



RESOLUTION NO. 19-22 OF THE TOWN OF TAOS

A RESOLUTION OF THE GOVERNING BODY OF THE TOWN OF TAOS, REGARDING HEALTH, SAFETY, AND REGIONAL CONTAMINATION ISSUES AT LOS ALAMOS NATIONAL LABORATORY; REQUESTING THAT THE NEW MEXICO ENVIRONMENT DEPARTMENT STRENGTHEN AND ENFORCE THE 2016 REVISED LOS ALAMOS NATIONAL LABORATORY CONSENT ORDER GOVERNING CLEANUP; REQUESTING THAT THE DEPARTMENT OF ENERGY HALT PLUTONIUM PIT PRODUCTION; AND DIRECTING THE TOWN CLERK TO TRANSMIT COPIES OF THIS RESOLUTION TO RELEVANT PARTIES.

WHEREAS, Los Alamos National Laboratory's (LANL) legacy radioactive and toxic wastes are located only 55 miles from the Town;

WHEREAS, in June 2016, the Department of Energy (DOE) and the New Mexico Environment Department (NMED) revised the 2005 Consent Order governing cleanup whereby LANL can avoid comprehensive cleanup by claiming that it is too difficult or costly;

WHEREAS, DOE and NMED negotiated amendments to the 2005 Consent Order and executed a revised Consent Order in 2016, in which the DOE provided its estimated cleanup completion baseline and extended the completion time frame to 2035-2040, and providing for clean-up of 5,000 cubic meters of waste, leaving at least 150,000 cubic meters buried in unlined dumps and subject to "cap and cover" disposal techniques;

WHEREAS, sustainable futures, community health, and regional property values depend on preventing ground-water contamination of the Española Basin Aquifer, surface contamination of the Rio Grande and tributaries, and air contamination from waste storage areas that are vulnerable to repeated high winds and wildfires at or near the Laboratory;

WHEREAS, given the fact that a plume of hexavalent chromium exists in groundwater on LANL property, the potential exists for LANL legacy wastes including hexavalent chromium and other substances like toxic perchlorates to contaminate an aquifer which has been designated by the Environmental Protection Agency (EPA) as the sole source of drinking water for Santa Fe, Espanola and Los Alamos;

WHEREAS, LANL's legacy wastes are buried in unlined pits, shafts, and trenches, and as a result contaminants continue to be found in tributaries that feed the Rio Grande;

WHEREAS, wildfires near and on LANL property over the past two decades have become more frequent and dangerous as a result of the effects of climate change on the climate of the Southwest, and the smoke and particulates generated from these fires can spread contamination regionally with obvious and significant effects on public health;

WHEREAS, the 2016 DOE NNSA Annual Performance Evaluation Report determined that “[r]equired improvements to the Nuclear Criticality Safety Program are moving at an unacceptably slow pace,” for which LANL received the only ‘red grade’ in nuclear criticality safety in the DOE Nuclear Weapons Complex from the DOE;

WHEREAS, the 2017 DNFSB Annual Report to Congress found that LANL was the only nuclear production site whose performance did not meet expectations in the functional area of criticality safety expectations;

WHEREAS, in a November 2018 letter from the DNFSB to Energy Secretary Rick Perry, DNFSB stated “... during the course of this review, the Board identifies 5 safety items * * * While the NNSA and LANL have made progress in improving the Nuclear Criticality Safety Program, significant work remains to enable the organizations within LANL that develop and implement criticality safety requirements to achieve compliance”;

WHEREAS, in a 2013 letter to Congress, the DNFSB stated that the Board: “remains deeply concerned with the seismic safety posture of the PF-4 at LANL. The Board believes a recent analysis demonstrates that “PF-4, the pit production facility, is vulnerable to structural collapse. * * * The large plutonium inventory of PF-4, coupled with the facility’s proximity to the public, creates the potential for very high off-site dose consequences if the building were to collapse”;

WHEREAS, in a January 2017 letter to then Secretary Ernest Moniz, the DNFSB stated that although “the DOE has made and continues to make numerous upgrades” to address earthquake vulnerabilities, “significant questions remain regarding the suitability of LANL’s Plutonium Facility, PF-4 for long term operations”;

WHEREAS, these concerns are shared by the Town of Taos given that the risk of earthquakes in Northern New Mexico has not been quantified and the risks of an accident during or after such an event are unacceptable;

WHEREAS, DOE plans to expand production of new plutonium pit triggers (nuclear warhead cores), which will increase the risk that radioactive and toxic wastes may be released in Northern New Mexico;

WHEREAS, the need for further pit production has not been established, especially given that roughly 14,000 pits are currently stockpiled in the United States and independent experts have found that stockpiled plutonium pits have reliable lifetimes of a century or more;

WHEREAS, by Resolution 71/258, the United Nations General Assembly convened in a 2017 conference to negotiate a legally binding instrument to prohibit nuclear weapons, leading towards their total elimination, and a Treaty on the Prohibition of Nuclear Weapons was adopted by the Conference

by a vote of 122 states in favor, one vote against, and one abstention on July 7, 2017. but the Treaty has not been ratified by the signatories and is not yet in force, and simultaneously, the Trump Administration has not only failed to ratify the Treaty, but has proclaimed its intent to withdraw from the Intermediate-Range Nuclear Forces (INF) Treaty, contradictory and confusing developments which lead to concerns that the arms race will escalate, with corresponding risks to the environment of Northern New Mexico;

WHEREAS, the Governing Body of the Town of Taos has previously adopted Joint Resolutions with the board of County Commissioners of Taos County opposing expanded pit production;

WHEREAS, the Governing Body of the Town of Taos has historically supported the total and permanent cleanup of all toxic and radioactive environmental and health hazards related to nuclear weapons research and production at LANL; and

WHEREAS, the Governing Body of the Town of Taos desires to once again make its concerns of the potential for contamination in Northern New Mexico arising from its various activities detailed above known to local and national leaders, and to do so in this Resolution.

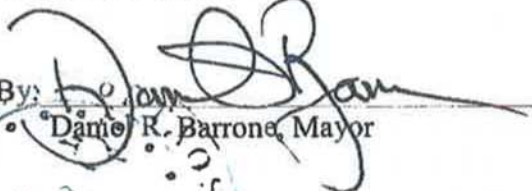
NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWN OF TAOS, AS FOLLOWS:


1. The Governing Body of the Town of Taos request that the New Mexico Environment Department work with LANL to strengthen and enforce the Revised Consent Order to call for additional characterization of legacy nuclear wastes, increased funding for comprehensive cleanup of legacy nuclear and hazardous waste, elimination of "cap and cover" clean-up techniques, and significant additional safety training.
2. The Governing Body of the Town of Taos request that the DOE halt all nuclear weapons production activities at LANL, including expanded plutonium pit production, and request that DOE redirect current nuclear weapons funding to expand comprehensive cleanup, nuclear non-proliferation programs, climate science and appropriate peaceful and sustainable technology research and development.
3. The Governing Body of the Town of Taos directs the Town Clerk to mail copies of this Resolution to the Secretary of the New Mexico Environment Department, the Secretary of the United States Department of Energy, the Director of Los Alamos National Laboratory, the New Mexico congressional delegation, the Governor of New Mexico, the President Pro Tempore of the New Mexico State Senate, and the Speaker of the New Mexico House of Representatives.

PASSED, APPROVED AND ADOPTED this 20th day of May 2019, at the Town Council Special Meeting by the following vote:

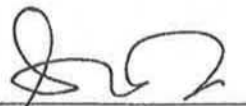
Mayor Pro Tem Nathaniel Evans	<u>Yes</u>
Councilmember Darien D. Fernandez	<u>Yes</u>
Councilmember George "Fritz" Hahn	<u>Yes</u>
Councilmember Pascualito M. Maestas	<u>Yes</u>

TOWN OF TAOS

By: 
Daniel R. Barrona, Mayor

ATTEST:

Francella Garcia, Town Clerk

Approved as to form:


Stephen C. Ross, Town Attorney