



Los Alamos Study Group

Nuclear Disarmament • Environmental Protection • Social Justice • Economic Sustainability

LANL's plans: transparency, environmental analysis needed

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Los Alamos National Laboratory (LANL) has recently disclosed its ambitions for \$13 billion in capital investments over the coming decade, in part driven by the National Nuclear Security Administration's (NNSA's) unpublished plans for LANL to assume industrial missions in plutonium (Pu) warhead core ("pit") production and surplus Pu disposition (SPD). Very little is known of these plans, which would markedly impact the region. No environmental analysis has been done, locally or nationally. The following list of missing reports and analyses is partial. For further information and analysis, see our [web site](#), especially this [presentation](#), [Bulletin 263](#), and news reports and interviews from August 9 to the present.

Needed in New Mexico (NM) especially		
Report, Plan, or Analysis	Required by	Notes
LANL Strategic Plan, including any offsite considerations or elements	Contract clause H-19 ⁱ , possibly by DOE orders	Basis and input for site plan. Would include staffing, funding projections. LANL is federally owned, tasked, and funded. Publication once routine as "institutional plans."
LANL Site Plan, including any offsite considerations or elements	DOE Order 430.1C ; contract clause H-26 ⁱⁱ	Publication once routine. Previous applicable DOE order required public vetting. Former Capital Assets Management Plans no longer published. Accurate and complete Project Data Sheets not being submitted to Congress, etc.
LANL animated site plan presentation of August 8, 2019	Freedom of Information Act (FOIA).	Presented to 700 persons representing contractors from 30 states on Aug. 8, 2019.
LANL strategic/site plan briefings to NM political and business leaders	This was a LANL initiative.	Briefings mentioned by LANL Chief Operating Officer Dr. Kelly Beierschmitt on Aug. 8, 2019.
LANL's detailed plan for producing 30+ Pu pits per year (ppy) (NNSA: >40 ppy average)	Section 3120 , FY2019 National Defense Authorization Act (Public Law No: 115-232). Public version must be redacted.	Measure successfully introduced by all three NM representatives in 2018; parallel requirements introduced by NM senators. Now law.
LANL's detailed plan for producing 80+ ppy (NNSA: >100 ppy average)	Section 3120 , FY2019 National Defense Authorization Act (Public Law No: 115-232). Public version must be redacted.	Measure successfully introduced by NM representatives in 2018; parallel requirements introduced by NM senators. Now law.
LANL's/NNSA's plan for LANL's portion of the SPD program, entailing receiving, opening, oxidation, packaging, & shipping 26.2 metric tons Pu in pits.	(DOE Order addressing program management, in addition to any applicable congressional requirements.) May need redaction.	Will heavily impact Pu operations and facilities at LANL as well as nuclear materials transportation in the region, nuclear waste generation and management, and legacy waste removal & disposal at WIPP.
A Federal Register announcement of a Site-Wide Environmental Impact Statement (SWEIS) for LANL. (Parallel plans in South Carolina are being studied in an EIS.)	National Environmental Policy Act (NEPA), 40 CFR 1500-1508 , 10 CFR 1021 especially §1021.330, precedents	In our view, NNSA and LANL will not be able to understand how their missions interact, let alone their regional environmental impacts, without this. It is essentially the only form of even tenuous public accountability for these plans that is offered under law.
Needed Nationally and in New Mexico (next page)		

The 2019 Institute for Defense Analyses (IDA) study of pit production for the Department of Defense (DoD)	Section 3120 , FY2019 National Defense Authorization Act (Public Law No: 115-232). Minor amount of unclassified controlled nuclear information (UCNI) in figures must be redacted for public release.	The unclassified executive summary was leaked. Upon information and belief, this document contains information about risks, including safety risks at LANL and other sites, as well as management risks to NNSA from rushing its pit production program.
The 2019 IDA study of pit production for NNSA	Section 3120 , FY2019 National Defense Authorization Act (Public Law No: 115-232). Minor amount of UCNI must be redacted for public release.	The unclassified, non-UCNI executive summary was released. This report may be similar to, perhaps an abridged version of, the previous one – or may contain unique insights.
A Federal Register announcement of a Programmatic EIS (PEIS) for pit production	National Environmental Policy Act (NEPA) , 40 CFR 1500-1508 , 10 CFR 1021 , especially §1021.330, a 1998 federal court settlement ⁱⁱⁱ , Council on Environmental Quality (CEQ) guidance ^{iv} , precedents	DOE, NNSA, and Congress will not be able to understand how missions interact, let alone their environmental impacts, without this. Failure to begin this and the LANL SWEIS exposes NNSA to litigation.

ⁱ “**H-19 STRATEGIC PLANNING:** A key element to sound laboratory stewardship and governance is a shared strategic level vision for the future of the laboratory and the strategic investments necessary across mission support areas to assure the laboratory’s continued future vitality and capability to perform its missions. To aid in strengthening this alignment, the M&O partner leadership from each NNSA Laboratory shall work in coordination with NNSA field office and HQ functional and program leadership in developing and presenting annual laboratory strategic plans. To enable a uniform and consistent reporting approach and to allow for the process to evolve and change as necessary, NNSA will provide annual report and presentation guidance. The information from these activities provides the starting point for periodic and continuous discussions between the DOE/NNSA and management and operating partners’ leadership about the site’s future directions, immediate and long range challenges, and resource needs. The results of these activities are intended to ensure alignment with agency goals, priorities, and budgets.”

ⁱⁱ “**H-26 ASSET MANAGEMENT REQUIREMENTS:** ... (2) Site Facility Plan: The Contractor shall establish and maintain a Site Facility Plan that addresses the current condition of the Laboratory and future needs based on the strategic plan for the Laboratory. The Site Facility Plan shall be updated annually. The NNSA shall provide to the Contractor guidance for the preparation of the Site Facility Plan for which the Contractor is responsible under the terms and conditions of this contract. Based upon this guidance, the Contractor shall prepare, and maintain through annual updates, the Site Facility Plan to reflect those actions necessary to keep the development of facilities current with the needs of the Government and allow the Contractor to successfully accomplish its mission in support of National Security. In developing this Site Facility Plan, the Contract shall follow the procedure guidance set forth in the applicable Directive in Contract Section J, Appendix B, List of Applicable Directives and NNSA Policy Letters. The Contractor shall use the Site Facility Plan to manage and control the development of facilities and lands. The Site Facility Plan and any NNSA directed revisions to the Site Facility Plan shall be submitted to the Contracting Officer for review and approval by NNSA. The Contractor may periodically during the year update and revise the Site Facility Plan to reflect changing mission needs. Changes to planned projects between official updates of the Site Facility Plan and the related NNSA approvals shall be approved through the NNSA project authorization process.”

ⁱⁱⁱ Memorandum Opinion and Order, 19 Aug 1998, US District Court for the District of Columbia, Natural Resources Defense Council et. al., v. Federico Pena, et.al. Civil Action 97-0936, Judge Stanley Sporkin, paragraph 5:

Prior to taking any action that would commit DOE resources to detailed engineering design, testing, procurement, or installment of pit production capability for a capacity in excess of the level that has been analyzed in the SSM PEIS (the capacity analyzed in the SSM PEIS is the fabrication at LANL of 50 pits per year under routine conditions, and 80 pits per year under multiple shift operations), DOE shall prepare and circulate a Supplemental PEIS, in accordance with DOE NEPA Regulation 10 CFR 1021.314, analyzing the reasonably foreseeable environmental impacts of and alternatives to operating such an enhanced capacity, and shall issue a Record of Decision based thereon.

^{iv} “[Memorandum for Heads of Federal Departments and Agencies: Effective Use of Programmatic NEPA Reviews](#),” CEQ, 18 Dec 2014.