

MONITOR

NUCLEAR WEAPONS & MATERIALS

U.S. National Nuclear Security Administration ♦ Russian Ministry of Atomic Energy
...*plus* International Nonproliferation Initiatives (*State, DoD, G-8, IAEA*) ♦ Uranium Enrichment

Volume 14 No. 52

December 27, 2010

At the Weapons Labs/DOE Sites

AT LOS ALAMOS NNSA DETAILS HARMFUL IMPACTS OF CMRR-NF INJUNCTION

An injunction in a lawsuit over environmental compliance for Los Alamos National Laboratory's proposed Chemistry and Metallurgy Research Replacement-Nuclear Facility could harm U.S. arms control efforts, a top National Nuclear Security Administration official said in an affidavit filed in the case Dec. 20. "Timely construction of the CMRR-NF is ... critical to the United States' commitment to renew and strengthen the Nuclear Non-Proliferation Treaty ("NPT") and to enter into new treaty obligations, including the New Strategic Arms Reduction Treaty ("START") and the Comprehensive Test Ban Treaty ("CTBT)," said Roger Snyder, deputy manager of the National Nuclear Security Administration's Los Alamos Site Office. "To ensure that the Senate can consider new treaty obligations, NNSA must fulfill its mission to modernize and maintain the Nation's nuclear weapons complex, and replacement of the aging CMR building is a critical component of this mission."

The Los Alamos Study Group in November asked a federal judge for an injunction halting work on CMRR while legal issues regarding environmental analysis of the project. The study group argues that a full Environmental Impact Statement for the project is required under the National Environmental Policy Act, and that all work should be halted while the study is done because of the risk that ongoing work could prejudice a final decision before the review is completed (*NW&M Monitor*, Vol 14 No. 47). The NNSA argues that a Supplemental Environmental Impact Statement study now underway is sufficient to meet the requirements of NEPA, and that design work should be allowed to continue in the meantime.

An injunction would cause a lengthy delay because of the difficulty in retaining the contractor staff now working on the project, according to an accompanying affidavit by Herman LeDoux, CMRR-NF's federal project director. According to LeDoux, the architectural and engineering firms involved in the project have been working on design, seismic studies and related work since 2004. For them to halt all work for the estimated eight months needed to complete a new environmental study on the project, the NNSA and Los Alamos would be faced with the decision of continuing to pay their salaries while idled, at an estimated \$1 million per month, or terminating 170 people and losing their specialized expertise. If the work is terminated, it could take another year to re-select contractors before the design work could start up again, LeDoux said. Delays also hurt the lab's ability to do its job, according to Snyder. He alleges in his affidavit that reduced operations in the aging Chemistry and Metallurgy Research building, which CMRR-NF is meant to replace, has left the lab without "important characterization and chemistry capabilities."