



Los Alamos Study Group

Nuclear Disarmament • Environmental Protection • Social Justice • Economic Sustainability

August 1, 2019

Re: These urgent requests:

- 1. For a meeting with you or your staff, preferably with senators or their staff present, regarding plutonium warhead core (“pit”) production at Los Alamos National Laboratory (LANL) and related issues;**
- 2. For federal pit production analyses your administration should have, as should the public, and which we believe you or our senators could cause to be released; and**
- 3. For a national (“programmatic”) environmental impact statement (EIS) for pit production as well as a Site-Wide EIS for LANL, which would include pit production as well as other connected actions and cumulative impacts.**

Governor Michelle Lujan Grisham
490 Old Santa Fe Trail Room 400
Santa Fe, NM 87501

c/o John Bingaman, Chief of Staff

Honorable Ms. Grisham –

Recent developments in nuclear weapons policy could bring serious environmental impacts at LANL, with significant environmental, cultural and social impacts across the region. The Waste Isolation Pilot Plant (WIPP) would be also impacted by a significant new waste stream, loading and transportation of which could place LANL legacy waste removal at serious risk of (further) interruption. Hazardous materials transport on our roads would increase.

I refer to plans to produce plutonium warhead cores (“pits”) at LANL on an industrial footing, at proposed average rates of at least 30 or, in the alternative, more than 100 pits per year (ppy). (The administration’s requirements of “at least 30” by 2026 and “at least 80” in 9 out of 10 production years deliver estimated average production rates of 41 and 103 ppy, respectively; see [p. 13](#)).

Planning for these unprecedented federal actions – which, by the way, were [opposed](#) by senators Jeff Bingaman and Pete Domenici as well as by congressmen Bill Richardson and Tom Udall – is proceeding under a cloak of *de facto* secrecy to an extent unprecedented since the Cold War.

Analysis of environmental impacts under the National Environmental Policy Act (NEPA) is currently [not planned](#) nationally or in New Mexico. We have [proposed](#) a more logical and legal NEPA process to NNSA.

Our requests are urgent. Federal decisions are being made this summer, in both Congress and the executive branch. You may wish to weigh in on what NEPA process the National Nuclear Security Administration (NNSA) should follow (see below) as soon as possible.

The secrecy and environmental indifference of the Trump Administration in this matter is, so far, being upheld by the New Mexico congressional delegation and most importantly by our senators, who, given their seniority on relevant committees, could in our estimation successfully address both problems.

We do not believe industrial pit production is a necessary mission. Nor do we think it will be successful. But we aren't asking you or anyone in the delegation to agree with us on either point (yet). **What we are asking is for the same degree of transparency and sound government that was routine just two or three years ago.** Let's all see the plan and environmental analysis first, then decide.

The requests we are making today are simply "good government" requests that both proponents and detractors of pit production should support.

Our first request is to meet with you or your staff to discuss these matters, preferably with our senators or their staff present. You may have been briefed by LANL already but in our long experience, briefings by LANL are never objective or complete. You may have also been briefed by NNSA. Right now the realism of the Administration's pit requirements is being strongly undercut by the technical advice it has received from its own staff as well as outside reviewers. It is unlikely NNSA could provide a fully candid briefing.

It is difficult to avoid the conclusion that the State is in the dark about the nature and magnitude of what is being planned, both immediately and later, not to mention the environmental impacts.

For the last 20 years, pit production at LANL has been limited to a maximum of 20 ppy by a series of four Department of Energy (DOE) decisions ([Sept. 20, 1999](#), [Sept. 26, 2008](#), [Dec. 19, 2008](#), and [July 10, 2009](#)). DOE understands this commitment ([p. 26851](#)) but now seeks to overturn it. Actual average pit production at LANL has been a little more than 1 ppy since LANL was assigned the stewardship of pit production in 1996.

Every site in every country that has undertaken the missions of plutonium processing and pit production has become a permanent environmental sacrifice area. There are significant risks to workers in this mission and there are risks to the public as well. Pit production would create significant quantities of transuranic waste, and as noted poses serious risks to the successful removal of legacy LANL waste. As of this writing there are no plans to disclose or attempt to quantify any of these risks and impacts.

As you know, the State constitution (at [Article XX, Section 21](#)) makes "protection of the state's beautiful and healthful environment...of fundamental importance to the public interest, health, safety and the general welfare." It would seem you have a responsibility to understand the impacts and risks of pit production.

Now that NNSA has begun a limited NEPA process for pit production – *a process which omits New Mexico* – your administration also has an opportunity, required by NEPA, to comment on NNSA's plans on behalf of the people of New Mexico. But you don't know what those plans are.

It seems therefore imperative to request a full NEPA process and in the meantime to find out just what plans are being made for LANL and New Mexico.

For all these and other reasons we are therefore asking you to request 1) greater transparency and 2) environmental analyses, in the following specific forms.

1. **There are four important studies of pit production extant that shed light on LANL plans which should be appropriately redacted and made public.** (Of course there are likely to be others as well, of lesser policy importance at this time.) Three of these were required by statute; one by report language from the Senate Appropriations Committee. None are currently available in any form,

redacted or otherwise. The New Mexico congressional delegation played central legislative roles in requiring these studies.

- a. The “[Independent Assessment of the Plutonium Strategy of the National Nuclear Security Administration \[NNSA\]](#),” Institute for Defense Analyses (IDA), Mar 2019, for the [Department of Defense \(DoD\)](#). Our organization was able to informally obtain the [Executive Summary](#) of this unclassified document, which we immediately published. DoD, which would not release even the executive summary up to that point, though it had already been cleared for release, now claims the entire rest of the report is Unclassified Controlled Nuclear Information (UCNI) and therefore not releasable. We believe otherwise -- that only some diagrams in the report are properly UCNI. Appropriate redaction for public release should be trivial.

This document purportedly contains important information about the safety and risks of proposed LANL pit activities.

- b. The “[Independent Assessment of the Two-Site Pit Production Decision](#),” IDA, May 2019, for NNSA. NNSA has posted the [Executive Summary](#). This document is stamped “Official Use Only” (OUO), which in our view is a purely political measure. It could and should be released in its entirety.
- c. [Section 3120\(c\)](#) of the National Defense Authorization Act for Fiscal Year 2019 requires two plans:
 - i. “a detailed plan to produce 30 pits per year at Los Alamos National Laboratory by 2026,” and
 - ii. “a detailed plan for designing and carrying out production of plutonium pits 31–80 at Los Alamos National Laboratory, in case the [repurposed] MOX [Mixed Oxide] facility [in South Carolina] is not operational and producing pits by 2030.”

What, precisely, do these plans say? Where are they? We have no idea. One thing we do know is that on April 9 of this year, NNSA [said](#) (three times) to the House Strategic Forces Subcommittee that the statutory “80 ppy by 2030” mission could not be accomplished at LANL. Also, the executive summaries of both IDA studies, as well as an extensive [study](#) by NNSA in 2017, said that the 80 ppy goal is likely unachievable by 2030 at *any* site or combination of sites.

Ominously, the first IDA [executive summary](#) says (p. vii) that attempting to produce 80 ppy at LANL will create safety and security risks, among other risks mentioned.

All four of these studies can be rightly regarded as foundational for understanding the environmental impacts of NNSA’s plans and alternatives, as NEPA requires.

2. **To understand the environmental impacts of these plans, we believe two kinds of environmental impact statements (EISs) are logically and legally required**, in addition to (or incorporating) the EIS planned for repurposing the MOX facility in South Carolina. In logical and chronological order these are:

- a. A new or updated national programmatic EIS (PEIS) for pit production; and
- b. New Site-Wide EISs (SWEISs) for pit production at LANL and at the Savannah River Site (SRS) in South Carolina. This latter SWEIS could include the present EIS process.

We explain the rationale for this approach in our July 25 [comments](#) to NNSA regarding the scope of the EIS for the repurposed MOX facility.

We believe it is in the interest of all parties to immediately request these NEPA processes, before NNSA commits itself publicly to a far lower standard with no analysis for New Mexico, a course of action which the agency has unfortunately said it [prefers](#).

Further background to these requests can be found at [this page](#) and specifically at –

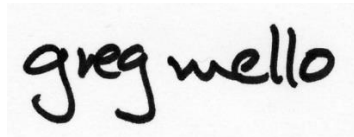
- [Bulletin 262: New Mexico Democrats push Trump nuclear weapons agenda regardless of environmental costs](#), Jul 24, 2019
- [National Environmental Policy Act \(NEPA\) compliance for plutonium pit production](#), LASG letter to Senator Udall, Jul 8, 2019
- [Industrial pit production at LANL: mistaken mission, wrong place](#), Greg Mello, *Los Alamos Monitor*, Jun 30, 2019
- [Plutonium won't bring prosperity, just ruin](#), Greg Mello, *Santa Fe New Mexican*, Jun 29, 2019
- [Guest Column: Los Alamos is unsuited for pit production](#), Greg Mello, *Aiken Standard*, Jun 26, 2019
- [We don't need more pits, LANL can't make them](#), Greg Mello, *Albuquerque Journal*, Jun 17, 2019
- [Bulletin 258: Administration announces plan to conduct environmental analysis of plutonium warhead core \("pit"\) production in SC, no comparable commitment in NM](#), Jun 11, 2019

As you will see in [Bulletin 262](#), we are unhappy that our senators are trying to use the Environment Department's Hazardous Waste Bureau's WIPP permitting authority for the political purpose of expanding pit production at LANL. We would be happy to discuss that issue with you as well as the matters above.

Meanwhile our primary request is to enlist your help in a) understanding what these major pit plans actually are, and b) guiding NNSA toward producing the environmental analyses needed, in the final analysis, to fulfill the constitutional obligations of your office.

We are available at any time whatsoever to answer your questions or to meet.

Thank you for your attention,

A handwritten signature in black ink that reads "greg mello". The signature is written in a cursive, lowercase style.

Greg Mello, Executive Director

Cc: congressional delegation, local government, tribes, members, press