



Los Alamos Study Group

Nuclear Disarmament • Environmental Protection • Social Justice • Economic Sustainability

June 2, 2020

Ms. Jennifer Nelson, NEPA Document Manager
National Nuclear Security Administration (NNSA) Savannah River Field Office
P.O. Box A
Aiken, SC 29802

Sent today at 6:10 pm EDT by email to NEPA-SRS@srs.gov

Comments on the Draft Environmental Impact Statement (DEIS) for Pit Production at the Savannah River Site (SRS) (DOE/EIS-0541)

1. First, we do not accept NNSA's claimed "mission need" for this project. We understand that this "mission need" is a statutory requirement as well as executive branch policy, but we believe it is bad policy when evaluated against NNSA's broad statutory missions – and worse policy when evaluated against the better national security policies we wish the United States had. We understand however that you must write National Environmental Policy Act (NEPA) analyses that comply with current law. The following comments are therefore written in accordance with the laws we have, not the laws we wish we had.
2. We would like to incorporate the following prior comments by reference, modified by today's comments below, which incorporate new information and understandings:
 - a. [Legal concerns regarding NNSA's pit production plans, Memo to LGH](#), Feb 5, 2019.
 - b. [Comments on the scope of the Environmental Impact Statement \(EIS\) for plutonium pit production at the Savannah River Site \(SRS\)](#), Jul 25, 2019.
 - c. [Comments on the Draft Supplement Analysis of the Complex Transformation Supplement Programmatic Environmental Impact Statement](#), (DSA-CTSPEIS), Aug 12, 2019; [Addendum to comments](#), Aug 14, 2019.
 - d. [Comments on Draft Supplement Analysis \(DSA\) of the 2008 Site-Wide Environmental Impact Statement \(2008 SWEIS\) for the Continued Operation of LANL for Plutonium Operations](#) (DOE/EIS-0380-SA-06), May 9, 2020.
3. The impacts of both alternatives considered in this EIS (the Preferred Alternative [PA] and the No-Action Alternative [NAA]) will be very significant in and around Los Alamos National Laboratory (LANL) as well as at the Savannah River Site (SRS). These LANL impacts are not analyzed in this Draft environmental impact statement (DEIS), nor have they been analyzed in any past or any other present EIS.

NNSA claims that the LANL impacts of the NAA have been "evaluated" in the 2019 Supplemental Programmatic Environmental Impact Statement Supplement Analysis (SPEIS SA) and in the 2020 LANL Site-Wide Environmental Impact Statement (SWEIS) Supplement Analysis (SA) (DEIS, p. S-17).

The "evaluations" in those documents were not EISs, programmatic EISs (PEISs), or supplemental EISs or PEISs, but rather "evaluations" which concluded that environmental analysis was unnecessary.

We believe these conclusions were in error.

4. It is apparent to us that the NAA in this DEIS will have markedly larger environmental impacts than the PA. This signifies three things:

- The NAA has been inappropriately chosen, discussed further below;
- The impacts at and around LANL are not yet understood by NNSA; and
- Once the impacts at LANL are better understood, a nationwide (programmatic) EIS for pit production is needed to better vet pit production alternatives.

It is now plain to us that the only way NNSA will be able to understand the impacts of the DEIS NAA at LANL is to carry out a SWEIS analysis at LANL. At present, NNSA has not even published any plan for its proposed LANL activities with sufficient detail to conduct an environmental analysis, nor has NNSA opened up any meaningful comment on its (unpublished) plan(s) (reference 1d above, at item 2).

For this reason, we believe a LANL SWEIS is needed *prior to* the necessary and legally-required PEIS for pit production (see ref. 1a above, pp. 1-2 and endnote 1.)

By way of example, just a few of the LANL impacts are:

- The need to construct a new Nuclear Facility on at least the scale of the now-abandoned Chemistry and Metallurgy Research Replacement Nuclear Facility (CMRR-NF). The pit production Program Secretarial Officer (PSO) ruled, in June 2017, that the existing Building PF-4 could not reliably or adequately contribute to NNSA's enduring pit production capability ([Pit Production Analysis of Alternatives](#) [AoA], pp. 47-48). After extensive analysis, NNSA concluded in October 2017 that when pit production began in another facility, "PF-4 can return to the research and development mission for which it was built" ([p. 2](#)). This DEIS, in its NAA, which rests on analyses in the SPEIS SA and LANL SA, claims just the opposite.
- Upon information and belief, LANL now has approximately 2,000 persons directly and indirectly involved in its pit production effort, exclusive of construction workers. An additional 2,000 persons will be needed to achieve a rate of only 30 pits per year (ppy), according to the LANL SA, along with some 21 acres of new construction. Production, again according to the LANL SA, must be conducted 24/7 basis to achieve even 20 ppy. This is a larger number of persons than were employed at the Rocky Flats Plant for the first three decades of the latter's operation. These projections alone imply major environmental impacts.
- NNSA has applied to the City of Santa Fe to develop 64-100 acres of land in central Santa Fe for purposes which have not been revealed to the public, raising significant NEPA questions.
- The proposed expansion of LANL requires thousands of additional housing units. LANL and NNSA have met with local government officials to discuss greenfield developments in rural areas to accommodate some of this housing, implying major environmental impacts.
- After consultation with NNSA, Los Alamos County (LAC) has requested that the Department of Energy (DOE) give LAC more than 3,000 acres of LANL land of outstanding scenic, cultural, and wildlife significance for mixed residential, commercial, industrial, and recreational development. This proposed land transfer would have major environmental impacts. LAC's consultants have said 5,000 additional housing units are needed in the County.

- The regional traffic impacts of LANL’s expansion are already great and are expected to increase further.
- No extant environmental analyses reflect the current state or condition of LANL’s key facilities, which have aged since prior analyses. As a surrogate indication of comparative hazard, all other factors being equal, we note that the distance from PF-4 to a residential area is 0.6 miles, as opposed to 6 miles between SRPPF and the SRS site boundary.
- All other factors are not equal of course. The Defense Nuclear Facilities Safety Board (DNFSB) has said, after more than a decade of analysis, that [PF-4 does not adequately protect the public](#). It does not now meet [modern nuclear safety standards](#), and NNSA has no clear, funded timeline for making sure that ever happens. NNSA does not even know if it is possible for PF-4 to structurally withstand a design basis earthquake. Next door to PF-4, the Radiological Laboratory, Utility, and Office Building (RLUOB), which aspires to be a Hazard Category 3 Nuclear Facility, [does not meet life safety standards](#) and will take 4-5 years to get there. It will never meet nuclear facility standards except by variance and exemption, as these (NQA-1) standards require certain in-built certifications which RLUOB does not have and cannot now get.
- NNSA has no reality-based environmental analyses of pit production at LANL or of LANL expansion overall, to the extent that NNSA’s only EISs for LANL are inaccurate as to even the number of HC2 nuclear facilities present at LANL for plutonium (which is one, not two). The SPEIS SA and LANL SA, and hence the NAA in this DEIS, are built around the assumption that the CMRR-NF was built. NNSA canceled the project, so the NAA rests on assumptions NNSA has found unreasonable. The core of the problem with that project was environmental, having to do with the character of the site. This problem remains and would affect all other similar plans at this site.
- LANL pit production plans have tremendous environmental justice impacts. Indian lands of congressionally-recognized religious and cultural status directly abut, and are immediately downstream, from pit production and related waste storage and disposal areas.

These are some of the reasons the NAA has very large impacts. Overall, LANL’s impacts are increasing exponentially because its environmental constraints are being reached and exceeded. Impacts are no longer increasing linearly. LANL and LAC are in many ways “full.”

5. The inversion of NEPA nomenclature noted – where the so-called “NAA” appears to have greater estimated impacts than the “PA” – together with prior NNSA analyses of its pit production options, especially in the thorough AoA – suggests a better way forward:
 - *NNSA should drop LANL as an industrial pit production site altogether.* The nationwide environmental impact (and cost, and risks) of pit production would be greatly decreased, , as would the necessary and appropriate NEPA analysis.
 - If LANL were still going to expand for other reasons, a SWEIS would still be needed. If not, it is possible a LANL SWEIS could be delayed.
 - While a PEIS would still be necessary to satisfy the Sporkin Memorandum Opinion and Order (ref. 1a, endnote 1), the required PEIS might be simpler, even possibly close to the present EIS in overall content. We have not explored this in depth so it is just a possibility and not a firm opinion at this point. We do want to make very clear, however, that if DOE and NNSA wish to make more than 50 ppy, or to make pits at any site other than LANL, these agencies are under a legal obligation to this

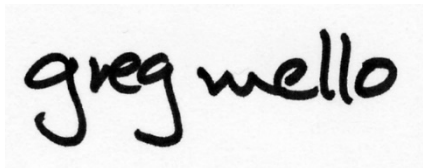
organization and other parties to produce, at a minimum, a Supplemental Analysis to the 1996 Stockpile Stewardship and Management Programmatic EIS (SSMPEIS) – a requirement NNSA previously acknowledged in its Modern Pit Facility Draft EIS.

6. NNSA should consider these additional alternatives:
 - a. No war reserve (WR) pit production at LANL, as noted above. LANL pit production would be limited to R&D and training purposes in this alternative, as foreseen in NNSA's AoA: "PF-4 can return to the research and development mission for which it was built" ([p. 2](#)).
 - b. WR pit production at SRS, but delayed by 5 or 10 years to 2035 or 2040. NNSA should find this reasonable because a) NNSA believes its cumulative pit production requirement is reasonable and b) the [Institute for Defense Analyses](#) (IDA) and [NNSA itself](#) have found that pit production will almost certainly be significantly delayed in any case.
 - c. WR pit production at SRS, delayed as noted in c., at some larger rate than 80 ppy. This is currently analyzed in "sensitivity analysis #1" (p. 2-12). This should be a separate alternative and analyzed in detail, along with the (likely) delay in operation noted at c.
 - d. At p. 2-19 in the DEIS, NNSA notes that the proposed SRPPF has "excess [Hazard Category] -2 space that NNSA could use to support other missions." Incorporation of these missions will change the environmental parameters of the proposed action and those of other proposed NNSA actions. Such options should be reanalyzed, as the 2015 analysis cited will not capture current opportunities and impacts accurately.

In our scoping comments, we said that WR pit production of up to 20 ppy at LANL was a reasonable alternative. This is the level supported by four prior Records of Decision (RODs), namely those of [Sept. 20, 1999](#), [Sept. 26, 2008](#), [Dec. 19, 2008](#), and [July 10, 2009](#). In its [Notice of Intent](#) (NOI) for this EIS, DOE concedes this limitation. Since the publication of the LANL DSA, we now understand that this level of production requires, according to NNSA, a large increase in staff and facilities (ref. 1d). This alternative appears to bring unreasonably large impacts and costs without commensurate benefits. It therefore no longer appears reasonable.

7. NNSA has not yet ruled out a new SWEIS process for LANL. We urge NNSA to conduct such a process. Its absence undermines the basis of the present EIS.
8. We have not analyzed in detail, but we question, the disproportionate estimates for waste generation for SRS and LANL on pp. 2-25 and 2-26. Historically, NNSA's estimates of waste generation have been unreliable.

Thank you for your attention and consideration,

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

Greg Mello, Executive Director