

## Plutonium Pit Production Programmatic EIS “Scoping” Comments

Via email to [PitPEIS@nnsa.doe.gov](mailto:PitPEIS@nnsa.doe.gov)

- The nuclear weapons powers have always used the one-word rationale of “deterrence” to justify their nuclear stockpiles. It has always been “we have nuclear weapons to deter others from using them against us.” However, the Pentagon has repeatedly [rejected](#) minimal deterrence while “reiterating the need to maintain counterforce capabilities... not rely[ing] on a counter-value or minimum-deterrence approach...” This is why both Russia and the U.S. have 1,000s of nuclear weapons instead of just the few hundred needed for minimal deterrence. This is what is driving the U.S.’ \$2 trillion nuclear weapons “modernization” program in which expanded plutonium pit is key. So-called “deterrence” meant to deter other becomes the threat that fuels an escalating nuclear arms race that imperils us all. What is genuinely in our best national security interests and where taxpayers’ dollars should best be used should be fully analyzed in the draft Pit Production PEIS.
- The Department of Energy’s semi-autonomous nuclear weapons agency, the National Nuclear Security Administration (NNSA), claims that it has no choice but to follow congressional requirements to manufacture new plutonium pits. However, Article VI of the U.S. Constitution declares “all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.”
- As per the 1970 NonProliferation Treaty, the official policy of the U.S. government is “to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament...” How does expanded plutonium pit production comport with that treaty obligation which is the supreme law of the land?
- The Treaty on the Prohibition of Nuclear Weapons (TPNW), roughly similar to chemical and biological weapons ban treaties that the U.S. led in promulgating, has now been in effect for 4 years and ratified by 73 countries, approaching a majority of nations and climbing. The nuclear weapons ban treaty was came to be out of concern for the humanitarian consequences of nuclear war and the non-weapons states frustration that the weapons states have never begun to honor the NonProliferation Treaty’s Article VI mandate to disarm. The draft Pit Production PEIS should recognize the TPNW. Further, it should justify why the United States does not at least maintain observer status at the formal Meetings of the State Parties held at the United Nations.
- The PEIS’ time horizon is 50 years, in effect enabling nuclear weapons forever. There should be a genuine No Action Alternative of diminishing nuclear weapons programs in alignment with the NonProliferation Treaty’s nuclear disarmament obligation. NNSA needs to fully explain and justify why expanded plutonium pit production will not violate that obligation.
- As precedence, the Air Force completed an [environmental impact statement](#) in 2023 for its proposed Sentinel intercontinental ballistic missile that included a true no action alternative of no Sentinel deployment. Similarly, there should be a genuine No Action Alternative in the draft Pit Production PEIS, contrary to NNSA’s assertion that pit production at the Los Alamos National Laboratory (LANL) is “No Action.” This precedence is particularly apt given that the Sentinel is greatly delayed and vastly over budget, putting its successful completion into serious doubt. The direct link between the two issues is that the first new plutonium pits are for the W87-1 warhead for the Sentinel.

- What is the need for expanded plutonium pit production to begin with? No future production is to maintain the safety and reliability of the existing nuclear weapons stockpile. Instead, all pit production is for new design nuclear weapons. Will this help fuel a new nuclear arms race?
- What is the justification for new-design nuclear weapons? Why aren't existing nuclear weapons more than sufficient for maintaining "deterrence"?
- Could new design nuclear weapons with new plutonium pits prompt the U.S. to resume testing, which would certainly have strongly negative international proliferation consequences?
- Will confidence in the stockpile be eroded if new-design nuclear weapons with new plutonium pits are not full-scale tested?
- In 2006 independent experts concluded that pits have reliable lifetimes of more than a century (their average age now is ~42). Expanded pit production should not proceed until another independent pit life study has been completed, which NNSA is avoiding.
- The U.S. already has more than 15,000 plutonium pits in storage. The reuse of existing pits should be thoroughly analyzed as a viable alternative to the manufacturing of new pits. Former NNSA Administrator Jill Hruby has already indicated in congressional testimony that by default existing pits will be used in the initial manufacturing of new-design nuclear weapons. Why not all, especially given potential cost savings and better confidence in tested designs?
- Pit production at the Savannah River Site is increasingly over budget and further delayed. As a result, will pit production be increased at LANL? How will this impact the Lab's poor nuclear safety record?
- NNSA assumes that the Waste Isolation Pilot Plant (WIPP) will be prioritized for disposal of pit production radioactive wastes. In contrast, the New Mexico state permit requires prioritization of LANL cleanup wastes and that DOE start looking for a new out-of-state dump. WIPP is already oversubscribed for all the radioactive wastes that the Department of Energy wants to dump there. NNSA needs to fully analyze and project plutonium pit waste disposal for the next 50 years.
- According to the Government Accountability Office, the NNSA has no credible cost estimates for expanded plutonium pit production, its most complex and expansive program ever. Nor does it have an "Integrated Master Schedule" for its multi-site program. Why? This is particularly egregious when DOE and the NNSA (and its predecessors) have been on the GAO's "High Risk List" for project mismanagement and waste of taxpayers' dollars since 1991.
- The Trump Administration is suppressing environmental justice and climate change issues. I demand full discussion of these issues as they relate to pit production in the draft PEIS.
- Nonprofit public interest organizations successfully sued the NNSA under the National Environmental Policy Act (NEPA) to compel it to complete this Pit Production PEIS. Since then the Department of Energy has published an [interim final rule](#) rescinding all NEPA regulations and announcing new guidance procedures. How will this affect this Pit Production PEIS process? Will it diminish the quality of NEPA analysis and limit public participation?

[Name]

[Town/City and State]