longstanding tradition of promoting democracy
17 and environmental protection in pending nuclear weapons decisions by requesting that “all
18 applicable environmental laws be obeyed by the DOE, and appropriate (and legally mandated)
19 citizen participation be actively supported in the determination of the future mission and function
20 of LANL” (Resolution No. 1994-49, Exhibit A); and

21 **WHEREAS**, the City has previously joined with the County to support Los Alamos
22 National Laboratory (“LANL”) expansion Environmental Impact Statements, calling for “a new
23 complete EIS” to “reassure the citizens of Santa Fe that the safety and environmental issues entailed
24 in this growing project are being planned for in a careful and comprehensive way” (Resolution No.
25 2010-91, Exhibit B); and

1 **WHEREAS**, the Governing Body has also previously passed Resolution Nos. 2003-64
2 (Exhibit C), 2006-104 (Exhibit D), 2008-17 (Exhibit E), and 2017-76 (Exhibit F) opposing
3 expansion of plutonium pit production at LANL until all safety issues are resolved and calling for
4 comprehensive cleanup of legacy wastes; and

5 **WHEREAS**, Resolution No. 2017-76 specifically documented eight nuclear safety
6 incidences at LANL, including a 2017 National Nuclear Safety Administration (“NNSA”) report
7 to the independent Defense Nuclear Facilities Safety Board (“DNFSB”) that found that LANL was
8 the only nuclear weapons production suite that did not meet expectations in the functional area of
9 criticality safety expectations; and

10 **WHEREAS**, Resolution No. 2017-76 stated that the NNSA was still actively planning to
11 expand the production of plutonium pits for nuclear weapons at the LANL from 20 to 30 pits or
12 more per year, including a surge capacity of up to 80, nearly doubling related radioactive and toxic
13 wastes; and

14 **WHEREAS**, plutonium pits are used as the “triggers” for the nation’s nuclear weapons;
15 and

16 **WHEREAS**, plutonium is a substance with significant health and environmental risks; and

17 **WHEREAS**, independent experts have found that plutonium pits have reliable lifetimes of
18 a century or more, thus making expanded production to maintain the safety and reliability of the
19 existing nuclear weapons arsenal unnecessary; and

20 **WHEREAS**, the DNFSB has recently reported on the possibility of potentially lethal
21 radioactive doses as high as 760 rem¹ to workers at LANL’s plutonium pit production facility (“PF-
22 4”), with a possible public dose of 24 rem, because LANL “do[es] not appropriately analyze

¹ REM (“Roentgen equivalent man”) is used to measure the effective dose, which combines the amount of energy from any type of [ionizing radiation](#) that is deposited in human tissue with the medical effects of the given type of radiation. The federal Nuclear Regulatory Commission regards 400-450 rem received over a short period of time as a lethal dose. By way of comparison a chest x-ray is around 10 millirem (millirem = 1/1000th rem).

1 energetic chemical reaction hazards involving transuranic waste”² such as the improperly prepared
2 radioactive waste drum from LANL that in 2014 ruptured and closed the Waste Isolation Pilot Plant
3 for nearly three years; and

4 **WHEREAS**, DNFSB’s calculations of potential doses to workers (760 rem) and the public
5 (53 rem) are orders of magnitude above the potential risks that the analysis published by NNSA in
6 its August 2020 Supplemental Analysis of the 2008 SWEIS related to expanded plutonium pit
7 production; and

8 **WHEREAS**, the independent Government Accountability Office (“GAO”) has recently
9 reported that “In the last 2 decades, LANL has twice had to suspend laboratory-wide operations
10 after the discovery of significant safety issues” and “A 2018 LANL study found that LANL is
11 ‘marginally capable’ of meeting NNSA’s plan to ramp up pit production to 30 pits per year by
12 2026”;³ and

13 **WHEREAS**, federal agencies are required by the National Environmental Policy Act
14 (“NEPA”) to allow the public the opportunity to analyze and comment on major federal proposals
15 such as expanded plutonium pit production that “significantly affect[ing] the quality of the human
16 environment”⁴; and

17 **WHEREAS**, the NNSA has refused to begin a new Site-Wide Environmental Impact
18 Statement (“SWEIS”) for LANL, instead relying on an outdated 2008 SWEIS; and

19 **WHEREAS**, NEPA requires new analysis when “[t]he agency makes substantial changes
20 in the proposed action that are relevant to environmental concerns; or [t]here are significant new
21 circumstances or information relevant to environmental concerns and bearing on the proposed

² *Potential Energetic Chemical Reaction Events Involving Transuranic Waste At Los Alamos National Laboratory*, DNFSB, September 2020, <https://www.dnfsb.gov/documents/reports/technical-reports/potential-energetic-chemical-reaction-events-involving>

³ *NNSA Should Further Develop Cost, Schedule, and Risk Information for the W87-1 Warhead Program*, GAO, September 2020, <https://www.gao.gov/assets/710/709253.pdf>

⁴ 42 U.S.C. § 4332(c)

1 action or its impacts,”⁵ such as, in this case, another major wildfire, up to \$13 billion in new
2 construction at LANL, the discovery of serious groundwater contamination, planned massive
3 releases of radioactive tritium, etc.; and

4 **WHEREAS**, past SWEISs have benefitted both the public and LANL, one dramatic
5 example being that public comment for a 1999 SWEIS prompted LANL to undertake fire
6 prevention measures that arguably prevented the 2000 Cerro Grande Fire from reaching some
7 40,000 barrels of plutonium-contaminated wastes stored aboveground at Area G, a potential
8 catastrophe that LANL acknowledged was averted by public comment required by NEPA⁶; and

9 **WHEREAS**, a SWEIS process that considers all reasonable alternatives to NNSA’s
10 proposed actions and incorporates mitigation plans is the only legally mandated process by which
11 the public, tribes, and local and state governments can understand the nature and consequences of
12 NNSA’s proposed actions.

13 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
14 **CITY OF SANTA FE** that the Governing Body hereby requests that, in accordance with the
15 requirements of the National Environmental Policy Act, the National Nuclear Security
16 Administration immediately begin and complete a new Site-Wide Environmental Impact Statement
17 for Continued Operations at the Los Alamos National Laboratory.

18 **BE IT FURTHER RESOLVED** that the Governing Body requests that the National
19 Nuclear Security Administration suspend any planned expanded plutonium pit production until all
20 nuclear safety issues are resolved, as certified by the independent Defense Nuclear Facilities Safety
21 Board.

22 **BE IT FURTHER RESOLVED** that the Governing Body directs the City Clerk to send

⁵ 40 C.F.R. § 1502.9(c)(1) and 10 C.F.R. § 1021.314

⁶ “When the Cerro Grande Fire swept down from the mountains this spring, these extra defensive steps, taken in response to the public comments, paid for themselves many times over. The savings were in the form of the harm to facilities that was reduced or avoided, and reduced risk to the public that might have resulted.”
<https://hwbdocuments.env.nm.gov/Los%20Alamos%20National%20Labs/General/13435.pdf>

1 copies of this resolution to the New Mexico Congressional delegation, the Governor of New
2 Mexico, the President Pro Tempore of the New Mexico Senate, the Speaker of the New Mexico
3 House of Representatives, the Secretary of the Department of Energy, the Secretary of the New
4 Mexico Environment Department, the Administrator of the National Nuclear Security
5 Administration, the Manager of the NNSA Los Alamos Field Office, and the Director of the Los
6 Alamos National Laboratory.

7 PASSED, APPROVED, and ADOPTED this ___ day of _____, 2021.

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10 _____
11 ALAN WEBBER, MAYOR

12 ATTEST:

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14 _____
15 KRISTINE MIHELICIC, CITY CLERK

16 APPROVED AS TO FORM:

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18 _____
19 ERIN K. MCSHERRY, CITY ATTORNEY

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25 *Legislation/Resolution/2021/LANL EIS Request*