

Press Release  
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## **Judge Orders DOE to Reexamine Plutonium Accident Scenarios at Los Alamos**

### **Earthquake, Fire, Sabotage Are Possible Hazards at Nuclear Weapons Plant**

*Decision Arrives Same Day As Lab Hosts Forum on So-Called  
"Largest Risk" Faced by Community: "Forest Fires"*

WASHINGTON, DC--Federal District Judge Stanley Sporkin issued a final ruling here today on a lawsuit brought by watchdog groups regarding the adequacy of the Department of Energy's (DOE's) environmental and safety analysis of its plans to reconfigure and operate the nation's nuclear weapons complex, including the start-up of plutonium manufacturing activities at Los Alamos National Laboratory (LANL). The lawsuit was brought by 39 public interest organizations, including four from New Mexico.

The Memorandum Opinion and Order concludes Count II of the lawsuit. Count I, still outstanding, revolves around the adequacy of DOE's environmental cleanup and waste management plans.

In his order, Judge Sporkin formalized DOE's commitment to complete six seismic studies centered on the lab's plutonium facility and main technical area. Preliminary seismic studies conducted by the lab had shown a possible earthquake fault directly beneath the plutonium facility. More recent work, still incomplete, suggests that this fault splays to the west, near or possibly directly under nuclear facilities in the main LANL technical area, already known to be bordered by a significant fault on the lab's western boundary.

Seismic concerns have already played a part in downscaling or delaying DOE's plutonium manufacturing strategy for LANL, and could play a part in decisions regarding the lifetime of older buildings at the lab.

In addition, the Judge ordered DOE to look more carefully at the hazards from smaller fires propagating into larger ones (as happened on more than one occasion at the disaster-plagued Rocky Flats Plant, Los Alamos' predecessor in plutonium manufacturing), the hazard from earthquake-generated building-wide fires, and the hazard from sabotage at the plutonium facility.

Sabotage has already occurred at this facility, when hydrogen gas spigots were turned on. A serious explosion and fire could have resulted.

DOE is to analyze the effect of its new analysis on plutonium manufacturing decisions and will provide a 30-day public comment period on this analysis prior to making a final decision on whether further studies are needed.

The Judge further ordered that any action to realize DOE's contingency plans to construct a much larger plutonium manufacturing capability--which were revealed during the course of the lawsuit--must be preceded by a full programmatic environmental impact statement.

The Court will retain jurisdiction over this case, and the citizens' groups can return to the court if they deem DOE's analysis inadequate.

\*Citizens for Alternatives to Radioactive Dumping, Concerned Citizens for Nuclear Safety, Los Alamos Study Group, and Physicians for Social Responsibility, New Mexico Chapter

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