APPENDIX A
FEDERAL REGISTER NOTICES

DEPARTMENT OF ENERGY

Record of Decision: Site-Wide Environmental Impact Statement for Continued Operation of the Los Alamos National Laboratory in the State of New Mexico

AGENCY: Department of Energy.

ACTION: Record of decision.

SUMMARY: The Department of Energy (DOE) is issuing this Record of Decision on the continued operation of the Los Alamos National Laboratory (LANL) in the State of New Mexico. This Record of Decision is based on the information and analysis contained in the Site-Wide Environmental Impact Statement for Continued Operation of the Los Alamos National Laboratory, DOE/EIS–0238 (including the classified supplement), and other factors, including the mission responsibilities of the Department, and comments received on the final Site-Wide Environmental Impact Statement. DOE has decided to implement the Preferred Alternative, which, with certain limitations, is the Expanded Operations Alternative. This alternative would expand operations at LANL, as the need arises, to increase the level of existing operations to the highest reasonably foreseeable levels, and to fully implement the mission elements assigned to LANL.

FOR FURTHER INFORMATION CONTACT: For further information on the Site-Wide Environmental Impact Statement or to receive a copy of the Site-Wide Environmental Impact Statement or other information related to this Record of Decision, contact: Corey Cruz, Document Manager, U.S. Department of Energy, Albuquerque Operations Office, P.O. Box 5400, Albuquerque, NM 87185, (505) 845–4282.

For information on the DOE National Environmental Policy Act (NEPA) process, contact: Carol M. Borgstrom, Director, Office of NEPA Policy and Assistance (EH–42), U.S. Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585, (202) 586–4600, or leave a message at (800) 472–2756.

SUPPLEMENTARY INFORMATION:

Background

DOE prepared this Record of Decision pursuant to the regulations of the Council on Environmental Quality for implementing NEPA (40 CFR Parts 1500–1508) and DOE's NEPA Implementing Procedures (10 CFR Part 1021). This Record of Decision is based, in part, on DOE's Site-Wide Environmental Impact Statement for Continued Operation of the Los Alamos National Laboratory, (DOE/EIS–0238). LANL is located in north-central New Mexico, 60 miles (96 kilometers) north-northeast of Albuquerque, 25 miles (40 kilometers) northwest of Santa Fe, and 20 miles (32 kilometers) southwest of Española. LANL occupies an area of approximately 27,832 acres (11,272 hectares), or approximately 43 square miles (111 square kilometers), of which 86 percent lies within Los Alamos County and 14 percent within Santa Fe County. The Fenton Hill site (Technical Area [TA]–57), a remote site 20 miles (32 kilometers) west of LANL, occupies 15 acres (6 hectares) in Sandoval County on land leased from the U.S. Forest Service. LANL is divided into 49 separate Technical Areas. LANL is a multi-disciplinary, multipurpose national laboratory engaged in theoretical and experimental research and development. DOE has assigned elements of each of its four principal missions (National Security, Energy Resources, Environmental Quality, and Science) to LANL, and has established and maintains several capabilities in support of these mission elements, including applications of science and technology to the nuclear weapons program. These capabilities also support applications for other Federal agencies and other organizations in accordance with national priorities and policies.

DOE is currently engaged in other NEPA reviews that include LANL as an alternate location for the action under consideration. These other NEPA reviews include programmatic and project Environmental Impact Statements for Waste Management and Surplus Plutonium Disposition. Since these other Environmental Impact Statements identify potential new or expanded activities for LANL, the impacts of these activities are described under the Preferred Alternative in the Site-Wide Environmental Impact Statement. The nature of the decisions in this Record of Decision with regard to the Waste Management programmatic and project proposals is simply to reserve infrastructure at LANL pending completion of these programmatic and project reviews and the corresponding decision document. With regard to the Surplus Plutonium Disposition program, the nature of the decision in this Record of Decision is to maintain the competency and capability to fabricate the Lead Assemblies as evaluated in the Surplus Plutonium Disposition Environmental Impact Statement (SPD EIS). However, the availability and capacity of facilities to perform such work may be limited because of competing priorities from the weapons program. DOE's resolution of any such competing priorities will be reflected in the Record of Decision for the SPD EIS.

DOE was directed by Congress (Pub. L. 105–119) to convey or transfer parcels of DOE land in the vicinity of LANL to the Incorporated County of Los Alamos, New Mexico, and the Secretary of the Interior, in trust for the San Ildefonso Pueblo. Such parcels, or tracts of land, must not be required to meet the national security mission of LANL and must also meet other criteria established by the Act. DOE has issued a Draft Environmental Impact Statement to examine the potential environmental impacts associated with the conveyance or transfer of 10 specific parcels. EPA published a Notice of Availability for the Draft Environmental Impact Statement for the Conveyance and Transfer of Certain Land Tracts Administered by the Department of Energy and Located at Los Alamos National Laboratory, Los Alamos and Santa Fe Counties, New Mexico, in the Federal Register on February 26, 1999.

The Site-Wide Environmental Impact Statement considers the environmental impacts of ongoing and proposed activities at LANL. DOE expects that it will continue to suggest new programs, projects, and facilities for LANL (or consider LANL as an alternative site for such facilities or activities). These new proposals will be analyzed in programmatic or project-specific NEPA reviews, as they become ripe for decision. Subsequent NEPA reviews

will make reference to, and be tiered from, the Site-wide Environmental Impact Statement; and subsequent DOE decisions on these proposals may amend this Record of Decision.

Alternatives Considered

DOE analyzed four broad alternative levels of operation at the Los Alamos National Laboratory. The four alternatives are as follows:

Alternative 1—No Action

The No Action Alternative reflects the levels of operation at LANL that are currently planned. This includes operations that provide for continued support of DOE's four primary missions, but would not include an increase in the existing pit manufacturing capacity (beyond the current capacity of 14 pits per year) nor expansion of the low-level waste disposal facility at Technical Area–54 (the remaining space in the existing Area G footprint would be used, but some low-level waste would be shipped off-site for disposal). This alternative includes the maintenance of existing capabilities, continued support/infrastructure activities, and implementation of several facility construction or modification projects throughout LANL that have previous NEPA reviews.

Alternative 2—Expanded Operations (DOE's Preferred Alternative Except for Pit Manufacturing)

The Expanded Operations Alternative would expand operations at LANL, as the need arises, to increase the level of existing operations to the highest reasonably foreseeable levels, and to fully implement the mission elements assigned to LANL. This includes the impacts of the full implementation of pit manufacturing up to a capacity of 50 pits per year under single-shift operations (80 pits per year using multiple shifts). This alternative includes the expansion of the low-level waste disposal site at Technical Area–54, including receipt of off-site wastes. In addition, this alternative includes the continued maintenance of existing and expanded capabilities, continued support/infrastructure activities, and implementation of several facility construction or modification projects at Technical Area–53 (i.e., the Long-Pulse Spallation Source, the 5-Megawatt Target/Blanket Experimental Area, the Dynamic Experiment Laboratory, and the Isotope Production Facility).

Alternative 3—Reduced Operations

The Reduced Operations Alternative reflects the minimum levels of operation at LANL considered necessary to maintain the capabilities to support DOE missions over the near-term (through the year 2007). While the capabilities are maintained under this alternative, this may not constitute full support of the mission elements currently assigned to LANL. This alternative reflects pit manufacturing at a level below the existing capacity (at 6 to 12 pits per year) and reflects shipment of much of the low-level waste generated at LANL for off-site disposal (on-site disposal would be limited to those waste types for which LANL has a unique capability at Area G). This alternative includes the maintenance of existing capabilities, continued support/infrastructure activities, and implementation of several facility construction or modification projects throughout LANL that have previous NEPA reviews; some of the projects previously reviewed under NEPA would be reduced in scope or eliminated (e.g., the Low-Energy Demonstration Accelerator would only be operated at the lower end of its energy range).

Alternative 4—''Greener''

The ''Greener'' Alternative reflects increased levels of operation at LANL in support of nonproliferation, basic science, and materials recovery/stabilization mission elements, and reduced levels of operation in support of defense and nuclear weapons mission elements. All LANL capabilities are maintained for the short term under this alternative; however, this may not constitute full support of the nuclear weapons mission elements currently assigned to LANL. This alternative reflects pit manufacturing at a level below the existing capacity (at 6 to 12 pits per year) and reflects shipment of much of the low-level waste generated at LANL for off-site disposal (on-site disposal would be limited to those waste types for which LANL has a unique capability at Area G). This alternative includes the maintenance of existing capabilities, continued support/infrastructure activities, and implementation of several facility construction or modification projects at Technical Area–53 (i.e., the Long-Pulse Spallation Source, the 5-Megawatt Target/Blanket Experimental Area, the Dynamic Experiment Laboratory, and the Isotope Production Facility.) The name and general description for this alternative were provided by interested public stakeholders as a result of the scoping process.

Preferred Alternative

In the draft Site-Wide Environmental Impact Statement, the Preferred Alternative was the Expanded Operations Alternative. In the final Site-Wide Environmental Impact Statement, the Expanded Operations Alternative is the Preferred Alternative with one modification, which involves the level at which pit manufacturing would be implemented at LANL. Under the Expanded Operations Alternative, DOE would expand operations at LANL, as the need arises, to increase the level of existing operations to the highest reasonably foreseeable levels. This expansion of operations would apply broadly to the essential science and technology activities across LANL, and would apply to the level of activity for those operations (e.g., increased throughput or increased numbers of experiments). The Expanded Operations alternative includes expansion to fully implement pit manufacturing up to the capacity of 50 pits per year under single-shift operations (80 pits per year using multiple shifts) assigned to LANL in the Record of Decision for the Stockpile Stewardship and Management Programmatic Environmental Impact Statement.

However, as a result of delays in the implementation of the Capability Maintenance and Improvement Project and recent additional controls and operational constraints applied to work conducted in the Chemistry and Metallurgy Research (CMR) Building, DOE has determined, as a matter of policy, to postpone any decision to expand pit manufacturing beyond a level of a nominal 20 pits per year in the near future (through the year 2007), and to study further methods for implementing the 50 pits per year production capacity. The revised Preferred Alternative reflects implementing pit manufacturing at the 20-pit-per-year level. This postponement does not modify the long-term goal announced in the Record of Decision for the Stockpile Stewardship and Management Programmatic Environmental Impact Statement of 50 pits per year (up to 80 pits per year using multiple shifts).

The Preferred Alternative includes the expansion of the low-level waste disposal site at Technical Area–54. The Preferred Alternative also includes the continued maintenance of existing and expanded capabilities, continued support/infrastructure activities, and implementation of several facility construction or modification projects at Technical Area–53 (i.e., the Long-Pulse Spallation Source, the 5-Megawatt Target/Blanket Experimental Area, the Dynamic Experiment Laboratory, and the Isotope Production Facility).

Environmentally Preferable Alternative

The Council on Environmental Quality, in its ''Forty Most Asked Questions Concerning CEQ's NEPA Regulations'' (46 FR 18026, 2/23/81), with regard to 40 CFR 1505.2, defined the ''environmentally preferable alternative'' as the alternative ''that will promote the national environmental policy as expressed in NEPA's Section 101. Ordinarily, this means the alternative that causes the least damage to the biological and physical environment; it also means the alternative which best protects, preserves, and enhances historic, cultural, and natural resources.''

After considering impacts to each resource area by alternative, DOE has identified Alternative 3, Reduced Operations, as the environmentally preferable alternative. Alternative 3 was identified as having the fewest direct impacts to the physical environment and to worker and public health and safety because all operations would be at the lowest levels. However, the analyses indicate that there would be very little difference in the environmental impacts among the alternatives analyzed. The major discriminators among alternatives are collective worker risks due to radiation exposure, socioeconomic effects due to LANL employment changes, and electrical power demand. Therefore, Reduced Operations would have the fewest impacts and Expanded Operations would have the most.

Environmental Impacts of Alternatives

DOE weighed environmental impacts as one factor in its decision making. DOE analyzed the potential impacts that might occur to land resources; geology, geological conditions, and soils; water resources, air quality; ecological and biological resources, human health, environmental justice, cultural resources; and socioeconomic, infrastructure, and waste management for the four alternatives. DOE considered the impacts that might occur from use of special nuclear materials, facility accidents, and the transportation of radioactive and other materials associated with LANL operations. DOE considered the impacts of projects and activities associated with each alternative, the irreversible or irretrievable commitments of resources, and the relationship between short-term uses of the environment and the maintenance and enhancement of long-term productivity.

The highest resource impacts under any of the alternatives will be to the electrical power infrastructure. Peak electrical demand under the Reduced Operations Alternative exceeds supply during the winter months and may result in periodic brownouts. Peak electrical demand under the No Action, Expanded Operations, and Greener Alternatives exceeds the power supply in both winter and summer, when this may result in periodic brownouts. (Power supply to the Los Alamos area has been a concern for a number of years, and DOE continues to work with other users in the area and power suppliers to increase supply and reduce use.)

Nonradioactive hazardous air pollutants would not be expected to degrade air quality or affect human health under any of the alternatives. The differences in activities among the alternatives do not result in large differences in chemical usage. The activities at LANL are such that large amounts of chemicals are not typically used in any industrial process at LANL (compared to what may be used in commercial manufacturing facilities); but research and development activities involving many users dispersed throughout the site are the norm. Air emissions are, therefore, not expected to change by a magnitude that would, for example, trigger more stringent regulatory requirements or warrant continuous monitoring. Radioactive air emissions change slightly, but are within a narrow range due to the controls placed on these types of emissions and the need to assure compliance with regulatory standards. The collective population radiation doses from these emissions range from about 11 person-rem per year to 33 person-rem per year across the alternatives, and the radiation dose to the maximally exposed individual ranges from 1.9 millirem per year to 5.4 millirem per year across the alternatives. These doses were considered in the human health impact analysis.

The total radiological doses from normal operations over the next 10 years to the public under any of the alternatives are relatively small and are not expected to result in any excess latent cancer fatalities (LCFs) to members of the public. Additionally, exposure to chemicals due to LANL operations under any of the alternatives is not expected to result in significant effects to either workers or the public. Exposure pathways associated with the traditional practices of communities in LANL area (special pathways) would not be expected to result in human health effects under any of the alternatives. The annual collective radiation dose to workers at LANL ranges from 170 person-rem per year to 833 person-rem per year across the alternatives. These dose levels would be expected to result in from 0.07 to 0.33 excess LCFs per year of operation, respectively, among the exposed workforce. These impacts, in terms of excess LCFs per year of operation, reflect the numbers of excess fatal cancers estimated to occur among the exposed members of the work force over their lifetimes per year of LANL operations. These impacts form an upper bound, and the actual consequences could be less, but probably would not be worse.

Worker exposures to physical safety hazards are expected to result in a range of 417 (Reduced Operations) to 507 (Expanded Operations) reportable cases each year; typically, such cases would result in minor or short-term effects to workers, but some of these incidents could result in long-term health effects or even death.

LANL employment (including the University of California employees and those of the two subcontractors with the largest employment among LANL subcontractors) ranges from 9,347 (Reduced Operations) to 11,351 (Expanded Operations) full-time equivalents across the alternatives, as compared to 9,375 LANL full-time equivalents in 1996. These changes in employment would result in changes in regional population, employment, personal income, and other socioeconomic measures. Under any of the alternatives, these secondary effects would change existing conditions in the region by less than 5 percent.

Water demand for LANL ranges from 602 million gallons (2,279 million liters) per year to 759 million gallons (2,873 million liters) per year across the alternatives; the total water demand (including LANL and the residences and other businesses and agencies in the area) is within the existing DOE Rights to Water, and would result in average drops of 10 to 15 feet (3.1 to 4.6 meters) in the water levels in DOE well fields over the next 10 years. Usage, therefore, will remain within a fairly tight range among the alternatives. The related aspect of wastewater discharges is also within a narrow range for that reason. Outfall flows range from 218 to 278 million gallons (825 to 1,052 million liters) per year across the alternatives, and these flows are not expected to result in substantial changes to existing surface or groundwater quantities. Outfall flows are not expected to result in substantial surface contaminant transport under any of the alternatives. However, since mechanisms for recharge to groundwater are highly

uncertain, it is possible that discharges under any of the alternatives could result in contaminant transport in groundwater and off the site, particularly beneath Los Alamos Canyon and Sandia Canyon, which have increased outfall flows. The outfall flows associated with the Expanded Operations and Greener Alternatives reflect the largest potential for such contaminant transport, and the flows associated with the Reduced Operations Alternative have the least potential for such transport.

There is little difference in the impacts to geology, geological conditions, and soils across the alternatives. Wastewater discharge volumes with associated contaminants do change across the alternatives, but not to a degree noticeable in terms of impacts (such as causing soil erosion, for example). Under all of the alternatives, small quantities (as compared to existing conditions) of contaminants would be deposited in soils due to continued LANL operations, and the Environmental Restoration Project would continue to remove existing contaminants at sites to be remediated. Geological mapping and fault trenching studies at LANL are currently under way or recently completed to better define the rates of fault movements, specifically of the Pajarito Fault, and the location and possible southern termination of the Rendija Canyon Fault. Ongoing and recently completed seismic hazard studies indicate that slip rates (recurrence intervals for earthquakes) are within the parameters assumed in the 1995 seismic hazards study at LANL.

There is little difference in the impacts to land resources between the No Action, Reduced Operations, and the Greener Alternatives. Differences among the alternatives are primarily associated with operations in existing facilities, and very little new development is planned. Therefore, these impacts are essentially the same as currently experienced. The Expanded Operations Alternative has very similar land resources impacts to those of the other three alternatives, with the principal differences being attributable to the visual impacts of lighting along the proposed transportation corridor between the Plutonium Facility and the Chemistry and Metallurgy Research Building (this corridor will not be built under the Preferred Alternative) and the noise and vibration associated with increased frequency of high explosives testing (as compared to the other three alternatives).

No significant adverse impact to ecological and biological resources is projected under any of the alternatives. The separate analyses of impacts to air and water resources constitute some of the source information for analysis of impacts in this area; as can be seen from the above discussion, the variation across the alternatives is not of a sufficient magnitude to cause large differences in effects. The impacts of the Expanded Operations Alternative differ from those of the other alternatives in that there is some projected loss of habitat; however, this habitat loss is small (due to limited new construction) compared to available similar habitat in the immediate vicinity.

DOE expects no environmental justice impacts from the operation of LANL under any of the alternatives, i.e., projected impacts are not disproportionately high for minority or low-income populations in the area. DOE also analyzed human health impacts from exposure through special pathways, including ingestion of game animals, fish, native vegetation, surface waters, sediments, and local produce; absorption of contaminants in sediments through the skin; and inhalation of plant materials. The special pathways have the potential to be important to the environmental justice analysis because some of these pathways may be more important or viable for the traditional or cultural practices of minority populations in the area. However, human health impacts associated with these special pathways also will not present disproportionately high and adverse impacts to minority or low-income populations.

Under all of the Site-Wide Environmental Impact Statement alternatives, there is a negligible to low potential for impacts to archaeological and historic resources due to shrapnel and vibration caused by explosives testing and contamination from emissions. Potential impacts will vary in intensity in accordance with the frequency of explosives tests and the operational levels that generate emissions (e.g., Reduced Operations would reflect the lowest potential, and Expanded Operations would reflect the highest potential). Recent assessments of prehistoric resources indicate a low potential compared to the effects of natural conditions (wind, rain, etc.). In addition to these potential impacts, the Expanded Operations Alternative includes the expansion of the low-level waste disposal site at Technical Area-54, which contains several National Register of Historic Places sites; if any significant cultural resources will be adversely effected by the undertaking, DOE will consult with the New Mexico State Historic Preservation Office and other consulting parties to resolve the adverse effect.

The potential impacts to specific traditional cultural properties would depend on their number, characteristics, and location. Such resources could be adversely affected by changes in water quality and quantity, erosion, shrapnel from explosives testing, noise and vibration from explosives testing, and contamination from ongoing operations. Such impacts would vary in intensity in accordance with the frequency of explosive tests and the operational levels that generate emissions. The current practice of consultation would continue to be used to provide opportunities to avoid or minimize adverse impacts to any traditional cultural properties located at LANL.

LANL chemical waste generation ranges from 3,173 to 3,582 tons (2,878,000 to 3,249,300 kilograms) per year across the alternatives. LANL low-level waste generation, including low-level mixed waste, ranges from 338,210 to 456,530 cubic feet (9,581 to 12,837 cubic meters) per year across the alternatives. LANL transuranic (TRU) waste generation, including mixed TRU waste, ranges from 6,710 to 19,270 cubic feet (190 to 547 cubic meters) across the alternatives. Disposal of these wastes at on-site or off-site locations is projected to constitute a relatively small portion of the existing capacity for disposal sites; disposal of all LANL low-level waste on the site would require expansion of the low-level waste disposal capacity beyond the existing footprint of Technical Area-54 Area G under all alternatives (although this is only included in the analysis of the Expanded Operations Alternative).

Radioactively contaminated space in LANL facilities would increase by about 63,000 square feet (5,853 square meters) under the No Action, Reduced Operations, and Greener Alternatives (due primarily to actions previously reviewed under NEPA but not fully implemented at the time the existing contaminated space estimate was established [May 1996]). The Expanded Operations Alternative would increase contaminated space in LANL facilities by about 73,000 square feet (6,782 square meters). The creation of new contaminated space causes a clean-up burden in the future, including the generation of radioactive waste for treatment and disposal; the actual impacts of such clean-up actions are highly uncertain because they are dependent on the actual characteristics of the facilities, the technologies

available, and the applicable requirements at the time of the cleanup.

Incident-free transportation associated with LANL activities over the next 10 years would be conservatively expected to cause radiation doses that would result in about one excess latent cancer fatality to a member of the public and two excess latent cancer fatalities to members of LANL workforce over their lifetimes under each of the Site-Wide Environmental Impact Statement alternatives. There is little variation in impacts because effects are small, and the increased transport of radioactive materials is not enough to make a significant change in those small effects.

Transportation accidents without an associated cargo release over the next 10 years of LANL operations are conservatively projected to result in from 33 to 76 injuries and 3 to 8 fatalities (including workers and the public) across the alternatives. The bounding off-site and on-site transportation accidents over the next 10 years involving a release of cargo would not be expected to result in any injuries or fatalities to members of the public for any of the alternatives. Accidents were analyzed by type of material, and the maximum quantities were selected for analysis. These parameters do not change across the alternatives. Total risk also does not change appreciably across the alternatives because the frequency of shipments does not vary enough to substantially influence the result.

The accident analyses (other than transportation and worker physical safety incidents/accidents) considered a variety of initiators (including natural and manmade phenomena), the range of activities at LANL, and the range of radioactive and other hazardous materials at LANL. Transportation accidents and the relatively frequent worker physical safety incidents/accidents were considered separately. The accidents discussed below are those that bound the accident risks at LANL (other than transportation and physical safety incidents/accidents).

The operational accident analysis included four scenarios that would result in multiple source releases of hazardous materials: three due to a site-wide earthquake and one due to a wildfire, resulting in three different degrees of consequences and one wildfire scenario. These four scenarios dominate the radiological risk due to accidents at LANL because they involve radiological releases at multiple facilities and are considered credible (that is, they would be expected to occur more often than once in a million years), with the wildfire considered likely. Another earthquake-initiated accident, labeled RAD–12, is facility-specific (to Building Technical Area–16–411) and is dominated by the site-wide earthquake accidents due to its very low frequency (about 1.5×10^{-6} per year). It is noteworthy that the consequences of such earthquakes are dependent on the frequency of the earthquake event, the facility design, and the amount of material that could be released due to the earthquake; such features do not change across the alternatives, so the impacts of these accidents are the same for all four alternatives. The risks were estimated conservatively in terms of both the frequency of the events and the consequences of such events. (In particular, it is noteworthy that the analysis assumes that any building that would sustain structural or systems damage in an earthquake scenario does so in a manner that creates a path for release of material outside of the building.) The total risk of an accident is the product of the accident frequency and the consequences to the total population within 50 miles (80 kilometers). This risk ranges from 0.046 (SITE–01, i.e., seismic event) and 0.034 (SITE–04, i.e., wildfire event) excess latent cancer fatalities per year of operation, to extremely small numbers for most of the radiological accidents. The risk for release of chemicals, such as chlorine, is calculated similarly as the product of the frequency and numbers of people exposed to greater than the selected guideline concentration, Emergency Response Planning Guideline (ERPG)–2. (ERPG–2 is the maximum airborne concentration below which it is believed that nearly all individuals could be exposed for up to 1 hour without irreversible or serious health effects or symptoms that could impair their abilities to take protective action). Under all alternatives, the risks for chemical releases range from 6.4 (SITE–01) people exposed per year of operation to extremely small numbers for some chemical releases. In general, such earthquakes would be expected to cause fatalities due to falling structures or equipment; this also would be true for LANL facilities. Thus, worker fatalities due to the direct effects of the earthquakes would be expected. Worker injuries or fatalities due to the release of radioactive or other hazardous materials would be expected to be small or modest increments to the injuries and fatalities due to the direct effects of the earthquakes.

Comments on the Final Site-Wide Environmental Impact Statement

DOE distributed approximately 500 copies of the final Site-Wide Environmental Impact Statement to Congressional members and committees, the State of New Mexico, various American Indian Tribal governments and organizations, local governments, other Federal agencies, and the general public. Comments were received from the U.S. Department of the Interior (DOI) and Chestnut Law Offices, representing San Ildefonso Pueblo. The U.S. Environmental Protection Agency (EPA) did not provide comments on the final Site-Wide Environmental Impact Statement stating in the **Federal Register** (64 FR 18901) that ''Review of the FEIS was not deemed necessary. No formal comment letter was sent to the preparing agency.''

DOI identified two areas of concern with the final Site-Wide Environmental Impact Statement. The first concern is that the Site-Wide Environmental Impact Statement does not adequately assess the direct, indirect, and cumulative effects of programs and activities associated with the continued operation of LANL either on or off the site. DOI maintains that the existing impacts from the environmental baseline should be quantified and not restricted to the evaluation of only two site-specific projects. DOI further states that while programs and activities that are proposed or under way may help to reduce adverse impacts, these programs and activities were not adequately evaluated in the Site-Wide Environmental Impact Statement.

Chapter 4 (Volume I) of the Site-Wide Environmental Impact Statement presents the environmental setting and existing conditions associated with LANL operations. The information presented in Chapter 4 forms a baseline for use in evaluating the environmental impacts of the four Site-Wide alternatives. For all alternatives, assessment of significance was accomplished both quantitatively where data and analysis were available, and qualitatively. The assessment of the potential effects, both positive and adverse, of the Expanded Operations, Reduced Operations, Greener, and No Action Alternatives was based on the degree of change from baseline conditions and was presented in Chapter 5 (Volume I) of the Site-Wide Environmental Impact Statement. DOE integrated many programs and activities, including the Natural Resources Management Plan (see Mitigation Measures), that would reduce adverse impacts in its analysis of environmental impacts.

DOI's second concern is threatened and endangered species protection at LANL. DOI does not concur with DOE's determination that implementation of

the Expanded Operation Alternative may affect but would not likely adversely affect four listed species at LANL. The DOI believes that measures necessary to reduce impacts to threatened and endangered species that are identified through the consultation process should be incorporated into the Site-Wide Environmental Impact Statement as required measures.

On April 29, 1999, subsequent to DOI's submittal of comments on the final Site-Wide Environmental Impact Statement, DOE initiated formal section 7 consultation between the DOI and DOE for DOE's proposal to expand existing operations at LANL. DOE sees this consultation process as an opportunity to further the stewardship of listed species provided by the recently implemented Threatened and Endangered Species Management Plan for LANL. Based on communications with the U.S. Fish and Wildlife Service, DOE anticipates that the Service will issue a Biological Opinion in the near future. Upon its receipt DOE will continue to coordinate with the Service the integration into the operation of LANL of any needed measures recommended in the Biological Opinion that will contribute to the welfare of listed species. DOE believes that this process should proceed on a separate, parallel track from that of the Site-Wide Environmental Impact Statement process.

The Chestnut Law Offices, representing San Ildefonso Pueblo, identified three issues of concern with the final Site-Wide Environmental Impact Statement. First, Chestnut Law Offices states that the environmental justice analysis is flawed because it divides San Ildefonso Pueblo into several different segments thereby not indicating any adverse impacts to the Pueblo. Chestnut Law Offices states that most environmental risk is at the perimeter of the laboratory directly affecting San Ildefonso Pueblo, and that the Site-Wide Environmental Impact Statement determines there is no greater impact on the Pueblo than on other disadvantaged communities. Chestnut Law Offices states that this approach in environmental justice analysis does not comply with Federal law and is inadequate.

DOE prepared the environmental justice analysis in accordance with guidance from the Council on Environmental Quality and Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. The segments referred to in the comments were used to identify and highlight the locations of low-income and/or minority populations for the impact analyses. Using this tool, the San Ildefonso Pueblo was identified as housing minority and/or low-income populations for consideration in the Environmental Justice analysis. DOE has not identified any disproportionately high and adverse human health or environmental impacts on minority or low-income populations under any of the alternatives analyzed in the Site-Wide Environmental Impact Statement. To the extent that there is a potential for adverse impacts, DOE analysis has shown that most of the impact would affect all populations equally. In the cases of air emissions and on-site transportation, the residential populations nearest to LANL, which have a relatively low percentage of minority and low-income populations, would be affected to a greater extent than other populations within the 50-mile radius.

The impacts addressed in the environmental justice analysis in the Site-Wide Environmental Impact Statement include land resources, geology, soils, water resources, ecological resources, air quality, human health, waste management, socioeconomic, and transportation. This analysis includes the projected impacts due to contamination in the area from past LANL activities. As part of its human health impact analysis, DOE looked at potential exposure through special pathways, including ingestion of game animals, fish, native vegetation, surface waters, sediments, and local produce; absorption of contaminants in sediments through the skin; and inhalation of plant materials. For LANL, the special pathways influence the environmental justice analysis because some of these pathways are more important or viable to the traditional or cultural practices of minority populations in the area. Even considering these special pathways, DOE did not find disproportionately high and adverse health impacts to minority or low-income populations.

The Chestnut Law Offices' second concern is groundwater contamination due to LANL activities. The Chestnut Law Offices states that the final Site-Wide Environmental Impact Statement does not address the recent groundwater contamination but downplays it, and that this section of the Site-Wide Environmental Impact Statement should be re-evaluated.

DOE believes that drinking water quality in the Los Alamos area continues to meet all Federal and New Mexico chemical and radiological standards. In February 1999 DOE discovered, as part of implementing the Hydrogeologic Workplan (the multi-year effort to characterize the flow and extent of contamination of the main aquifer), high explosives contamination while drilling a well (R–25) in the western part of the Laboratory. Based on current knowledge, DOE believes it will take at least 50 years for these contaminants to reach the drinking water production wells approximately three and a half miles to the East of R–25. DOE has and will continue to sample the drinking water to ensure it is safe. Groundwater monitoring data from implementation of the Hydrogeologic Workplan is still under review and evaluation. As new information becomes available, the LANL Environmental Surveillance and Compliance Program will be revised to incorporate the additional data.

Chestnut Law Offices' third concern is that the Site-Wide Environmental Impact Statement does not consider the shutdown of the low-level waste disposal area, Area G, a reasonable alternative. The commentor states the alternatives in the Site-Wide Environmental Impact Statement are based on the assumption that LANL will be a regional low-level waste disposal site. The commentor believes the Site-Wide Environmental Impact Statement does not analyze the possibility that another site may be chosen as the regional low-level waste disposal site, thereby providing the opportunity for the waste to be removed from Area G. The commentor states this is a serious flaw since it does not anticipate a clearly reasonable alternative in light of existing planning documents.

The shutdown of the low-level waste disposal area, Area G, was not considered a reasonable alternative for analysis in the Site-Wide Environmental Impact Statement because Area G has a unique capability for the disposal of certain wastes generated by LANL. Such wastes include classified wastes and other wastes that would be difficult to transport to other sites. The Expanded Operations Alternative was the only alternative that analyzed the impacts of LANL being chosen as a regional low-level waste disposal site.

Under the Waste Management Programmatic Environmental Impact Statement, which evaluated locations for treatment and disposal of low-level radioactive waste and mixed low-level radioactive waste, these wastes would be treated on the site at LANL and disposed of at a regional site to be determined after consultation with stakeholders. One of the potential regional disposal sites for low-level waste is LANL. Therefore, in the Expanded Operations Alternative, the Site-Wide Environmental Impact

Statement addressed treatment and disposal of LANL-generated low-level waste, as well as disposal of off-site generated low-level waste. The Expanded Operations Alternative analyzes the environmental impacts and the footprint needed at Area G to allow for the implementation of this alternative.

If LANL is not selected as a regional disposal site, some low-level waste could be sent off-site for disposal, as reflected in the No Action, Reduced, and Greener Alternatives. The current low-level waste capacity available at Area G is limited. If LANL were selected as a regional disposal site, the expansion of Area G would occur at the fastest rate. If LANL continues to dispose of its own wastes, the expansion would still occur, but at a slower rate. Currently LANL generates some low-level waste that, primarily because of its size and shape, does not meet the acceptance criteria for disposal at other DOE sites, such as the Nevada Test Site. However, the decision as to the ultimate treatment and disposal of low-level waste and mixed low-level waste will be made in a Record of Decision for the Waste Management Programmatic Environmental Impact Statement.

It should also be noted that the EPA, State of New Mexico, and representatives of the Pueblos (four Accord Pueblos) near LANL were invited to review and comment on the Classified Supplement for the Draft Site-Wide Environmental Impact Statement (EPA declined the invitation). Comments from that review were received shortly after the final Site-Wide Environmental Impact Statement was issued. This final Classified Supplement and all comments provided were considered in reaching the decisions in this Record of Decision.

Other Decision Factors

As noted in the final Site-Wide Environmental Impact Statement, LANL houses unique facilities and expertise that have been developed over the past 50 years. These have served several National Security and other national needs in the past. It is expected that, for the foreseeable future, the U.S. will maintain a nuclear weapons stockpile and require ''cutting edge'' science and manufacturing capabilities to address issues of national importance for the maintenance of that stockpile and for other purposes, including assuring the safety and reliability of that stockpile. The unique facilities and expertise at LANL are needed to assist in finding solutions to these issues. As noted in the final Site-Wide Environmental Impact Statement, LANL's role in supporting DOE's missions has expanded as the DOE nuclear weapons complex has been downsized over the last decade. Additionally, it is expected that there will be continued emphasis on applying the unique capabilities at LANL to support DOE's basic science mission and to apply technologies developed in DOE laboratories to improve the U.S. technological position and competitiveness. These factors were also considered (in addition to the human health and environmental impact information discussed above) in reaching this Record of Decision.

Decisions

DOE has decided to continue to operate LANL for the foreseeable future and to expand the scope and level of its operations at LANL. DOE is implementing the Preferred Alternative, that is Alternative 2, Expanded Operations, but with pit production limited to a capacity that can be accommodated within the limited space currently set aside for this activity in the plutonium facility (estimated at nominally 20 pits per year). This alternative reflects a broad expansion of science and technology research, and applications of this research to a variety of issues of national importance; this alternative also includes the continued maintenance of existing and expanded capabilities, and continued support/infrastructure activities. The following discussion describes the major actions to be taken, with an emphasis on those areas that have had the most extensive programmatic or public interest.

It should be noted that the decisions in this Record of Decision will be reflected in DOE budget requests and management practices. However, the actual implementation of these decisions is dependent on DOE funding levels and allocations of DOE budget across competing priorities.

Pit Production and Other Plutonium Operations

DOE remains committed to meeting pit production requirements to support the enduring nuclear weapons stockpile. As part of its implementation of the Preferred Alternative, DOE will establish, over time, a pit production capability at LANL with a capacity of nominally 20 pits per year; this decision reflects an intent to establish a pit production capability at LANL within the existing floor space set aside for this operation (about 11,400 ft^2 [1060 m^2]). This will eliminate the need to transfer several Technical Area-55 plutonium operations (to ''make room'' for pit production activities in Technical Area-55) either to the CMR Building, or to newly constructed nuclear space, as contemplated in the Site-Wide Environmental Impact Statement. Thus, the Preferred Alternative for Pit Production can be implemented without an expansion of the plutonium operations floor space at LANL. The exact production capacity of this floor space is not known with certainty (pending process optimization studies), but has been characterized as nominally 20 pits per year. This level provides adequate capacity to meet the near-term pit production requirements to maintain the enduring stockpile (about 20 pits per year), as expressed in the Record of Decision for the Stockpile Stewardship and Management Programmatic Environmental Impact Statement. While this does not change the 50-pit-per-year mission assignment made in the Stockpile Stewardship and Management Programmatic Environmental Impact Statement Record of Decision, it does suspend full implementation of that decision until an undetermined time in the future.

Implementation of the pit production mission at LANL will be phased. The first pit for delivery to the U.S. nuclear weapons stockpile will be made in 2001. It is expected that, through equipment installation in existing facilities, the limited production capacity of nominally 20 pits per year will be achieved in 2007. At these levels of production, there is no need to move plutonium operations from the Plutonium Facility, Technical Area-55, to the CMR Building, and there is no need to construct a corridor between Technical Area-55 and Technical Area-3. Thus, DOE has decided not to move these operations or construct the road at this time.

Chemistry and Metallurgy Research Building—As the Site-Wide Environmental Impact Statement was being prepared, DOE was working on two sets of information associated with CMR operations: (1) Establishment of a modern authorization basis for these operations (referred to as the CMR Basis for Interim Operations, or BIO); and, (2) studies of the seismicity of the Technical Area-55 and Technical Area-3 areas. Both sets of information are included in the impact analyses in the Site-Wide Environmental Impact Statement (where details were not known, the analyses in the Site-Wide Environmental Impact Statement were, in fact, bounding of the details determined through these efforts). Through this effort, it became apparent that the subprojects included in the CMR Upgrades Construction Project should be reprioritized and oriented to provide for the continued safe operation

of the CMR Building through about 2010. The single most substantive change in this project was to replace the proposed seismic upgrades with a combination of material containerization, a reduction in the amount of Material at Risk (or MAR, which is the amount of in-process material that would be subject to release if there were a catastrophic accident), and a substantial reduction in the amount of combustible material allowed in the CMR Building. With these controls in place, the worst-case plausible accidents involving the CMR Building would have minimal effects on public health (effects would be within applicable guidelines intended to protect human health).

The 1996 Stockpile Stewardship and Management Programmatic Environmental Impact Statement analyzed the environmental impacts of locating a pit manufacturing capability at either LANL or the Savannah River Site. In December 1996, DOE issued a Record of Decision reestablishing the pit manufacturing mission at LANL. In August 1998, the U.S. District Court for the District of Columbia, while ruling in DOE's favor in litigation challenging the adequacy of the Stockpile Stewardship and Management Programmatic Environmental Impact Statement, directed DOE to take another look at certain new studies regarding seismic hazards at LANL, and to provide a factual report and technical analysis of the plausibility of a building-wide fire at LANL's plutonium facility (PF–4 at Technical Area-55). The Court directed that DOE prepare a Supplement Analysis, pursuant to DOE's NEPA regulations (10 CFR 1021.314(c)), to help determine whether a supplemental Stockpile Stewardship and Management Programmatic Environmental Impact Statement should be issued to address these studies. These seismic studies have been released to the public and are examined in more detail in the draft Supplement Analysis released for public review and comment on July 1, 1999. On September 2, 1999, DOE issued a final Supplement Analysis and determined that none of the issues analyzed in the Supplement Analysis represents substantial changes to the actions considered in the Stockpile Stewardship and Management Programmatic Environmental Impact Statement, nor do those issues provide significant new information relevant to the environmental concerns discussed in that Programmatic Environmental Impact Statement. Therefore no supplement to that Programmatic Environmental Statement is required.

Secondaries

While LANL was considered as a production site for secondaries (components of a nuclear weapon that contains elements needed to initiate the fusion reaction in a thermonuclear reaction) in the Stockpile Stewardship and Management Programmatic Environmental Impact Statement, this mission was assigned to the Y–12 plant at Oak Ridge, Tennessee. However, DOE expects LANL to maintain an understanding of secondary production technologies, as well as the characteristics of War Reserve secondaries in the stockpile.

Tritium

LANL will continue to support both research and development and production activities involving tritium (neutron tube target loading for nuclear weapons stockpile components). These will include development of new reservoirs and reservoir fill operations, surveillance and performance testing on tritium components, tritium recovery and purification technologies, and production operations associated with neutron generator production for the stockpile. The expansion of these activities results in: (1) tritium throughputs on an annual basis increase by a factor of up to 2.5; and (2) the on-site inventory of tritium increases by a factor of 10.

High Explosives Processing and Testing

Operations in this area will increase such that annual explosives throughput will increase to about 82,700 pounds, and the annual mock explosives throughput will increase to about 2,910. These quantities include continued research, development, and fabrication of high-power detonators, including support of up to 40 major product lines per year in support of the Stockpile Stewardship and Management program. In addition, the number of hydrodynamic tests will increase to about 100 per year; the annual amount of depleted uranium will increase to about 6,900 pounds.

Accelerator Operations

DOE will implement several facility construction or modification projects at Technical Area–53: the Long-Pulse Spallation Source, the 5-Megawatt Target/Blanket Experimental Area, the Dynamic Experiment Laboratory, and the Isotope Production Facility.

Expansion of Technical Area–54/Area G Low-Level Waste Disposal Area

As part of the implementation of the Preferred Alternative, DOE will continue the on-site disposal of LANL generated low-level waste using the existing footprint at Area G low-level waste disposal area and will expand disposal capacity into Zones 4 and 6 at Area G (this expansion would cover up to 72 acres [29 hectares]). DOE will develop both Zones 4 and 6 in a step-wise fashion, expanding these areas as demand requires.

Mitigation Measures

The Site-Wide Environmental Impact Statement included a discussion of existing programs and plans and controls built into the operations at LANL, including operating within applicable regulations, DOE Orders, contractual requirements and approved policies and procedures. The following discussion outlines the mitigation measures that DOE will undertake to reduce the impacts of continuing to operate LANL at the levels outlined in this Record of Decision.

Electrical Power

The Site-Wide Environmental Impact Statement recognizes the need for an increase in electrical power supply and reliability under the Preferred Alternative as well as other alternatives analyzed. The impact analyses emphasize the severity of these issues and consequences if they are not resolved, e.g., brownouts. Solutions to power supply issues are essential to mitigate the effects of power demand under all alternatives. An operating plan for improved load monitoring, equipment upgrades, and optimization of some available power sources was discussed. Additional measures under consideration by DOE include: (1) Limiting operation of large users of electricity to periods of low demand, and contractual mechanisms to bring additional electric power to the region and some form of on-site cogeneration as an incremental resource. DOE and other users of electrical power in the area have been working with suppliers to resolve these foreseeable power and reliability issues. One solution under consideration for improved reliability is the provision of a third power line from the existing Public Service Company of New Mexico Norton substation to the existing LANL substations. This solution could include a new LANL substation. In any case, DOE is committed to manage electric power demands to prevent periods of brownouts by adjusting to the limitations of available power until a solution for a long-term increase in power is in place. DOE is also committed to approve and begin implementing a Utility Procurement Plan by November 1999.

Water Supply and Demand

Prior to September 8, 1998, DOE supplied all potable water for LANL, Bandelier National Monument, and Los Alamos County, including the towns of Los Alamos and White Rock. This water was derived from DOE's groundwater right to withdraw 5,541.3 acre-feet or about 1,806 million gallons of water per year from the main aquifer. On this date, DOE leased these rights to the County of Los Alamos. This lease also included DOE's contracted annual right obtained in 1976 to 1,200 acre-feet of San Juan-Chama Transmountain Diversion Project water. This lease agreement is effective for three years, at which point DOE expects to convey 70 percent of the water right to the County of Los Alamos and lease the remaining 30 percent to them. The San Juan-Chama rights will be transferred in their entirety to the County. On several occasions since 1986 through 1998, LANL operations have exceeded 30 percent of the total DOE annual water right. The agreement between DOE and the County does not preclude provision of additional waters in excess of the 30 percent agreement, if available. However, the agreement also states that should the County be unable to provide water to its customers, the County shall be entitled to reduce water services to DOE in an amount equal to the water rights deficit.

DOE is committed to managing water demand to prevent exceedances of DOE water rights. LANL will develop and implement by June 2000 procedures to assure that all new projects will implement water conservation design and techniques. LANL will also develop water conservation goals and begin implementing them by October 2001.

Waste Management

DOE is committed to the proper management and minimization of all wastes. LANL will integrate waste minimization into Integrated Safety Management by October 2000. By June 2000 LANL will develop and implement procedures to assure that all new projects will implement waste minimization for TRU and mixed TRU waste streams. In addition LANL will reduce by December 2005 waste from routine operations by 80% using 1993 as a baseline for hazardous, low-level radioactive, and mixed low-level radioactive wastes. Also, LANL will recycle 40% of sanitary waste from routine operations by December 2005.

LANL will also purchase EPA-designated items with recycled content according to the conditions of Executive Order 12873. A LANL Implementing Requirement for waste minimization activities is currently in draft.

Wildfire

The final Site-Wide Environmental Impact Statement included an accident scenario from a wildfire that was initiated on land adjacent to LANL and spread to the LANL site. The analysis concluded that a major fire is not only credible but also likely. The current and future risks of wildfires at LANL can only be mitigated through purposeful environmental intervention and active land management. LANL will develop by December 1999 a preliminary program plan for comprehensive wildfire mitigation, including construction and maintenance of strategic fire roads and fire breaks, creation of defensible space surrounding key facilities, and active forest management to reduce fuel loadings. LANL will prepare and begin implementation of a long-term strategy for wildfire mitigation actions before the start of the 2000 fire season.

Cultural Resources

DOE is committed through ongoing consultation processes with affected Native American tribes to ensure protection of cultural resources and sites of cultural, historic, or religious importance to the tribes. With input from the tribes participating in the Los Alamos Pueblos Project (LAPP), DOE will develop a strategy to increase the understanding of traditional cultural properties at LANL, to determine strategies for the long-term management of identified traditional cultural properties and sacred sites and to determine appropriate mitigation measures for specific traditional cultural properties. The strategies could include the development of access agreements to traditional cultural properties and sacred sites. In the past, attempts to identify specific traditional cultural properties at LANL have encountered concerns from traditional groups because of the potential for increased risk to these resources if they are individually identified; thus, DOE will explore the potential benefits and risks of such a study, and options to such a study, with the LAPP tribes. This approach is intended to ensure appropriate respect and consideration regarding cultural concerns, while attempting to provide the information and ability to mitigate or avoid potential impacts to traditional cultural properties (which are currently not specifically known, to a large extent). The goal of the consultation and coordination would be an agreement with the relevant Native American tribes for the management of these resources.

DOE will complete an Integrated Cultural Resource Management Plan (ICRMP) by April 2002. The ICRMP will detail how LANL will manage, preserve, and protect cultural resources within the scope of Federal and State laws, regulations, Executive Orders, standards, as well as to the extent practicable, follow Tribal criteria and guidelines. The ICRMP will provide a basis for a unified approach to address the multiplicity of cultural resources located on LANL lands. The plan will serve to streamline many of the administrative steps required by Federal and State laws and regulations. The scope of activities for the ICRMP would include development of the plan, completion of surveys of archeological resources and historic buildings, and implementation of long-term monitoring.

Natural Resources

DOE will develop and begin implementation of an integrated Natural Resources Management Plan (NRMP) by October 2002, which will integrate the principles of ecosystem management into the critical missions of LANL to conserve ecosystem processes and biodiversity. The NRMP will support DOE's policy to manage all of its land and facilities as valuable national resources. This stewardship will integrate LANL's mission and operations with its biological, water, soil, and air resources in a comprehensive plan that will guide land and facility use decisions. The plan will consider the site's larger regional context and be developed in consultation with regional land managing agencies and owners (particularly Bandelier National Monument, Santa Fe National Forest, and Native American Pueblos), State agencies, and the U.S. Fish and Wildlife Service. This cooperative effort will ensure a consistent, integrated, and structured approach to regional natural resource management.

The NRMP is viewed as a sequenced planning document that will include specific tasks and studies as part of the process of development. It will include new initiatives as well as integrating ongoing programs, plans, and activities at LANL, some of which may be reassessed to ensure their contribution to the goals and objectives of integrated ecosystem management.

Mitigation Action Plan

In accordance with 10 CFR 1021.331, DOE is preparing a Mitigation Action Plan that will identify specific actions

needed to implement these mitigation measures and provide schedules for completion. These mitigation measures represent all practicable means to avoid or minimize harm from the alternative selected.

Conclusion

DOE has considered environmental impacts, stakeholder concerns, and National policy in its decisions regarding the management and use of LANL. The analysis contained in the Site-Wide Environmental Impact Statement is both programmatic and site specific in detail. It is programmatic from the broad multi-use facility management perspective and site specific in the detailed project and program activity analysis. The impacts identified in the Site-Wide Environmental Impact Statement were based on conservative estimates and assumptions. In this regard, the analyses bound the impacts of the alternatives evaluated in the Site-Wide Environmental Impact Statement. The Expanded Operations Alternative was defined to include activities to implement the programmatic decisions made or that may be made as a result of other DOE Environmental Impact Statements (some of which are currently in progress). This Site-Wide Environmental Impact Statement and the analyses it contains can be used to support these future programmatic or project decisions.

In accordance with the provisions of NEPA, its implementing procedures and regulations, and DOE's NEPA regulations, I have considered the information contained within the Site-Wide Environmental Impact Statement, including the classified supplement and public comments received in response to the final Site-Wide Environmental Impact Statement. Being fully apprised of the environmental consequences of the alternatives and other decision factors described above, I have decided to continue and expand the use of LANL and its resources as described. This will enhance DOE's ability to meet its primary National security mission responsibility and create an environment that fosters technological innovation in both the public and private sectors.

Issued at Washington, DC, September 13, 1999.

Thomas F. Gioconda,

Brigadier General, USAF, Acting Assistant Secretary for Defense Programs.

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DEPARTMENT OF ENERGY

National Nuclear Security Administration

Notice of Intent to Prepare a Supplemental Environmental Impact Statement to the Final Site-Wide Environmental Impact Statement for Continued Operation of the Los Alamos National Laboratory

AGENCY: U.S. Department of Energy, National Nuclear Security Administration.

ACTION: Notice of Intent.

SUMMARY: Pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended (42 U.S.C. 4321 *et seq.*), the Council on Environmental Quality's (CEQ) and the U.S. Department of Energy's (DOE) regulations implementing NEPA (40 CFR parts 1500–1508 and 10 CFR part 1021, respectively), the National Nuclear Security Administration (NNSA), an agency within the DOE, announces its intent to prepare a supplemental site-wide environmental statement (S–SWEIS) to update the analyses presented in the Final Site-Wide Environmental Impact Statement for Continued Operation of the Los Alamos National Laboratory (SWEIS) (DOE/EIS–0238; January 1999). The purpose of this notice is to invite individuals, organizations, and government agencies and entities to participate in developing the scope of the S–SWEIS.

In its September 1999 Record of Decision (ROD) based on the SWEIS, DOE announced its decision to implement the Expanded Operations Alternative analyzed in the SWEIS, with modifications to weapons related production work (the Preferred Alternative), at Los Alamos National Laboratory (LANL). That decision is being implemented at LANL. Pursuant to 40 CFR 1502.20, the S–SWEIS will rely on and expand on the analysis in the original SWEIS. The No Action Alternative for the S–SWEIS is the continued implementation of the SWEIS ROD, together with other actions described and analyzed in subsequent NEPA reviews. The Proposed Action in the S–SWEIS will include changes since the SWEIS 1999 ROD.

DATES: NNSA invites comments on the scope of this S-SWEIS through February 27, 2005. NNSA will hold a public scoping meeting in Pojoaque, New Mexico, at the Pablo Roybal Elementary School on January 19, 2005, from 6 to 8 pm. Scoping comments received after February 27, 2005, will be considered to the extent practicable.

ADDRESSES: To submit comments on the scope of the S-SWEIS, questions about the document or scoping meeting, or requests to be placed on the document distribution list, please write or call: Ms. Elizabeth Withers (e-mail address: *lanl_sweis@doeal.gov;* mailing address: NNSA Los Alamos Site Office, NEPA Compliance Officer, 528 35th Street, Los Alamos, New Mexico, 87544; (toll free) telephone 1–877–491–4957; or Facsimile 505–667–9998).

FOR FURTHER INFORMATION CONTACT: For general information about the DOE NEPA process, please contact: Ms. Carol Borgstrom, Director, Office of NEPA Policy and Compliance (EH–42), U.S. Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585, 202–586–4600, or leave a message at 1–800–472–2756.

SUPPLEMENTARY INFORMATION: LANL is located in north-central New Mexico, 60 miles north-northeast of Albuquerque, 25 miles northwest of Santa Fe, and 20 miles southwest of Española in Los Alamos and Santa Fe Counties. It is located between the Jemez Mountains to the west and the Sangre de Cristo Mountains and Rio Grande to the east. LANL occupies about 40 square miles (104 square kilometers) and is operated for NNSA under contract, by the University of California. (The contract for LANL's management and operation is undergoing a competitive bid process; however, the selection of the LANL management and operations contractor in the future will not affect the nature of the NNSA and DOE work performed at LANL.)

LANL is a multidisciplinary, multipurpose institution primarily engaged in theoretical and experimental research and development. LANL has been assigned science, research and development, and production mission support activities that are critical to the accomplishment of the national security objectives (as reflected in the ROD for the September 1996 Final Programmatic Environmental Impact Statement for Stockpile Stewardship and Management (DOE/EIS–0236)). Specific LANL assignments will continue for the foreseeable future include production of War-Reserve products, assessment and certification of the stockpile, surveillance of the War-Reserve components and weapon systems, ensuring safe and secure storage of strategic materials, and management of excess plutonium inventories. LANL 's main role in the fulfillment of DOE mission objectives includes a wide range of scientific and technological capabilities that support nuclear materials handling, processing and fabrication; stockpile management; materials and manufacturing technologies; nonproliferation programs; and waste management activities.

The Final LANL SWEIS, issued in January 1999, considered the operation of LANL at various levels for about a 10-year period of time. Alternatives considered in that document were: No Action Alternative, the Expanded Operations Alternative, the Reduced Operations Alternative, and the Greener Alternative. In addition to providing an overview of the LANL site and its activities and operations, the SWEIS identified 15 LANL "Key Facilities" for the purposes of NEPA analysis. "Key

[1] Protection from public disclosure involving this kind of specific information is based upon 18 CFR 4.32(b)(3)(ii) of the Commission's regulations implementing the Federal Power Act.

Facilities'' are those facilities that house operations with the potential to cause significant environmental impacts; are of most interest or concern to the public based on scoping comments; or are facilities that would be the most subject to change due to potential programmatic decisions. The operations of these ''Key Facilities'' were described in the SWEIS and, together with other non-key facility functions, formed the basis of the description of LANL facilities and operations analyzed for their potential impacts. The Preferred Alternative was the Expanded Operations Alternative with certain reductions in weapons-related manufacturing capabilities. This alternative was chosen for implementation in the ROD issued in September 1999.

In mid-2004, NNSA undertook the preparation of a Supplement Analysis for the SWEIS pursuant to DOE's regulatory requirement to evaluate site-wide NEPA documents at least every 5 years (10 CFR 1021.330) and determine whether the existing EIS remains adequate, to prepare a new site-wide EIS, or prepare a supplement to the existing EIS. During the development of this Supplement Analysis, NNSA decided to proceed immediately with a supplement to the existing SWIES in order to expedite the NEPA process and to save time and money. DOE NEPA regulations (10 CFR 1021.314) require the preparation of a Supplemental EIS if there are substantial changes to a proposal or significant new circumstances or information relevant to environmental concerns. Substantial changes to the level of LANL operations may result from proposed, modified or enhanced activities and operations within LANL facilities (discussed later in subsequent paragraphs of this Notice), and new circumstances and information with regard to effects from the Cerro Grande Fire (which burned a part of LANL), a reduction in the size of the LANL reservation due to recent land conveyance and transfers, and contaminant migration have come to light over the past five years that could be deemed significant under 10 CFR 1021.314.

Since the issuance of the Final SWEIS in 1999, DOE and NNSA have finalized several environmental impact statements, environmental assessments (EA), and a special environmental analysis dealing with LANL operations and actions taken immediately after the 2000 Cerro Grande Fire. The activities analyzed in these NEPA documents and developing changes to the LANL environmental setting led NNSA to conclude it would be prudent and efficient to begin updating the SWEIS now by preparing a supplemental SWEIS. NNSA will use the S–SWEIS to consider the potential impacts of proposed modifications to LANL activities, as well as the cumulative impacts associated with on-going activities at LANL, on the changed LANL environment.

The S–SWEIS will provide a review of the impacts resulting from implementing the SWEIS ROD over the past 5 years at LANL and compare these impacts to the impacts projected in the SWEIS analyses for that alternative to provide an understanding of the SWEIS's ability to identify potential impacts. The S–SWEIS analyses will focus primarily on aspects of the existing environment that could be impacted by newly proposed changes to LANL operations at certain facilities and by environmental cleanup actions that could occur over the next 5 to 6 years in response to a consent order from the State of New Mexico. The S–SWEIS Proposed Action will analyze projected impacts anticipated from operating LANL at the 1999 ROD level for at least the next 5 years, with some modified work now being proposed at certain facilities. NNSA is considering proposed operational changes within at least two new ''Key Facilities'' at LANL:

- The Nicholas C. Metropolis Center for Modeling and Simulation (formerly called the Strategic Computing Complex), and
- The Nonproliferation and International Security Center (NISC).

The construction and operation of the Nicholas C. Metropolis Center for Modeling and Simulation were analyzed in a December 1998 EA and a finding of no significant impact (FONSI) for that proposed action was issued based on the impact analyses for operating the computational facility up to a 50–TeraOp platform (a TeraOp is a trillion floating point operations per second). The Center has been constructed and is currently operating below the operations level analyzed in the 1998 EA; however, NNSA proposes to increase the facility's operational capacity up to 100 TeraOps before 2009 with corresponding increases to the facility's consumption of water and electrical power resources. This proposed increase in the operating platform from 50 TeraOps up to 100 TeraOps will be analyzed in the S–SWEIS.

The NISC's construction and operation were analyzed in a July 1999 EA and a FONSI was issued for that proposed action based on the impact analyses for consolidating activities and operating the facility as it was envisioned at that time. The facility is currently operating as evaluated in the 1999 EA; however, NNSA is now proposing to move certain operations from the Technical Area 18 (TA–18) Pajarito Site (another of LANL's ''Key Facilities,'' which is also discussed in the following paragraph) into the NISC. This would change the amount of nuclear material stored in the facility, with corresponding potential increases to worker exposures in the case of a site accident. The proposed changes to operations and material stored in NISC will be analyzed in the S–SWEIS.

NNSA will also eliminate one former LANL ''Key Facility'' identified in the 1999 SWEIS—the TA–18 Pajarito Site. In its 2002 EIS (the TA–18 Relocation Final EIS (DOE/EIS–319)) and ROD, the NNSA decided to relocate TA–18 security category I and II operations and associated nuclear material to the Nevada Test Site. Implementation of the relocation decision began in 2004 and will continue over the next 5 years. After relocation of operations and materials, this facility will no longer be a LANL ''Key Facility'' within the meaning of the SWEIS, and therefore will not be listed as such a facility. There are certain proposals related to the relocation of the TA–18 security category III and IV operations and the disposition of the TA–18 facilities that were not analyzed in the 2002 EIS; these proposed actions and their projected impacts will be evaluated in the S–SWEIS impact analyses.

Certain aspects of operational changes, construction and activities that have occurred or are being proposed for LANL over the next 5 years that were not analyzed in the 1999 SWEIS will also be considered and analyzed in the S–SWEIS. Changes that have been made to existing LANL operations that will also be considered further in the S–SWEIS include some permanent modifications to on-going operations that have recently been made as a result of decreases in specific work and projects performed at some LANL facilities, and changes to the locations of various types of materials at risk (MAR) at LANL facilities or off-site locations. Examples of newly proposed actions at LANL include the remediation of 10 major material disposal areas (MDAs) at LANL; the operation of a Biosafety Level-3 (BSL–3) Facility (this facility will become part of an existing ''Key Facility'' at LANL, the former Health Research Laboratory (HRL) now known as the Bioscience Facilities); the construction and operation of a new solid waste transfer station, an office and light laboratory complex, a consolidated warehouse and truck inspection station, and a new

radiography facility; and recently proposed increases in the types and quantities of sealed sources accepted for waste management at LANL. Some of these newly proposed actions may be analyzed explicitly in the S–SWEIS in project specific analyses, while others may be analyzed in separate EAs to be prepared over the next several months, such as the new BSL–3 Facility EA. The potential impacts of the BSL–3 Facility will be included in the S–SWEIS evaluation of cumulative impacts, as will the impacts of all of the newly proposed actions. A comparison of the newly projected operational impacts will also be made to the projected impacts identified in the SWEIS.

The NEPA compliance process for the BSL–3 Facility at LANL has spanned several years. In early 2002, the NNSA issued an EA and FONSI for the construction and operation of the facility at LANL. Due to the need to consider new circumstances and information relevant to the actual construction of the BSL–3 Facility and its future operation, the NNSA withdrew the 2002 FONSI for operating this facility and determined that a new EA should be prepared that re-evaluates the proposed operations of the facility as it has been constructed. The new EA is currently being prepared and a draft EA will be issued for public review and comment in early 2005. The EA will be used by NNSA in making a decision about whether to issue a FONSI for operation of the BSL–3 Facility. If a FONSI cannot be issued, the analyses for the operation of the BSL–3 Facility will be included in the S–SWEIS Proposed Action.

In accordance with applicable DOE and CEQ NEPA regulations, the No Action Alternative will also be analyzed in the S–SWEIS. In this case, the No Action Alternative will be the continued implementation of the 1999 ROD at LANL over the next 5 years as this alternative was originally analyzed in the SWEIS, and will also include the implementation of other actions selected in DOE and NNSA RODs supported by separate NEPA reviews (specifically, actions analyzed since the issuance of the final SWEIS in the Final Environmental Impact Statement for the Conveyance and Transfer of Certain Land Tracts Administered by the U.S. Department of Energy and Located at Los Alamos National Laboratory, Los Alamos and Santa Fe Counties, New Mexico (DOE/EIS–293), the Final Environmental Impact Statement for the Proposed Relocation of Technical Area 18 Capabilities and Materials at Los Alamos National Laboratory (DOE/EIS–319), the Final Environmental Impact Statement for the Chemistry and Metallurgy Research Building Replacement Project at Los Alamos National Laboratory, Los Alamos, New Mexico (DOE/EIS–0350), and in about 20 various EAs and their associated FONSIs, as well as actions categorically excluded from the need for preparation of either an EA or an EIS). The Los Alamos Site Office has posted a list of EAs and their associated FONSIs that pertain to LANL operations dating from the completion of the 1999 SWEIS on their Web site at: *http://www.doeal.gov/LASO/nepa.* The full text of most of these EAs is also available through links provided at that Web site; copies of all of the documents may be obtained by contacting Ms. Withers at any of the addresses provided previously in this Notice.

Changes or new information have also surfaced regarding the environmental setting at LANL over the past 5 years that may affect future LANL operations, such as changes to LANL watersheds as the result of the Cerro Grande Fire, new information and changes resulting from thinning the forests around LANL, and the long-term effects from the regional drought. Additionally, there have been changes to both the number of LANL workers and to the surrounding population that have occurred or are being projected that are different from those on which the SWEIS socioeconomic and other impact analyses were based. To the extent that changes to or new information about the existing LANL environment may significantly affect natural and cultural resource areas originally considered in the 1999 SWEIS, projected impacts associated with implementing the Proposed Action over the next 5 years at LANL will be analyzed in the S–SWEIS.

Direct, indirect, and unavoidable impacts to the various natural and cultural resources present at LANL, together with irreversible and irretrievable commitments and mitigations, will also be analyzed in the S–SWEIS. Further, operational and site differences require a re-evaluation of LANL operational accident analyses and a new assessment and understanding of cumulative impacts of LANL operations will also be addressed.

Public Scoping Process: The scoping process is an opportunity for the public to assist the NNSA in determining the issues for impact analysis, and at least one public scoping meeting is held. The purpose of the scoping meeting is to provide attendees an opportunity to present oral and written comments, ask questions, and discuss concerns regarding the S–SWEIS with NNSA officials. Comments and recommendations can also be mailed to Elizabeth Withers at any of the identified addresses noted in the previous paragraphs of this Notice. The S–SWEIS meeting will use a format to facilitate dialogue between NNSA and the public and will be an opportunity for individuals to provide written or oral statements. NNSA welcomes specific comments or suggestions on the content of the document that could be considered. The potential scope of the S–SWEIS discussed in the previous portions of this Notice is tentative and is intended to facilitate public comment on the scope of this S–SWEIS. It is not intended to be all-inclusive, nor does it imply any predetermination of potential impacts. The S–SWEIS will describe the potential environmental impacts of the alternatives by using available data where possible and obtaining additional data where necessary. Copies of written comments and transcripts of oral comments provided to NNSA during the scoping period will be available at the following locations: Los Alamos Outreach Center, 1350 Central Avenue, Suite 101, Los Alamos, New Mexico, 87544; and the Zimmerman Library, University of New Mexico, Albuquerque, New Mexico 87131.

S–SWEIS Preparation Process: The S–SWEIS preparation process begins with the publication of this Notice of Intent in the **Federal Register**. After the close of the public scoping period, NNSA will begin developing the draft S–SWEIS. NNSA expects to issue the Draft S–SWEIS for public review in the fall of 2005. Public comments on the Draft S–SWEIS will be received during a comment period of at least 45 days following publication of the Notice of Availability. The Notice of Availability, also published in the **Federal Register**, along with notices placed in local newspapers, will provide dates and locations for public hearings on the Draft S–SWEIS and the deadline for comments on the draft document. Issuance of the Final S–SWEIS is scheduled for early 2006.

Issued in Washington, DC, this 29th day of December, 2004.

Everet H. Beckner,

Deputy Administrator for Defense Programs, National Nuclear Security Administration.

[FR Doc. 05–210 Filed 1–4–05; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

National Nuclear Security Administration

Notice of Availability of the Draft Site-Wide Environmental Impact Statement for Continued Operation of Los Alamos National Laboratory, Los Alamos, NM

AGENCY: U.S. Department of Energy (DOE), National Nuclear Security Administration (NNSA).

ACTION: Notice of availability and public hearings.

SUMMARY: NNSA announces the availability of the Draft Site-wide Environmental Impact Statement for Continued Operation of Los Alamos National Laboratory, Los Alamos, New Mexico (LANL Draft SWEIS) (DOE/EIS–0380), and the dates and locations for the public hearings to receive comments on the Draft LANL SWEIS. The Draft LANL SWEIS was prepared in accordance with the Council on Environmental Quality's National Environmental Policy Act (NEPA) Implementing Regulations (40 CFR parts 1500–1508) and the DOE NEPA Implementing Procedures (10 CFR part 1021). The Draft LANL SWEIS analyzes the potential environmental impacts associated with continuing ongoing Los Alamos National Laboratory (LANL) operations and foreseeable new and modified operations and facilities. The Draft LANL SWEIS analyzes the No Action Alternative and two action alternatives: a Reduced Operations Alternative and an Expanded Operations Alternative. The No Action Alternative would continue currently assigned operations at LANL in support of DOE and NNSA missions. The Reduced Operation Alternative also includes most operations discussed under the No Action Alternative with reductions to certain LANL activities below the No Action Alternative level. The Expanded Operations Alternative includes operations discussed under the No Action Alternative plus new and expanded levels of operations in support of reasonably foreseeable future mission requirements.

DATES: The NNSA invites members of Congress, American Indian Tribal Governments, state and local governments, other Federal agencies, and the general public to provide comments on the Draft LANL SWEIS. The comment period extends from the publication of this Notice of Availability through September 5, 2006. Written comments must be received or postmarked by September 5, 2006. Comments postmarked after this date will be considered to the extent practicable. The NNSA will consider the comments in the preparation of the Final LANL SWEIS. Public hearings to present information and receive comments on the Draft LANL SWEIS will be held at three locations. This information will also be published in local New Mexico newspapers in advance of the hearings. Any necessary changes will be announced in the local media and on the web site noted in the **ADDRESSES** section of this notice. Oral and written comments will be accepted at the public hearings. The locations, dates, and times for these public hearings are as follows:

Tuesday, August 8, 2006, at 6:30 p.m. to 9:30 p.m., Fuller Lodge, Pajarito Room, 2132 Central Avenue, Los Alamos, NM.

Wednesday, August 9, 2006, at 6:30 p.m. to 9:30 p.m., Northern New Mexico Community College, Eagle Memorial Sportsplex, 921 Paseo de Onate, Española, NM.

Thursday, August 10, 2006, at 6:30 p.m. to 9:30 p.m., Santa Fe Community College, Main Building, Jemez Rooms, 6401 Richards Avenue, Santa Fe, NM.

The following Web site may be accessed for additional information: *http://www.doeal.gov/laso/nepa/sweis.htm* . For information or to record comments call 1–877–491–4957

ADDRESSES: Copies of the Draft LANL SWEIS are available for review at: The Los Alamos Outreach Center, 1619 Central Avenue, Los Alamos, New Mexico, 87544; the Office of the Northern New Mexico Citizens Advisory Board, 1660 Old Pecos Trail, Suite B, Santa Fe, New Mexico; and the Zimmerman Library, University of New Mexico, Albuquerque, New Mexico 87131. The Draft SWEIS will also be available on the Department of Energy Los Alamos Site Office's LASO NEPA website at: *http://www.doeal.gov/laso/nepa/sweis.htm*. Additionally, a copy of the Draft LANL SWEIS or its Summary may be obtained upon request by writing to: U.S. Department of Energy, National Nuclear Security Administration, Los Alamos Site Office, Attn: Ms. Elizabeth Withers, Office of Environmental Stewardship, 528 35th Street, Los Alamos, New Mexico, 87544; or by facsimile ((505) 667–5948); or by e-mail at: *LANL_SWEIS@doeal.gov*.

Specific information regarding the public hearings can also be obtained by the means described above. Comments concerning the Draft LANL SWEIS can be submitted to the NNSA Los Alamos Site Office by the means described above or by leaving a message on the LASO EIS Hotline at (toll free) 1–877–491–4957. The Hotline will have instructions on how to record comments. Please mark all envelopes, faxes and e-mail: ''Draft LANL SWEIS Comments''.

FOR FURTHER INFORMATION CONTACT: For general information on NNSA NEPA process, please contact: Ms. Alice Williams, NA–56, NEPA Compliance Officer for Defense Programs, U.S. Department of Energy, National Nuclear Security Administration, 1000 Independence Avenue, SW., Washington, DC 20585, or telephone 202–586–6847, or Ms. Elizabeth Withers, NEPA Compliance Officer, U.S. Department of Energy, Los Alamos Site Office, 528 35th Street, Los Alamos, New Mexico, 87004, or telephone 505–845–4984. For general information about the DOE NEPA process, please contact: Ms. Carol Borgstrom, Director, Office of NEPA Policy and Compliance (EH–42), U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–4600, or leave a message at 1–800–472–2756.

SUPPLEMENTARY INFORMATION: The primary purpose and need for continued operation of LANL is to provide support for DOE and NNSA core missions as directed by Congress and the President. NNSA's need to continue operating LANL is focused on their obligation to ensure a safe and reliable nuclear weapons stockpile. LANL is also needed to support other Federal agencies, including the Department of Homeland Security. The Draft LANL SWEIS analyzes the environmental impacts of operations at LANL.

LANL is located in north-central New Mexico and covers an area of about 40 square miles (104 square kilometers). LANL was established in 1943 as ''Project Y'' of the Manhattan Project with a single-focused national defense mission—to build the world's first nuclear weapon. After World War II ended, Project Y was designated a permanent research and development laboratory and its mission support work was expended from defense and related research and development to incorporate a wide variety of new work assignments in support of other Federal Government and civilian programs. LANL is now a multi-disciplinary, multipurpose institution engaged in theoretical and experimental research and development.

DOE issued a Final SWEIS and Record of Decision in 1999 for the continued operation of LANL. DOE regulations implementing NEPA require the evaluation of site-wide NEPA analyses every five years to determine their continued applicability; such a five-year evaluation was initiated for the 1999 SWEIS in 2004, and NNSA subsequently made a determination to prepare a new SWEIS for LANL operations. Decisions regarding LANL operations that will be based upon impact information contained within this SWEIS will replace previous decisions announced through the 1999 ROD for LANL operations.

The alternatives evaluated in the Draft LANL SWEIS represent a range of operational levels ranging from the

minimal reasonable activity levels (Reduced Operations Alternative), to the highest reasonable activity levels that could be supported by current facilities, plus the potential expansion and construction of new facilities for existing capabilities and for specifically identified future actions (Expanded Operations Alternative). The No Action Alternative would continue current mission support work at LANL and includes approved interim actions and facility construction, expansions or modifications, and decontamination and decommissioning for which NEPA impact analysis has already been completed. All alternatives assume LANL will continue to operate as a NNSA national security laboratory for the foreseeable future.

Following the end of the public comment period described above, the NNSA will consider and respond to the comments received, and issue the Final LANL SWEIS. The NNSA will consider the environmental impact analysis presented in the Final LANL SWEIS, along with other information, in determining the Record of Decision for the continued operation of LANL.

Signed in Washington, DC, this 26th day of May 2006.

Thomas P. D'Agostino,

Acting Administrator, National Nuclear Security Administration.

[FR Doc. 06–6055 Filed 7–6–06; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

National Nuclear Security Administration

Extension of Comment Period on the Draft Site-Wide Environmental Impact Statement for Continued Operation of Los Alamos National Laboratory, Los Alamos, NM

AGENCY: U.S. Department of Energy (DOE), National Nuclear Security Administration (NNSA).

ACTION: Notice of comment period extension.

SUMMARY: On July 7, 2006, NNSA published a Notice of Availability for the Draft Site-wide Environmental Impact Statement for Continued Operation of Los Alamos National Laboratory, Los Alamos, New Mexico (LANL Draft SWEIS) (DOE/EIS –0380) (71 FR 38638) and announced a 60-day public comment period ending September 5, 2006. Subsequently, in response to requests for additional time to review and comment on the document, NNSA is extending the public comment period until September 20, 2006.

DATES: Comments should be submitted to NNSA no later than September 20, 2006. NNSA will consider comments submitted after this date to the extent practicable.

ADDRESSES: Comments, or requests for copies of the LANL Draft SWEIS should be sent to: U.S. Department of Energy, National Nuclear Security Administration, Los Alamos Site Office, Attn: Ms. Elizabeth Withers, SWEIS Document Manager, 528 35th Street, Los Alamos, New Mexico, 87544; or by facsimile (1–505-667–5948); or by e-mail at: *LANL _SWEIS@doeal.gov*.

Requests for copies of the LANL Draft SWEIS or recorded comments may also be made by calling 1–877–491–4957. Please mark all envelopes, faxes and e-mail: ''LANL Draft SWEIS Comments''. The LANL Draft SWEIS and its reference documents are available for review at: the Robert J. Oppenheimer Study Center Research Library, Technical Area 3, Los Alamos National Laboratory, Los Alamos, New Mexico; the Office of the Northern New Mexico Citizens Advisory Board, 1660 Old Pecos Trail, Suite B, Santa Fe, New Mexico; and the Zimmerman Library, University of New Mexico, Albuquerque, New Mexico. The Draft SWEIS is available on the DOE Los Alamos Site Office's NEPA Web site at: *http://www.doeal.gov/laso/nepa/sweis.htm* .

FOR FURTHER INFORMATION CONTACT: U.S. Department of Energy, Los Alamos Site Office, Attn: Ms. Elizabeth Withers, SWEIS Document Manager, 528 35th Street, Los Alamos, New Mexico 87544; or telephone 1–505–845–4984.

Issued in Los Alamos, NM, this 24th day of August, 2006.

Edwin L. Wilmot,

Manager.

[FR Doc. 06–7298 Filed 8–30–06; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Notice of Intent To Prepare a Supplement to the Stockpile Stewardship and Management Programmatic Environmental Impact Statement—Complex 2030

AGENCY: National Nuclear Security Administration, Department of Energy.

ACTION: Notice of intent.

SUMMARY: The National Nuclear Security Administration (NNSA), an agency within the U.S. Department of Energy (DOE or Department), announces its intent to prepare a *Supplement to the Stockpile Stewardship and Management Programmatic Environmental Impact Statement—Complex 2030* (Complex 2030 SEIS or SEIS, DOE/EIS–0236–S4), pursuant to the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321 *et seq.*), the Council on Environmental Quality's (CEQ's) and DOE's regulations implementing NEPA (40 CFR parts 1500–1508 and 10 CFR part 1021, respectively). The SEIS will analyze the environmental impacts from the continued transformation of the United States' nuclear weapons complex by implementing NNSA's vision of the complex as it would exist in 2030, which the Department refers to as Complex 2030, as well as alternatives. Since the end of the Cold War, there continue to be significant changes in the requirements for the nation's nuclear arsenal, including reductions in the number of nuclear weapons. To fulfill its responsibilities for certifying the safety and reliability of nuclear weapons without underground testing, DOE proposed and implemented the Stockpile Stewardship and Management (SSM) Program in the 1990s. Stockpile Stewardship includes activities required to maintain a high level of confidence in the safety and reliability of nuclear weapons in the absence of underground testing, and in the capability of the United States to resume nuclear testing if directed by the President. Stockpile Management activities include dismantlement, maintenance, evaluation, repair, and replacement of weapons and their components in the existing stockpile.

NNSA's proposed action is to continue currently planned modernization activities and select a site for a consolidated plutonium center for long-term research and development, surveillance, and pit [1] manufacturing; consolidate special nuclear materials throughout the complex; consolidate, relocate, or eliminate duplicative facilities and programs and improve operating efficiencies; identify one or more sites for conducting NNSA flight test operations; and accelerate nuclear weapons dismantlement activities. This Notice of Intent (NOI), the initial step in the NEPA process, informs the public of NNSA's intention to prepare the Complex 2030 SEIS, announces the schedule for public scoping meetings, and solicits public input. Following the scoping period, NNSA will prepare and issue a draft of the Complex 2030 SEIS that will describe the Complex 2030 proposal, the alternatives analyzed, and potential impacts of the proposal and the alternatives.

This NOI also announces that NNSA has cancelled the previously planned *Supplemental Programmatic Environmental Impact Statement on Stockpile Stewardship and Management for a Modern Pit Facility* (DOE/EIS–0236–S2).

DATES: NNSA invites comments on the scope of the Complex 2030 SEIS. The public scoping period starts with the publication of this NOI in the **Federal Register** and will continue through January 17, 2006. Scoping comments received after this date will be considered to the extent practicable. NNSA will hold public scoping meetings to discuss issues and receive oral and written comments on the scope of the Complex 2030 SEIS. The locations, dates, and times for these public scoping meetings are listed below and will be announced by additional appropriate means. NNSA requests federal agencies that desire to be designated as cooperating agencies on the SEIS to contact NNSA's Office of Transformation at the address listed under **ADDRESSES** by the end of the scoping period.

North Augusta, South Carolina, North Augusta Community Center, 495 Brookside Avenue. November 9, 2006, 11 a.m.—3 p.m., 6 p.m.—10 p.m.

Oak Ridge, Tennessee, Oak Ridge City Center Club Room, 333 Main Street. November 13, 2006, 11 a.m.—3 p.m., 6 p.m.—10 p.m.

Amarillo, Texas, Amarillo Globe-News Center, Education Room, 401 S. Buchanan. November 15, 2006, 11 a.m.—3 p.m., 6 p.m.—10 p.m.

Las Vegas, Nevada, Cashman Center, 850 Las Vegas Boulevard North (at Washington). November 28, 2006. 11 a.m.—3 p.m., 6 p.m.—10 p.m.

Tonopah, Nevada, Tonopah Convention Center, 301 Brougher Avenue. November 29, 2006, 6 p.m.—10 p.m.

Socorro, New Mexico, Macey Center (at New Mexico Tech), 801 Leroy Place. December 4, 2006, 6 p.m.—10 p.m.

Albuquerque, New Mexico, Albuquerque Convention Center, 401 2nd St. NW. December 5, 2006, 11 a.m.—3 p.m., 6 p.m.—10 p.m.

Los Alamos, New Mexico, Mesa Public Library, 2400 Central Avenue. December 6, 2006, 10:30 a.m.—2:30 p.m.

Santa Fe, New Mexico, Genoveva Chavez Community Center, 3221 Rodeo Road. December 6, 2006, 6 p.m.—10 p.m.

Livermore, California, Robert Livermore Community Center, 4444 East Avenue. December 12, 2006, 11 a.m.—3 p.m.

Tracy, California, Tracy Community Center, 950 East Street. December 12, 2006, 6 p.m.—10 p.m.

U.S. Department of Energy, 1000 Independence Avenue, SW., Room 1E–245, Washington, DC. December 14, 2006, 1 p.m.—5 p.m.

NNSA officials will be available to informally discuss the Complex 2030 proposal during the first hour. Following this, NNSA intends to hold a plenary session at each scoping meeting in which officials will explain the Complex 2030 proposal and the SEIS, including preliminary alternatives. The meetings will provide the public with an opportunity to provide oral and written comments to NNSA on the scope of the SEIS. Input from the scoping meetings will assist NNSA in preparing the draft SEIS.

ADDRESSES: General questions concerning the NOI can be asked by calling toll-free 1–800–832–0885 (ext. 63519), e-mailing to *Complex2030@nnsa.doe.gov*, or writing to Theodore A. Wyka, Complex 2030 SEIS Document Manager, Office of Transformation, U.S. Department of Energy, NA–10.1, 1000 Independence Avenue, SW., Washington, DC 20585. Written comments on the scope of the SEIS or requests to be placed on the document distribution list can be sent to the Complex 2030 SEIS Document Manager. Additional information regarding Complex 2030 is available on Complex2030PEIS.com.

For general information on the DOE NEPA process, please contact Carol M. Borgstrom, Director, Office of NEPA Policy and Compliance, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–4600 or 1–800–472–2756. Additional information regarding DOE NEPA activities and access to many DOE NEPA documents are available on the Internet through the DOE NEPA Web site at *http://www.eh.doe.gov/nepa.*

SUPPLEMENTARY INFORMATION:

[1] A pit is the central core of a nuclear weapon typically containing plutonium-239 that undergoes fission when compressed by high explosives.

Background: The early days of the nuclear weapons complex after World War II saw a rapid build-up of capability and capacity to support the growth of the stockpile to fight the Cold War. By the 1960s, the United States had built a large stockpile of nuclear weapons, and the nation began to focus on improving, rather than expanding, the stockpile. NNSA's predecessor agencies began to consolidate operations and close some production facilities. In the 1980s, facilities were shut down across the nuclear weapons complex, including certain facilities at the Savannah River Site in South Carolina; the Oak Ridge Reservation in Tennessee; the Rocky Flats Plant in Colorado; the Fernald Site in Ohio; the Hanford Reservation in Washington; and elsewhere.

Prior DOE NEPA Reviews: DOE completed a Nuclear Weapons Complex Reconfiguration (''Complex-21'') Study in January 1991, which identified significant cost savings that could be achieved by further downsizing of the nuclear weapons complex.

DOE then initiated a programmatic EIS (Reconfiguration PEIS) examining alternatives for reconfiguring the nuclear weapons complex. However, in December 1991, the Department decided to separate proposals for transforming non-nuclear production from the Reconfiguration PEIS because (1) proposals to consolidate non-nuclear facilities might not require preparation of an EIS, and (2) proposals and decisions regarding transformation of non-nuclear production would neither significantly affect nor be affected by proposals and decisions regarding transformation of nuclear production. On January 27, 1992, the Department issued an NOI (57 FR 3046) to prepare an environmental assessment (DOE/EA–0792) for the consolidation of non-nuclear production activities within the nuclear weapons complex. Following the collapse of the Soviet Union, the United States reduced the budget for the nuclear weapons program. President George H. W. Bush imposed a moratorium in 1992 on underground nuclear testing.

On September 14, 1993, DOE published a Finding of No Significant Impact (FONSI) regarding its proposal to consolidate non-nuclear component production (58 FR 48043). This proposal included termination of non-nuclear production missions at the Mound Plant in Ohio, the Pinellas Plant in Florida, and the Rocky Flats Plant in Colorado. The electrical and mechanical manufacturing functions were consolidated at the Kansas City Plant. Detonators and beryllium capabilities for technology and pit support were consolidated at Los Alamos National Laboratory (LANL) in New Mexico, and neutron generator production was relocated to Sandia National Laboratories in New Mexico.

In October 1993, President William J. Clinton issued Presidential Decision Directive 15 (PDD–15), which directed DOE to establish the Stockpile Stewardship Program. PDD–15 significantly redirected the nuclear weapons program. Throughout the Cold War, the Department of Defense (DOD) and DOE's nuclear weapons laboratories had based a portion of their confidence in the reliability of nuclear weapons on performance data from atmospheric and underground tests. To ensure weapons reliability during the moratorium on testing, DOE proposed to invest in new scientific tools to assess the complex phenomena involved in the detonation of nuclear weapons. DOE also began to develop sophisticated tools and computer-based simulation techniques to assess various aging phenomena as nuclear weapons continued to serve well beyond their originally anticipated lifetimes. These actions enhanced research and development (R&D) and deferred spending on the production complex.

DOE concluded in October 1994 that the alternatives described in the Reconfiguration PEIS no longer contained realistic proposals for reconfiguration of the nuclear weapons complex. That conclusion was based on several factors, including: comments offered at the September-October 1993 Reconfiguration PEIS scoping meetings; the anticipation that no production of new nuclear weapons types would be required for the foreseeable future; budget constraints; and the Department's decision to prepare a separate PEIS on Storage and Disposition of Weapons-Usable Fissile Materials (DOE/EIS–0229; NOI published June 21, 1994, 59 FR 17344).

Consequently, the Department separated the Reconfiguration PEIS into two new PEISs: (1) A Tritium Supply and Recycling PEIS (DOE/EIS–0161); and (2) the SSM PEIS (DOE/EIS–0236). The Final PEIS for Tritium Supply and Recycling was issued on October 27, 1995 (60 FR 55021). In its Record of Decision (ROD) on May 14, 1999 (64 FR 26369 [2]), DOE decided it would produce the tritium needed to maintain the nuclear arsenal at commercial light water reactors owned and operated by the Tennessee Valley Authority and extract tritium at a new DOE-owned Tritium Extraction Facility at the Savannah River Site. With regard to the SSM PEIS, DOE issued an NOI on June 6, 1995 (60 FR 31291), a final SSM PEIS on November 19, 1996 (61 FR 58871), and a ROD on December 26, 1996 (61 FR 68014) announcing its decision to transform the weapons production complex by (1) reducing the weapon assembly capacity located at the Pantex Plant in Texas; (2) reducing the high-explosives fabrication capacity at Pantex; (3) reducing the uranium, secondary, and case fabrication capacity in the Y–12 National Security Complex in Tennessee; (4) reducing nonnuclear component fabrication capacity at the Kansas City Plant; and (5) reestablishing a modest interim pit fabrication capability at Los Alamos National Laboratory in New Mexico while evaluating the need for greater pit manufacturing capacity in the future.

In accordance with the decisions in the SSM PEIS, the *Non-nuclear Consolidation Environmental Assessment* (EA), and the Tritium Supply and Recycling PEIS, DOE began transforming the nuclear weapons complex to its present configuration. DOE has also prepared other EISs that facilitated the transformation of the complex. The relevant RODs for these site-wide and project-specific EISs are listed below:

- 1996 ROD for the *EIS for the Nevada Test Site and Off-Site Locations in the State of Nevada* (61 FR 65551, December 13, 1996).
- 1997 ROD for the *EIS for the Continued Operation of the Pantex Plant and Associated Storage of Nuclear Weapon Components* (62 FR 3880, January 27, 1997).
- 1999 ROD for the Site-wide EIS for Continued Operation of the Los Alamos National Laboratory (64 FR 50797, September 20, 1999).
- 1999 ROD for the *EIS for Site-wide Operation of Sandia National Laboratories* (64 FR 69996, December 15, 1999).
- 2000 *Amended ROD for the Nevada Test Site EIS* (65 FR 10061, February 25, 2000).
- 2002 ROD for the *Site-wide EIS for the Oak Ridge Y–12 National Security Complex* (67 FR 11296, March 13, 2002).
- 2002 ROD for the *EIS for the Relocation of Technical Area 18 Capabilities and Materials at the Los Alamos National Laboratory* (67 FR 79906, December 31, 2002).
- 2004 ROD for the *EIS for the Chemistry and Metallurgy Research Building Replacement Project, Los*

[2] This ROD also contains decisions for the EIS for Construction and Operation of a Tritium Extraction Facility at the Savannah River Site (DOE/EIS–0271) and EIS for the Production of Tritium in a Commercial Light Water Reactor (DOE/EIS–0288).

Alamos National Laboratory (69 FR 6967, February 12, 2004).

• 2005 ROD for the *Site-wide EIS for Continued Operation of Lawrence Livermore National Laboratory and Supplemental Stockpile Stewardship and Management Programmatic EIS* (70 FR 71491, November 29, 2005).

Nuclear Weapons Complex: The current nuclear weapons complex consists of eight major facilities located in seven states. NNSA maintains a limited capability to design and manufacture nuclear weapons; provides surveillance of and maintains nuclear weapons currently in the stockpile; and dismantles retired nuclear weapons. Major facilities and their primary responsibilities within the nuclear weapons complex are listed below:

Savannah River Site (SRS) (Aiken, South Carolina)—Extracts tritium (when the Tritium Extraction Facility becomes operational in 2007); provides loading, unloading and surveillance of tritium reservoirs. SRS does not maintain Category I/II [3] quantities of special nuclear material (SNM) [4] associated with weapons activities, but does maintain Category I/II quantities of SNM associated with other Department activities (*e.g.*, environmental management).

Pantex Plant (PX) (Amarillo, Texas)—Dismantles retired weapons; fabricates high-explosives components; assembles high explosive, nuclear, and non-nuclear components into nuclear weapons; repairs and modifies weapons; and evaluates and performs non-nuclear testing of weapons. Maintains Category I/II quantities of SNM for the weapons program and material no longer needed by the weapons program.

Y–12 National Security Complex (Y–12) (Oak Ridge, Tennessee)—Manufactures nuclear weapons secondaries, cases, and other weapons components; evaluates and performs testing of weapon components; maintains Category I/II quantities of SNM; conducts dismantlement, storage, and disposition of nuclear weapons materials; and supplies SNM for use in naval reactors.

Kansas City Plant (KCP) (Kansas City, Missouri)—Manufactures and acquires non-nuclear weapons components; and evaluates and performs testing of weapon components. No Category I/II quantities of SNM are maintained at the KCP.

Lawrence Livermore National Laboratory (LLNL) (Livermore, California)—Conducts research and development of nuclear weapons; designs and tests advanced technology concepts; designs weapons; maintains a limited capability to fabricate plutonium components; and provides safety and reliability assessments of the stockpile. Maintains Category I/II quantities of SNM associated with the weapons program and material no longer needed by the weapons program.

Los Alamos National Laboratory (LANL) (Los Alamos, New Mexico)—Conducts research and development of nuclear weapons; designs and tests advanced technology concepts; designs weapons; provides safety and reliability assessments of the stockpile; maintains interim production capabilities for limited quantities of plutonium components (e.g., pits); and manufactures nuclear weapon detonators for the stockpile. Maintains Category I/II quantities of SNM associated with the nuclear weapons program and material no longer needed by the weapons program.

Sandia National Laboratories (SNL) (Albuquerque, New Mexico; Livermore, California)—Conducts system engineering of nuclear weapons; designs and develops non-nuclear components; conducts field and laboratory non-nuclear testing; conducts research and development in support of the nuclear weapon non-nuclear design; manufactures non-nuclear weapon components; provides safety and reliability assessments of the stockpile; and manufactures neutron generators for the stockpile. Maintains Category I/II quantities of SNM associated with the nuclear weapons program.

Nevada Test Site (NTS) (Las Vegas, Nevada)—Maintains capability to conduct underground nuclear testing; conducts experiments involving nuclear material and high explosives; provides capability to disposition a damaged nuclear weapon or improvised nuclear device; conducts non-nuclear experiments; and conducts research and training on nuclear safeguards, criticality safety and emergency response. Maintains Category I/II quantities of SNM associated with the nuclear weapons program.

Purpose and Need for the Stockpile Stewardship and Management Program: Under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.), DOE is responsible for providing nuclear weapons to support the United States' national security strategy. The National Nuclear Security Administration Act (Pub. L. 106–65, Title XXXII) assigned this responsibility to NNSA within DOE. One of the primary missions of NNSA is to provide the nation with safe and reliable nuclear weapons, components and capabilities, and to accomplish this in a way that protects the environment and the health and safety of workers and the public.

Changes in national security needs and budgets have necessitated changes in the way NNSA meets its responsibilities regarding the nation's nuclear stockpile. As a result of a changed security environment, unilateral decisions by the United States and international arms control agreements, the nation's stockpile is significantly smaller today and by 2012, it will be the smallest since the Eisenhower administration (1953–1961). The Treaty of Moscow will eventually lead to a level of 1,700–2,200 operationally-deployed strategic nuclear weapons.

However, nuclear deterrence will continue to be a cornerstone of United States national security policy, and NNSA must continue to meet its responsibilities for ensuring the safety and reliability of the nation's nuclear weapons stockpile. The current policy is contained in the Nuclear Posture Review, submitted to Congress in early 2002, which states that the United States will:

• Change the size, composition and character of the nuclear weapons stockpile in a way that reflects that the Cold War is over;

• Achieve a credible deterrent with the lowest possible number of nuclear warheads consistent with national security needs, including obligations to allies; and

• Transform the NNSA nuclear weapons complex into a responsive infrastructure that supports the specific stockpile requirements established by the President and maintains the essential United States nuclear capabilities needed for an uncertain global future.

Complex 2030 SEIS: NNSA has been evaluating how to establish a more responsive nuclear weapons complex infrastructure since the Nuclear Posture Review was transmitted to Congress in early 2002. The Stockpile Stewardship Conference in 2003, the Department of Defense Strategic Capabilities Assessment in 2004, the recommendations of the Secretary of Energy Advisory Board (SEAB) Task Force on the Nuclear Weapons Complex Infrastructure in 2005, and the Defense

[3] Category I/II quantities of special nuclear material are determined by grouping materials by type, attractiveness level, and quantity. These grouping parameters are defined in DOE Manual 470.4–6, Nuclear Material Control and Accountability [see *https://www.directives.doe.gov*].

[4] As defined in section 11 of the Atomic Energy Act of 1954, special nuclear material are: (1) Plutonium, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the U.S. Nuclear Regulatory Commission determines to be special nuclear material; or (2) any material artificially enriched by plutonium or uranium 233 or 235.

Science Board Task Force on Nuclear Capabilities in 2006 have provided information for NNSA's evaluations.

In early 2006, NNSA developed a planning scenario for what the nuclear weapons complex would look like in 2030. See *http://www.nnsa.doe.gov* for more information regarding Complex 2030 planning. The Complex 2030 planning scenario incorporates many of the decisions NNSA has already made based on the evaluations in the SSM PEIS, Tritium Supply and Recycling PEIS, and other NEPA documents. See discussion in background above. The following table identifies which components of Complex 2030 are based on the existing SSM PEIS and Tritium PEIS RODs, including RODs for subsequent tiered EISs:

Components of Complex 2030 that reflect earlier decisions	SSM PEIS ROD	Tritium PEIS ROD
Maintain but reduce the existing weapon assembly capacity located at Pantex	X	
Maintain but reduce the high-explosives fabrication capacity at Pantex	X	
Maintain but reduce the existing uranium, secondary, and case fabrication capacity at the Y–12 Plant at Oak Ridge	X	
Reduce the non-nuclear component fabrication capacity at the Kansas City Plant	X	
Reestablish limited pit fabrication capability at Los Alamos National Laboratory while evaluating the need for a larger capability	X	
Irradiate tritium producing rods in commercial light water reactors; construct and operate a new Tritium Extraction Facility at DOE's Savannah River Site		X

Types of Decisions that Would Be Based on the Complex 2030 SEIS: The decisions set forth in the Complex 2030 ROD would:

• Identify the future missions of the SSM Program and the nuclear weapons complex; and

• Determine the configuration of the future weapons complex needed to accomplish the SSM Program.

For specific programs or facilities, NNSA may need to prepare additional NEPA documents to implement the decisions announced in the ROD. The baseline that will be used for the analyses of program and facility needs in the SEIS is 1,700–2,200 operationally-deployed strategic nuclear weapons, in addition to augmentation weapons, reliability-reserve weapons and weapons required to meet NATO commitments. The numbers are consistent with international arms-control agreements. Consistent with national security policy directives, replacement warhead design concepts may be pursued under the alternatives as a means of, for example, enhancing safety and security, improving manufacturing practices, reducing surveillance needs, and reducing need for underground tests.

The SEIS will evaluate reasonable alternatives for future transformation of the nuclear weapons complex. The Proposed Action and alternatives to the Proposed Action will assume continued implementation of the following prior siting decisions that DOE made in the SSM PEIS and Tritium PEIS RODs, including RODs for subsequent tiered EISs:

• Location of the weapon assembly/disassembly operations at the Pantex Plant in Texas.

• Location of uranium, secondary, and case fabrication at the Y–12 National Security Complex in Tennessee.

• Location of tritium extraction, loading and unloading, and support operations at the Savannah River Site in South Carolina.

NNSA does not believe it is necessary to identify additional alternatives beyond those present in the SSM PEIS. Regarding the uranium, secondary, and case fabrication at Y–12, NNSA is currently preparing a Y–12 Site-wide EIS to evaluate reasonable alternatives for the continued modernization of the Y–12 capabilities. The Complex 2030 SEIS will incorporate any decisions made pursuant to the Y–12 Site-wide EIS.

While the Complex 2030 planning scenario proposes to consolidate further non-nuclear production activities performed at the Kansas City Plant, this proposal will be evaluated in a separate NEPA analysis, as was done in the 1990s. NNSA believes that it is appropriate to separate the analyses of the transformation of non-nuclear production from the SEIS because decisions regarding those activities would neither significantly affect nor be affected by decisions regarding the transformation of nuclear production activities.

The SSM PEIS ROD announced NNSA's decision to establish a small interim pit production capacity at LANL. In the 1999 LANL Site-wide EIS ROD, NNSA announced it would achieve a pit production capacity at LANL of up to 20 pits per year. The 2006 draft LANL Site-wide EIS evaluates a proposal for a production capacity of 50 certified pits annually. This proposed capacity is based on an annual production rate of 80 pits per year in order to provide NNSA with sufficient flexibility to obtain 50 certified pits. Any decisions made pursuant to the LANL Site-wide EIS will be included in the Complex 2030 SEIS.

Based upon the studies [5] and analyses that led to NNSA's development of the Complex 2030 scenario, NNSA has developed alternatives that are intended to facilitate public comment on the scope of the SEIS. NNSA's decisions regarding implementation of Complex 2030 will be based on the following alternatives, or a combination of those alternatives.

The Proposed Action—Transform to a More Modern, Cost-Effective Nuclear Weapons Complex (Complex 2030). This alternative would undertake the following actions to continue the transformation of NNSA's nuclear weapons complex:

• Select a site to construct and operate a consolidated plutonium center for long-term R&D, surveillance, and manufacturing operations for a baseline capacity of 125 qualified pits per year at a site with existing Category I/II SNM.

• Reduce the number of sites with Category I/II SNM and consolidate SNM to fewer locations within each given site.

• Consolidate, relocate or eliminate duplicative facilities and programs and improve operating efficiencies, including at facilities for nuclear materials storage, tritium R&D, high explosives R&D, environmental testing, and hydrotesting facilities.

• Identify one or more sites for conducting NNSA flight test operations.

[5] The Stockpile Stewardship Conference in 2003, the Department of Defense Strategic Capabilities Assessment in 2004, the recommendations of the Secretary of Energy Advisory Board (SEAB) Task Force on the Nuclear Weapons Complex Infrastructure in 2005, and the recommendations of the Defense Science Board Task Force on Nuclear Capabilities in 2006.

Existing DOD and DOE test ranges (*e.g.*, White Sands Missile Range in New Mexico and Nevada Test Site in Nevada) would be considered as alternatives to the continued operation of the Tonopah Test Range in Nevada.

• Accelerate dismantlement activities.

The DOE sites that will be considered as potential locations for the consolidated plutonium center and consolidation of Category I/II SNM include: Los Alamos, Nevada Test Site, Pantex Plant, Y–12 National Security Complex, and the Savannah River Site. Other DOE sites are not considered reasonable alternative locations because they do not satisfy certain criteria such as population encroachment, or mission compatibility or synergy with the site's existing mission.

Alternatives to the Proposed Action

No Action Alternative. The No Action Alternative represents the status quo as it exists today and is presently planned. It includes the continued implementation of decisions made pursuant to the SSM PEIS and the Tritium Supply and Recycling PEIS (as summarized above) and related site-specific EISs and EAs. These decisions are contained in RODs and Findings of No Significant Impact (FONSIs), including those discussed above, and copies can be located on the DOE NEPA Document Web page at *http://www.eh.doe.gov/nepa/documents.html.*

The No Action Alternative would also include any decisions made as a result of the new Y–12 Site-wide EIS and the LANL Site-wide EIS once these EISs are finished. NNSA expects to issue RODs on these EISs prior to publication of the draft Complex 2030 SEIS.

The No Action Alternative is illustrated in the following matrix:

Capability	Sites (no action alternative)							
	KCP	LANL	LLNL	NTS	Y–12	PX	SNL	SRS
Weapons assembly/Disassembly	.....	.....	.....	X	.....	X	.....	.....
Nonnuclear components	X	X	.....	.....	.....	.....	X	.....
Nuclear components:								
—Pits	.....	X	.....	.....	.....	.....	.....	.....
—Secondaries and cases	.....	.....	.....	.....	X	.....	.....	.....
High explosives components	.....	.....	.....	.....	.....	X	.....	.....
Tritium Extraction, Loading and Unloading	.....	.....	.....	.....	.....	.....	.....	X
High explosives R&D	.....	X	X	.....	.....	X	X	.....
Tritium R&D	.....	X	X	.....	.....	.....	.....	X
Large Scale Hydrotesting	.....	X	X	X	.....	.....	.....	.....
Category I/II SNM Storage	.....	X	X	X	X	X	X	X

The No Action Alternative also includes continuation of environmental testing at current locations and flight-testing activities at the Tonopah Test Range in Nevada.

Reduced Operations and Capability-Based Complex Alternative

In this alternative, NNSA would maintain a basic capability for manufacturing technologies for all stockpile weapons, as well as laboratory and experimental capabilities to support stockpile decisions, but would reduce production facilities to a ''capability-based'' [6] capacity. This alternative would not have a production capacity sufficient to meet current national security objectives. This alternative would be defined as follows:

• Do not construct and operate a consolidated plutonium center for long-term R&D, surveillance, and manufacturing operations; and do not expand pit production at LANL beyond 50 certified pits per year.

• Reduce the number of sites with Category I/II SNM and consolidate SNM to fewer locations within a given site.

• Consolidate, relocate or eliminate duplicative facilities and programs and improve operating efficiencies, including at facilities for nuclear materials storage, tritium R&D, high explosives R&D, environmental testing facilities, and hydrotesting facilities.

• Identify one or more sites for conducting NNSA flight test operations. Existing DOD and DOE test ranges (*e.g.* White Sands Missile Range in New Mexico and Nevada Test Site in Nevada) would be considered as potential alternatives to the continued operation of the Tonopah Test Range in Nevada.

• Production capacities at Pantex, Y–12, and the Savannah River Site would be considered for further reductions limited by the capability-based capacity.

• NNSA would continue dismantlement activities.

Proposal Not Being Considered for Further Analysis. The SEAB Task Force on the Nuclear Weapons Complex Infrastructure recommended that NNSA pursue a consolidated nuclear production center (CNPC) as a single facility for all research, development, and production activities relating to nuclear weapons that involve significant amounts (*i.e.* Category I/II quantities) of SNM. The CNPC, as envisioned by the SEAB Task Force, would contain all the nuclear weapons manufacturing, production, assembly, and disassembly facilities and associated weapon surveillance and maintenance activities for the stockpile weapons. The CNPC would include the plutonium activities of the consolidated plutonium center proposed by NNSA in its Complex 2030 vision, as well as the consolidated activities of the uranium, tritium, and high explosive operations. DOE believes that creation of a CNPC is not a reasonable alternative and does not intend to analyze it as an alternative in the SEIS because of the technical and schedule issues involved in constructing a CNPC, as well as associated costs. NNSA invites and will consider comments on this matter during the scoping process.

The SEAB Task Force developed three business cases for transforming the nuclear weapons complex, two of which were characterized as high risk. Its preferred least-risk option was to establish a CNPC ''quickly'' by accelerating site selection, NEPA analyses, regulatory approvals, and construction. The Task Force assumed that NNSA could, under these circumstances, begin operating a CNPC in 2015, start consolidation of SNM shortly thereafter, accelerate dismantlements, and begin other major transformational activities. Until the CNPC was completed, NNSA would have to maintain, and in some cases improve, existing production and research facilities. According to the Task Force's estimates, this option would require an additional 1 billion dollars per year for weapons programs

[6] The capability to manufacture and assemble nuclear weapons at a nominal level.

activities for the next 10 years, and lead to a net savings through 2030 of 15 billion dollars.

Accelerated construction of a CNPC would not allow NNSA to avoid immediate expenditures to restore and modernize interim production capabilities to meet essential Life Extension Program (LEP) schedules and support the existing stockpile during the next decade. LEP is the refurbishment of nuclear weapons parts and components to extend the weapon deployment life. NNSA has concluded that the SEAB Task Force underestimated the nonfinancial challenges of constructing a CNPC. A CNPC would require moving a unique and highly skilled workforce to a new location. It would require NNSA to obtain significant regulatory approvals rapidly, and to construct a unique and complex facility on a tight schedule. It would put many of the significant aspects of the weapons complex transformation into ''one basket''—until the CNPC began operations, all the other facilities and activities would be delayed. NNSA 's Proposed Action would achieve many of the benefits of the CNPC approach — consolidation of SNM and facilities, integrated R&D and production involving SNM, and aggressive dismantlements—in a way that addresses immediate national security needs in a technically feasible and affordable manner.

Nuclear Materials Consolidation: DOE is pursuing SNM consolidation from all DOE sites including those that comprise the nuclear weapons complex. The SEIS will look at alternatives for the storage and consolidation of nuclear materials within the nuclear weapons complex including materials needed to maintain the United States' nuclear weapons arsenal. There is a potential overlap between the SEIS and the activities of the Department's other nuclear materials consolidation activities, and DOE will ensure that there is appropriate coordination between the two activities.

Supplemental Programmatic Environmental Impact Statement on Stockpile Stewardship and Management for a Modern Pit Facility: NNSA issued a *Draft Supplemental Programmatic Environmental Impact Statement on Stockpile Stewardship and Management for a Modern Pit Facility* (MPF) on June 4, 2003 (68 FR 33487; also 68 FR 33934, June 6, 2003) that analyzed alternatives for producing the plutonium pits that are an essential component of nuclear weapons. On January 28, 2004, NNSA announced that it was indefinitely postponing any decision on how it would obtain a large capacity pit manufacturing facility. Because the Complex 2030 SEIS will analyze alternatives for plutonium-related activities that include pit production, DOE, effective upon publication of this NOI, cancels the MPF PEIS.

Public Scoping Process: The scoping process is an opportunity for the public to assist the NNSA in determining the issues for analysis. NNSA will hold public scoping meetings at locations identified in this NOI. The purpose of these meetings is to provide the public with an opportunity to present oral and written comments, ask questions, and discuss concerns regarding the transformation of the nuclear weapons complex and the SEIS with NNSA officials. Comments and recommendations can also be communicated to NNSA as discussed earlier in this notice.

Complex 2030 PEIS Supplement Preparation Process: The SEIS preparation process begins with the publication of this NOI in the **Federal Register**. NNSA will consider all public comments that it receives during the public comment period in preparing the draft SEIS. NNSA expects to issue the draft SEIS for public review during the summer of 2007. Public comments on the draft SEIS will be received during a comment period of at least 45 days following the U.S. Environmental Protection Agency's publication of the Notice of Availability in the **Federal Register**. Notices placed in local newspapers will specify dates and locations for public hearings on the draft SEIS and will establish a schedule for submitting comments on the draft SEIS, including a final date for submission of comments. Issuance of the final SEIS is scheduled for 2008.

Classified Material: NNSA will review classified material while preparing the SEIS. Within the limits of classification, NNSA will provide the public as much information as possible to assist its understanding and ability to comment. Any classified material needed to explain the purpose and need for the action, or the analyses in the SEIS, will be segregated into a classified appendix or supplement, which will not be available for public review. However, all unclassified information or results of calculations using classified data will be reported in the unclassified section of the SEIS, to the extent possible in accordance with federal classification requirements.

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Linton F. Brooks,

Administrator, National Nuclear Security Administration.

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