CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2021-10

INTRODUCED BY:

Councilor Renee Villarreal
Councilor Signe I. Lindell

A RESOLUTION

REQUESTING THE NATIONAL NUCLEAR SECURITY ADMINISTRATION PREPARE
AND COMPLETE A NEW SITE-WIDE ENVIRONMENTAL IMPACT STATEMENT
FOR LOS ALAMOS NATIONAL LABORATORY BEFORE EXPANDING PLUTONIUM
PIT PRODUCTION AT THE FACILITY.

WHEREAS, the City of Santa Fe has a longstanding tradition of promoting democracy
and environmental protection in pending nuclear weapons decisions by requesting that “all
applicable environmental laws be obeyed by the DOE, and appropriate (and legally mandated)
citizen participation be actively supported in the determination of the future mission and function
of LANL” (Resolution No. 1994-49, Exhibit A); and

WHEREAS, the City has previously joined with the County to support Los Alamos
National Laboratory (“LANL”) expansion Environmental Impact Statements, calling for “a new
complete EIS” to “reassure the citizens of Santa Fe that the safety and environmental issues entailed
in this growing project are being planned for in a careful and comprehensive way” (Resolution No.
2010-91, Exhibit B); and
WHEREAS, the Governing Body has also previously passed Resolution Nos. 2003-64 (Exhibit C), 2006-104 (Exhibit D), 2008-17 (Exhibit E), and 2017-76 (Exhibit F) opposing expansion of plutonium pit production at LANL until all safety issues are resolved and calling for comprehensive cleanup of legacy wastes; and

WHEREAS, Resolution No. 2017-76 specifically documented eight nuclear safety incidences at LANL, including a 2017 National Nuclear Safety Administration (“NNSA”) report to the independent Defense Nuclear Facilities Safety Board (“DNFSB”) that found that LANL was the only nuclear weapons production suite that did not meet expectations in the functional area of criticality safety expectations; and

WHEREAS, Resolution No. 2017-76 stated that the NNSA was still actively planning to expand the production of plutonium pits for nuclear weapons at the LANL from 20 to 30 pits or more per year, including a surge capacity of up to 80, nearly doubling related radioactive and toxic wastes; and

WHEREAS, plutonium pits are used as the “triggers” for the nation’s nuclear weapons; and

WHEREAS, plutonium is a substance with significant health and environmental risks; and

WHEREAS, independent experts have found that plutonium pits have reliable lifetimes of a century or more, thus making expanded production to maintain the safety and reliability of the existing nuclear weapons arsenal unnecessary; and

WHEREAS, the DNFSB has recently reported on the possibility of potentially lethal radioactive doses as high as 760 rem\(^1\) to workers at LANL’s plutonium pit production facility (“PF-4”), with a possible public dose of 24 rem, because LANL “do[es] not appropriately analyze

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\(^1\) REM (“Roentgen equivalent man”) is used to measure the effective dose, which combines the amount of energy from any type of ionizing radiation that is deposited in human tissue with the medical effects of the given type of radiation. The federal Nuclear Regulatory Commission regards 400-450 rem received over a short period of time as a lethal dose. By way of comparison a chest x-ray is around 10 millirem (millirem = 1/1000\(^{th}\) rem).
energetic chemical reaction hazards involving transuranic waste”\(^2\) such as the improperly prepared
radioactive waste drum from LANL that in 2014 ruptured and closed the Waste Isolation Pilot Plant
for nearly three years; and

**WHEREAS**, DNFSB’s calculations of potential doses to workers (760 rem) and the public
(53 rem) are orders of magnitude above the potential risks that the analysis published by NNSA in
its August 2020 Supplemental Analysis of the 2008 SWEIS related to expanded plutonium pit
production; and

**WHEREAS**, the independent Government Accountability Office (“GAO”) has recently
reported that “In the last 2 decades, LANL has twice had to suspend laboratory-wide operations
after the discovery of significant safety issues” and “A 2018 LANL study found that LANL is
‘marginally capable’ of meeting NNSA’s plan to ramp up pit production to 30 pits per year by
2026”;\(^3\) and

**WHEREAS**, federal agencies are required by the National Environmental Policy Act
(“NEPA”) to allow the public the opportunity to analyze and comment on major federal proposals
such as expanded plutonium pit production that “significantly affect[ing] the quality of the human
environment”\(^4\); and

**WHEREAS**, the NNSA has refused to begin a new Site-Wide Environmental Impact
Statement (“SWEIS”) for LANL, instead relying on an outdated 2008 SWEIS; and

**WHEREAS**, NEPA requires new analysis when “[t]he agency makes substantial changes
in the proposed action that are relevant to environmental concerns; or [t]here are significant new
circumstances or information relevant to environmental concerns and bearing on the proposed


\(^3\) *NNSA Should Further Develop Cost, Schedule, and Risk Information for the W87-1 Warhead Program*, GAO, September 2020, [https://www.gao.gov/assets/710/709253.pdf](https://www.gao.gov/assets/710/709253.pdf)

\(^4\) 42 U.S.C. § 4332(c)
action or its impacts, such as, in this case, another major wildfire, up to $13 billion in new
construction at LANL, the discovery of serious groundwater contamination, planned massive
releases of radioactive tritium, etc.; and

WHEREAS, past SWEISs have benefitted both the public and LANL, one dramatic
example being that public comment for a 1999 SWEIS prompted LANL to undertake fire
prevention measures that arguably prevented the 2000 Cerro Grande Fire from reaching some
40,000 barrels of plutonium-contaminated wastes stored aboveground at Area G, a potential
catastrophe that LANL acknowledged was averted by public comment required by NEPA; and

WHEREAS, a SWEIS process that considers all reasonable alternatives to NNSA’s
proposed actions and incorporates mitigation plans is the only legally mandated process by which
the public, tribes, and local and state governments can understand the nature and consequences of
NNSA’s proposed actions.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE
CITY OF SANTA FE that the Governing Body hereby requests that, in accordance with the
requirements of the National Environmental Policy Act, the National Nuclear Security
Administration immediately begin and complete a new Site-Wide Environmental Impact Statement
for Continued Operations at the Los Alamos National Laboratory.

BE IT FURTHER RESOLVED that the Governing Body requests that the National
Nuclear Security Administration suspend any planned expanded plutonium pit production until all
nuclear safety issues are resolved, as certified by the independent Defense Nuclear Facilities Safety
Board.

BE IT FURTHER RESOLVED that the Governing Body directs the City Clerk to send

5 40 C.F.R. § 1502.9(c)(1) and 10 C.F.R. § 1021.314
6 “When the Cerro Grande Fire swept down from the mountains this spring, these extra defensive steps, taken in
response to the public comments, paid for themselves many times over. The savings were in the form of the harm to
facilities that was reduced or avoided, and reduced risk to the public that might have resulted.”

10269.2
copies of this resolution to the New Mexico Congressional delegation, the Governor of New Mexico, the President Pro Tempore of the New Mexico Senate, the Speaker of the New Mexico House of Representatives, the Secretary of the Department of Energy, the Secretary of the New Mexico Environment Department, the Administrator of the National Nuclear Security Administration, the Manager of the NNSA Los Alamos Field Office, and the Director of the Los Alamos National Laboratory.

PASSED, APPROVED, and ADOPTED this 10th day of February, 2021.

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ALAN WEBBER, MAYOR

ATTEST:

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KRISTINE MIHELCIC, CITY CLERK

APPROVED AS TO FORM:

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ERIN K. McSHERRY, CITY ATTORNEY

Legislation/Resolution/2021/2021-10 LANL EIS Request