



**FOR IMMEDIATE RELEASE, February 10, 2022**

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## **NNSA Whitewashes LANL Performance, Hides Information from Taxpayers**

**Santa Fe, NM** – Today the National Nuclear Security Administration (NNSA) released cursory three-page summaries of its FY 2021 Performance Evaluation Reports (PERs) which grade contractor performance at its eight nuclear weapons sites. Out of six missions goals the NNSA gave the Los Alamos National Laboratory (LANL) two “Excellent” and four “Very Good,” thereby awarding 87% of the at-risk award fee of \$26 million to Triad National Security, LLC, the Management and Operating Contractor. In all, including the fixed fee of \$20.5 million, Triad will receive \$46.7 million for its FY 2021 contractor performance.<sup>1</sup>

The NNSA is releasing only summaries of the Performance Evaluation Reports (“Performance Evaluation Summaries”), which provide scant information and essentially whitewash contractor performance. For context, the Department of Energy’s nuclear weapons and cleanup programs have been on the Government Accountability Office’s High Risk List for project and contractor mismanagement for 27 consecutive years. In 2012 Nuclear Watch New Mexico sued to obtain the full and complete Performance Evaluation Reports, after which NNSA caved in and immediately provided them. However, that unfortunately resulted in no legal settlement requiring annual releases of the full and complete PERs, and now the agency is back to suppressing information of contractor performance paid for by the American taxpayer.

In its FY 2021 Performance Evaluation Summary NNSA gave the contractor Triad “Very Good” for “Goal-1: Mission Execution: Nuclear Weapons” while noting that the contractor “[s]uccessfully made advances in pit production processes...” Yet under “Issues” NNSA declares that Triad “Struggled with some production activities... Realized setbacks in development and product realization... [and] Experienced several programmatic challenges in executing the plutonium mission.”

Taxpayers funded the expansion of plutonium “pit” bomb core production at LANL with \$800 million in FY 2021, jumping to \$1 billion in FY 2022. The Pentagon has called pit production the number one issue in the planned ~\$1.7 trillion nuclear weapons “modernization” program.<sup>2</sup> But these cursory summaries give taxpayers little idea of what they paying for, much less why they should pay for them to begin with.<sup>3</sup>

Further, Nuclear Watch New Mexico, with co-plaintiffs Tri-Valley CAREs and Savannah River Site Watch, have sued NNSA for a nation-wide programmatic environmental impact statement on expanded plutonium pit production, which we contend is required under the National Environmental Policy Act. NNSA seeks to summarily dismiss that lawsuit.<sup>4</sup> This is despite the fact that a facility for simultaneous pit production at the Savannah River Site in South Carolina more than doubled in price to \$11 billion and, by its own admission, pit production at LANL faces “programmatic challenges.”

The LANL FY 2021 Performance Evaluation Summary also states that “Mission execution was impacted by lapses in safety performance” with no further description. To illustrate how crucial the public right to know is, release of past NNSA Performance Evaluation Reports prompted an investigative journalist with the Center for Public Integrity to launch the critical series *Nuclear Negligence*.<sup>5</sup> It catalogued numerous nuclear safety incidences that seriously threaten public and worker safety across the NNSA’s nation-wide nuclear weapons complex, and in particular at LANL. This is especially relevant as the Lab is seeking to rapidly expand the production of plutonium pit bomb cores which will inevitably cause more nuclear safety incidences.

Directly contradicting the “Very Good” that NNSA gave LANL for “Mission Enablement,” DOE’s Office of Enterprise Assessments cited LANL three times for worker safety violations “related to a series of nuclear safety events between February and July of this year occurring in the PF-4 [pit production] Facility at Los Alamos National Laboratory.”<sup>6</sup> Further, “the Office of Enterprise Assessment’s Office of Enforcement and the National Nuclear Security Administration entered into a negotiated settlement by Consent Order with Triad National Security, LLC, to resolve worker safety and health issues that were identified during an investigation...”<sup>7</sup>

In addition, the FY 2021 LANL Performance Evaluation Summary notes that “DNFSB Tech Report 46 identified concerns...”, which is a gross understatement. That was a technical report by the independent Defense Nuclear Facilities Safety Board that calculated lethal potential doses to workers from incompatibly mixed radioactive wastes.<sup>8</sup> That those doses are not just theoretical is underscored by the fact that a drum of radioactive wastes improperly prepared by LANL thermally ruptured and closed the Waste Isolation Pilot Plant in 2014, contaminating 22 workers and costing more than a billion dollars to reopen.

Jay Coghlan, director of Nuclear Watch New Mexico, commented, “NNSA whitewashes contractor performance and suppresses unclassified information on how taxpayer money is spent. It’s crucial that citizens have full and complete information as the world enters a new and more dangerous nuclear arms race. Nuclear Watch New Mexico is going to get these full and complete Performance Evaluation Reports one way or the other, either through Freedom of Information Act requests or litigation as needed.”

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This press release is available online at <https://nukewatch.org/lanl-fy21-pes.pdf>

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<sup>1</sup> See FY 2021 LANL Performance Evaluation Summary at <https://www.energy.gov/nnsa/los-alamos-national-laboratory-contract>

<sup>2</sup> The U.S.’ nuclear weapons modernization program plans to totally rebuild the nuclear weapons stockpile while producing new design weapons as well, and buy new missiles, subs and bombers to deliver the warheads.

<sup>3</sup> For in-depth information on why expanded plutonium pit production is not only not necessary but may actually degrade national security, please see <https://nukewatch.org/newsite/wp-content/uploads/2021/11/plutonium-pit-production-fact-sheet.pdf>

<sup>4</sup> See <https://www.scelp.org/cases/plutonium-pits> by our counsel the South Carolina Environmental Law Project.

<sup>5</sup> See <https://publicintegrity.org/topics/national-security/nuclear-negligence/>, Patrick Malone, 2018.

<sup>6</sup> <https://www.energy.gov/ea/articles/notice-intent-investigate-triad-national-security-llc-0>

<sup>7</sup> <https://www.energy.gov/ea/articles/consent-order-triad-national-security-llc>

<sup>8</sup> See *Potential Energetic Chemical Reaction Events Involving Transuranic Waste at Los Alamos National Laboratory*, DNFSB, September 2020, at <https://www.dnfsb.gov/documents/reports/technical-reports/potential-energetic-chemical-reaction-events-involving> See page 10 for lethal occupational doses.