

SECTION 3
PUBLIC COMMENTS AND NNSA RESPONSES

3.0 PUBLIC COMMENTS AND NNSA RESPONSES

This section presents a side-by-side display of the comments received by the National Nuclear Security Administration (NNSA) during the public comment period on the *Draft Environmental Impact Statement for Continued Operation of Los Alamos National Laboratory, Los Alamos, New Mexico* (LANL SWEIS) and NNSA’s response to each comment. To find a specific commentor or comment in the following pages, search **Table 3–1**, Index of Public Officials, **Table 3–2**, Index of Organizations, or the List of Commentors that follows the Table of Contents, to identify the page numbers on which the appropriate comments and NNSA responses appear.

If a commentor provided comments through a postcard or form letter campaign, that commentor is referred to a copy of that postcard or form letter. This section only contains one copy of each unique postcard or form letter.

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Los Alamos County	Anthony J. Mortillaro, Assistant County Administrator	588
	Regina Wheeler	917, 947
Members of Congress Staff of Congressman Tom Udall	Matt Miller, Congressman’s Aid for Los Alamos National Laboratory	1002
	Michelle Hawkins Ortiz, Congressman Tom Udall’s State Director	1003
Picuris Pueblo Environment Department	Julia Geffroy, Associate Director	38, 842, 845
Pueblo of San Ildefonso	James R. Mountain, Governor	665
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State of New Mexico Environment Department	Ron Curry, Secretary	423
U.S. Department of the Interior	Stephen R. Spencer, Regional Environmental Officer	180
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Table 3–2 Index of Organizations

<i>Organization</i>	<i>Person</i>	<i>Page Number(s)</i>
Albuquerque Center for Peace and Justice	Judith Kidd	857, 1041
Alliance for Nuclear Accountability	Jodi Dart, Program Director	694
Carson Forest Watch	J. Berde	66
Citizen Action New Mexico	Susan Dayton, Director	257, 290, 489
	David B. McCoy, Assistant Director	4, 138, 257, 489
Citizens for Alternatives to Radioactive Dumping	Janet Greenwald	254, 1044
Concerned Citizens for Nuclear Safety and Embudo Valley Environmental Monitoring Group	Joni Arends, Executive Director	471, 725
	Sadaf Cameron	471, 725, 878
	John Hoffman	471, 725
	Kalliroi Matsakis	471, 725, 879, 924
	Linda Weiner	1054
Embudo Valley Environmental Monitoring Group	Sheri Kotowski	471, 725
Institute for Energy and Environmental Research	Arjun Makhijani, Ph.D.	459
LANL Water Watch	Sheri Kotowski	961, 995, 1083
Loretto Community	Penelope McMullen, SL, New Mexico Justice and Peace Coordinator	674, 857, 1011
Los Alamos Chamber of Commerce	Kevin Holsapple, Executive Director	5
Los Alamos Study Group	Greg Mello, Executive Director	476, 900, 930, 939, 992, 1029
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New Mexico Highlands University Center for the Education and Study of Diverse Populations	Marcia Brenden, Ph.D.	28
Northern New Mexico Citizens' Advisory Board	J. D. Campbell, Chair	237
Nuclear Watch of New Mexico	Jay Coghlan, Director	503, 1023
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Pajarito Group of the Sierra Club	Ilse Bleck, Chair	594
Pax Christi New Mexico	Betsy Martinez	198, 879, 890, 982
	Bud Ryan	880, 1021
Rocky Mountain Peace and Justice Center	LeRoy Moore, Ph.D.	401
Sangre de Cristo Audubon Society	Tom Taylor, President	181
	Bernard R. Foy, Conservation Chair	181
Snake River Alliance	Jeremy Maxand, Executive Director	499
Southwest Research and Information Center	Don Hancock	465
Stop the War Machine	Bob Anderson	1042
Tri-Valley CAREs	Loulena Miles	627

**Commentor No. 2: David B. McCoy, Assistant Director,
Citizen Action New Mexico**

From: Dave McCoy [dave@radfreenm.org]
Sent: Tuesday, August 01, 2006 11:17 AM
To: LANL_SWEIS
Cc: dave@radfreenm.org
Subject: Los Alamos Site-Wide Environmental Impact Statement (LANL SWEIS).

8/1/2006

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.

Dear Ms. Withers,

Citizen Action New Mexico notes with interest that the Los Alamos Site-Wide Environmental Impact Statement (LANL SWEIS) presentations will be given at three locations, none of which include a location in Albuquerque.

We are requesting that the period for comments be extended for an additional thirty (30) days until October 5, 2006 and that the Department of Energy provide its presentation in the Albuquerque area. Albuquerque is the major population center of New Mexico, located 60 miles distant from LANL, with many citizens and organizations concerned with nuclear weapons issues. There is extensive public concern over environmental contamination, transport, waste storage, nuclear proliferation, potential terrorism and violation of international treaties.

We note that the DOE failed to provide environmental scoping meetings for the LANL SWEIS and has no plans to host a public hearing for the LANL SWEIS in Albuquerque. This is despite the fact that the Sandia National Laboratories may be directly involved in implementing activities which would be related to increased pit production at LANL. We consider that these possible cumulative actions and effects must be considered in an EIS. The connected actions analysis is required even if the environmental effects of the proposed action are not significant.

We would appreciate a timely response to this e-mail and await the date and location where DOE will provide its presentation in Albuquerque.

Thank you.

Sincerely,

David B. McCoy, Assistant Director
 Citizen Action New Mexico
 (505) 262-1862

2-1

2-1

NNSA notes the commentor's concern about the need for a scoping meeting and desire for a hearing in Albuquerque, New Mexico, and an extension of the review period. NNSA held a public scoping meeting following the January 2005 Notice of Intent to prepare a supplement to the 1999 SWEIS. Preparation of a supplement evolved into preparation of this LANL SWEIS, partly due to public input received during the scoping period. Although no public hearings were held in Albuquerque, other means of commenting on the Draft SWEIS were provided, such as U.S. mail, e-mail, a toll-free telephone line, and a toll-free fax line. It should be noted that all comments, whether written or provided orally, are given equal weight and consideration. Responding to requests for additional review time, NNSA extended the comment period from the original 60 days to 75 days. See additional discussion of the NEPA process in Section 2.2 of this CRD. The environmental impacts of operating Sandia National Laboratories in support of NNSA's mission are addressed in the *Final Programmatic Environmental Impact Statement for Stockpile Stewardship and Management* (DOE/EIS-0236) (DOE 1996), which evaluates the environmental impacts of the nationwide nuclear weapons complex, as well as the *Final Site-Wide Environmental Impact Statement for Sandia National Laboratories/New Mexico* (DOE/EIS-0281) (DOE 1999b).

*Commentor No. 3: Kevin Holsapple, Executive Director,
Los Alamos Chamber of Commerce*

From: Kevin Holsapple [mailto:kevin@losalamos.org]
Sent: Tuesday, September 19, 2006 7:20 AM
To: Withers, Elizabeth
Subject: Comment on the Site-wide Environmental Impact Statement for the
Continued Operation of Los Alamos National Laboratory (DOE/EIS-0380D)

Elizabeth,

Please let me know if this is an appropriate way to submit public comment. I can drop by a hard copy if that is necessary.

Please register the attached letter as public comment to the process.

Also, I believe there is some misleading information presented in Table 4-34 General Funds Revenues in the Tri-County Region (Fiscal Year 2003) -- I think that the numbers presented are not an apples-to-apples comparison. The Los Alamos number includes all tax revenues for the County (city & county) while the numbers presented for Rio Arriba and Santa Fe counties do not appear to include revenues for the cities of Santa Fe, Espanola, or other taxable municipalities within those counties. Let me know if I can clarify this concern.

3-1

3-1

Chapter 4, Table 4-38 (previously Table 4-34), of the SWEIS was revised. Information for Rio Arriba County includes revenues for Española; information for Santa Fe County includes revenues for the city of Santa Fe.

Kevin Holsapple
Executive Director, LACDC / Los Alamos Chamber
(XXX) XXX-XXXX

**Commentor No. 3 (cont'd): Kevin Holsapple, Executive Director,
Los Alamos Chamber of Commerce**



109 Central Park Square, PO Box 460
Los Alamos, NM 87544
505-662-8105 (fax) 505-662-8399
chamber@losalamos.com

September 18, 2006

Los Alamos Site Office
National Nuclear Security Administration
528 35th Street
Los Alamos, NM 87544-2201
Attn: Elizabeth Withers

Subject: Comment on the Site-wide Environmental Impact Statement for the Continued Operation of Los Alamos National Laboratory (DOE/EIS-0380D)

Please accept and consider the content of this letter as input to the SWEIS process for the continued operation of Los Alamos National Laboratory. Our community is positive about continuing to play the important supportive role we are asked to play on behalf of the nation in science and technology that supports national security. The Los Alamos Chamber of Commerce supports the Department of Energy's preferred option with the following comments:

Our organization has facilitated a group of community leaders called TIE (Time is of the Essence) since the Spring of 2005 whose purpose is "reconnecting community and Lab for mutual benefit." The group has included participation by the chief executives and governing board members of the Chamber of Commerce, Los Alamos Public Schools, Los Alamos County government, the University of New Mexico-Los Alamos, the Los Alamos Medical Center, the Los Alamos Retired and Senior Organization, and the Coalition for LANL Excellence. The group formulated and has consistently provided input and recommendations to the NNSA, LANL, LANS LLC, and the congressional delegation that we believe are important to the future success of the Laboratory and our community. Some of these recommendations are highly relevant to the future operations options for LANL as are presented in the EIS.

- We have recommended that the Lab identify and establish advanced technology centers that leverage LANL technology through external collaborations and are located in the Community, not on LANL property. We believe that, in addition to the important role played by Lab activities related to stockpile stewardship, the Lab must continue to be a strong, multi-disciplinary scientific institution that is increasingly relevant to creating solutions to a broader range of society's problems. A robust, diverse science and technology portfolio at LANL is important to the community. Conversely, a narrowing of the LANL mission would not be desirable.

With regard to specific provisions of the EIS, we ask that the implementation of the proposed Science Complex (ref. G126) should consider the community recommendation. The Science Complex could offer substantial off-site potential for advanced technology centers that could be a magnet for economic development

3-2

3-3

3-2

LANL staff collaborates with scientists and organizations in the United States and throughout the world in diverse scientific and technological areas, as suggested by the commentor. Refer to Section 2.3, Alternative Missions, of this CRD for more information about LANL's efforts in renewable energy, global climate change, and biosciences and medical research. The commentor's request that LANL establish technology centers in the community rather than on LANL property is not in concert with NNSA's goal to consolidate all LANL staff in onsite facilities at LANL. Until that goal is accomplished, NNSA will continue to utilize space in Los Alamos and the surrounding community.

3-3

NNSA's plan is to move LANL personnel into offices on LANL property to the maximum extent possible. Thus, the preferred option for the Science Complex is Option 1, Northwest TA-62 Site Option, as discussed in Appendix G, Section G.8.2.2, of the SWEIS.

**Commentor No. 3 (cont'd): Kevin Holsapple, Executive Director,
Los Alamos Chamber of Commerce**

activities. This could be accomplished by using a combination of the Research Park and TA-62 siting options.

- We have recommended that the Lab make quality office space in downtown Los Alamos the location of choice for non-technical, non-classified LANL activities. This policy would be supportive of community efforts to improve the quality and attractiveness of our commercial district which, in turn, will support recruitment and retention of LANL staff. We believe that there would be both cost savings and security advantages to LANL from such a policy.

With regard to specific provisions of the EIS, we ask that implementation of the "office replacement" project (ref. G20) incorporate this recommendation into decisions about the siting of replacement offices. In addition to the benefits stated above, there would be the added benefit of reduction of use of currently undeveloped forest and land.

- The EIS does not appear to address one very important aspect of socioeconomic impacts related to transportation. There are roadways that pass through LANL that are very important to community and regional residents as the routes for traveling between area communities and attractions. It is important that future actions contemplated at LANL that would disturb access to these longstanding routes and patterns of transportation consider the consequences for the surrounding communities and activities and that the cost of providing safe, useful alternative transportation routes be factored into the cost of any such actions. This has been a shortcoming with respect to recent projects at LANL.
- Lack of developable land for community growth has been a longstanding concern. Lands have been identified for potential transfer to the community once environmental clean-up can be completed. We would like to express our view that environmental remediation work in support of land transfers should receive a high priority in the future operations of LANL.

Thank you for your serious consideration of these inputs to your SWEIS process. We look forward to playing a helpful role in supporting a vital, productive LANL of the future.

Sincerely,


Kevin Holsapple
Executive Director

Cc
Sen. Domenici
Sen. Bingaman
Rep. Udall

3-3
cont'd

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3-4

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3-6

NNSA and the LANL contractor will continue using office space in downtown Los Alamos until space is available at LANL for these personnel. NNSA's preference is to move personnel out of outdated, inefficient facilities to new safe and secure offices at LANL that allow them to work together more efficiently.

NNSA understands that the public has concerns about changes in the site's security plans that could impact the public's ability to travel across the site to attractions such as Bandelier National Monument or the ski area. These concerns are noted and NNSA has been working with Los Alamos County and others to address such issues and will continue to weigh these impacts against site security concerns. Local transportation is discussed in Chapter 5, Section 5.10, Transportation, and Section 5.13, Cumulative Impacts, of the SWEIS.

NNSA notes the commentor's concern that remediation activities associated with conveyance of land to Los Alamos County and the New Mexico State Highway and Transportation Department and transfer of land to the Department of the Interior to be held in trust for the Pueblo of San Ildefonso receive high priority. Chapter 4, Section 4.1.1, discusses land that has been or will be conveyed or transferred. Remediation activities have been completed on all lands that have been turned over to date. NNSA will continue expeditious remediation of the remaining sites prior to making land available to the local community.

Commentor No. 4: Tyla Matteson

From: Tyla Matteson [mailto:tmatteson1@mindspring.com]
Sent: Wednesday, August 02, 2006 1:04 AM
To: LANL_SWEIS
Subject: Draft LANL SWEIS Comments

U.S. Department of Energy
 National Nuclear Security Administration
 Los Alamos Site Office

Office of Environmental Stewardship
 528 35th Street
 Los Alamos, New Mexico 87544

August 1, 2006

Dear Ms. Withers,

I wish to comment on the Draft SWEIS regarding the request by the Los Alamos National Laboratory to raise its nuclear bomb production from 20 to 80 plutonium pits per year.

4-1

This will result in increased radioactive wastes on the New Mexico highways, placing the area under risk of contamination.

The United States, a world leader, must show by example to the rest of the world that we can live without the production of nuclear weapons. How can we tell other nations not to produce nuclear weapons, if we continue to do so? Our country just waged a war on another country, because our government claimed that this other country possessed weapons of mass destruction.

4-2

We imperil our general safety by continuing this hypocritical behavior. In addition, I do not wish for our taxes to be used in such a harmful, ominous manner. Rather than allow for an increase, I respectfully request that further nuclear bomb production be halted.

I request that you keep me informed as to your subsequent recommendations on this project.

Yours truly,

Tyla Matteson
 4896 Burnham Road
 Richmond, Virginia 23234

4-1

The evaluation of human health effects from transporting radioactive materials is detailed in Appendix K and summarized in Chapter 5 of the SWEIS. As indicated in Chapter 5, Section 5.9, the increase in pit production under the Expanded Operation Alternative would add about 240 cubic yards (180 cubic meters) of contact-handled transuranic waste annually. Using the information provided in Chapter 5, Table 5-50, this would result in about 25 additional shipments to WIPP annually. Environmental contamination is only possible under a very severe accident causing breach of both the cask and the packages containing the materials. The probability of occurrence of such an accident is 1-in-10,000 trips, using the general truck-trailer accident rate given in Appendix K. Historically, transportation to WIPP has been very safe with no releases of any contaminants. Therefore, the potential for any contamination during transportation of wastes generated from increased pit production is very small.

4-2

NNSA notes the commentor's request. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 5: Rhonda M. Smith, Chief,
Office of Planning and Coordination,
U.S. Environmental Protection Agency



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

SEP 20 2009

Ms. Elizabeth R. Withers
U.S. DOE/NNSA
Los Alamos Site Office
528 35th Street
Los Alamos, NM 87544-2201

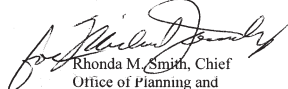
Dear Ms. Withers:

In accordance with the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, Environmental Protection Agency (EPA) Region 6 has reviewed the Draft Environmental Impact Statement (DEIS) for continued operation of Los Alamos National Laboratory (LANL), Los Alamos, New Mexico. The National Nuclear Security Administration (NNSA) under the Department of Energy (DOE) proposes to continue operating the Los Alamos National Laboratory in north central New Mexico. Under the Preferred Alternative of Expanded Operations, NNSA would operate LANL at the highest levels of activity currently foreseeable, including full implementation of the mission assignments.

EPA rates the DEIS as "LO," i.e., EPA has "**Lack of Objections**" to the proposed Federal action. Our classification will be published in the *Federal Register* according to our responsibility under Section 309 of the Clean Air Act to inform the public of our views on this proposed Federal action. If you have any questions, please contact Mike Jansky of my staff at (214) 665-7451 or jansky.michael@epa.gov, for assistance.

EPA appreciates the opportunity to review the DEIS. Please mail two (2) copies of the Final EIS when it is sent to the Office of Federal Activities, EPA (Mail Code 2252A), Ariel Rios Federal Building, 1200 Pennsylvania Ave, N.W., Washington, D.C. 20004.

Sincerely yours,


Rhonda M. Smith, Chief
Office of Planning and
Coordination (6EN-XP)

5-1

5-1

NNSA notes the commentor's letter.

Commentor No. 6: Nancy Florsheim

NANCY FLORSHEIM
1119 CALLE CATALINA
SANTA FE, NEW MEXICO 87501

August 11, 2006

Dear Ms. Witters,

I strongly object to the proposed expansion of nuclear weapons operations at LANL.

The production of up to 80 plutonium pits per year sends the wrong message to the world we hope to enlist against nuclear proliferation.

Blowing up thousands of pounds of depleted uranium would impact the air, water, and crops of northern New Mexico. We must protect the health of our citizens.

The possible doubling of production of radioactive waste
Cover 1

6-1

6-2

6-3

6-1 NNSA notes the commentor's objection to the expansion of nuclear weapons operations at LANL. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

6-2 LANL staff use depleted uranium to study behavior of material in dynamic and hydrodynamic tests. Refer to Section 2.10, Depleted Uranium and the Dual Axis Radiographic Hydrodynamic Test (DARHT) Facility, of this CRD for more information on how LANL staff control releases and monitor these experiments.

6-3 The evaluation of human health effects from transporting radioactive materials is detailed in Appendix K and summarized in Chapter 5 of the LANL SWEIS. The results presented in Appendix K, Section K.7, indicate that the risks to the public and crew per transport are very small. As indicated in Chapter 5, Section 5.9, the increase in pit production under the Expanded Operation Alternative would add about 240 cubic yards (180 cubic meters) of contact-handled transuranic waste annually. Using the information provided in Chapter 5, Table 5-50, this would result in about 25 additional shipments to WIPP annually. Using the risk factors provided in Appendix K, Table K-3, the impacts from transporting these additional wastes to WIPP would be very small; that is, a total additional dose of about 0.18 person-rem to the population residing along the route. This is a very small fraction, about 0.002 percent, of the dose the same population would receive annually from natural background radiation. Environmental contamination is only possible under a very severe accident causing breach of both the cask and the packages containing the materials. The probability of occurrence of such an accident is 1-in-10,000 trips, using the general truck trailer accident rate given in Appendix K. Historically, the transportation to WIPP has been very safe with no releases of any contaminants. Therefore, the potential for any contamination during transportation of wastes generated from the increased pit production is very small.

Commentor No. 6 (cont'd): Nancy Florsheim

would mean more shipments to WIPP, increasing the hazards on N.M. roads.

6-3
cont'd

These activities would have an adverse effect on public safety, rather than improving it. The wonderful facilities at LANL should be used to find solutions to the problems of global warming, energy independence, and other threats to our nation.

6-4

6-4

NNSA notes the commentor's opinion that LANL activities would have an adverse impact on public safety. Normal operations at LANL would not result in a threat to public safety as shown in the impacts analysis presented in Chapter 5 of the SWEIS. NNSA has an active safeguards and security program to evaluate threats and prevent access by people whose intent is to harm public safety.

6-5

6-5

Cessation of LANL's primary mission activities in support of NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. Therefore, ending these activities at LANL is not being considered in the SWEIS. In addition to performing these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Thank you for your consideration.

Sincerely,
Nancy Florsheim

Commentor No. 7: Bob Aly

From: Robert Aly [mailto:room2@earthlink.net]
Sent: Thursday, August 03, 2006 4:02 PM
To: Withers, Elizabeth
Subject: Plutonium Pits in New Mexico

Hello Ms. withers,

Maybe you don't care what is in the water you drink or the food you eat are the air you breathe, but many of us do.

I don't understand how you can trade our clean (relative) environment for money. Los Alamos has been polluting the Rio Grande for many years. I drink water from a well, here in Albuquerque, less than ¼ mile from the Rio Grande. We irrigate our garden with the same water. I don't want to drink, eat, or breathe plutonium, or any other radio active elements.

7-1

7-1

NNSA notes the commentor's concern regarding offsite contamination. Naturally occurring radionuclides are present in the waters of the Rio Grande. The river flows through geologic formations containing naturally occurring radioactive materials and picks up some amount of radioactive material from the rocks. LANL staff monitor operations to ensure that discharges remain low and well within regulatory standards. Refer to Section 2.6, Offsite Contamination, of this CRD for more information.

We need hearings in Albuquerque so that all New Mexicans can give their opinion about this proposed immoral and destructive action.

7-2

7-2

NNSA notes the commentor's desire for a hearing in Albuquerque so citizens can voice their opinions. Although there were no public hearings in Albuquerque, other means of providing comment on the Draft SWEIS were provided. See Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

Thanks,

Bob Aly
215 Hartline Rd SW
Albuquerque, NM 87105
505 242 5511

Commentor No. 8: Miriam Sagan

From: MSagan1035@aol.com [mailto:MSagan1035@aol.com]
Sent: Thursday, August 03, 2006 3:06 PM
To: LANL_SWEIS
Subject: Site Wide EIS

Dear NNSA,

I am writing to you in regards to the LANL Site-Wide EIS. As a resident of northern New Mexico, I am opposed to the increase in plutonium pits at LANL. The cost is enormous, and plutonium an unstable and deadly substance. This will also increase hazardous shipments of radioactive waste from other DOE sites.

In this time of ecological crisis, climate change, and energy issues, I really think that LANL is best used as a resource for scientific problem solving rather than as radioactive waste dump.

best,

Miriam Sagan, writer and teacher
Santa Fe, NM 87505

8-1

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8-3

8-1

NNSA notes the commentor's opposition to increasing pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information. While cost is not within the scope of this SWEIS, as discussed in Chapter 1, Section 1.4, it is one factor that NNSA will consider when making decisions regarding future LANL operations.

8-2

As indicated in Chapter 5, Section 5.9, LANL historically receives small quantities of low-level radioactive wastes from other DOE facilities for packaging and disposal. However, receipt of these wastes would be unaffected by the level of pit production at LANL.

8-3

NNSA notes the commentor's desire for activities at LANL to be focused on areas other than those related to nuclear weapons production. Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. In addition to these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 9: Peter Malmgren

**Draft Site-Wide Environmental Impact Statement
for Continued Operation of Los Alamos National Laboratory,
Los Alamos, New Mexico (Draft SWEIS)**

**Comment Form
Forma para comentarios**

Thank you for your input
Gracias por su participación

Date/Fecha: Aug 10th 2006

PLEASE PRINT / FAVOR DE ESCRIBIR CLARAMENTE

1. What comments do you have on the Draft SWEIS?
¿Que comentarios tiene usted sobre el Draft SWEIS?

AS THE DIRECTOR OF A FOUR YR ORAL HISTORY STUDY
OF LOS ALAMOS WORKERS SPONSORED BY UAM + THE CDC,
I HAVE DEVELOPED AN APPRECIATION FOR THE MEN + WOMEN
WHO BUILT THE LAB + MADE IT GO. THE MANHATTAN PROJECT
SYMBOLIZED COMMITMENT, FOCUS + CONCENTRATED EFFORT FOCUSED
ON A SPECIFIC GOAL.

NOW, WE NEED A NEW MANHATTAN PROJECT BUT NOT ONE
DEDICATED TO DEVELOPMENT OF MORE WEAPONS, ONE
DEDICATED TO CONQUERING MAN'S MORE OVERWHELMING
PROBLEMS OF GLOBAL WARMING, NUCLEAR PROLIFERATION,
NUCLEAR WASTE, A PLANET POLLUTED + DEEPLY WOUNDED
BY OUR OWN DEVICES.

JIM WIECHSLER SPENT 35 YRS IN WEAPONS + WAS THERE
TO WITNESS TRINITY. HE'S CONVINCED THAT WE'VE LOST
ENOUGH MONEY ON WEAPONS IN ONE FORM OR ANOTHER
TO TURN OUR ATTENTION TO THE LARGER ISSUES OF ENERGY.
WHEN OUR NUCLEAR SENIOR SCIENTIST'S SPEAK, WE NEED TO
LISTEN.

THOSE OF US WHO LIVE IN THE VALLEY ARE PARTICULARLY

**** CONTINUE ON BACK FOR MORE SPACE **
** CONTINUAR AL DORSO PARA MAS ESPACIO ****

Name/Nombre: _____
Address/Dirección: _____
City, State, Zip Code/Ciudad, Estado, Zona Postal: _____

NOTE: Please do not include personal information (such as address or phone number) if you object to it being included in the SWEIS; comments received are included in the SWEIS in their entirety.
NOTA: Favor de excluir información personal (dirección o número de teléfono) que no desea aparezcan en el SWEIS; todo comentario recibido es incluido en su totalidad en el SWEIS.



**PLEASE HAND THIS FORM IN OR MAIL BEFORE SEPTEMBER 5, 2006 to:
FAVOR DE ENTREGAR ESTA FORMA O ENVIARLA POR CORREO
ANTES DEL DIA 5 DE SEPTIEMBRE DE 2006 A:**

Ms. Elizabeth Withers, SWEIS Document Manager
Los Alamos Site Office • National Nuclear Security Administration • U.S. Department of Energy • 528 35th Street • Los Alamos, NM 87544-2201

|| 9-1

9-1 NNSA notes the commentor's concern related to waste management and offsite contamination. The SWEIS addresses legacy waste and the potential increase in radioactive waste generated at LANL as a result of continued operations for each of the alternatives. Chapter 2, Section 2.2.6, summarizes the progress made in the LANL environmental restoration program since 1999. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Chapter 5, Section 5.9, addresses the waste management impacts associated with the continued operation of LANL under each alternative. Refer to Sections 2.6, Offsite Contamination; 2.7, Waste Management; and 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information regarding the concerns expressed in this comment.

Commentor No. 9 (cont'd): Peter Malmgren

CONCERNED ABOUT LEGACY WASTES + THE PROJECTED INCREASE IN DANGEROUS POLLUTANTS THAT WILL EMERGE FROM YOUR GRANDiose PROJECTIONS.

IT SEEMS TO ME IT'S ALL ABOUT TIMING. A REPUBLICAN ADMINISTRATION FUELED BY THE PSYCHOTIC VISION OF THE NEO-CONS ARE TRYING TO RAM THESE DEVELOPMENTS DOWN OUR THROATS BEFORE THE FALL ELECTIONS WHICH WILL BRING POLITICAL CHANGE THE LIKES OF WHICH THE REPUBLICANS CAN ONLY SEE IN THEIR NIGHTMARES.

LOS ALAMOS NEEDS AN IDENTITY CHANGE BUT I FEAR THAT BERTHEL CAN ONLY SEARCH FOR PROFITS IN THE LIMITLESS POSSIBILITIES OF BEING A WEAPON'S MERCHANT FOR THE WORLD.

NUCLEAR WEAPONS HAVE ALWAYS BEEN DEFINED AS THE FINAL DETERRENT - REMEMBER M.A.D.? NOW SUDDENLY THE NEO-CONS CAN SUDDENLY RE-DEFINE THE WEAPONS ARE TACTICAL, ONES THAT CAN ACTUALLY BE USED IN THE FIELD OF BATTLE. BUNKER BUSINESS WERE TURNED DOWN TWICE BY CONGRESS + STILL THEY RETURN - IS NO ONE LISTENING TO THE WILL OF OUR LEGISLATORS?

LOS ALAMOS NEEDS TO BE DOWN-SIZED, TRANSFORMED, + CLEANED UP ONCE + FOR ALL. FOR ALLOF US WHO LIVE OUR LIVES IN THE SHADOW OF THE MT, THIS IS IMPERATIVE!

PETER MALMGREN, "LOS ALAMOS REVISITED"

9-1
cont'd

9-2

9-2

NNSA notes the commentor's preference for changes at LANL. As noted in Section 1.2 of the SWEIS, the mission currently assigned to NNSA by the Congress and the President and supported by work at LANL is focused on ensuring a safe and reliable nuclear stockpile. Concurrent with fulfilling the assigned mission, NNSA and the LANL management and operating contractor are committed to implementation of the Consent Order with the State of New Mexico and proceeding with cleanup of LANL. Appendix I addresses environmental cleanup activities being pursued in accordance with the Consent Order.

Commentor No. 10: Robert L. Anderson, Ph.D.

From: Bob Anderson [mailto:citizen@comcast.net]
Sent: Wednesday, August 02, 2006 11:46 AM
To: LANL_SWEIS
Subject: Please set up a hearing in Albuquerque too

Hi,

It seems just simple logic that you would also schedule a hearing in Albuquerque for the stepped up pit production in Los Alamos. Down here many people are effected by the contamination of our water supply by LANL and we would like to address that in your hearings.

Sincerely,

Bob Anderson
324 Richmond SE
Albuquerque, NM 87106
XXX-XXX-XXXX
citizen@comcast.net

10-1

10-2

10-1 NNSA notes the commentor's opinion regarding a hearing in Albuquerque. Although there were no public hearings in Albuquerque, other means of providing comment on the Draft SWEIS were provided, such as U.S. mail, e-mail, a toll-free telephone line, and a toll-free fax line. It should be noted that all comments, whether written or provided orally, are given equal weight and consideration. Please see Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for additional information.

10-2 Chapter 4, Section 4.3, of the SWEIS summarizes a number of studies performed following the Cerro Grande Fire to determine the impacts the fire had on the movement of contaminants. In addition, Appendix F of the SWEIS presents a comparison of levels of environmental contamination based on composite samples of groundwater (Figures F-1 through F-6) and other media as measured over the years since the Cerro Grande Fire compared to similar sample results presented in the 1999 SWEIS. In addition, a drinking water pathway analysis has been included in Appendix C. The analysis shows the radiological dose from drinking Rio Grande water would be well below the EPA's 4 millirem drinking water limit and that downstream concentrations are comparable to concentrations in other regional waters.

Past practices at LANL have resulted in contamination of shallow groundwater that has a potential of contaminating the regional aquifer under Pajarito Plateau. Some groundwater samples onsite are showing signs of some of that contamination. NNSA intends to continue to safely manage emissions, effluent discharges, and waste, and to conduct its environmental restoration (in accordance with the Consent Order) to ensure cleanup of the site to protect the groundwater and human health. Refer to Section 2.5, Water Resources, and Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

Commentor No. 12: Doug Clark

From: dclark@cybermesa.com [mailto:dclark@cybermesa.com]
Sent: Wednesday, September 20, 2006 1:34 PM
To: LANL_SWEIS
Subject: EIS Comment

Dear DOE and LANL:

I am writing to express my opposition to expanded plutonium pit production at LANL. There are so many reasons NOT to produce more

“pits,” including:

- it will increase toxic and radioactive waste
- it will create storage problems for this waste
- it will increase water useage at LANL, a critical resource already in short supply
- it will contaminate water and soil
- it will increase risk of cancer for people in the surrounding area

Please make it clear in your EIS that increased pit production is very hazardous to the environment. Thank you.

Doug Clark
11 Potrero Rd.
Chimayo NM 87522

12-1

12-1

NNSA notes the commentor’s opposition to expanded plutonium pit production at LANL. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for information related to this concern. Chapter 5 of the SWEIS presents the environmental impacts of continued operation of LANL, including increased pit production under the Expanded Operations Alternative. The impacts analysis addresses the disposal of chemical and radioactive wastes, water usage, and any impacts on water and soil. Chapter 5, Section 5.6.1.3, describes the potential dose to the maximally exposed individual at the LANL site boundary and to the total population within a 50-mile radius of LANL. The maximum projected population dose (36 person-rem annually) would result in no additional latent cancer fatalities in the population, and the risk of a latent cancer fatality to the maximally exposed individual is less than 1 chance in 203,000 per year (4.9×10^{-6} per year).

Commentor No. 13: Robert and Darlene Price

From: robert price [mailto:ppricer@verizon.net]
Sent: Wednesday, September 20, 2006 11:00 AM
To: LANL_SWEIS
Cc: ppricer@verizon.net
Subject: Expanded Radioactive Operations

Dear DOE and LANL: Date: 9/20/06

I strongly oppose expanded plutonium pit production at the Los Alamos National Laboratory.

Quadrupling pit production will turn the Lab into a nuclear materials storage and radioactive waste dump facility, and a NUCLEAR BOMB FACTORY.

Additionally:

- * I oppose the increased toxic and radioactive waste generated by expanded operations.
- * I oppose LANL's continuing pollution of our precious water resources.
- * I oppose the Lab's continuing burial of radioactive and chemical wastes in unlined dumps.
- * I oppose the construction of new nuclear weapons facilities near earthquake fault lines.

Sincerely,

Robert & Darlene Price

13-1

13-1

NNSA notes the commentor's opposition to expanded pit production at LANL and to increased generation of toxic and chemical waste, pollution of water sources, burial of radioactive and chemical wastes in unlined dumps, and construction of nuclear weapons facilities near earthquake fault lines. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for information related to pit production. The environmental impacts of waste generation and disposal and any impacts to water resources associated with expanded pit production are addressed in Chapter 5 of the SWEIS under the Expanded Operations Alternative. Although increased waste generation would occur as a result of expanded pit production, not all waste would be disposed of at LANL. Chemical waste and radioactive mixed waste from LANL operations are sent offsite for treatment and disposal; transuranic waste is stored onsite until it is characterized, packaged, and shipped to WIPP for disposal; and low-level radioactive waste is either disposed of at Area G or shipped offsite for disposal. Refer to Section 2.7, Waste Management, of this CRD for more information on disposal of low-level radioactive waste in unlined pits. None of the alternatives analyzed in the SWEIS propose the construction of new nuclear weapons facilities. Work performed at LANL and all new construction activities, however, are subject to DOE Orders and standards for seismic concerns.

Commentor No. 14: Therese Ludvigson

From: Therese Ludvigson [mailto:tludvig@taosnet.com]
Sent: Sunday, August 06, 2006 4:43 PM
To: LANL_SWEIS
Subject: Quadruple plutonium pits at Los Alamos - Why?

A country with a skyrocketing national deficit.
Quagmire in Iraq.
Supplying weapons to Israel to wage war on Lebanon.
Enough nuclear weapons to destroy the entire planet several times over.
Why?
Why a billion dollars to triple plutonium pits at Los Alamos labs?

14-1

14-1

NNSA notes the commentor's statement. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 15: Jeanne Green

From: Jeanne Green [mailto:innerlight52@hotmail.com]
Sent: Friday, August 04, 2006 5:17 PM
To: LANL_SWEIS
Subject: SWEIS commentary

August 4, 2006
Atten: Elizabeth Withers, EIS Document Manager Los Alamos Site Office
National Nuclear Security Administration U.S. Department of Energy
538 35th Street
Los Alamos, NM 87544-2201

SWEIS commentary:

The Sweis document does not provide an acceptable alternative to ensure safety of the public. LANL should not be allowed to increase plutonium pit production or any additional munitions production when it has not dealt with the massive amounts of radioactive, chemical and heavy metal wastes already on site and continuing to be released into the air, water and soil in New Mexico.

15-1

Independent monitoring of contamination has shown Americium 241 in plums at Llano, also above normal levels in regional soils of beryllium, cadmium, cobalt, copper, iron, zinc, mercury, manganese, nickel and lead. LANL streams are contaminated with PCBs, gross alpha and selenium. Radioactive waste, enough to fill 9000 olympic-sized pools, is sitting above-ground in canvas tents, just ready for the next wildfire, earthquake or terrorist to come along.

15-2

We must take advantage of the tremendous amount of technical expertise available at LANL and change its mission to research and development of sustainable alternatives toward energy independence from foreign oil. This will seriously reduce the need for weapons for current and future wars.

15-3

15-4

My recommendations are to implement full clean-up of the major waste sites at LANL and refrain from generating any more toxic wastes. No, no, no new nuclear bomb factory. The NMED/LANL Consent Order for clean-up should be mandatory and immediate, not tied to increased weapons activities or plutonium pit production. DOE must adopt the Removal Option for all clean-up activities and apply the most recent water quality standards and current impaired stream information.

15-5

It is not acceptable to be exploding depleted uranium with explosives in the open air. This must stop. New Mexicans cannot be considered collateral damage in an eternal war against terrorism. DOE must institute a program to stop all toxic air pollutant emissions from LANL facilities.

15-6

Also It is a grave oversight to omit the 2006 seismic hazard study information in planning for future building.

15-7

15-1 NNSA notes the commentor's opposition to activities related to nuclear weapons production at LANL and concerns about legacy and new environmental contamination from those activities. Chapter 2, Section 2.2.6, of the SWEIS summarizes the progress made in the LANL environmental restoration program since 1999. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Actions are underway to prepare and transport the transuranic waste currently stored onsite to WIPP for disposal. Chapter 5 of the SWEIS evaluates the potential environmental and health and safety impacts of continued operation of LANL for the three proposed alternatives. LANL operations are in compliance with the regulations that protect public health and the environment and, as demonstrated by the analyses, would continue to be in compliance. Refer to Section 2.6, Offsite Contamination, of this CRD for additional information on the potential impacts to the air, water, and other environmental media.

15-2 Refer to Section 2.6, Offsite Contamination, of this CRD for information about the report of americium-241 in a plum sample in Dixon, New Mexico. Examination of the data indicates that this was likely a false positive finding. The discussion also describes how LANL staff limits releases to the air and outfall discharges from current operations to levels within the regulatory limits to protect public health and the environment. Contamination has resulted from past operations and in an effort to ensure the public is protected, the LANL contractor monitors air, water, sediments, soil and foodstuffs for the presence of toxic or hazardous constituents, and radionuclides, and reports the results of these analyses in annual environmental surveillance reports.

15-3 Although LANL has instituted a pollution prevention and waste minimization program (see Chapter 4, Section 4.9, of the SWEIS), operation of LANL in support of NNSA's core missions will cause the generation of waste that NNSA intends to safely manage as it continues to address existing waste in storage. Nearly all of the stored waste at LANL consists of legacy transuranic waste that is stored above ground within fabric domes in TA-54. Most of this waste was originally stored below grade, but was retrieved and placed in an above-ground, inspectable configuration as required by the State of New Mexico.

Commentor No. 15 (cont'd): Jeanne Green

DOE must make permanent disposal of existing waste a priority, rather than expanding operations to generate more toxic and radioactive waste. LANL's mission should be pro-life instead of pro-death, sustainable energy alternatives instead of weapons of mass destruction.

Thank you for the opportunity to be heard, Jeanne Green

15-3
cont'd

15-4
cont'd

- 15-3
cont'd
- 15-4
cont'd
- 15-4 NNSA is working to prepare all stored and newly generated transuranic waste for shipment to the WIPP. Shipment rates for 2006 have increased significantly over past years. Refer to Section 2.7, Waste Management, of this CRD for more information.
- 15-5 Cessation of NNSA's core mission activities would be counter to national security policy as established by the Congress and the President; therefore, ending these activities at LANL is not being considered for the LANL SWEIS. Activities that support research of energy independence are conducted at LANL. Refer to Section 2.3, Alternative Missions, of this CRD for more information.
- 15-5 NNSA notes the commentor's recommendations about proposed LANL operations, generation of additional toxic wastes, and cleanup of LANL waste sites. Although LANL has instituted a pollution prevention and waste minimization program (see Chapter 4, Section 4.9, of the SWEIS), operation of LANL in support of NNSA's core missions will cause the generation of waste that NNSA intends to safely manage as discussed in Section 2.7, Waste Management, of this CRD. Furthermore, NNSA intends to implement actions necessary to comply with the March 2005 Consent Order regardless of decisions made on other activities analyzed in the SWEIS. Decisions about environmental remediation will be made in accordance with established regulatory standards and processes, including those of the New Mexico Environment Department for the Consent Order. Several alternative remedies may be considered for a contaminated site, including containment in place, treatment, removal, or other remedies. Any remedy selected for a site requiring environmental remediation must meet several criteria including protection of human health and the environment, and attainment of applicable cleanup standards for groundwater, surface water, and other environmental media considering the designated future use of the site. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for additional information.
- 15-6 All LANL activities have valid permits as described in Chapter 6 of the SWEIS and are conducted in accordance with applicable state and Federal laws and regulations. Radiological air emissions are discussed in Chapter 5, Section 5.4.2, of the SWEIS. The impacts from all

Commentor No. 15 (cont'd): Jeanne Green

emissions, including depleted uranium, are discussed in Chapter 5, Section 5.6.1. (Nonradiological emissions are addressed in Section 5.4.1 while nonradiological impacts from these emissions are addressed in Section 5.6.2.) For all alternatives, the average population dose within 50 miles (80 kilometers) of LANL is less than 0.1 percent of background radiation. LANL operations and procedures are designed to control any releases of depleted uranium to the environment during tests. For more information on high explosives, depleted uranium, and associated monitoring programs, refer to Section 2.10, Depleted Uranium and the Dual Axis Radiographic Hydrodynamic Test (DARHT) Facility, of this CRD.

15-7

An update to the seismic hazard analysis was completed in 2007. Prior to the design and operation of future facilities, safety studies in the form of Hazard Assessment Documents and Safety Analysis Reports that take into account the most current seismic information would be prepared to address a comprehensive set of accident risks. The results of these safety studies would be incorporated into facility design and operations to ensure protection of the health and safety of workers and the public.

Seismic activity at LANL is described in Section 4.2.2.3 and in the 2007 seismic hazard analysis report (LANL 2007a). The estimated human health impacts from postulated facility accidents, including earthquakes, are described in Chapter 5, Section 5.12 and Appendix D, Section D.4, of the SWEIS. These sections also include a discussion of the significance of the updated understanding of seismic hazard from the 2007 report.

Commentor No. 16: Richard M. Henley

From: globalrick@att.net [mailto:globalrick@att.net]

Sent: Thursday, August 03, 2006 10:10 PM

To: LANL_SWEIS; LANL_SWEIS

Subject: Please HALT any further nuclear (trigger or otherwise) production.

How many times do you need to level the earth? 30-50 times should do quite nicely and you already have enough materials to do that for the next 50,000 years before any real degradation occurs.

Give our kids a future. Knock it off. Save the taxpayers and the lives of millions. Do the right thing.

Richard M Henley

Albuquerque New Mexico

16-1

16-1

NNSA notes the commentor's statements. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 17: Richard M. Henley

From: globalrick@att.net [mailto:globalrick@att.net]
Sent: Thursday, August 03, 2006 10:08 PM
To: LANL_SWEIS; LANL_SWEIS
Subject:

Please HALT any further tax consumer, world roasting, war precipitating nuclear material.

You have enough to last 50,000 years and quantity to level the planet at least 30 times from one side to the other. What IS the point? MONEY?

PLEASE give our kids a future by halting ANY further production of all kinds. Plus curtailing ANY further funds to store outside materials in this state. It is already a crime against humanity and a crime against all life the way it exists. More WILL make it worse.

Richard M. Henley
Cedar Crest New Mexico

17-1

17-1

NNSA notes the commentor's request for a halt to nuclear materials production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

17-2

17-2

The SWEIS addresses storage of materials at LANL, but storage at other sites in the State of New Mexico is not within the scope of the SWEIS. There are no proposals in the SWEIS that would increase the net radioactive material storage capacity at LANL. LANL nuclear facilities, as well as all other NNSA nuclear facilities, have limited storage capacity based on analyses of their design and safety features. Any outside materials that would be stored in a facility at LANL must meet the safety and security standards set in the authorization basis for that facility. Any of these storage activities must be consistent with NNSA's mission and LANL's mission work assignments and are contingent on funding from the Congress.

Commentor No. 18: Jane Hanna

From: Mjhfos@aol.com [mailto:Mjhfos@aol.com]
 Sent: Wednesday, August 09, 2006 11:53 AM
 To: LANL_SWEIS
 Subject: LANL future

Dear Ms. Withers:

I am disturbed, really angry and disappointed that the Los Alamos lab would give a single thought to producing plutonium pits. Where is this nation's moral compass that we would give any consideration to the production of more nuclear weapons!

There is enormous resistance to this idea because people fear the possibility of environmental contamination. However, we should be even more concerned about allowing our country to continue manufacturing and enhancing the possibilities for nuclear war. Instead of escalating the lethal levels of weapons, the US should be leading the world in the destruction of those stockpiles already in existence. It would be a tremendous gift to humanity if the expertise of those who work in Los Alamos were given over to research on ways to live together peacefully. People and the environment must be given new ways to live without competing for and depleting the earth's natural resources. There is a desperate need for the skills of lab scientists to be directed toward the goal of a better future for all the earth's inhabitants.

Whether or not the lab goes into plutonium pit production is a far greater concern than just meeting the requirements of an environmental impact statement. The very suggestion that such production take place anywhere in the world is evil. The filthy, lethal mess that has been created in previous decades should be of major concern for elimination. Why in the world would any sane person consider expanding an already overwhelming challenge for safe disposal.

I implore you to make certain that the concern for total elimination of nuclear weapons material be included in discussions about LANL's role in the years to come.

Sincerely,

Jane Hanna
 10 Descanso Rd.
 Santa Fe, NM 87508

18-1

18-1

NNSA notes the commentor's concerns regarding the production of plutonium pits and nuclear weapons. Cessation of these activities would be counter to national security policy as established by the Congress and the President. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

18-2

18-2

Cessation of NNSA's core mission activities would be counter to national security policy as established by the Congress and the President; therefore, ending these activities at LANL is not being considered in the LANL SWEIS. Activities that support other research initiatives of importance to the Nation are conducted at LANL. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

**18-1
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Commentor No. 19: Lori Colt

From: Lori Colt [mailto:coltll@comcast.net]
Sent: Wednesday, August 09, 2006 11:47 AM
To: LANL_SWEIS
Subject: Comments Regarding Additional Plutonium-Pit Production

Dear Ms. Withers,

I am emailing you today to let you know that I do not support LANL's proposed expanded Plutonium Pit Production. Living 40 miles downstream from LANL I would not like this type of activity to take place so close to my residence, nor to anyone else. I am a staunch environmentalist and conservationist and I do not support any activities of this toxic nature.

I appreciate LANL's consideration of it's neighbors.

Thank you,

Lori Colt
6 Fortuna Road
Eldorado, NM 87508

19-1

19-1

NNSA notes the commentor's opposition to expanded plutonium pit production. The purpose of the continued operation of LANL is to provide support for DOE's core missions as directed by the Congress and the President. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information. Environmental and human health impacts are evaluated in Chapter 5 of the SWEIS and summarized in Table S-5 of the Summary.

Commentor No. 20: Marcia Brenden, Ph.D., Center for the Education and Study of Diverse Populations, New Mexico Highlands University

From: Marcia Brenden [mailto:mbrenden@cesdp.nmhu.edu]
Sent: Wednesday, August 09, 2006 10:30 AM
To: LANL_SWEIS
Subject: expansion of pit production

Please add these comments to the response to the recent EIS on expanded production of plutonium pits:

I am totally and actively against the production of nuclear weapons and any science and DOE projects that support nuclear bomb production. Therefore I am against the recently proposed expansion of plutonium pit production at LANL. I live in Dixon, just upwind from the lab and as a citizen, taxpayer, mother, future grandmother, and teacher I refuse to fund with my tax dollars the billions it will take to expand what many scientists and generals contend is bad science. We do not need a bigger and better nuclear bomb factory built in northern New Mexico since the amount of radioactive bomb wastes will almost double. This will also result in increased radioactive wastes traveling on our highways bound for the Waste Isolation Pilot Plant (WIPP) in Carlsbad, New Mexico, the world's only permanent dump for such wastes. Other unacceptable impacts of building a bigger and better nuclear bomb factory in Los Alamos are a poisoning of air and water and soil, a further eroding of international peace treaties and nonproliferation compacts, and an increase in terrorist attacks on LANL and therefore on me, my family, and my land.

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I agree with Joe Sestak, a retired three-star admiral who led the Navy's anti-terrorism unit and spent a year and a half fighting in Afghanistan, when he says we are bankrupting our national budget on weapons and war while we need to spend the nation's wealth on healthcare and education (helping working families afford quality preschools, for instance.) He wants to reduce the ridiculous number of nuclear missiles the U.S. continues to maintain to deter the nonexistent Soviet Union and "rogue states" and shift that money to essential human-needs programs.

Please note my remarks and make them part of the public record.

Marcia Brenden, Ph. D
 Center for the Education and Study of Diverse Populations
 New Mexico Highlands University
 705 La Joya Street, Suite C
 Española, New Mexico 87532
 XXX-XXX-XXXX
 XXX-XXX-XXXX Fax
 mbrenden@cesdp.nmhu.edu

20-1 NNSA notes the commentor's opposition. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

20-2 NNSA notes the commentor's opposition to "a bigger and better bomb factory built in northern New Mexico." The SWEIS addresses the environmental impacts of operating LANL for three different alternatives, including an Expanded Operations Alternative that would allow LANL to increase its capability to produce plutonium pits from 20 to up to 80 pits per year. Chapter 5 of the SWEIS describes the environmental impacts of LANL construction activities and operations, including increased pit production under the Expanded Operations Alternative and the resulting offsite contamination, waste generation, and transportation of radioactive waste offsite for disposal. As demonstrated in this chapter, NNSA believes that LANL operations can continue without posing unreasonable risks to the public. Refer to Sections 2.6, Offsite Contamination, and 2.7, Waste Management, of this CRD for more information regarding the concerns expressed in this comment. With regard to the terrorism concern raised in this comment, DOE gives high priority to the safety and security of all its facilities. Security and potential acts of sabotage are integral considerations in the designs and operating procedures for new and existing DOE facilities. DOE considers the threat of terrorist attack to be real and uses an established safeguards and security process to assess facility vulnerabilities to various threats, including those from intentional destructive acts such as terrorism. Chapter 4, Section 4.6, of the SWEIS was revised to include additional discussion of the measures taken to protect assets at LANL from terrorist activities. As discussed in Chapter 5, Section 5.12.6, the impacts of terrorist action are considered in a separate, classified appendix to the SWEIS.

Commentor No. 21: Daniel Craig, DOM

From: Daniel Craig [mailto:domdanc@yahoo.com]
Sent: Wednesday, August 09, 2006 8:59 AM
To: LANL_SWEIS
Subject: against pits

I am against further plutonium pit production at Los Alamos Labs. It is immoral and needs to be made illegal to produce nuclear weapons. I hold you accountable for this insanity. Shift the focus of LANL to sustainable, clean energy research and production and please stop producing death.

|| 21-1
|| 21-2

Peace,
Daniel Craig, DOM

A good human being is an explorer of boundaries, of limits, and of possibilities.

A good human being seeks ideas not only to confirm his beliefs, but to risk the possibility of discovering information that shakes those beliefs to their foundations.

21-1 NNSA notes the commentor's statement. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

21-2 Cessation of NNSA's core mission activities would be counter to national security policy as established by the Congress and the President; therefore, ending these activities at LANL is not being considered in the LANL SWEIS. Activities that support research of clean energy research are conducted at LANL. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 22: Linda Wiener

From: thebuglady@aol.com [mailto:thebuglady@aol.com]
Sent: Wednesday, August 09, 2006 7:06 AM
To: LANL_SWEIS
Subject: no more plutonium pits!!

This letter is in response to the proposal to quadruple plutonium pit production at Los Alamos National Labs. This proposal is a bad one and should not be implemented for the following reasons: 1) it is in violation of the nuclear non proliferation treaty and therefore illegal. 2) It does not serve any legitimate purpose in New Mexico, the US, or the world at large. It can only serve the purposes of the worst elements in the world. 3) the environmental impact on the air and water of New Mexico and its citizens have not been considered adequately. LANL has proved itself to be incapable of monitoring and correcting its polluting activities and is in constant violation of US law. Evidence for this is easily found in the chromium contamination which was concealed for years, PCB and perchlorate contamination, and over 1,400 unmonitored discharge sites. LANL cannot be considered a place where plutonium pit production can be increased in a safe way.

At every level, increasing pit production at LANL is illegal, immoral, and unsafe. This proposal should be rejected.

Thank You,
Linda Wiener
304 Lomita St.
Sanra Fe, NM 87505

22-1

22-2

22-3

22-1
cont'd

22-1 NNSA notes the commentor's opinions regarding increasing pit production at LANL. Pit production at LANL is a legal activity conducted in support of the stockpile stewardship responsibilities assigned to NNSA by the Congress and the President. The commentor's opinion on the morality of pit production is also noted. Chapter 5 of the SWEIS evaluates the potential environmental, health and safety impacts of continued operation of LANL under the three proposed alternatives. These analyses demonstrate that LANL can continue to operate safely under any of the three alternatives, including the Expanded Operations Alternative, in which the pit production rate could increase to up to 80 pits per year.

22-2 NNSA notes the commentor's opposition to increased pit production. Operations at LANL are not in violation of the Treaty on the Non-Proliferation of Nuclear Weapons. Continuing to ensure a safe and reliable nuclear stockpile violates none of the terms of the Treaty. Stockpile stewardship capabilities at LANL are currently viewed by the United States as a means to further the Nation's nonproliferation objectives. U.S. confidence in its stockpile stewardship capabilities is likely to remain important in future arms control negotiations as the Nation moves to further reduce its overall stockpile size. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

22-3 NNSA believes that the environmental impacts of each alternative on the air and water of New Mexico has been adequately evaluated in the SWEIS. Monitoring programs at LANL address air, water, and soils, and the results are reported in annual environmental surveillance reports. LANL operations are in compliance with regulations that protect public health and the environment and, based on the SWEIS analyses, would continue to be in compliance under the alternatives evaluated in the SWEIS. The contamination identified by the commentor is a result of past activities, when regulatory limits were less stringent.

If samples from the monitoring program show elevated levels of chemicals or radionuclides, the LANL contractor works with the New Mexico Environment Department to characterize the contamination and take appropriate actions to prevent further contamination.

Commentor No. 22 (cont'd): Linda Wiener

LANL has significantly reduced the number of sites requiring remediation as identified in Chapter 4, Section 4.12, of the SWEIS. Any new sites that may be identified for cleanup will be addressed in accordance with the Consent Order, discussed in Chapter 2, Section 2.2.6.

The polychlorinated biphenyl and perchlorate contamination listed by the commentor are being monitored. Monitoring results are reported in annual environmental surveillance reports and are discussed in Chapter 4, Section 4.3.1 of the SWEIS. The chromium contamination mentioned in the comment is discussed in Chapter 4, Section 4.3.2, of the SWEIS and summarized in Section 2.5, Water Resources, of this CRD. The LANL contractor reported to the New Mexico Environment Department in December 2005 that groundwater samples gathered in 2005 contained elevated levels of chromium. The LANL contractor has since done further sampling as part of an interim work plan submitted to the New Mexico Environment Department that also proposes cleanup measures.

NNSA does not agree with the statement that there are over 1,400 unmonitored discharge sites. The number of unmonitored discharge sites mentioned by the commentor apparently refers to LANL solid waste management units. As described in Chapter 4, Section 4.3.1.3, LANL contractor had managed stormwater runoff from its solid waste management units under a Multisector General Permit Program, and then transitioned towards management under an individual National Pollutant Discharge Elimination System industrial activity permit.

Commentor No. 23: Gerilyn (Gess) Healey

From: Gess Healey [mailto:gesshealey@hotmail.com]
Sent: Tuesday, August 08, 2006 12:20 PM
To: LANL_SWEIS
Subject: Re: Re-vamp Economy

I would like to see Los Alamos Nat'l Lab. be in the forefront of technology for sustainable change. I don't want my tax dollars to support nuclear power or bombs. Shut down weapons industry. Forget dangerous/wasteful nuclear power.

Gerilyn (Gess) Healey
Taos, NM

|| 23-1

23-1

NNSA notes the commentor's preference for the role of LANL and opposition to nuclear power and nuclear weapons. Cessation of NNSA's core mission activities would run counter to national security policy as established by the Congress and the President; therefore, ending these activities at LANL is not being considered in the LANL SWEIS. Activities that support research of sustainable technologies are conducted at LANL. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production and Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 24: rn4243

From: rn4243 [mailto:rn4243@flash.net]
Sent: Tuesday, August 08, 2006 8:54 AM
To: LANL_SWEIS
Subject: Stop Nuclear Bomb Production

More and better bombs is not what the world needs for any sane reason. What terrible environmental problems is this going to cause to our water and air in Albuquerque? When is the GOVERNMENT going to stop forcing its ways on the world as well as the American people who seem to always end up paying the cost with their lives as well as their finances/sweat equity? When is the GOVERNMENT going to take George Washington's advice in his farewell speech? History has proven time after time that kill, kill, kill is never the solution to any problem. Where did this DEMOCRACY that our GOVERNMENT is promoting world wide come from? Does not the Federal Constitution guarantee at Article IV, section 4, a Republican form of government? It is my opinion, that we the People are getting weary of government for the GOVERNMENT, by the GOVERNMENT under the War Powers Act and Executive Orders, in place of government for the People, by the People. What ever happened to the People's Unalienable Rights, declared in the Declaration of Independents, that appear to have been replaced by so called civil rights which are no more than privileges controlled by GOVERNMENT? Below are some opinions of important men in our past. Have the respect and decency to take the time to read, and absorb their statements.

United States Constitution, Article IV, Section 4:

"The United States shall guarantee to every State in this Union a Republican Form of Government....."

May 31, 1787, Edmund Randolph said, "We meet here today to provide a cure for the evils under which the United States labored; that in tracing these evils to their origin every man had found it in the turbulence and trials of democracy...."

1787, Elbridge Gerry, said: "The evils we experience flow from the excess of democracy The people do not want (that is, do not lack) virtue; but are the dupes of pretended patriots."

June 21, 1788, Alexander Hamilton: "It had been observed that a pure democracy if it were practicable would be the most perfect government. Experience had proved that no position is more false than this. The ancient democracies in which the people themselves deliberated never possessed one good feature of government. Their very character was tyranny; their figure deformity."

Alexander Hamilton: "We are a Republican Government. Real liberty is never found in despotism or in the extremes of Democracy."

24-1

24-2

24-3

24-1

24-2

24-3

NNSA notes the commentor's opposition to nuclear weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Chapter 5 of the SWEIS describes the environmental impacts of each of the three alternatives for continuing to operate LANL and includes the effects on surface waters, groundwater, and air. Section 5.13 states that contamination from LANL or changes in Rio Grande flows are not likely to affect water quality in Albuquerque. The health impacts analysis uses projected air emissions data to estimate dose to the population within a 50-mile (80-kilometer) radius of LANL. The maximum projected annual population dose would be 36 person-rem under the Expanded Operations Alternative. This dose would not be expected to result in any additional latent cancer fatalities in the affected population. Since a large part of the population dose is the result of short-lived products from LANSCE that decay within minutes of their release and Albuquerque is outside the 50-mile radius, it is not likely that LANL operations would adversely affect Albuquerque air quality. Refer to Section 2.6, Offsite Contamination, of this CRD for more information.

Comment noted.

Commentor No. 24 (cont'd): rn4243

Samuel Adams: "Remember, Democracy never lasts long. It soon wastes, exhausts and murders itself! There never was a democracy that did not commit suicide."

James Madison: "... democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security, or the rights of property; and have in general been as short in their lives as they have been violent in their deaths."

1795 Immanuel Kant: "Democracy is necessarily despotism." [tyranny]

John Marshall (Chief Justice of the Supreme Court from 1801 to 1835): "Between a balanced republic and a democracy, the difference is like that between order and chaos."

Thomas Babington Macaulay: "I have long been convinced that institutions purely democratic must, sooner or later, destroy liberty or civilization, or both."

1850, Benjamin Disraeli, (British House of Commons): "If you establish a democracy, you must in due time reap the fruits of a democracy. You will in due season have great impatience of public burdens, combined in due season with great increase of public expenditures. You will in due season have wars entered into from passion and not from reason; and you will in due season submit to peace ignominiously sought and ignominiously obtained, which will diminish your authority and perhaps endanger your independence. You will in due season find your property is less valuable, and your freedom less complete."

Disraeli 1870: "The world is weary, of statesmen whom democracy has degraded into politicians."

James Russell Lowell: "Democracy gives every man the right to be his own oppressor."

W. H. Seward: "Democracies are prone to war, and war consumes them."

Ralph Waldo Emerson: "Democracy becomes a government of bullies tempered by editors."

188? Governor Seymour of New York: "The merit of our Constitution is not that it promotes democracy, but checks it."

Oscar Wilde: "Democracy means simply the bludgeoning of the people, by the people, for the people."

24-3
cont'd

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Commentor No. 24 (cont'd): rn4243

H. L. Mencken: "The most popular man under a democracy is not the most democratic man, but the most despotic man. The common folk delight in the exaction's of such a man. They like him to boss them. Their natural gait is the goosestep."

Ludwig Levisohn: "Democracy, which began by liberating men politically, has developed a dangerous tendency to enslave him through the tyranny of majorities and the deadly power of their opinion."

Englishman, G. K. Chesterton: "You can never have a revolution in order to establish a democracy. You must have a democracy in order to have a revolution."

1931, The Duke of Northumberland: "The adoption of Democracy as a form of Government by all European nations is fatal to good Government, to liberty, to law and order, to respect for authority, and to religion, and must eventually produce a state of chaos from which a new world tyranny will arise."

Archibald E. Stevenson: "De Tocqueville once warned us," he wrote, that: "If ever the free institutions of America are destroyed, that event will arise from the unlimited tyranny of the majority.' But a majority will never be permitted to exercise such 'unlimited tyranny' so long as we cling to the American ideals of republican liberty and turn a deaf ear to the siren voices now calling us to democracy. This is not a question relating to the form of government. That can always be changed by constitutional amendment. It is one affecting the underlying philosophy of our system—a philosophy which brought new dignity to the individual, more safety for minorities and greater justice in the administration of government. We are in grave danger of dissipating this splendid heritage through mistaking it for democracy."

November 28, 1998, (Webmaster)"Democracy and Monocracy are synonyms for a form of government in which the majority (mob) rules, and which by definition, guarantees the absence of minority rights."

Samuel Adams (the father of the American Revolution): "If men, through fear, fraud, or mistake should in terms renounce or give up any natural right, the eternal law of reason and the grand end of society would absolutely vacate such renunciation. The right to freedom being a gift of God, it is not in the power of man to alienate this gift and voluntarily become a slave."

Thomas Jefferson: "Bill of Rights are to bind men down from mischief by the chain of the Constitution."

Republic: (Roman Definition), "a system of government in which both the people and their rulers are subject to law."

Republic: as defined by Aristotle (The Greek), Levy (a Roman), and Harrington (a British Statesman), "a government of laws and not of men."

24-3
cont'd

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Commentor No. 25: Paul White

From: Paul white [mailto:paulwhite@sisna.com]
Sent: Monday, August 07, 2006 2:54 PM
To: LANL_SWEIS
Subject: Regarding new pit production

I am sure that if you were to do a real public poll of this issue you might not be surprised that at least 90% of area residents are opposed to the increased pit production. The other 10% are either deluded individuals who don't care about their drinking water or what this does for our national image. Oh yeah, or perhaps they work at LANL and will benefit monetarily.

-Paul White

25-1

25-1

NNSA notes the commentor's opinion that most residents in the vicinity of LANL are opposed to increased pit production. Chapter 5 of the SWEIS evaluates the potential environmental, health and safety impacts of continued operation of LANL under the three proposed alternatives. These analyses demonstrate that LANL can continue to operate safely under any of the three alternatives, including the Expanded Operations Alternative, which proposes an increase in pit production rate. Refer to Section 2.5, Water Resources, of this CRD for more information on water quality concerns.

Commentor No. 26: Michael Scofield

From: Michael Scofield [mailto:scofield@cybermesa.com]
Sent: Monday, August 07, 2006 2:53 PM
To: LANL_SWEIS
Subject: Please! Additional hearings!

Dear Ms. Withers:

Please schedule additional hearings re: the proposed \$1 billion Chemistry and Metallurgy Research Replacement facility, ie, the new pit factory at Los Alamos.

We're all already sick in our stomachs about this country's leadership in improving the firepower of nuclear weapons.

Thank you, Ms. Withers. If it's hard for us, it must be very hard for you to sleep at night and get up in the morning.

Michael Scofield

26-1

26-1

NNSA completed 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) (DOE 2003c) in 2003 and issued a Record of Decision to construct a new facility in February 2004 (69 FR 6967). In January 2008 (73 FR 2023), NNSA announced the availability of the *Draft Complex Transformation Supplemental Programmatic Environmental Impact Statement* (DOE/EIS-0236-S4), which includes alternatives in which LANL would be the site of a new consolidated plutonium center or a new consolidated nuclear production center whose mission would include pit surveillance and manufacturing. Refer to Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for more information.

26-2

26-2

NNSA notes the commentor's opposition to nuclear weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

**Commentor No. 27: Julia Geffroy, Associate Director,
Picuris Pueblo Environment Department**

From: Julia Geffroy [mailto:jgeffroy@starband.net]
Sent: Monday, August 07, 2006 11:35 AM
To: LANL_SWEIS
Subject: Public comment from Picuris on SWEIS-LANL

Dear Ms. Withers,

I am a member of Picuris Pueblo who opposes the ongoing activities at Los Alamos. As Associate Director of the Picuris Environment Department, I am concerned with the lack of respect the lab has for Native American people due to the lack of communication between LANL and the tribes. Holding public hearings on August 8th-10th does not allow for our leadership to attend these meetings because our Aug. 10th feast day at the pueblo. This lack of knowledge and cultural awareness is unacceptable.

27-1

Since the beginning, all native people within NM have consistently been exposed to numerous radioactive and nuclear contaminants. LANL has no way of tracking these hazardous toxic contaminates and completely ignores other agency or tribal input. I am tired of hearing that this is a DOE issue because it affects our environment and people on a global scale. Our bureaucracy system hinders and limits communication between agencies.

27-2

Nuclear research of all kinds must stop in order for our world to survive. Selfish insecure politicians who live in other places are making decisions that are affecting us at home and abroad. It disgusts me that we are still investing our time and money towards creating more destructive weapons. It's about time for DOE to stop seeking ways to manipulate nature and the environment for their benefit and to focus on restoring and researching opportunities to provide a cleaner, healthier environment for our future generations.

27-3

Please accept this as my public comment.

Sincerely,
Julia Geffroy
Associate Director
Picuris Environment Department

- 27-1 NNSA notes the commentor's opposition to ongoing activities at LANL. In addition to the public hearings, NNSA invited the Picuris Pueblo and other Pueblos to a briefing especially for the Pueblos at the Santa Clara Big Rock Casino on July 6, 2006. This briefing provided an opportunity for Pueblo members to talk with NNSA and LANL staff who are knowledgeable about the alternatives and projects discussed in the LANL SWEIS. Although NNSA regrets that Picuris Pueblo leaders were unable to attend the public hearings, NNSA is pleased that the Picuris Pueblo Environment Department was able to submit written comments on the Draft SWEIS. Refer to Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information on the scoping and comment process.
- 27-2 LANL's monitoring programs sample air, water, and soils at onsite and offsite locations to detect the presence of radioactive materials and chemicals. The results of these surveys are published in annual environmental surveillance reports (available at www.lanl.gov/environment/all/esr.shtml). NNSA and the LANL contractor also maintain active communications with the New Mexico Environment Department and Pueblo governments.
- 27-3 NNSA notes the commentor's opposition to and concerns about the increased nuclear weapons activities proposed in the SWEIS, as well as the commentor's desire for activities at LANL to be focused on areas other than those related to nuclear weapons production. In addition to LANL's primary mission activities in support of NNSA's Stockpile Stewardship Program, research is conducted at LANL in the areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS under the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information about these activities.

Commentor No. 28: Sally Beers

From: s [mailto:s@pattern-design.com]
Sent: Monday, August 07, 2006 8:41 AM
To: LANL_SWEIS
Subject: Nuclear Bomb production in NM

Dear Sir/Madam,

Horrifying subject no? The actuality is worse than the idea though. Please send my comments on to those in charge of gearing up this production. As a resident and business owner of Albuquerque I am so concerned about having radioactive production in my area that I would move out of state if this occurs. It is a disaster for our drinking water safety also because more of the nuclear waste will be coming down the Rio Grande to us as we change over to drinking river water. Think about it and don't try and rubber stamp something has dangerous as this.

Thanks for your attention.

Sally Beers
Albuquerque, NM 87108

28-1

28-2

28-1

28-2

NNSA notes the commentor's concerns regarding LANL operations. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

LANL notes the commentor's concern about the possibility of nuclear waste in the Rio Grande. An analysis has been added to Appendix C of the SWEIS to evaluate the radiological dose from drinking Rio Grande water. The analysis shows that the dose would be a fraction of the 4 millirem drinking water dose limit and that concentrations downstream of LANL are comparable to other regional surface waters. Refer to Section 2.6, Offsite Contamination, of this CRD for additional information.

Commentor No. 29: Beatrice Boles

From: Beatrice B. [mailto:toolspalette@hotmail.com]
Sent: Monday, August 07, 2006 7:46 AM
To: LANL_SWEIS
Subject: Please stop nuclear bomb production in New Mexico

I am sending these comments via e-mail, because as yet there has been no public hearing set up in the Albuquerque area, and I am unable to attend the hearings in Los Alamos, Espanola, or Santa Fe. I am writing to voice my opposition to the proposal to quadruple plutonium pit production at Los Alamos National Laboratory.

As a US citizen, long-time New Mexico taxpayer, and resident of Albuquerque, I ask that nuclear bomb production be halted in our state. We cannot ask other nations to halt their nuclear weapon production if we are unwilling to halt it ourselves. We are the greatest nation in the world, and we must set an example to other countries by working to resolve world conflicts through negotiation, cooperation, and diplomacy -- not through nuclear threat.

Our environment and our rivers are currently already polluted by nuclear waste, and to increase pit production would greatly harm our environment and increase health and safety risks to our population. We are already suffering from trucks full of nuclear waste traveling on our highways to the WIPP plant, and from radioactivity that is contaminating the river water that many Albuquerque residents will soon be drinking. This is unacceptable, and it must be stopped, not increased.

I respectfully request that the current proposal to increase nuclear bomb production in New Mexico be rejected.

Thank you.

Beatrice Boles
4701 Haines Avenue NE
Albuquerque, New Mexico 87110

29-1

29-1

NNSA notes the commentor's opposition to pit production and opinions regarding international relations. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

29-2

Chapter 5 of the SWEIS addresses the environmental impacts of increased pit production under the Expanded Operation Alternative on the environment and on health and safety risks to the population, as well as the impacts of transporting transuranic waste to WIPP. LANL operations are in compliance with regulations that protect public health and the environment and, based on the SWEIS analysis, would continue to be in compliance even under the Expanded Operations Alternative. Refer to Section 2.6, Offsite Contamination, of this CRD for additional information on the potential impacts to the Rio Grande and Albuquerque drinking water.

29-2

29-1
cont'd

Commentor No. 30: Jack Lehman, MA, LPCC

From: Jack Lehman [mailto:girafferide@gmail.com]
Sent: Monday, August 14, 2006 8:42 AM
To: LANL_SWEIS
Subject: against pit production at LANL

Dear Sirs,

Please be advised that I am completely against making nuclear pits in Los Alamos. || 30-1

Sincerely,

Jack Lehman

Jack Lehman, MA, LPCC
Certified Trainer for the Center for Nonviolent Communication
GiraffeRide@gmail.com
Equine Assisted Psychotherapy
Giraffe Ride Up The Continental Divide
www.nvc-nm.org/ride/
XXX-XXX-XXXX

Ikkyu the whole day singing boozing so great so fully here he built a bridge no one
uses 10,000 miles long
Ikkyu, 1394-1481

30-1 NNSA notes the commentor's opposition to pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 31: Laura Holt

From: Laura Holt [mailto:lauraholt@cybermesa.com]
Sent: Saturday, August 12, 2006 7:29 PM
To: LANL_SWEIS
Subject: Plutonium pit production

Dear Ms. Withers,

I am very concerned about any plans to make more plutonium pits.

We should take a lesson from the insane amounts of nerve gas agents that were produced in this country and are now being destroyed at great cost and some danger. There was never a point in having any of this material, of course, but even if there was some rationale about "deterrence" there was no excuse for the enormous quantities. Clearly, there was "pork barrel" type spending that has now been seen to be wasteful and dangerous.

The ability to destroy the planet several times over with nuclear weapons has a similar kind of sound to my ears, and the current plan to produce the pits when we have never addressed the need to deal with the materials safely or the waste, is simply irresponsible.

Please take into consideration not just the economy of Los Alamos and the need to keep scientists employed, but the health of our planet and wellbeing of our children.

Sincerely,

Laura Holt
lauraholt@newmexico.com

872 Don Cubero Ave.
Santa Fe, NM 87505
XXX-XXX-XXXX

31-1

31-1

NNSA notes the commentor's concern about plans to make more plutonium pits. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

The analyses in Chapter 5 of the SWEIS evaluate the potential environmental, health, and safety impacts of continued operation of LANL under the three proposed alternatives. These analyses demonstrate that LANL can continue to operate in a manner to protect public health and safety under any of the three alternatives. Refer to Section 2.7, Waste Management, of this CRD and Chapter 4, Section 4.9 of the SWEIS for a discussion on how NNSA is managing waste from present and past operations.

Commentor No. 32: Faith Harmony

From: fharmony@peoplepc.com [mailto:fharmony@peoplepc.com]
Sent: Saturday, August 12, 2006 4:36 PM
To: LANL_SWEIS
Subject: Draft LANL SWEIS Comments

I would like to comment on the proposed expansion of nuclear bomb production.

First, the cost of this project is expected to be more than one billion dollars, which goes to the taxpayer.

I am opposed to spending more money on weapons, which I believe will not increase our security, but lessen it.

The US is already spending millions each day on the Iraq war which has managed to create more insurgents and extremists in the Middle East.

I believe we need a political solution, not a military one.

Secondly, what are the implications of an expansion of nuclear weapons? Increased radioactive wastes on our highways, nuclear waste will be coming down the Rio Grande as we change over to drinking river water here in Albuquerque.

How will this increase and upgrading of nuclear weapons affect our international peace treaties.

Most importantly, I believe that peace will never be obtained by the use of weapons.

“An eye for an eye makes the whole world blind” Ghandi

Sincerely, Faith Harmony
2828 Palo Verde NE Albuquerque NM 87112

32-1

32-1

NNSA notes the commentor’s concerns regarding pit production and the existence nuclear weapons. The cost of implementing the proposed action and alternatives is not within the scope of this SWEIS, which focuses on evaluating potential environmental impacts of operations at LANL. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

32-2

32-2

Chapter 5 of the SWEIS addresses the environmental impacts of increased plutonium pit production under the Expanded Operations Alternative, including health and safety risks to the population, increased waste generation, and the transportation of radioactive waste offsite for disposal. LANL operations are in compliance with regulations that protect public health and the environment and, based on the SWEIS analysis, would continue to be in compliance even under the Expanded Operations Alternative. The LANL contractor samples and monitors air, water and soil as part of its environmental surveillance program and reports the results annually in environmental surveillance reports. Refer to Section 2.6, Offsite Contamination, of this CRD for additional information on potential impacts to the Rio Grande and Albuquerque drinking water.

32-1
cont’d

Commentor No. 33: Becky Lo Dolce

From: Becky Lo Dolce [mailto:thebeck_star@yahoo.com]
Sent: Saturday, August 12, 2006 2:59 PM
To: LANL_SWEIS
Subject: no more pit production

Dear Ms. Withers,

LANL should top plutonium pit production altogether. Period. No increase in production, no maintenance of current production.

Plutonium pits cannot be produced without environmental risk or health risk to workers or citizens. Production creates an unacceptable security risk and violates the NPT outright. It shows our denial of participation in the international community, which is perhaps the greatest threat of all.

When we have agreed to reduce our stockpile to zero IN GOOD FAITH, it cannot be argued that replacing our current stockpile of pits is a good faith effort at disarmament.

NO MORE PIT PRODUCTION.

Becky Lo Dolce
212 Maynard Street #5
Santa Fe, NM 87501

|| 33-1
|| 33-2
|| 33-3
|| 33-1
|| cont'd

- 33-1 NNSA notes the commentor's opposition to pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.
- 33-2 Chapter 5 of the SWEIS provides detailed environmental impacts associated with all activities at LANL including plutonium pit production. LANL operations are in compliance with regulations that protect public health and the environment, and, based on the SWEIS analysis, would continue to be in compliance even under the Expanded Operations Alternative. The LANL contractor samples and monitors air, water, and soil as part of its environmental surveillance program and reports the results annually in environmental surveillance reports.
- 33-3 Operations at LANL that support NNSA's mission to ensure a safe and reliable nuclear stockpile are not in violation of the Treaty on the Non-Proliferation of Nuclear Weapons. Stockpile stewardship capabilities at LANL are currently viewed by the United States as a means to further the Nation's nonproliferation objectives and are likely to remain important in future arms control negotiations as the Nation moves to further reduce its overall stockpile size. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 34: Patricia Green

From: NOMI GREEN [mailto:nomigreen@msn.com]
Sent: Saturday, August 12, 2006 1:54 PM
To: LANL_SWEIS
Cc: Jan
Subject: LANL Pit production

I am opposed to pit production at LANL.

As far as I'm concerned we have more than enough bombs as it is.

The health and safety risks of New Mexicans are not worth the jobs.

I would like to see LANL work on safe energy alternatives and peaceful means of ending terrorism like economic prosperity in the Middle East. Some of the best minds in our country working on death and destruction. Both Einstein and Oppenheimer would be appalled.

Thank you,

Patricia Green
PO Box 5887
Santa Fe, NM 87502

34-1

34-1

NNSA notes the commentor's opposition to pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

34-2

34-2

NNSA notes the commentor's opinion regarding health and safety risks. Chapter 4, Section 4.6.1, of the SWEIS provides information on current cancer mortality and incidence rates in New Mexico and counties surrounding LANL. Table 4-26 shows that some cancer rates in Los Alamos vicinity are lower than the national average and some are higher, which is typical of any area. This section also presents information from the final LANL Public Health Assessment, issued on August 31, 2006, by the U.S. Department of Health and Human Services, Agency for Toxic Substances and Disease Registry, which determined that, "...there is no evidence of contamination from LANL that might be expected to result in ill health to the community," and "...overall, cancer rates in the Los Alamos area are similar to cancer rates found in other communities" (ATSDR 2006). Chapter 5 of the SWEIS projects that future emissions and discharges from LANL would be in compliance with Federal and State regulations intended to protect the public and the environment.

34-3

34-3

Activities that support research on renewable energy and national security are conducted at LANL. Refer to Section 2.3, Alternative Missions, of this CRD for more information. Cessation of NNSA's core mission activities would be counter to national security policy as established by the Congress and the President; therefore, ending these activities at LANL is not being considered for the LANL SWEIS. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 35: Landon Young

From: Landon Young
To: LANL_SWEIS@doeal.ov
Sent: Saturday, August 12, 2006 1:23 PM
Subject: SWEIS Public Hearing

Dear Ms. Withers:

We MUST NOT allow further "pit production" at Los Alamos! That represents a pathetic waste of money and ingenuity at a time when the Non Proliferation Treaty must be enforced, NOW more than ever. We have already wasted 7+ TRILLION dollars (adjusted for inflation) on these weapons. Not again! It is time to direct our money and scientific resources to projects that benefit all humankind.

Clean up LANL NOW and FOREVER!

Sincerely,

Landon Young
PO Box 16
Miami, NM 87729
XXX-XXX-XXXX

35-1

35-1

NNSA notes the commentor's opposition to pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information. Regarding mission priorities, cessation of NNSA's core mission activities would be counter to national security policy as established by the Congress and the President. Activities that address other important needs of the United States are conducted at LANL. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

35-2

35-2

Chapter 2, Section 2.2.6, of the SWEIS describes the progress that DOE has made in conducting its environmental restoration program at LANL. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Decisions about environmental remediation will be made in accordance with established regulatory standards and processes, including those of the New Mexico Environment Department for the Consent Order that was entered into in March 2006. Appendix I of the SWEIS presents options and environmental analyses for conducting remediation activities at LANL primarily related to the Consent Order. These analyses address LANL waste disposal sites and other contaminated areas, and provide environmental impact information to facilitate future environmental remediation decisions that will be made by the New Mexico Environment Department. Chapter 1, Section 1.4 states that NNSA intends to implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for additional information.

Commentor No. 36: Marcia Starck

From: EarthMed@aol.com [mailto:EarthMed@aol.com]
Sent: Saturday, August 12, 2006 9:39 AM
To: LANL_SWEIS
Subject: stop nuclear weapon productions in Los Alamos

Please do not make more pits, Nuclear weapons are a disaster and we have enough already.

marcia Starck
Santa Fe

Marcia Starck
Medical Astrology, Astro-cartography, Progressions and Transits
Ceremonies and Rituals
Performance Poetry
www.earthmedicineways.com
(XXX)-XXX-XXXX
earthmed@aol.com

|| 36-1

36-1

NNSA notes the commentor's opposition to continuing pit production and nuclear weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 37: Jasmine Stewart

From: Ken Stewart [mailto:kstewart@cybermesa.com]
Sent: Saturday, August 12, 2006 9:25 AM
To: LANL_SWEIS
Subject:

Comment--

Please end all pit production. Clean up the waste sites. Convert the pit production to non-weapons research instead of nuclear weapons.

Thank you.

Jasmine Stewart
 135 Sombrio Drive
 Santa Fe, N. M87501

|| 37-1
 || 37-2

37-1 NNSA notes the commentor's opposition to pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for additional information.

NNSA notes the commentor's desire for activities at LANL to be focused on areas other than those related to nuclear weapons production. Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. In addition to these activities, however, research is conducted at LANL in areas not related to nuclear weapons such as renewable energy, global climate change, environmental technologies, anti-terrorism, and nuclear nonproliferation. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

37-2 Chapter 2, Section 2.2.6, of the SWEIS describes the progress that DOE has made in conducting its environmental restoration program at LANL. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Decisions about environmental remediation will be made in accordance with established regulatory standards and processes, including those of the New Mexico Environment Department for the Consent Order entered into in March 2005. Appendix I of the SWEIS presents options and environmental analyses for conducting remediation activities at LANL primarily related to the Consent Order. These analyses address LANL waste disposal sites and other contaminated areas, and provide environmental impact information to facilitate environmental remediation decisions that will be made by NNSA and the New Mexico Environment Department. NNSA intends to implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for additional information.

Commentor No. 38: Leslie E. Lakind, D.D.S.

From: Lelsmiles@aol.com [mailto:Lelsmiles@aol.com]
Sent: Friday, August 11, 2006 7:12 PM
To: LANL_SWEIS
Subject: pit production

I'm against it.
You've heard all the reasons.
Leslie Lakind DDS
Santa Fe NM, 87505

|| 38-1

38-1 NNSA notes the commentor's statement. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for additional information.

Commentor No. 39: Tom Florsheim

From: Tom Florsheim Sr. [mailto:twf@weycogroup.com]
 Sent: Friday, August 11, 2006 4:11 PM
 To: LANL_SWEIS
 Subject: Expansion of Nuclear weapons:

Dear Ms. Withers,

I am am against expanding nuclear weapons at LANL!

This certainly sends the wrong message to the world.

Besides the depleted uranium would impact the air, water, and crops of northern New Mexico. As a resident of New Mexico I want to protect our health, and the health of all of New Mexicans.

This would also mean more shipments to WIPP, increasing the hazards on New Mexican roads.

Our energies should be on solutions to the problems of global warming, energy independence, etc.

Appreciate you consideration on these matters.

Sincerely,

Tom Florsheim
 twf@weycogroup.com

39-1

39-2

39-3

39-4

39-1 NNSA notes the commentor's opposition to expanding pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for additional information.

39-2 LANL staff use depleted uranium to study behavior of material in dynamic and hydrodynamic tests. Refer to Section 2.10, Depleted Uranium and the Dual Axis Radiographic Hydrodynamic Test (DARHT) Facility, of this CRD for more information on how LANL staff control releases and monitor these experiments.

39-3 Historically, the transportation to WIPP has been very safe with no releases of any contaminants. The potential for any contamination during transportation of wastes generated from the increased pit production is very small. The evaluation of human health effects from transporting radioactive materials are detailed in Appendix K and summarized in Chapter 5 of the SWEIS. The results presented in Appendix K, Section K.7, indicate that the risks to the public and crew per transport are very small. As indicated in Chapter 5, Section 5.9, the increase in pit production under the Expanded Operations Alternative would add about 240 cubic yards (180 cubic meters) of contact-handled transuranic waste annually. Using the information provided in Chapter 5, Table 5-50, would result in about 25 additional shipments to WIPP annually. Using the risk factors provided in Appendix K, Table K-3, the impacts from transporting these additional wastes to WIPP would be very small; that is, a total additional dose of about 0.18 person-rem to the population residing along the route. This is a very small fraction, about 0.002 percent, of the dose the same population would receive annually from natural background radiation. Environmental contamination is only possible under a very severe accident causing breach of both the cask and the packages containing the materials. The probability of occurrence of such an accident is 1-in-10,000 trips, using the general truck trailer accident rate given in Appendix K.

39-4 Cessation of NNSA's core mission activities would be counter to national security policy as established by the Congress and the President; therefore, ending these activities at LANL is not being considered for the LANL SWEIS. Activities that support research of global warming and energy independence are conducted at LANL. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 40: RDavid752@aol.com

From: RDavid752@aol.com [mailto:RDavid752@aol.com]
Sent: Friday, August 11, 2006 3:51 PM
To: LANL_SWEIS
Subject: Government suppression input

From reading the NNSA the US government is in the process of turning nuclear proliferation into the hands of private corporations outside of the united states and is deluding the American public about the facts and about its intentions. The making and proliferation of nuclear wepons should be in the control of the people through due process.

40-1

40-1

NNSA notes the commentor's opinions regarding nonproliferation and control of nuclear weapons activities. As discussed in Chapter 1 of the SWEIS, the President and the Congress created NNSA in 2000 with the assigned mission to maintain and enhance the safety, reliability, and performance of the U.S. nuclear weapons stockpile, including the ability to design, produce, and test in order to meet national security requirements. To effect its assigned missions, NNSA contracts with U.S. entities for the operation of the facilities that comprise the nuclear weapons complex; however, NNSA retains direct authority and responsibility for the management of the nuclear stockpile. The elected members of the Congress and the President authorize the continued management of the nuclear stockpile with the passage of annual authorization and appropriations bills. Stockpile stewardship capabilities are currently viewed by the United States as a means to further the Nation's nonproliferation objectives and are likely to remain important in future arms control negotiations as the Nation moves to further reduce its overall stockpile size. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

I will restate that NNSA should take the redused action alternative and nix the un American CMRR which will be forsed upon the American people. The proliferation of wepons has as its ultimate result the destruction of America and is currently in the hands of the most imept president and millitary that the world has ever known.

40-2

40-2

NNSA notes the commentor's preference for the Reduced Operations Alternative and opposition to construction of the Chemistry and Metallurgy Research Replacement Facility. Construction and operation of the Chemistry and Metallurgy Research Replacement Facility was evaluated in its own EIS (DOE/EIS-0350) (DOE 2003c), and a Record of Decision issued on February 12, 2004 (69 FR 6967). That decision is not being revisited in the LANL SWEIS.

Commentor No. 41: Nicholas Matsakis

From: Niko Matsakis [mailto:niko@alum.mit.edu]
Sent: Friday, August 11, 2006 8:33 AM
To: LANL_SWEIS
Subject: Request for an Extension of Time to Comment on Draft Site-Wide Environmental Impact Statement for Los Alamos National Laboratory

Dear Ms. Withers,

I have been reading recently about the actions of the Department of Energy with respect to the draft Site-Wide Environmental Impact Statement for Los Alamos National Laboratory (draft LANL SWEIS), and I am writing to register my concern.

In order for something as potentially dangerous as nuclear materials to be permitted into a community, it is of the utmost importance that that community is well informed as to the risks and dangers involved. Without such information, there is no way for people to know whether they are safe, or whether they are being ill-treated.

From what I have read so far, it seems that more transparency is in order. The environmental impact statement in question is a long and complicated document, and people need time to digest it; they also need easy access to all referenced documents, many of which are currently not available outside of the DOE reading room, and others of which were not even completed prior to the release of the current draft!

In consideration of the above, I request that the comment period remain open until such time as the new public health assessment, the earthquake report and the risk assessment for Area G are released for public review. Thank you for your consideration.

Sincerely,
Nicholas Matsakis

41-1

41-1

The LANL SWEIS has been prepared to provide information on the impacts to the region around LANL. These impacts are provided in the SWEIS Summary and discussed in more detail in Chapter 5 and the appendices. References used in the SWEIS were made available in the DOE Public Readings Rooms consistent with past practice. See Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for discussion of the comment period and the references used in the SWEIS.

Commentor No. 42: Mr. and Mrs. Sant

From: Joebarb@aol.com [mailto:Joebarb@aol.com]
Sent: Sunday, August 13, 2006 11:34 PM
To: LANL_SWEIS

Subject: Public comment re:expanded plutonium pit production at LANL

Ms. Elizabeth Withers, EIS Document Manager
Los Alamos Site Office
National Nuclear Security Administration
U.S. Department of Energy
528 35th Street
Los Alamos, New Mexico, 87544-2201

Dear Ms. Withers,

We oppose the proposed expanded operations alternative in the draft 2006 Site-Wide Environmental Impact Statement (SWEIS) for Los Alamos National Laboratory (LANL). This will generate more radioactive and chemical waste as well as increase dangerous air emissions and wastewater discharges into the canyons that flow to the Río Grande.

42-1

These activities have dire local, national and international implications. We object to the foundation and the methodology of the draft SWEIS, as the document is not founded on accepted science and based on studies that also have not been finalized. The analysis of risks to human health relies on the draft Agency for Toxic Substances and Disease Registry (ATSDR) public health assessment for health impacts analysis. This assessment was rejected by the Environmental Protection Agency (EPA) and never finalized. Furthermore, the draft SWEIS was released before either the risk assessment for LANL's low-level waste dump at Area G or the 2006 seismic hazard study were completed. It is impossible to accurately determine the environmental and health impacts for future operations at LANL based on incomplete analysis. The SWEIS must include a reanalysis based on the findings in the 2006 Area G risk assessment and seismic hazard study. The ATSDR assessment must be rewritten with public oversight and review and only then can it be used in any analysis regarding LANL activities.

42-2

The draft SWEIS does not have appropriate or adequate discussion of clean up, environmental justice, the impacts of air and water emissions and waste disposal.

42-4

We object to the fact that increased cleanup was only included in the Expanded Operations and not part of the No Action and Reduced Operations Alternatives. Compliance with the New Mexico Environment Department (NMED)/LANL Consent Order for cleanup at LANL by 2015 is not optional nor should it be tied to activities which threaten public health and the environment. Increased Consent Order cleanup analysis should be included in all three alternatives.

42-5

When implementing cleanup, LANL must do so to the fullest extent possible. All waste must be removed during cleanup. Lands must be cleaned up to the level that

42-6

42-1

NNSA notes the commentors' opposition to the proposed Expanded Operations Alternative. Waters and sediments along the Rio Grande historically have shown relatively small impacts from LANL operations. Chapter 5 of the SWEIS analyzes the environmental impacts of expanded operations, including management of radioactive and chemical waste, monitoring of air emissions, and treatment or monitoring of wastewater before discharge through NPDES-permitted outfalls. Refer to Section 2.6, Offsite Contamination, of this CRD for a discussion of monitoring results from the Rio Grande.

42-2

The SWEIS makes use of current, accepted, and well-documented scientific models and data that have been, and continue to be used widely to analyze environmental impacts for the purpose of compliance with NEPA. The analysis methods used are essentially the same as those used in preparation of several DOE Environmental Impact Statements that have recently been published in final form or have been reviewed, in draft, by the public. In general, the data, models, assumptions, and other information used in the SWEIS are drawn from published sources and have been subjected to scientific peer review. Chapter 7 of the SWEIS and each of the appendices list the documented sources of information and models used in the analyses. The SWEIS presents an independent assessment of public health impacts from contaminants in the LANL environment. The SWEIS does not rely on the Agency for Toxic Substances and Disease Registry Public Health Assessment in any specific way for its conclusions. The Agency for Toxic Substances and Disease Registry is the Federal agency responsible (under the 1986 amendments to the Superfund law) for conducting Public Health Assessments at each site on the EPA National Priorities List. The Public Health Assessment is a relevant Federal agency study and it is therefore appropriate that the SWEIS acknowledge its conclusions. The EPA did not reject the draft Public Health Assessment; however, it did submit comments during the public comment period. The Public Health Assessment was finalized and released August 31, 2006 (ATSDR 2006). As detailed in Appendix I of the final Public Health Assessment, EPA comments on the draft were addressed by the Agency for Toxic Substances and Disease Registry in the final document.

42-3

To the extent possible, the most recent technical documents, including an update to the seismic hazard analysis, completed in 2007, are considered

Commentor No. 42 (cont'd): Mr. and Mrs. Sant

allows for a future family to live on the land, grow food, raise animals and drink the water for their entire lives with good health.

**42-6
cont'd**

LANL currently has approximately 40,000 drums of transuranic waste sitting above ground in fabric tents awaiting shipment to WIPP. However, the proposed expanded operations focuses on a vast expansion of waste generation and removing drums that are currently buried in Area G. DOE should address permanent disposal of existing waste before further waste generation is even considered.

42-7

LANL activities jeopardize both water quality and quantity. It is unacceptable that LANL blatantly disregards laws regulating water quality and quantity. Contaminants exceeding accepted levels for health have already been found in surface water and the regional aquifer. DOE did not use the most current water quality standards or consider contaminants that are moved in running canyons when analyzing the impacts to our water. DOE finds no problem with increasing LANL's water usage above the amount allotted to it from the regional aquifer while proposing to dump 268 million gallons of treated wastewater into the canyons which flow to the Rio Grande.

42-8

LANL must be required to reevaluate and broaden their air sampling programs. Toxic and radioactive air emissions do have a detrimental impact on the surrounding area and people. DOE must monitor and implement comprehensive sampling programs at all open burning and open detonation sites and for all activities using high explosives and DU. Beyond that, DOE must institute a program to stop all toxic air pollutant emissions from LANL facilities and activities.

42-9

The Expanded Operations Alternative will result in higher demands for electricity, water and natural gas, which will impact the environment as well as increased car emissions from commuters. These impacts must be considered in the cumulative impacts of the Expanded Operations Alternative.

42-10

Operations at LANL are a major violation of environmental justice. It is not possible that LANL activities would have no effect on these populations. The analysis uses six-year-old information and does not account for undocumented residents nor low-income individuals above the poverty level. I request a reanalysis in the final SWEIS, with public input and review.

42-11

Our recommendation is that Congress change the mission of LANL to focus on research and development into renewable energy, such as solar, wind and biomass, and clean up technologies that support the environmental and public health. The SWEIS must include a fourth alternative that focuses on these activities. LANL must transition to less harmful and sustainable research.

42-12

Sincerely,

Mr and Mrs Sant
131216 W 6 St
Brklyn NY 11204

in the Final SWEIS analyses. Information under development that is not available for use in the Final SWEIS, such as the updated Area G performance assessment, will be considered as it becomes available, and, in accordance with the NEPA compliance process, the SWEIS impact analyses will be reviewed and supplemented as necessary based on the newly available information. See Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

Seismic activity at LANL is described in Chapter 4, Section 4.2.2.3 and in the 2007 seismic hazard analysis report (LANL 2007a). The estimated human health impacts from postulated facility accidents at LANL, including earthquakes, are described in Chapter 5, Section 5.12, and Appendix D, Section D.4. These sections also include a discussion of the significance of the updated understanding of seismic hazard from the 2007 seismic hazard analysis report.

42-4

NNSA has prepared project-specific analyses in the appendices and Chapter 5 that present appropriate and adequate analysis of LANL impacts. Appendix I provides an extensive discussion of actions to comply with the Consent Order for cleanup of LANL. The impacts of air and water emissions and waste disposal, and the potential for environmental justice impacts are addressed, as appropriate, in Chapter 5 and the appendices; the results of the analyses are summarized in both Chapter 3 and the Summary.

42-5

NNSA does not consider compliance with the Consent Order to be optional, and is not linking Consent Order compliance with decisions about pit production; proposed new projects or activities; increased operational levels; or waste generated from other LANL activities. Chapter 1, Section 1.3, of the SWEIS defines the three alternatives and explains why activities to comply with the Consent Order are included only in the Expanded Operations Alternative. Chapter 1, Section 1.4 states that NNSA could choose to implement the alternatives either in whole or in part, and that NNSA intends to implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

Commentor No. 42 (cont'd): Mr. and Mrs. Sant

- 42-6** Although Appendix I, of the SWEIS evaluates the environmental impacts associated with potential remedial action alternatives, decisions about environmental restoration will be made in accordance with established regulatory standards and processes, including those of the State of New Mexico for the Consent Order. To arrive at a decision about remediating a contaminated site, several alternative remedies may be considered such as containment in place, treatment, or removal. Any remedy selected for a site requiring environmental restoration must meet several criteria including protection of human health and the environment, and attainment of applicable cleanup standards including those for ground and surface waters and soil. If the site is to remain under DOE ownership, then cleanup standards commensurate with a restricted type of land use may be used, provided that offsite areas are protected. If the site is to be released for unrestricted access by the public, then the site would need to meet cleanup standards for unrestricted access. Decisions about the appropriate levels of cleanup for sites subject to the Consent Order will be made by the New Mexico Environment Department using cleanup criteria documented in Section VIII of the Consent Order. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for additional information.
- 42-7** Although a pollution prevention and waste minimization program has been instituted at LANL (see Chapter 4, Section 4.9, of the SWEIS), operation of LANL in support of DOE's core missions will cause the generation of waste that NNSA intends to safely manage as it continues to address existing waste in storage. Nearly all of the stored waste at LANL consists of legacy transuranic waste that is stored above ground within domes in TA-54. Most of this waste was originally stored below grade, but was retrieved and placed in an above ground, inspectable configuration as required by the State of New Mexico. NNSA is working to prepare all stored and newly-generated transuranic waste for shipment to WIPP. Shipment rates for 2006 have increased significantly over past years. Refer to Section 2.7, Waste Management, of this CRD for more information.
- 42-8** The water quality standards in Chapter 4, Tables 4-7 and 4-9 have been updated to reflect standards recently issued by the New Mexico Water

Commentor No. 42 (cont'd): Mr. and Mrs. Sant

Quality Control Commission. The new standards have not yet been approved by the U.S. Environmental Protection Agency; nevertheless, they are used in the 2005 report *Environmental Surveillance at Los Alamos during 2005* (LANL 2006g) and this SWEIS in evaluating water quality data. As Table 4-7 demonstrates, LANL staff compare surface water data to a variety of standards that legally apply, in order to identify contaminants and data trends that could indicate the need for corrective actions. DOE and Los Alamos County have combined water rights of 1,806 million gallons (6,836 million liters) per year, of which 542 million gallons (2,050 million liters) per year are allocated to DOE. In recent years, the largest amount of water used by DOE and the County was 1,515 million gallons (5,735 million liters) in 2000, when the Cerro Grande Fire occurred. As shown in Table 4-43 and discussed in Section 5.8.2, LANL water usage has been and is expected to remain below its 542 million gallons (2,050 million liters) per year allotment. Effluents from LANL facilities are discharged in accordance with a National Pollutant Discharge Elimination System permit that establishes limits on the volume and quality of the discharge. As discussed in Section 4.3.1.2, over the past 6 years, LANL has had a very good record of complying with permit conditions, which are set to protect health and safety. Under all alternatives, LANL would continue to meet permit conditions designed to protect water resources. These treated effluents do not normally flow directly into the Rio Grande; surface waters may reach the river a few times a year during large precipitation events.

- 42-9** All LANL activities operate under valid permits as described in Chapter 6 of the SWEIS and are conducted in accordance with applicable State and Federal laws and regulations. This includes activities related to high explosives and depleted uranium. NNSA has revised Chapter 6, Section 6.4, of the SWEIS to reflect that the open burning permits have been withdrawn at LANL's request and the associated activities have ceased. LANL staff regularly evaluates the site's environmental monitoring programs and makes changes based on data trends and regulatory requirements. Refer to Section 2.10, Depleted Uranium and the Dual Axis Radiographic Hydrodynamic Test (DARHT) Facility, of this CRD for more information.
- 42-10** The cumulative impacts of the Expanded Operations Alternative for electricity, water, and natural gas demands were evaluated and are

Commentor No. 42 (cont'd): Mr. and Mrs. Sant

discussed in Chapter 5, Section 5.13, of the SWEIS. Although not anticipated, future expansion of the LANL infrastructure to supply additional electricity, water, or natural gas, would be preceded by appropriate environmental documentation. Changes made to the infrastructure to meet LANL demands would be required to meet applicable state and Federal environmental regulations, as well as standards that emphasize state-of-the-art strategies for sustainable site development, water savings, energy efficiency, material selection and indoor environmental quality. NNSA has revised Sections 5.4.1.3 and 5.13, and the Summary, to discuss the potential increase in emissions from increases in commuter traffic to LANL. Increased employment of 2.2 percent per year under the Expanded Operations Alternative could result in similar increases in LANL commuter-specific vehicle emissions from additional employee vehicles commuting from Santa Fe and Rio Arriba County and other locations. The actual change in overall traffic emissions would be much less since LANL-specific traffic is only a portion of the overall regional traffic volume.

42-11

As discussed in Section 5.11, no disproportionately high and adverse environmental impacts on minority and low-income populations would be expected to result from LANL operations. The analyses presented in the EIS used the most recent Census data available at the time the analysis was prepared. In collecting data for the Census, the Census Bureau does not ask about the citizenship of respondents. According to the Census Bureau, they expect that undocumented residents are among those included in their counts given their success in counting nearly every person residing in the United States. DOE and by extension NNSA define low-income populations in terms of the Census Bureau's statistical poverty level, which was used in the SWEIS. Since the Draft SWEIS was published, the Census Bureau has released revised projections through mid-2005 for select counties in New Mexico, including Santa Fe County. This information was compared to the data for 2000 and these more recent projections would not change any of the analyses presented in the SWEIS since the level of minority or low-income populations in the available counties did not change substantially from the levels reported in 2000.

42-12

NNSA notes the commentor's recommendation that the Congress change LANL's mission. In addition to LANL's primary mission of

Commentor No. 42 (cont'd): Mr. and Mrs. Sant

supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 43: Debra Link

From: debra link [mailto:link@cybermesa.com]
Sent: Thursday, August 10, 2006 2:49 PM
To: LANL_SWEIS
Subject: public comment

To Whom it May Concern:

When our real national security interests lie in developing alternative energy sources, mitigating global climate change, and environmental clean up, expanded nuclear weapon making activities are not in the country's best interest. The proposed expanded nuclear activities will increase toxic and radioactive waste, increase water demands, increase the threat of contamination of surface water and the regional aquifer, increase open burning and open detonation of high explosives and depleted uranium.

43-1

43-2

I thought the US had signed an international NonProliferation treaty. The indefinite preservation of nuclear weapons and the production of new designs by the US sends a clear message to the rest of the world of arrogance, ignorance, and immorality.
Debra Link

43-3

43-1 NNSA notes the commentor's opinion regarding nuclear weapon activities. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information. Regarding mission priorities, cessation of NNSA's core mission activities would be counter to national security policy as established by the Congress and the President. Activities that address issues such as global climate change and environmental cleanup technologies also are conducted at LANL and as such are included in the SWEIS as part of the No Action Alternative. Refer to Section 2.3, Alternative Missions, of this CRD for more information regarding non-weapons related activities.

43-2 Chapter 5 of the SWEIS analyzes the environmental impacts associated with LANL operations under all alternatives considered, including the Expanded Operations Alternative. LANL operations are in compliance with regulations that protect public health and the environment, and, based on the SWEIS analyses, would continue to be in compliance even under the Expanded Operations Alternative. The LANL contractor samples and monitors air, water and soil as part of its environmental surveillance program and reports the results annually in environmental surveillance reports. LANL's projected water demands would remain within LANL's water use target ceiling. Refer to Sections 2.6, Offsite Contamination, 2.8, Water Use, and Section 2.10, Depleted Uranium and the Dual Axis Radiographic Hydrodynamic Test (DARHT) Facility, of this CRD for more information related to the concerns raised in this comment.

43-3 The United States is a signatory of the Treaty on the Non-Proliferation of Nuclear Weapons and considers itself a leader in its implementation. Operations at LANL that support NNSA's mission to ensure a safe and reliable nuclear stockpile are not in violation of the Treaty on the Non-Proliferation of Nuclear Weapons. Stockpile stewardship capabilities at LANL are currently viewed by the United States as a means to further the Nation's nonproliferation objectives as the Nation moves to reduce its overall stockpile size. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 44: Marty Mitchell

August 9, 2006

Yes -

My name's Marty Mitchell. I live in Albuquerque. I'm elderly and I find that the scheduling of the meetings only in the three places that they are, is both inconvenient and discriminatory.

I think an additional meeting or two should be scheduled.

Thanks a lot.

Bye, bye

44-1

44-1

NNSA notes the commentor's desire for additional hearings. NNSA held three hearings on the Draft SWEIS in the region of LANL. For people not able to attend any of those hearings, other means of providing comment on the Draft SWEIS were provided, such as U.S. mail, e-mail, a toll-free telephone line, and a toll-free fax line. It should be noted that all comments, whether written or provided orally, are given equal weight and consideration. See additional discussion in Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD.

Commentor No. 45: Catherine Wells

August 10, 2006

Hi,

My name is Catherine Wells. My number is XXX-XXXX. I would like to make comments on the future activities of the SWEIS activities of the lab.

I would like to see cleanup of the waste disposal sites that now exist, and no expansion of the weapons program.

I would like to see the lab work on crucial things like global warming.

Thank you very much.

|| 45-1

|| 45-2

45-1

DOE is currently working to clean up contaminated sites at LANL. Chapter 2, Section 2.2.6, of the SWEIS describes the progress DOE has made in conducting its environmental restoration program at LANL. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Appendix I of the SWEIS presents options and environmental analyses for conducting future remediation activities at LANL primarily related to the Compliance Order on Consent that was entered into in March 2005. These analyses address LANL waste disposal sites and other contaminated areas, and provide environmental impact information to facilitate future environmental restoration decisions that will be made by the New Mexico Environment Department. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for additional information.

45-2

NNSA notes the commentor's opposition to activities related to nuclear weapons production. Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. In addition to these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Sections 2.1, Opposition to Nuclear Weapons and Pit Production, and 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 46: Evelyn M. WittAugust 7, 2006

Elizabeth Withers, EIS Document Manager
 Los Alamos Site Office
 National Nuclear Security Administration
 U.S. Department of Energy
 538 35th Street
 Los Alamos, NM 87544-2201

Re: Request for an Extension of Time to Comment on Draft Site-Wide Environmental Impact Statement for Los Alamos National Laboratory, DOE/EIS-0380D, June 2006

Dear Ms. Withers,

I feel the Department of Energy (DOE) is serving a grave injustice on the people of Northern New Mexico. The people are being asked to comment on a complex and lengthy document during a time of summer vacations, harvests, getting children ready for school and preparations for Market, Feast and Fiesta Days. I am concerned about the lack of time allowed for the public to thoroughly review the draft Site-Wide Environmental Impact Statement for Los Alamos National Laboratory (draft LANL SWEIS).

Also, many documents referenced in the draft LANL SWEIS are not readily available to the public other than through the DOE reading room. Many documents are not available electronically. Many who are interested in providing comments work during the day when the reading rooms are open.

I am also concerned that the draft LANL SWEIS relies on conclusions made in a draft Agency for Toxic Substances and Disease Registry public health assessment that concluded "that there was no data to link environmental factors with the observed incidence of any cancer in Los Alamos County" and "that no harmful exposures due to chemical or radioactive contamination detected in groundwater, surface soil, surface water and sediment, or biota are occurring or expected to occur in the future." In comments about the draft assessment, the Environmental Protection Agency stated, "ATSDR may have been overly conservative in their risk assessment approach and makes a blanket statement that there is no problem. ATSDR should redo their risk assessment to reduce conservatism and not assume that there is no risk." An inaccurate, incomplete and inadequate public health assessment misdirects policy, undermines pollution prevention and thereby increases the risk to human health. The draft LANL SWEIS should be pulled until a technically defensible public health assessment is written and made available for public review.

Furthermore, two important documents have not been completed prior to the release of the draft LANL SWEIS. These reports are the earthquake report and the risk assessment for LANL's low-level radioactive waste dump at Area G. The deadline for commenting on the draft LANL SWEIS should be delayed until after the public has had an adequate opportunity to review the earthquake report and the Area G risk assessment first.

Therefore, I request that the comment period remain open until such time as the new public health assessment, the earthquake report and the risk assessment for Area G are released for public review. Under the circumstances, I request a written response within five days. Thank you for your consideration of my request.

Sincerely,

Evelyn M Witt
 48 County Rd 126
 Española NM 87522

46-1 NNSA originally established a 60-day comment period for the Draft SWEIS. In response to requests for additional time, the comment period was extended to 75 days. NNSA recognizes that in light of electronic capabilities now available, that commentors would like the references to be available on the Internet. For security reasons, NNSA exercises caution when making decisions about posting documents on its website. Consistent with established practice, NNSA made the Draft SWEIS and the reference material available for public review in DOE Public Reading Rooms in the general vicinity of LANL. Those reading rooms are located in Los Alamos, Santa Fe, and Albuquerque. See Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for additional discussion.

46-2 The draft Public Health Assessment was finalized by the Agency for Toxic Substances and Disease Registry and issued August 31, 2006 (ATSDR 2006). The conclusions from the draft are essentially unchanged in the final Public Health Assessment. The Agency for Toxic Substances and Disease Registry responses to comments received on the draft Public Health Assessment, including the EPA comments, are documented in Appendix I of the final Public Health Assessment. The SWEIS presents an independent assessment of public health impacts from contaminants in the LANL environment. The SWEIS does not rely on the Agency for Toxic Substances and Disease Registry Public Health Assessment in any specific way for its conclusions. The Agency for Toxic Substances and Disease Registry is the Federal agency responsible (under the 1986 amendments to the Superfund law) for conducting Public Health Assessments at each site on the EPA National Priorities List. It is appropriate for the SWEIS to acknowledge the conclusions of the LANL Public Health Assessment because it is a relevant Federal agency study.

46-3 To the extent possible, the most recent technical documents, including an update to the seismic hazard analysis, completed in 2007, are considered in the Final SWEIS analyses. Information under development that is not available for use in the Final SWEIS, such as the updated Area G performance assessment, will be considered as it becomes available and, in accordance with the NEPA compliance process, the SWEIS impact analyses will be reviewed and supplemented as necessary based on the

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Commentor No. 46 (cont'd): Evelyn M. Witt

newly available information. See Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

Seismic activity at LANL is described in Chapter 4, Section 4.2.2.3 and in the 2007 seismic hazard analysis report (LANL 2007a). The estimated human health impacts from postulated facility accidents at LANL, including earthquakes, are described in Chapter 5, Section 5.12, and Appendix D, Section D.4. These sections also include a discussion of the significance of the updated understanding of seismic hazard from the 2007 seismic hazard analysis report.

Commentor No. 47: Peter Scherm

PETER SCHERM
701 FIFTH STREET #43
ALBUQUERQUE, NM 87102

Ms. Elizabeth Withers,
Office of Environmental Stewardship,
528 35th Street,
Los Alamos,
NM 87544

August 9th, 2006

Dear Ms Withers,

Re. LANL SWEIS.

I am horrified that LANL wishes to increase nuclear weapons production.

I live in Albuquerque and would be directly effected if there were an accident.

I DO NOT BELIEVE NUCLEAR BOMBS ARE A SOLUTION TO CREATE PEACE.

I AM TOTALLY AGAINST THE PRODUCTION OF NUCLEAR WEOPONS AT LOS ALAMOS OR ANYWHERE.

47-1

47-1

NNSA notes the commentor's opposition and concerns regarding pit production and the existence and potential use of nuclear weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

47-2

47-2

NNSA notes the commentor's concerns about being directly affected in Albuquerque from an accident occurring at LANL. Chapter 5, Section 5.12, of the SWEIS addresses the consequences and risks of accident events at LANL to the surrounding population; in the analysis this includes people within 50 miles (80 kilometers) of the accident location. Appendix D presents data indicating that analysis to that distance provides a conservative assessment (overestimate) of the impacts.

47-1
cont'd

Commentor No. 47 (cont'd): Peter Scherm

The waste, radioactivity and fall out produced is UNACCEPTABLE. One bomb kills & maims thousands and thousands of people. One bomb (or accident) creates extreme sickness in people for years after the explosion. Women give birth to children with horrible birth defects, even if they themselves dont get sick. One bomb or accident can contaminate our soil and water for hundteds & thousands of years.

WHERE IS THE INTELLIGENCE IN THAT?

Sincerely,
Peter K Scherm

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cont'd

47-2
cont'd

Comment side of this page intentionally left blank.

Commentor No. 48: J. Berde, Carson Forest Watch

Your Community Voices in the Carson

Re: 0-SWEIS comments for LANL



Carson Forest Watch
Box 15 Llano, NM • 87543 • 505-587-2848

8/9/06

Elizabeth Withers
SWEIS Document manager
NNSA Los Alamos Site Office
528 35th Street
Los Alamos, NM 87544-2201

on behalf of our citizens group in rural TAOS county, the following are comments regarding the SWEIS Draft for continued operation of LANL:

- 1) we urge the DOE to hold additional public hearings in TAOS. Our communities are affected by this decision & LANL operations and have many concerns regarding future programs at LANL.
- 2) we do not support any alternative that would involve any plutonium pit production.
- 3) Environmental compliance and clean-up needs to be the priority and we support an alternative that emphasizes this direction.
- 4) Nuclear weapons testing development and stockpile programs degrade our air, water, soil and total environment. We are strongly opposed to any continuation of such programs, and note that they undermine global proliferation control efforts.

48-1

48-2

48-3

48-4

48-1 NNSA notes the commentor's desire for public hearings in Taos, New Mexico. Although no public hearings were held in Taos, other means of commenting on the Draft SWEIS were provided, such as U.S. mail, e-mail, a toll-free telephone line, and a toll-free fax line. It should be noted that all comments, whether written or provided orally, are given equal weight and consideration. See Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

48-2 NNSA notes the commentor's opposition to any alternatives that would involve pit production.

48-3 NNSA notes the commentor's support for an alternative that emphasizes environmental compliance and cleanup at LANL. For many years, DOE has implemented and improved technologies for environmental restoration. Chapter 2, Section 2.2.6, of the SWEIS describes progress made by NNSA in conducting its environmental restoration program at LANL. Since the early 1990s, when LANL staff identified over 2,000 sites that potentially required environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Continuation of cleanup activities at a pre-Consent Order level is included under the No Action Alternative, while actions necessary to comply with the Consent Order are evaluated under the Expanded Operations Alternative. As stated in Chapter 1, Section 1.4, of the SWEIS, however, NNSA intends to implement actions necessary to comply with the Consent Order regardless of whether other actions in the Expanded Operations Alternative are implemented. For more information about proposed activities in support of the Consent Order, refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD.

48-4 NNSA notes the commentor's opposition to nuclear weapons testing, development, and stockpile programs, as well as the commentor's opinion that such activities undermine nonproliferation efforts. Stockpile stewardship capabilities are currently viewed as a means to further U.S. nonproliferation objectives and are likely to remain important in future arms control negotiations as the Nation moves to continue reducing its overall stockpile size. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 48 (cont'd): J. Berde, Carson Forest Watch

5) Please address concerns regarding past LANL non-compliance with New Mexico State Environment Department requirements; EPA ~~requirements~~, and other federal environmental requirements, the Clean Water Act, Clean Air Act, and numerous other discharge permit violations.

48-5

6) Any alternative chosen must address full compliance with all required discharge permits. Also compliance with both point and non-point pollution (of both surface and groundwater) permits.

48-6

7) Discharges into the Rio Grande & its tributaries need to be evaluated disclosed, and stopped. Remediation must be a priority.

48-7

8) We recommend a complete re-evaluation of all nuclear research at LANL, and support only true clean-up alternatives & research into non-polluting technologies. Earth Science & environmental clean-up need to be the priority.

48-8

9) LANL needs full consultation with all affected pueblo governments & communities on the D-SWEIS and must adopt a full disclosure policy in the future for all lab programs.

Thank you,
Sincerely, J. Berde for Carson Forest Watch
Citizens Group.

48-5

Chapter 4, Affected Environment, of the SWEIS summarizes past compliance with permit requirements. For example, Section 4.3.1.2 summarizes National Pollutant Discharge Elimination System permit compliance, and Section 4.4.2 summarizes compliance with air quality regulations and permits. Previous environmental surveillance reports (located at www.lanl.gov/environment/all/esr.shtml) should be consulted for more detail on historic permit compliance. Activities conducted under the three alternatives evaluated in the SWEIS would comply with applicable laws, regulations, and permits. EPA regulates stormwater discharges pursuant to Stormwater General Construction Permit No. NMR150000, as well as LANL Multi-Sector General Permit Nos. NMR05A734 (LANL) and NMR05A735 (DOE); Federal Facilities Compliance Agreement Docket No. CWA-06-2005-1701; and Administrative Order Docket No. CWA-06-2005-1734 for stormwater discharges from solid waste management units and areas of concern. These compliance documents are discussed in Section 4.3.1.3. Outfall discharges are regulated by LANL National Pollutant Discharge Elimination System Outfall Permit No. NM0028355. Industrial effluents regulated by this permit are discussed in Section 4.3.1.2. Groundwater discharges are covered by Groundwater Discharge Plans for the TA-50 Radioactive Liquid Waste Treatment Facility (DO 1132) and TA-46 Sanitary Waste Water Systems Facility (DP 857), as well as the Groundwater Discharge Plan application for LANL Septic Systems. These plans are discussed in Section 4.3.1.1. If any new contamination is found, investigation and possible remediation would comply with Consent Order requirements.

48-6

Effluents from LANL facilities are discharged in accordance with an National Pollutant Discharge Elimination System permit that limits discharge volumes and quality. Treated effluents normally do not flow directly into the Rio Grande, although surface waters may reach the river a few times a year during large precipitation events. As discussed in Chapter 4, Section 4.3.1.2, of the SWEIS, over the past 6 years LANL has had a very good record of compliance with permit conditions that are set to protect health and safety. Under all alternatives, NNSA would continue to meet permit conditions designed to protect water resources at LANL. Under the Expanded Operations Alternative, NNSA would further reduce permitted discharges by constructing and

Commentor No. 48 (cont'd): J. Berde, Carson Forest Watch

operating evaporation tanks for treated effluents from the Radioactive Liquid Waste Treatment Facility in TA-50. In addition, NNSA operates a monitoring program (described in Section 4.3.1.5) to detect contamination in groundwater, surface water, and other environmental media, including the Rio Grande. Results of this monitoring program are publicly reported in annual LANL environmental surveillance reports. In accordance with applicable regulations and agreements, NNSA evaluates and remediates occurrences of contamination in groundwater and surface water at LANL.

Environmental remediation at LANL is an NNSA priority and occurs primarily in accordance with both DOE and Consent Order requirements, as discussed both in the response to Comment No. 48-3 and in Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD.

48-7 Cessation of LANL's primary mission activities in support of NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. In addition to these activities, however, research is conducted at LANL in the areas promoted by the commentor. These research areas are part of current operations and, as such, are included in the SWEIS under the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

48-8 Through implementation of its NEPA procedures, NNSA actively interfaces with communities and Pueblos in New Mexico. All organizations and individuals who express an interest are provided with copies of LANL environmental impact statements after they are prepared. With respect to Pueblo governments, NNSA has established an accord with four Pueblos in the immediate vicinity of LANL to guide interaction. NNSA recognizes all of the Pueblos of northern New Mexico as sovereign Nations and specifically invites them to comment on NEPA documents related to activities that could affect them. Through this SWEIS, NNSA is making information on LANL programs available to the public. Additional outreach activities are carried out by the site contractor to share information about site programs with the public. Despite NNSA's commitment to provide the public with information about LANL programs, aspects of certain programs cannot be discussed in detail for security reasons.

Commentor No. 49: Michael Odland

FROM : ODLAND

FAX NO. : 5057768294

Aug. 12 2006 02:10PM P1

August 10, 2006

As a long time resident, taxpayer and voter I wish to plead for no more stockpiling of plutonium pits.

The brilliant ideas for Los Alamos Laboratory should be more cutting edge for environment, teaching and health. New Mexico is an excellent place to live. Please do not dirty it anymore with weapons of war!!!!!!!!!!!!!!

Sincerely,

Michael Odland
36 desert mountain drive
santa fe , nm 87508

|| 49-1
|| 49-2
|| 49-1
(cont'd)

49-1 NNSA notes the commentor's opposition to pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

49-2 Cessation of NNSA's core mission activities in support of NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. Therefore, ending these activities at LANL is not being considered in the SWEIS. In addition to performing these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 50: Jodi Odland

FROM : ODLAND

FAX NO. : 5057768294

Aug. 10 2006 04:59PM P1

August 10, 2006

Please—no pits! New Mexico
is a sweetheart—don't ruin
it. Don't contaminate our
children's future.

A weapon's stockpile is
not what I choose to live with.

Jodi Odland
36 Desert Mountain
Santa Fe, N.M. 87508

50-1

50-1

NNSA notes the commentor's opposition to pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 51: Don Schrader

I strongly OPPOSE the production of ALL nuclear bomb (pits) at LANL or anywhere else.
I strongly OPPOSE ALL nuclear weapons' research at LANL or anywhere else.
Read my article above.
Don Schrader - Host of weekly TV program

51-1

51-1

NNSA notes the commentor's opposition to pit production and nuclear weapons research. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 51 (cont'd): Don Schrader

Mass Murders, Mass Weapons

Dear Alibi,

Sandia and Los Alamos Weapons Labs daily for decades have prepared to commit mass murders worldwide *thousands of times larger* than the hijacker's atrocities on September 11. The nuclear weapons designed at Sandia and Los Alamos terrorize many whole nations. They threaten to incinerate many times more moms, dads and kids than Hitler and the Nazis killed in gas ovens, concentration camps and World War II. They are prepared to slaughter far more people than all the wars in human history combined. Even if the United States never again drops nuclear bombs on cities, these bombs are murdering millions of poor people right now because the billions of dollars, the vast resources and the brain power invested in bombs could provide clean water, decent shelter and nutritious food for millions of poor people dying worldwide.

These weapons of mass destruction are aimed to murder far more human beings than all the victims of street gangs, drug dealers, drunk drivers, sex offenders, deranged spouses, serial killers, KKK and the Mafia combined.

How can anyone with a conscience pay one dime of federal income tax for this international nuclear terrorism by the U.S. Empire? How can anyone who abhors murders on our streets and in our homes pay one dime of federal income tax for the largest mass murder/suicide in human history?

I appeal to all the scientists, engineers, technicians, executives, secretaries, custodians and suppliers involved in any way with weapons of mass destruction at Sandia, Los Alamos, Lockheed Martin, Kirtland Air Force Base—Quit your bloody jobs now! No salary is worth prostituting your brain, your conscience and your career to the worst of all criminal insanities! A life-giving job at minimum wage is infinitely better than a mass murder job, no matter how large your paycheck.

Don Schrader

51-1
cont'd

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*Commentor No. 52: Melody Sumner Carnahan
and Michael Sumner*

From: Melody Sumner Carnahan [mailto:brnbx@nets.com]
Sent: Tuesday, August 15, 2006 12:30 PM
To: LANL_SWEIS; gmello@lasg.org; editor@sfreporter.com
Subject: PIT Production LANL

August 15, 2006

Governor Bill Richardson
Office of the Governor
490 Old Santa Fe Trail
Room 400
Santa Fe, NM 87501

Senator Pete V. Domenici
201 3rd St., NW #710
Albuquerque, NM 87102

Senator Jeff Bingaman
119 E. Marcy #101
Santa Fe, NM 87501

Representative Tom Udall
811 St. Michaels Dr. STE. 104
Santa Fe, NM 87505

Ms. Elizabeth Withers
LANL_SWEIS@doeal.gov

re: LANL EXPANSION OF PLUTONIUM PIT PRODUCTION:

Draft Site-Wide Environmental Impact Statement [SWEIS] for Continued
Operation of Los Alamos National Laboratory [LANL]

Dear Governor, Senators, Congressman, Citizens:

Ecological disasters, by their very nature, involve many levels of complexity: The immediate, often tragic, consequences are later matched by the fact that clean-up is unforeseeably difficult, lengthy, and expensive, which makes a strong argument for taking every precaution to prevent them from happening in the first place. To accept the proposal for quadrupling plutonium PIT production at LANL would be immoral, unconscionable, and criminal on a grand scale. Accidents and leaks are certain to ensue, and litigation proliferation would be one outcome, as citizens band together to take action against the inevitable contamination and possible long-term devastation resulting from such excessive production of unnecessary deadly weapon's components. It is best if we stop now and here.

52-1

The current proposals by the Department of Energy (DOE) and the National Nuclear Security Administration (NNSA) to greatly expand the production and transportation

52-1 NNSA notes the commentor's objections to increasing pit production and concerns that accidents and leaks would result. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for additional information. NNSA observes Federal and state laws and regulations. LANL activities are conducted in accordance with an environmental management system, which recognizes the need to conduct LANL mission work assignments while being a good steward of the natural and cultural environment. LANL operations are designed to keep the release of chemicals and radioactive materials well within the regulatory limits designed to protect public health and the environment. Nuclear facilities are carefully designed to prevent accidents and to mitigate the results of any accident that might occur, regardless of the cause.

Commentor No. 52 (cont'd): Melody Sumner Carnahan and Michael Sumner

of plutonium "triggers" and other toxic nuclear wastes at LANL would endanger an already beleaguered site with additional pollution problems and increased transuranic waste disposal hazards-none of which are being effectively dealt with now. NNSA seeks to produce up to 80 plutonium PITs per year at LANL, and to extend the life of the production facility by 25 years.

PIT production creates an enormous amount of toxic waste: plutonium being the most hazardous substance on the planet. The proposed expanded nuclear weapons production facility would add another 250 cubic yards of radioactive waste to the 260 cubic yards currently generated each year-doubling what is already a serious unsolved problem. In terms of numbers: it means that approximately 1,800 fifty-five-gallon barrels of deadly wastes would be shipped from LANL to WIPP (Carlsbad) every year, about five each day on the insecure highways of New Mexico. An additional 6.6 metric tons of nuclear waste would be stored near LANL-virulently radioactive for tens of thousands of years-at LANL's nuclear waste dump, "Area G," which is already the largest nuclear dump in New Mexico and three surrounding states. This is a dump located on a narrow mesa adjacent to springs: it is not lined, not licensed, not externally regulated, and not subject to cleanup. Management of the dump was recently taken away from environmental scientists and given to LANL's PIT production chief.

Former U.S. Strategic Commander-in-Chief General Lee Butler came to believe that nuclear deterrence was a specious doctrine, saying: "The nuclear beast must be chained, its soul expunged, its lair laid waste." The ending of PIT production at Rocky Flats, Colorado, (due to FBI/EPA charges of criminal environmental damage) perhaps wounded the nuclear beast but now it is up again, in New Mexico, with a vengeance. New Mexicans are the ones to call a halt to the proliferation of nuclear weapons, and all they portend for humanity's prospects of survival. The U.S. already has an arsenal of nearly 10,000 nuclear weapons (with about 23,000 existing PITS, 13,000 in storage). The House Appropriations Committee declared the NNSA proposal "irrational" since there is no current need to make PITS in any quantity. Creating more PITS at LANL would only increase potential threats to our national security (both NNSA and LANL have come under criticism recently for serious security lapses) as well as imperil our already fragile environment. Why then is this expensive, unnecessary, hazardous proposal being considered at all?

"I am a strong believer in maintaining a nuclear deterrent," said Bob Peurifoy, a retired vice president at Sandia National Laboratory who pioneered the security systems that prevent unauthorized use of nuclear bombs, "but I would like to have some integrity within the labs and management. They'll do anything for a buck."* Military spending in all its forms now amounts to \$7,600 per U.S. household. There are many more productive ways to use that money. Fully half of U.S. nuclear warhead spending occurs in New Mexico and our state harbors more nuclear

52-2

52-3

52-2 As shown in Chapter 5, Table 5-39, of the SWEIS LANL operations for the No Action Alternative – including limited pit production, management of legacy transuranic waste, and other activities – are projected to generate up to 570 cubic yards (440 cubic meters) of transuranic waste per year. LANL operations for the Expanded Operations Alternative are projected to generate an additional 290 cubic yards (220 cubic meters) of transuranic waste per year, of which about 240 cubic yards (180 cubic meters) would be associated with increased pit production. As shown, in Chapter 5, Table 5-50, this increased pit production is expected to result in an additional 246 shipments of transuranic waste to WIPP over 10 years. (Also see the response to Comment no. 6-3.) Also shown in Table 5-50 is the number of shipments of transuranic waste to WIPP (up to 5,044 over 10 years) that could occur under all activities that could take place at LANL under the Expanded Operations Alternative, including demolishing numerous structures at LANL and extensive removal of waste from material disposal areas. Assuming 250 working days per year, this higher estimate would result in an average of 2 shipments per working day, or about 1.4 shipments per day over a calendar year. The transuranic waste is packaged in drums or boxes, which are then placed into containers for transport. Specific regulations address the packaging and the transportation of transuranic waste. The transportation containers are Type B containers certified in accordance with Nuclear Regulatory Commission regulations. Some low-level radioactive waste will be disposed of onsite at TA-54, Area G. Area G is subject to the requirements of DOE M 435.1-1, Radioactive Waste Management Manual, which imposes standards for the design, operation, closure, and corrective action of DOE low-level radioactive waste disposal facilities. NNSA is evaluating the use of liners at Area G as part of the periodic review of the site-specific performance assessment. Refer to Section 2.7, Waste Management, of this CRD for more information.

The 6.6 metric tons of stored nuclear material, identified in Chapter 3, Table 3-18, of the SWEIS, represents the storage capability of the Plutonium Facility Complex, not the actual inventory; please note that this storage capability refers to nuclear material, not waste. This material is stored within the Plutonium Facility Complex, and includes the majority of LANL's special nuclear material inventory (see Chapter 3, Section 3.1.3.16). These materials will not be disposed of at Area G.

**Commentor No. 52 (cont'd): Melody Sumner Carnahan
and Michael Sumner**

weapons than any other. In fact, Albuquerque (Kirtland Air Force Base) houses more nuclear weapons than any other single place in the world. What contracts, paybacks, settlements, fortunes, kickbacks, bribes, threats, dirty deals are in operation here? Who stands to benefit from this shameful waste of tax-payer's money, time, and resources? Where is our government's promise to protect the health and safety of its citizens, now and for the future? How many more hundreds of thousands of innocent people will be killed (300,000 at Hiroshima/Nagasaki) with the next act of war or terrorism or sabotage or by accident. Whatever "war to end all wars" these weapons were originally designed for, it must be said that it is WE THE PEOPLE who have invented them, allowed them to be produced and stockpiled, and, God forgive us, used them. Time to stop.

As stated in The Call for Nuclear Disarmament (Los Alamos Study Group): "The continued possession, further development, and manufacture of nuclear weapons by the United States undermines the ethical basis of our society, breaks treaties our nation has signed, wastes our nation's wealth, and permanently contaminates our environment, while providing no real contribution to U.S. national security. In fact, implicit and explicit nuclear threats by the U.S. undermine global efforts to halt proliferation of not just nuclear weapons, but all weapons of mass destruction."

We are no longer engaged in an "arms race." The first international Non-Proliferation Treaty was ratified in 1970, signed by the United States. We cannot "take out," in nuclear fashion, any nation that houses or might house terrorists: the 9/11 terrorists were living here. Nuclear weapons are gravely outmoded. As citizens of New Mexico, of the United States, and the world, we, along with many others, urge all elected officials, particularly Governor Richardson and Senator Dominici who have favored this proposal, to heed this urgent request. We respectfully demand that this ill-fated attempt at renewed nuclear arms proliferation cease. YOU will be held accountable.

Sincerely,

Melody Sumner Carnahan and Michael Sumner
Santa Fe

CC:

Greg Mello, Los Alamos Study Group
Santa Fe New Mexican, editor: Robin McKinney Martin
Santa Fe Reporter, editor: Julia Goldberg

**Nuclear Spending Comes Under Fire: Congress members question the need to modernize weapons facilities, citing trouble with management." By Ralph Vartabedian, Times Staff Writer, July 30, 2006. All other quotes from factsheets by nukewatch.org, and Los Alamos Study Group.

52-3 As indicated in Chapter 1, Section 1.2, of the SWEIS, NNSA's purpose and need for agency action in this SWEIS remain the same as in the *1999 SWEIS* – the purpose of the continued operation of LANL is to provide support for NNSA's core missions as directed by the Congress and the President. NNSA's need to continue operating LANL is focused on its obligation to ensure a safe and reliable nuclear stockpile. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information. Potential environmental consequences of the No Action, Reduced Operations, and Expanded Operations Alternatives are summarized in Section S.9 of the SWEIS Summary and evaluated in more detail in Chapter 5.

Commentor No. 53: Marilyn Winter-Tamkin

From: Marilyn Winter-Tamkin [mailto:marilynwt@comcast.net]
Sent: Tuesday, August 15, 2006 10:42 AM
To: LANL_SWEIS
Subject: no to LANL pit production

Dear Ms. Withers,

This letter is to voice my opinion on the idea that LANL produce more pits for nuclear weapons. This is a terrible idea and will further contribute to the pollution of that geographical area and to the proliferation of a type of weapons that we have in great supply. We can blow up the world without more nuclear weapons.

53-1

I clearly state that I hope the lab does not do this work.

Thank you -

Marilyn Winter-Tamkin
#2 Altazano Drive
Santa Fe, NM 87505
Phone: (XXX)-XXX-XXXX
Fax: (XXX)-XXX-XXXX

53-1

NNSA notes the commentor's opposition regarding pit production. Potential environmental impacts associated with the proposed action and alternatives are evaluated in Chapter 5 of the SWEIS and summarized in Table S-5 of the SWEIS Summary. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information regarding opposition to pit production.

Commentor No. 54: Marvin A. Van Dilla

From: Marv Van Dilla [mailto:mavandilla@comcast.net]
Sent: Monday, August 14, 2006 8:15 PM
To: LANL_SWEIS
Subject: Pit production

Elizabeth Withers, EIS Document Manager
Los Alamos Site Office
NNSA, USDOE, Los Alamos NM

Dear Elizabeth Withers:

I oppose pit production in Los Alamos for a new generation of nuclear weapons. In fact, I oppose the whole proposal for new nuclear weapons.

In the interests of non-proliferation, we should be eliminating them, not building more and longer-lasting ones. Just as we tell the Iranians not to build them, we should take our own advice and do likewise.

Sincerely,

Marvin A. Van Dilla, Santa Fe

54-1

54-1

NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information, including discussion on nonproliferation.

Commentor No. 55: Marilyn Hoff

From: lynn timer howe [mailto:marigayl@hotmail.com]
Sent: Monday, August 14, 2006 4:56 PM
To: LANL_SWEIS
Subject: SWEIS public commentary

Public comment on 2006 LANL SWEIS by Marilyn Hoff, PO Box 295, El Prado, New Mexico 87529:

I protest the range of alternatives the public is asked to choose between in the current LANL SWEIS. The No Change Alternative, the Expanded Alternative, even the 20% Reduced Alternative, each represents business as usual at LANL, and LANL's business as usual kills. Each alternative would continue to manufacture plutonium pits in a push to restart a nuclear arms race, while the expanded alternative, greatly expanding pit production, clearly paves the way to making LANL the principal US manufacturer of nuclear bomb cores, multiplying not only the dangers of a new nuclear arms race, but also the lethal pollutants with which the next quake or wildfire can blanket the Land of Enchantment. Even with No Change, LANL would continue to explode over four tons of depleted uranium into the atmosphere during procedures spinned in the SWEIS as "expending" in "dynamic" or "hydrodynamic" tests.

55-1

After the first Gulf War LANL, enamored of the murderous possibilities of DU munitions, advocated "garnering proponency" of the US depleted uranium arsenal in argument against environmental concerns. So it comes as no surprise that LANL would downplay the dangers of DU, even while at TA-15 LANL weapons designers explode tons of DU in so-called "hydroshots" at DARHT and Bldg 306, during which DU substitutes for plutonium in mock nuclear explosions.

55-2

LANL postures that these 100 major mock nuclear tests per year are merely for "Stockpile Stewardship." This disclaimer comes even as NNSA head, Linton Brooks, avidly promotes a new generation of "usable nukes"-- nuclear bunker busters and mini-nukes and whatever other Armageddon LANL's grandiose minds are hatching. The DARHT Record of Decision asserted that DARHT explosions could prove useful in the design of new nuclear weapons, and coincidentally a new nuclear bunker buster has entered the US arsenal during the regime of Stockpile Stewardship. Also coincidentally, Congress refused funding for new nukes but did fund Stockpile Stewardship.

According to a Brookhaven report, 220,000 lbs of DU munitions were exploded at LANL prior to 1999. This is the non-nuclear but certainly radioactive range of munitions currently making Iraq and Afghanistan unlivable and destroying the health and lives our own soldiers. Does this SWEIS even tabulate the munitions currently exploded by the Dept of Defense at LANL? Does the exemption of DoD munitions

55-3

55-1 NNSA notes the commentor's opposition to the three alternatives evaluated in the SWEIS and preference for an alternative that does not include activities related to weapons production. Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President, and is therefore not being considered in the SWEIS. Cleanup of the LANL site is, however, an NNSA priority. Chapter 2, Section 2.2.6, of the SWEIS describes progress made by NNSA in conducting its environmental restoration program at LANL. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Actions necessary to comply with the Consent Order are evaluated under the Expanded Operations Alternative. As stated in Section 1.4 of the SWEIS, however, NNSA intends to implement actions necessary to comply with the Consent Order regardless of the alternative implemented. For more information about proposed activities in support of the Consent Order, refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD. Although toxic and radioactive air emissions can potentially have detrimental impacts, the past emission levels analyzed and those projected for LANL would not be expected to cause unacceptable impacts on human health or the environment, as shown in Chapter 4, Section 4.6.1.3, and Chapter 5, Sections 5.4.1.1, and 5.6.2. In addition, airborne radionuclide emissions at the LANL site perimeter, as well as at onsite and regional locations, are monitored continually by the radiological air sampling network, referred to as AIRNET. Specific LANL operations and procedures, such as those with depleted uranium, are designed to control any releases of depleted uranium to the environment during tests. Refer to Section 2.10, Depleted Uranium and the Dual Axis Radiographic Hydrodynamic Test (DARHT) Facility, of this CRD for more information on high explosives and depleted uranium activities.

55-2 LANL staff conduct a wide range of tests involving depleted uranium to fulfill its nuclear weapon stockpile stewardship and development responsibilities. LANL staff has tested new techniques to reduce emissions of depleted uranium, and, as stated in Chapter 5, Section 5.4.1.1, has significantly reduced particulate emissions by using aqueous foam

Commentor No. 55 (cont'd): Marilyn Hoff

tests from oversight by any other governmental body, thanks to the Military Munitions Rule, mean that these explosions, probably taking place at TA-36, go uncounted in the SWEIS? Or do the 2600 lbs per year of DU allotted to TA-36 go to DoD munitions tests?

**55-3
cont'd**

The description of what constitutes a war crime, namely using munitions that kill indiscriminately and that kill for generations to come, applies to the “expenders” of DU, a crime LANL perpetrates on the pueblos, villages, towns and cities of New Mexico.

**55-2
cont'd**

The good news is that the “expenditure” of DU doesn’t apparently increase in the Expanded Alternative. The bad news is that it is being exploded in enormous amounts already, and the SWEIS never exactly delineates the true total. 6900 lbs per year for dynamic experiments, says one page (3-25), while another (5-49) totals about 8.600 lbs for the same purpose, more than 4 tons per year. Which is true? And is all of that total for dynamic (i.e., explosive) tests apply to DOE projects alone? Or does it include DoD totals?

**55-3
cont'd**

Meanwhile the Neutron Science Center proposes testing DU in “contained” explosions at 100 lbs a shot. In what kind of containment? Do these tests also take place in foam-filled tents, as has been tried with DARHT “hydroshots?” The Neutron Science Center (LANSCE, aka TA-53) also achieves distinction as the principal source of airborne radiation released at LANL (pp 3-85 and 5-87), 30,400 curies per year in “gaseous mixed activation product”-an astonishing and appalling amount. Evidently the radionuclides created by LANSCE’s particle accelerator are not very efficiently contained at LANSCE, which also conducts another 60 experiments a year using high explosives or DU. The “Reduced Alternative” of the current SWEIS would shut down LANSCE. This is the only offered alternative in the entire SWEIS that I whole-heartedly endorse. Please spare Northern New Mexico the yearly offering of 30,400 airborne curies of radiation by TA-53.

55-4

55-5

Another question: On page 3-22 of Volume I of the SWEIS in a chart for High Explosives Processing Facilities, the Expanded Operations Alternative proposed an increase from 2,910 lbs/yr to 5000 lbs/yr of “mock explosives.” Are these the “mock explosives” for the mock nuclear hydroshots? Do these “mock explosives” consist of depleted uranium?

55-6

According to former Livermore physicist Marion Fulk, DU when exploded decimates into nano particles of uranium oxides and nitrides as essentially weightless as the earth’s atmosphere, upon whose winds it can travel the world over. When inhaled these radioactive, poisonous heavy-metal uranium particles, capable of catalyzing cell disintegration, can travel and set up camp anywhere in the body, causing, among various other illnesses, cancer and birth deformities.

during these tests. Moreover, as stated in Sections 5.4.1.1 and 5.14.3, the use of an enhanced containment around these tests would also significantly reduce air and water releases to the environment. Chapter 4, Section 4.4.3.1, shows that measured uranium air concentrations around the LANL site from 1999 through 2005 were 0.01 percent to 0.3 percent of the applicable EPA limit. Refer to Section 2.10, Depleted Uranium and the Dual Axis Radiographic Hydrodynamic Test (DARHT) Facility, of this CRD for additional information. Although depleted uranium can be recovered from reprocessed spent nuclear fuel, depleted uranium typically used in testing at LANL is derived from unirradiated uranium. It does not have the contaminants of plutonium or fission products asserted in the comment.

55-3

Environmental remediation of sites used for dynamic experiments at LANL (firing sites) is being addressed, primarily in accordance with DOE’s authority under the Atomic Energy Act, and with the requirements of the March 2005 Consent Order. Since 1989, when over 2,100 potential release sites, including firing sites, were identified at LANL, because of progress in remediation and consolidation of sites, only 829 potential release sites remained at the end of 2005. Therefore, the levels of depleted uranium and high explosives that may remain in the vicinity of the firing sites are being reduced. Additional information is in Chapter 2, Section 2.2.6, and Appendix I of the SWEIS, and in Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD.

All depleted uranium expended at LANL is accounted for in the SWEIS. Table 3-9 (on page 3-25 in the Draft SWEIS) indicates that the maximum (on average) amount of depleted uranium used for high explosives testing annually would be 6,900 pounds (3,130 kilograms), while if one totals the maximum amount of depleted uranium for each testing site indicated on Table 5-9 (on page 5-29 in the Draft SWEIS), it would appear that a maximum of 8,649 pounds (3,931 kilograms) of depleted uranium could be expended annually. This apparent inconsistency can be explained as follows: Table 5-9 identifies the maximum amount of depleted uranium that could be used at each of three high explosives testing sites while Table 3-9 provides a single maximum limit for all high explosives testing. The total amount of depleted uranium used at all high explosives

Commentor No. 55 (cont'd): Marilyn Hoff

These DU explosions as they power the nuclear arms race also drive the worst abomination of this current SWEIS, the proposal to quadruple LANL's production of plutonium pits, the core of nuclear weapons. LANL's costly building projects, its increased activity, its stepped-up machining of the world's most dangerous element, plutonium, to make the world's most devastating weapon is a nuclear chain reaction of greed, powered by avaricious military contractors. For plutonium is extracted from spent reactor fuel--the veritable definition of deadly remote-handled waste--which waste can be further mined to come up with so-called depleted but actually spiked uranium, contaminated with reactor fuel's deadliest radioactive ingredients, to be used in LANL's explosive open-air dynamic and hydrodynamic experiments which are contaminating the fruit in Embudo Valley.

55-7

Exploding DU at DARHT leads to new nuclear weapons designs, leading to the manufacture of more plutonium pits, leading to a ballooning of radioactive and hazardous waste pollution, even as LANL fails to clean up the mess it has already made and has no solution for the deadly mess it plans to make.

55-8

And this build-up of poisonous waste leads to increasingly deadly shipments on New Mexico's treacherous highways to the unstable chambers of WIPP, whose acceptance of remote-handled waste opens the door to a revival of murderous nuclear power. We taxpayers thereby subsidize and indemnify our own killers.

55-9

The unlisted alternative that I would choose for LANL calls for the discontinuation of DU explosions of any kind, the cessation of any efforts to test or design new nuclear weapons, the total dismantling, in cooperation with all the other nuclear nations of the world, of the US nuclear arsenal, and the thorough clean-up of LANL, returning it to environmental livability.

55-1
cont'd

Greenhouse gasses, global warming, alternative fuels--there are plenty of ethical ways to do science at LANL. The alternatives listed in the SWEIS are in no way beneficial to life on earth.

testing sites will not exceed a total of 6,900 pounds (3,130 kilograms), on average, per year. A note to explain this has been added to Table 5-9.

55-4 As stated in Chapter 3, Table 3-16, of the SWEIS, NNSA proposes approximately 60 experiments per year using up to 10 pounds (4.54 kilograms) of high explosives and 100 pounds (45 kilograms) of depleted uranium. The material is contained within a certified steel containment vessel; foam is not used at LANSCE.

55-5 LANSCE has the highest amount of radionuclide air emissions at the site. Operations at LANSCE are closely monitored and as discussed in Chapter 5, Section 5.6, if necessary, operational controls would limit the dose to the maximally exposed offsite individual from air emissions to 7.5 millirem per year to ensure compliance with the 40 CFR Part 61 (National Emission Standards for Hazardous Air Pollutants) limit of 10 millirem per year.

55-6 The "mock explosives" referred to by the commentor would not be a part of a "nuclear hydroshot." Mock explosives are defined as non-detonable material used to simulate one or more properties of high explosives. They would not consist of depleted uranium.

55-7 Experiments involving depleted uranium do not drive the proposed increase in pit production, but rather provide data that support LANL's stockpile stewardship mission work. The pits that would be produced at LANL would be used to replace existing pits. The number of nuclear weapons in the Nation's stockpile has been decreasing and NNSA anticipates that future reductions will be possible. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for additional information.

55-8 NNSA notes the commentor's concerns regarding depleted uranium testing and its relationship to increased pit production and waste generation; however, NNSA disagrees with the allegation that it intends to generate additional waste without conducting site cleanup. In fact, NNSA intends to continue to safely manage waste and conduct its environmental restoration at LANL as it carries out its national security and other missions. Chapter 2, Section 2.2.6, of the SWEIS describes the progress made in the environmental restoration program at LANL, while

Commentor No. 55 (cont'd): Marilyn Hoff

Appendix I presents options and environmental analyses for conducting future remediation activities at LANL. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. All wastes generated from LANL activities will be stored protectively until they can be safely disposed of in regulated facilities. Solid wastes, hazardous wastes, and mixed low-level radioactive wastes will be disposed of in offsite disposal facilities. Transuranic wastes will be disposed of at WIPP. Disposal of low-level radioactive waste would occur in onsite and offsite disposal facilities.

55-9 The evaluation of human health effects from transporting radioactive materials are detailed in Appendix K and summarized in Chapter 5 of the LANL SWEIS. The results presented in Appendix K, Section K.7, indicate that the risks to the public and crew per transport are very small. As indicated in Chapter 5, Section 5.9, the increase in pit production under the Expanded Operations Alternative would add about 240 cubic yards (180 cubic meters) of contact-handled transuranic waste annually. Using the information provided in Chapter 5, Table 5-50, this would result in about 25 additional shipments to WIPP annually. Using the risk factors provided in Appendix K, Table K-3, the impacts from transporting these additional wastes to WIPP would be very small; that is, a total additional dose of about 0.18 person-rem to the population residing along the route. This is a very small fraction, about 0.002 percent, of the dose the same population would receive annually from natural background radiation. Disposal of transuranic waste at WIPP was previously evaluated in the *Waste Isolation Pilot Plant Disposal Phase Final Supplemental Environmental Impact Statement* (DOE/EIS-0026-S-2) (DOE 1997b). WIPP is an approved operating geological site for disposing of transuranic wastes operated under the terms of a permit issued by the New Mexico Environment Department.

Commentor No. 56: Lisa Law

**Draft Site-Wide Environmental Impact Statement
for Continued Operation of Los Alamos National Laboratory,
Los Alamos, New Mexico (Draft SWEIS)**

**Comment Form
Forma para comentarios**

Thank you for your input
Gracias por su participación

Date/Fecha: 8/10/06

PLEASE PRINT / FAVOR DE ESCRIBIR CLARAMENTE

1. What comments do you have on the Draft SWEIS?
¿Que comentarios tiene usted sobre el Draft SWEIS?

*We have the allotted amount of
Nuclear weapons and the presence
that the pits are deteriorating is not
true. They are fine and actually
get better with time. We do not
need to make more pits therefor.
My step father helped design
the implosion of the nuclear
bomb and ran LRL for many
years before he retired. He is
sick about the way the bomb
was used. It was to be a deterrent
not a murder weapon. Frank
Oppenheimer was also my friend
and he suffered knowing that
the work brought about death
therefor we should stop all
nuclear weapon production and
nuclear power production. According
to inter-
CONTINUE ON BACK FOR MORE SPACE NATIONAL CAN
"CONTINUAR AL DORSO PARA MAS ESPACIO"*

56-1

56-2

56-1

56-2

NNSA notes the commentor's statements regarding pit lifetime. NNSA has reviewed the pit lifetime studies and has concluded that degradation of plutonium in the majority of nuclear weapons would not affect warhead reliability for a minimum of 85 years. The analysis in the LANL SWEIS, however, is still valid and provides a bounding scenario in which up to 80 pits per year could be produced. This potential production rate provides NNSA with flexibility in meeting its stockpile stewardship mission, taking into account changing geopolitical conditions. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

NNSA notes the commentor's statements.

Name/Nombre: LISA LAW (over)
Address/Dirección: P.O. BOX 2064 Santa Fe, NM
City, State, Zip Code/Ciudad, Estado, Zópa Postal: 871304

NOTE: Please do not include personal information (such as address or phone number) if you object to it being included in the SWEIS; comments received are included in the SWEIS in their entirety.
NOTA: Favor de excluir información personal (dirección o número de teléfono) que no desea aparezcan en el SWEIS; todo comentario recibido es incluido en su totalidad en el SWEIS.



**PLEASE HAND THIS FORM IN OR MAIL BEFORE SEPTEMBER 5, 2006 to:
FAVOR DE ENTREGAR ESTA FORMA O ENVIARLA POR CORREO
ANTES DEL DIA 5 DE SEPTIEMBRE DE 2006 A:**

Ms. Elizabeth Withers, SWEIS Document Manager
Los Alamos Site Office • National Nuclear Security Administration • U.S. Department of Energy • 528 35th Street • Los Alamos, NM 87544-2201

Commentor No. 56 (cont'd): Lisa Law

WE HAVE TWO PATHS THAT WE
CAN FOLLOW - ONE IS TO PUT DOWN
OUR ARMS AND TAKE CARE OF
TURTLE ISLAND - THE OTHER IS
TO TAKE THE ZIG ZAG PATH
TO NUCLEAR INITIATION.

56-2
cont'd

WHAT A WASTE OF Trillion dollars.
Let's DO things to BENEFIT ALL
MANKIND. WE MUST STOP
THE MAKING OF WMD.
~~Weapons of Mass Destruction~~
NO NEW BOMB factory
NO WHERE - NO WAY -

Comment side of this page intentionally left blank.

Commentor No. 57: Anonymous

**Draft Site-Wide Environmental Impact Statement
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Los Alamos, New Mexico (Draft SWEIS)**

**Comment Form
Forma para comentarios**

Thank you for your input
Gracias por su participación

Date/Fecha: August 10, 2006

PLEASE PRINT / FAVOR DE ESCRIBIR CLARAMENTE

1. What comments do you have on the Draft SWEIS?
¿Que comentarios tiene usted sobre el Draft SWEIS?

Comment on calling LANL today:
I called LANL today around 4 pm to
confirm time + location for this meeting
I spoke w/ 3 different people:
- Community Affairs
- Public Affairs
- Someone else who answered
phone + forwarded me to the appropriate dept

* 2 people could provide NO info.
on time + location for this mtg.
1 person told me to go to Espanola
N. NM College

* While on hold I looked on
LANL website to get the
info I needed. ** CONTINUE ON BACK FOR MORE SPACE **
** CONTINUAR AL DORSO PARA MAS ESPACIO **
When I asked 1 person why they did not log onto
their own website to get me the info -
she was speechless.

Name/Nombre: _____
Address/Dirección: _____
City, State, Zip Code/Ciudad, Estado, Zona Postal: she was speechless.

NOTE: Please do not include personal information (such as address or phone number) if you object to it being included in the SWEIS; comments received are included in the SWEIS in their entirety.
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Ms. Elizabeth Withers, SWEIS Document Manager



57-1

57-1

Comment noted. It is regrettable that the commentor had difficulty obtaining confirmatory information about the public hearings. Information on the date, time, and location of the public hearings on the Draft SWEIS was provided in the *Federal Register* notice, the letters transmitting the document, in newspaper announcements in Albuquerque and northern New Mexico, and on the DOE Los Alamos Site Office's NEPA website.

Commentor No. 58: Scott Wiseman

**Draft Site-Wide Environmental Impact Statement
for Continued Operation of Los Alamos National Laboratory,
Los Alamos, New Mexico (Draft SWEIS)**

**Comment Form
Forma para comentarios**

Thank you for your input
Gracias por su participación

Date/Fecha: 8-10-06

PLEASE PRINT / FAVOR DE ESCRIBIR CLARAMENTE

1. What comments do you have on the Draft SWEIS?
¿Que comentarios tiene usted sobre el Draft SWEIS?

There are already enough nuclear weapons in
the world to destroy the planet several
times over. Knowing this why would
anyone feel the need to INCREASE weapons
production. How much will ever be enough.

58-1

58-1 NNSA notes the commentor's concerns regarding pit production and the existence of nuclear weapons. The number of nuclear weapons in the Nation's stockpile has been decreasing and NNSA anticipates that future reductions will be possible. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

I have lived in Northern New Mexico most
of my life and am disgusted how LANL
continues to put our beautiful state and its
people and natural places at risk.

58-2

58-2 NNSA notes the commentor's opposition to LANL's continued operation.

Stop the Madness NOW!

** CONTINUE ON BACK FOR MORE SPACE **
** CONTINUAR AL DORSO PARA MAS ESPACIO **

Name/Nombre: Scott Wiseman

Address/Dirección: 99 Alkza

City, State, Zip Code/Ciudad, Estado, Zona Postal: Santa Fe, NM 87508

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Ms. Elizabeth Withers, SWEIS Document Manager
Los Alamos Site Office • National Nuclear Security Administration • U.S. Department of Energy • 528 35th Street • Los Alamos, NM 87544-2201

Commentor No. 59: Miriam Sagan

**Draft Site-Wide Environmental Impact Statement
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Los Alamos, New Mexico (Draft SWEIS)**

**Comment Form
Forma para comentarios**

Thank you for your input
Gracias por su participación

Date/Fecha: August 10, 2006

PLEASE PRINT / FAVOR DE ESCRIBIR CLARAMENTE

1. What comments do you have on the Draft SWEIS?
¿Que comentarios tiene usted sobre el Draft SWEIS?

Extend Comment Period

Put CD info on line.

Stop Expansion Production pits.

Thank you

59-1

59-1

NNSA extended the comment period from 60 to 75 days in response to requests for additional review time. For security reasons, NNSA exercises caution when making decisions about posting documents on its website. Consistent with established practice, NNSA made the Draft SWEIS and the reference material available for public review in DOE Public Reading Rooms in the general vicinity of LANL (in Los Alamos, Santa Fe, and Albuquerque). See Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

59-2

59-2

NNSA notes the commentor's opposition to expanding pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for additional information.

** CONTINUE ON BACK FOR MORE SPACE **
** CONTINUAR AL DORSO PARA MAS ESPACIO **

Name/Nombre: Miriam Sagan

Address/Dirección: 626 Katana St.

City, State, Zip Code/Ciudad, Estado, Zona Postal: Santa Fe, NM 87505

NOTE: Please do not include personal information (such as address or phone number) if you object to it being included in the SWEIS; comments received are included in the SWEIS in their entirety.
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Ms. Elizabeth Withers, SWEIS Document Manager
Los Alamos Site Office • National Nuclear Security Administration • U.S. Department of Energy • 528 35th Street • Los Alamos, NM 87544-2201

Commentor No. 60: Barbara Conroy

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Los Alamos, New Mexico (Draft SWEIS)**

**Comment Form
Forma para comentarios**

Thank you for your input
Gracias por su participación

Date/Fecha: 8/10/06

PLEASE PRINT / FAVOR DE ESCRIBIR CLARAMENTE

1. What comments do you have on the Draft SWEIS?
¿Que comentarios tiene usted sobre el Draft SWEIS?

*I believe that advancing pit production and re-creating
Rocky Flats locally is immoral and illegal. It enables
larger Empire-building aims of the current US Administration
(Executive Branch) that have not been sanctioned by the
public or by the Congress.*

60-1

60-1

NNSA notes the commentor's opinions regarding pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, and Section 2.12, Comparison to Rocky Flats Plant, of this CRD for more information.

*Redirection that is most significant to me is that the
financial support required to initiate and support have
drained our treasury and will continue to do so. Also
the funds have been cut from clean up. Continued. Press
threaten the support needed for basic needs of the US
people. This drain on the US budget actually drains weaken
our national security, undermines the strength of our society
and sets us up for the inevitable use of these weapons
(because they are there) which is likely to intensify the
likelihood of major world conflict.*

60-2

60-2

The U.S. Congress and the President are responsible for establishing funding levels for various government programs. The SWEIS evaluates the environmental impacts of the alternatives for continued operation of LANL. As noted in Chapter 1, Section 1.3.4, of the SWEIS, implementation of decisions made in a ROD based on this SWEIS is contingent on the level of funding allocated. NNSA intends to comply with all environmental requirements pertaining to cleanup, including the Consent Order entered into by the New Mexico Environment Department, DOE, and the LANL contractor in March 2005.

*The most significant of all is the fact that this move - developing
new nuclear weapons - violates the Nuclear Nonproliferation
Treaty which has the possibility of protecting the world's population
from nuclear proliferation, pollution and its long lasting
effects.*

60-3

60-3

Operations at LANL that support NNSA's mission to ensure a safe and reliable nuclear stockpile are not in violation of the Treaty on the Non-Proliferation of Nuclear Weapons. Stockpile stewardship capabilities at LANL are currently viewed by the United States as a means to further the Nation's nonproliferation objectives and are likely to remain important in future arms control negotiations as the Nation moves to further reduce its overall stockpile size. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

** CONTINUE ON BACK FOR MORE SPACE **
** CONTINUAR AL DORSO PARA MAS ESPACIO **

Name/Nombre: Barbara Conroy

Address/Dirección: 933 934 D Valley Santa Fe, NM 87501

City, State, Zip Code/Ciudad, Estado, Zona Postal: _____

NOTE: Please do not include personal information (such as address or phone number) if you object to it being included in the SWEIS; comments received are included in the SWEIS in their entirety.

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Ms. Elizabeth Withers, SWEIS Document Manager
Los Alamos Site Office • National Nuclear Security Administration • U.S. Department of Energy • 528 35th Street • Los Alamos, NM 87544-2201

Commentor No. 61: Debra Link

Debra Link - please address the open burning of depleted uranium at the labz. - How could this possibly be a conscientious thing to do? link @ cybermess.com

61-1

61-1

LANL staff conduct a wide range of tests involving depleted uranium to fulfill its nuclear weapon stockpile stewardship and development responsibilities. However, there are no experiments or activities at LANL that would involve the burning of depleted uranium. LANL staff has tested new techniques to reduce emissions of depleted uranium, and, as stated in Chapter 5, Section 5.4.1.1, of the SWEIS, has significantly reduced particulate emissions by using aqueous foam during these tests. Moreover, as stated in Chapter 5, Sections 5.4.1.1 and 5.14.3, the use of an enhanced containment around these tests would also significantly reduce air and water releases to the environment. Tabulated data in Chapter 4, Section 4.4.3.1, show that measured uranium air concentrations around the LANL site from 1999 through 2005 were 0.01 percent to 0.3 percent of the applicable EPA limit. Refer to Section 2.10, Depleted Uranium and the Dual Axis Radiographic Hydrodynamic Test (DARHT) Facility, of this CRD for additional information.

Commentor No. 62: Anne Sensenig

**Draft Site-Wide Environmental Impact Statement
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Los Alamos, New Mexico (Draft SWEIS)**

**Comment Form
Forma para comentarios**

Thank you for your input
Gracias por su participación

Date/Fecha: 8/8/06

PLEASE PRINT / FAVOR DE ESCRIBIR CLARAMENTE

1. What comments do you have on the Draft SWEIS?

¿Que comentarios tiene usted sobre el Draft SWEIS?

I am morally opposed to the production of and the use of nuclear weapons. If the moral argument is not enough, I am concerned about the costs involved.

There are the liberal costs - currently every household in the U.S. pays \$7,600 toward military costs; and our government gets deeper and deeper into debt.

Beyond the actual financial costs involved, there are the social and human costs:

First of all there are the environmental costs from nuclear waste production:

There are also tremendous human costs in the diversion of funding from social issues to military expenditures. Across the country but particularly in New Mexico there are many needs - educational, health and social services. New Mexico is 48th, 49th and 50th in many lists nationwide in these areas. We are 2nd and 3rd in many negative statistics - suicide, violent crime, etc. Our national resources should be directed toward these challenges rather than toward destructive goals. Many say nuclear production brings economic prosperity to New Mexico, but in fact in the past 20 years with large increases

** CONTINUE ON BACK FOR MORE SPACE **
** CONTINUAR AL DORSO PARA MAS ESPACIO **

Name/Nombre: Anne Sensenig

Address/Dirección: 3501 Anderson SE

City, State, Zip Code/Ciudad, Estado, Zona Postal: Albuquerque NM 87106

NOTE: Please do not include personal information (such as address or phone number) if you object to it being included in the SWEIS; comments received are included in the SWEIS in their entirety.

NOTA: Favor de excluir información personal (dirección o número de teléfono) que no desea aparezcan en el SWEIS; todo comentario recibido es incluido en su totalidad en el SWEIS.



PLEASE HAND THIS FORM IN OR MAIL BEFORE SEPTEMBER 5, 2006 to:
FAVOR DE ENTREGAR ESTA FORMA O ENVIARLA POR CORREO
ANTES DEL DIA 5 DE SEPTIEMBRE DE 2006 A:

Ms. Elizabeth Withers, SWEIS Document Manager
Los Alamos Site Office • National Nuclear Security Administration • U.S. Department of Energy • 528 35th Street • Los Alamos, NM 87544-2201

62-1 NNSA notes the commentor's opposition regarding the production, cost and potential use of nuclear weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

62-2 The U.S. Congress and the President are responsible for determining the level of funding for government programs. This SWEIS evaluates the environmental impacts of the alternatives for continued operation of LANL. As noted in Chapter 1, Section 1.3.4, implementation of decisions made in a ROD based on this SWEIS is contingent on the level of funding allocated.

62-1

62-3 NNSA notes the commentor's concerns regarding the social and human costs associated with nuclear weapons production, including environmental costs from nuclear waste production. Chapter 4, Section 4.9, of the SWEIS shows the types and amounts of nuclear waste generated in recent years from LANL operations; while Chapter 5, Section 5.9, shows the amount of nuclear waste that would be generated in future operations under the three SWEIS alternatives. Past disposal practices led to releases to the environment from some disposal sites. LANL's environmental restoration program is investigating and cleaning up release sites as discussed in Chapter 2, Section 2.2.6, and Appendix I of the SWEIS. All newly-generated radioactive wastes are disposed in regulated facilities. At LANL, low-level radioactive wastes are disposed of onsite at a location having controlled access. Other radioactive wastes are transported offsite for disposal at licensed or permitted facilities. For example, transuranic wastes are disposed of at WIPP, which is regulated by both the New Mexico Environment Department and the Environmental Protection Agency.

62-2

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62-4

62-4 The SWEIS does not attempt to make a connection between nuclear production and economic prosperity in New Mexico. Changes in per capita income across the state and income disparity are not within the scope of the analysis in this SWEIS; however, as indicated in Chapter 5, Section 5.8.1, of the SWEIS, continued growth at LANL would have a beneficial effect on both direct and indirect jobs in the region.

Commentor No. 62 (cont'd): Anne Sensenig

in funding for LANL, the per capita income in New Mexico has correspondingly decreased, and the income disparity between the wealthiest 1% and the 1% poorest folks has increased as well.

The U.S. is a signatory to the 1970 Nuclear Non-Proliferation treaty - to reduce and dismantle its nuclear arsenal. I would plead that rather than increase production of plutonium "pits" or triggers at LANL, production of nuclear weaponry would cease entirely. Thank you.

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62-5

62-5 NNSA notes the commentor's request regarding pit production. Pit production to ensure a safe and reliable stockpile does not violate the Treaty on the Non-Proliferation of Nuclear Weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 63: Joan Logghe

August 13, 2006

Dear Ms. Withers,

I am writing to oppose further increases in nuclear weapons research, development or production. When I attended a meeting years ago in Española, billed as a Public meeting, I was appalled that when we broke into small group and people were introduced, the public who made time to attend were not included in introductions. I get the sense that the folks at The Lab assume they have a mission and are above public scrutiny

I asked then, and repeat my plea, that full health monitoring be ongoing and available to The Public as part of the good faith of a scientific community. Living downwind of Los Alamos for 29 years, I have never felt secure from waste, a point only brought home during the Los Alamos Cerro Grande Fire, when my house was engulfed in red haze and smoke for days. What was in that smoke? How close did the fire come to above ground storage barrels of nuclear waste? I can't answer those questions, nor would I trust any answer you could give as my trust as been eroded by past behaviors of LANL.

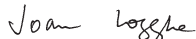
I think our capacity to destroy the world had gone far enough. Please turn the brilliant minds you have assembled to peace promoting activities, solar fuels, batteries, home and transportation issues. As will make our dependence on fossil fuel diminish, our goals for peace and a cleaner environment show the world we have had a change of heart, and are able to act proactively, not merely offensively and defensively

Please send me your latest statistics on cancer, miscarriage, Rio Grande monitoring, and air quality to build some sort of good faith in this community. Publish some facts in the Rio Grande Sun on just why we should feel more secure with a modern pit facility above our heads.

I currently teach in Los Alamos, Santa Fe, Espanola, and abroad. Please give me some sign of making amends for past waste disposal that to me seems immoral and highly irresponsible. I cannot accept a plea of ignorance when tribal people and Hispanics were hired to handle and dispose of wastes in the good old day, nor can I accept a nuclear weapons plant growing even more nuclear on the fire charred mountain terrain just above me.

I want to go on record with these comments.

Sincerely,



Joan Logghe, poet, journalist, writing instructor, member La Puebla Community Association. Downwind Mother and grandmother.

63-1

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63-3

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63-4

63-5

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63-1 NNSA notes the commentor's opposition to activities related to nuclear weapons production. Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. In addition to these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

63-2 NNSA does not perform full health monitoring in communities in the LANL region; however, it does perform environmental monitoring as discussed in the response to Comment 63-4. Also, refer to Section 2.6, Offsite Contamination, of this CRD for more information. Chapter 4, Section 4.6, of the SWEIS summarizes the results of a LANL Public Health Assessment prepared by an independent Federal agency, the Department of Health and Human Services, Agency for Toxic Substances and Disease Registry. The report states that, "...there is no evidence of contamination from LANL that might be expected to result in ill health to the community," and that "...overall, cancer rates in the Los Alamos area are similar to cancer rates found in other communities" (ATSDR 2006).

63-3 Smoke from all forest fires contains hundreds of organic and inorganic combustion products. Carbon monoxide, formaldehyde, acrolein, furfural, and benzene have been identified as potential health threats to wildland firefighters. Concentrations of these chemicals in smoke are extremely variable and depend on the type of fuel, weather conditions, efficiency of combustion, and other factors. However, chemical monitoring by the U.S. Environmental Protection Agency during and after the Cerro Grande fire suggest that these chemicals were probably not present in high enough concentrations to pose a health threat to most people. A number of studies have been conducted on the potential health impacts of the 2000 Cerro Grande Fire. As noted in Chapter 4, Section 4.6.1.3, an independent assessment of public health risk associated with LANL area air contamination as a result of the fire was conducted by the Risk Assessment Corporation at the request of the New Mexico Environment Department (RAC 2002). The study examined data on contaminants that were measured in air, on smoke particles, and in soil from the potential

Commentor No. 63 (cont'd): Joan Logghe

release sites and concluded that exposure to LANL-derived chemicals and radionuclides released to the air during the Cerro Grande fire did not result in a significant increase in health risk over the risk from the fire itself. The Risk Assessment Corporation study concluded that there was some evidence of adverse health effects from breathing high concentrations of particulate matter in the smoke, but that "Such exposures are associated with any forest fire". It is estimated that nearly 7,500 tons of particulate matter were released to the atmosphere by the Cerro Grande fire, only 10 percent of which came from LANL sources. Many studies have correlated exposure to fine particles with respiratory-related emergency room visits and hospital admissions, work and school absences, premature death, asthma, emphysema, heart disease, chronic bronchitis and acute respiratory symptoms. Children, the elderly, and people with heart or lung disease or respiratory infections are more sensitive to particulate matter. The Risk Assessment Corporation report stated that "It is probable that the calculated risk from PM₁₀ is greater than the risk from all chemicals and radionuclides combined" (RAC 2002). During the Cerro Grande Fire, the fire did approach the TA-54, Area G waste management area, but no LANL structures or facilities containing radioactive or other hazardous material were burned. Several burned areas at LANL (totaling about 320 acres) were known or suspected to be contaminated with radioactive materials or chemicals.

- 63-4** NNSA does not routinely publish the type of information requested by the commentor in the newspaper, but data are available. Chapter 4, Section 4.6.1.1, of the SWEIS presents data on cancer incidence and mortality in the Los Alamos region compared to State and national averages. The LANL contractor publishes an environmental surveillance report annually that reports the results of monitoring of air, surface water (including the Rio Grande), groundwater, soil, vegetation, and animals. Environmental surveillance reports are available in the LANL reading room, on the internet at www.lanl.gov/environment/all/esr.shtml, and upon request.

The LANL SWEIS does not propose construction or operation of a modern pit facility. Consideration of such a facility was included in the cumulative impacts of the Draft SWEIS, but it has been removed in the Final SWEIS following NNSA's October 19, 2006, Notice of Intent (71 FR 61731) to prepare a *Supplement to the Stockpile Stewardship and*

Commentor No. 63 (cont'd): Joan Logghe

Management Programmatic Environmental Impact Statement – Complex 2030 (now called the *Draft Complex Transformation Supplemental Programmatic Environmental Impact Statement [Complex Transformation SPEIS]*) (DOE/EIS-0236-S4). In the NOI, NNSA announced the cancellation of plans to prepare a supplemental EIS for a modern pit facility. In January 2008, NNSA issued the *Draft Complex Transformation SPEIS* (73 FR 2023); it includes alternatives in which LANL would be the site of a new consolidated plutonium center or a new consolidated nuclear production center. The impacts from the *Draft Complex Transformation SPEIS* are included in the Cumulative Impacts section of the Final SWEIS.

- 63-5** Past disposal of waste was conducted in a manner consistent with contemporary standards. As standards have evolved, waste disposal practices have also evolved. Chapter 2, Section 2.2.6, of the SWEIS describes the progress made in conducting the environmental restoration program at LANL. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Appendix I of the SWEIS presents options and environmental analyses for conducting future remediation activities at LANL primarily related to the Consent Order that was entered into in March 2005. These analyses are meant to facilitate environmental restoration decisions on waste sites and contaminated areas that will be made by the New Mexico Environment Department. Chapter 1, Section 1.4, states that NNSA intends to implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for additional information.

Commentor No. 64: Nausika Richardson

Aug 10, 2006

Ms. Elizabeth Withers, EIS Document Manager
Los Alamos Site Office
National Nuclear Security Administration
U.S. Department of Energy
538 35th Street
Los Alamos, New Mexico, 87544-2201

Dear Ms. Withers,

I oppose the preferred Expanded Operations Alternative suggested for future operations at Los Alamos National Laboratory (LANL) as proposed in the draft 2006 Site-Wide Environmental Impact Statement (SWEIS). The proposed Expanded Operations will increase nuclear weapons design and research and therefore generate more waste and increase air emissions and discharges to surface and ground waters that flow to the Rio Grande.

64-1

I object to the fact that increased cleanup was only included in the Expanded Operations and not part of the No Action and Reduced Operations Alternatives. Compliance with the New Mexico Environment Department (NMED)/LANL Consent Order for cleanup at LANL by 2015 should not be made optional nor be tied the expansion of activities which threaten public health and the environment. Increased Consent Order cleanup should be included in all three alternatives.

64-2

When implementing cleanup, LANL must be required to do so to the fullest extent possible. One of the proposed cleanup plans consists of simply covering contaminated sites in such a way that it would be within health standards for people to work 40 hours a week in an industrial job on the site. This level of cleanup is not adequate for children at a day care facility on the formerly contaminated site, let alone a change in land use. In order to protect future drinking water supplies, all waste must be removed from the major material disposal areas (dumps), canyon cleanups and other NMED/LANL Consent Order actions as well as LANL's voluntary cleanup activities.

64-3

The Department of Energy (DOE) recommends that plutonium pit production increase from 20 to 80 pits per year. The draft SWEIS references a modern pit facility (MPF) 60 times. This facility would be capable of producing 450 plutonium pits per year, despite widespread opposition to the MPF by New Mexicans in 2004. This has dire local, national and international implications. The draft SWEIS lacks an adequate discussion of how a MPF or increase pit production would not violate Article VI of the Nuclear Nonproliferation Treaty, which calls for complete disarmament of nuclear weapons.

64-4

64-1 NNSA notes the commentor's opposition to the Expanded Operations Alternative. The potential environmental, health, and safety impacts of the continued operation of LANL under the three proposed alternatives are analyzed in Chapter 5 of the SWEIS, including management of radioactive and chemical wastes, monitoring of air emissions, and treatment or monitoring of wastewater discharged through National Pollutant Discharge Elimination System-permitted outfalls. The commentor is correct that the Expanded Operations Alternative would result in greater amounts of radioactive and chemical wastes as well as increased air emissions and wastewater discharges; but as demonstrated in the SWEIS, these increases can be safely managed. It should be noted that treated effluents do not normally flow directly into the Rio Grande, although surface waters may reach the river a few times a year during large precipitation events. Refer to Section 2.6, Offsite Contamination, of this CRD for more information. In addition to activities in support of LANL's Stockpile Stewardship mission, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

64-2 NNSA does not consider compliance with the Consent Order to be optional, and is not linking Consent Order compliance with decisions about pit production; proposed new projects or activities; increased operational levels; or waste generated from other LANL activities. Chapter 1, Section 1.3, of the SWEIS defines the three alternatives and explains why activities to comply with the Consent Order are included only in the Expanded Operations Alternative. Chapter 1, Section 1.4 explains that NNSA could choose to implement the alternatives either in whole or in part, and that NNSA intends to implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

64-3 Although Appendix I of the SWEIS evaluates the environmental impacts associated with potential remedial action alternatives, decisions about environmental restoration will be made in accordance with established

Commentor No. 64 (cont'd): Nausika Richardson

We are concerned that DOE is attempting to slip in a MPF at LANL without adequate analysis. Therefore, the final SWEIS should be void of all references to a MPF at LANL.

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The Expanded Operations would annually generate a total of 860 cubic yards of transuranic waste, 12,000 cubic yards of low-level radioactive waste and 2,750,000 pounds of chemical waste. Increased pit production alone would generate an additional 1,800 or more 55-gallon drums of transuranic wastes each year for disposal at the Waste Isolation Pilot Plant (WIPP). LANL currently has approximately 40,000 drums sitting above-ground in fabric tents awaiting shipment to WIPP. Likewise, the clean up plan focuses on removing drums that are currently buried in Area G, rather than providing safe and secure storage for those already above ground. DOE should make permanent disposal of existing waste a priority, rather than continue to generate more.

64-5

LANL is not in compliance with DOE and Defense Nuclear Facilities Safety Board (DNFSB) safety regulations and recommendations. Some LANL facilities are up to six years behind on preparing and submitting their safety documentation to DOE. Such lack of compliance poses an unacceptable risk to workers, the public and the environment. LANL needs to be up-to-date and in full compliance with all DOE and DNFSB safety regulations and recommendations. Furthermore, many of the buildings at LANL are not in compliance with existing earthquake building codes, despite the fact that LANL is built upon at least three major fault lines. Existing facilities and new construction must be up to code before any operations are done in them.

64-6

Many of the documents referred to in the draft SWEIS are based on studies that have not been finalized. For instance, the draft SWEIS was released before either the risk assessment for LANL's low-level waste dump at Area G or the latest seismic hazard study were completed, both of which are due to be released in 2006. Further, the draft SWEIS relies on an incomplete and inaccurate draft Agency for Toxic Substances and Disease Registry report for health impacts analysis. It is impossible to accurately determine the environmental and health impacts for future operations at LANL based on incomplete data. It was premature for DOE to release the draft SWEIS without these essential reports being part of the analysis. The SWEIS must include a reanalysis based on the findings in the 2006 Area G risk assessment and seismic hazard study. The ATSDR report should not be used in any analysis regarding LANL activities.

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LANL activities jeopardize both water quality and quantity for surface and ground water. New Mexicans rely on surface and groundwater for drinking and farming. LANL discharges approximately 163,000,000 gallons per year of industrial and sanitary effluent into the canyon systems. DOE did not use the most current water quality standards when assessing impacts in this draft SWEIS, nor did DOE use the most current data about the number of streams that are impaired on the Pajarito Plateau from LANL activities. Contaminants, such as perchlorate, hexavalent chromium and 1, 4-dioxane have already been found in the regional aquifer and test wells and yet DOE is

64-9

regulatory standards and processes, including those of the New Mexico Environment Department for the Consent Order, and of DOE. To arrive at a decision about remediating a contaminated site, several alternative remedies may be considered such as containment in place, treatment, or removal. Any remedy selected for a site requiring environmental restoration must be protective of human health and the environment, and attain applicable cleanup standards including those for ground and surface waters and soil. If the site is to remain under DOE ownership, then cleanup standards commensurate with a restricted type of land use may be used, provided that offsite areas are protected. If the site is to be released for unrestricted access by the public, then the site would need to meet cleanup standards for unrestricted release. Decisions about cleanup of sites subject to the Consent Order will be made by the New Mexico Environment Department in accordance with the cleanup and screening levels documented in Section VIII of the Consent Order. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for additional information.

64-4

Reference to a modern pit facility in the Draft SWEIS was in the context of ensuring that reasonably foreseeable future actions were addressed in accordance with the Council on Environmental Quality NEPA regulations regarding cumulative impacts. The SWEIS alternatives addressing operational levels for the next 5 years limit the level of pit production to up to 80 pits (Expanded Operations Alternative). On October 19, 2006, NNSA issued a Notice of Intent to prepare a *Supplement to the Stockpile Stewardship and Management Programmatic Environmental Impact Statement – Complex 2030* (now called the *Complex Transformation Supplemental Programmatic Environmental Impact Statement [Complex Transformation SPEIS]*) (71 FR 61731). In addition to announcing its intent to prepare the *Complex Transformation SPEIS* to assess the environmental impacts from the continued transformation of the nuclear weapons complex, NNSA announced cancellation of the previously planned *Supplemental Programmatic Environmental Impact Statement on Stockpile Stewardship and Management for a Modern Pit Facility* (DOE/EIS-236-S2). The Final SWEIS does not include a modern pit facility in any of the analyses. In discharging its stockpile stewardship responsibilities, NNSA is not violating the Treaty on the Non-Proliferation of Nuclear Weapons. Refer to Sections 2.1, Opposition to Nuclear

Commentor No. 64 (cont'd): Nausika Richardson

not monitoring 1,405 sites that have the potential to release contaminants during storms and when the snow melts. The Expanded Operations will increase water usage by LANL above the amount allotted to it from the regional aquifer. DOE must analyze LANL's impacts against the latest water quality standards and the current impaired stream information in the SWEIS. In order to ensure that water quality is protected now and in the future, DOE must adopt the Removal Option for all clean up activities.

LANL would process 87,000 pounds of high explosives and up to 6,900 pounds of depleted uranium (DU) will be blown up in "dynamic experiments" annually. The 1979 LANL Final Environmental Impact Statement estimates that 220,000 pounds of depleted uranium were used in dynamic experiments during the history of LANL. From 1979 to present we do not know how much DU has been used in experiments and remains in the environment. DOE must monitor and implement comprehensive sampling programs at all open burning and open detonation sites and for all activities using high explosives and depleted uranium.

LANL must be required to reevaluate and broaden their air sampling programs. DOE should no longer hide under the "grandfather clause," which allows for facilities existing before December 31, 1988 to emit toxic air pollutants without regulation. DOE recommends increasing activities at the Los Alamos Neutron Science Center, which has the highest amount of radionuclide air emissions and a long history of technical problems resulting in increased air emissions. DOE must institute a program to stop all toxic air pollutant emissions from LANL facilities and activities.

In conclusion, the Expanded Operations Alternative will result in higher demands for electricity, water and natural gas, which will impact the environment. These impacts must be considered in the cumulative impacts of the Expanded Operations Alternative.

In addition, Congress must change the mission of LANL to focus on research and development into renewable energy, such as solar, wind and biomass, and clean up technologies that support the environmental and public health. The SWEIS must include a fourth alternative that focuses on these activities.

Sincerely, 

Print Name NAUSIKA RICHARDSON

Address PO Box 155
DIXON NM 87527

August 3, 2006

over →

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Weapons and Pit Production; 2.2, National Environmental Policy Act (NEPA) Process; and 2.4, Modernization of the Nuclear Weapons Complex; of this CRD for additional information.

64-5 Although a pollution prevention and waste minimization program has been instituted at LANL (see Chapter 4, Section 4.9, of the SWEIS), operation of LANL in support of DOE's core missions will cause the generation of waste that NNSA intends to safely manage as it continues to address existing waste in storage. Nearly all of the stored waste at LANL consists of legacy transuranic waste that is stored above ground within domes in TA-54. Most of this waste was originally stored below grade, but was retrieved and placed in an above ground, inspectable configuration as required by the New Mexico Environment Department. NNSA is working to prepare all stored and newly-generated transuranic waste for shipment to WIPP. Shipment rates for 2006 have increased significantly over past years. Refer to Section 2.7, Waste Management, of this CRD for more information.

64-6 The Defense Nuclear Facilities Safety Board does not regulate nor authorize operation of facilities at LANL. Its function, as mandated by the Congress, is to provide independent safety oversight of the NNSA nuclear weapons complex. As in the case of all NNSA nuclear weapons complex sites, the Defense Nuclear Facilities Safety Board reviews safety issues and prepares reports regarding the safety of nuclear weapons complex facilities, which are submitted to NNSA. NNSA and the LANL contractor have reviewed Defense Nuclear Facilities Safety Board reports and responded with commitments to update and improve safety basis documentation. The Los Alamos Site Office Safety Authorization Basis Team assures the development and approval of adequate controls in support of safe operations at LANL. All LANL facility operations are based on authorization and approval by NNSA following NNSA's evaluation of the acceptability of existing relevant safety documentation. Reports and recommendations made by the Defense Nuclear Facilities Safety Board that are relevant to NEPA are taken into account in analyses in the SWEIS. Refer to Section 2.13, Recommendations of the Defense Nuclear Facilities Safety Board, of this CRD for additional information.

Seismic characteristics of the LANL environment are described in Chapter 4, Section 4.2.2.3, of the SWEIS. Chapter 5, Section 5.12, of

Commentor No. 64 (cont'd): Nausika Richardson

In conclusion, speaking as a mother, a grand mother and as a person living with cancer - I believe that any expansion of plutonium production is dangerous to our personal health as well as the health of the planet Earth.

64-14

Why do we need more weapons -? Weapons kill - and their production produces very toxic waste which we are not dealing with - nor are able to. Once our planet is polluted where will (or can) we go? Instead LANL should focus on renewable sources of energy - solar, wind as well as hydroponic fuels -

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the SWEIS presents the estimated human health impacts from postulated facility accidents, including earthquakes. Over the years, based on new seismic information or changed requirements, NNSA has evaluated the survivability of existing LANL buildings and structures and implemented mitigation measures in terms of structural upgrades, reduction of hazardous materials inventories, or replacement of the structures to reduce the potential for harm to the workforce and the public. Construction requirements are imposed for new structures in accordance with the site locations relative to known fault lines, and in accordance with the planned future use of the structure. For proposed new buildings, safety studies in the form of hazards assessment documents that take into account the most current seismic information are prepared to fully address a comprehensive set of accident risks. The results of these safety studies are incorporated into facility design and operations to ensure protection of the health and safety of workers and the public.

To the extent possible, the most recent technical documents, including an update to the seismic hazard analysis, completed in 2007, are considered in the Final SWEIS analyses. Information under development that is not available for use in the Final SWEIS, such as the updated Area G performance assessment, will be considered as it becomes available, and, in accordance with the NEPA compliance process, the SWEIS impact analyses will be reviewed and supplemented as necessary based on the newly available information. See Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

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Seismic activity at LANL is described in Chapter 4, Section 4.2.2.3 and in the 2007 seismic hazard analysis report (LANL 2007a). The estimated human health impacts from postulated facility accidents at LANL, including earthquakes, are described in Chapter 5, Section 5.12, and Appendix D, Section D.4. These sections also include a discussion of the significance of the updated understanding of seismic hazard from the 2007 seismic hazard analysis report.

64-8

The SWEIS makes use of current, accepted, and well-documented scientific models and data that have been, and continue to be widely used to analyze environmental impacts for the purpose of compliance with NEPA. The analysis methods used are essentially the same as were used in preparation of several DOE environmental impact statements

Any one involved in increased weapon production is guilty of crimes against our children and grandchildren and their children -
Nausika Richardson

Commentor No. 64 (cont'd): Nausika Richardson

that have recently been published in final form or have been reviewed, in draft, by the public. In general, the data, models, assumptions, and other information used in the SWEIS are drawn from published sources and have been subjected to scientific peer review. Chapter 7 of the SWEIS and each of the Appendices lists the documented sources of information and models used in the analyses. The SWEIS presents an independent assessment of public health impacts from contaminants in the LANL environment, and does not rely on the cited Agency for Toxic Substances and Disease Registry (ATSDR) Public Health Assessment in any specific way for its conclusions. The U.S. Department of Health and Human Services, ATSDR, is the Federal agency responsible (under the 1986 amendments to the Superfund law) for conducting public health assessments at each site on the EPA National Priorities List. It is thus appropriate for the SWEIS to acknowledge the conclusions of the ATSDR Public Health Assessment because it is a relevant Federal agency study. The draft Public Health Assessment was finalized by the ATSDR and issued on August 31, 2006 (ATSDR 2006). The conclusions in the final report are essentially unchanged from those in the draft report.

- 64-9** Effluents from LANL facilities are discharged in accordance with a National Pollutant Discharge Elimination System permit that establishes limits on the volume and quality of the discharge. As discussed in Chapter 4, Section 4.3.1.2, of the SWEIS, which presents data for the past 6 years, LANL has a very good record of complying with permit conditions. Under all alternatives, LANL operations would continue to meet permit conditions designed to protect water resources at LANL. In addition, LANL staff conducts a monitoring program (described in Section 4.3.1.5) to detect contamination that has resulted from past practices. In accordance with applicable regulations and agreements, LANL staff evaluates and takes corrective action for occurrences of contamination in groundwater and surface waters at LANL. The water quality standards in Chapter 4, Tables 4-7 and 4-9, have been updated to reflect standards recently issued by the New Mexico Water Quality Control Commission. The new standards have not yet been approved by the U.S. Environmental Protection Agency; nevertheless, these standards are used in the *Environmental Surveillance at Los Alamos during 2005* report (LANL 2006g) and the SWEIS in evaluating water quality data. As Table 4-7 demonstrates, LANL staff compares surface water data to a variety of standards in order to identify contaminants and data trends

Commentor No. 64 (cont'd): Nausika Richardson

that could indicate the need for corrective actions. In Section 4.3.2.2, it is stated that chromium concentrations between 375 and 404 parts per billion were detected in two wells in Mortandad Canyon. LANL staff will be conducting further drilling and sampling activities to characterize contamination at LANL as stated in the *Interim Measures Work Plan for Chromium Contamination in Groundwater* (LANL 2006a). Refer to Section 2.5, Water Resources, of this CRD for responses to comments regarding chromium contamination in the groundwater. NNSA acknowledges that detection of dioxane was reported to the New Mexico Environment Department in July 2006, 1 year after the sample was collected from a well in Mortandad Canyon. The dioxane contamination level is between 20 parts per billion and 56 parts per billion, below the 61 parts per billion EPA risk-based cleanup level established through the Consent Order.

NNSA does not agree that there are over 1,400 unmonitored discharge sites. As described in Chapter 4, Section 4.3.1.3, of the SWEIS, LANL staff has managed stormwater runoff from its solid waste management units under a Multisector General Permit Program, but then transitioned towards management under an individual National Pollutant Discharge Elimination System industrial activity permit. DOE and Los Alamos County have combined water rights of about 1,806 million gallons (6,850 million liters) per year, of which 542 million gallons (2,050 million liters) per year belong to DOE. In recent years, the largest annual use of water by DOE and the County was 1,574 million gallons (5,958 million liters) in 2000, when the Cerro Grande Fire occurred. As shown in Chapter 4, Table 4-43, and discussed in Chapter 5, Section 5.8.2, LANL water usage has been and is expected to remain below the 542 million gallons (2,050 million liters) per year target ceiling.

Decisions about environmental restoration will be made in accordance with established regulatory standards and processes, including those of the State of New Mexico for the Consent Order. The intent of the SWEIS is not to prejudge these decisions but to provide environmental impact information to be used for the decision-making process, and for the benefit of the reader regarding potential remediation action options. Several alternative remedies may be considered for a contaminated site, including containment in place, treatment, removal, or other remedies. Any remedy selected for a site requiring environmental restoration must meet several

Commentor No. 64 (cont'd): Nausika Richardson

criteria including protection of human health and the environment, and attainment of applicable cleanup standards considering the designated future use of the site. Decisions about the appropriate levels of cleanup for sites subject to the Consent Order will be made by the New Mexico Environment Department considering applicable groundwater and surface water quality standards. As indicated in Chapter 1, Section 1.4, of the SWEIS, NNSA intends to implement actions necessary to comply with the Consent Order regardless of implementation of other actions analyzed in the SWEIS. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for additional information.

- 64-10** Refer to Section 2.10, Depleted Uranium and the Dual Axis Radiographic Hydrodynamic Test (DARHT) Facility, of this CRD for more information on the use of depleted uranium and high explosives in dynamic tests and monitoring programs at LANL.
- 64-11** All LANL operations, regardless of when they began, comply with applicable State (New Mexico Air Quality Control Act) and Federal (Clean Air Act, Toxic Substances Control Act) laws and regulations, and have valid permits as described in Chapter 6, of the SWEIS. The LANL contractor complies with its Clean Air Act, Title V, operating permit which includes requirements for monitoring air pollutant emissions from sources at LANL and recordkeeping for these sources. Current air sampling programs at LANL include ambient non-radiological air monitoring, an ambient radiological air sampling network called AIRNET, and stack sampling for radionuclides, as described in Chapter 4, Sections 4.4.2.3 and 4.4.3.1. The LANL contractor evaluates the results from these programs and makes changes in the sampling locations and constituents as appropriate. LANSCE does have the highest amount of radionuclide air emissions at the site. As discussed in Chapter 5, Section 5.6, if necessary, operational controls at LANSCE would limit the dose to the maximally exposed offsite individual from air emissions to 7.5 millirem per year to ensure compliance with the 40 CFR Part 61 (National Emission Standards for Hazardous Air Pollutants) limit of 10 millirem per year.
- 64-12** The cumulative impacts of the Expanded Operations Alternative for electricity, water, and natural gas demands were evaluated and are discussed in Chapter 5, Section 5.13, of the SWEIS. Although not

Commentor No. 64 (cont'd): Nausika Richardson

expected, future expansion of the LANL infrastructure to supply additional electricity, water, or natural gas would be preceded by appropriate environmental documentation. Changes made to the offsite infrastructure to meet LANL demands would be required to meet applicable State and Federal environmental regulations.

64-13 NNSA notes the commentor's statement that the Congress change LANL's mission. As addressed in response to Comment no. 64-1, research in areas promoted by the commentor is already occurring at LANL and would continue regardless of the alternative selected in the SWEIS.

64-14 NNSA notes the commentor's concerns about the danger of expanding plutonium pit production. Chapter 4, Section 4.6.1, of the SWEIS shows the radiation doses received over the past 10 years from LANL operations by the surrounding population and hypothetical maximally exposed individual. The annual dose to the hypothetical maximally exposed individual has consistently been smaller than the annual 10-millirem radiation dose limit established for airborne emissions by the U.S. Environmental Protection Agency.

The final LANL Public Health Assessment, by the Agency for Toxic Substances and Disease Registry, reports that, "...there is no evidence of contamination from LANL that might be expected to result in ill health to the community," and that "...overall, cancer rates in the Los Alamos area are similar to cancer rates found in other communities" (ATSDR 2006). Expanding pit production is projected to result in only minimal increases in radiation doses and therefore indistinguishable health effects from radiological emissions as shown in Chapter 5, Section 5.6, of the SWEIS.

Commentor No. 65: Rev. John Dear, SJ

Rev. John Dear, SJ
Box 882
Cerrillos, NM 87010
www.johndear.org

August 14, 2006

Ms. Elizabeth Withers, EIS Document Manager
Los Alamos Site Office
National Nuclear Security Administration
U.S. Department of Energy
528 35th Street
Los Alamos, New Mexico, 87544-2201

Dear Ms. Withers,

I'm writing to add my voice and complete objection to plans for further development of nuclear weapons. I do not support any increases in nuclear weapons research, development or production. For this reason, I oppose the proposed expanded operations alternative in the draft 2006 Site-Wide Environmental Impact Statement (SWEIS) for Los Alamos National Laboratory (LANL). This alternative will generate more radioactive and chemical waste as well as increase dangerous air emissions and wastewater discharges into the canyons that flow to the Rio Grande.

The draft SWEIS makes many references to a modern pit facility (MPF) capable of producing 450 plutonium pits per year, despite widespread opposition to a MPF by New Mexicans in 2003. These activities have dire local, national and international implications. The draft SWEIS lacks a discussion of how a MPF or increase pit production would not violate the Nuclear Nonproliferation Treaty. There should be no reference made to a MPF at LANL in the final SWEIS.

I object to the foundation and the methodology of the draft SWEIS, as the document is not founded on accepted science and based on studies that also have not been finalized. The analysis of risks to human health relies on the draft Agency for Toxic Substances and Disease Registry (ATSDR) public health assessment for health impacts analysis. This assessment was rejected by the Environmental Protection Agency (EPA) and never finalized. Furthermore, the draft SWEIS was released before either the risk assessment for LANL's low-level waste dump at Area G or the 2006 seismic hazard study were completed. It is impossible to accurately determine the environmental and health impacts for future operations at LANL based on incomplete analysis. The SWEIS must include a reanalysis based on the findings in the 2006 Area G risk assessment and seismic hazard study. The ATSDR assessment must be rewritten with public oversight and review and only then can it be used in any analysis regarding LANL activities.

The draft SWEIS does not have appropriate or adequate discussion of clean up,

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65-1 NNSA notes the commentor's opposition to activities related to production of nuclear weapons and the Expanded Operations Alternative. The potential environmental, health, and safety impacts of the continued operation of LANL under the three proposed alternatives are analyzed in Chapter 5, of the SWEIS, including management of radioactive and chemical wastes, monitoring of air emissions, and treatment or monitoring of wastewater discharged through National Pollutant Discharge Elimination System-permitted outfalls. The commentor is correct that the Expanded Operations Alternative would result in greater amounts of radioactive and chemical waste as well as increased air emissions and wastewater discharges but as demonstrated in the SWEIS, these increases can be safely managed. It should be noted that treated effluents do not normally flow directly into the Rio Grande, although surface waters may reach the river a few times a year during large precipitation events. Refer to Section 2.6, Offsite Contamination, of this CRD for more information.

65-2 Reference to a modern pit facility in the Draft SWEIS was in the context of ensuring that reasonably foreseeable future actions were addressed in accordance with the Council on Environmental Quality NEPA regulations regarding cumulative impacts. The SWEIS alternatives addressing operational levels for the next 5 years limit the level of pit production to up to 80 pits (Expanded Operations Alternative). In October 2006, NNSA issued a Notice of Intent to prepare a *Supplement to the Stockpile Stewardship and Management Programmatic Environmental Impact Statement – Complex 2030* (now called the *Complex Transformation Supplemental Programmatic Environmental Impact Statement [Complex Transformation SPEIS]*) (71 FR 61731). In addition to announcing its intent to prepare the *Complex Transformation SPEIS* to assess the environmental impacts from the continued transformation of the nuclear weapons complex, NNSA announced cancellation of the previously planned *Supplemental Programmatic Environmental Impact Statement on Stockpile Stewardship and Management for a Modern Pit Facility* (DOE/EIS-236-S2). The Final SWEIS does not include a reference to a modern pit facility. In discharging its Stockpile Stewardship responsibilities, NNSA is not violating the Nuclear Nonproliferation Treaty. Refer to Sections 2.1, Opposition to Nuclear Weapons and Pit Production; 2.2, National Environmental Policy Act (NEPA) Process; and 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for additional information.

Commentor No. 65 (cont'd): Rev. John Dear, SJ

environmental justice, the impacts of air and water emissions and waste disposal. Contrary to my belief and wishes it rejects even the possibility that the mission of LANL could be changed toward peaceful and life-affirming research.

65-5
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I object to the fact that increased cleanup was only included in the Expanded Operations and not part of the No Action and Reduced Operations Alternatives. Compliance with the New Mexico Environment Department (NMED)/LANL Consent Order for cleanup at LANL by 2015 is not optional nor should it be tied to activities which threaten public health and the environment. Increased Consent Order cleanup analysis should be included in all three alternatives.

65-6

When implementing cleanup, LANL must do so to the fullest extent possible. Lands must be cleaned up to the level that allows for a future pregnant subsistence farmer and her children to live on the land, grow food, raise animals and drink the water for their entire lives with good health. All waste must be removed during cleanup.

LANL currently has approximately 40,000 drums of transuranic waste sitting above ground in fabric tents awaiting shipment to WIPP. However, the proposed expanded operations focuses on a vast expansion of waste generation and removing drums that are currently buried in Area G. DOE should address permanent disposal of existing waste before further waste generation is even considered.

65-7

LANL activities jeopardize both water quality and quantity. New Mexicans rely on this water for drinking and farming. Contaminants exceeding accepted levels for health have already been found in surface water and the regional aquifer. DOE did not use the most current water quality standards or consider contaminants that are moved in running canyons when analyzing the impacts to our water. DOE finds no problem with increasing LANL's water usage above the amount allotted to it from the regional aquifer while proposing to dump 268 million gallons of treated wastewater into the canyons which flow to the Río Grande. It is unacceptable that LANL blatantly disregards laws regulating water quality and quantity.

65-8

LANL must be required to reevaluate and broaden their air sampling programs. Toxic and radioactive air emissions do have a detrimental impact on the surrounding area and people. The draft SWEIS allows for processing 87,000 pounds of high explosives and up to 6,900 pounds of depleted uranium (DU) to be blown up in "dynamic experiments" annually. DOE must monitor and implement comprehensive sampling programs at all open burning and open detonation sites and for all activities using high explosives and DU. Beyond that, DOE must institute a program to stop all toxic air pollutant emissions from LANL facilities and activities.

65-9

The Expanded Operations Alternative will result in higher demands for electricity, water and natural gas, which will impact the environment as well as increased car emissions from commuters. These impacts must be considered in the cumulative impacts of the Expanded Operations Alternative.

65-10

65-3 The SWEIS makes use of current, accepted, and well-documented scientific models and data that have been, and continue to be, used widely to analyze environmental impacts for the purpose of compliance with NEPA. The analysis methods are essentially the same as those used to prepare several DOE environmental impact statements that have recently been published in final form or have been reviewed, in draft, by the public. No Federal, state or private agency or institution with scientific standing has challenged the fundamental scientific and technical adequacy of those recent analyses. In general, the data, models, assumptions, and other information used in the SWEIS are drawn from published sources and have been subjected to scientific peer review. Chapter 7 of the SWEIS and each of its appendices lists the documented sources of information and models used in the analyses. All SWEIS data sources and references are available to the public.

The SWEIS presents an independent assessment of public health impacts from contaminants in the LANL environment. The SWEIS does not rely on the Agency for Toxic Substances and Disease Registry (ATSDR) *Public Health Assessment for Los Alamos National Laboratory* in any specific way for its conclusions. However, under the 1986 amendments to the Superfund law, ATSDR is responsible for conducting public health assessments at each site on the U.S. Environmental Protection Agency (EPA) National Priorities List, and it is appropriate for the SWEIS to acknowledge the conclusions of the *Public Health Assessment for Los Alamos National Laboratory* because it is a relevant Federal agency study. The draft *Public Health Assessment for Los Alamos National Laboratory* was available for public comment from April 26 to December 1, 2005. The EPA did not reject the draft document; it submitted comments that were by addressed by ATSDR in the final document. Appendix I to the final *Public Health Assessment for Los Alamos National Laboratory* describes how the comments on the draft received from the public, other Federal agencies (including EPA), and other stakeholders were addressed. As stated in the final *Public Health Assessment for Los Alamos National Laboratory* (ATSDR 2006), released August 31, 2006, ATSDR conducted its evaluations in accordance with guidance provided in the *Public Health Assessment Guidance Manual* (available at www.atsdr.cdc.gov/HAC/PHAManual/index.html).

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Operations at LANL are a major violation of environmental justice. New Mexico has the second highest minority population in the country. It is not possible that LANL activities would have no effect on these populations. The analysis uses six-year-old information and does not account for undocumented residents nor low-income individuals above the poverty level. In addition, there are 15 Pueblos within the 50-mile radius of LANL, and yet the public hearings are to take place during Pueblo feast days which assures in large part that many will be unable to participate. I request a reanalysis in the final SWEIS, with public input and review.

My recommendation is that Congress change the mission of LANL to focus on research and development into renewable energy, such as solar, wind and biomass, and clean up technologies that support the environmental and public health. The SWEIS must include a fourth alternative that focuses on these activities. While DOE does think that such a shift is possible, it is my belief that LANL must transition to peaceful and sustainable research.

That means, what you should be working on is the dismantling of all nuclear weapons, and the cleaning up of the environment. Nuclear weapons are immoral, impractical and evil. As a Catholic priest, let me add that they are blasphemous to the Creator, an affront to God, a total disrespect of Jesus' commandment to love our enemies. The time has come to abolish these weapons once and for all, and to create a new world of nonviolence. God bless you.

Sincerely,


(Rev.) John Dear, SJ

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65-4 To the extent possible, the most recent technical documents, including an update to the seismic hazard analysis, completed in 2007, are considered in the Final SWEIS analyses. Information under development that is not available for use in the Final SWEIS, such as the updated Area G performance assessment, will be considered as it becomes available and, in accordance with the NEPA compliance process, the SWEIS impact analyses will be reviewed and supplemented as necessary based on the newly available information. See Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

Seismic activity at LANL is described in Chapter 4, Section 4.2.2.3, and in the 2007 seismic hazard analysis report (LANL 2007a). The estimated human health impacts from postulated facility accidents at LANL, including earthquakes, are described in Chapter 5, Section 5.12, and Appendix D, Section D.4. These sections also include a discussion of the significance of the updated understanding of seismic hazard from the 2007 seismic hazard analysis report.

65-5 NNSA believes the project-specific analyses in the appendices, and the analyses in Chapter 5, of the SWEIS present appropriate and adequate analyses of LANL impacts. Appendix I provides an extensive discussion of actions to comply with the Consent Order for cleanup of LANL. The impacts of air and water emissions and waste disposal, and the potential for environmental justice impacts, are addressed, as appropriate, in Chapter 5 and the appendices; the results of the analyses are summarized in Chapter 3 and the SWEIS Summary. NNSA notes the commentor's concerns regarding the mission of LANL. LANL scientists currently conduct research in areas such as renewable energy and global climate change, and support nonproliferation programs in addition to their efforts to support NNSA's stockpile stewardship mission. Refer to Section 2.3, Alternative Missions, of this CRD for additional information.

65-6 NNSA does not consider compliance with the Consent Order to be optional, and is not linking Consent Order compliance with decisions about pit production; proposed new projects or activities; increased operational levels; or waste generated from other LANL activities. Chapter 1, Section 1.3, of the SWEIS defines the three alternatives and explains why activities to comply with the Consent Order are included only in the Expanded Operations Alternative. Chapter 1, Section 1.4,

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explains that NNSA could choose to implement the alternatives either in whole or in part, and that NNSA intends to implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

Although Appendix I of the SWEIS evaluates the environmental impacts associated with potential remedial action alternatives, decisions about environmental restoration will be made in accordance with established regulatory standards and processes, including those of the New Mexico Environment Department for the Consent Order, and of DOE. To arrive at a decision about remediating a contaminated site, several alternative remedies may be considered such as containment in place, treatment, or removal. Any remedy selected for a site requiring environmental restoration must be protective of human health and the environment, and attain applicable cleanup standards including those for ground and surface waters and soil. If the site is to remain under DOE ownership, then cleanup standards commensurate with a restricted type of land use may be used, provided that offsite areas are protected. If the site is to be released for unrestricted access by the public, then the site would need to meet cleanup standards for unrestricted release. Decisions about cleanup of sites subject to the Consent Order will be made by the New Mexico Environment Department in accordance with the cleanup and screening levels documented in Section VIII of the Consent Order. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for additional information.

- 65-7** Although a pollution prevention and waste minimization program has been instituted at LANL (see Chapter 4, Section 4.9, of the SWEIS), operation of LANL in support of DOE's core missions will cause the generation of waste that NNSA intends to safely manage as it continues to address existing waste in storage. Nearly all of the stored waste at LANL consists of legacy transuranic waste that is stored above ground within domes in TA-54. Most of this waste was originally stored below grade, but was retrieved and placed in an above ground, inspectable configuration as required by the New Mexico Environment Department. NNSA is working to prepare all stored and newly generated transuranic waste for shipment

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to WIPP. Shipment rates for 2006 have increased significantly over past years. Refer to Section 2.7, Waste Management, of this CRD for more information.

- 65-8** The water quality standards in Chapter 4, Tables 4–7 and 4–9, of the SWEIS have been updated to reflect standards recently issued by the New Mexico Water Quality Control Commission. The new standards have not yet been approved by the U.S. Environmental Protection Agency; nevertheless, they are used in the *Environmental Surveillance at Los Alamos during 2005* report (LANL 2006g) and this SWEIS in evaluating water quality data. As Table 4–7 demonstrates, LANL staff compares surface water data to a variety of standards that legally apply, in order to identify contaminants and data trends that could indicate the need for corrective actions.

DOE and Los Alamos County have combined water rights of 1,806 million gallons (6,836 million liters) per year, of which 542 million gallons (2,050 million liters) per year are allocated to DOE. In recent years, the largest amount of water annually used by DOE and the County was 1,574 million gallons (5,958 million liters) in 2000, when the Cerro Grande Fire occurred. As shown in Chapter 4, Table 4–43, and discussed in Chapter 5, Section 5.8.2, of the SWEIS, LANL water usage has been and is expected to remain below its 542 million gallons (2,050 million liters) per year allotment.

Effluents from LANL facilities are discharged in accordance with a National Pollutant Discharge Elimination System permit that establishes limits on the volume and quality of the discharge. These treated effluents do not normally flow directly into the Rio Grande, although surface waters may reach the river a few times a year during large precipitation events. As discussed in Chapter 4, Section 4.3.1.2, over the past 6 years, LANL has a very good record of complying with permit conditions, which are set to protect health and safety. Under all alternatives, LANL would continue to meet permit conditions designed to protect water resources.

- 65-9** Current air sampling programs at LANL include ambient non-radiological air monitoring, an ambient radiological air sampling network called AIRNET, and stack sampling for radionuclides, as described in Chapter 4, Sections 4.4.2.3 and 4.4.3.1, of the SWEIS. The Clean Air Act, Title V,

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operating permit includes requirements for monitoring emissions from sources at LANL and recordkeeping concerning those sources. Although toxic and radioactive air emissions can potentially have detrimental impacts, the past emission levels analyzed and those projected for LANL would not be expected to cause unacceptable impacts on human health or the environment, as shown in Chapter 4, Section 4.6.1, and Chapter 5, Section 5.6.2. NNSA has revised Chapter 6, Section 6.4, of the SWEIS to reflect that the open burning permits have been withdrawn at LANL staff's request and the associated activities have ceased. Refer to Section 2.10, Depleted Uranium and the Dual Axis Radiographic Hydrodynamic Test (DARHT) Facility, of this CRD for more information on high explosives and depleted uranium activities.

65-10 The cumulative impacts of the Expanded Operations Alternative for electricity, water, and natural gas demands were evaluated and are discussed in Chapter 5, Section 5.13, of the SWEIS. Although not expected, future expansion of the LANL infrastructure to supply additional electricity, water, or natural gas, would be preceded by appropriate environmental documentation. Changes made to the offsite infrastructure to meet LANL demands would be required to meet applicable State and Federal environmental regulations and permitted effluent standards. NNSA has revised Sections 5.4.1.3 and 5.13, and the Summary, to discuss the potential increase in emissions from increases in commuter traffic to LANL. Increased employment of 2.2 percent per year under the Expanded Operations Alternative could result in similar increases in LANL commuter-specific vehicle emissions from additional employee vehicles commuting from Santa Fe and Rio Arriba Counties and other locations. The actual change in overall traffic emissions would be much smaller because LANL-specific traffic is only a portion of the overall regional traffic volume.

65-11 As discussed in Chapter 5, Section 5.11, of the SWEIS, no disproportionately high and adverse environmental impacts on minority and low-income populations would be expected to result from LANL operations. The analyses presented in the SWEIS used the most recent Census data available at the time the analysis was prepared. In collecting data for the Census, the Census Bureau does not ask about the citizenship of respondents. According to the Census Bureau, undocumented residents

Commentor No. 65 (cont'd): Rev. John Dear, SJ

would be among those included in their counts given the Bureau's success in counting nearly every person residing in the United States. DOE and NNSA define low-income populations in terms of the Census Bureau's statistical poverty level, which was used in the SWEIS. Since the Draft SWEIS was published, the Census Bureau has released revised projections through mid-2005 for select counties in New Mexico, including Santa Fe County. These more recent projections would not change any of the analyses presented in the SWEIS because the levels of minority or low-income populations in the available counties did not change substantially from the levels reported in 2000.

65-12 NNSA held three hearings on the Draft SWEIS in the region of LANL. For people not able to attend any of those hearings, other means of providing comment on the Draft SWEIS were provided. In addition, NNSA held a briefing especially for the Pueblos at the Santa Clara Big Rock Casino on July 26, 2006. This briefing provided an opportunity for Pueblo members to talk with NNSA and LANL staff knowledgeable of the alternatives and the projects included in the LANL SWEIS. Additional information about the NEPA process is in Chapter 2, Section 2.2, of the SWEIS.

65-13 NNSA notes the commentor's recommendation that the Congress change LANL's mission. In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 66: Glory Dassi

From: glory dassi [mailto:gauridassiji@yahoo.com]
Sent: Thursday, August 17, 2006 7:51 AM
To: LANL_SWEIS
Subject: nuclear bomb factory

I am writing because i am apposed to the proposed expansion of production of nuclear bombs at Los Alamos laboratory. I feel we should use all our resources and energy towards a peaceful world. Learning new ways to communicate with other countries. I feel it is very hypocritical for us to be beefing up bomb production in the U.S when we are invading and threatening other countries for doing the same. More bombs do not make us safe. It is not the answer. We need to practice what we preach ..Work towards world peace. Feed the hungry. House the homeless and the victims of hurricane Katrina who are still with out homes. This would be a much better use of our money.

g. Dassi
Taos, NM

66-1

66-1 NNSA notes the commentor's opposition regarding pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

**Commentor No. 67: Tamara Lynn,
Lynx Lightning**

From: tamara lynn [mailto:colorqween@yahoo.com]
Sent: Wednesday, August 16, 2006 12:36 PM
To: LANL_SWEIS
Subject: Plutonium Pits

I am a resident of this lovely land we call New Mexico. I am thoroughly disgusted and horrified that Los Alamos Laboratory would willingly seek to produce more poison. The lands around the site have been soaked with radioactive waste for over sixty years. How do we even begin to clean that up? It seems to me an outrageous lack of reason. I DO NOT SUPPORT THIS. SIGNED, Lynx Lightning, Albuquerque, New Mexico

67-1

67-1

NNSA notes the commentor's concerns regarding the generation of wastes and opposition to LANL operations. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information. Regarding cleanup activities, Chapter 2, Section 2.2.6, of the SWEIS describes the LANL environmental remediation program, including major accomplishments completed to date. Appendix I of the SWEIS presents environmental impact information related to remediation activities at LANL. As stated in Chapter 1, Section 1.4, of the SWEIS, the New Mexico Environment Department is responsible for decisions concerning cleanup of material disposal areas and similar actions at other LANL locations that are subject to the requirements of the Consent Order.

Commentor No. 68: Gabriel M. Hoare, SL.

From: Gabe Hoare [mailto:ghoare@nerinxhs.org]
Sent: Sunday, August 20, 2006 1:49 PM
To: LANL_SWEIS
Subject: Nuclear Proliferation

For the sake of all of the people, animals and other creatures who share this beautiful earth, please give up this horrific making of Nuclear Warheads, their parts , their waste. We must understand what that we are intelligent people, capable of working together for peace and not for mutual destruction. STOP MAKING BOMBS, STORING BOMBS, USING BOMBS OF ANY KIND, particularly using the power that controls us. We cannot control it.

68-1

68-1 NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

I am one of 400 women religious who beg you to bring a halt to the use of nuclear energy. There are other ways to preserve our beautiful earth and what is left of our peace and freedom.

68-2

68-2 NNSA notes the commentor's concerns regarding nuclear energy. The use of nuclear energy for commercial electrical power is not within the scope of the SWEIS, which focuses on the environmental impacts of continued operation of LANL.

Gabriel M. Hoare,SL.
2816 Manderly Drive
St. Louis, MO 63114
ghoare@nerinxhs.com

Commentor No. 69: Katherine Whitefield

From: Katherine Whitefield [mailto:k2quill@gmail.com]
Sent: Saturday, August 19, 2006 9:32 PM
To: LANL_SWEIS
Subject: Please stop production of plutonium triggers

Dear Sir/Madam:

I oppose increased production of nuclear weapons, especially small mobile nuclear weapons, as seriously undermining stability and the ability to control nuclear weapons proliferation. I therefore oppose increased production of plutonium triggers.

69-1

I oppose all production and usage of biological, chemical, or DU weapons. I oppose all usage of nuclear weapons; I support bilateral and multilateral nuclear disarmament.

Some question about the Plutonium triggers

69-2

Q1: Is a nuclear device required as a trigger?

Less nuclear risk and waste for non-nuclear trigger

Only existing technology?

FUZE computer model from Anser, Inc Arlington VA based on alternative technology or plutonium trigger?

69-3

Q2: Absolute need established or bias towards experimental methods versus predominantly modeling and simulation

As a moral metaphor: Are "Vivisectionists" more biased than "Anti-Vivisectionists" The burden of proof should be to establish a reason that strictly requires the use of live animals

In this case, LANL staff and the community are at risk of nuclear contamination. Exactly why, even if Plutonium triggers were believed to be necessary, is substantively increasing testing and production at that level (80 = 4 x 20) required versus retiring old bombs? Why not use Anser's FUZE model (or similar model) with existing test and production data?

69-3
cont'd

Q3: Why did they close Rocky Flats in Colorado?

Lack of political will perceived in New Mexico?

How has LANL addressed problems of CO?

69-4

Q4: Existing waste disposal, i.e. is LANL a responsible party to date and therefore why should greater responsibility be given to it?

69-5

Q5: What Bilateral treaties apply or even exist for triggers?

Secret republican arms escalation

69-2
cont'd

69-1 NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

69-2 As indicated in Chapter 1, Section 1.2, of the SWEIS, NNSA's purpose and need for agency action in this SWEIS remain the same as in the 1999 SWEIS – to provide support for NNSA's core missions of ensuring a safe and reliable nuclear stockpile as directed by the Congress and the President. Cessation of these activities would be counter to national security policy as established by the Congress and the President. As footnoted in Chapter 1, Section 1.0, of the SWEIS, a pit is the central core of a primary assembly (or trigger) in a nuclear weapon and is typically composed of plutonium-239 or highly enriched uranium, or both, and other materials; therefore pits are required in nuclear weapons. Evaluation of U.S. participation in international treaties is not within the scope of this SWEIS; however, the United States has signed a number of treaties focusing on non-proliferation. Among them is the Treaty on the Non-Proliferation of Nuclear Weapons. Its objective is to prevent the spread of nuclear weapons and weapons technology, to promote co-operation in the peaceful uses of nuclear energy and to further the goal of achieving nuclear disarmament and general and complete disarmament. The United States is currently reducing its nuclear weapons stockpile to meet its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons and other treaties.

69-3 NNSA stockpile stewardship responsibilities entail both modeling and physical research, development, and production of plutonium pits. In fact, the Metropolis Center was developed to provide the computing power required to support modeling efforts that reduce or eliminate most testing. But pit production is required to replace pits and maintain the safety and effectiveness of the existing stockpile, while the United States continues to reduce its overall size.

69-4 Operation and closure of the former Rocky Flats Plant is not within the scope of this SWEIS. Rocky Flats was closed due to a combination of factors, including the end of the Cold War that led to the reduction and cancellation of various weapons programs, and environmental and safety concerns. LANL operations are not comparable to those at the Rocky Flats Plant – LANL uses newer facilities and technology, has a much

Commentor No. 69 (cont'd): Katherine Whitefield

lower level of pit production, employs improved operational controls and management practices, and is subject to additional independent oversight. Refer to Section 2.12, Comparison to Rocky Flats Plant, of this CRD for more information.

- 69-5** Past disposal of waste was conducted in a manner consistent with contemporary standards. As standards have evolved, waste disposal practices have also evolved. NNSA intends to continue to safely manage waste in accordance with applicable requirements and conduct its environmental restoration at LANL as it carries out its national security and other missions. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Appendix I of the SWEIS presents options and environmental analyses for conducting future remediation activities at LANL primarily related to the Consent Order that was entered into in March 2005. NNSA intends to implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS.

Commentor No. 70: Steven Reneau

From: Steven Reneau [mailto:stevereneau@worldnet.att.net]
Sent: Saturday, August 19, 2006 7:43 PM
To: LANL_SWEIS
Subject: Comments on LANL SWEIS

I would like to provide a comment on the Draft Site-Wide Environmental Impact Statement for Continued Operation of the Los Alamos National Laboratory.

I noticed reference to a Security-Driven Transportation Modifications Project, with 2 bridges across Mortandad and Sandia Canyons (TA-35 to TA-60 to TA-61) as "auxiliary actions", passing through Mexican spotted owl Areas of Environmental Interest. Through environmental field work I am involved with at LANL, I know that the "core habitat" referred to here includes one of two identified Mexican spotted owl nesting sites at LANL. Because the Mexican spotted owl is a threatened species on the Threatened and Endangered Species list, and is known to successfully nest here, as environmental stewards I believe DOE and LANL should go to extra lengths to avoid potential disruption to this species. Planning a major road with bridges close to a confirmed Mexican spotted owl nesting site, risking impacts to this species, seems to be inconsistent with DOE and LANL's stated goals to be environmental stewards. It also seems inconsistent with the level of conservatism DOE and LANL display on a daily basis in trying to minimize potential human health and safety incidents and environmental impacts through worker training, policies, and procedures. I therefore recommend that the Security-Driven Transportation Modifications Project be redesigned to give core habitat of the Mexican spotted owl a wide berth.

Thank you for the opportunity to provide comments on this EIS.

Steven Reneau
White Rock, New Mexico

70-1

70-1

On February 21, 2006, DOE submitted to the U.S. Fish and Wildlife Service a biological assessment and request for formal consultation regarding proposed and on-going activities analyzed in the LANL SWEIS (LANL 2006i). This document has been reviewed by the U.S. Fish and Wildlife Service which issued its opinion in a series of letters to DOE (see Chapter 6, Section 6.5, of the SWEIS). With respect to the bridges over Mexican spotted owl Areas of Environmental Interest required for auxiliary actions A and B of the Security-Driven Transportation Modifications project, the U.S. Fish and Wildlife Service concluded that it could not analyze the effects of the proposed actions since the exact location and design of the bridges have not been determined. Thus, the agency requested that if either or both of these actions were selected, that DOE submit a new request for consultation when plans are finalized; DOE will comply with this request and work with the U.S. Fish and Wildlife Service to mitigate impacts. This commitment will be included in the Mitigation Action Plan for the actions selected for implementation in the Record of Decision supported by the SWEIS.

Commentor No. 71: Margaret Davenport

From: Margaret Davenport [mailto:megdavenport@earthlink.net]
Sent: Friday, August 18, 2006 1:45 PM
To: LANL_SWEIS
Subject: Los Alamos Pitt Production

DOE,
To Whom it May Concern,

I am registering my vote against the proposed expansion of the nuclear weapons projects at the Los Alamos National Laboratory. My concern is for the ground water and waste disposal. Everything flows down from the Hill.

Please rethink this and change the focus. We need to develop our renewable resources. and work to clean up and contain the existing wastes.

Thank you.
M.Davenport

71-1

71-1 NNSA notes the commentor's opposition and concerns related to increased nuclear weapons activities proposed under the Expanded Operations Alternative, and desire for activities at LANL to be focused on areas other than those related to nuclear weapons production. In addition to LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Chapter 5 of the SWEIS evaluates the potential environmental, health and safety impacts of continued operation of LANL under the three proposed alternatives. These analyses demonstrate that LANL can continue to operate safely under any of the three alternatives.

The environmental impacts of waste generation and disposal are addressed in Chapter 5 of the SWEIS. While increased waste generation would occur as a result of expanded pit production, not all waste would be disposed of at LANL. Chemical waste and mixed low-level radioactive waste from LANL operations are sent offsite for treatment and disposal; transuranic waste is stored until shipped to WIPP for disposal, and low-level radioactive waste is either disposed of onsite at Area G or shipped offsite for disposal. Refer to Section 2.7, Waste Management, of this CRD for additional information.

Chapter 2, Section 2.2.6, of the SWEIS describes the progress that NNSA has made in conducting its environmental restoration program at LANL. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Appendix I of the SWEIS presents options and environmental analyses for conducting future remediation activities at LANL primarily related to the Consent Order that was entered into in March 2005. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for additional information.

Commentor No. 72: Allan Wheeler

From: Allan Wheeler [mailto:allanwheeler@palindrome.com]
Sent: Thursday, August 17, 2006 10:00 AM
To: LANL_SWEIS
Subject: PIT PRODUCTION AFTER HANFORD

PUT ALL THOSE BRAINS AND MONEY AT LOS ALAMOS INTO A CRASH PROGRAM TO FREE THE US FROM DEPENDENCE UPON FOREIGN OIL.

DON'T RISK GIVING US ANOTHER HANFORD – I LIVE ONLY 30 MILES DOWNWIND.

ALLAN WHEELER

72-1

72-1

NNSA notes the commentor's suggestion. Cessation of NNSA's core mission activities would be counter to national security policy as established by the Congress and the President; therefore, ending these activities at LANL is not being considered in the SWEIS. In addition to LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 73: Nora Pearson

August 21, 2006

Yes,

This is Nora Pearson at XXX-XXXX in Santa Fe, New Mexico.

I would like to make a comment on the Lab making more pits, and I am dead set against it. I don't understand why anyone would want to do such a thing.

You're already making twenty, which you weren't suppose to even have been making, and I am against any escalation of nuclear...nuclear anything for that matter.

Thank you.

73-1

73-1

NNSA notes the commentor's opposition to pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 74: Cecelia Albert

From: cecelia [mailto:cecelia@cybermesa.com]
Sent: Thursday, August 17, 2006 8:19 PM
To: LANL_SWEIS
Cc: C. Redinger
Subject: Expanded Plutonium Pit Production

Ms. Elizabeth Withers, EIS Document Manager
 Los Alamos Site Office
 National Nuclear Security Administration
 U.S. Department of Energy
 528 35th Street
 Los Alamos, NM 87544-2201

Dear Ms. Withers:

I oppose the proposed expanded operations alternative in the draft 2006 Site-Wide Environmental Impact Statement (SWEIS) for Los Alamos National Laboratory (LANL). This alternative will generate more radioactive and chemical waste as well as increase dangerous air emissions and wastewater discharges into the canyons that flow to the Rio Grande

74-1

The draft SWEIS makes many references to a modern pit facility (MPF) capable of producing 450 plutonium pits per year, despite widespread opposition to a MPF by New Mexicans in 2003. These activities have dire local, national and international implications. The draft SWEIS lacks a discussion of how a MPF or increase pit production would not violate the Nuclear Nonproliferation Treaty. There should be no reference made to a MPF at LANL in the final SWEIS.

74-2

The draft SWEIS does not have appropriate or adequate discussion of clean up, environmental justice, the impacts of air and water emissions and waste disposal. Contrary to my belief and wishes it rejects even the possibility that the mission of LANL could be changed toward peaceful and life-affirming research.

74-3

I object to the fact that increased cleanup was only included in the Expanded Operations and not part of the No a=Action and Reduced Operations Alternatives. Compliance with the New Mexico Environment Department (NMED) LANL Consent Order for cleanup at LANL by 2015 is not optional nor should it be tied to activities which threaten public health and the environment. Increased Consent Order cleanup analysis should be included in all three alternatives.

74-4

The Expanded Operations Alternative will result in higher demands for electricity, water and natural gas, which will impact the environment as well as increased car

74-5

74-1 NNSA notes the commentor's opposition to the Expanded Operations Alternative and concerns about radioactive and chemical waste generation as well as increased air emissions and wastewater discharges. The potential environmental, health, and safety impacts of the continued operation of LANL under the three proposed alternatives are analyzed in Chapter 5 of the SWEIS, including management of radioactive and chemical wastes, monitoring of air emissions, and treatment or monitoring of wastewater discharged through National Pollutant Discharge Elimination System-permitted outfalls. The commentor is correct that the Expanded Operations Alternative would result in greater amounts of radioactive and chemical waste as well as increased air emissions and wastewater discharges, but as demonstrated in the SWEIS, these increases can be safely managed. It should be noted that treated effluents do not normally flow directly into the Rio Grande; surface waters may reach the river a few times a year during large precipitation events. Refer to Section 2.6, Offsite Contamination, of this CRD for more information.

74-2 Reference to a modern pit facility in the Draft SWEIS was in the context of ensuring that reasonably foreseeable future actions were addressed in accordance with the Council on Environmental Quality NEPA regulations regarding cumulative impacts. The SWEIS alternatives addressing operational levels for the next 5 years limit the level of pit production to up to 80 pits (Expanded Operations Alternative). On October 19, 2006, NNSA issued a Notice of Intent to prepare a *Supplement to the Stockpile Stewardship and Management Programmatic Environmental Impact Statement – Complex 2030* (now called the *Complex Transformation Supplemental Programmatic Environmental Impact Statement [Complex Transformation SPEIS]*) (71 FR 61731). In addition to announcing its intent to prepare the *Complex Transformation SPEIS* to assess the environmental impacts from the continued transformation of the nuclear weapons complex, NNSA announced cancellation of the previously planned *Supplemental Programmatic Environmental Impact Statement on Stockpile Stewardship and Management for a Modern Pit Facility* (DOE/EIS-236-S2). The Final SWEIS does not include a modern pit facility in any analyses. In discharging its stockpile stewardship responsibilities, NNSA is not violating the Treaty on the Non-Proliferation of Nuclear Weapons. Refer to Sections 2.1, Opposition to Nuclear Weapons and Pit Production; 2.2, National Environmental Policy Act (NEPA) Process; and 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for additional information.

Commentor No. 74 (cont'd): Cecelia Albert

emissions from commuters. These impacts must be considered in the cumulative impacts of the Expanded Operations Alternative.

74-5
cont'd

Operations at LANL are a major violation of environmental justice. New Mexico has the second highest minority population in the country. It is not possible that LANL activities would have no effect on these populations. The analysis uses six-year-old information and does not account for undocumented residents nor low-income individuals above the poverty level. In addition, there are 15 Pueblos within the 50-mile radius of LANL, and yet the public hearings are to take place during Pueblo feast days, which assures in large part that many will be unable to participate. I request a reanalysis in the final SWEIS, with public input and review.

74-6

74-7

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cont'd

My recommendation is that Congress change the mission of LANL to focus on research and development into renewable energy, such as solar, wind and biomass, and clean up technologies that support the environmental and public health. The SWEIS must include a fourth alternative that focuses on these activities. While DOE does think that such a shift is possible, it is my belief that LANL must transition to peaceful and sustainable research.

74-8

Sincerely,

Cecelia Albert
P.O. Box 6958
Santa Fe, NM 87502

74-3 NNSA notes the commentor's desires regarding the mission of LANL. LANL scientists currently conduct research in areas such as renewable energy and global climate change, and support nonproliferation programs in addition to their efforts in support of LANL's Stockpile Stewardship mission. Refer to Section 2.3, Alternative Missions, of this CRD for additional information. NNSA believes the project-specific analyses in the appendices; and the analyses in Chapter 5 of the SWEIS present appropriate and adequate analyses of LANL impacts. Appendix I provides an extensive discussion of actions to comply with the Consent Order for cleanup of LANL. The impacts of air and water emissions, and waste disposal, and the potential for environmental justice impacts are addressed, as appropriate, in Chapter 5 and the appendices; the results of the analyses are summarized in both Chapter 3 and the Summary.

74-4 NNSA does not consider compliance with the Consent Order to be optional, and is not linking Consent Order compliance with decisions about pit production, proposed new projects or activities, increased operational levels, or waste generated from other LANL activities. Chapter 1, Section 1.3, of the SWEIS defines the three alternatives and explains why activities to comply with the Consent Order are included only in the Expanded Operations Alternative. Chapter 1, Section 1.4, states that NNSA could choose to implement the alternatives either in whole or in part, and that NNSA intends to implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

74-5 The cumulative impacts of the Expanded Operations Alternative for electricity, water, and natural gas demands were evaluated and are discussed in Chapter 5, Section 5.13. Although not anticipated, future expansion of the LANL infrastructure to supply additional electricity, water, or natural gas would be preceded by appropriate environmental documentation. Changes made to the offsite infrastructure to meet LANL demands would be required to meet applicable state and Federal environmental regulations. NNSA has revised Sections 5.4.1.3 and 5.13, and the Summary, to discuss the potential increase in emissions from increases in commuter traffic to LANL. Increased employment of 2.2 percent per year under the Expanded Operations Alternative could

Commentor No. 74 (cont'd): Cecelia Albert

result in similar increases in LANL commuter-specific vehicle emissions from additional employee vehicles commuting from Santa Fe and Rio Arriba Counties and other locations. The actual change in overall traffic emissions would be much less since LANL-specific traffic is only a portion of the overall regional traffic volume.

- 74-6** As discussed in Section 5.11, no disproportionately high and adverse environmental impacts on minority and low-income populations would be expected to result from LANL operations. The analyses presented in the EIS used the most recent Census data available at the time the analysis was prepared. In collecting data for the Census, the Census Bureau does not ask about the citizenship of respondents. According to the Census Bureau, they expect that undocumented residents are among those included in their counts given their success in counting nearly every person residing in the United States. DOE and by extension NNSA define low-income populations in terms of the Census Bureau's statistical poverty level, which was used in the SWEIS. Since the Draft SWEIS was published, the Census Bureau has released revised projections through mid-2005 for select counties in New Mexico, including Santa Fe County. This information was compared to the data for 2000 and these more recent projections would not change any of the analyses presented in the SWEIS since the level of minority or low-income populations in the available counties did not change substantially from the levels reported in 2000.
- 74-7** NNSA held three hearings on the Draft SWEIS in the region of LANL. For people not able to attend any of those hearings, other means of providing comment on the Draft SWEIS were provided. In addition, a briefing especially for the Pueblos was held at the Santa Clara Big Rock Casino on July 26, 2006. This briefing provided an opportunity for members of Pueblos to talk with NNSA and LANL staff knowledgeable of the alternatives and the projects included in the LANL SWEIS. See additional discussion in Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD.
- 74-8** NNSA notes the commentor's recommendation that the Congress change LANL's mission. In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 75: Dr. Steven S. Spencer

August 22, 2006

My name is Dr. Steven Spencer. I've lived in Santa Fe for 21 years, I guess.

I came here looking forward to final chapters of my career and retirement...life with grandchildren and so on.

I'm absolutely sickened by the fact that the Lab is going to undertake another escalation of nuclear weaponry materials including plutonium pits and so on.

I hope that they will look to the wishes of the peaceful people in this part of the world, and NOT, NOT, NOT, do that kind of thing.

My phone number in Santa Fe is XXX-XXXX.

Dr. Steve Spencer.

Thank you.

75-1

75-1

NNSA notes the commentor's opposition to pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 76: Shel Neymark,
Shel Neymark Architectural Ceramics and Glass

SHEL NEYMARK ARCHITECTURAL CERAMICS & GLASS
P.O. Box 25, Embudo NM 87531 (505) 579-4432 lizshel@cybermesa.com shelneymark.com



July 15, 2006

To : Ms Elizabeth Withers
U.S.DOE/NNSA
Los Alamos Site Office
528 35th St.
Los Alamos N 87544-2201

Re; Comment on Draft Site Wide Environmental Impact Statement for Continued
Operation of Los Alamos National Laboratory, Los Alamos New Mexico

Dear Ms Withers,

Thank you for sending me a copy of the SWEIS. In looking it over I found that some important environmental impact issues were overlooked, such as what would happen to the environment if these bombs LANL is building the pits for were actually used.

Just how many "LCF's" would there be if, for example, if a bunker buster bomb that LANL is developing was dropped on a moderate sized city? Since our government has discarded the "no first use," policy for nuclear weapons, it would be appropriate to determine what a retaliatory strike on Albuquerque (a likely target because it is such a large repository of weapons,) would do to the water quality in the middle Rio Grande Valley.

Another issue ignored under the "Human Health" section is; what is the impact of spending vast quantities of money on developing and building more weapons when this money could be used to pay for the healthcare of uninsured and under insured Americans?

I hope you consider these issues in your final statement. I am in favor of the "Reduced Operations" alternative and a halt to more pit production. We don't need more new weapons. The 12,000 already in our stockpile are enough to destroy life on this planet many times over. Thank you,

Sincerely, Shel Neymark
PO Box 25
Embudo, NM 87531

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- 76-1 NNSA notes the commentor's concerns regarding use of nuclear weapons. The impacts associated with the detonation of nuclear weapons, however, are not within the scope of this SWEIS. This SWEIS addresses the environmental impacts associated with alternatives for operations at LANL.
- 76-2 The issue of funding priorities is not within the scope of the SWEIS. The U.S. Congress and the President are responsible for determining funding levels for government programs.
- 76-3 NNSA notes the commentor's opposition to pit production. Cessation of NNSA's core mission activities in support of NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. Therefore, ending these activities at LANL is not being considered in the SWEIS. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 77: Ann Chew

Ms. Elizabeth Withers, EIS Document Manager
Los Alamos Site Office
National Nuclear Security Administration
U.S. Department of Energy
528 35th Street
Los Alamos, New Mexico, 87544-2201

LANL – SWEIS Testimony, August 10, 2006

The Department of Energy has a deplorable record when it comes to the safety of citizens in regards to the weapons production facilities across the US. This track record has proven just as deplorable at the Los Alamos National Laboratory as elsewhere. In the site evaluation of the LANL facility that was made available to the public I noted that it sites many instances where the Department of Energy has fallen very short in its ability to protect the environment. Los Alamos National Laboratories was put in a remote area, high on a mountain because of the concerns for secrecy during World War 2. Today the location of the Laboratory is antithetical to its purposes if its purpose is to produce nuclear weapons.

I would like a response from my testimony here to explain to the public what kind of rationale puts a nuclear weapons production facility on top of a windswept mountain, in the middle of a wild fire zone, and at the source of a watershed that feeds the Rio Grande/Bravo River – the life blood of New Mexico providing water for 10 million people. Rocky Flats, the previous pit production facility in Colorado that was closed for its egregious environmental behavior, pumped plutonium-contaminated waste into creeks that were feeding public water supplies. A horrific wave of infant defects, cancers, and other problems followed. Not only was the water supply contaminated but plutonium particulate was found in the soils and sands surrounding the facility. One particle of plutonium if breathed or otherwise ingested can kill a human or animal. Documented cases of plutonium particulate found in the ashes of children from Rocky Flats who were cremated after death attest to that.

I would like a response from my testimony here to explain to the public what LANL intends to do with the waste storage problem that it is already plagued with - before even thinking about creating more. Is the DOE intending to move the 12,500 drums buried before 1971 that is currently contaminating the aquifer to WIPP – such action further endangering the population with the possibility of an accident or spill? When an aquifer is contaminated there is no way to remediate it. What about the tritium, plutonium and other radionuclides found in the canyons on neighboring areas? On top of the Pajarito Plateau is than enormous nuclear waste dump in a fire prone zone. Is the plan to continue the storage of this waste in tents? What happens in the event of a fire or some major weather calamity? Plutonium doesn't burn but carried by the wind it can land on any farmer's land. One particle of plutonium if breathed or otherwise ingested can kill a human or animal.

Why would any rational person or agency want to put a nuclear weapons production facility on top of a windswept mountain, in the middle of a wild fire zone, and at the source of a watershed? Please answer this.

77-1 As the commentor states, LANL's location was selected during World War II because of its isolation. The continuing mission of LANL, starting at that time, has been support of the U.S. nuclear weapons program. As the needs of the U.S. weapons program have changed, so has the role LANL serves in the program. As announced in the ROD for the *Final Programmatic Environmental Impact Statement for Stockpile Stewardship and Management* (DOE/EIS-0236), LANL was selected as the location for re-establishment of a pit fabrication capability partly because of its existing facilities and capabilities (61 FR 68014). NNSA is aware of the potential for wildfire and has undertaken an ongoing wildfire hazard reduction and forest health improvement program, including extensive forest thinning, to reduce wildfire risk. Chapter 5 of the SWEIS describes the air, water, and other types of impacts associated with the three alternatives for operating LANL. As summarized in Chapter 3, Table 3-19, LANL operations are not expected to result in major detrimental impacts to the environment.

77-2 Environmental impacts associated with past operations at Rocky Flats are not the subject of this SWEIS. The interim levels of pit production proposed at LANL are much lower than those conducted at Rocky Flats. Chapter 4, Table 4-26, shows that the cancer incidence and mortality rates in the counties around LANL are comparable to those of the rest of the United States. Chapter 5, Section 5.6, of the SWEIS presents radiological emissions and population radiation dose data associated with projected operations. All projected doses are a small fraction of the normal background radiation dose received by the population in and around LANL.

77-3 DOE currently stores transuranic wastes in both aboveground and belowground configurations in TA-54. These wastes include "newly generated" waste, as well as legacy transuranic wastes that were generated after 1970, but before a transuranic waste disposal facility was available. There is an ongoing program to characterize and prepare these wastes for shipment to WIPP. As discussed in Appendix H, Section H.3, of the SWEIS, LANL follows a program that gives the highest priority to shipping transuranic wastes that present the greatest risk in the event of an accident. NNSA intends to ship all of the LANL legacy transuranic waste to WIPP over the next 10 years. The risks of transporting these wastes and

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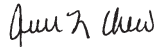
77-1
cont'd

Commentor No. 77 (cont'd): Ann Chew

Something which is not addressed in the SWEIS review is the spiritual and psychological landscape? Why is there such an inordinately high teen suicide rate in Los Alamos? Why did the travesty of Columbine High take place in Littleton Colorado, the bedroom community for the Lockheed Martin plant? Is it just coincidence, or could the water have been contaminated? Chemicals discharged from the plant that are known to cause aggression, neurological disorders, depression, cancers, birth defects, leukemia, and other types of problems, are found in the Columbine Valley. Or is it the soul of a human that has lost all hope for a just and compassionate world? Please before you consider putting this pit production facility here answer these questions. I call for a definitive research project of the towns close to all the weapons production facilities to be done on the psychological effects on children – and adults of WMD facilities.

I do not want to see our children brought up in an environment that condones production of these weapons. I want the children growing up here to see a bright future with possibility of working at the Los Alamos National Laboratory on life-affirming activities, on technologies that bring answers to the real national security issues of global climate change, on the use of renewable energy forms, on technologies for the remediation of the horrific wastes from the nuclear industry that started here and that are causing such suffering here and all over the world. This is a common sense vision that I believe is held by the majority of people in this bio-region.

Sincerely,



Ann Chew
123 Valley Dr
Santa Fe, NM 87501

77-4

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cont'd

77-5

of accidents while the wastes remain in storage are addressed in Chapter 5, Sections 5.10 and 5.12, of the SWEIS. To mitigate the potential for a fire that could affect LANL facilities, a forest thinning program has been implemented, as discussed in Chapter 4, Section 4.1. Wastes buried prior to 1970 are being addressed through the environmental restoration program at LANL. Chapter 2, Section 2.2.6, describes the progress that DOE has made in conducting its environmental restoration program at LANL. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Appendix I of the SWEIS presents options and environmental analyses regarding future remediation activities at LANL that are primarily related to the Consent Order that was entered into on March 1, 2005. These analyses address LANL waste disposal sites and other contaminated areas, including canyons, and provide environmental impact information to facilitate future environmental restoration decisions that will be made by DOE and the State of New Mexico. Appendix I, Section I.3.4.1, summarizes technologies for remediation of groundwater and directs the reader to additional sources of information. NNSA intends to implement actions necessary to comply with the Consent Order regardless of other actions analyzed in the SWEIS.

77-4

NNSA notes the commentor's concerns regarding the possible spiritual and psychological effects of living near U.S. nuclear weapons facilities. Spiritual and psychological effects, however, are not within the scope of this SWEIS. Studies regarding the psychological impacts of living near a DOE facility have not been conducted, and DOE has no plans to perform such studies. There are also no studies that link teenager suicide rates to DOE operations. DOE recognizes that teenage suicide is a complicated nationwide and local social issue, and has provided grants in the past to local organizations to promote free suicide prevention counseling.

77-5

In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in the areas identified by the commentor. These research areas are part of current operations; as such, they are included in the SWEIS under the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 78: Marion Seymour

Ms Elizabeth Withers, EIS Document Manager
Los Alamos Site Office
National Nuclear Security Administration
U.S. Department of Energy
Los Alamos New Mexico

August 14, 2006

Los Alamos National Laboratories was put in a remote area, high in the Mountains because of secrecy during WW2. This location is not appropriate for building nuclear weapons. It is in the middle of a wild fire zone and at the source of a watershed that feeds the Rio Grande/ Bravo River which provides water for 10 million people

78-1

The Nuclear Nonproliferation Treaty, ratified by the USA in 1970 Mandates that all the nuclear arsenals be dismantled in concert with the other Nuclear powers. The USA must take steps to abide by the Treaty.

The Constitution states that all treaties ratified by the United States Shall be the "Supreme Law of the Land" More important than the Legal aspect of our responsibility is the moral issue. There are other Ways of solving conflicts that do not entail loss of life. As a leader of the free world, as we like to think of ourselves, we Have the opportunity to lead by example.

Let us tell the world that there has been enough violence and now Is the time to take a look at other ways. This could be an action Of strength and resolve, not weakness.

78-2

It is a fact that when people feel respected and have the basic necessities Of life, that they are less inclined to join terrorist groups. Our actions Often show great disrespect for large groups of people and so they Feel disdain towards Americans.

Most Americans are ready to see their tax dollars go towards Activities that are educational and healing. There is enough pain and suffering in the world we must not add to it.

Marion Seymour
2300 W. Alameda St D2 Santa Fe N.M 87507



78-1 As the commentor states, the location of LANL was selected during World War II because of its isolation. The continuing mission of LANL, starting at that time, has been support of the U.S. nuclear weapons program. As the needs of the U.S. weapons program have changed, so has the role LANL serves in the program. As announced in the ROD for the *Final Programmatic Environmental Impact Statement for Stockpile Stewardship and Management* (DOE/EIS-0236), LANL was selected as the location for re-establishment of a pit fabrication capability partly because of its existing facilities and capabilities (61 FR 68014). NNSA is aware of the potential for wildfire and has undertaken an ongoing wildfire hazard reduction and forest health improvement program, including extensive forest thinning, to reduce wildfire risk. Chapter 5 of the SWEIS describes the air, water, and other types of impacts associated with the three alternatives for operating LANL. As summarized in Chapter 3, Table 3-19, LANL operations are not expected to result in major detrimental impacts to the environment. In addition, refer to Section 2.6, Offsite Contamination, of this CRD for more information regarding impacts to the Rio Grande River.

78-2 NNSA notes the commentor's statement regarding the need to abide by the Treaty on the Non-Proliferation of Nuclear Weapons. The United States is a world leader in the implementation of the Treaty on the Non-Proliferation of Nuclear Weapons. Stockpile stewardship capabilities at LANL are currently viewed by the United States as a means to further the Nation's nonproliferation objectives and are likely to remain important in future arms control negotiations as the Nation moves to further reduce its overall stockpile size. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 79: Kristin McNamara

August 16, 2006

Ms. Elizabeth Hithers
 Office of Environmental Stewardship
 528 35th Street
 Los Alamos, NM 87544

Dear Ms. Hithers:

I write to protest the plan by the
 US Dept. of Energy, DOE Administration, to
 produce eighty trigger bombs. This
 plan violates the NPT treaty to which
 the United States is a party.

The need of the poor and homeless
 continues to call out for assistance.
 However, the Bush administration
 continues to spend billions on destruction.
 Why? To whose profit?

Sincerely,
 Kristin McNamara
 6218 NDCBU
 Los, NM 87571

79-1

79-1

Pit production at LANL supports stockpile stewardship activities and does not violate the Treaty on the Non-Proliferation of Nuclear Weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 80: Calvin Tribby

From: Calvin Tribby [mailto:ctribby@unm.edu]
Sent: Friday, August 25, 2006 8:51 PM
To: Withers, Elizabeth
Cc: dave@radfreeenm.org
Subject: DOE/NNSA Hearing for Albuquerque

To:
Elizabeth Withers
Office of Environmental Stewardship
U.S. Department of Energy National Nuclear Security Administration
(DOE/NNSA) Los Alamos Site Office
528 35th Street Los Alamos, NM 87544

Ms. Withers,

Decades of nuclear bomb activities and production of nuclear weapons at LANL, New Mexico, has already resulted in the following:

- Release of radioactive waste, chemicals and heavy metals to lakes, rivers, streams and wetlands. This includes the Rio Grande, Albuquerque's future source of drinking water.

80-1

- The ground water that provides drinking water to communities in Northern New Mexico - including Santa Fe - is contaminated with dangerous cancer-causing materials.

- Worker contamination and accidents at LANL are commonplace.

80-2

- LANL facilities are vulnerable to terrorist attacks due to their location above-ground.

- Rocky Flats, the former pit production plant in Colorado, was shut down in 1989 due to severe environmental contamination that will forever prohibit residential development.

Should Albuquerque have a voice in the production of atomic bombs at Sandia National Laboratories and LANL?

80-3

Yes, due to the proximity of Albuquerque to these extreme environmental concerns.

The multi-billion dollar costs of these weapons programs deprive citizens of health care, education, a clean environment and fosters a new international arms race.

80-4

Thanks for your time,

Calvin Tribby
301 Richmond SE
Albuquerque, NM 87106

80-1 NNSA notes the commentor's concern about the releases of radioactive waste, chemicals and heavy metals. Effluents from LANL facilities are discharged in accordance with a National Pollutant Discharge Elimination System permit that establishes limits on the volume and quality of the discharge. As discussed in Chapter 4, Section 4.3.1.2, of the SWEIS, over the past 6 years, LANL has a very good record of complying with permit conditions. Under all alternatives, NNSA would continue to meet permit conditions designed to protect water resources at LANL. As described in Chapter 4, Section 4.3.2, past waste disposal practices at LANL have contaminated the shallow groundwater that in turn has the potential to contaminate portions of the regional aquifer under the Pajarito Plateau. Past disposal of waste was conducted in a manner consistent with standards in effect at that time. As standards have evolved, waste disposal practices have also evolved. Future disposal of waste in Area G would be performed in compliance with applicable regulations. A drinking water pathway analysis has been added to Appendix C, Section C.1.4.2 to address concerns expressed regarding contamination of the Rio Grande. The analysis shows that drinking Rio Grande water that could potentially be impacted by LANL is comparable to drinking water from the Jemez River, which is not downstream of LANL. As described in Chapter 5, Section 5.3.2.1, groundwater modeling performed for the Area G performance assessment indicated that groundwater ingestion doses 330 feet (100 meters) downgradient from Area G at 4,000 years and in Pajarito Canyon at 700 years would be a very small fraction of the 4 millirem per year standard for groundwater protection. NNSA is required to follow the Consent Order of March 2005 that stipulates that groundwater will be protected and that groundwater cleanup levels will be protective of human health. In addition, NNSA operates a monitoring program (described in Chapter 4, Section 4.3.1.5) to detect contamination that has resulted from past practices. NNSA evaluates and takes corrective action for occurrences of contamination in groundwater and surface waters at LANL, in accordance with applicable regulations and agreements. NNSA intends to continue to safely manage waste and conduct environmental restoration activities at LANL as it carries out its missions. Refer to Section 2.5, Water Resources and Section 2.6, Offsite Contamination, of this CRD for more information.

Commentor No. 80 (cont'd): Calvin Tribby

- 80-2** NNSA and its operating contractors have internal organizations dedicated to safe operation of its nuclear facilities. DOE has issued regulations, standards, and guidance for nuclear facility operations including requirements for performance of safety evaluations and risk assessments which become the basis for facility operating parameters. The DOE goal is to eliminate any accidents and these regulations and standards of operations reduce the likelihood of accidents, but do not eliminate them completely. Chapter 4, Section 4.6.3, contains a discussion of accidents and safety at LANL facilities. The LANL contractor applies lessons learned from past accidents to improve overall safety performance. LANL staff takes actions in the areas of procedures, training, inspection, and component upgrading and replacement in order to address the root causes of accidents and preclude recurrences. The impacts of postulated facility accidents, taking into account the likelihood of accidents, are described in Chapter 5, Section 5.12. With regard to terrorism, DOE gives high priority to the safety and security of all its facilities. Security and potential acts of sabotage are integral considerations in the designs and operating procedures for new and existing DOE facilities. DOE considers the threat of terrorist attack to be real and has an established safeguards and security process it undertakes to assess facility vulnerabilities to various threats, including those from intentional destructive acts, such as acts of terrorism. Chapter 4, Section 4.6, of the SWEIS has been revised to include additional discussion of the measures taken to protect assets at LANL from terrorist activities. As discussed in Chapter 5, Section 5.12.6, the impacts of terrorist action have been considered in a separate, classified appendix to the SWEIS.
- 80-3** NNSA notes the commentor's desire that citizens of Albuquerque have input on nuclear weapons production. Citizens have the opportunity through elections and communications with their elected representatives to voice their opinions on U.S. policy related to nuclear weapons production activities at LANL and Sandia National Laboratories. Previously, DOE prepared the *Final Programmatic Environmental Impact Statement for Stockpile Stewardship and Management* (DOE/EIS-0236) (DOE 1996), which evaluates the environmental impacts of the nationwide nuclear weapons complex, including the weapons support activities at LANL and Sandia National Laboratories. Subsequently, environmental impacts of operating the individual sites were evaluated in the *Final Site-Wide*

Commentor No. 80 (cont'd): Calvin Tribby

Environmental Impact Statement for Sandia National Laboratories/ New Mexico (DOE/EIS-0281) (DOE 1999b) and the Final Site-Wide Environmental Impact Statement for Continued Operation of Los Alamos National Laboratory (1999 LANL SWEIS) (DOE 1999a). This new LANL SWEIS addresses the environmental impacts of continued operations at LANL, including the production of the plutonium pits that are used in nuclear weapons. Although there were no public hearings in Albuquerque, other means of providing comment on the Draft SWEIS were provided. Refer to Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

80-4 NNSA notes the commentor's concern regarding the funding priorities of the U.S. Government. The U.S. Congress and the President are responsible for determining funding levels for government programs. This SWEIS evaluates the environmental impacts of the alternatives for continued operation of LANL. Stockpile stewardship capabilities at LANL are currently viewed by the United States as a means to further the Nation's nonproliferation objectives and are likely to remain important in future arms control negotiations as the Nation moves to further reduce its overall stockpile size.

Commentor No. 81: Arthur L. Sargent

From: Arthur Sargent [mailto:sargent@kitcarson.net]
 Sent: Sunday, September 17, 2006 8:16 AM
 To: LANL_SWEIS
 Subject: Comment

Living in Taos -- way too close to LANL and the planned expansion of production of plutonium pits -- I am opposed to such plans. The Lab's tragic history of environmental violations, lack of concern for employee well being and water table pollution leaves the Lab with zero credibility.

Instead of increased plutonium pit production the Lab would better serve the interests of the nation and New Mexico, if it made a priority:

1. to clean the environmental damage done to date and just waiting to happen in unsafe burial pits;
2. develop alternative sustainable clean energy sources; and
3. ways and means to reduce world levels of nuclear weapons.

Sincerely

Arthur L. Sargent

81-1

81-2

81-1
cont'd

81-1 NNSA notes the commentor's opposition to expanded pit production and desire for activities at LANL to be focused on areas other than those related to nuclear weapons production. Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. In addition to these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Chapter 2, Section 2.2.6, of the SWEIS describes the progress that NNSA has made in conducting its environmental restoration program at LANL. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Appendix I of the SWEIS presents options and environmental analyses for conducting future remediation activities at LANL primarily related to the Consent Order that was entered into in March 2005. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for additional information.

81-2 Chapter 4, Section 4.6.2, of the SWEIS presents detailed information about LANL worker historical radiation exposure as well as occupational injury and illness rates. The data in Table 4-28 shows that from 1999 to 2005, the average annual dose to workers with a measurable dose was less than 100 millirem, or less than 20 percent of annual normal background radiation. Worker injury and illness rates in recent years (see Table 4-30) were less than 50 percent of those reported in 1996 and 1997. LANL has a comprehensive system of designs, procedures, operations, and monitoring to protect workers and the health of the community. These are illustrated in the discussion of specific historical accidents in Chapter 4, Section 4.6.3. The final LANL Public Health Assessment, issued on August 31, 2006, by the U.S. Department of Health and Human Services Agency for Toxic Substances and Disease Registry, shows that, "there is no evidence of contamination from LANL that might be expected to result in ill health to the community" (ATSDR 2006).

Commentor No. 81 (cont'd): Arthur L. Sargent

Chapter 4, Section 4.3, of the SWEIS addresses environmental standards for surface and groundwater quality and LANL compliance with these standards. Sections 4.4.2 and 4.4.3 address air quality standards and compliance. Compliance with applicable Federal and State environmental standards is also documented in annual LANL environmental surveillance reports. NNSA is continuing to remediate past releases of radionuclides and hazardous constituents and reduce current releases. NNSA also conducts a waste minimization and pollution prevention effort at LANL as summarized in Chapter 4, Section 4.9.

Commentor No. 82: Dorelen Bunting

From: Dorie Bunting [mailto:dbunting3@earthlink.net]
Sent: Friday, August 25, 2006 12:31 PM
To: Withers, Elizabeth
Subject: SWEIS hearings 8/25/06

Dear Ms Withers, I am writing to request that you schedule hearings in Albuquerque on the LANL SWEIS.

Sincerely, Dorelen Bunting

82-1

82-1

NNSA notes the commentor's desire for a public hearing in Albuquerque. Although there were no public hearings in Albuquerque, other means of providing comment on the Draft SWEIS were provided, such as U.S. mail, e-mail, a toll-free telephone line, and a toll-free fax line. It should be noted that all comments, whether written or provided orally, are given equal weight and consideration. See Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

Commentor No. 83: Anne MacNaughton

From: Anne MacNaughton [mailto:macnaugt@laplaza.org]
Sent: Saturday, August 26, 2006 10:33 AM
To: LANL_SWEIS
Cc: senator_bingaman@bingaman.senate.gov; Senator_Domenici@domenici.senate.gov; web@doeal.gov; Domenici@doeal.gov
Subject: NO on expanded LANL facilities

No new bomb pit production in New Mexico!
We already said that, in 2004.
LANL must clean up the existing facility. Now.

The Rio Grande corridor is populated and is a significant watershed, both culturally and biologically. This is not the location in which to generate thousands of pounds of transuranic waste.
Find a more remote site for this kind of activity.

Sincerely, Anne MacNaughton
New Mexico Congressional District 3
Anne MacNaughton
Box 7120 NDCBU
Taos, NM 87571
XXX-XXX-XXXX

83-1

83-2

83-1 NNSA notes the commentor's opposition to pit production in New Mexico. Chapter 2, Section 2.2.6, of the SWEIS describes the progress that NNSA has made in conducting its environmental restoration program at LANL. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Appendix I of the SWEIS presents options and environmental analyses for conducting future remediation activities at LANL primarily related to the Consent Order that was entered into in March 2005. These analyses address LANL waste disposal sites and other contaminated areas and provide environmental impact information to facilitate future environmental restoration decisions that will be made by the New Mexico Environment Department. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for additional information.

83-2 NNSA notes the commentor's concern about LANL's location, which was selected during World War II because of its remoteness and isolation. The SWEIS addresses alternatives for continued operation of LANL. The purpose of the continued operation of LANL is to provide support for DOE's core missions as directed by the Congress and the President. Relocation of LANL is not within the scope of the SWEIS. Refer to Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for more information.

Commentor No. 84: Ed Johnson

From: Ed & Karen Johnson [mailto:johnsons@highstream.net]
Sent: Thursday, September 14, 2006 8:14 AM
To: LANL_SWEIS
Subject: No Nukes

The world has no need for nuclear weapons. The USA should lead the way and dismantle all of its nuclear weapons, since we were the first country to commit mass murder in this way. It is time to turn away from violence.

Regards,

Ed Johnson

Imagine...nothing to kill or die for

84-1

84-1

NNSA notes the commentor's opposition to nuclear weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 85: Patrick Burns

From: Patrick Burns [mailto:gpsburns@msn.com]
Sent: Wednesday, August 23, 2006 8:22 PM
To: LANL_SWEIS
Subject: new plans

Please read attached.

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Commentor No. 85 (cont'd): Patrick Burns

CRY-BABY

J. Robert Oppenheimer, the first director at Los Alamos went to visit President Truman after the United States became the only nation to have ever used the weapons of mass destruction he and his Manhattan Project peers developed and said, "I feel we have blood on our hands." Truman takes his handkerchief out of his pocket and offers it to Oppenheimer and replied, "Well, here, would you like to wipe your hands? The blood is on my hands. Let me worry about that. Never mind, it'll all come out in the wash." Truman is said to have later called Oppenheimer a "crybaby."

Oppenheimer tried to put the genie back in the bottle. He pushed for an association to be formed that had representatives from all nations, and while this was being done, "no bombs be made." International control of nuclear energy was being proposed to prevent a massive stockpile buildup. This upset the war machine He had his security clearance revoked in 1954 and for 13 years had wiretaps and was under surveillance. Decades later when he was asked by a newsman if President Johnson should heed Robert Kennedy's advice and initiate talks with the Russians to halt the spread of nuclear energy, Oppenheimer replied: "It's 20 years too late. It should have been done the day after Trinity."

At the lab's Bradbury Museum in Los Alamos, it tells us there are about 200 tons of plutonium in weapons or weapon parts and about 1,200 tons in existence. "We try to just focus on the science," museum spokesperson John Rhoades said. "Yet we know people are bringing in with them these big issues in their mind: Why do we still have nuclear weapons? The Russians went away; what are you guys still doing here? Those are questions that beg an answer, and we're trying to do something about that."

The good news is that nuclear bombs have not been used since the end of World War II. The irony is that the real Frankenstein that could destroy its creator probably won't be bombs, but the unbelievably frightening mess that has been created manufacturing all these weapons. Los Alamos keeps three tons of "strategic" plutonium on reserve and production of pits on the Hill (something Los Alamos gave up over four decades ago) has begun and there are plans to expand this work big-time.

The pits had been manufactured at Rocky Flats Nuclear Weapons Plant for the past 40 years until hundreds of violations of environmental laws caused it to close for good in the early 1990's. In the 1980's at Rocky Flats Colorado, the drums used to store the waste materials began deteriorating. The plant began discharging radioactive wastes in drinking water and secretly burning material in an incinerator that was supposed to be shut down. Rockwell International, the contractor who ran the plant, was given an \$8.6 million government bonus for disposing waste in such an efficient manner.

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Commentor No. 85 (cont'd): Patrick Burns

Already, Chromium, which can cause cancer when ingested, was located at four times the drinking-water standard in one monitoring well near the lab.

The Department Of Energy maintains this new work in Los Alamos of producing new "pits" is needed for "stockpile stewardship." Activists call it "welfare for wealthy weaponeers."

Because of the Lab, Los Alamos County, has the highest median income at in the country at over \$93,000. The rest of the state falls near the bottom nationally. The lab employs more than 8,300 and with about 3,000 additional contract workers, is northern New Mexico's largest institution. It has an annual budget of more than \$2 billion.

Which makes me, like Oppenheimer, a cry-baby. If the mission at Los Alamos was changed to end global warming, cut our addiction to fossil fuels, or feed the world, perhaps the world-class scientists with their seemingly bottomless well of financing could become a positive force in shaping the 2000's.

85-1

85-2

85-1

As described in Chapter 4, Section 4.3.2.2, in 2005 chromium concentrations between 375 and 404 parts per billion were detected in Well R-28 in the regional aquifer below Mortandad Canyon. Additional sampling in 2006 indicates that chromium contamination is present in the regional aquifer in a limited area beneath Sandia and Mortandad Canyons and in perched groundwater beneath Mortandad Canyon. Chromium contamination was not detected in water-supply wells. In recognition of these results, the LANL contractor has prepared an *Interim Measures Work Plan for Chromium Contamination in Groundwater* (LANL 2006a), which lays out plans for data collection and modeling as a basis for selecting and implementing a remedy. Refer to Section 2.5, Water Resources, of this CRD for more information.

85-2

Cessation of NNSA's core mission activities would be counter to national security policy as established by the Congress and the President; therefore, ending these activities at LANL is not being considered for this LANL SWEIS. Activities that support research of global warming, energy independence, and other initiatives are conducted at LANL. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

**Commentor No. 86: David B. McCoy, Assistant Director,
Citizen Action New Mexico**

From: Dave McCoy [mailto:dave@radfreenm.org]
Sent: Wednesday, August 23, 2006 9:26 AM
To: Withers, Elizabeth; LANL_SWEIS
Subject: LANL SWEIS Hearing for Albuquerque

August 22, 2006

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
 ewithers@doeal.gov and LANL_SWEIS@doeal.gov

Dear Ms. Withers:

Citizen Action New Mexico notes that an additional 15 days was made available for comments to the Los Alamos National Laboratory Site-Wide Environmental Policy Act (LANL SWEIS). We believe that this period is inadequate because the DOE has failed as yet to hold a public hearing in the Albuquerque area regarding the LANL SWEIS. We believe that the failure to hold a hearing in Albuquerque represents a violation of the National Environmental Policy Act. If the DOE persists in not holding a hearing here, we intend to challenge the LANL SWEIS under the NEPA, the Administrative Procedures Act and the Due Process Clause.

Citizen Action does not view the failure to hold public hearings in Albuquerque as a discretionary matter to be decided by the DOE, but rather as a duty of DOE to comply with the intent and policy of the NEPA. As explained to you earlier, the LANL SWEIS involves a connected action which will automatically trigger other actions at Sandia National Laboratory (SNL) with a potentially significant effect on the environment. The actions at LANL and SNL are an interdependent part of a larger action of bomb making activities in New Mexico and nationally that have had a devastating impact on, for example, water resources, release of hazardous and radioactive wastes, and storage and disposal of wastes.

At the Idaho National Laboratory (INL), the DOE has repeatedly held public hearings in Jacksonhole, Wyoming, a town of no more than 10,000 residents that is more than 125 miles from the INL. The DOE has no excuse for failing to hold hearings in Albuquerque, NM, a major metropolis of 600,000 people at 60 miles from LANL and having the Sandia National Laboratory that is closely associated with LANL in its operations.

86-1

86-1 NNSA notes the commentor's position regarding public meetings related to the LANL SWEIS. Although no public hearings on the Draft LANL SWEIS were held in Albuquerque, New Mexico, other means of commenting on the Draft SWEIS were provided. See the discussion in Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

Additional information was included in Appendices C and D regarding the potential radiological impacts of air emissions and contaminants in the Rio Grande on people remote from LANL. This information indicates that the LANL SWEIS analysis correctly focuses on air impacts in the vicinity of LANL (generally within 50 miles) and notes that extending beyond that distance would only add a few percent to the collective dose in spite of the large number of people potentially affected. Similarly, information shows that drinking water from the Rio Grande, which could be impacted by LANL, is comparable to drinking water from the Jemez River, which is not downstream of LANL.

Previously, DOE prepared the *Final Programmatic Environmental Impact Statement for Stockpile Stewardship and Management* (DOE/EIS-0236) (DOE 1996), which evaluated the environmental impacts of the nationwide nuclear weapons complex, including weapons support activities at LANL and Sandia National Laboratories. Subsequently, the environmental impacts of operating the individual sites were evaluated in the *Final Site-Wide Environmental Impact Statement for Continued Operation of Los Alamos National Laboratory* (1999 LANL SWEIS) (DOE 1999a) and the *Final Site-Wide Environmental Impact Statement for Sandia National Laboratories/New Mexico* (DOE/EIS-0281) (DOE 1999b).

**Commentor No. 86 (cont'd): David B McCoy, Assistant Director,
Citizen Action New Mexico**

Moreover, the issues presented by the LANL SWEIS involve effects of national concern and require notice in the Federal Register under the Council on Environmental Quality Regulation §1506.6 Public Involvement. Please be so kind as to furnish us with a copy of the Federal Register notice the DOE filed regarding the LANL SWEIS.

86-2

CEQ Regulations, §1501.8 "Time Limits" states, "Federal agencies are encouraged to set time limits appropriate to individual actions."

Federal agencies may consider the following factors while determining the appropriate time periods:

- Potential for environmental harm
- Size of the proposed action
- Number of persons and agencies affected
- Degree to which relevant information is known and if not known the time required for obtaining it
- Degree to which the action is controversial.

The minimal statutory requirement for any ordinary EIS is 45 days. The SWEIS is voluminous, some five inches high, in all comprising approximately 2,000 pages containing often dense material. We request that you take these factors into consideration.

86-2
cont'd

Thank you.

Sincerely,

David B. McCoy
Assistant Director
Citizen Action New Mexico
PO BOX 4276
Albuquerque, NM 87196-4276
XXX-XXX-XXXX

-----Original Message-----

From: Withers, Elizabeth [mailto:ewithers@doeal.gov]
Sent: Tuesday, August 01, 2006 3:46 PM
To: Dave McCoy
Subject: RE: Los Alamos Site-Wide Environmental Impact Statement (LANL SWEIS).

Thank you - your e-mail message has been received and will be given due consideration. Elizabeth Withers, LANL SWEIS Document Manager

86-2

NNSA published a *Federal Register* Notice announcing the availability of the Draft LANL SWEIS on July 7, 2006 (71 FR 38639). Responding to requests for additional review time, NNSA extended the comment period from the original 60 days to 75 days. Refer to Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

Commentor No. 86 (cont'd): David B McCoy, Assistant Director,
Citizen Action New Mexico

From: Dave McCoy [mailto:dave@radfreenm.org]
Sent: Tuesday, August 01, 2006 11:17 AM
To: LANL_SWEIS
Cc: dave@radfreenm.org
Subject: Los Alamos Site-Wide Environmental Impact Statement (LANL SWEIS).

8/1/2006

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.

Dear Ms. Withers,

Citizen Action New Mexico notes with interest that the Los Alamos Site-Wide Environmental Impact Statement (LANL SWEIS) presentations will be given at three locations, none of which include a location in Albuquerque.

86-1
cont'd

We are requesting that the period for comments be extended for an additional thirty (30) days until October 5, 2006 and that the Department of Energy provide its presentation in the Albuquerque area. Albuquerque is the major population center of New Mexico, located 60 miles distant from LANL, with many citizens and organizations concerned with nuclear weapons issues. There is extensive public concern over environmental contamination, transport, waste storage, nuclear proliferation, potential terrorism and violation of international treaties.

86-2
cont'd

We note that the DOE failed to provide environmental scoping meetings for the LANL SWEIS and has no plans to host a public hearing for the LANL SWEIS in Albuquerque. This is despite the fact that the Sandia National Laboratories may be directly involved in implementing activities which would be related to increased pit production at LANL. We consider that these possible cumulative actions and effects must be considered in an EIS. The connected actions analysis is required even if the environmental effects of the proposed action are not significant.

86-1
cont'd

We would appreciate a timely response to this e-mail and await the date and location where DOE will provide its presentation in Albuquerque.

Thank you.

Sincerely,
David B. McCoy
Assistant Director
Citizen Action New Mexico
(XXX)-XXX-XXXX

Comment side of this page intentionally left blank.

Commentor No. 87: Edgar and Catherine Meyer

From: Edgar Meyer [mailto:medel_em@yahoo.com]
Sent: Tuesday, August 22, 2006 5:07 PM
To: LANL_SWEIS
Subject: EPA-EIS 2006027, DOE-EPA 0380

Draft LANL_SWEIS Comments
EPA-EIS 2006027
DOE-EPA 0380

Although my wife and I are opposed to the proposed expansion of plutonium trigger production capacity, the specific issue here is the release of toxic and radioactive substances into the soil, air, and water.

Besides being illegal, such continuing and proposed increased release of these toxic substances is detrimental to this country and its citizens, especially the young and those unborn for the countless generations spanning the half-life of numerous nuclear daughter elements.

The environmental impact of the proposed releases is unhealthy; it must be vehemently opposed, the impact of this response. Is the health and the lives of those downstream and downwind of such little value to you?

We urge you to oppose this expansion.

Sincerely,

Edgar and Catherine Meyer
508 Verde Road
Taos, NM 87571

Edgar F. Meyer
Professor Emeritus, Texas A&M University
Adjunct Professor, UNM-Taos
508 Verde Road
Taos, NM 87571
<http://molecular-sculpture.com>

87-1

87-1

NNSA notes the commentor's opposition to expansion of LANL pit production capacity under the Expanded Operations Alternative, but does not agree with the statement that its operations are illegal. NNSA operates LANL as directed by the President and the Congress and complies with the laws and regulations of the Federal government and the State of New Mexico. Chapter 5, Section 5.6, of the SWEIS addresses the health impacts of proposed construction and operations at LANL. Annual radiological releases to the air from routine operations under the Expanded Operations Alternative would result in a projected dose to the maximally exposed individual of less than 8.2 millirem, which corresponds to an increased risk of developing a latent fatal cancer of about 1 chance in 203,000 (4.9×10^{-6} per year).

Commentor No. 88: Christopher M. Timm, PE

From: Cmtimmpe@aol.com [mailto:Cmtimmpe@aol.com]
 Sent: Tuesday, August 22, 2006 4:02 PM
 To: LANL_SWEIS
 Subject: LANL SWEIS comments

Ms. Elizabeth Withers:

The major concern that I have with the Site-Wide EIS is that it does not adequately evaluate whether the decisions reached as a result of the previous Site-Wide EIS, particularly those related to waste management, are still valid under present day conditions. Specifically, the decision to expand Area G in TA-54 should be vigorously re-examined in light of the continuing discovery of new groundwater pollution problems directly related to LANL operations and the improvements in waste management. There is no defense for knowingly leaving both pre-1970 TRU wastes as well as thousands of cubic feet of radioactive mixed waste in landfill directly above a major water supply aquifer. The sense of the nation over the past 10 years has been to locate and operate radioactive and hazardous waste disposal sites where they would have minimal affect on the environment for thousands of years into the future. This sense has resulted in the Waste Isolation Pilot Plant and comparable nationally oriented disposal sites. Therefore, the continued insistence on disposing of radioactive and mixed waste at LANL is out of sync with the nations preference. Further, no commercial production or R&D facility comparable to LANL maintains their own on-site landfills. They have found that it is safer across the full range of ES&H aspects to dispose of their radioactive and hazardous wastes in licensed off-site disposal facilities. LANL should take the responsible position and proactive lead to propose the same approach and this SWEIS is the ideal vehicle for that approach.

I also have specific comments on the SWEIS which are attached.

Thank you,
 Christopher M. Timm, PE
 (XXX) XXX-XXXX - cellular

88-1

88-1

DOE's decision to expand waste management into Area G, Zones 4 and 6 was included in the ROD for the 1999 SWEIS (64 FR 50797), and as such, is part of the No Action Alternative of the new SWEIS; the current SWEIS is not revisiting this decision. Past practices at LANL have resulted in contamination of shallow groundwater that has a potential of contaminating the regional aquifer under Pajarito Plateau. Past disposal of waste was conducted in a manner consistent with contemporary standards. As standards have evolved, waste disposal practices have also evolved. NNSA intends to continue to safely manage waste and conduct its environmental restoration at LANL as it carries out its national security and other missions. NNSA intends to comply with the Consent Order of March 2005 that stipulates that groundwater will be protected and that cleanup levels of the groundwater will be maintained for human health. NNSA is committed to protecting drinking water sources. Refer to Section 2.5, Water Resources, and Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

88-2

88-2

Although LANL operations generate low-level radioactive, mixed low-level radioactive, and transuranic wastes, only low-level radioactive waste is disposed of onsite at LANL. Mixed low-level radioactive waste is disposed of offsite at facilities permitted for both radioactive and hazardous constituents. Transuranic waste is transported to the Waste Isolation Pilot Plant. The decision to continue onsite disposal of low-level radioactive waste at LANL was made as part of a programmatic EIS on DOE's waste management program. DOE determined that low-level radioactive waste would be disposed of at two regional facilities (Hanford and the Nevada Test Site), as well as some decentralized facilities, such as LANL (65 FR 10061).

Commentor No. 88 (cont'd): Christopher M. Timm, PE

Comments on Draft LANL Site Wide EIS
August 13, 2006

Summary Volume

1. Page S-5, Figure S-2. Within the Plus Box of this figure, the third bullet should be revised to indicate the new or expanded projects will be implemented in support of decommissioning or site closure activities. **88-3**
2. Page S-7. The paragraph entitled “*Waste Management Facilities Transition Project*” should include a statement indicating that TA-54/Area G will be expanded for the continued disposal of low-level radioactive wastes. **88-4**
3. Page S-7. Footnote 3 on this page could be interpreted that the NNSA is not legally obligated to fulfill the Consent Order. The statement should be restated to eliminate that possible impression. **88-5**
4. Page S-14. Section S.5.2. TA-54 should be recognized as a key facility due to the plans to leave a large amount of radioactive waste buried above a major public water supply aquifer for eons to come. **88-6**
5. Page S-24. Section S.7 The substantial increase in the number of employees over projected should not be presented as a neutral or beneficial impact from an environmental perspective since the employee growth has increased demands on a very scarce resource, water, worsened traffic, and put additional stress on the ecology of the surrounding area. **88-7**
6. Page S-25, Table S-3. Under Land Resources, the estimated area for the Area G expansion is stated to be 41 acres, which does not agree with the area estimate of 72 acres shown in the Waste Management and Pollution Prevention section of this table on page S-35. Which is correct? **88-8**
7. Page S-29, Table S-3. There is no discussion of impacts or changes in quality in the Groundwater section. The facts that there has been identification of groundwater contamination above standards (chromium) and of organic compounds not previously found should both be acknowledged in this section. **88-9**
8. Page S-33, Table S-3. The increase in the employment levels to levels higher than projected has impacted environmental justice in that these are generally higher paid employees who are buying the available real estate in the area of LANL and forcing the lower income people to live further away with a consequent increase in their commuting costs and an increase in the likelihood of serious accidents while commuting (more time on the road = greater probability of accident). **88-10**

- 88-3** Summary, Figure S–2, and Chapter 1, Figure 1–3, have been revised to clarify that site closure and remediation activities are “new or accelerated.” The language selected acknowledges a revised approach to environmental remediation in accordance with the requirements of the Consent Order.
- 88-4** The paragraph cited by the commentor on page S-7 of the Draft LANL SWEIS for the Waste Management Facilities Transition Project identifies actions that could be taken that have not been previously reviewed under NEPA. This includes providing new low-level radioactive waste management facilities in TA-54, as identified in the paragraph. These proposed new facilities would support operations for the low-level radioactive waste disposal area expansion. As summarized in Table S–3 of the SWEIS Summary, the low-level radioactive waste disposal area expansion of Area G was analyzed in the 1999 SWEIS and a decision on the expansion of waste disposal into Zones 4 and 6 of Area G was issued in the ROD based on that impact analysis. The use of Zones 4 and 6 for low-level waste disposal is then part of the No Action baseline for operations at LANL and NNSA does not expect to reverse or modify the 1999 decision based on this new 2008 SWEIS. Area G needs to be expanded westward, initially into Zone 4, to be able to site the new low-level radioactive waste processing facilities, which is discussed in Appendix H, Section H.3.2.2.4, of the SWEIS.
- 88-5** Chapter 1, Section 1.4, of the SWEIS indicates that NNSA intends to implement actions necessary to comply with the Consent Order, regardless of decisions made on other activities analyzed in the SWEIS. A text box has been added to the Summary to explain this.
- 88-6** TA-54, along with TA-50, is included in the Key Facility entitled “Waste Management Operations: Solid Radioactive and Chemical Waste Facilities.” The titles of Key Facilities are brief and do not include the associated technical areas. Figure S–4 in the Summary identifies the Key Facility technical areas and includes TA-54. Please see Chapter 2, Section 2.4.14 for a complete description of the Key Facility entitled “Waste Management Operations: Solid Radioactive and Chemical Waste Facilities.”
- 88-7** It is stated in the Summary, Section S.7, that the number of LANL employees has exceeded the projections from the 1999 SWEIS and specifically that “a larger number of employees increases the tax base and

Commentor No. 88 (cont'd): Christopher M. Timm, PE

9. Page S-35, Table S-3. The actual impacts discussion in the Waste Management and Pollution Prevention section should address whether the objectives for removal, repackaging, and off-site disposal were met. In particular, it should indicate whether or not all the low-level mixed radioactive waste was sent off-site by the end of 2005 as stated in the DOE Five Year Plan for Environmental Management, page 84.
10. Page S-42, Table S-4. The discussion under Waste Management Operations: Solid Radioactive and Chemical Waste Facility should discuss the planned Area G expansion and particularly discuss why the same expansion would be required under the Reduced Operations Alternative.
11. Page S-47. Air Quality. This section does not address the impacts on air quality related to the increased commuter miles required under the Expanded Operations Alternative. The discussion on Page S-50 under Socioeconomics indicates that the increase in staff would result in growth in Santa Fe and Rio Arriba County which in turn would result in a significant increase in emissions of air pollutants due to the daily commutes to LANL.
12. Page S-50. Socioeconomics. This section ignores the potential impacts on the 'second ring' of counties, namely: San Miguel and Sandoval Counties under the Expanded Operations Alternative. The cost of housing in Santa Fe and Los Alamos will force many of the new employees to live in one of those three counties but the tax revenue will probably be disproportionate since the most of the sources of retail items are in other counties. Thus, the strain on local resource, such as law enforcement, may require tax increases.
13. Page S-51. Waste Management. First comment: The discussion about the No Action alternative only mentions the expansion into Zone 4 of Area G. Does this mean that there would not be any expansion into Zone 6 as was planned by the 1999 SWEIS? (See Table S-3 on Page S-35). Second comment: This section should state whether the expansion of Area G would be required under the Reduced Operations Alternative. Third comment: The last paragraph of this section recognizes that the volumes of low-level radioactive waste that may be generated during cleanup would be more than can be disposed at LANL and indicates that the SWEIS included an analysis for off-site disposal. That analysis should have evaluated the environmental benefits and impacts of disposing of all radioactive wastes off-site rather than just those wastes generated by cleanup.

88-11

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88-15

results in a higher level of economic activity.” No other statement is made or implied that site employment has a neutral or beneficial impact on any other resources. As further stated in the second paragraph of Section S.7, projected impacts from the 1999 SWEIS are compared to actual changes in resources in Table S-3 of Section S.7 to include changes in infrastructure requirements and ecological resources.

- 88-8** Forty-one acres is the amount of land that would be disturbed for low-level radioactive waste disposal whereas 72 acres is the area of land designated or reserved for waste disposal. Table S-3 (and Table 2-5) has been revised to clarify this difference.
- 88-9** The table summarizing past performance relative to the 1999 SWEIS projections has been revised to reflect the detection of chromium in the regional groundwater.
- 88-10** NNSA is not aware of any data that would support the statement that lower income people in the area of LANL are being disproportionately forced to live further away from their place of employment. Increases in employment at LANL generally help the regional economy through the creation of higher paying direct jobs that lead to the creation of additional indirect jobs as funds flow into the local economy.
- 88-11** The intent of Summary Table S-3 is to compare actual impacts and performance changes with projections in the 1999 SWEIS rather than with objectives defined in the DOE Five Year Plan for Environmental Management. Consistent with the impacts discussion of the 1999 SWEIS, the waste management impacts were defined in terms of quantities generated for each waste type. Specific management objectives, such as removal or repackaging goals, are useful to measure progress or efficiency, but are not indicators of environmental impacts, provided that storage space and management practices are adequate. Requirements for the treatment and disposal of mixed low-level radioactive waste are established under the Site Treatment Plan, a requirement under the Federal Facility Compliance Order administered by the New Mexico Environment Department. All Site Treatment Plan deadlines and milestones for mixed low-level radioactive waste were met in 2005.
- 88-12** The disposal statement in the Summary, Table S-4, under Waste Management Operations: Solid Radioactive and Chemical Waste Facility

Commentor No. 88 (cont'd): Christopher M. Timm, PE

14. Page S-65, Table S-5. First comment: The Waste Management Section of this table is mis-leading in that all the categories of TRU waste are not included under the TRU waste heading – namely liquid TRU wastes are included under the low-level radioactive waste category. It would be expected that this TRU waste would be treated and converted to a form acceptable for the WIPP and the resultant volume should be presented. Second comment: Since waste units are given in both volumetric terms and generations terms over time (volumes/year), it is not clear if the quantities shown for a given waste category are the totals for ten years or the yearly totals. For example, is the liquid TRU waste volume expected to be 30,000 gals per year or 30,000 gallons for the ten year period?

88-16

15. Page S-69. Water Resources. This section does not address the cumulative impacts of any of the alternatives. All alternatives involve either construction or D.D. & D which would have some potential impact on the water resources ranging from stormwater runoff impacts to the potential impacts of spills or leaks during those activities. In addition, the increased activities envisioned for LANL under either the No Action or Expanded Operations Alternatives would increase water use by LANL which would impact the groundwater in terms of diminishing availability and may impact groundwater quality by the continued extraction of high quality groundwater thereby enhancing the movement of contaminated groundwater.

88-17

88-18

16. Page S-71. Waste Management. First Comment: The projected TRU waste volume (37,000 cubic meters) can not be correlated with the volumes listed in Table S-5, page S-64 for the Expanded Operations Alternative; which is correct? Second comment: The last sentence of this section infers that new facilities to dispose of TRU wastes would be built at LANL under Expanded Operations Alternative. This does not agree with earlier statements that only low-level radioactive wastes will be disposed at LANL and with the DOE Five Year Plan for EM.

88-19

88-20

17. Page S-86. Summary of Impacts. The discussion should make the intent of DOE clear with respect their plans for LANL should additional low-level and TRU radioactive waste disposal capacity be needed. Basically, the discussion should indicate if the intent is to locate those facilities at LANL or to assume off-site disposal. Further, the impacts should be evaluated as appropriate with respect to transportation, etc. Note: the discussion in Table S-18 under the Removal Option indicates that the increased volume of low-level radioactive waste would require use of off-site disposal capacity but does not address the disposal of the TRU waste even though it has been acknowledged earlier that WIPP may not be able to accommodate the increased volume.

88-21

has been supplemented to acknowledge that Area G disposal operations will be expanded into Zones 4 and 6 as necessary. Because this is a summary table, no discussion has been added to the Reduced Operations description to explain why Zone 4 expansion is included in this alternative. Regarding the first comment, plans are to expand first into Zone 4 and then into Zone 6 as needed. Note that Chapter 3, Section 3.1.3.15, acknowledges that Zone 6 is available for future expansion. Regarding the second comment, a statement has been added to Summary Section S.9.1, Waste Management, that acknowledges that low-level radioactive waste will continue to be generated under Reduced Operations and that expansion of disposal operations into Zones 4 and 6, as necessary, will be undertaken to provide disposal capacity.

88-13

Text has been added to the Summary, Section S.9.1, and Chapter 5, Section 5.4.1.3, to discuss the potential increase in emissions from increases in commuter traffic to LANL. Increased employment of 2.2 percent per year under the Expanded Operations Alternative could result in increases in LANL commuter-specific vehicle emissions from additional employee vehicles commuting from Santa Fe and Rio Arriba County and other locations. The actual change in overall traffic emissions due to the Expanded Operations Alternative would be much less than 2.2 percent since LANL-specific traffic is only a portion of the overall regional traffic volume.

88-14

If new LANL staff increasingly move into counties such as San Miguel or Sandoval, this would likely increase the average level of income in these counties given the higher average salary associated with LANL employees and, as such, a higher tax base would result. Also, as higher income employees moved into these counties, the increased demand for retail items locally would be likely to result in the eventual opening of new retail sources to serve the increased demand.

88-15

The SWEIS analyzes impacts of transporting low-level and mixed low-level radioactive wastes at on- and offsite disposal facilities. (Disposal of mixed low-level radioactive wastes at LANL is not currently authorized.) The SWEIS also analyzes impacts of transporting solid, chemical, and transuranic wastes to offsite treatment and disposal facilities. The Waste Management subsection of the Summary, Section S.9.1, has been modified to indicate that the SWEIS includes analyses of transporting

Commentor No. 88 (cont'd): Christopher M. Timm, PE

solid, chemical, and all radioactive wastes to offsite treatment and disposal facilities.

- 88-16** A header was inadvertently omitted from this table. The liquid wastes, both transuranic and low-level radioactive, should have appeared following the header "Liquid Radioactive Waste." This header has been added to Summary Table S-5 of the Final SWEIS. Additional details on the types and quantities of liquid waste, and resulting solidified waste, are presented in Chapter 5, Tables 5-40, 5-43, and 5-48, for each of the alternatives.
- 88-17** The quantities for radioactive liquid waste in the Draft SWEIS Summary Table S-5 represent annual quantities. For consistency with other waste quantities reported on the table, these values have been modified for the Final SWEIS to reflect generation over 10 years. Corresponding changes have been made to Chapter 3, Table 3-19, and Chapter 5, Table 5-37, in the Final SWEIS.
- 88-18** Additional detail on cumulative impacts on water resources is included in Chapter 5, Section 5.13. This section includes a discussion of sediment contamination from the past 50 years. Sediment contamination from LANL activities is reflected in water quality in the receiving streams. Current water quality monitoring indicates that state water quality standards are not exceeded in downstream reaches of the Rio Grande, and existing water quality is expected to improve over time. Additionally, LANL staff manages stormwater runoff from both industrial and construction activities under Stormwater Pollution Prevention Plans. NNSA requires cleanup of any spills or leaks, monitoring of surface water runoff, and implementation of best management practices for the control of stormwater runoff quality and quantity. Additional detail on stormwater management at LANL is included in Chapter 4, Section 4.3.1.3, Stormwater Runoff. Movement of groundwater contamination is also discussed in Chapter 5, Section 5.13. However, questions about the rate and direction of contaminant movement must be more thoroughly investigated before the cumulative effect on groundwater resources can be evaluated. Section 5.13 discusses the LANL studies planned or underway to evaluate contaminant movement in groundwater. Availability of groundwater for LANL operations was analyzed cumulatively and is presented in Table 5-83 of Section 5.13, which has been revised in the

Commentor No. 88 (cont'd): Christopher M. Timm, PE

Final SWEIS. Since the Draft SWEIS was issued, DOE has removed a modern pit facility from further consideration at LANL. Without the contribution from a modern pit facility, LANL operational demands combined with the larger and growing demands of other Los Alamos County users are not projected to exceed the currently available water rights managed by Los Alamos County as presented in revised Table 5–83. Further, LANL’s projected water demands under the Expanded Operations Alternative would remain within LANL’s water use target ceiling of 542 million gallons (2,050 million liters) per year as discussed in Chapter 5, Section 5.8. Refer to Section 2.8, Water Use, of this CRD for more information on LANL’s water use, available water rights, and water supply planning.

88-19 Table S–5 of the Summary includes waste quantities associated with three alternatives for the continued operation of LANL as defined in the SWEIS. The quantity of transuranic waste cited in Section 5.9.2, Waste Management, of the SWEIS Summary is the maximum value estimated for cumulative waste generation. At the time the Draft SWEIS was prepared, the cumulative values included waste generation from the continued operation of LANL, plus waste generation from a modern pit facility. NNSA has since announced the cancellation of the *Supplemental Environmental Impact Statement on Stockpile Stewardship and Management for a Modern Pit Facility* with the Notice of Intent to prepare a *Supplement to the Stockpile Stewardship and Management Environmental Impact Statement – Complex 2030* (now called the *Complex Transformation Supplemental Programmatic Environmental Impact Statement [Complex Transformation SPEIS]*) (71 FR 61731). Consequently, a modern pit facility is not included in the cumulative impacts discussion of the Final SWEIS. The cumulative impacts analysis of the Final SWEIS addresses the possible impacts from siting and operating a new consolidated nuclear production center at LANL as analyzed in the *Complex Transformation SPEIS* which was issued as a draft on January 11, 2008 (73 FR 2023). The cumulative transuranic waste volume cited in Section S.9.2, Waste Management, reflects the possible generation of transuranic waste from the new center, and therefore is larger than that projected in Table S–5 for the Expanded Operations Alternative.

88-20 The cited statement regarding the potential need for new waste disposal facilities was not intended to imply that transuranic waste disposal

Commentor No. 88 (cont'd): Christopher M. Timm, PE

facilities would be constructed at LANL; if such a facility were needed, it would likely be similar to WIPP and would be addressed as a DOE-wide waste management issue. This section has been revised to remove the ambiguity. Additional details about waste management cumulative impacts are in Chapter 5, Section 5.13, of the SWEIS.

- 88-21** Because the need for significantly larger low-level and transuranic waste disposal capacity will depend on future regulatory decisions by the State of New Mexico, it is premature to provide a detailed analysis of disposal needs. Offsite disposal capacity for low-level radioactive waste disposal exists, and the SWEIS considers the impacts of transporting all solid, chemical, and radioactive wastes off the LANL site, as well as the impacts of transporting all low-level radioactive waste to Area G. If very large volumes of low-level radioactive waste are generated from full implementation of the Removal Option, then DOE may need to modify its plans for use of onsite LANL disposal capacity. Options could include redesign of disposal units, commitment of additional land to waste disposal, or use of existing capacity at a faster annual rate. The projected transuranic waste volume from full implementation of the Removal Option may cause the total projected LANL transuranic waste volume to exceed the volume attributed to LANL in the *Waste Isolation Pilot Plant Disposal Phase Final Supplemental Environmental Impact Statement* (DOE 1997b). Decisions about disposal of this transuranic waste at the Waste Isolation Pilot Plant, if it is generated, would be made considering the needs of the entire DOE complex. Any transuranic waste without a disposal pathway would be safely stored until disposal capacity becomes available. Section S.9.3 of the Summary has been revised based on the above discussion.

Commentor No. 89: Steven S. Spencer, MD

From: ssspencer@pol.net [mailto:sspencer@pol.net]
Sent: Tuesday, August 22, 2006 9:09 AM
To: LANL_SWEIS
Subject: plutonium pits

Miss Elizabeth Withers
RE: plutonium pits

Dear Miss Withers,

When I returned from a summer absence from our Santa Fe home and learned of the Lab's plans to escalate its bomb-making activity with the production of plutonium pits, I felt physically ill and depressed. I have lived here for 21 years, and have greatly appreciated the sane and peaceful character of this community. I have felt reassured that the Lab was moving away from the death and destruction industry and into peaceful pursuits. Perhaps I was deluding myself.

I am absolutely and irrevocably opposed to the resumption of the production of nuclear weaponry at LANL. I hope and pray that misguided effort will be dropped in the name of sanity.

|| 89-1

Sincerely yours,
Steven S. Spencer, MD
2154 Calle de Sebastian
Santa Fe, NM 87505

89-1

NNSA notes the commentor's opposition to the production of nuclear weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for additional information.

Commentor No. 90: M. J. Baker

From: houstonsongbird@houston.rr.com
[mailto:houstonsongbird@houston.rr.com]
Sent: Tuesday, August 22, 2006 7:37 AM
To: LANL_SWEIS Subject: Plans to increase production of plutonium "pits"
Importance: High

I am strongly opposed to the plans to increase production of plutonium "pits" (triggers) for nuclear weapons from 20 to 80 at the Los Alamos National Lab (LANL).

90-1

Please change the mission of LANL to focus on research and development of real global human needs such as renewable energy, reversing global warming, and creating technologies that minimize harmful impacts to public and environmental health.

90-2

Thank you,
M J Baker
PO Box 1867
Bellaire, TX 77402-1867

90-1 NNSA notes the commentor's opposition to increasing pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

90-2 Cessation of NNSA's core mission activities in support of NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. Therefore, ending these activities at LANL is not being considered in the SWEIS. In addition to performing these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 91: Donald Baltz

From: prismworks@webtv.net [mailto:prismworks@webtv.net]
Sent: Monday, August 21, 2006 5:25 PM
To: LANL_SWEIS Subject: Chemistry & Metallurgy Research Replacement

Dear Ms. Elizabeth Withers,

I am amazed that only Los Alamos, Espanola, and Santa Fe were the only cities given a meeting with regard to citizen input on the environmental impact of nuclear bomb production. All the cities on the Rio Grande are and will be impacted by the pollution from the Labs, and southeastern New Mexico with WIPP and the proposed LES plant haven't really addressed the question of nuclear waste storage.

In the next several days I will send several of my letters to the editor which refer to the need to stop further nuclear bomb production. I have written them over the 2002-2006 period.

Our president and legislators seem unable to face the discipline needed to set priorities. Tearing up the credit card approach to budget requests of the Pentagon, which fills the pockets of special corporations at the expense of the majority of us citizens and our descendants, is the drastic step that has to be taken.

First of all, the politically motivated, half-measure cutbacks on a few long range military items doesn't begin to stop the bleeding of the nation's income. What good are the stockpile of nuclear weapons if their use will be as dangerous to us as to an enemy, even granting we can determine where the enemy is? What has our military might accomplished, going on three years, in stopping terrorism? It's not working even in forcing occupational democracy on Iraq, or even, whispering the unmentionable, controlling their oil reserves.

Legislating more tax cuts favoring the wealthiest only gives the campaign fund raisers more monetary control over docile, hand picked candidates. The loud-mouthed declaration of we don't torture, or stay the course, drowns the country's consensus that not war but diplomacy is needed.

And the first step is admitting that we must join with the world's nations in the peaceful pursuit of human rights, in preventing terrorist plots, in protecting our health and the planet's, in backing the International Criminal Court, in banning land mines, and so much more. Expanding military production needs to be moved farther down the list of priorities.

Are our representatives in House and Senate listening to us or to the military and special interest lobbyists? Are we speaking loud enough? Are you?

Donald Baltz
P.O.Box 2583
Corrales,NM 87048

91-1

91-1

NNSA notes that the public hearings held in the vicinity of LANL were one avenue for a citizen to provide input on the Draft LANL SWEIS. Although public hearings were not held in other locations in New Mexico, other means of providing comment on the Draft SWEIS were provided. Refer to Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information. Chapter 5 of the SWEIS presents the impacts of LANL operations on the affected environment. Based on the magnitude of potential impacts, the affected environment is generally in the vicinity of Los Alamos.

Disposal of transuranic waste at the Waste Isolation Pilot Plant has been addressed in the *Waste Isolation Pilot Plant Disposal Phase Final Supplemental Environmental Impact Statement* (DOE/EIS-0026-S2) (DOE 1997b); the Nuclear Regulatory Commission addressed the proposed Louisiana Energy Services facility, including waste management activities, in the *Environmental Impacts Statement for the Proposed National Enrichment Facility in Lea County, New Mexico* (NRC 2005).

Commentor No. 92: Ron Simmons

August 25, 2006

Elizabeth Withers,

This is Ron Simmons. I've just got your name and number out of the New Mexican newspaper.

I am just a 35 year resident of New Mexico. I live in Santa Fe.

I would, in the strongest terms, urge the Lab to not go in the direction of plutonium pit production or any other nuclear weapons research. Of course that's a little wishful thinking, but the direction of our Labs, I believe, needs to be changed slowly but surely in the direction of research on renewable energy, solar voltaic - and wind energy, automobile, anything that will move our economy and country away from oil and toward renewable resources is what I believe our money should be spent for on the Labs.

92-1

92-1

NNSA notes the commentor's opposition to activities related to nuclear weapons production. Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. In addition to these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

I believe that nuclear weapons, we have signed a nuclear nonproliferation treaty, and we're not keeping our part.

92-2

92-2

NNSA notes the commentor's concerns regarding compliance with a nuclear nonproliferation treaty. Operations at LANL that support NNSA's mission to ensure a safe and reliable nuclear stockpile are not in violation of the Treaty on the Non-Proliferation of Nuclear Weapons. Stockpile stewardship capabilities at LANL are currently viewed by the United States as a means to further the Nation's nonproliferation objectives and are likely to remain important in future arms control negotiations as the Nation moves to further reduce its overall stockpile size. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

We're going blithely ahead with maintaining and increasing our nuclear weaponry and insisting that other countries can't have or touch this type of research in weapons. And that's setting us up to be the target of have and have nots which is the basic thing behind terrorism.

So, I think we should pay attention to renewable energy research, and thank you very much. My number is XXX-XXXX in Santa Fe.

92-1
cont'd

Thank you.

Commentor No. 93: Barbara L. Turner

AUGUST 16, 2006

ELIZABETH WITHERS, EIS DOCUMENT MANAGER
LOS ALAMOS SITE OFFICE
NNSA
U.S. DEPT. OF ENERGY
538 35TH STREET
LOS ALAMOS, NM 87544-2201

FROM: BARBARA L. TURNER
957 H STREET
ARCATA, CA 95521

DEAR MS. WITHERS,

I AM WRITING TO YOU TO VOICE MY CONCERNS OVER THE PROPOSED PIT PRODUCTION PLANS FOR LOS ALAMOS LABORATORY. I AM MOVING BACK TO NEW MEXICO FROM CALIFORNIA THIS FALL TO BE NEAR FAMILY AND I HAVE BEEN HEARING SOME DISTURBING NEWS ABOUT THE PLANS FOR A REBURSEAL OF THE LABS THERE FOR NUCLEAR WEAPONS UPGRADES AND PIT PRODUCTION. I GREW UP IN THE DENVER AREA IN THE FIFTIES + SIXTIES DOWNWIND FROM ROCKY FLATS. MY FATHER AND ELDEST SISTER (AGE 49) DIED FROM CANCER. MY MOTHER HAD COLON CANCER AND MY BIG SISTER, NOT EVEN 50 YEARS OLD, WAS RECENTLY DIAGNOSED WITH TERMINAL BRAIN CANCER. WE ALL LOGICALLY ASSUME THERE MAY HAVE BEEN SOME EXPOSURE FROM THE TWO MAJOR PLUTONIUM FIRES THAT OCCURRED WHEN WE WERE KIDS. MY CONCERN IS ABOUT MY AND MY FAMILIES PERSONAL HEALTH AND SAFETY IF THE PLANS FOR THE LAB MOVE FORWARD. I WOULD LIKE TO SEE THE LAB CLEANED UP, NOT POWERED UP. I ALSO THINK THERE IS AN ETHICAL QUESTION HERE WHEN A PROPOSAL FOR FUNDING A MAJOR NUCLEAR WEAPON UPGRADE TRUMPS FUNDING FOR SCHOOLS AND HEALTH CARE FOR THE CITIZENS OF THIS COUNTRY. IN AN INCREASINGLY DANGEROUS WORLD SHOULDN'T WE ALL BE WORKING TOWARD NUCLEAR NON-PROLIFERATION AND DISARMAMENT? I AM WILLING TO BE EDUCATED IF THERE IS SOME RHYME OR REASON FOR THIS PLAN THAT I MAY NOT UNDERSTAND. I AM UNIVERSITY EDUCATED AND FAIL TO UNDERSTAND WHY THIS WOULD BE A GOOD IDEA FOR NEW MEXICO. THANKS FOR READING THIS AND IF YOU CAN DIRECT ME TO ANY RESOURCES THAT MIGHT BE HELPFUL TO ME IN THIS REGARD, I WOULD APPRECIATE IT.

Regards, Barbara L. Turner

93-1

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cont'd

93-1

NNSA notes the commentor's concern regarding potential health impacts of LANL operations in light of past performance of the Rocky Flats Plant. LANL operations are not comparable to operations at the Rocky Flats Plant because of newer facilities and technology, a much lower level of pit production, improvements in controlled operational and management practices, and additional independent oversight. Refer to Section 2.12, Comparison to Rocky Flats Plant, of this CRD for more information.

Chapter 4, Section 4.6.1, of the SWEIS provides information on current cancer mortality and incidence rates in New Mexico and counties surrounding LANL. Table 4-26 shows that some cancer rates in Los Alamos vicinity are lower than the national average and some are higher, which is typical of any area. This section also presents information from the final LANL Public Health Assessment, issued on August 31, 2006, by the U.S. Department of Health and Human Services, Agency for Toxic Substances and Disease Registry which determined that, "...there is no evidence of contamination from LANL that might be expected to result in ill health to the community," and "...overall, cancer rates in the Los Alamos area are similar to cancer rates found in other communities" (ATSDR 2006).

Chapter 5 of the SWEIS describes the environmental impacts of each of the three alternatives for continuing to operate LANL and includes the effects on surface waters, groundwater, and air. Section 5.13 states that contamination from LANL or changes in Rio Grande flows are not likely to affect water quality. In addition, a special pathways analysis has been added to Appendix C to address concerns expressed regarding contamination of the Rio Grande. The analysis shows that drinking Rio Grande water that could potentially be impacted by LANL is comparable to drinking water from the Jemez River which is not downstream of LANL. The health impacts analysis uses air monitoring data to estimate dose to the population within a 50-mile (80-kilometer) radius of LANL. The maximum projected annual population dose would be 36 person-rem under the Expanded Operations Alternative. This dose would not be expected to result in any additional latent cancer fatalities in the affected population.

93-2

Chapter 2, Section 2.2.6, of the SWEIS describes progress made by NNSA in conducting its environmental restoration program at LANL. Since

Commentor No. 93 (cont;d): Barbara L. Turner

the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Continuation of cleanup activities at a pre-Consent Order level is included in the No Action Alternative, while actions necessary to comply with the Consent Order are evaluated under the Expanded Operations Alternative. As stated in Chapter 1, Section 1.4, of the SWEIS, however, NNSA intends to implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS. For more information about proposed activities in support of the Consent Order, refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD.

- 93-3** NNSA notes the commentor's concern regarding the funding priorities of the U.S. Government. The U.S. Congress and the President are responsible for determining funding levels for government programs. This SWEIS evaluates the environmental impacts of the alternatives for continued operation of LANL.

Commentor No. 94: Jan Lustig

**Draft Site-Wide Environmental Impact Statement
for Continued Operation of Los Alamos National Laboratory,
Los Alamos, New Mexico (Draft SWEIS)**

**Comment Form
Forma para comentarios**

Thank you for your input
Gracias por su participación

Date/Fecha: 8/20/06

PLEASE PRINT / FAVOR DE ESCRIBIR CLARAMENTE

1. What comments do you have on the Draft SWEIS?
¿Que comentarios tiene usted sobre el Draft SWEIS?

*In a time when we've gone to war over a possibility
that a hostile country may possess weapons of mass
destruction, how do we justify creating more?*

*I hope we will see the day when our scientists and
engineers use their remarkable talents to benefit the
world, not destroy it.*

94-1

94-1

NNSA notes the commentor's issue related to creating more weapons of mass destruction. As stated in Chapter 1, Section 1.3.3, of the SWEIS, an increase in pit production is needed to meet the near-term needs of the Stockpile Stewardship Program. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

**** CONTINUE ON BACK FOR MORE SPACE **
** CONTINUAR AL DORSO PARA MAS ESPACIO ****

Name/Nombre: Jan Lustig

Address/Dirección: P.O. Box 9253

City, State, Zip Code/Ciudad, Estado, Zona Postal: Santa Fe, NM 87504

NOTE: Please do not include personal information (such as address or phone number) if you object to it being included in the SWEIS; comments received are included in the SWEIS in their entirety.

NOTA: Favor de excluir información personal (dirección o número de teléfono) que no desea aparezcan en el SWEIS; todo comentario recibido es incluido en su totalidad en el SWEIS.



**PLEASE HAND THIS FORM IN OR MAIL BEFORE SEPTEMBER 5, 2006 to:
FAVOR DE ENTREGAR ESTA FORMA O ENVIARLA POR CORREO
ANTES DEL DIA 5 DE SEPTIEMBRE DE 2006 A:**

Ms. Elizabeth Withers, SWEIS Document Manager
Los Alamos Site Office • National Nuclear Security Administration • U.S. Department of Energy • 528 35th Street • Los Alamos, NM 87544-2201

Commentor No. 95: Helenty Homans

August 13, 2006

Elizabeth Withers
DOE/NNSA Los Alamos Site Office
528 35th Street
Los Alamos, NM 87544

Dear Elizabeth Withers;

Unfortunately I am not able to come to any of the public hearings on August 8, 9 and 10 on the draft of "Site-Wide Environmental Impact Statement for Continued Operations at Los Alamos National Lab" due to a back injury, so instead I am using the mail.

The proliferation of nuclear weapons is the greatest threat to the continued existence of civilized life on our planet, and I simply do not understand how at a time of so much unrest and conflict in the world the Superpower US is proposing to add increased plutonium production and double the amount of radioactive wastes for which there is no permanent safe storage. How can we tell North Korea and Iran, who signed the Non-Proliferation Treaty, that they cannot enrich uranium for nuclear reactors when we, who have not signed the treaty, have a nuclear arsenal second to none? As Hans Blix, former head inspector of the UN WMD inspection team in Iraq said, in his most recent report: "The US needs to take the lead, and most likely others will follow", instead of quadrupling the production of plutonium in Los Alamos and producing highly enriched uranium in Eunice, NM as we are about to do. We need to download, as was the expectation when others agreed to abide by the Non-Proliferation Treaty, in order to be credible and make the case that we are NOT the threat that so much of the world today perceives us to be. Of course, such a course requires a rigid international inspection system, INCLUDING the inspection of our installations. But, how much better off the world would be if that were the role we chose to play!

I am an 80 year old woman and I don't want to see the entire world blow up. I ask for a glimpse of a future that holds more promise and beg you to refrain from adding more destructive weapons to our already excessive arsenal.

Helenty Homans
Helenty Homans
25 Jacona Road
Santa Fe, NM 87506
() -

95-1

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95-1 NNSA notes the commentor's concerns regarding plutonium pit production and waste storage and disposal. As indicated in Chapter 1, Section 1.2, of the SWEIS, NNSA's purpose and need for agency action in this SWEIS remain the same as the 1999 SWEIS: The purpose of continued operation of LANL is to provide support for NNSA's core missions as directed by the Congress and the President. NNSA's need to continue operating LANL is focused on its obligation to ensure a safe and reliable nuclear stockpile. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for additional information. Under the Expanded Operations Alternative, the amount of radioactive waste generated by LANL operations would increase. However, all wastes are stored onsite and managed protectively until disposed of. Disposal options vary by waste type. Low-level radioactive waste may be safely disposed of onsite at LANL or at an offsite facility. Mixed low-level radioactive waste will be disposed of offsite at a facility that meets standards for both radioactive and hazardous wastes. Transuranic waste will be transported to WIPP. All disposal facilities are designed and operated in accordance with standards developed specifically for the waste type accepted. Refer to Section 2.7, Waste Management, of this CRD for more information.

95-2 NNSA notes the commentor's statements regarding the Treaty on the Non-Proliferation of Nuclear Weapons. The United States is a signatory of the Treaty on the Non-Proliferation of Nuclear Weapons and is in compliance with the treaty and other international treaties that generally promote nonproliferation or specifically require a reduction in the U.S. nuclear weapons stockpile. The United States is currently reducing its overall stockpile size. Operations at LANL that support NNSA's mission to ensure a safe and reliable nuclear stockpile are not in violation of the Treaty on the Non-Proliferation of Nuclear Weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

95-3 NNSA notes the commentor's opposition to increasing the number of nuclear weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for additional information.

Commentor No. 96: Simone Withers Swan

Ms. Elizabeth Withers, EIS Document Manager
Los Alamos Site Office
National Nuclear Security Administration
U.S. Department of Energy
528 35th Street
Los Alamos, New Mexico, 87544-2201

In re: LANL – SWEIS Testimony, August 10, 2006

Dear Ms. Withers,

The Department of Energy has a deplorable record when it comes to the safety of citizens in regards to the weapons productions facilities across the US. This track record has proven just as deplorable at the Los Alamos National Laboratory as elsewhere. In the site evaluation of the LANL facility that was made available to the public I noted that it sites many instances where the Department of Energy has fallen very short in its ability to protect the environment. Los Alamos National Laboratories was put in a remote area, high on a mountain because of the concerns for secrecy during World War 2. Today the location of the Laboratory is antithetical to its purposes if its purpose is to produce nuclear weapons.

I would like a response from my testimony here to explain to the public what kind of rational puts a nuclear weapons production facility on top of a windswept mountain, in the middle of a wild fire zone, and at the source of a watershed that feeds the Rio Grande/Bravo River – the life blood of New Mexico providing water for

96-1

96-1 As the commentor implies, LANL's location was selected during World War II because of its isolation. The continuing mission of LANL, starting at that time, has been support of the U.S. nuclear weapons program. As the needs of the U.S. weapons program have changed, so has the role LANL serves in the program. As announced in the ROD for the *Final Programmatic Environmental Impact Statement for Stockpile Stewardship and Management* (DOE/EIS-0236), LANL was selected as the location for re-establishment of a pit fabrication capability partly because of the existing facilities and capabilities (61 FR 68014). NNSA is aware of the potential for wildfire and has undertaken an ongoing wildfire hazard reduction and forest health improvement program, including extensive forest thinning, to reduce wildfire risk. Chapter 5 of the SWEIS describes the air, water, and other types of impacts associated with the three alternatives for operating LANL. As summarized in Chapter 3, Table 3-19, LANL operations are not expected to result in major detrimental impacts to the environment.

Commentor No. 96 (cont'd): Simone Withers Swan

10 million people. Rocky Flats, the previous pit production facility in Colorado that was closed for its egregious environmental behavior, pumped plutonium-contaminated waste into creeks that were feeding public water supplies. A horrific wave of infant defects, cancers, and other problems followed. Not only was the water supply contaminated but plutonium particulate was found in the soils and sands surrounding the facility. One particle of plutonium if breathed or otherwise ingested can kill a human or animal. Documented cases of plutonium particulate found in the ashes of children from Rocky Flats who were cremated after death attest to that.

I would like a response from my testimony here to explain to the public what LANL intends to do with the waste storage problem that it is already plagued with - before even thinking about creating more. Is the DOE intending to move the 12,500 drums buried before 1971 that is currently contaminating the aquifer to WIPP – such action further endangering the population with the possibility of an accident or spill? When an aquifer is contaminated there is no way to remediate it. What about the tritium, plutonium and other radionuclides found in the canyons on neighboring areas? On top of the Pajarito Plateau is than enormous nuclear waste dump in a fire prone zone. Is the plan to continue the storage of this waste in tents? What happens in the event of a fire or some major weather calamity? Plutonium doesn't burn but carried by the wind it can land on any farmer's land. One particle of plutonium if breathed or otherwise

96-2

96-2 Environmental impacts associated with past operations of Rocky Flats are not the subject of the SWEIS. The interim levels of pit production proposed at LANL are much lower than were conducted at Rocky Flats. Chapter 4, Table 4–26, shows that the cancer incidence and mortality rates in counties around LANL are comparable to those of the rest of the United States. Chapter 5, Section 5.6, presents radiological emissions and population radiation dose data associated with projected operations. All projected doses are a small fraction of the dose from normal background radiation received by the population in and around LANL.

96-3

96-3 DOE currently stores transuranic wastes in both above- and below-ground configurations in TA-54. These wastes include “newly generated” waste as well as legacy transuranic wastes that were generated after 1970, but before a transuranic waste disposal facility was available. There is an ongoing program to characterize and prepare these wastes for shipment to WIPP. As discussed in Appendix H, Section H.3, a program giving the highest priority to shipping transuranic wastes that present the greatest risk in the event of an accident is followed at LANL. NNSA intends to ship all of the LANL legacy transuranic waste to WIPP over the next 10 years. Risks associated with transporting these wastes and of accidents while the wastes remain in storage are addressed in Chapter 5, Sections 5.10 and 5.12. To mitigate the potential of a fire affecting LANL facilities, a forest thinning program has been implemented as discussed in Chapter 4, Section 4.1.2.

Wastes buried prior to 1970 are being addressed through the environmental restoration program at LANL. Chapter 2, Section 2.2.6 describes the progress that DOE has made in conducting its environmental restoration program at LANL. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Appendix I presents options and environmental analyses for conducting future remediation activities at LANL primarily related to the Consent Order that was entered into on March 1, 2005. These analyses address LANL waste disposal sites and other contaminated areas, including canyons, and provide environmental impact information to facilitate future environmental restoration decisions to be made by DOE and the State of New Mexico. Section I.3.4.1 summarizes technologies for remediation of groundwater, and directs the

Commentor No. 96 (cont'd): Simone Withers Swan

ingested can kill a human or animal.

Why would any rational person or agency want to put a nuclear weapons production facility on top of a windswept mountain, in the middle of a wild fire zone, and at the source of a watershed? Please answer this.

96-1
cont'd

Something which is not addressed in the SWEIS review is the spiritual and psychological landscape? Why is there such an inordinately high teen suicide rate in Los Alamos? Why did the travesty of Columbine High take place in Littleton Colorado, the bedroom community for the Lockheed Martin plant? Is it just coincidence, or could the water have been contaminated? Chemicals discharged from the plant that are known to cause aggression, neurological disorders, depression, cancers, birth defects, leukemia, and other types of problems, are found in the Columbine Valley. Or is it the soul of a human that has lost all hope for a just and compassionate world? Please before you consider putting this pit production facility here answer these questions. I call for a definitive research project of the towns close to all the weapons production facilities to be done on the psychological effects on children – and adults of WMD facilities.

96-4

I do not want to see our children brought up in an environment that condones production of these weapons. I want the children growing up here to see a bright future with possibility of working at the Los Alamos National

96-5

reader to additional information sources. NNSA intends to implement actions necessary to comply with the Consent Order regardless of other actions analyzed in the SWEIS.

96-4 NNSA notes the commentor's concerns regarding the possible spiritual and psychological effects of living near U.S. nuclear weapons facilities. Spiritual and psychological effects, however, are not within the scope of the SWEIS. Studies regarding the psychological impacts of living near a DOE facility have not been conducted and DOE has no plans to perform such studies. There are also no studies that link teenager suicide rates to DOE operations. DOE recognizes that teenager suicide is a complicated national and local social issue and has provided grants in the past to local organizations to promote free suicide prevention counseling.

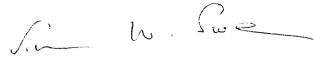
96-5 In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 96 (cont'd): Simone Withers Swan

Laboratory on life-affirming activities, on technologies that bring answers to the real national security issues of global climate change, on the use of renewable energy forms, on technologies for the remediation of the horrific wastes from the nuclear industry that started here and that are causing such suffering here and all over the world. This is a common sense vision that I believe is held by the majority of people in this bio-region.

96-5
cont'd

Sincerely,
simone withers swan
632 avenida celaya
santa fe, nm 87506



august 21, 2006

Comment side of this page intentionally left blank.

Commentor No. 97: David Patton

Draft Site-Wide Environmental Impact Statement
for Continued Operation of Los Alamos National Laboratory,
Los Alamos, New Mexico (Draft SWEIS)

Comment Form
Forma para comentarios

Thank you for your input
Gracias por su participación

Date/Fecha: 8/16/06

PLEASE PRINT / FAVOR DE ESCRIBIR CLARAMENTE

1. What comments do you have on the Draft SWEIS?
¿Qué comentarios tiene usted sobre el Draft SWEIS?

ANY
I AM OPPOSED TO EXPANDED PLUTONIUM PIT
PRODUCTION AT LANL. IT WILL ADD TO THE
AMOUNT OF PLUTONIUM AND TRANSURANIC WASTE
STORED ON SITE THAT COULD POSE A SERIOUS THREAT
TO THE ENVIRONMENT AND POSE AN INCREASED SECURITY
RISK TO THE COMMUNITY (860 cu. yds. of transuranic
waste/yr, 12,000 cu. yds. of low level radioactive waste/yr
and 2,750,000 lbs. of chemical waste/yr.) ALL THIS
THREATENS THE AQUIFER, THE WATERSHED AND
PEOPLES HEALTH THROUGHOUT THE AREA.

97-1

I AM PARTICULARLY OPPOSED TO THE OPEN BURNING
AND OPEN DETONATION OF HIGH EXPLOSIVES AND
DEPLETED URANIUM. THESE ACTIVITIES CONTINUE TO
BE SHEILDLED BY REGULATIONS ALLOWING FOR
EMMISSIONS OF TOXIC AIR POLLUTANTS THAT
POSE SIGNIFICANT HEALTH RISKS TO ME AND MY
NEIGHBORS IN NORTHERN N.M. AS THESE PARTICLES
BECOME AIRBORN POLLUTANTS. → OVER →

97-2

“CONTINUE ON BACK FOR MORE SPACE”
“CONTINUAR AL DORSO PARA MAS ESPACIO”

Name/Nombre: David Patton DAVID PATTON

Address/Dirección: Box 272 ANGEL FIRE, NM 87710

City, State, Zip Code/Ciudad, Estado, Zona Postal: _____

NOTE: Please do not include personal information (such as address or phone number) if you object to it being included in the SWEIS; comments received are included in the SWEIS in their entirety.
NOTA: Favor de excluir información personal (dirección o número de teléfono) que no desea aparezcan en el SWEIS; todo comentario recibido es incluido en su totalidad en el SWEIS.



PLEASE HAND THIS FORM IN OR MAIL BEFORE SEPTEMBER 5, 2006 to:
FAVOR DE ENTREGAR ESTA FORMA O ENVIARLA POR CORREO
ANTES DEL DIA 5 DE SEPTIEMBRE DE 2006 A:

Ms. Elizabeth Withers, SWEIS Document Manager
Los Alamos Site Office • National Nuclear Security Administration • U.S. Department of Energy • 528 35th Street • Los Alamos, NM 87544-2201

97-1 NNSA notes the commentor's opposition to any plutonium pit production at LANL. The waste numbers stated in the comment are the projections of waste generated for all routine operations under the Expanded Operations Alternative. Not all of this waste would be disposed of onsite; transuranic waste would be disposed of at WIPP and most chemical wastes are shipped offsite for treatment and disposal. Chapter 5 of the SWEIS analyzes the environmental impacts of LANL construction and operations, including pit production and resulting waste generation and storage. LANL operations are in compliance with regulations that protect public health and the environment and, based on the SWEIS analyses, would continue to be in compliance even under the Expanded Operations Alternative. LANL has monitoring programs that sample air, water and soils, and the results are reported in annual environmental surveillance reports. Refer to Section 2.6, Offsite Contamination, of this CRD for more information related to the concerns raised in this comment. Regarding increased security risk, DOE gives high priority to the safety and security of all of its facilities. Security is an integral consideration in the designs and operating procedures for new and existing DOE facilities. Chapter 4, Section 4.6 has been revised to include additional discussion of the measures taken to protect assets at LANL.

97-2 LANL staff conducts a wide range of tests involving depleted uranium to fulfill its nuclear weapon stockpile stewardship and development responsibilities. High explosives are detonated in close proximity to depleted uranium in order to observe the impact of detonation on depleted uranium. However, there are no experiments or activities at LANL that would involve the burning of depleted uranium. LANL staff has tested new techniques to reduce emissions of depleted uranium and, as stated in the SWEIS Chapter 5, Section 5.4.1.1, has significantly reduced particulate emissions by using aqueous foam during these tests. Moreover, as stated in Sections 5.4.1.1 and 5.14.3, the use of an enhanced containment around these tests would also significantly reduce air and water releases to the environment. Tabulated data in Chapter 4, Section 4.4.3.1, show that measured uranium air concentrations around LANL from 1999 through 2005 were 0.01 to 0.3 percent of the applicable U.S. Environmental Protection Agency limit. Refer to Section 2.10, Depleted Uranium and the Dual Axis Radiographic Hydrodynamic Test (DARHT) Facility, of this CRD for additional information.

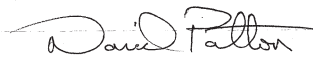
Commentor No. 97 (cont'd): David Patton

FACILITIES WILL BE BUILT ON OR NEAR
EARTHQUAKE FAULTS, CREATING GREATER RISK
IN THE FUTURE FOR CATASTROPHIC ACCIDENTS.

97-3

FINALLY, THE IMMENSE FUNDS USED FOR
THE ~~THE~~ PITS PRODUCTION WILL NOT IN THE
LONG RUN INCREASE OUR SECURITY. THE
USE OF NUCLEAR WEAPONS OF ANY TYPE
IS NOT THE WAY TO PEACE IN THE WORLD.
THESE FUNDS ARE BETTER SPENT ON
PROVIDING FOR IMPROVEMENTS IN OUR
HEALTH AND EDUCATIONAL SYSTEMS AND
IN PROVIDING FOR THE WELFARE OF THE
PUBLIC RATHER THAN THE PROFIT OF ARMS
AND WEAPONS MANUFACTURERS.

97-4



97-3

New construction at LANL is subject to existing DOE orders and standards for seismic concerns. Different construction requirements are imposed for new structures in accordance with site locations relative to known fault lines, and in accordance with the planned future use of the structure. Seismic characteristics of the LANL environment are described in Chapter 4, Section 4.2.2.3, of the SWEIS. Consistent with NEPA guidelines, the SWEIS analyzes a spectrum of accidents that is representative and bounding for all potential accidents. In the event of an accident that is not been explicitly addressed in the SWEIS, there is reasonable assurance that the impacts of any such accidents to workers and the public are no greater than those that have been analyzed. The impacts from postulated facility accidents including earthquakes are described in Chapter 5, Section 5.12. Following the NEPA process but prior to the design, construction and operation of new facilities, safety studies in the form of Hazard Assessment Documents and Safety Analysis Reports that include seismic risks would be prepared to address a more comprehensive set of accidents. The results of these safety studies would be incorporated into facility design and operations to ensure protection of the health and safety of workers and the public.

97-4

NNSA notes the commentor's concern regarding the funding priorities of the U.S. Government. The U.S. Congress and the President are responsible for determining funding priorities for government programs. Determining funding priorities is not within the scope of the SWEIS, which evaluates the environmental impacts of the alternatives for LANL operations.

Commentor No. 98: Therese Patton

Draft Site-Wide Environmental Impact Statement
for Continued Operation of Los Alamos National Laboratory,
Los Alamos, New Mexico (Draft SWEIS)

Comment Form
Forma para comentarios

Thank you for your input
Gracias por su participación

Date/Fecha: 8-18-06

PLEASE PRINT / FAVOR DE ESCRIBIR CLARAMENTE

1. What comments do you have on the Draft SWEIS?
¿Que comentarios tiene usted sobre el Draft SWEIS?

I am ~~opposed~~ ^{opposed} to all plutonium PIT production at LANL which will add to the toxic waste (plutonium & transuranic) being stored on site near populated areas. This waste poses a very serious threat to the environment and increases the security risk to the surrounding communities. The watershed & aquifer, the health of the people & the air quality are threatened by 860 cu yds. of transuranic waste per year, 15,000 cu yds. of low level radioactive waste per year and \$,750,000 pounds of toxic chemical waste per year produced by PIT production.

98-1

The open burning & open detonation of high explosives & depleted uranium is extremely offensive to me, my family, neighbors & members of communities affected by the fallout. The winds blow right over Taos, Eagle Nest, Angel Fire etc. Despite the serious health risks posed

98-2

** CONTINUE ON BACK FOR MORE SPACE **
** CONTINUAR AL DORSO PARA MAS ESPACIO **

Name/Nombre: Therese Patton

Address/Dirección: Box 272,

City, State, Zip Code/Ciudad, Estado, Zona Postal: Angel Fire, NM 87710

NOTE: Please do not include personal information (such as address or phone number) if you object to it being included in the SWEIS; comments received are included in the SWEIS in their entirety.

NOTA: Favor de excluir información personal (dirección o número de teléfono) que no desea aparezcan en el SWEIS; todo comentario recibido es incluido en su totalidad en el SWEIS.



PLEASE HAND THIS FORM IN OR MAIL BEFORE SEPTEMBER 5, 2006 to:
FAVOR DE ENTREGAR ESTA FORMA O ENVIARLA POR CORREO
ANTES DEL DIA 5 DE SEPTIEMBRE DE 2006 A:

Ms. Elizabeth Withers, SWEIS Document Manager
Los Alamos Site Office • National Nuclear Security Administration • U.S. Department of Energy • 528 35th Street • Los Alamos, NM 87544-2201

98-1 NNSA notes the commentor's opposition to all plutonium pit production at LANL. The waste numbers stated in the comment are the projections for all routine operations under the Expanded Operations Alternative. Not all of this waste would be disposed of onsite; transuranic waste would be disposed of at WIPP and most chemical wastes are shipped offsite for treatment and disposal. Chapter 5 of the SWEIS analyzes the environmental impacts of LANL operations, including pit production and resulting waste generation and disposal. LANL operations are in compliance with regulations that protect public health and the environment, and, based on the SWEIS analyses, would continue to be in compliance even under the Expanded Operations Alternative. LANL has monitoring programs that sample air, water and soils, and the results are reported in annual environmental surveillance reports. Refer to Section 2.6, Offsite Contamination, of this CRD for more information related to the concerns raised in this comment. Regarding increased security risk, DOE gives high priority to the safety and security of all of its facilities. Security is an integral consideration in the designs and operating procedures for new and existing DOE facilities. Chapter 4, Section 4.6, has been revised to include additional discussion of the measures taken to protect assets at LANL.

98-2 There are no experiments or activities at LANL that would involve the burning of depleted uranium. LANL staff conducts a wide range of tests involving depleted uranium to fulfill its nuclear weapon stockpile stewardship and development responsibilities. High explosives are detonated in close proximity to depleted uranium in order to observe the impact of detonation on depleted uranium. Tabulated data in Chapter 4, Section 4.4.3.1, show that measured uranium air concentrations around LANL from 1999 through 2005 were 0.01 to 0.3 percent of the applicable U.S. Environmental Protection Agency limit. LANL staff have tested new techniques to reduce emissions of depleted uranium, and, as stated in Chapter 5, Section 5.4.1.1, has significantly reduced particulate emissions by using aqueous foam during these tests. Moreover, as stated in Sections 5.4.1.1 and 5.14.3, the use of an enhanced containment around these tests would also significantly reduce releases to the environment. Refer to Section 2.10, Depleted Uranium and the Dual Axis Radiographic Hydrodynamic Test (DARHT) Facility, of this CRD for additional information.

Commentor No. 98 (cont'd): Therese Patton

by these emissions, they are shielded by regulations that ignore air quality and water quality by allowing elevated levels of ~~the~~ pollutants.

The proposed PIT facilities are to be built near earthquake faults increasing their risk of catastrophic accidents. Currently 40,000 55-gallon drums of waste ~~every year~~ sit under tents in this volatile location to which 1800 more will be added every year. This has not been thought out well at all so expansion is foolish.

I encourage the cleanup of the current site, not the build up of more bombs. Focus on renewable energy, clean-up technology & environmental common sense. The stone age didn't end because they ran out of stones, Man is capable of "better" ideas. Create, don't destroy.

Therese Patton
Therese Patton

98-2
cont'd

98-3

98-4

98-3 The SWEIS does not include any proposals for the construction of new pit manufacturing facilities. Based on their use, existing LANL structures may be retrofitted and upgraded, as necessary and appropriate, or their operations may be limited to meet current seismic standards. Refer to Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for additional information regarding a new pit manufacturing facility. The impacts of accidents, including those occurring as a result of seismic activity, are addressed in Chapter 5, Section 5.12, of the SWEIS. NNSA is working to prepare all stored and newly generated transuranic waste for shipment to the WIPP. Shipment rates to WIPP have increased significantly over past years and this progress is expected to continue with a commensurate reduction in waste stored above ground. Refer to Section 2.7, Waste Management, of this CRD for additional information.

98-4 NNSA notes the commentor's desire for activities at LANL to be focused on areas other than those related to nuclear weapons production, especially on cleanup of the LANL site. In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information

Chapter 2, Section 2.2.6, of the SWEIS describes progress made by NNSA in conducting its environmental restoration program at LANL. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Continuation of cleanup activities at a pre-Consent Order level is included in the No Action Alternative, while actions necessary to comply with the Consent Order are evaluated under the Expanded Operations Alternative. As stated in Section 1.4 of the SWEIS, however, NNSA intends to implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS. For more information about proposed activities in support of the Consent Order, refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD.

Commentor No. 99: Albert C. Marshall

August 26, 2006
P.O. Box 52
Sandia Park, NM87047

Ms. Elizabeth Withers
Office of Environmental Stewardship
U.S. Department of Energy, National Nuclear Security Administration
Los Alamos Site Office
528 35th Street
Los Alamos, New Mexico 87544

Dear Ms. Withers:

I have two principal concerns relating to the proposed plan to quadruple pit production at Los Alamos National Laboratory. Quadrupling pit production is not simply a quadrupling of nuclear materials, nuclear waste, and management effort. In the absence of a dedicated pit-production facility, quadrupling pit production represents a transition of Los Alamos from research laboratory to a research/production facility. This transition alters the mentality from a basically ivory-tower organization to an organization with a production mission. How can we be assured that production goals will not take precedence over safety and environmental concerns? The statement that facility "air will be filtered" is not very reassuring. Surely, the air at Rocky Flats air was filtered, yet worker safety and the environment were severely compromised. Although plutonium is not "the world's most toxic substance," it is certainly not benign. The half-life is long enough for it to remain in the environment for generations but short enough to exhibit a high specific activity (curies/gram). Needless to say, accidental releases of plutonium are a major concern. Given the close proximity to Los Alamos residents and the near proximity of Albuquerque, the decision regarding weapons production should not be taken lightly.

The second concern relates to the message that we send to the world. We are now lecturing the world about nuclear proliferation and threatening some nations who dare to develop their own nuclear weapons. In the absence of a cold war, our huge stockpile of nuclear weapons is clearly unjustifiable. A U.S. commitment to sustained production of new nuclear weapons will be seen as hypocritical and any trust in U.S. good intentions will be lost. Threatened nations will be tempted to ignore the U.S. and build their own nuclear weapons as insurance against U.S. attack. To maintain credibility, as a minimum, any new pit production must be visibly connected with a net reduction in our nuclear weapons stockpile. One might also ask why we need to produce 80 new pits per year.

99-1

99-2

99-1 NNSA notes the commentor's concerns regarding the potential effect pit production would have on safety at LANL. Public and worker health are of paramount importance and take precedence over all other activities including pit production at LANL. NNSA and its operating contractors have internal organizations dedicated to safe operation of its nuclear facilities. DOE has issued regulations, standards, and guidance for nuclear facility operations including requirements for performance of safety evaluations and risk assessments which become the basis for facility operating parameters. The DOE goal is to eliminate any accidents and these regulations and standards of operations reduce the likelihood of accidents, but do not eliminate them completely. Regarding the filtering of radiological air emissions, DOE, together with the Defense Nuclear Facilities Safety Board, has been strengthening its high-efficiency particulate air filter program for several years through formal recommendations (DNFSB 1999, 2000, 2004). DOE-STD-3020-2005 requires acceptance testing of high-efficiency particulate air filters that are intended for use in DOE nuclear facilities (DOE 2005c). The *Nuclear Air Cleaning Handbook* (DOE 2003b) was reviewed, updated, and reaffirmed in accordance with a Defense Nuclear Facility Safety Board recommendation (DNFSB 2000). This handbook is used by NNSA to ensure that permanent programs are institutionalized and are in place to test and maintain high-efficiency particulate air filter performance.

Chapter 4, Section 4.6.3, of the SWEIS contains a discussion of accidents and safety at LANL facilities. The LANL contractor applies lessons learned from past accidents to improve overall safety performance. LANL staff takes actions in the areas of procedures, training, inspection, and component upgrading and replacement in order to address the root causes of accidents and preclude their recurrence. In addition, the Congress established the Defense Nuclear Facilities Safety Board to provide independent safety oversight of the NNSA nuclear weapons complex. The Defense Nuclear Facilities Safety Board reviews safety issues and prepares reports regarding the safety of nuclear weapons complex facilities, which are submitted to NNSA. NNSA and the LANL contractor review the reports and respond with commitments to update and improve safety systems and safety basis documentation. Refer to Section 2.13, Recommendations of the Defense Nuclear Facilities Safety Board, of this CRD for more information. In making a decision on the operating level

Commentor No. 99 (cont'd): Albert C. Marshall

How many nuclear weapons do we need in this post-cold-war era to maintain a credible deterrence?

I hope these and other concerns will be given sufficient time for careful consideration before any decision is made regarding pit production at Los Alamos National Laboratory.

Sincerely,

Albert C. Marshall
Albert C. Marshall

Nuclear Engineer
Retired Distinguished Member of Technical Staff
from Sandia National Laboratory

|| 99-2
cont'd

99-2

of LANL, NNSA will take into consideration the potential impacts of accidents as addressed in Chapter 5, Section 5.12, of the SWEIS.

NNSA notes the commentor's concerns regarding the size of the nuclear weapons stockpile. The United States has signed a number of international treaties to reduce its nuclear weapons stockpile and is currently reducing its stockpile in compliance with these treaties. The number of nuclear weapons needed to maintain a credible deterrence is a political and strategic issue addressed outside the scope of the SWEIS, which focuses on evaluation of the environmental impacts of alternatives for operations at LANL. As stated in Chapter 1, Section 1.3.3, of the SWEIS, as part of the Expanded Operations Alternative, NNSA has proposed to increase the production of pits from 20 pits to up to 80 pits per year. NNSA estimates that up to 80 pits per year are needed to meet the near-term needs of the Stockpile Stewardship Program.

Commentor No. 100: Cathie Sullivan and Caron Balkany, Esq.

From: Cathie Sullivan [mailto:cathiesullivan@att.net]
Sent: Thursday, September 28, 2006 10:28 AM
To: LANL_SWEIS
Subject: DSWEIS attached comment

Dear Ms Withers,

Please see attachment for our DSWEIS comment. We appreciate the time extension for comments. Outside of NEPA processes the public has little opportunity to know/comment on Lab activities. DOE oversight has become more critical than ever considering Linton Brook's Memo to site managers to back off on non nuclear oversight. This is in particular a concern of ours regarding the BSL3.

Cathie Sullivan

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**Commentor No. 100 (cont'd): Cathie Sullivan
and Caron Balkany, Esq.**

By e-mail to
LANL_SWEIS@doeal.gov

Dear Ms. Withers,

We wish to comment on the 2006 Draft Site-Wide Environmental Impact Statement for Continued Operation of Los Alamos National Laboratory (DSWEIS) with reference to DOE 1996 (DOE/DP-0137), Plutonium: The First 50 Years, United States Plutonium Production, Acquisition and Utilization from 1944 to 1994.

In the DSWEIS, a footnote on page S-23 summarizes the Department's explanation for accounting disparities in plutonium disposition at Los Alamos Lab from 1944 and 1994 between accounts tracking plutonium inventories and accounts tracking plutonium wastes buried at the Lab or later shipped to WIPP as due to:

- unknown losses in ductwork, piping, and other processing infrastructure;
- unknown losses due to different plutonium handling matrices;
- unknown losses due to statistical variations in measurements;
- unknown losses because measurement technology was inadequate;
- unknown losses in waste due to unknown material concentration factors and unknown 'matrix factors';
- unknown losses from unmeasured accidental spills;
- and unknown losses due to errors in recording and reporting numbers and arithmetical rounding.

Relevant to these explanations, an independent study issued November, 2005 by the Institute For Energy and Environmental Research (IEER) titled: Dangerous Discrepancies: Missing Weapons Plutonium in Los Alamos National Laboratory Waste Accounts concludes that approximately 300 kilograms of weapons grade plutonium cannot be accounted for at Los Alamos, a quantity sufficient for about 60 nuclear weapons. Three hundred kilograms is several times more than the amount of plutonium thought held by the North Koreans, and about which the Bush administration expresses grave concern. In fact, should diplomatic efforts fail, the Bush Administration has not forsworn pre-emptive military strikes against North Korean nuclear facilities.

100-1

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As stated in the Summary and in Chapter 1 of the SWEIS, historical differences in the plutonium inventory are not within the scope of the SWEIS. LANL materials control and accountability procedures are in compliance with DOE Orders. In a letter to the president of the Institute for Energy and Environmental Research dated February 28, 2006, the NNSA Administrator replied to recent allegations of the accounting discrepancy of plutonium at LANL (NNSA 2006a). This apparent discrepancy is a result of the different tracking and reporting procedures for site security and for waste management organizations. Comparison of the information contained in the two systems cannot be used to draw conclusions about the control and accountability of special nuclear material.

*Commentor No. 100 (cont'd): Cathie Sullivan
and Caron Balkany, Esq.*

IEER authors Arjun Makhijani, PhD, and Brice Smith, PhD, also state in Science for Democratic Action, Vol 14, #2, p14, a summary article of the longer report that:

- It is not known whether the [lost] plutonium was buried as waste, sent to the Waste Isolation Pilot Project, or diverted.
- If much or most of the plutonium was disposed of as buried waste, the annual reports of plutonium lost to waste in the accounting of the Nuclear Materials Management Safeguards System (NMMSS) are wrong.
- If the missing plutonium is actually in the waste that is stored and destined to be sent to WIPP, than the WIPP waste characterization is incorrect and the certification of that waste for shipment to WIPP is seriously deficient.
- If the WIPP accounts are correct then the large amounts of plutonium shown as being discarded to waste in the 1980s in the NMMSS account must be wrong.

We request in the strongest possible terms that the LANL SWEIS address the evidence and documentation presented in the IEER report and explain to the public where an amount of plutonium sufficient to manufacture approximately 60 nuclear weapons IS! The Department's hand-waving explanations listed at the top of this letter invoking 'lost in the ductwork', 'rounding errors' and 'matrix losses' are inadequate.

We ask for a serious investigation by LANL to resolve these large plutonium accounting discrepancies before contemplating expanding the plutonium mission at Los Alamos. New Mexicans must be confident that their health and New Mexico's environment will not be subjected to Lab-inflicted damage due to sloppy control of plutonium.

Sincerely yours,

Cathie Sullivan
1336 Bishops Lodge Road
Santa Fe, New Mexico
87506

Caron Balkany, Esq.
17 Paseo Vista
Santa Fe, New Mexico
87508

***100-1
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Commentor No. 101: David Burnbaum and Terry Blackman

September 3, 2006

Yes,

My name is David Burnbaum and my wife is Terry Blackman, and we both want it to be known that we absolutely morally and politically oppose the construction or repair of any nuclear weapons anywhere in the world, and that we certainly don't want this work to happen anywhere near where we live or where our children are growing up.

And that we know that there is no doubt that this plan, to begin the construction of pits here in New Mexico at Los Alamos, is a ridiculously dangerous and stupid plan.

So, we would very much appreciate it if you would call the whole thing off.

Thank you.

101-1

101-1 NNSA notes the commentors' opposition to pit production and the management of the nuclear weapons stockpile. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 102: Patricia J. Manion, SL Ph.D.

From: Patricia J Manion [mailto:pjsl@juno.com]
Sent: Sunday, September 10, 2006 1:17 PM
To: LANL_SWEIS
Cc: pegheart1@msn.com
Subject: For your report

September 10, 2006

Ms Elizabeth Withers

The public hearing I attended at Santa Fe Community College concerning the proposed increased nuclear production at the Los Alamos National Laboratory (LANL) was excellent in terms of the clear testimony so many well-informed citizens presented. Unfortunately those presentations will not be fully represented in your monstrously long report and may even fall through the cracks among so much blather.

102-1

102-1

This CRD presents the comments received by NNSA including oral comments provided at public hearings or by phone and those submitted in writing. NNSA considers all of these comments and addresses them within the context of NEPA. Thus, responses to the major issues that emerged from the public comments received as well as the individual comments are addressed in this volume. Where appropriate, changes have been made to the LANL SWEIS. Methods other than the NEPA process are appropriate for Administration officials or private citizens to influence U.S. international policy. See additional discussion in Section 2.1, Opposition to Nuclear Weapons and Pit Production, and Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD.

LANL is proposing to quadruple its nuclear production from 20 plutonium pits - triggers for nuclear weapons - to 80 pits per year. The concerns of citizens of Santa Fe and the whole of New Mexico that this move will have long-term impacts on the health of surrounding communities, lab workers, water resources and the environment pales when we look at the detrimental impact it will have on the whole international movement for solving disputes through peaceful efforts that do bring results.

102-2

102-2

NNSA notes the commentor's statement regarding international peace efforts. It is not within the scope of the SWEIS.

The Department of Energy (DOE) and the National Nuclear Security Administration (NNSA) has held three public hearings in northern New Mexico on the LANL Site-Wide Environmental Impact Statement or SWEIS. But why have you not engaged the broader diplomatic community, inquiring just how helpful or detrimental your work at LANL is for improving conditions in the world?

102-3

102-3

NNSA is responsible for implementing missions assigned by the President and the Congress. This SWEIS has been prepared to assess the environmental impacts of implementing those NNSA mission activities assigned to LANL. See additional discussion in Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD.

It is hard to believe that there is any interest at all in fostering a peaceful, war-less world. All one can surmise is that this effort is to keep the military war complex alive and engaged in every corner of the world. Do you have any competent thinkers among SWEIS that have noticed that war- building has never done anything but foster more antipathy and keeps the world embroiled in multiple conflicts around the globe while the US war industries continue to make a "killing" in \$s while millions die? Die for what? Discontinue the charades of open meetings and sit down and think through how you can persuade the US president and congress to take a different tack that could lead the world to cooperation in building a better existence for everyone. LANL is not making anyone safe but is has been and is taking the world to disaster. Wake up!

102-4

102-4

NNSA notes the commentor's opinion regarding military conflicts and the "war industry." Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

102-1

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102-3

cont'd

Patricia J Manion SL PhD
417 Hillside Avenue
Santa Fe, NM 87501

Commentor No. 103: Virginia W. Ikeda

From: Ginger Ikeda [mailto:ikedafam@bujindesign.com]
Sent: Saturday, September 09, 2006 5:01 PM
To: LANL_SWEIS
Subject: proposal to increase production

Attn: Ms. Elizabeth Withers, Office of Environmental Stewardship

I am writing regarding the LANL Site-Wide EIS, in which there is a proposal to ramp up production of nuclear "pits". As a USA citizen by birth, I want to express my complete dismay and alarm! The down-side to nuclear proliferation in all countries, including this one, is enormous... an immediate one, the dangerous waste, for which there is no safe disposal solution - ever. There are moral issues, concerning the destruction of life, either by direct or indirect means. I could go on. The upshot is that the USA has a responsibility to take the lead in disarmament and non-proliferation.

I am totally opposed to the proposal mentioned above, and I hope you will consider my comments.

Sincerely,

Virginia W. Ikeda
 3320 15th St.
 Boulder, CO 80304

103-1

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103-1
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- 103-1** NNSA notes the commentor's opposition to increasing pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.
- 103-2** LANL operations generate radioactive waste, which is safely stored onsite until disposed of. Disposal options vary by waste type and facility waste acceptance criteria. Low-level radioactive waste may be safely disposed of at LANL or at an offsite facility. Mixed low-level radioactive waste is treated and disposed of offsite at facilities that meet standards for both radioactive and hazardous wastes. Transuranic waste is transported to WIPP. All disposal facilities are designed and operated in accordance with standards developed specifically for the waste type accepted.

Commentor No. 104: Velva Jones

From: VELVA JONES [mailto:jonesy1@spro.net]
Sent: Friday, September 01, 2006 12:49 PM
To: Withers, Elizabeth
Cc: senator_bingaman@bingaman.senate.gov
Subject: Increased Bomb Production; Draft LANL SWEIS Comments

To Whom It May Concern:

It is my understanding that the DOE and NNSA have refused to have public meetings in Albuquerque regarding the possibility of increased bomb production at Los Alamos. Those people are only 60 miles downstream from Los Alamos; regardless of their opinion on the matter, they have a right to comment. Increased pit production at LANL could result in devastating long-term impacts to the health of surrounding communities, lab workers, drinking water, the environment, and on international peace-keeping efforts. People have a right to comment on this proposal that may have a significant impact on their futures.

This matter affects all U.S. taxpayers. Citizens need to be made aware of the proposal and the cost. Many people don't even realize that we're still making nuclear bombs or that we already have a huge stockpile! The United States government has not yet properly addressed the Downwinder issues resulting from the nuclear fallout of the 1950s and 1960s, and one fear is that increased nuclear bomb production will result in renewed testing. We all know what the effects of that action would be!

The multi-billion dollar costs of weapons programs such as this deprive citizens of health care, education, a clean environment and fosters a new international arms race.

The taxpayers who would be paying for this program are the same people who pay your wages. They have a right to make their wishes known!

Velva Jones
PO Box 694
Eagle, Idaho 83616
jonesy1@spro.net

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104-1 NNSA agrees with the commentor's position that citizens of Albuquerque have a right to comment on the Draft SWEIS. Although there were no public hearings in Albuquerque, other means of providing comment on the Draft SWEIS were provided, such as U.S. mail, e-mail, a toll-free telephone line, and a toll-free fax line. It should be noted that all comments, whether written or provided orally, are given equal weight and consideration. See Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

104-2 Chapter 5 of the SWEIS addresses the environmental impacts of the Expanded Operations Alternative, which includes increased pit production. Impacts to the health of the public and employees, as well as impacts on groundwater and other media are all described. The analysis in Chapter 5 indicates that there would be only minor impacts as a result of increased pit production. Analysis of the impact on international peace-keeping efforts is not included in the SWEIS, which focuses on the environmental impacts of carrying out the missions assigned to LANL by the Congress and the President.

104-3 The focus of this SWEIS is to evaluate the environmental impacts of LANL operations. The environmental impacts associated with past nuclear weapons testing are not within the scope of this SWEIS. The United States currently has no plans to resume underground nuclear weapons testing, in keeping with international treaties. Instead, NNSA is meeting its mission to maintain, monitor, and assure the performance of the nation's nuclear weapons stockpile through advanced simulation and computing techniques. The Metropolis Center, whose expansion is evaluated in Appendix J of the SWEIS, is a critical facility in providing these capabilities.

Commentor No. 105: Robin Gay Wakeland

From: ROBIN G WAKELAND [mailto:rgwakeland4036@msn.com]
Sent: Sunday, September 03, 2006 12:54 PM
To: LANL_SWEIS
Subject: SWEIS comment

Los Alamos National laboratory should not manufacture plutonium pits; it should cease immediately current production and not engage in any further production; pit production is a violation of the Strategic Arms Limitation Treaty and threatens world security; further, it is unnecessary to our security, has no socially redeeming effects, and causes inflation because it creates no benefits to society while spending taxpayers money; additionally, it creates pollution to air and water and soil which costs more taxpayers money to clean up; the government should spend money on manufacturing smokestack scrubbers which remove sulfur and other pollutants from factories and power plants and therefore make American manufacturing competitive internationally (effectively an ecologically redeeming government subsidy to American manufacturing) while cleaning up the air; precedents for this large scale government subsidy to American economy is the public water works project which brought water the San Joaquin valley for crop production (1st half 20th century) and the deeding of large tracts of public land to the railroad company for easement and to sell off for profit, to build the transcontinental railroads, 19th century.

Robin Gay Wakeland
 PO Box 29174
 Santa Fe NM 87592
 XXX-XXX-XXXX

105-1

105-1 NNSA notes the commentor's opposition to pit production at LANL. Operations at LANL are not in violation of the Strategic Arms Limitation Treaty or the Treaty on the Non-Proliferation of Nuclear Weapons. Stockpile stewardship capabilities at LANL are currently viewed by the United States as a means to further the Nation's nonproliferation objectives. U.S. confidence in its stockpile stewardship capabilities is likely to remain important in future arms control negotiations as the Nation moves to further reduce its overall stockpile size. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information. An analysis of the social implications and effects on inflation are not within the scope of this SWEIS, which focuses on evaluating environmental impacts.

105-2

105-2 NNSA notes the commentor's concern regarding creation of additional pollution. Refer to Chapters 4 and 5 of the SWEIS that describe the practices employed at LANL to limit the release of contaminants to the environment and the projected impacts from any releases that do occur. LANL staff monitor and document these results in annual environmental surveillance reports that are available to the public on the LANL website (www.lanl.gov/environment/all/esr.shtml). LANL operations are conducted in compliance with all Federal and state laws and regulations regarding emissions of contaminants.

105-3

105-3 NNSA notes the commentor's preference regarding the funding priorities of the U.S. Government. The U.S. Congress and the President are responsible for determining the level of funding for government programs. This SWEIS evaluates the environmental impacts of the alternatives for continued operation of LANL.

Commentor No. 106: Percyne Gardner

From: Percyne Gardner [mailto:kirk@newmexico.com]
Sent: Wednesday, September 06, 2006 9:10 AM
To: LANL_SWEIS
Subject: Comment on Draft SWEIS for LANL

Sept 6, 2006

Comment on Draft SWEIS for Continued Operation of Los Alamos National Laboratory

I object to LANL picking up where Rocky Flats left off. How can we possibly be in the business of building plutonium pits to add to the present horrors of war? Not to mention creating untold amounts of high-level radioactive waste with no place to put it! This insanity must stop!

LANL is so capable of moving into the non-lethal, non-bomb arena of technology. It can become the leader in developing benefits for humankind, instead of the destroyer of humanity. As a grandmother of nine, I pray LANL will continue to move towards peaceful possibilities such as nanotechnology for the benefit of our children and grandchildren and the safety of our environment.

Percyne Gardner
837 Highland Drive
Las Vegas, NM 87701
XXX XXX XXXX
kirk@newmexico.com

106-1

106-2

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cont'd

106-3

- 106-1** NNSA notes the commentor's opposition to pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.
- 106-2** LANL operations do not generate high-level radioactive waste; waste types generated and managed at LANL are described in Chapter 4, Section 4.9. Disposal options vary by waste type, but all disposal facilities are designed and operated in accordance with standards developed specifically for the waste type accepted.
- 106-3** NNSA notes the commentor's desire for activities at LANL to be focused on areas other than those related to nuclear weapons production. Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. In addition to these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 107: Dee Homans and Andrew Davis

From: Andrew Davis/Dee Homans [mailto:davhom@cybermesa.com]
Sent: Tuesday, September 05, 2006 3:36 PM
To: LANL_SWEIS
Subject: draft EIS/our comments

To whom it concerns at the NNSA:

We are totally opposed to the expansion of plutonium pit production that is being considered in the draft EIS for LANL's continued operation. There will be increased health and safety risks for all New Mexicans as well as the psychological and moral distress due to our continuing involvement in the production of weapons of mass destruction. We as well as our children have grown up in the shadow of "the bomb", afraid of the possibility of human-caused annihilation of 100s of thousands of people and the destruction of entire ecosystems due to our actions. The hypocrisy that is involved in our country's blatant disregard of the nuclear non-proliferation treaty and its continued role as a producer and purveyor of lethal weapons at the same time that we feel entitled to invade other countries whom we claim have weapons of mass destruction is appalling. We should instead be taking the moral high ground and leading the world in an effort to dismantle nuclear weapons. We don't need anymore! Let's convert the lab's mission into something which is life-affirming.

Sincerely,

Dee Homans
 Andrew Davis
 P.O. 1354,
 Santa Fe, New Mexico
 87504
 XXX-XXXX

107-1

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107-4

107-1 NNSA notes the commentor's opposition to expanding pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

107-2 NNSA notes the commentor's concern regarding the potential health and safety risks from LANL operations. Chapter 4, Section 4.6.1, of the SWEIS provides information on current cancer mortality and incidence rates in New Mexico and counties surrounding LANL. Chapter 4, Table 4-26, shows that some cancer rates in the Los Alamos vicinity are lower than the national average and some are higher, which is typical of any area. This section also presents information from the final LANL Public Health Assessment, issued on August 31, 2006, by the U.S. Department of Health and Human Services, Agency for Toxic Substances and Disease Registry, which determined that, "...there is no evidence of contamination from LANL that might be expected to result in ill health to the community," and "...overall, cancer rates in the Los Alamos area are similar to cancer rates found in other communities" (ATSDR 2006).

Chapter 5 of the SWEIS describes the environmental impacts of each of the three alternatives for continuing to operate LANL and includes the effects on surface waters, groundwater, and air. Section 5.13 states that contamination from LANL or changes in Rio Grande flows are not likely to affect water quality. In addition, a special pathways analysis has been added to Appendix C to address concerns regarding contamination of the Rio Grande. The analysis shows that drinking water from the Rio Grande that could potentially be impacted by LANL is comparable to drinking water from the Jemez River, which is not downstream of LANL. The health impacts analysis uses air monitoring data to estimate dose to the population within a 50-mile (80-kilometer) radius of LANL. The maximum projected annual population dose would be 36 person-rem under the Expanded Operations Alternative. This dose would not be expected to result in any additional latent cancer fatalities in the affected population. The psychological impacts and moral implications related to LANL operations are not within the purview of NEPA.

107-3 NNSA notes the commentor's opinions regarding nuclear nonproliferation treaty compliance and U.S. foreign policy. The United States is a world leader in the implementation of the Treaty on the Non-Proliferation of

Commentor No. 107 (cont'd): Dee Homans and Andrew Davis

Nuclear Weapons. Operations at LANL that support the NNSA mission to ensure a safe and reliable nuclear stockpile are not in violation of the treaty. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

- 107-4** Cessation of NNSA's core mission activities would be counter to national security policy as established by the Congress and the President; therefore, ending these activities at LANL is not being considered for the LANL SWEIS. Activities that support research of other initiatives important to the Nation are conducted at LANL. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 108: Timothy Long

From: Tim Long [mailto:nstoys@kitcarson.net]
 Sent: Tuesday, September 05, 2006 3:10 PM
 To: LANL_SWEIS
 Subject: Plutonium Pit Production

Dear Ms Elizabeth Withers:

I am writing to voice my opinion in opposition to any increase in nuclear weapons, research development or production. I am specifically opposed to the proposed expanded operations in the draft 2006 Site-Wide Environmental Impact Statement for LANL. This alternative will generate more toxic waste into our air and water and thus the Rio Grande. I am concerned that this project would violate the Nuclear Non-Proliferation Treaty.

Thank you for considering my comments.

Sincerely,

Timothy Long
 HC81 Box 617
 Questa, NM 87556

108-1

108-2

108-3

- 108-1** NNSA notes the commentor's opposition to activities related to nuclear weapons research, development, or production at LANL, and specifically, the Expanded Operations Alternative. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.
- 108-2** The potential environmental, health, and safety impacts of the continued operation of LANL under the three proposed alternatives are analyzed in Chapter 5 of the SWEIS, including management of radioactive and chemical wastes, monitoring of air emissions, and treatment or monitoring of wastewater discharged through National Pollutant Discharge Elimination System-permitted outfalls. The commentor is correct that the Expanded Operations Alternative would result in greater amounts of radioactive and chemical wastes as well as increased air emissions and wastewater discharges; but as demonstrated in the SWEIS, these increases can be safely managed. It should be noted that treated effluents do not normally flow directly into the Rio Grande, although surface waters may reach the river a few times a year during large precipitation events. Refer to Section 2.6, Offsite Contamination, of this CRD for more information.
- 108-3** Implementation of the Expanded Operations Alternative supports NNSA's mission to ensure a safe and reliable nuclear stockpile and is not in violation of the Treaty on the Non-Proliferation of Nuclear Weapons. Stockpile stewardship capabilities at LANL are currently viewed by the United States as a means to further the Nation's nonproliferation objectives and are likely to remain important in future arms control negotiations as the Nation moves to further reduce its overall stockpile size. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 109: Jose Griego, Ph.D.

From: Jose Griego [mailto:jose@nnmc.edu]
Sent: Tuesday, September 05, 2006 1:27 PM
To: LANL_SWEIS
Subject: Illegal PIT production

I write to strongly oppose the production of nuclear PITs at LANL. As a life-long resident of northern New Mexico, it is my duty to leave a healthy community to my children and grandchildren. The proposed PIT production would add greater dangers to our environment, not to mention that you are painting a bigger target in northern NM for potential terrorist attacks.

President Bush's authorization of greater PIT production at LANL is illegal. Mr. Bush is a war criminal and a liar, and must be impeached. His violation of the US constitution is flagrant and I oppose his mandates based on legal and ethical grounds.

Jose Griego, Ph.D.
Embudo, NM

|||
109-1

109-1 NNSA notes the commentor's opposition to the production of nuclear pits at LANL. The SWEIS evaluates the environmental impacts of three alternatives for LANL operations, all of which include pit production. As the impact analysis in Chapter 5 shows, the impacts of pit production at LANL at any of the levels of operation do not result in large detrimental impacts to the environment.

|||
109-2

DOE gives high priority to the safety and security of all its facilities. Security and potential acts of sabotage are integral considerations in the designs and operating procedures for new and existing DOE facilities. DOE considers the threat of terrorist attack to be real and has an established safeguards and security process it undertakes to assess facility vulnerabilities to various threats, including those from intentional destructive acts, such as acts of terrorism.

109-2 NNSA notes the commentor's opinion regarding the legality of pit production. Increasing pit production would violate no U.S. law or international treaty to which the United States is a party. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 110: Stephen R. Spencer,
Regional Environmental Officer, U.S. Department of the Interior



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
P.O. Box 26567 (MC-9)
Albuquerque, New Mexico 87125-6567



IN REPLY REFER TO:

September 5, 2006

File 9043.1
ER 06/677


Ms. Elizabeth Withers
SWEIS Document Manager
U.S. Department of Energy
National Nuclear Security Administration
Los Alamos Site Office
528 35th Street
Los Alamos, New Mexico 87544

Dear Ms. Withers:

The U.S. Department of the Interior has reviewed the Draft Site-Wide Environmental Impact Statement for Continued Operation of Los Alamos National Laboratory, Los Alamos County, New Mexico. In this regard, we have NO COMMENT.

Thank you for the opportunity to review this document.

Sincerely,


Stephen R. Spencer
Regional Environmental Officer

110-1

110-1 NNSA acknowledges the U.S. Department of the Interior letter.

*Commentor No. 111: Bernard R. Foy, Conservation Chair,
and Tom Taylor, President, Sangre de Cristo Audubon Society*

From: Bernard Foy [mailto:bdfoy@newmexico.com]
Sent: Monday, September 04, 2006 7:40 PM
To: LANL_SWEIS
Subject: Comments on LANL SWEIS - Sangre de Cristo Audubon Society

US Department of Energy
National Nuclear Safety Administration
Los Alamos Site Office
Attn: E. Withers
Los Alamos, NM

e-mailed to LANL_SWEIS@doeal.gov
4 September 2006

Ms. Withers:

The Sangre de Cristo Audubon Society would like to submit the following comments as part of the public comment process for the Site-wide Environmental Impact Statement for Los Alamos National Laboratory. Since e-mail is still not completely reliable, we would appreciate a reply indicating that our comments have been received prior to the close of the period and that they will be considered.

The Sangre de Cristo Audubon Society has about 1000 members throughout northern New Mexico, and we have been keenly interested in environmental stewardship at LANL. The draft SWEIS concerns us greatly because of impacts on the Mexican Spotted Owl that we feel are easily avoidable through basic planning.

Appendix J describes a sub-project called the Security-Driven Transportation Modifications. The most alarming aspect of this project is summarized on p. J-32: "The new road would pass through portions of the core and buffer zones of the Sandia-Mortandad Mexican spotted owl Areas of Environmental Interest. Thus, the potential exists to impact Mexican spotted owls both directly (within the core zone) and indirectly (within both the core and buffer zones)." Other aspects of road-building for this project are also expected to disturb Spotted Owl habitat.

We believe that LANL can easily satisfy its transportation needs across the site without disturbing ANY Spotted Owl habitat. We find it difficult to believe that all reasonable alternatives to the proposed action have been investigated. Constructing new roads across canyons on the Pajarito Plateau is a very expensive undertaking that would waste taxpayer's money, when an abundant network of roads across the site already exists. While we can understand the desire to re-route traffic for security concerns, the most sensible road construction involves previously disturbed areas and routes primarily located on mesa tops. Appendix J does not indicate that either of these principles is being followed.

111-1

111-2

111-1 DOE continues to be concerned about threatened and endangered species at LANL. To ensure protection of these species, DOE complies with the Threatened and Endangered Species Habitat Management Plan for the LANL site (see Chapter 4, Section 4.5, of the SWEIS). On February 21, 2006, DOE submitted to the U.S. Fish and Wildlife Service a biological assessment and request for formal consultation regarding proposed and ongoing activities analyzed in the LANL SWEIS (LANL 2006i). This document was reviewed by the U.S. Fish and Wildlife Service, which issued its opinion in a series of letters to DOE (see Chapter 6). Data from this biological assessment and the U.S. Fish and Wildlife Service responses to it were incorporated into the appropriate sections of this Final LANL SWEIS. With respect to the bridges over Mexican spotted owl Areas of Environmental Interest that are required for Options A and B of the Security-Driven Transportation Modifications Project, the U.S. Fish and Wildlife Service concluded that it could not analyze the effects of the proposed actions because the exact locations and designs of the bridges had not been determined. Thus, if either or both of these options were selected, the agency requested (see Chapter 6, U.S. Fish and Wildlife Service letter dated June 22, 2006) that DOE submit a new request for consultation after plans are finalized. DOE will comply with this request. This commitment will be included in the Mitigation Action Plan for actions selected for implementation in the Record of Decision supported by the SWEIS.

111-2 As discussed above, NNSA complies with the Threatened and Endangered Species Habitat Management Plan for the LANL site and will continue to consult with the U.S. Fish and Wildlife Service about the proposed project and auxiliary actions. Use of the existing network of roads (essentially the No Action Option for the Project) would neither improve transportation flow within the Pajarito Corridor nor provide the needed security upgrades. The proposed actions will ensure secured vehicular access to NNSA facilities within the Corridor while facilitating a pedestrian rather than vehicle-intensive campus environment that should be more compatible with area wildlife. Implementation of the auxiliary actions would further improve traffic flow within LANL. Construction of new bridges, roads, parking areas, and other structures would occur on the mesas—canyons will be spanned, not used for roadways—and, where possible, would occur within areas already disturbed by human activity.

**Commentor No. 111 (cont'd): Bernard R. Foy, Conservation Chair,
and Tom Taylor, President, Sangre de Cristo Audubon Society**

We take a dim view of a mitigation strategy that states that "activities will be restricted" during the breeding season. The risks of destroying a successful Spotted Owl nest site are simply too great. No "mitigation" strategies are as good as simply avoiding the disturbance in the first place. We disagree that an acceptable compromise is to disturb potential habitat that is not currently occupied by the Owl, because today's "potential" habitat is tomorrow's occupied habitat. Even the most knowledgeable Spotted Owl experts cannot foresee which piece of habitat the bird will move to in future years.

***111-1
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Appendix J clearly does not comprise a full environmental analysis of the Security-Driven Transportation Modifications. It does not consider a range of alternative routes for the roads in question, and it does not analyze the impacts on wildlife comprehensively. In this regard, it is a hastily prepared, poorly constructed document. We therefore make the following recommendations. (1) The draft SWEIS should be modified to indicate that any future disturbance of Mexican Spotted Owl habitat, for transportation purposes or any other, would entail the preparation of a complete and comprehensive Environmental Impact Statement that is a separate document from the current SWEIS. (2) The draft SWEIS should be modified to indicate that every reasonable attempt will be made to AVOID disturbance of Spotted Owl habitat whenever possible, going above the planned practice of "mitigating" the damage from road construction. This would make it far more believable that LANL is practicing wise land stewardship and wildlife stewardship in the course of fulfilling its mission.

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Thank you for the opportunity to comment on the LANL SWEIS.

Sincerely,

Bernard R. Foy, Conservation Chair
Tom Taylor, President
Sangre de Cristo Audubon Society
e-mail: tn21tay@comcast.net and bdfoy@newmexico.com P.O. Box 22083 Santa Fe, NM 87502-2083

Appendix J, Section J.1.3.1, was revised to address the negative aspects of implementing the No Action Option.

Commentor No. 112: Laurie Dickerson Moreau

From: Laurie Dickerson [mailto:laurieintaos@earthlink.net]
Sent: Monday, September 04, 2006 8:28 AM
To: LANL_SWEIS
Subject: LANL EXPANSION

Dear Ms. Withers:

As a resident of Northern New Mexico, I am unequivocally opposed to ANY and ALL expansion of plutonium pit production at LANL. Water is scarce here, and we should not be diverting it from home and agricultural uses for this purpose, nor should we risk the water table here further by this expansion. The risks to my health, and the health of all New Mexicans are not worth the current contamination we suffer in our air and water. Please do not turn LANL into a radioactive storage and waste dump facility.

Please instead clean up LANL; we should be focusing on alternative energies at LANL - we have the brain trust to do so, just apparently not the will nor vision.

Laurie Dickerson Moreau
212 Los Rios Road
Arroyo Hondo, NM 87513

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112-1 NNSA notes the commentor's opposition to pit production at LANL. The purpose for continued operation of LANL is to support NNSA's core missions as directed by the Congress and the President, which includes ensuring a safe and reliable nuclear stockpile. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

The environmental impacts of waste generation and disposal are addressed in Chapter 5 of the SWEIS. While increased waste generation would occur as a result of expanded pit production, not all waste would be disposed of at LANL. Chemical waste and low-level radioactive mixed waste from LANL operations are sent offsite for treatment and disposal; transuranic waste is stored until shipped to WIPP for disposal; and low-level radioactive waste is either disposed of onsite at Area G or shipped offsite for disposal. Refer to Section 2.7, Waste Management, of this CRD for additional information.

Chapter 2, Section 2.2.6, of the SWEIS describes the progress that NNSA has made in conducting its environmental restoration program at LANL. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Appendix I of the SWEIS presents options and environmental analyses for conducting future remediation activities at LANL primarily related to the Consent Order that was entered into in March 2005. These analyses address LANL waste disposal sites and other contaminated areas and provide environmental impact information to facilitate future environmental restoration decisions that will be made by the New Mexico Environment Department. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for additional information.

112-2 DOE and Los Alamos County have combined water rights of 1,806 million gallons (6,836 million liters) per year, of which 542 million gallons (2,050 million liters) per year are allocated to DOE. In recent years, the largest amount of water used by DOE and the County was 1,515 million gallons (5,735 million liters) in 2000, when the Cerro Grande Fire occurred. As shown in Chapter 4, Table 4-43, and discussed in Chapter 5, Section 5.8.2, LANL water usage is expected to remain

Commentor No. 112 (cont'd): Laurie Dickerson Moreau

below its 542 million gallons (2,050 million liters) per year allotment. Green building requirements encouraging state-of-the-art strategies for sustainable site development, water savings, energy efficiency, and material selection will reduce water use for new facilities that replace older buildings.

- 112-3** NNSA notes the commentor's concern regarding the potential health impacts of LANL operations. Chapter 4, Section 4.6.1, of the SWEIS provides information on current cancer mortality and incidence rates in New Mexico and counties surrounding LANL. Chapter 4, Table 4-26, shows that some cancer rates in Los Alamos vicinity are lower than the national average and some are higher, which is typical of any area. This section also presents information from the final LANL Public Health Assessment, issued on August 31, 2006, by the U.S. Department of Health and Human Services, Agency for Toxic Substances and Disease Registry, which determined that, "...there is no evidence of contamination from LANL that might be expected to result in ill health to the community," and "...overall, cancer rates in the Los Alamos area are similar to cancer rates found in other communities" (ATSDR 2006). Chapter 5 of the SWEIS describes the environmental impacts of each of the three alternatives for continuing to operate LANL and includes the effects on surface waters, groundwater, and air. Chapter 5, Section 5.13, states that contamination from LANL or changes in Rio Grande flows are not likely to affect water quality. In addition, a special pathways analysis has been added to Appendix C to address concerns expressed regarding contamination of the Rio Grande. The analysis shows that Rio Grande water that could potentially be impacted by LANL is comparable to drinking water from the Jemez River, which is not downstream of LANL. The health impacts analysis uses air monitoring data to estimate dose to the population within a 50-mile (80-kilometer) radius of LANL. The maximum projected annual population dose would be 36 person-rem under the Expanded Operations Alternative. This dose would not be expected to result in any additional latent cancer fatalities in the affected population.

Commentor No. 113: Ellen Brodsky

From: Ellen Brodsky [mailto:ellenbro@laplaza.org]
Sent: Monday, September 04, 2006 3:38 AM
To: LANL_SWEIS
Subject: Public Comment

As a citizen of New Mexico I oppose the expanded operations alternative proposed by DOE for a number of reasons, including but not limited to the following:

1. Los Alamos National Laboratories is situated on three major fault lines. The draft SWEIS has not incorporated recent seismic data indicating that seismic activity is due soon. A 2006 seismic hazard study is due to be released this year. DOE should wait for the results of that study before making any proposals.
2. Although DOE wants to increase operations, it has cut its request for environmental cleanup at LANL for fiscal year 2007 of about \$55 million. There are already over 18 million cubic feet of waste buried in unlined pits, shafts and trenches at LANL. DOE will expand the low-level radioactive waste dump by 70 acres this fall. The fact that DOE is cutting its budget for cleanup at the same time that it is significant looking to expand its waste emissions indicates that their priorities do not lie in protecting the health, welfare and environment of New Mexico residents.
3. The country does not need more nuclear weapons. We already have enough to blow up any enemy (maybe the world). We need to invest in renewable energy and cleanup technologies for the toxins already created by LANL.

Thank you for your consideration.

Ellen Brodsky
PO Box 1102
Taos, NM 87571

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113-3

113-1 An update to the seismic hazard analysis was completed in 2007 (LANL 2007a). Seismic activity at LANL is described in Chapter 4, Section 4.2.2.3, and in the 2007 seismic hazard analysis report (LANL 2007a). The estimated human health impacts from postulated facility accidents at LANL, including earthquakes, are described in Chapter 5, Section 5.12, and Appendix D, Section D.4. These sections also include a discussion of the significance of the updated understanding of seismic hazard from the 2007 seismic hazard analysis report.

The new geological information in the 2007 seismic hazard analysis report has been interpreted as indicating that the seismic hazard at LANL is greater than previously understood. The relevance of the seismic hazard to facility accidents will undergo a rigorous and thoughtful evaluation to determine what, if any, changes are needed for planned and existing facilities. In the interim, the LANL contractor has developed and NNSA has accepted a justification for continued operation which addresses controls on operations of certain nuclear and high hazard operations that mitigate the risks from seismic activities (LANL 2007b, NNSA 2007b).

Following the NEPA process but prior to the design and operation of specific facilities, safety studies in the form of Hazard Assessment Documents and Safety Analysis Reports that include seismic concerns and take into account the most current seismic information would be prepared to address a comprehensive set of accident risks. The results of these safety studies would be incorporated into facility design and operations to ensure protection of the health and safety of workers and the public.

113-2 NNSA notes the commentor's concern regarding the funding priorities of the U.S. Government. Funding decisions for LANL will be made by the Congress and the President, and are not within the scope of this SWEIS, which evaluates the environmental impacts of the alternatives. The Record of Decision for the 1999 SWEIS documented the DOE decision to continue onsite disposal of low-level radioactive waste at LANL, and to expand disposal capacity by up to 72 acres (29 hectares) (64 FR 50797). Chapter 2, Section 2.2.6, of the SWEIS describes the progress DOE has made in conducting its environmental restoration program at LANL. Appendix I of the SWEIS presents options and environmental analyses for conducting future remediation activities at LANL primarily related

Commentor No. 113 (cont'd): Ellen Brodsky

to the Consent Order that was entered into in March 2005. These analyses address LANL waste disposal sites and other contaminated areas, and provide environmental impact information to facilitate future environmental restoration decisions to be made by DOE and the New Mexico Environment Department. NNSA intends to implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for additional information.

- 113-3** As indicated in Chapter 1, Section 1.2, of the SWEIS, the purpose of the continued operation of LANL is to support NNSA's core missions as directed by the Congress and the President, which includes ensuring a safe and reliable nuclear stockpile. This does not entail adding more nuclear weapons, but maintaining the existing stockpile. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information. In addition to its national security mission, however, LANL currently conducts research in the areas of renewable energy and environmental cleanup technologies. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 114: Frances Christ

From: Frances Christ [mailto:mfchrist@optonline.net]
Sent: Tuesday, September 12, 2006 6:52 PM
To: LANL_SWEIS
Subject: Opposed to NNSA's proposals

I am strongly opposed to the NNSA's proposal to increase the production of plutonium pits, radioactive bomb wastes that will be transported on New Mexican highways, increase the storage capacity of materials such as plutonium, and expand the mission of LANL's new plutonium lab.

All of these actions are highly detrimental - they make peaceful arbitration less likely to be chosen in times of conflict, they increase damage to the environment, and they increase the danger of a terrorist threat.

Sincerely,
Frances Christ

114-1

114-1 NNSA notes the commentor's opposition to NNSA's proposal to increase the production of plutonium pits. The SWEIS addresses three alternatives for continued operation of LANL, none of which includes a new plutonium lab. Chapter 5 of the SWEIS describes the environmental impacts of pit production and resulting waste generation and disposal. While increased pit production would result in increased transuranic waste generation and transportation of this waste to WIPP, the impacts are expected to be minimal. Regarding a terrorist threat, DOE gives high priority to the safety and security of all its facilities. Security and potential acts of sabotage are integral considerations in the designs and operating procedures for new and existing DOE facilities. DOE considers the threat of terrorist attack to be real and has an established safeguards and security process it undertakes to assess facility vulnerabilities to various threats, including those from intentional destructive acts, such as acts of terrorism.

Commentor No. 115: Beryl Schwartz

From: Beryl Schwartz [mailto:berylls@taosnet.com]
Sent: Tuesday, September 12, 2006 1:50 PM\
To: LANL_SWEIS
Subject: Written comment on draft SWEIS

Public comment on 2006 LANL SWEIS by Beryl Schwartz, Taos, New Mexico:

The range of alternatives in the current LANL SWEIS from which the public is asked to choose presents no alternative to the present business as usual, a business which puts local communities in northern New Mexico and the world at an unacceptable risk. Each alternative for the manufacture plutonium pits leads to restarting a nuclear arms race, exaggerated and accelerated in the expanded alternative to greatly expand pit production which also produces increased nuclear waste and increases radioactive pollutants contaminating water and land, and further hazards in the event of a quake or wildfire.

115-1

Even with No Change, LANL would continue to explode over four tons of depleted uranium into the atmosphere during procedures innocuously named in the SWEIS as "expending" in "dynamic" or "hydrodynamic" tests. Such dispersal of DU into the air of northern New Mexico further contaminates the air, water, and soil of it's pueblos, villages, towns and cities and is not only irresponsible but criminal, particularly as other countries have recognized and acknowledged the danger of DU and have stopped its use. Furthermore, according to former Livermore physicist Marion Fulk, DU when exploded decimates into nano particles of uranium oxides and nitrides as essentially weightless as the earth's atmosphere, upon whose winds it can travel the world over. When inhaled these radioactive, poisonous heavy-metal uranium particles, capable of catalyzing cell disintegration, can travel and set up camp anywhere in the body, causing, among various other illnesses, cancer and birth deformities. LANL's explosion of DU is a danger not only to the people of northern New Mexico, but to people worldwide, now and forever.

115-2

LANL purports that their major mock nuclear tests are merely for "Stockpile Stewardship." However, NNSA head, Linton Brooks, avidly promotes a new generation of "usable nukes"-- nuclear bunker busters and mini-nukes and whatever other diabolically irresponsible creations LANL's minds are hatching, and a new nuclear bunker buster has already entered the US arsenal during the regime of Stockpile Stewardship, inviting other countries to do the same.

115-3

A Brookhaven report states that 220,000 lbs of DU munitions were exploded at LANL prior to 1999, but does this include munitions exploded by the Dept of Defense and does this SWEIS even tabulate the munitions currently exploded by the Dept of Defense at LANL? What explains the difference between the 6900 lbs per year for

115-4

- 115-1** NNSA notes the commentor's opposition to the three alternatives evaluated in the SWEIS and preference for an alternative that does not include activities related to weapons production. Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President, and is therefore not being considered in the SWEIS. In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information. Monitoring programs at LANL address air, water, and soils, and the results are reported in the annual environmental surveillance reports. LANL operations are in compliance with regulations that protect public health and the environment and, based on the SWEIS analyses, would continue to be in compliance under the alternatives evaluated in the SWEIS. While increased waste generation would occur as a result of expanded pit production, not all waste would be disposed of at LANL. Chemical waste and low-level radioactive mixed waste from LANL operations are sent offsite for treatment and disposal; transuranic waste is stored until shipped to WIPP for disposal; and low-level radioactive waste is either disposed of onsite at Area G or shipped offsite for disposal. Refer to Section 2.7, Waste Management, of this CRD for additional information. The impacts from postulated facility accidents including earthquakes and wildfires are described in Chapter 5, Section 5.12. Following the NEPA process but prior to the design, construction and operation of new facilities, safety studies in the form of Hazards Assessment Documents and Safety Analysis Reports that include seismic risks would be prepared to address a more comprehensive set of accidents. The results of these safety studies would be incorporated into facility design and operations to ensure protection of the health and safety of workers and the public.

- 115-2** Please refer to Section 2.10, Depleted Uranium and the Dual Axis Radiographic Hydrodynamic Test (DARHT) Facility, of this CRD for more information on LANL's use of depleted uranium and its monitoring program.

Commentor No. 115 (cont'd): Beryl Schwartz

dynamic experiments on page (3-25) and about 8.600 lbs for the same purpose on page (5-49), more than 4 tons per year?

**115-4
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While the Neutron Science Center proposes testing DU in "contained" explosions, 100 lbs per shot, what kind of containment is being proposed? Foam-filled tents, as has been tried with DARHT "hydroshots?"

115-5

The Neutron Science Center (LANSCE, aka TA-53) appears (pp 3-85 and 5-87) to release 30,400 curies per year in "gaseous mixed activation product"-an astonishing and appalling amount, indicating the radionuclides created by LANL's particle accelerator are not very efficiently contained at LANSCE. The "Reduced Alternative" of the current SWEIS would shut down LANSCE. A good idea! Another question: On page 3-22 of Volume I of the SWEIS in a chart for High Explosives Processing Facilities, the Expanded Operations Alternative proposed an increase from 2,910 lbs/yr to 5000 lbs/yr of "mock explosives." Do these "mock explosives" consist of depleted uranium?

115-6

Given the use of a health study that was rejected by the DOE, seismic information that was not fully explored, and the proposed construction of an underground facility not many feet above volcanic ash, this draft SWEIS should go back to the drawing board.

115-7

The unlisted alternative that I would choose for LANL calls for the discontinuation of DU explosions of any kind, the cessation of any efforts to test or design new nuclear weapons, the total dismantling, in cooperation with all the other nuclear nations of the world, of the US nuclear arsenal, and the thorough clean-up of LANL, returning it to environmental livability. There are many challenges for LANL scientists:

**115-1
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Greenhouse gasses, global warming, alternative fuels, cleaning up nuclear waste, and repairing the damage done to human health by radiation. The alternatives listed in the SWEIS are in no way beneficial to life on earth.

115-3 NNSA notes the commentor's opinion regarding health effects associated with depleted uranium at LANL. The radiological health consequences of LANL's operations involving depleted uranium for all three alternatives analyzed in the SWEIS are presented for normal operations in Chapter 5, Section 5.6 and, for accidents, in Section 5.12. Appendix C presents the chemical and radiological consequences associated with the consumption of LANL area flora and fauna that contain contaminants including uranium. Airborne radionuclide emissions at the LANL site perimeter, as well as at onsite and regional locations, are monitored continually by the radiological air sampling network, referred to as AIRNET, for such particles. The data from AIRNET stations are tracked for several years to determine if a trend or impact in the airborne radionuclide emissions exists. The data collected from stations near DARHT did not indicate a trend that needs to be tracked. Refer to Section 2.10, Depleted Uranium and the Dual Axis Radiographic Hydrodynamic Test (DARHT) Facility, of this CRD for additional information.

115-4 Environmental remediation of sites used for dynamic experiments at LANL (firing sites) is being addressed, primarily in accordance with DOE's authority under the Atomic Energy Act, and with the requirements of the March 2005 Consent Order. Since 1989, when over 2,100 potential release sites, including firing sites, were identified at LANL, because of progress in remediation and consolidation of sites, only 829 potential release sites remained at the end of 2005. Therefore, the levels of depleted uranium and high explosives that may remain in the vicinity of the firing sites is being reduced. Additional information is in Chapter 2, Section 2.2.6, and Appendix I of the SWEIS, and in Section 2.9, Consent Order and Environmental Restoration Activities, of this CRD.

All depleted uranium proposed to be used in testing at LANL is accounted for in the SWEIS. Chapter 3, Table 3-9 (on page 3-25 in the Draft SWEIS), indicates that the maximum (on average) amount of depleted uranium used for high explosives testing annually would be 6,900 pounds (3,130 kilograms); Chapter 5, Table 5-9 (on page 5-49 in the Draft SWEIS), shows a total of 8,649 pounds (3,931 kilograms) of depleted uranium. This apparent inconsistency can be explained as follows: Table 5-9 identifies the maximum amount of depleted uranium that could be used in any one of the three high explosives testing sites

Commentor No. 115 (cont'd): Beryl Schwartz

while Table 3–9 is a single maximum limit for all high explosives testing combined. The total amount of depleted uranium used at all high explosives testing sites will not exceed a total of 6,900 pounds (3,130 kilograms), on average, per year. A note has been added to Table 5–9 to indicate the overall annual limit.

- 115-5** The linear accelerator experiments at LANSCE are different from the hydrotests at DARHT. At LANSCE, the depleted uranium is used as a target for the study of the effect of neutrons on the material. The experiment is contained within a certified steel containment vessel, which is located and confined within Experimental Area C, one of the buildings at TA-53.
- 115-6** LANSCE does have the highest amount of radionuclide air emissions at the site. Operations at LANSCE are closely monitored and as discussed in Chapter 5, Section 5.6, if necessary, operational controls would limit the dose to the hypothetical maximally exposed offsite individual from air emissions to 7.5 millirem per year to ensure compliance with the 40 CFR Part 61 (National Emission Standards for Hazardous Air Pollutants) limit of 10 millirem per year. Mock explosives, non-detonable material used to simulate one or more properties of high explosives, do not consist of depleted uranium.
- 115-7** NNSA assumes the commentor is referring to the *LANL Public Health Assessment* prepared by the U.S. Department of Health and Human Services, Agency for Toxic Substances and Disease Registry (ATSDR), and the comments on the report by EPA. The SWEIS does not rely on the ATSDR *LANL Public Health Assessment* in any specific way for its conclusions. The *LANL Public Health Assessment* was finalized and released August 31, 2006 (ATSDR 2006). Appendix I of the final *LANL Public Health Assessment* lists the comments on the draft that were received from members of the public and other Federal agencies and describes how those comments were addressed in the final document. See Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

To the extent possible, the most recent technical documents, including an update to the seismic hazard analysis, completed in 2007, are considered in the Final SWEIS analyses. Information under development that is not

Commentor No. 115 (cont'd): Beryl Schwartz

available for use in the Final SWEIS will be considered as it becomes available and, in accordance with the NEPA compliance process, the SWEIS impact analyses will be reviewed and supplemented as necessary based on the newly available information. See Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

NNSA assumes that the volcanic ash the commentor refers to is the thick, structurally weak, non-welded tuff interval identified at depth beneath the Chemistry and Metallurgy Research Replacement Facility site at TA-55. The rocks beneath LANL consist of alluvium underlain by sediments and tuffs that are variably welded and indurated as discussed in Chapter 4, Section 4.2. These tuffs, which comprise the Bandelier Tuff, Otowi Pumice Bed, and Puye Formation, may form the upper 300 feet (91 meters) of rock beneath LANL (based on data from Characterization Well R-13, located in TA-5). Although these are tuffs, they are not necessarily weak layers—they form the foundation for most of the facilities at LANL. In addition, any below-grade structures would be built using best construction practices to mitigate any structural weaknesses in the strata. Below the Puye Formation, the tuffs give way to the Cerro del Rios Basalt. Additional site investigation is underway to determine the lateral extent of the ash layer as an indicator of whether it is a significant issue for the Chemistry and Metallurgy Research Replacement Facility or other facilities. As further geological information becomes available it would be factored into the planning process and building modification decisions for new or existing structures in the area of effect. The new geological information in the 2007 seismic hazard analysis report (LANL 2007a) has been interpreted as indicating that the seismic hazard at LANL is greater than previously understood. The relevance of the seismic hazard to facility accidents will undergo a rigorous, thoughtful evaluation to determine what, if any, changes are needed for planned and existing facilities. In the interim, the LANL contractor has developed and NNSA has accepted a justification for continued operation which addresses controls on operations of certain nuclear and high hazard operations that mitigate the risks from seismic activities (LANL 2007b, NNSA 2007b).

Commentor No. 116: Tim Gale

From: tim gale [mailto:tpgale@comcast.net]
 Sent: Tuesday, September 12, 2006 11:49 AM
 To: LANL_SWEIS
 Subject: Cease the Madness

Dear Ms. Withers,

I recently learned about the plans for Los Alamos to quadruple its production of plutonium pit triggers for various type of nuclear weapons. I am foursquare against this. All nations of the world should be stepping back from nuclear weapons production and use. If the US continues increasing its stockpiles and threatening the use of nukes, tactical or otherwise, our poor example will only lead to more proliferation and possible exchanges. The Non Proliferation Treaty was a step in the right direction. Why are we falling away from those principles? So we can keep creating more hazardous waste and continue courting the disaster of a nuclear exchange?

116-1

The outrageous and immoral policies of the Bush administration are legion and this latest move only underscores their already abysmal track record. The military industrial complex in the US has profited immensely from Bush administration policies. This latest move at Los Alamos is assuredly more of the same old game. The NNSA is acting directly against the interests of peace, prosperity and environmental preservation here in the US and abroad.

**116-1
cont'd**

Cease the Madness and consider the future of the earth and your children's well being.

Sincerely,
 Tim Gale

116-1

NNSA notes the commentor's opposition to pit production and nuclear weapons. Stockpile stewardship capabilities at LANL are currently viewed by the United States as a means to further the Nation's nonproliferation objectives. U.S. confidence in its nuclear stockpile is likely to remain important in future arms control negotiations as the Nation moves to further reduce its overall stockpile size. The pits that would be produced at LANL would be used to replace existing pits. The number of nuclear weapons in the Nation's stockpile has been decreasing and NNSA anticipates that future reductions will be possible. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information including stockpile reduction information.

Commentor No. 117: E. Besada

From: Dr. Besada [mailto:ebesada@nova.edu]
Sent: Tuesday, September 12, 2006 11:24 AM
To: LANL_SWEIS
Subject:

Dear Sir/Madam:

My name is Eulogio Besada I'm writing this e-mail to voice my opposition to the development and expansion of nuclear weapons production at Los Alamos National laboratory. I've come to the realization that rather than serving as a deterrence, the continue relying and trusting our security and that of the World on Nuclear weapons is equivocal and unjustifiable and this may lead to the opposite undesirable scenario, that is the use of these weapons.

Respectfully;

E. Besada

117-1

117-1 NNSA notes the commentor's opposition to nuclear weapons production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 118: Ann E. Fonfa

From: AnnFonfa@aol.com [mailto:AnnFonfa@aol.com]
Sent: Tuesday, September 12, 2006 8:25 AM
To: LANL_SWEIS
Subject: (no subject)

I oppose expanded nuclear weapons production at Los Alamos National Laboratory. || **118-1**
This is never going to be the way to fight our current enemies. And I hope it will never be the way we fight our future enemies.

All we are doing is placing our children and their future at greater and greater risk.

Please do not go forward with expansion.

|| **118-1**
cont'd

Ann E. Fonfa
7319 Serrano Terrace
Delray Beach, FL 33446-2215
(XXX)XXX-XXXX
fax XXX-XXXX

118-1 NNSA notes the commentor's objection to the expansion of nuclear weapons operations at LANL. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for additional information.

Commentor No. 119: Debra Link

From: debra link [mailto:link@cybermesa.com]
Sent: Monday, September 11, 2006 11:38 AM
To: LANL_SWEIS
Subject: depleted uranium

Ms. Withers, In regard to Lanl expanding its nuclear "processing" activities, I ask you the question, how in good conscience, can the labs be "burning" depleted uranium, outside, with no containment, no filtering, directly degrading our environment in a very serious way? Is this moral? And now, you're asking the public tax payer to support more weapons manufacturing when the lab completely ignores necessary safeguards to it's already existing dangerous (and immoral) activities.

I used to be proud of my country, I am no longer. Debra Link

119-1

119-2

- 119-1** NNSA does not agree with the commentor's statement that these operations are "directly degrading our environment in a very serious way." The LANL contractor monitors air, water, soils and foodstuffs as part of its environmental monitoring programs and publishes the results in annual environmental surveillance reports which are available to the public (www.lanl.gov/environment/all/esr.shtml). Releases from current operations, including the hydrodynamic testing using depleted uranium, are well within regulatory limits to protect public health and the environment. In addition, depleted uranium is not burned in open burning pits. Refer to Section 2.10, Depleted Uranium and the Dual Axis Radiographic Hydrodynamic Test (DARHT) Facility, of this CRD for more information.
- 119-2** NNSA notes the commentor's concerns regarding the operating safeguards at LANL. LANL operations are performed according to procedures developed to implement DOE regulations, orders, and standards designed to safeguard the health and safety of workers and the public and to protect the environment. LANL operations are furthermore subject to oversight and audits.

Commentor No. 120: Vincent D. Murphy

From: Vincent Murphy [mailto:vinali@earthlink.net]
Sent: Wednesday, September 13, 2006 1:09 PM
To: LANL_SWEIS
Subject: Expanding Nuclear Pit Production

Gentlemen:

Please under no circumstance expand the Nuclear Pit production. This is an egregious and unreasonable attempt to promote death to our planet. The more bombs we have the more chance someone of our so called leaders will use them.

We have had enough death and destruction in the twentieth century, please let's not carry it into the twenty first. More nuclear bombs will not make us safer. It'll will just make us a bigger target.

Vincent D. Murphy
11 Carnegie Dr.
Smithtown, NY, 11787-2028
XXX-XXX-XXXX

|| 120-1

120-1 NNSA notes the commentor's objection to the expansion of pit production at LANL. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for additional information.

Commentor No. 121: Tiska Blankenship

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, NM 87544

Dear Ms. Withers:

I have recently been made aware that Los Alamos Site-Wide Environmental Statement (LANL SWEIS) presentations will be given at three locations, none of which include a location in Albuquerque.

I am very interested in these hearings but am dismayed that none of them will be in Albuquerque, where I live. I am disabled and it is extremely difficult for me to attend events that require great efforts by me to travel. I am sure that I am not the only Albuquerque citizen who finds attending these meetings difficult, if not impossible. Examples of citizens who would find it difficult to attend might be: working 9-5 citizens, single mothers with children, elder citizens who do not easily drive, or just about anyone trying to keep up with a busy life in the 21st Century. Since a "hearing" implies that it is a presentation to inform, educate, and seek public counsel, I think that you must want me and other interested citizens to attend.

Therefore, please start holding the hearings in Albuquerque. We are the major population center in New Mexico and we are downstream from Los Alamos – a serious concern. Also, we in Albuquerque are directly affected by the possibility of increased production of Plutonium Pits and that activity's connection to Sandia Labs, which would make for more nuclear waste moving through our city on its way to WIPP. We Albuquerqueans are essentially being left out of the opportunity for the hearings by the inconvenience and extreme hardship of attending such hearings.

Please have DOE provide an Albuquerque hearing that is timely and convenient. I look forward to your response to my request.

Thank you for your consideration.

Sincerely,



Tiska Blankenship
1523 Solano Dr. NE
Albuquerque, NM 87110
Tiska@unm.edu
XXX.XXX.XXXX

121-1

121-1

NNSA notes the commentor's desire for a hearing in Albuquerque. Although there were no public hearings in Albuquerque, other means of providing comment on the Draft SWEIS were provided. Refer to Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

Potential impacts of the alternatives evaluated in the SWEIS, including the impacts associated with transportation of waste, are presented in Chapter 5 of the SWEIS.

Environmental impacts of operating Sandia National Laboratories in support of NNSA's mission are addressed in the *Final Programmatic Environmental Impact Statement for Stockpile Stewardship and Management* (DOE/EIS-0236) (DOE 1996), which evaluates the environmental impacts of the nationwide nuclear weapons complex, and the *Final Site-Wide Environmental Impact Statement for Sandia National Laboratories/New Mexico* (DOE/EIS-0281) (DOE 1999b).

121-1
cont'd

Commentor No. 122: Elizabeth "Betsy" Martinez PA-C, Robert P. Martinez, Margaret M. Hess, Sandra O'Kelly, Patricia Hannigan

PO Box 670
Ranchos de Taos, NM 87557
505/758-1970
betsym@laplaza.org
8/09/06

Ms. Elizabeth Withers, EIS Document Manager
Los Alamos Site Office
National Nuclear Security Administration
U.S. Department of Energy
528 35th Street
Los Alamos, New Mexico 87544-2201

Dear Ms. Withers,

I am writing as a member of Pax Christi, New Mexico, a Catholic Peace and Justice Group, and as a health care worker in Northern New Mexico since 1979, as a mother and citizen. Friends and family are also signing this letter to express our opposition to any increases in nuclear weapons research, development or production. We oppose the proposed Expanded Operations Alternative in the draft 2006 Site-Wide Environmental Impact Statement (SWEIS) for Los Alamos National Laboratory (LANL). This alternative will generate more radioactive and chemical waste, increasing toxic air emissions and wastewater discharges into the canyons near Los Alamos.

122-1

We oppose a "modern pit facility" (MPF) at Los Alamos, and believe that it would violate the Nuclear Nonproliferation Treaty.

122-2

Since the draft SWEIS includes calculations based on the EPA-rejected draft Agency for Toxic Substances and Disease Registry (ATSDR) assessment, and does not adequately address the low-level waste dump at Area G, the draft needs to be rewritten.

122-3

Increased Consent Order cleanup analysis should be included in all three alternatives, not only in the Expanded Operations Alternative. Compliance with the New Mexico Environment Department (NMED)/LANL Consent Order for cleanup at LANL by 2015 is not optional, and must not be tied to activities which threaten public health and the environment.

122-4

We strongly believe that Congress must change the mission of LANL. LANL could lead the world in research and development of renewable energy, such as solar, wind and biomass, and clean up technology that support the environment and public health. The SWEIS must include a fourth alternative that focuses on these activities. The security of the United States would be strengthened by clean energy independence rather than accelerating the arms race. The economy of New Mexico and the nation could be improved by focusing on these life affirming priorities.

122-5

Sincerely,

Elizabeth Betsy Martinez PA-C
Robert P. Martinez
Margaret Hess

Patricia Hannigan
Patricia Hannigan
H.E. 75 Box 4526
Ranchos de Taos, NM
87557

Elizabeth (Betsy) Martinez PA-C
Robert P. Martinez
Margaret M. Hess
Sandra O'Kelly
Sandra O'Kelly
HC 74 Box 21800
El Prado, NM 87529

122-1 NNSA notes the commentor's opposition to any increases in nuclear weapons research, development, or production and to the proposed Expanded Operations Alternative. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information. Chapter 5 of the SWEIS analyzes the environmental impacts of the Expanded Operations Alternative, including management of radioactive and chemical waste, monitoring of air emissions, and treatment or monitoring of wastewater before discharge through NPDES-permitted outfalls. The commentor is correct that this alternative results in greater amounts of radioactive and chemical waste as well as increased air emissions and wastewater discharges; however, as demonstrated in the SWEIS, these increases can be safely managed. Refer to Section 2.6, Offsite Contamination, of this CRD for more information.

122-2 In October 2006, NNSA announced cancellation of the planned supplemental EIS for a modern pit facility in a Notice of Intent to prepare a *Supplement to the Stockpile Stewardship and Management Programmatic Environmental Impact Statement – Complex 2030* (now called the *Complex Transformation Supplemental Programmatic Environmental Impact Statement [Complex Transformation SPEIS]*) (DOE/EIS-0236-S4) (71 FR 61731). Consequently, a modern pit facility is no longer included as a reasonably foreseeable event in the SWEIS. Refer to Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for more information. Pit production to ensure a safe, reliable nuclear stockpile is not in violation of the Treaty on the Non-Proliferation of Nuclear Weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

122-3 The SWEIS does not include any calculations based on the Agency for Toxic Substances and Disease Registry's Public Health Assessment of LANL, nor does the SWEIS rely on it in any specific way for its conclusions. The Public Health Assessment of LANL examined data from 1980 through 2001, whereas the SWEIS evaluates health data through 2005 and projects impacts from operations over the next 5 years. The Agency for Toxic Substances and Disease Registry is the Federal agency responsible (under the 1986 amendments to the Superfund law) for conducting public health assessments at each site on the U.S. EPA National Priorities List. The Public Health Assessment of LANL is therefore a relevant Federal agency study, and it is appropriate that

Commentor No. 122 (cont'd): Elizabeth Martinez PA-C,
Robert P. Martinez, Margaret M. Hess, Sandra O'Kelly, Patricia Hannigan

the SWEIS acknowledge its conclusions. EPA did not reject the draft Public Health Assessment; however, it did submit comments. As detailed in Appendix I to the final Public Health Assessment (released August 31, 2006), EPA comments on the draft were addressed by the Agency for Toxic Substances and Disease Registry in the final document and the results of the study remain unchanged (ATSDR 2006).

With respect to the Area G Performance Assessment and Composite Analysis, to the extent possible, the most recent technical documents were considered in the Final SWEIS analyses. Information that is still under development and is not available for use in the Final SWEIS will be considered as it becomes available and, in accordance with the NEPA compliance process, the SWEIS impact analyses will be reviewed and supplemented as necessary based on the newly available information. The Final SWEIS references the Performance Assessment and Composite Analysis for the Area G low-level radioactive waste disposal facility that was issued in 1997. Decisions made by DOE regarding disposal facility closure must be compatible with those made by the State of New Mexico for remediation of MDA G. Future decisions about remediation of MDA G will be made by the State of New Mexico, and therefore cannot be documented in the Final SWEIS. The Final SWEIS does address the levels of impacts that could be associated with closing a 63-acre portion of Area G, including MDA G. Refer to Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

122-4 NNSA does not consider compliance with the Consent Order to be optional and is not linking Consent Order compliance with decisions about pit production, proposed new projects or activities, increased operational levels, or waste generated from other LANL activities. Chapter 1, Section 1.3, of the SWEIS defines the three alternatives and explains why activities to comply with the Consent Order are included only under the Expanded Operations Alternative. Chapter 1, Section 1.4, states that NNSA could choose to implement the alternatives either in whole or in part, and that NNSA intends to implement actions necessary to comply with the Consent Order regardless of whether other actions in the Expanded Operations Alternative are implemented. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

*Commentor No. 122 (cont'd): Elizabeth Martinez PA-C,
Robert P. Martinez, Margaret M. Hess, Sandra O'Kelly, Patricia Hannigan*

- 122-5** NNSA notes the commentor's belief that the Congress should change LANL's mission. In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations and, as such, are included in the SWEIS under the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 123: Beverly Busching

August 31, 2006

To: Elizabeth Withers
NNSA Los Alamos Site Office
528 35th St
Los Alamos NM 87544

I am strongly in opposition to the production of plutonium warhead cores ("pits") at the Los Alamos Labs. Our country should be dismantling its nuclear warheads, not embarking on creating new ones, a course of action that will be disastrous for humanity. Where did we lose our ethical leadership? When did we become the greatest threat to world peace?

This is a decisive moment - we have the opportunity to put our science to work on coalition-building projects that will serve to heal our embattled world. Yes, we are faced with conflicts - but more nuclear weapons will not protect us.

Beverly Busching
133 W Berger Dr
Santa Fe NM 87505

123-1

123-1 NNSA notes the commentor's opposition to pit production at LANL. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 124: Sister Joan Brown, osf

August 30, 2006

Elizabeth Withers
Office of Environmental Stewardship
U.S. Department of Energy National Nuclear Security Administration (DOE/NNSA)
Los Alamos Site Office
528 35th Street Los Alamos, NM 87544

Dear Ms. Withers,

Peace and good this day. I am writing of an issue of grave concern to myself and many of my friends and family—the expansion of the nuclear weapons industry in New Mexico. I live in Albuquerque and have found it impossible to attend the public hearings regarding this issue; because of distance. It is important to get public input on this critical issue that will affect generations of people and the environment of our state.

In addition, **Sandia National Laboratories plays a key role in the atomic bomb building** with Los Alamos National Laboratory (LANL):

- The plutonium triggers produced at LANL will be transported to Sandia on our highways where they will be loaded with Tritium.
- Sandia's prior involvement in weapons production resulted in toxic waste dumps over Albuquerque's sole source aquifer. Long-lived radionuclides such as Plutonium, Strontium-90 and uranium abandoned in dumps on the east mesa endanger our aquifer.
- Tritium wastes and cancer causing chemicals like PCE now threaten Albuquerque's regional groundwater resource and municipal wells.

I am also concerned about the ongoing health of the water systems, especially the Rio Grande because of the ongoing work at Los Alamos National Labs. Shortly, we in Albuquerque will be drinking this water and I have many friends down south and into Mexico that rely upon the Rio Grande. There is growing concern about toxins in the water because of the work done in Los Alamos.

Again, I urge you to have Albuquerque public hearings regarding this issue of grave concern. I am sure that you want to do everything possible to ensure the safety and health of New Mexico and our way of life.

Peace and all good,

Joan Brown, osf
Sister Joan Brown, osf
1004 Major Ave. NW
Albuquerque, NM 87107

124-1

124-2

124-3

124-1
cont'd

124-1 NNSA notes the commentor's desire for a hearing in Albuquerque. Although there were no public hearings in Albuquerque, other means of providing comment on the Draft SWEIS were provided, such as U.S. mail, e-mail, a toll-free telephone line, and a toll-free fax line. It should be noted that all comments, whether written or provided orally, are given equal weight and consideration. Refer to Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for additional information.

124-2 The focus of the LANL SWEIS is the environmental impacts of current and proposed operations at LANL. As discussed in Appendix I, environmental contamination from past operations at LANL is being remediated to meet applicable requirements including those of the Consent Order signed by New Mexico Environment Department, DOE and the LANL contractor in March 2005. Sandia operations in support of NNSA's mission are addressed in the *Final Site-Wide Environmental Impact Statement for Sandia National Laboratories/New Mexico* (DOE/EIS-0281) (DOE 1999b). Cleanup at Sandia National Laboratories is being addressed under a Consent Order dated April 29, 2004. The Sandia Consent Order addresses solid waste management units and areas of concern, including three identified areas of groundwater contamination.

124-3 Effluents from LANL facilities are discharged in accordance with a National Pollutant Discharge Elimination System permit that establishes limits on the volume and quality of the discharge. As discussed in Chapter 4, Section 4.3.1.2, over the past 6 years, LANL has a very good record of complying with permit conditions, which are set to protect health and safety. Under all alternatives, NNSA would continue to meet permit conditions designed to protect water resources at LANL. In addition, the NNSA operates a monitoring program (described in Chapter 4, Section 4.3.1.5) to detect contamination that has resulted from past practices. In accordance with applicable regulations and agreements, NNSA evaluates and takes corrective action for occurrences of contamination in groundwater and surface waters at LANL.

The radiation dose to a member of the public who only consumed water from the Rio Grande was calculated using the 95 percentile upper confidence limit values of measured radioisotope concentration from the *2005 LANL Environmental Surveillance Report* (LANL 2006g).

Commentor No. 124 (cont'd): Sister Joan Brown, osf

The calculated annual drinking water radiation dose from radioisotopes measured at locations upstream and downstream from LANL in the Rio Grande were equivalent and all were less than 10 percent of the allowable U.S. Environmental Protection Agency limit of 4 millirem per year. The specific radioisotopes present in the Rio Grande both upstream and downstream of LANL are naturally occurring and not indicative of any releases from LANL.

Commentor No. 125: Hildegard Kurz

7720 Oakland NE
Albuquerque, Nm 87122
Aug.29, 2006

Ms. Elizabeth Withers
US DOE / NNSA
Los Alamos Site Office
Office of Environmental Stewardship
528 35th Street
Los Alamos, NM 87544

Dear Ms. Withers:

I am writing to you, extremely concerned about the proposed DOE expansion of plutonium pit production at Los Alamos. It is my understanding that there is to be a quadrupled increase in production of plutonium triggers for nuclear bombs, as well as other increases in other nuclear weapons activities at Los Alamos Labs. All of this would also greatly increase the radioactive and chemical waste being generated. In addition, air emissions and discharges to surface and ground water would also increase, putting the people of New Mexico at even greater risk than they already are from the nuclear industry.

125-1

Please put me on record as being COMPLETELY OPPOSED to any expansion of the nuclear weapons industry at Los Alamos. Los Alamos Labs has never had the safety record one would wish for as a resident of New Mexico and they certainly should NOT be allowed to put their plan on a fast track that makes inadequate provisions for citizen safety. I have no confidence whatever in the Labs' "culture of non-compliance" and I believe the present plan bodes ill for New Mexicans, who have already made many sacrifices in the name of national security.

125-2

NO to becoming another Rocky Flats – YES to concern for the state of New Mexico, its safety and its people.

Thank you for your attention,

Sincerely,

Hildegard Kurz
Ms. Hildegard Kurz

125-1 NNSA notes the commentor's concern about the proposed expansion of operations at LANL. LANL operations are in compliance with regulations that protect public health and the environment and, based on the SWEIS analyses, would continue to be in compliance even under the Expanded Operations Alternative. Chapter 5 of the SWEIS analyzes the environmental impacts of expanded operations, including management of radioactive and chemical waste, monitoring of air emissions, and treatment or monitoring of wastewater before discharge through National Pollutant Discharge Elimination System-permitted outfalls. LANL has monitoring programs that sample air, water and soils, and the results are reported in annual environmental surveillance reports. Refer to Section 2.6, Offsite Contamination, of this CRD for more information.

125-2 NNSA notes the commentor's opposition to the expansion of nuclear weapons related work at LANL. NNSA and its operating contractors have internal organizations dedicated to safe operation of its nuclear facilities. DOE has issued regulations, standards, and guidance for nuclear facility operations including requirements for performance of safety evaluations and risk assessments which become the basis for facility operating parameters. The DOE goal is to eliminate any accidents and these regulations and standards of operations reduce the likelihood of accidents, but do not eliminate them completely. The LANL contractor applies lessons learned from past accidents to improve overall safety performance. LANL staff takes actions in the areas of procedures, training, inspection, and component upgrading and replacement in order to address the root causes of accidents and preclude their recurrence. NNSA management continues to emphasize compliance with health, safety, and environmental requirements in the performance of LANL operations.

Commentor No. 126: Rodney Adams

September 1, 2006

Ms. Elizabeth Withers
US DOE / NNSA
Los Alamos Site Office
Office of Environmental Stewardship
528 35th Street
Los Alamos, NM 87544

Dear Ms. Withers:

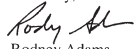
I want to add my name to those in opposition to the proposed construction of the DOE Modern Pit Facility, and expansion of plutonium pit production at Los Alamos. The proposed plan to quadruple production of plutonium triggers for nuclear bombs, or any increases in nuclear weapons activities at LANL is an invitation for disaster. The history of pit production is one of environmental catastrophe. DOE sites at Hanover, Washington and Rocky Flats, Colorado stand as "glowing" examples of DOE's record in regard to handling of plutonium in pit production. Must we add Los Alamos and the surrounding landscape of the Rio Grande Valley, the Jemez Mountains and the vast Valles Caldeas with its natural trout streams, elk herds and other wildlife to the list?

LANL already has a reputation for having a "culture of non-compliance" and the Fast Track plan bodes ill for New Mexico and its residents, both animal and human. Due to the presence of LANL, Sandia National Labs (and the imminent disaster present in their "Mixed Waste Landfill"), WIPP and other sites, New Mexico has already made many sacrifices in the name of national security.

Aside from the environmental risks involved, there is no economical, moral or national defense justification for even continuing, much less increasing pit production. The DOE already has an excessive number of pits - as many as 23,000 to 25,000 - of which over 10,000 are in warhead form. To remain compliant with current treaty obligations, only 1,700-2,200 of these WMD can be "operationally deployed". It is obvious that there are far more than enough pits to maintain the current nuclear deterrent.

In addition, the National Nuclear Security Administration (NNSA) has expressed confidence in pits 45-60 years old and other weapons scientists such as hydrogen bomb architect Richard Garwin believe they will last 60-90 years or more. The modern pit facility would be tremendously expensive, costing \$2-4 billion to build, \$200-300 million to operate each year and untold billions of dollars more to dismantle and clean up. What possible sense does it make to waste this much of our tax dollars to produce even more pits?

Sincerely,



Rodney Adams
Albuquerque, New Mexico

126-1

126-1 NNSA notes the commentor's opposition to expansion of plutonium pit production at Los Alamos. The commentor also opposes construction of the Modern Pit Facility, which was the subject of a draft Supplemental Programmatic EIS (DOE/EIS-236-S2) (DOE 2003a) issued in January 2003. Since the issuance of the Draft SWEIS, NNSA has issued a Notice of Intent to prepare a *Supplement to the Stockpile Stewardship and Management Programmatic Environmental Impact Statement – Complex 2030* (now called the *Complex Transformation Supplemental Programmatic Environmental Impact Statement [Complex Transformation SPEIS]*) (71 FR 61731). In this Notice of Intent, NNSA cancelled the Modern Pit Facility EIS. Any new facility for pit production would be addressed in the *Complex Transformation SPEIS*. Thus, the SWEIS addresses operations at LANL including increased pit production of up to 80 pits per year under the Expanded Operations Alternative, but does not include construction of a modern pit facility. Chapter 5 of the SWEIS describes the environmental impacts, including impacts on natural resources and human health, of three alternatives for continued operations at LANL. LANL operations are in compliance with the regulations that protect public health and the environment and, based on the SWEIS analyses, would continue to be in compliance under all SWEIS alternatives including the Expanded Operations Alternative. Refer to Sections 2.6, Offsite Contamination, and 2.12, Comparison to Rocky Flats Plant, of this CRD for more information related to the concerns raised in this comment.

126-2

126-2 NNSA notes the commentor's opinions regarding pit production and the nuclear weapons stockpile. As stated in Chapter 1, Section 1.3.3, of the SWEIS, NNSA proposes to produce up to 80 pits annually to meet the near-term needs of the Stockpile Stewardship Program, which includes replacement of pits. NNSA has determined that continued pit production is necessary to ensure a safe and secure weapons stockpile.

Commentor No. 127: Kathryn Tretter

Elizabeth Withers
 Dir./MGR L.A. Site Of.
 528 35th St.
 Los Alamos, NM 87544

Kathryn Tretter
 PO Box 843
 El Prado NM 87529
 Aug 30, 2006

Dear Mrs. Withers,

I am very opposed to expansion of plutonium pits and labs at Los Alamos and to the additional nuclear waste they would produce. Please focus on clean up of nuclear waste that contaminates Los Alamos labs and surrounding areas that was produced in previous production.

The U.S. needs to lead in progressive international efforts toward nuclear non-proliferation.

Thank you.

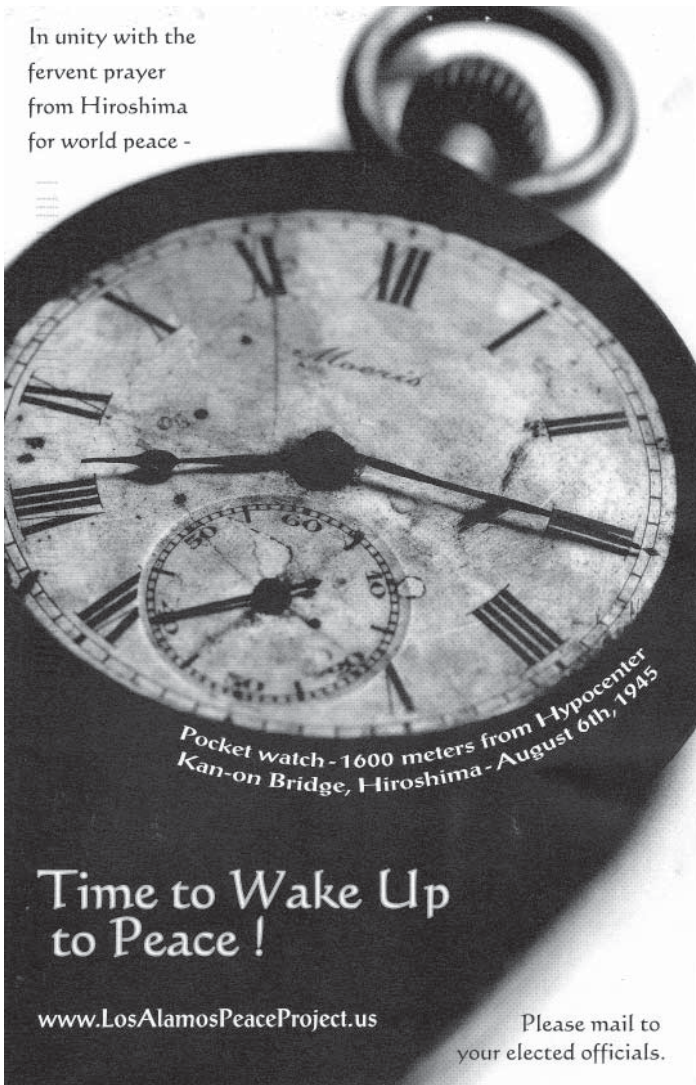
Sincerely,
 Kathryn Tretter

127-1

127-1 NNSA notes the commentor's opposition to expanded pit production and the additional waste that would be produced. Proposed activities at LANL involving pit production are consistent with its national security mission and with prior NEPA analyses and decisions. NNSA is continuing its environmental restoration program and is safely disposing of waste as it carries out this mission. Chapter 2, Section 2.2.6, of the SWEIS describes the progress made in the environmental restoration program at LANL. Appendix I presents options and environmental analyses for conducting remediation activities at LANL primarily related to the Consent Order that was entered into in March 2005. Decisions about environmental restoration for any contaminated site will be made in accordance with established regulatory standards and processes. The wastes generated from environmental restoration will depend on these regulatory decisions. NNSA expects that solid wastes, hazardous wastes, and mixed low-level radioactive wastes from all LANL activities, including those from pit production and environmental restoration, would be disposed of in offsite disposal facilities. Transuranic wastes would be disposed of at WIPP. Disposal of low-level radioactive waste may safely occur partly in onsite and partly in offsite disposal facilities. Refer to Sections 2.7, Waste Management, and 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

Commentor No. 128: Lorena Shalev

In unity with the
fervent prayer
from Hiroshima
for world peace -



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Commentor No. 128 (cont'd): Lorenna Shaley

Dear Ms. Elizabeth Withers

Sept 2nd 06

The United States already possesses 23,000 nuclear pits (the plutonium triggers for nuclear warheads), that have been proven to be reliable for at least another 90 years. Senior scientists now concur these pits will be reliable for another 60-90 years without a determined end date. Yet, in the coming year, Los Alamos National Laboratories plans to quadruple plutonium pit production.

The Nuclear Nonproliferation Treaty, ratified by the USA in 1970, mandates that all the nuclear arsenals be dismantled in concert with the other nuclear powers. As the leading nuclear weapons state, it is our responsibility to take the first steps to abide by the Treaty. This accelerated production of nuclear pits - as well as a new generation of nuclear weapons activities at our nation's National Laboratories - clearly violates the intent of the Treaty.

Our Constitution states that all treaties ratified by the United States shall be the "Supreme Law of the Land". It is your duty as our elected official, bound by oath to uphold the Constitution, to stand in firm opposition to taxpayer money being allocated for continued nuclear weapon production. The U.S. budget for weapons activities in 2006 is \$6.6 billion.

It is time to reallocate those funds for the research and development of renewable and sustainable technologies and to convert our National Laboratories to deal with the real national security issues of energy independence, interdependence and global climate change.

It is time to take a stand to create a just, socially responsible and compassionate society.

It is time to wake up to peace!
Respectfully yours,
Lorenna Shaley
509 Camino Lejo
Santa Fe
NM 87505

PLEASE, PLEASE, CHOOSE "THE GOOD OF THE PEOPLE" ABOVE OTHER CONSIDERATION
There is too much plutonium in circulation already
We cannot afford any more.



Ms. Elizabeth Withers
LANL SWEIS Doc. Mgr.
NNSA
Los Alamos Site Office
528 35th St.
Los Alamos, NM 87544

Your reply to this letter will be greatly appreciated.

128-1

128-2

128-1 cont'd

128-1

NNSA notes the commentor's concerns regarding U.S. compliance with the Treaty on the Non-Proliferation of Nuclear Weapons. Operations at LANL that support NNSA's mission to ensure a safe and reliable nuclear stockpile are not in violation of the Treaty on the Non-Proliferation of Nuclear Weapons. Stockpile stewardship capabilities at LANL are currently viewed by the United States as a means to further the Nation's nonproliferation objectives and are likely to remain important in future arms control negotiations as the Nation moves to further reduce its overall stockpile size. NNSA notes that the operations at LANL do not create any additional plutonium, but make use of existing inventories. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

128-2

Funding decisions are not within the scope of the SWEIS; the U.S. Congress and the President are responsible for funding decisions. It should be noted that LANL currently supports initiatives related to renewable energy and global climate change in addition to its national security mission. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 129: Amy V. Bunting

August 29, 2006

Ms. Elizabeth Withers, EIS Document Manager
Los Alamos Site Office
National Nuclear Security Administration
U.S. Department of Energy
538 35th Street
Los Alamos, New Mexico, 87544-2201

Dear Ms. Withers,

I oppose the preferred Expanded Operations Alternative suggested for future operations at Los Alamos National Laboratory (LANL) as proposed in the draft 2006 Site-Wide Environmental Impact Statement (SWEIS). The proposed Expanded Operations will increase nuclear weapons design and research and therefore generate more waste and increase air emissions and discharges to surface and ground waters that flow to the Rio Grande.

129-1

I object to the fact that increased cleanup was only included in the Expanded Operations and not part of the No Action and Reduced Operations Alternatives. Compliance with the New Mexico Environment Department (NMED)/LANL Consent Order for cleanup at LANL by 2015 should not be made optional nor be tied the expansion of activities which threaten public health and the environment. Increased Consent Order cleanup should be included in all three alternatives.

129-2

When implementing cleanup, LANL must be required to do so to the fullest extent possible. One of the proposed cleanup plans consists of simply covering contaminated sites in such a way that it would be within health standards for people to work 40 hours a week in an industrial job on the site. This level of cleanup is not adequate for children at a day care facility on the formerly contaminated site, let alone a change in land use. In order to protect future drinking water supplies, all waste must be removed from the major material disposal areas (dumps), canyon cleanups and other NMED/LANL Consent Order actions as well as LANL's voluntary cleanup activities.

129-3

The Department of Energy (DOE) recommends that plutonium pit production increase from 20 to 80 pits per year. The draft SWEIS references a modern pit facility (MPF) 60 times. This facility would be capable of producing 450 plutonium pits per year, despite widespread opposition to the MPF by New Mexicans in 2004. This has dire local, national and international implications. The draft SWEIS lacks an adequate discussion of how a MPF or increase pit production would not violate Article VI of the Nuclear Nonproliferation Treaty, which calls for complete disarmament of nuclear weapons. We are concerned that DOE is attempting to slip in a MPF at LANL without adequate analysis. Therefore, the final SWEIS should be void of all references to a MPF at LANL.

129-4

129-1 NNSA notes the commentor's opposition to the Expanded Operations Alternative and concerns about proliferation of nuclear weapons. The potential environmental, health, and safety impacts of the continued operation of LANL under the three proposed alternatives are analyzed in Chapter 5 of the SWEIS, including management of radioactive and chemical wastes, monitoring of air emissions, and treatment or monitoring of wastewater discharged through National Pollutant Discharge Elimination System-permitted outfalls. The commentor is correct that the Expanded Operations Alternative would result in greater amounts of radioactive and chemical waste as well as increased air emissions and wastewater discharges; but as shown in the SWEIS, these increases can be safely managed. It should be noted that treated effluents do not normally flow directly into the Rio Grande, although surface waters may reach the river a few times a year during large precipitation events. Refer to Section 2.6, Offsite Contamination, of this CRD for more information.

129-2 NNSA does not consider compliance with the Consent Order to be optional, and is not linking Consent Order compliance with decisions about pit production; proposed new projects or activities; increased operational levels; or waste generated from other LANL activities. Chapter 1, Section 1.3, of the SWEIS defines the three alternatives and explains why activities to comply with the Consent Order are included only in the Expanded Operations Alternative. Chapter 1, Section 1.4, states that NNSA could choose to implement the alternatives either in whole or in part, and that NNSA intends to implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

129-3 Although Appendix I of the SWEIS evaluates the environmental impacts associated with potential remedial action alternatives, decisions about environmental restoration will be made in accordance with established regulatory standards and processes, including those of the New Mexico Environment Department for the Consent Order, and of DOE. To arrive at a decision about remediating a contaminated site, several alternative remedies may be considered such as containment in place, treatment, or removal. Any remedy selected for a site requiring environmental restoration will be protective of human health and the environment,

Commentor No. 129 (cont'd): Amy V. Bunting

The Expanded Operations would annually generate a total of 860 cubic yards of transuranic waste, 12,000 cubic yards of low-level radioactive waste and 2,750,000 pounds of chemical waste. Increased pit production alone would generate an additional 1,800 or more 55-gallon drums of transuranic wastes each year for disposal at the Waste Isolation Pilot Plant (WIPP). LANL currently has approximately 40,000 drums sitting above-ground in fabric tents awaiting shipment to WIPP. Likewise, the clean up plan focuses on removing drums that are currently buried in Area G, rather than providing safe and secure storage for those already above ground. DOE should make permanent disposal of existing waste a priority, rather than continue to generate more.

129-5

LANL is not in compliance with DOE and Defense Nuclear Facilities Safety Board (DNFSB) safety regulations and recommendations. Some LANL facilities are up to six years behind on preparing and submitting their safety documentation to DOE. Such lack of compliance poses an unacceptable risk to workers, the public and the environment. LANL needs to be up-to-date and in full compliance with all DOE and DNFSB safety regulations and recommendations. Furthermore, many of the buildings at LANL are not in compliance with existing earthquake building codes, despite the fact that LANL is built upon at least three major fault lines. Existing facilities and new construction must be up to code before any operations are done in them.

129-6

Many of the documents referred to in the draft SWEIS are based on studies that have not been finalized. For instance, the draft SWEIS was released before either the risk assessment for LANL's low-level waste dump at Area G or the latest seismic hazard study were completed, both of which are due to be released in 2006. Further, the draft SWEIS relies on an incomplete and inaccurate draft Agency for Toxic Substances and Disease Registry report for health impacts analysis. It is impossible to accurately determine the environmental and health impacts for future operations at LANL based on incomplete data. It was premature for DOE to release the draft SWEIS without these essential reports being part of the analysis. The SWEIS must include a reanalysis based on the findings in the 2006 Area G risk assessment and seismic hazard study. The ATSDR report should not be used in any analysis regarding LANL activities.

129-7

129-8

129-7
cont'd

129-8
cont'd

LANL activities jeopardize both water quality and quantity for surface and ground water. New Mexicans rely on surface and groundwater for drinking and farming. LANL discharges approximately 163,000,000 gallons per year of industrial and sanitary effluent into the canyon systems. DOE did not use the most current water quality standards when assessing impacts in this draft SWEIS, nor did DOE use the most current data about the number of streams that are impaired on the Pajarito Plateau from LANL activities. Contaminants, such as perchlorate, hexavalent chromium and 1,4-dioxane have already been found in the regional aquifer and test wells and yet DOE is not monitoring 1,405 sites that have the potential to release contaminants during storms

129-9

and attain applicable cleanup standards including those for ground and surface waters and soil. If the site is to remain under DOE ownership, then cleanup standards commensurate with a restricted type of land use may be used, provided that offsite areas are protected. If the site is to be released for unrestricted access by the public, then the site would need to meet cleanup standards for unrestricted release. Decisions about cleanup of sites subject to the Consent Order will be made by the New Mexico Environment Department in accordance with the cleanup and screening levels documented in Section VIII of the Consent Order. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

129-4

Reference to a modern pit facility in the Draft SWEIS was in the context of ensuring that reasonably foreseeable future actions were addressed in accordance with the Council on Environmental Quality NEPA regulations regarding cumulative impacts. The SWEIS alternatives addressing operational levels for the next 5 years limit the level of pit production to up to 80 pits (Expanded Operations Alternative). In October 2006, NNSA issued a Notice of Intent to prepare a *Supplement to the Stockpile Stewardship and Management Programmatic Environmental Impact Statement – Complex 2030* (now called the *Complex Transformation Supplemental Programmatic Environmental Impact Statement [Complex Transformation SPEIS]*) (71 FR 61731). In addition to announcing its intent to prepare the *Complex Transformation SPEIS* to assess the environmental impacts from the continued transformation of the nuclear weapons complex, NNSA announced cancellation of the previously planned *Supplemental Programmatic Environmental Impact Statement on Stockpile Stewardship and Management for a Modern Pit Facility* (DOE/EIS-236-S2). The Final SWEIS does not include a reference to a modern pit facility. In discharging its Stockpile Stewardship responsibilities, NNSA is not violating the Nuclear Nonproliferation Treaty. Refer to Sections 2.1, Opposition to Nuclear Weapons and Pit Production, 2.2, National Environmental Policy Act (NEPA) Process, and 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for more information.

129-5

Although a pollution prevention and waste minimization program has been instituted at LANL (see Chapter 4, Section 4.9, of the SWEIS), operation of LANL in support of DOE's core missions will cause the generation

Commentor No. 129 (cont'd): Amy V. Bunting

3

and when the snow melts. The Expanded Operations will increase water usage by LANL above the amount allotted to it from the regional aquifer. DOE must analyze LANL's impacts against the latest water quality standards and the current impaired stream information in the SWEIS. In order to ensure that water quality is protected now and in the future, DOE must adopt the Removal Option for all clean up activities.

129-9
cont'd

LANL would process 87,000 pounds of high explosives and up to 6,900 pounds of depleted uranium (DU) will be blown up in "dynamic experiments" annually. The 1979 LANL Final Environmental Impact Statement estimates that 220,000 pounds of depleted uranium were used in dynamic experiments during the history of LANL. From 1979 to present we do not know how much DU has been used in experiments and remains in the environment. DOE must monitor and implement comprehensive sampling programs at all open burning and open detonation sites and for all activities using high explosives and depleted uranium.

129-10

LANL must be required to reevaluate and broaden their air sampling programs. DOE should no longer hide under the "grandfather clause," which allows for facilities existing before December 31, 1988 to emit toxic air pollutants without regulation. DOE recommends increasing activities at the Los Alamos Neutron Science Center, which has the highest amount of radionuclide air emissions and a long history of technical problems resulting in increased air emissions. DOE must institute a program to stop all toxic air pollutant emissions from LANL facilities and activities.

129-11

In conclusion, the Expanded Operations Alternative will result in higher demands for electricity, water and natural gas, which will impact the environment. These impacts must be considered in the cumulative impacts of the Expanded Operations Alternative.

129-12

In addition, Congress must change the mission of LANL to focus on research and development into renewable energy, such as solar, wind and biomass, and clean up technologies that support the environmental and public health. The SWEIS must include a fourth alternative that focuses on these activities.

129-13

Sincerely,

Amy V. Bunting

Print Name

Amy V. Bunting

Address

331 Camino Chico
SANTA FE, N.M. 87505

of waste that NNSA intends to safely manage as it continues to address existing waste in storage. Nearly all of the stored waste at LANL consists of legacy transuranic waste that is stored above ground within domes in TA-54. Most of this waste was originally stored below grade, but was retrieved and placed in an above ground, inspectable configuration as required by the New Mexico Environment Department. NNSA is working to prepare all stored and newly generated transuranic waste for shipment to WIPP. Shipment rates for 2006 have increased significantly over past years. Refer to Section 2.7, Waste Management, of this CRD for more information.

129-6

The Defense Nuclear Facilities Safety Board neither regulates nor authorizes operation of facilities at LANL. Its function, as mandated by the Congress, is to provide independent safety oversight of the NNSA nuclear weapons complex. As in the case of all NNSA nuclear weapons complex sites, the Defense Nuclear Facilities Safety Board reviews safety issues and prepares reports regarding the safety of nuclear weapons complex facilities, which are submitted to NNSA. NNSA and the LANL contractor have reviewed Defense Nuclear Facilities Safety Board reports and responded with commitments to update and improve safety basis documentation. The Los Alamos Site Office Safety Authorization Basis Team assures the development and approval of adequate controls in support of safe operations at LANL. All LANL facility operations are based on authorization and approval by NNSA following NNSA's evaluation of the acceptability of existing relevant safety documentation. Reports and recommendations made by the Defense Nuclear Facilities Safety Board that are relevant to NEPA are taken into account in analyses in the SWEIS. Refer to Section 2.13, Recommendations of the Defense Nuclear Facilities Safety Board, of this CRD for more information. Seismic characteristics of the LANL environment are described in Chapter 4, Section 4.2.2.3, of the SWEIS. Chapter 5, Section 5.12 presents the estimated human health impacts from postulated facility accidents, including earthquakes. Over the years, based on new seismic information or changed requirements, NNSA has evaluated the survivability of LANL buildings and structures and implemented mitigation measures in terms of structural upgrades, reduction of hazardous materials inventories, or replacement of the structures to reduce the potential for harm to the workforce and the public. Construction requirements are imposed for new structures in accordance with the site

Commentor No. 129 (cont'd): Amy V. Bunting

locations relative to known fault lines, and in accordance with the planned future use of the structure. For proposed new buildings, safety studies in the form of hazards assessment documents that take into account the most current seismic information are prepared to fully address a comprehensive set of accident risks. The results of these safety studies are incorporated into facility design and operations to ensure protection of the health and safety of workers and the public.

- 129-7** To the extent possible, the most recent technical documents, including an update to the seismic hazard analysis, completed in 2007, are considered in the Final SWEIS analyses. Information under development that is not available for use in the Final SWEIS, such as the updated Area G performance assessment, will be considered as it becomes available and, in accordance with the NEPA compliance process, the SWEIS impact analyses will be reviewed and supplemented as necessary based on the newly available information. See Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

Seismic activity at LANL is described in Chapter 4, Section 4.2.2.3 and in the 2007 seismic hazard analysis report (LANL 2007a). The estimated human health impacts from postulated facility accidents at LANL, including earthquakes, are described in Chapter 5, Section 5.12, and Appendix D, Section D.4. These sections also include a discussion of the significance of the updated understanding of seismic hazard from the 2007 seismic hazard analysis report.

- 129-8** The SWEIS makes use of current, accepted, and well-documented scientific models and data that have been, and continue to be, widely used to analyze environmental impacts for the purpose of compliance with NEPA. The analysis methods are essentially the same as those used in preparation of several DOE Environmental Impact Statements that have recently been published in final form or have been reviewed, in draft, by the public. In general, the data, models, assumptions, and other information used in the SWEIS are drawn from published sources and have been subjected to scientific peer review. Chapter 7 of the SWEIS and each of its appendices lists the documented sources of information and models used in the analyses.

The SWEIS does not rely on the Agency for Toxic Substances and Disease Registry Public Health Assessment in any specific way for its

Commentor No. 129 (cont'd): Amy V. Bunting

conclusions. The Agency for Toxic Substances and Disease Registry is the Federal agency responsible (under the 1986 amendments to the Superfund law) for conducting public health assessments at each site on the U.S. Environmental Protection Agency National Priorities List. It is thus appropriate for the SWEIS to acknowledge the conclusions of the LANL Public Health Assessment because the Public Health Assessment is a relevant Federal agency study. The Agency for Toxic Substances and Disease Registry Public Health Assessment for LANL was prepared with public oversight and review. The Public Health Assessment was finalized and published on August 31, 2006 (ATSDR 2006).

- 129-9** Effluents from LANL facilities are discharged in accordance with a National Pollutant Discharge Elimination System permit that establishes limits on the volume and quality of the discharge. As discussed in Chapter 4, Section 4.3.1.2, of the SWEIS, over the past 6 years, LANL has a very good record of complying with permit conditions, which are set to protect health and safety. Under all alternatives, LANL operations would continue to meet permit conditions designed to protect water resources at LANL. In addition, LANL staff conducts a monitoring program (described in Section 4.3.1.5) to detect contamination that has resulted from past practices. In accordance with applicable regulations and agreements, LANL staff evaluates and takes corrective action for occurrences of contamination in groundwater and surface waters at LANL. The water quality standards in Chapter 4, Tables 4-7 and 4-9, have been updated to reflect standards recently issued by the New Mexico Water Quality Control Commission. The new standards have not yet been approved by the U.S. Environmental Protection Agency; nevertheless, they are used in the 2005 Environmental Surveillance Report (LANL 2006g) and the SWEIS in evaluating water quality data. As Table 4-7 demonstrates, LANL surface water data are compared to a variety of standards that legally apply, in order to identify contaminants and data trends that could indicate the need for corrective actions. In Chapter 4, Section 4.3.2.2, it is documented that chromium concentrations between 375 and 404 parts per billion were detected in two wells in Mortandad Canyon. LANL staff will be conducting further drilling and sampling activities to characterize contamination at LANL as stated in the *Interim Measures Work Plan for Chromium Contamination in Groundwater* (LANL 2006a). Refer to Section 2.5, Water Resources, of this CRD

Commentor No. 129 (cont'd): Amy V. Bunting

for responses to comments regarding chromium contamination in the groundwater. NNSA acknowledges that detection of dioxane was reported to the New Mexico Environment Department in July 2006, 1 year after the sample was collected from a well in Mortandad Canyon. The dioxane contamination level is between 20 parts per billion and 56 parts per billion, which is below the 61 parts per billion U.S. Environmental Protection Agency risk-based cleanup level established through the Consent Order. As described in Appendix F, statistical analysis shows that perchlorate levels at most LANL locations are below the U.S. Environmental Protection Agency No Observed Effect Level and New Mexico's screening level. Only Mortandad and Pueblo Canyons exceed the New Mexico limit and only Mortandad Canyon exceeds U.S. Environmental Protection Agency's No Observed Effect Level.

NNSA does not agree with the statement that there are over 1,400 unmonitored discharge sites. As described in Section 4.3.1.3, NNSA had managed stormwater runoff from its solid waste management units under a Multisector General Permit Program, and then transitioned towards management under an individual National Pollutant Discharge Elimination System industrial activity permit. DOE and Los Alamos County have combined water rights of 1,806 million gallons (6,836 million liters) per year, of which 542 million gallons (2,050 million liters) per year are allotted to DOE. In recent years, the largest amount of water used by DOE and the County was 1,574 million gallons (5,958 million liters) in 2000, when the Cerro Grande Fire occurred. As shown in Table 4-43 and discussed in Section 5.8.2, LANL water usage has been and is expected to remain below its 542 million gallons (2,050 million liters) per year allotment.

Decisions about environmental restoration will be made in accordance with established regulatory standards and processes, including those of the New Mexico Environment Department for the Consent Order, and DOE. The intent of the SWEIS is not to prejudice these decisions but to provide environmental impact information to be used for the decisionmaking process, and for the benefit of the reader regarding potential remediation action options. Several alternative remedies may be considered for a contaminated site, including containment in place, treatment, removal, or other remedies. Any remedy selected for a site requiring environmental restoration must be protective of human health and the environment, and

Commentor No. 129 (cont'd): Amy V. Bunting

attain applicable cleanup standards considering the designated future use of the site. Decisions about cleanup of sites subject to the Consent Order will be made by the New Mexico Environment Department, in accordance with cleanup and screening levels for soil, groundwater and surface water as documented in Section VIII of the Consent Order. As indicated in Chapter 1, Section 1.4, of the SWEIS, NNSA intends to implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

- 129-10** Refer to Section 2.10, Depleted Uranium and the Dual Axis Radiographic Hydrodynamic Test (DARHT) Facility, of this CRD for more information on how LANL staff ensures the safety of high explosives testing and the use of depleted uranium as well as LANL's monitoring program.
- 129-11** All LANL operations, regardless of when they began, comply with the applicable State (New Mexico Air Quality Control Act) and Federal (Clean Air Act, Toxic Substances Control Act) laws and regulations, and have valid permits as described in Chapter 6 of the SWEIS. The LANL contractor complies with its Clean Air Act, Title V, operating permit which includes requirements for monitoring air pollutant emissions from sources at LANL and recordkeeping for these sources. Current air sampling programs at LANL include ambient nonradiological air monitoring, an ambient radiological air sampling network called AIRNET, and stack sampling for radionuclides, as described in Chapter 4, Sections 4.4.2.3 and 4.4.3.1. The LANL contractor evaluates the results from these programs and makes changes in the sampling locations and constituents as appropriate. LANSCE does have the highest amount of radionuclide air emissions at the site. As discussed in Chapter 5, Section 5.6, if necessary, operational controls at LANSCE would limit the dose to the maximally exposed offsite individual from air emissions to 7.5 millirem per year to ensure compliance with the 40 CFR Part 61 (National Emission Standards for Hazardous Air Pollutants) limit of 10 millirem per year.
- 129-12** The cumulative impacts of the Expanded Operations Alternative for electricity, water, and natural gas demands are evaluated and discussed in Chapter 5, Section 5.13, of the SWEIS. Although not expected, future expansion of the LANL infrastructure to supply additional electricity,

Commentor No. 129 (cont'd): Amy V. Bunting

water, or natural gas, would be preceded by appropriate environmental documentation. Changes made to the offsite infrastructure to meet LANL demands would be required to meet applicable State and Federal environmental regulations.

- 129-13** NNSA notes the commentor's statement that the Congress must change LANL's mission. In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 130: Iria Miller

1001 14th St. N.Y.
Rochester, Mn. 55901
September 3, 2006

Ms. Elizabeth Withers
U.S. DOE / NNSA
Los Alamos, New Mexico

Dear Ms. Withers:

I am very concerned about plans to increase production of plutonium pits for nuclear weapons at the Los Alamos National Lab.

I believe that the citizens of the United States should work toward total elimination of nuclear weapons.

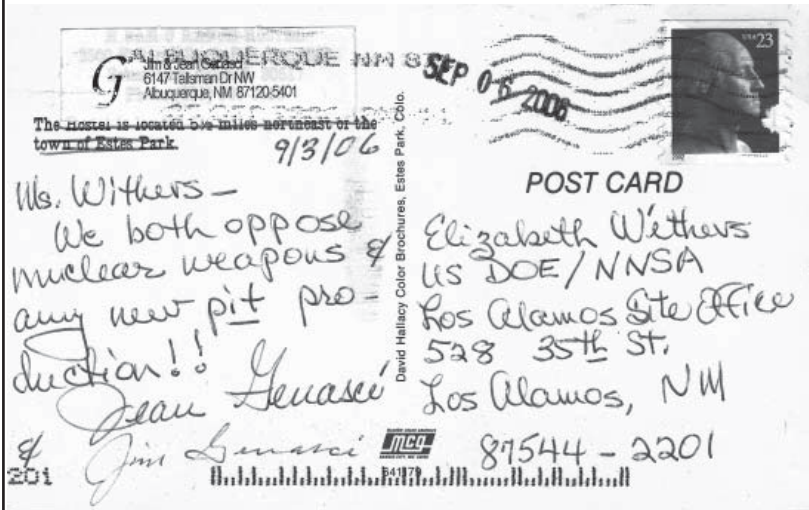
We need to use our energy and efforts to bring peace to the world. Please join in that effort.

Sincerely,
Iria Miller

130-1

130-1 NNSA notes the commentor's concerns regarding increasing pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 131: Jim and Jean Genasci



131-1

131-1 NNSA notes the commentor's opposition to pit production and nuclear weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for additional information.

Commentor No. 132: Janet Degan

Janet Degan p.1 of 4
2125 Paseo Primero
Santa Fe, NM 87501
Sept. 2, 2006

US Dept. of Energy (DOE)
National Nuclear Security Administration
Los Alamos Site Office
Attn: Ms. Elizabeth Withers, Office of Environmental Stewardship
52B 35th St.
Los Alamos, NM 87544

RE: SWEIS for LANL

Dear US Dept. of Energy @ LANL,

Do not begin plutonium pit production at LANL, it is illegal by violating the U.S. Constitution which states treaties signed by the U.S. are the supreme law of the land, and by violating the Nuclear Non-Proliferation Treaty signed by the U.S. in 1970. Congress must change the mission of LANL to focus on research and development into renewable energy and creating sophisticated cleanup technologies that minimize impacts to the air, soil, water and public and environmental health.

The Site-wide Environmental Impact Statement (SWEIS) must hold LANL accountable to current standards and studies in all categories; seismic, water, air, and waste clean-up. DOE should make permanent disposal of existing waste a priority, rather than generate more.

Seismic concerns from 3 major fault lines running under LANL and that many buildings at LANL are not up to building codes, make this an unacceptable site to handle nuclear materials. The draft SWEIS omitted geologic and seismic data showing that the most recent seismic incident occurred 2,000 years ago rather than 45,000 years ago. DOE has seen indications that there is a pattern of seismic activity every 2,000 years, suggesting that one is due at any time. Any further construction must take this new seismic activity information into account. Existing buildings and operations must be reexamined and brought up to seismic standards. The 2006 seismic hazard study due to be released this year must be included with a reanalysis of the SWEIS.

132-1

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132-1 NNSA notes the commentor's opposition to pit production. Continuing to ensure a safe and reliable nuclear stockpile violates none of the terms of the Treaty on the Non-Proliferation of Nuclear Weapons. Stockpile stewardship capabilities at LANL and elsewhere are currently viewed by the United States as a means to further the Nation's nonproliferation objectives. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

132-2 In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

132-3 NNSA is committed to operating LANL in accordance with applicable laws and regulations and to managing activities to be protective of public and worker health and the environment.

132-4 Although LANL has instituted a pollution prevention and waste minimization program (see Chapter 4, Section 4.9, of the SWEIS), operation of LANL in support of DOE's core missions will cause the generation of waste that NNSA intends to safely manage as it continues to address existing waste in storage. Low-level radioactive waste will be disposed of onsite at TA-54 or offsite at a DOE or commercial facility. Chemical wastes will be sent offsite for treatment and disposal at a permitted facility.

As the commentor notes, the possibility of a modern pit facility being located at LANL was included in the Draft LANL SWEIS cumulative impacts analysis. NNSA has since announced the cancellation of the Supplemental Environmental Impact Statement on Stockpile Stewardship and Management for a Modern Pit Facility with the Notice of Intent to prepare a Supplement to the Stockpile Stewardship and Management Environmental Impact Statement – Complex 2030 (now called the Complex Transformation Supplemental Programmatic Environmental Impact Statement [Complex Transformation SPEIS]) (71 FR 61731). Consequently, the waste associated with operation of a modern pit facility

Commentor No. 132 (cont'd): Janet Degan

DOE must analyze LANL's impacts against the latest water quality standards and the current impaired stream information in the SWEIS. DOE did not use the most current water quality standards when assessing impacts in the SWEIS, DOE did not use the most current data about the number of streams that are impaired on the Pajarito Plateau from LANL activities. DOE is not monitoring 1,405 sites that have the potential to release contamination into surface water during storms and when snow melts. LANL discharges approximately 163,000,000 gallons per year, or 500 acre-feet per year, of industrial and sanitary effluent into the canyon systems which flow into the Rio Grande. Residents of Los Alamos County obtain 100% of their drinking water from the regional aquifer below LANL. Contaminants have been found in the regional aquifer, including fast-moving perchlorate, a chlorine based chemical that interferes with thyroid function. The proposed expansion will increase water usage by LANL and the County of Los Alamos above the amount allotted to it from the regional aquifer, the expansion is unsustainable. In order to ensure that water quality is protected now and in the future, DOE must adopt the Removal Option for all clean up activities.

Due to the increased air emissions under the Expanded Operations Alternative, LANL must be required to reevaluate and broaden their air sampling programs. DOE should no longer hide under the grandfather clause for air emissions from its old facilities at LANL. Facilities that began operations prior to December 31, 1988 have been granted "grandfather" status by New Mexico air regulations allowing them to emit these pollutants that newer facilities cannot. LANL has many of these grandfathered facilities which must stop and be brought up to current regulations.

DOE must monitor and implement comprehensive sampling programs at all open burning and open detonation sites and for all activities using high explosives and depleted uranium. DOE's recommended increase in activities at the Los Alamos Neutron Science Center (LANSCE) is inadvisable because it has the highest amount of radioactive air emissions and has a long history of technical problems resulting in increased emissions. LANSCE supports weapons development which illegally violates the Nuclear Non-Proliferation Treaty.

is not included in the cumulative impacts discussion of this Final SWEIS; however, wastes associated with the alternatives in the Draft *Complex Transformation SPEIS* are addressed in the cumulative impacts section of the Final SWEIS.

Most of the transuranic waste projected for the Expanded Operations Alternative is from the assumed removal of transuranic waste disposed of before 1970 from LANL material disposal areas subject to the Consent Order. Generation of this waste is uncertain and will depend on future regulatory decisions by the New Mexico Environment Department. WIPP disposal capacity is expected to be sufficient for disposal of all retrievably stored waste including LANL's current inventory of legacy waste and all newly generated transuranic waste from the DOE complex over the next few decades. As discussed in Chapter 5, Section 5.9.3, no credit has been taken for LANL waste volume reduction techniques such as sorting and it is assumed that all of the transuranic waste at LANL could be disposed of at WIPP. However, there may not be sufficient space at WIPP for disposal of all pre-1970 waste buried across the DOE complex. Because future decisions about disposal of transuranic waste will be based on the needs of the entire DOE complex, it is not possible to be definitive about the disposition of waste from environmental remediation that may or may not be generated. Any transuranic waste generated at LANL without a disposal pathway would be safely stored until disposal capacity became available. Refer to Section 2.7, Waste Management, and Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

An update to the seismic hazard analysis was completed in 2007. Seismic activity at LANL is described in Chapter 4, Section 4.2.2.3 and in the 2007 seismic hazard analysis report (LANL 2007a). The estimated human health impacts from postulated facility accidents at LANL, including earthquakes, are described in Chapter 5, Section 5.12 and Appendix D, Section D.4. These sections also include a discussion of the significance of the updated understanding of seismic hazard from the 2007 seismic hazard analysis report.

The new geological information in the 2007 seismic hazard analysis report has been interpreted as indicating that the seismic hazard at LANL is

Commentor No. 132 (cont'd): Janet Degan

The projected expansion of nuclear weapons operations includes processing 87,000 pounds of high explosives and up to 6,900 pounds of depleted uranium to be blown up in "dynamic experiments" annually is unacceptable and must be stopped.

LANL is not the place for pit production because of ongoing seismic concerns. LANL needs to be up-to-date and in full compliance with all DOE and Defense Nuclear Facilities Safety Board safety regulations and recommendations. DOE's recommendation to increase LANL's plutonium pit production from 20 nuclear weapon trigger pits to 80 per year is unacceptable: Increased plutonium pit production would nearly double the waste produced. It would generate an additional 1,800 or more 55 gallon barrels of transuranic waste each year for disposal at WIPP. LANL currently has approximately 40,000 drums sitting above-ground in fabric tents awaiting shipment to WIPP. When DOE analyzed the cumulative impacts, it anticipated 5 times more pits per year at LANL than the proposed 80 pits per year, but it can't even keep up with waste removal at the 20 pits per year level. All activities at the plutonium facility alone, without the Modern Pt facility, would generate 690 cubic yards of transuranic waste per year. LANL is not in compliance with DOE and Defense Nuclear Facilities Safety Board safety regulations and recommendations. Some LANL facilities are up to six years behind on preparing and submitting their safety documentation to DOE. Such lack of compliance poses an unacceptable risk to workers, the public and the environment. No new bomb factory. No where, no way! In the summer of 2004 the people of New Mexico stood up against that Facility at a hearing in Pojoaque. This August 28, 2006, The City Council of Santa Fe passed a resolution against increased pit production at LANL.

Cleanup is inadequately addressed in the SWEIS. Increased cleanup was only included as part of the Expanded Operations Alternative. This makes it optional and ties it to expanded plutonium pit production and other activities which greatly increase LANL's waste production and contamination of the environment which threatens public health. One of the proposed clean up plans consists of simply covering contaminated

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greater than previously understood. The relevance of the seismic hazard to facility accidents will undergo a rigorous and thoughtful evaluation to determine what, if any, changes are needed for planned and existing facilities. In the interim, the LANL contractor has developed and NNSA has accepted a justification for continued operation which addresses controls on operations of certain nuclear and high hazard operations that mitigate the risks from seismic activities (LANL 2007b, NNSA 2007b).

Following the NEPA process but prior to the design and operation of specific facilities, safety studies in the form of Hazard Assessment Documents and Safety Analysis Reports that include seismic concerns and take into account the most current seismic information would be prepared to address a comprehensive set of accident risks. The results of these safety studies would be incorporated into facility design and operations to ensure protection of the health and safety of workers and the public.

DOE and NNSA have reviewed Defense Nuclear Facility Safety Board reports and responded with commitments to update and improve safety basis documentation. Refer to Section 2.13, Recommendations of the Defense Nuclear Facility Safety Board, of this CRD for more information.

132-6 The more recent fault movement cited by the commentor is acknowledged in Chapter 4, Section 4.2.2.3, of the SWEIS and specifically cited in Chapter 4, Table 4-3 as the most recent movement on the Pajarito Fault. As described in Chapter 5, Section 5.2.3, all new structures at LANL would be designed and constructed in compliance with applicable DOE Orders, requirements, and governing standards that have been established to protect public and worker health and the environment, including from the adverse impacts of natural phenomena hazards, such as earthquakes. DOE Order 420.1B specifically provides for the reevaluation and upgrade of existing facilities when there is a significant degradation in the safety basis for the facility. As noted in Section 5.2.1 and in Comment no. 132-5, an update to the seismic hazard analysis was completed in 2007 and incorporated into the SWEIS.

132-7 The water quality standards in Chapter 4, Tables 4-7 and 4-9 have been updated to reflect standards recently issued by the New Mexico Water Quality Control Commission. The new standards have not yet been approved by the U.S. Environmental Protection Agency; nevertheless, they are used in the 2005 Environmental Surveillance Report and the SWEIS in

Commentor No. 132 (cont'd): Janet Degan

sites in such a way that would be inadequate for on site day care, let alone a change in land use. DOE does not plan to package the low-level radioactive waste removed from sites during clean up and only plans to package some of the waste from the demolition and decommissioning of buildings. Approximately 28,000 cubic yards of low-level radioactive waste will be dumped directly into the unlined pits, trenches and shafts of Area G, this is unacceptable. Compliance with the New Mexico Environment Department (NMED)/LANL Consent Order for clean up at LANL by 2015 should not be made optional nor be tied to increasing weapons activities and waste generation. The Pajarito Plateau was pristine prior to LANL setting up operations in 1943. DOE must be required to return the Plateau to that condition. The sites which are currently waiting for cleanup should be addressed first before any further waste is generated. All cleanup activities should be included in all three alternatives, not just in the Expanded Operations Alternative. All proposed cleanups must allow a future pregnant subsistence farmer to live on the land, grow her own food and drink surface water and groundwater for her entire lifetime as well as that of her offspring while living on the Pajarito Plateau. The Removal Option for the major material disposal areas (dumps), canyon cleanups and other NMED/LANL Consent Order actions will ensure that, in the long-term, water quality is protected.

If DOE were to implement the full cleanup of the major waste sites at LANL, the Expanded Operations Alternative and operate a Modern Pit Facility, they would generate 1.5 million cubic yards of low-level radioactive waste and 46,000 cubic yards of transuranic waste. There would not be enough space both onsite and at WIPP for the disposal of this waste. The preferred by DOE's Expanded Operations Alternative would generate per year a total of 660 cubic yards of transuranic waste, 12,000 cubic yards of low-level radioactive waste and 2,150,000 pounds of chemical waste. DOE must explain in the SWEIS how they plan to address where the excess transuranic waste will be disposed if the Modern Pit facility is constructed and operated at LANL. DOE should make permanent disposal of existing waste a priority, rather than continue to generate more.

Sincerely, Janet Degan
cc: Senator Jeff Bingaman, Senator Pete Domenici, Representative Tom Udall

132-13
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evaluating water quality data. As Table 4-7 demonstrates, LANL surface water data is compared to a variety of standards that legally apply, in order to identify contaminants and data trends that could indicate the need for corrective actions.

NNSA does not agree with the statement that there are over 1,400 unmonitored discharge sites. As described in Chapter 4, Section 4.3.1.3, NNSA had managed stormwater runoff from LANL solid waste management units under a Multisector General Permit Program, and then transitioned towards management under an individual National Pollutant Discharge Elimination System industrial activity permit.

Effluents from LANL facilities are discharged in accordance with a National Pollutant Discharge Elimination System permit that establishes limits on the volume and quality of the discharge. As discussed in Chapter 4, Section 4.3.1.2, over the past 6 years, LANL has a very good record of complying with permit conditions, which are set to protect health and safety. Under all alternatives, NNSA would continue to meet permit conditions designed to protect water resources at LANL. In addition, NNSA operates a monitoring program (described in Chapter 4, Section 4.3.1.5) to detect contamination that has resulted from past practices. In accordance with applicable regulations and agreements, LANL staff evaluates and takes corrective action for occurrences of contamination in groundwater and surface waters at LANL.

132-8

As described in Chapter 4, Section 4.8.2.3, from 1999 to 2005, LANL water use decreased from 453 to 359 million gallons (1,715 to 1,359 million liters), while Los Alamos County water use increased from 880 to 1,034 million gallons (3,331 to 3,914 million liters). Los Alamos County is working to lessen the county's dependence on the regional groundwater aquifer and is studying the possible use of their San Juan-Chama surface water allotment. As described in Appendix F, statistical analysis shows that the level of perchlorate at most LANL locations is below the U.S. Environmental Protection Agency No Observed Effect Level and New Mexico's screening level. Only Mortandad and Pueblo Canyons exceed the New Mexico limit and only Mortandad Canyon exceeds U.S. Environmental Protection Agency's No Observed Effect Level. The New Mexico Environment Department will be a decisionmaker with regard to the removal of waste for each

Commentor No. 132 (cont'd): Janet Degan

material disposal area (MDA), rather than DOE, and under the Resource Conservation and Recovery Act compliance process there will be an opportunity for commentors to voice their opinion to the New Mexico Environment Department with regard to remediation alternatives.

- 132-9** All LANL operations, regardless of when they began, comply with the applicable State (New Mexico Air Quality Control Act) and Federal (Clean Air Act, Toxic Substances Control Act) laws and regulations and have valid permits as described in Chapter 6. The LANL contractor complies with its Clean Air Act, Title V operating permit which includes requirements for monitoring air pollutant emissions from sources at LANL and recordkeeping for these sources. Current air sampling programs at LANL include ambient non-radiological air monitoring, an ambient radiological air sampling network called AIRNET, and stack sampling for radionuclides, as described in Chapter 4, Sections 4.4.2.3 and 4.4.3.1. The LANL contractor evaluates the results from these programs and makes changes in the sampling locations and constituents as appropriate.
- 132-10** All LANL activities have valid permits as described in Chapter 6 and are performed in accordance and under State and Federal guidance and laws. For more information on high explosives testing, depleted uranium, and associated monitoring programs, refer to Section 2.10, Depleted Uranium and the Dual Axis Radiographic Hydrodynamic Test (DARHT) Facility, of this CRD.
- 132-11** Although LANSCE does have the highest amount of radionuclide air emissions in comparison to the other Key Facilities, the Expanded Operations Alternative includes no increase in LANSCE activities over the No Action alternative as presented in Chapter 3, Section 3.1.3.14. The only capability at LANSCE that could potentially include an increase in emissions under the Expanded Operations Alternative is medical isotope production. As indicated in Appendix G, Section G.5, the LANSCE Refurbishment Project would include renovations and improvements to the existing facility in order to ensure its reliability and extend its operation for the next 20 to 30 years, but this refurbishment would not likely result in an increase in emissions over the No Action Alternative.
- 132-12** NNSA notes the commentor's opposition to the Expanded Operations Alternative, in particular opposition to the associated detonation of high explosives and depleted uranium. All LANL activities operate under

Commentor No. 132 (cont'd): Janet Degan

valid permits as described in Chapter 6 of the SWEIS and are conducted in accordance with applicable State and Federal laws and regulations. This includes activities related to high explosives and depleted uranium. Although toxic and radioactive air emissions can potentially have detrimental impacts, the past emission levels analyzed and those projected for LANL would not be expected to cause unacceptable impacts on human health or the environment, as shown in Chapter 4, Section 4.6.1.3, and Chapter 5, Sections 5.4.1.1, and 5.6.2. Refer to Section 2.10, Depleted Uranium and the Dual Axis Radiographic Hydrodynamic Test (DARHT) Facility, of this CRD for more information on high explosives and depleted uranium activities.

- 132-13** Chapter 2, Section 2.2.6 summarizes the progress made in the environmental restoration program, while Appendix I presents options and environmental analyses for conducting remediation activities at LANL primarily related to the Consent Order that was entered into in March 2005.

NNSA considers compliance with the Consent Order to be mandatory and is not linking compliance to decisions about pit production or other LANL activities. NNSA intends to implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS.

Several alternative remedies may be considered for remediating a contaminated site such as containment in place, treatment, or removal. Any selected remediation remedy must meet several criteria including protection of human health and the environment, and attainment of applicable cleanup standards considering the designated future use of the site. If the site is to remain under DOE ownership, then cleanup standards commensurate with a restricted type of land use may be used, provided that offsite areas are protected. If the site is to be released for unrestricted access by the public, then the site would need to meet cleanup standards for unrestricted access. Decisions about the appropriate levels of cleanup for sites subject to the Consent Order will be made by the New Mexico Environment Department considering standards for groundwater, surface water, and soils as documented in Section VIII of the Consent Order.

Commentor No. 132 (cont'd): Janet Degan

NNSA expects that solid wastes, hazardous wastes, and mixed low-level radioactive wastes from all LANL activities, including those from pit production and environmental restoration, would be disposed of in offsite disposal facilities. Transuranic wastes will be disposed of at WIPP or its replacement facility. Disposal of low-level radioactive waste may safely occur in both onsite and offsite disposal facilities. All wastes will be packaged in accordance with U.S. Department of Transportation regulations and the requirements of the facilities receiving the wastes; those requirements depend on the hazards presented by the wastes. Packaging requirements for radioactive materials are summarized in Appendix K, Section K.3.1.

Commentor No. 133: Diane and Arthur Gledhill

Diane and Arthur Gledhill
HC 69 Box B8
Embudo, New Mexico 87531
XXX-XX-XXXX
dianegledhill@earthlink.net

September 2, 2006

U.S. Dept. of Energy
National Security Administration, Los Alamos Office
Attn: Ms. Elizabeth Withers,
Office of Environmental Stewardship
528 35th Street
Los Alamos New Mexico 87544

Re: DOE Site Wide Environmental Impact Statement (SWEIS)
Expanded operations at Los Alamos National Laboratory

Dear Ms. Withers,

We strongly oppose the project to produce plutonium pit production at Los Alamos. There are many reasons we oppose the project but foremost is our belief that the U.S. aggressive stance and nuclear weapons program is greatly increasing proliferation and fear around the world. We are far more vulnerable as a nation from our dependence on oil, our national deficit, our nations failing health programs, and lagging education. We must put our resources into addressing these issues, not more nuclear weapons.

133-1

Very sincerely,


Diane and Arthur Gledhill

133-1

NNSA notes the commentor's opposition to plutonium pit production. Stockpile stewardship capabilities at LANL and elsewhere are currently viewed by the United States as a means to further the Nation's nonproliferation objectives. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 134: Richard C. Rowe

From: Richard Rowe [richardrowe@cybermesa.com]
Sent: Thursday, August 10, 2006 10:47 AM
To: LANL_SWEIS
Subject: Proposal for nuclear pit production

The United States already possesses 23,000 nuclear pits, (the plutonium triggers for nuclear warheads). Senior scientists now concur these pits will be reliable for another 60-90 years without a determined end date. We cannot allow our bio-region to be any further degraded by the scourge of this insane nuclear industry.

It is DANGEROUS and UNNECESSARY to produce so many pits. When do we ever expect to use so many? It is impossible to imagine.

NO to ANY more pit production.

Richard C. Rowe
221 Camino de la Sierra
Santa Fe, NM 87501

134-1

134-1 NNSA notes the commentor's statements regarding pit lifetime and opposition to pit production. NNSA has reviewed the pit lifetime studies and has concluded that degradation of plutonium in the majority of nuclear weapons would not affect warhead reliability for a minimum of 85 years. The analysis in the LANL SWEIS, however, is still valid and provides a bounding scenario in which up to 80 pits per year could be produced. This potential production rate provides NNSA with flexibility in meeting its stockpile stewardship mission, taking into account changing geopolitical conditions. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 135: Susan Martinez

2151 Iona Rd. S.W.
Albuquerque, NM
87105-5726

September 7, 2006

Elizabeth Withers
Office of Environmental
Stewardship
U.S. Department of Energy
Nuclear Security
(DOE/NNSA)
Los Alamos Site Office
528 35th Street
Los Alamos, NM 87544

Dear Sirs:

I am writing to request a hearing in Albuquerque for the proposed expansion of plutonium pit manufacture at Los Alamos.

Albuquerque is downriver from Los Alamos. Nuclear cleanup at Los Alamos has not been a complete success in the past, I understand. Rocky Flats is definitely an environmental failure.

This proposal needs to be thought about very carefully. We ought to move cautiously.

Yours truly,
Susan Martinez

135-1

135-1 NNSA notes the commentor's request for a public hearing in Albuquerque. Although there were no public hearings in Albuquerque, other means of providing comment on the Draft SWEIS were provided, such as U.S. mail, e-mail, a toll-free telephone line, and a toll-free fax line. It should be noted that all comments, whether written or provided orally, are given equal weight and consideration. See additional discussion in Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD.

Commentor No. 136: Elizabeth Hinds

Sept 7, 2006

E.A. Hinds

38 Pecoshe Terra
Coona Tx, N Mex

87506

U.S. Department of Energy
NNSA

Los Alamos Site Office

Attn: Ms. Elizabeth W. Theris

Office of Environmental Stewardship

5-28 35th St.

Los Alamos, N Mex 87544

For the record, I am totally against any
"pit" production at LANL - let alone an increase
in the number.

The waste has not been cleaned up from the
last 61 years of "work" there - how could we
catch up with that + hope to deal with
an increase?

We as a country, should use our expert
scientists for constructive invention and
production - not destructive. How can
we, in this day & age, (not the middle
ages or the dark ages) continue to spend
\$ on war and nuclear bombs etc?
It is humiliating to be involved in this
weaponry.

Sincerely,
Elizabeth Hinds

136-1

136-1 NNSA notes the commentor's opposition to pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for additional information.

136-2

136-2 NNSA continues to clean up legacy waste sites. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for information about progress in the environmental restoration program.

Commentor No. 137: Evelyn Witt

Ms. Elizabeth Withers, E.I.S. Document Mgr.
 U.S. DOE/NNLD
 Los Alamos Site Office

September 8, 2006

Dear Ms Withers:

The proposed alternative plan to increase plutonium pit production at the Los Alamos lab is morally wrong (a contradiction of the Non-Proliferation Treaty which we ratified in 1970), totally unnecessary (we have more than enough weapons and the "pits" will last for decades), and the results of this increased production would jeopardize an already threatened environment.

Common sense needs to prevail not war profiteering combined with fear propoganda.

One question: who has signed the order to initiate this alternative proposal? I would like an answer to this question.

137-1

137-2

137-1 NNSA has reviewed the pit lifetime studies and has concluded that degradation of plutonium in the majority of nuclear weapons would not affect warhead reliability for a minimum of 85 years. The analysis in the LANL SWEIS, however, is still valid and provides a bounding scenario in which up to 80 pits per year could be produced. This potential production rate provides NNSA with flexibility in meeting its stockpile stewardship mission, taking into account changing geopolitical conditions.

Operations at LANL are not in violation of the Treaty on the Non-Proliferation of Nuclear Weapons. Continuing to ensure a safe and reliable nuclear stockpile violates none of the terms of the Treaty on the Non-Proliferation of Nuclear Weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information on pit lifetime studies and treaty compliance.

Environmental and human health impacts are evaluated in Chapter 5 and summarized in Table S-5. NNSA will factor these impacts into any decisions made regarding future operations.

137-2 There was not a specific "order" that resulted in the inclusion of an alternative in the LANL SWEIS that included an increase in the level of pit production. The Record of Decision for the *Final Programmatic Environmental Impact Statement for Stockpile Stewardship and Management* (DOE/EIS-0236) assigned LANL the mission of providing pit production capability for the nuclear weapons complex (61 FR 68014). The 1999 SWEIS analyzed a range of pit production levels up to 50 pits per year (or 80 pits per year using multiple shifts). The Record of Decision for the 1999 SWEIS selected an operation level of 20 pits per year. This current SWEIS evaluates continued operation at 20 pits per year and, as was done in the 1999 SWEIS, evaluates an alternative that includes producing up to 80 total pits per year. As discussed in Chapter 1, Section 1.4, NNSA will make the final decision on the level of operations based on this SWEIS and other factors.

Commentor No. 137 (cont'd): Evelyn Witt

I feel it is important to all of us to know who exactly is responsible for this proposal. I am sincere in wanting an answer to this question.

Thank you for being the punching board for our opposition voices.

I look forward to hearing or receiving an answer to my question.

Sincerely,
Evelyn Witt

Evelyn Witt
48 County Rd #126
Esperanza NM 89532
() -

137-2
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**Commentor No. 138: Darlene M. Koontz, Superintendent,
U.S. Department of the Interior, National Park Service**



United States Department of the Interior
NATIONAL PARK SERVICE
Bandelier National Monument
15 Entrance Road
Los Alamos, New Mexico 87544-9508



IN REPLY REFER TO:
L7619(BAND)

OCT 06 2006

Elizabeth Withers
Los Alamos Site Office
National Nuclear Security Administration, DOE
538 35th Street
Los Alamos, NM 87544-2201

Dear Ms. Withers:

We appreciate the opportunity to review and provide feedback on the draft Site-wide Environmental Impact Statement (SWEIS) and share our concerns with past, present, and proposed future laboratory management actions. Bandelier National Monument's mission is to provide enjoyment to the public and preserve the internationally recognized cultural resources and natural resources. Many of our current concerns are likely already addressed in more detailed Los Alamos National Laboratory (LANL) reports and plans. Some are cited in the SWEIS, but we would appreciate receiving copies of relevant reports and plans (or park specific information, if available), so that we can conduct a more informed review of laboratory operations relative to park operations, resources, staff, and the visiting public. In this context, we request the following information:

- Status and update of legacy waste (PRS) characterization and remediation (or plans) for locations in and immediately adjacent to Bandelier National Monument
- Status of cultural resources monitoring and management (or copy of plan)
- Status of any current LANL fire management plans or plans for future thinning or prescribed burns on LANL
- Status of the Department of Energy (DOE) White Rock Canyon Reserve
- Risk assessment of hazardous waste and radiation exposure tailored to NPS employees, residents, and the visiting public for Bandelier and the detached Tsankawi unit
- Cumulative economic impacts of road closures, security detours, and road re-alignments on Bandelier operations and visitation

138-1

138-2

138-3



138-1 Status and update of legacy waste potential release sites characterization and remediation (or plans) for locations in and immediately adjacent to Bandelier National Monument: Five sites located within the edge of Bandelier National Monument (C-00-024, a cistern, and C-00-036 (a) through (d), borrow pits 1 though 4) are “administratively complete” and awaiting DOE and EPA approval for no further actions. Two sites at Bandelier were investigated and, although they were determined not to have been associated with LANL operations, New Mexico Environment Department approval for no further action is still pending. These sites (C-007-037, landfill, and C-00-038, surface disposal) will be included in the Aggregate Area Investigation Work Plans according to the March 1, 2005, Consent Order. One site, PRS-33-066(a) (an inactive firing site), was investigated and debris was removed over a half-mile radius of the potential release site, including areas within Bandelier. This site is now recommended for no further action pending New Mexico Environment Department approval. An ecological risk assessment of this site will be deferred until development of the exposure unit methodology has been completed. One site within Bandelier’s Chaquehui Canyon has not been investigated; the start of that investigation is scheduled for 2010 and completion is projected in early 2011.

Status of cultural resources monitoring and management (or copy of plan): A copy of *A Plan for the Management of Cultural Heritage of Los Alamos National Laboratory* (LANL 2006b) has been provided to the Commentor. The Cultural Resources Management Plan is an institutional comprehensive plan that defines the responsibilities, requirements, and methods for managing cultural resources at LANL. The Cultural Resources Management Plan provides an overview of the cultural resources program; establishes a set of procedures for effective compliance with historic preservation laws specific to the cultural heritage of the area and the DOE mission; addresses land-use constraints and flexibility; and informs the public of DOE’s stewardship responsibility for managing the cultural heritage of LANL and the steps taken to meet this responsibility.

Status of any current LANL fire management plans or plans for future thinning or prescribed burns on LANL: The LANL Wildland Fire Management Plan was issued in September 2007; a copy was provided to the Department of the Interior office at Bandelier National Monument. Small-scale site-thinning activities are ongoing at LANL within areas of

**Commentor No. 138 (cont'd): Darlene M. Koontz, Superintendent,
U.S. Department of the Interior, National Park Service**

- Site specific development plans, operational plans (including transfer), and remediation proposals for adjacent land parcels (TA-16, 33, 39, 49, 72), that might impact Bandelier

We thank you for considering our requests for information and comments on the draft SWEIS and look forward to continued productive relationships with both LANL and the DOE.

Sincerely,



Darlene M. Koontz
Superintendent

|| 138-1
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concern such as within canyons and next to buildings, roads, and utilities. Until the NNSA Los Alamos Site Office Manager issues a Finding of No Significant Impact for the use of fire as a primary forest management tool and the Wildfire Management Plan is completed and approved for implementation, prescribed burns will not be used at LANL.

Status of the DOE White Rock Canyon Reserve: Co-management of the White Rock Canyon Reserve by DOE and the Department of the Interior, Bandelier National Monument, is the subject of a Memorandum of Agreement (Number DE-GM32-00AL77169) between the two agencies. NNSA has requested modification of the delivery date for the preparation of a Resource Management Plan identified as a deliverable in the Memorandum of Agreement. One of LANL's staff members has conducted research for a Masters Program thesis that would benefit preparation of this Resource Management Plan. This thesis was completed in December 2007 and will be incorporated into the final Resource Management Plan.

Site-specific development plans, operational plans (including transfer), and remediation proposals for adjacent land parcels (TA-16, TA-3, TA-39, TA-49, TA-72), that might impact Bandelier: Proposed projects for which NNSA expects to make decisions over the next 5 years are analyzed under the SWEIS Expanded Operations Alternative. One such project proposed for TA-72 is construction of a warehouse and truck inspection station (see Chapter 3, Section 3.3.2.4, Remote Warehouse and Truck Inspection Station Project in Technical Area 72, for a brief description). NNSA prepares annual plans that forecast activities over a rolling 10-year period to align site construction and demolition needs with annual budget cycles and plans. These documents are usually classified as "Official Use Only," however, and therefore are not generally available to the public. Plans for the conveyance and transfer of LANL land tracts are an outgrowth of the Record of Decision issued by NNSA based on the impact analyses provided in the 1999 *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-0293) (DOE 1999c). Additional consideration for conveyance of land was requested by Los Alamos County; however, no tracts of land currently under consideration lie contiguous to the Bandelier boundaries.

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U.S. Department of the Interior, National Park Service**

Remediation activities proposed for the identified TAs:

TA-16 – There are 442 potential release sites within this TA; 130 are awaiting a determination that no further action is required, while the remaining 312 have been approved for no further action. Sixty (60) of the 130 sites awaiting a determination that no further action is required are located within the upper portion of Water Canyon. An Investigation Work Plan describing the investigations to be performed at the Upper Water Canyon Aggregate Area is due to the New Mexico Environment Department in August 2010. The S-Site Aggregate of potential release sites contains 18 of these 130 potential release sites, and the S-Site Investigation Work Plan was submitted to the New Mexico Environment Department in September 2007. The Cañon de Valle Aggregate of potential release sites contains 52 of the 130, and the Completion Report for the Water Canyon Watershed (which includes completion of all of the aggregate areas) is due to the New Mexico Environment Department in August 2015.

TA-33 – There are 71 potential release sites in this TA; 25 are awaiting a determination that no further action is required, while the remaining 45 have been approved for no further action. Eighteen (18) of the 25 sites are in the Chaquehui Canyon Aggregate of potential release sites, and the Investigation Work Plan for this aggregate area is due to the New Mexico Environment Department in November 2009. Seven (7) of the 25 sites are in South Ancho Canyon Aggregate of potential release sites; the South Ancho Canyon Aggregate Area Investigation Work Plan is due to the New Mexico Environment Department in March 2013. The Completion Report for the Chaquehui Canyon Aggregate Area is due to the New Mexico Environment Department in August 2014, and the Completion Report for the Ancho Canyon Aggregate Area is due to the New Mexico Environment Department in February 2015.

TA-39 – There are 27 potential release sites in this TA; 9 are awaiting a determination that no further action is required, while the remaining 18 have been approved for no further action. The 9 sites awaiting a determination are part of the North Ancho Canyon Aggregate of potential release sites, for which an Investigation Work Plan is due to the New Mexico Environment Department in September 2007. The Completion Report for the Ancho Canyon Aggregate Area is due to the New Mexico Environment Department in February 2015.

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U.S. Department of the Interior, National Park Service

TA-49 – There are 21 potential release sites in this TA; 9 are awaiting a determination that no further action is required, while the remaining 12 have been approved for no further action. The 9 sites still awaiting a determination are associated with the MDA AB Consent Order deliverables, and two Investigation Work Plans were submitted to the New Mexico Environment Department in October 2007. The Completion Report for MDA AB is scheduled for submission to the New Mexico Environment Department in January 2015.

TA-72 – There are 4 potential release sites in this TA; all 4 have been approved for no further action by the U.S. Environmental Protection Agency.

- 138-2** Human health risk assessments for both hazardous chemicals and radiation exposures are calculated for LANL facilities based on the use of a hypothetical maximally exposed individual at the LANL boundary or the nearest publicly accessible location. This maximally exposed individual is assumed to remain at the identified location for 24 hours a day, 7 days a week, with no mitigation of effects due to clothing or other protective shielding or sheltering.

Regarding waste management, these calculations are made relative to individual waste management sites (such as for Area G at Technical Area 54). For site cleanup activities, these calculations are made for individual cleanup sites (such as the cleanup conducted at the Los Alamos County Airport). This use of a maximally exposed individual in the human health risk assessments is bounding for members of the public and other Federal Government employees located near the LANL site.

DOE Order 5400.5 restricts the dose to a member of the public from all DOE activities to no more than 100 millirem per year from all pathways; this is in addition to the dose of about 400 millirem per year due to background radiation received by a resident of the Los Alamos area. Federal regulations (40 CFR Part 61 and 40 CFR Part 141) establish requirements or guidance applicable to doses from specific pathways, including limits such as a 10-millirem-per-year air pathway dose from exposure to DOE emissions and up to a 4-millirem-per-year dose from the drinking water pathway. As reported in LANL environmental surveillance reports in recent years, exposures from LANL operations have resulted

Commentor No. 138 (cont'd): Darlene M. Koontz, Superintendent,
U.S. Department of the Interior, National Park Service

in estimated maximally exposed individual doses of less than the allowed values for all exposure pathways, including air- and drinking water-specific exposure pathways. Chapter 5, Section 5.6, projects doses to the maximally exposed individual that are within the established limits. No specific assessment of National Park Service employees, residents of Bandelier, or visitors to the National Park Service sites would be made unless cleanup actions were planned within Bandelier boundaries. Depending on the cleanup requirements identified for Potential Release Site 33-006(a), a Bandelier-specific maximally exposed individual may be used in the human health risk assessment prepared for that action if cleanup activities were located within Bandelier boundaries.

- 138-3** Changes to LANL traffic patterns that are being implemented currently by NNSA are not expected to significantly impact existing economic conditions within either the County of Los Alamos or Bandelier National Monument. Projected cumulative impact information is provided in the 2002 *Environmental Assessment, Proposed Access Control and Traffic Improvements at Los Alamos National Laboratory, Los Alamos, New Mexico* (DOE/EA-1429) (DOE 2002a); NNSA issued a Finding of No Significant Impact on August 23, 2002, for the proposed action considered in this environmental assessment. Additional security-driven changes internal to the LANL site are proposed under the Expanded Operations Alternative. A cumulative evaluation of the potential socioeconomic impacts of that action alternative is provided in the Final SWEIS.

**Commentor No. 139: J.D. Campbell, Chair,
Northern New Mexico Citizen's Advisory Board**



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September 27, 2006

Elizabeth Withers, EIS Document Manager
Los Alamos Site Office
National Nuclear Security Administration
U.S. Department of Energy
528 35th Street
Los Alamos, NM 87544-2201
Telephone: 505-845-4984

Subject: Comments on Draft Site-Wide Environmental Impact Statement for Continued Operation of Los Alamos National Laboratory, Los Alamos, New Mexico (SWEIS) (DOE/EIS-0380D)

Responsible Agency: U.S. Department of Energy (DOE)
National Nuclear Security Administration (NNSA)

Dear Ms. Withers,

The Northern New Mexico Citizens Advisory Board (NNMCAB) would like to thank you for accepting our comments before September 30, 2006. The board met on September 27 and approved this submittal. Before commenting on particular pages and segments of the document, we would like to make some general comments.

Recommendations for a Preferred Alternative

The SWEIS describes a preferred alternative in which DOE proposes to expand its operations over the next five years. The impacts on the waste stream are enormous. From 2007 through 2016 Low-Level Radioactive Waste (LLW), including mixed LLW, could increase tenfold, from a maximum total of 158,700 to 1,585,700 cubic yards (see Table 5-37). During the same period, transuranic (TRU) waste could increase from a maximum of 5,900 to over 33,000 cubic yards. Construction and demolition and chemical waste would also increase significantly. While the operations of the Los Alamos National Laboratory (LANL) are outside the purview of the CAB, the related environmental management and remediation make up our mission. With respect to this SWEIS, we are primarily concerned about two things: waste reduction and the ultimate disposition of radioactive waste.

As stated on page I-40 of the SWEIS, public comments on the draft may propose a substantially different alternative or mitigation that has not been considered. We would like to propose that the SWEIS be modified to include as part of its preferred alternative a detailed focus on source reduction (within the context of the mission of DOE/LANL) and a commitment to the ultimate goal of no more on-site disposal of radioactive waste at LANL after the period covered by this SWEIS. This presumes that there is sufficient licensed and permitted disposal volume available at either DOE or commercial disposal

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139-1 Pollution prevention measures are part of the No Action Alternative baseline and are therefore part of the Expanded Operations Alternative. Since 1993, significant progress in waste reduction through pollution prevention measures has occurred at LANL (see Chapter 4, Section 4.9). NNSA and the LANL contractor continue to work to reduce overall waste generation at LANL and, correspondingly, the amount of waste disposed of onsite. There is no current plan to cease radioactive waste disposal at LANL. Decisions on the disposal of various wastes generated across the DOE complex were based on the analyses conducted for a 1997 *Waste Management Programmatic Environmental Impact Statement for Managing Treatment, Storage, and Disposal of Radioactive and Hazardous Waste* (DOE/EIS-0200) (DOE 1997a). In its related Record of Decision (65 FR 10061), DOE announced it would dispose of low-level radioactive waste from the DOE complex at two regional facilities (Hanford and the Nevada Test Site) and continue disposal of LANL-generated low-level radioactive waste at LANL (65 FR 10061). Currently, there are established disposal outlets for most wastes at LANL. As indicated in the waste management sections of Chapters 4 and 5 of the SWEIS, the LANL contractor will continue to use commercial treatment and disposal capabilities for nonradioactive, hazardous, and mixed low-level radioactive waste. Transuranic waste will continue to be disposed of at WIPP. Low-level radioactive waste will be disposed of onsite at LANL, at another DOE facility, or at a commercial facility. In large measure, the choice of waste disposal either at DOE facilities or at commercially appropriate and available disposal facilities is driven by economic factors. At this time, Greater-Than-Class C low-level radioactive waste has no disposal path; however, DOE has issued a Notice of Intent to prepare an *Environmental Impact Statement for the Disposal of Greater-Than-Class-C Low-Level Radioactive Waste* (72 FR 40135). Several options for disposal of this waste and other DOE waste having similar characteristics are being considered.

**Commentor No. 139 (cont'd): J.D. Campbell, Chair,
Northern New Mexico Citizen's Advisory Board**

facilities to dispose of LANL's radioactive waste even with the mission increases. If this is not the case, the SWEIS should provide the appropriate details demonstrating how this conclusion was reached. In any case, the SWEIS should include an in-depth plan showing, on an annual basis, the quantity of each type of waste (LLW, Mixed LLW, TRU, etc.) and the disposal destination(s), including explicit verification that the proposed disposal sites have the capacity and are permitted to take those amounts from LANL.

Use of Unlined Pits in Material Disposal Area G

The previous SWEIS¹ discussed the opening of approximately 33 additional acres in Area G to be used for disposal of low level waste. This new development has not yet occurred. The NNM CAB would like to reiterate our view, submitted to the Department of Energy (DOE) as Recommendation 2005-10, September 28, 2005, that we oppose the expansion of Area G. We request that DOE reconsider this component of the Record of Decision issued for the 1999 SWEIS. We are particularly concerned about the plans to dispose of waste in unlined pits, a practice that was adopted solely for its expediency when the area was first opened in 1957 and has been in use ever since. We believe that a thorough and systematic review of alternatives to this practice is required to adequately protect the environment. We request that the current SWEIS be amended to include such a review.

Possible Impacts to the Regional Aquifer, Downstream Communities

The SWEIS briefly mentions recent findings that show contaminants from LANL have reached the regional aquifer and the discovery that some data from characterization and monitoring wells have been compromised by the drilling methodology. It also states (page 4-64) that contaminants already in the ground "can be expected to continue to enter the groundwater system over long periods of time." Given the importance of the regional aquifer as a long-term drinking water source for Northern New Mexico, the CAB requests that the SWEIS acknowledge the DOE's level of commitment to protection of the regional aquifer, and include a more thorough analysis of the specific past and continuing sources of contamination (e.g., former MDAs, TA 54/Area G) and the potential future impacts of this contamination on the regional aquifer.

The SWEIS does not recognize heavy population areas downstream of LANL (Santa Fe, Albuquerque, Belen, Rio Rancho, Socorro, etc.) which may be impacted over time by surface and groundwater contaminant migration from LANL, if such should occur. Since LANL is the largest potential source of radioactive contamination in the Middle Rio Grande Valley, the SWEIS should consider the impacts of surface and groundwater contamination on water users located at least 200 miles downstream of LANL.

Use of Consent Order

Footnote b, Section 3-5 states that "Activities required to comply with the Consent Order are evaluated under the Expanded Operations Alternative because they do not meet the No Action Alternative definition found in Section 3.1 of this SWEIS." We do not understand

¹ US DOE Site-Wide Environmental Impact Statement for the Continued Operation of the Los Alamos National Laboratory, Los Alamos, New Mexico (DOE/EIS-0238)

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139-2 The commentor's opposition to the expansion of the Area G low-level radioactive waste disposal site is noted. NNSA has verified its need to expand the Area G disposal site into Zones 4 and 6 and has no plans to amend its earlier decision regarding this expansion. The future use of lined pits rather than unlined pits for waste disposal, however, is under evaluation through the Area G performance assessment and composite analysis required by DOE Order 435.1. In the updated performance assessment and composite analysis, NNSA is undertaking a thorough review of the alternatives available for lining waste disposal pits and is evaluating the possible benefits and drawbacks of each, as well as the benefits and drawbacks of using unlined pits. The updated performance assessment and composite analysis will guide decisions regarding operational procedures and waste disposal. The SWEIS considers impacts from the use of unlined pits as its No Action Alternative baseline; this impact analysis thereby bounds possible actions with lesser environmental consequences such as those that may result from using alternative pit construction methods and operational techniques.

139-3 NNSA is committed to protecting the regional aquifer beneath LANL. NNSA operates a groundwater monitoring program (described in Chapter 4, Section 4.3.2) to detect and characterize contamination from past practices and to provide early detection of contaminants from current disposal operations. Monitoring confirms some movement of contaminants into the deeper regional aquifer at LANL. As described in Chapter 4, Section 4.3.2, and Appendix E, Section E.8, LANL staff performs field testing and computer modeling to further refine the conceptual model for groundwater flow and contaminant transport beneath LANL. Chapter 5, Section 5.13, states that contamination from LANL or changes in Rio Grande flows are not likely to affect water quality. In addition, a special pathways analysis was added to Appendix C, Section C.1.4.2, to address concerns about contamination of the Rio Grande. The analysis shows that drinking Rio Grande water that could be impacted by LANL activities is comparable to drinking water from the Jemez River, which is not downstream of LANL. The monitoring data and the drinking water analysis do not indicate a need to extend impacts analysis well beyond the vicinity of LANL.

139-4 NNSA does not consider compliance with the Consent Order to be optional and is not linking Consent Order compliance to decisions about

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Northern New Mexico Citizen's Advisory Board**

why the SWEIS acknowledges and incorporates the New Mexico Environment Department's Consent Order (Consent Order) only in the Expanded Operations/Preferred alternative. By its own acknowledgement, DOE is legally bound to adhere to the Consent Order no matter which alternative it ends up pursuing. The Consent Order should be explicitly included as part of all three alternatives.

The CAB approves of the approach and decision process invoked by NMED with respect to mixed waste at Area G. We request that the SWEIS incorporate the same approach for the handling of waste at other legacy waste sites, such as Technical Area 21.

Possible Impacts to Native American Sites

The SWEIS Summary briefly mentions the environmental-pollution/physical environment/visual impact aspects on the adjacent Native American populations, their sacred sites and other areas of historical importance to Native Americans. We would like to see more specific information regarding impacts on Native Americans in the Summary. Section 4.7.1 describes the archeological surveys conducted as of 2005, including sites impacted by the Cerro-Grande fire of 2000. We would like to know how many new sites (if any) were discovered after the fire.

Additional Information Needed in the Summary

This SWEIS Summary does not recognize unexpected or recent events which disrupted the expected progress of the previous SWEIS. Some of this information is scattered throughout the main body of the SWEIS, but the Summary fails to "connect the dots," thus not explaining why some of the earlier assumptions/progress/events did not occur or were behind schedule. These events include the lab-wide stand-down from July 16, 2004 to August 18, 2004 (with some areas impacted until January 2005); the change to new lab management and major reorganization of responsibilities that has occurred during CY 2006, and; the delay in LANL shipments to WIPP due to LANL errors as well as recent decisions by the new management.

Additional, more specific comments are attached.

Sincerely,



J.D. Campbell
Chair, Northern New Mexico Citizens' Advisory Board

Cc:
Edwin Wilmot, LASO
George Rael, LASO
Andy Phelps, LANL
Christina Houston, DOE
NNMCAB File

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pit production, proposed new projects or activities, increased operational levels, or waste generated from other LANL activities. Chapter 1, Section 1.3, of the SWEIS defines the three alternatives and explains why activities to comply with the Consent Order are included only under the Expanded Operations Alternative. Chapter 1, Section 1.4, states that NNSA could choose to implement the alternatives either in whole or in part, and that NNSA intends to implement actions necessary to comply with the Consent Order regardless of whether other actions in the Expanded Operations Alternative are implemented. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

139-5 Cleanup of the legacy waste sites is governed by DOE requirements and the Consent Order, which was signed in March 2005 by DOE, the LANL contractor, and the State of New Mexico. Appendix I presents options and environmental analyses related to future remediation activities at LANL as a means of bounding the impacts associated with remediation. However, remediation decisions for specific sites that are subject to Consent Order requirements, including cleanup of TA-21 sites and associated waste management procedures, will be made under the remedy-selection process established by the Consent Order. For additional information, refer to Section 2.7, Waste Management, and Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD.

139-6 The Summary reflects the analysis in the main body of the SWEIS. As indicated in Section S.9.1, Comparison of Potential Consequences of Alternatives for Continued Operation at Los Alamos National Laboratory, and Section S.9.3, Summaries of Potential Consequences from Project-Specific Analyses, the impacts generally are not high and adverse. Chapter 5, Section 5.11, was revised to provide additional information concerning the environmental justice analysis in the SWEIS. Refer to Section 2.11, Environmental Justice, of this CRD for more information.

139-7 The report entitled, *Cerro Grande Fire Assessment Project: An Assessment of the Impact of the Cerro Grande Fire on Cultural Resources at Los Alamos National Laboratory, New Mexico, Cultural Resource Report No. 211* (LANL 2002), provided an initial estimate of the number of new cultural resource sites uncovered by the Cerro Grande Fire. The report estimated that about 10 percent of the nearly 500 sites surveyed after the

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Northern New Mexico Citizen's Advisory Board**

The following comments reference the document.

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| 1) Page S-5, Figure S-2. In the PLUS box, each bullet should refer to a closely located table which expands and lists each project associated with each of the four plus (+) items. Thus expanded items or projects along with decommissioning or site closure activities will be available in one table. | 139-9 |
| 2) Page S-6 RLWTF mentions capacity that could result in no effluents - we believe that the RLWTF should have no effluents. | 139-10 |
| 3) Page S-7. The paragraph entitled "Waste Management Facilities Transition Project" should include a statement indicating that TA-54/Area G will be expanded for the continued disposal of low-level radioactive waste. | 139-11 |
| 4) Page S-7. Footnote 3 on this page could be interpreted as saying that the NNSA is not legally obligated to fulfill the Consent Order. The statement should be restated to eliminate that possible impression. | 139-12 |
| 5) Page S-8 Increases in Type & Quantity Sealed Sources. What is the increase in Sealed Sources - where is the follow up or reference to more detailed information? | 139-13 |
| 6) Page S-8 Under S4 This SWEIS may supersede decisions in 1999 SWEIS. We believe that this SWEIS should review and change the findings in the 1999 SWEIS, including changing the earlier decision about opening more pits in Area G. | 139-2
cont'd |
| 7) Page S-14. Section S.5.2. On this page, TA-54 should be recognized as a key facility due to the plans to leave a large amount of radioactive waste buried above a major public water supply aquifer. | 139-14 |
| 8) Page S-19 Paragraphs 2 and 4 mention continued management of transuranic waste and new waste storage at Area G. However the text says the SWEIS does not address these projects directly. The changes at Area G should be specifically addressed. | 139-15 |
| 9) Page S-21 Next to last paragraph - document should recognize that potential groundwater issues go much further than 50 miles. | 139-3
cont'd |
| 10) Page S-21 Last Paragraph - The topic of terrorism should be enhanced to include specific scenarios. For instance, what happens if a plane flies into contained TRU waste at Area G, etc. These types of scenarios appear to be missing although the next paragraph of following page indicates that somewhere there are more specific accident analysis. | 139-16 |
| 11) Page S-24. Section S.7 The substantial increase in the number of employees over the course of a project should not be presented as a neutral or beneficial impact from an environmental perspective since the employee growth results in increased demands on a very scarce resource (water), worsened traffic, and puts additional stress on the ecology of the surrounding area. | 139-17 |
| 12) Page S-24 How can the 1999 projections have been reached? Especially relative to the long Lab stand-down - i.e. barrels to WIPP are behind schedule, other projects were impacted. Please expand. | 139-18 |
| 13) Page S-25, Table S-3. Under Land Resources, the estimated area for the Area G expansion is stated to be 41 acres, which does not | 139-19 |

fire were previously unrecorded. Since that time, however, additional surveys undertaken as part of the Cerro Grande Fire Assessment and Tree Thinning Projects identified 447 new sites. NNSA may not disclose the locations of these sites due to legal constraints imposed by the National Historic Preservation Act; however, Chapter 2, Table 2-5, and Chapter 4, Section 4.7.1, were revised to include the newly identified sites. Impacts to cultural resources relative to Waste Management Facilities Transition are addressed in Appendix H, Section H.3.3.2. No direct negative impacts on cultural resources are expected; however, a number of cultural resource sites are located nearby. To protect these sites, their boundaries would be marked and fenced, as appropriate. Views of Area G from Pueblo lands would be positively impacted by the removal of the white-colored domes after the transuranic waste stored in them is shipped either to a new temporary storage facility to be located in the Pajarito Road Corridor or to WIPP. Consultations with the Four Accord Pueblos are conducted in accordance with established agreements and the LANL *Plan for the Management of the Cultural Heritage at Los Alamos National Laboratory, New Mexico* (LANL 2006b).

- 139-8** The Summary is appropriately a high-level overview of the SWEIS; 1999 SWEIS impact projections and their actual status, as well as information about the existing LANL environment, are provided in Chapters 2 and 4. Explicit explanations of why certain activities did not proceed as planned over the past 7 years are not within the scope of the SWEIS.
- 139-9** The first of the four items in the Plus box in Figure S-2 of the Summary is self-explanatory: "Produce a larger number of plutonium pits." The other three items in the Plus box correspond to the text headings of discussions that follow the figure. The descriptions of the items in the Plus box in Figure S-2 were revised to make them more trackable to the discussions that follow, where the names of the projects that constitute each grouping are italicized. Thus, although not in table format, the projects represented by each of the items in the Plus box in Figure S-2 are described immediately following the figure.
- 139-10** NNSA notes the commentor's preference that there should be no effluents from the Radioactive Liquid Waste Treatment Facility.

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agree with the area estimate of 72 acres shown in the Waste Management and Pollution Prevention section of this table on page S-35. Which is correct?

- 14) Page S-26, Table S-3. Soils - Tree loss from bark beetles has added to soil erosion but is not mentioned.
- 15) Page S-28, Table S-3. Contaminant transport - no mention is made of the current Chromium issue. The discovery of chromium in the regional aquifer is only briefly mentioned in Chapter 4.
- 16) Page S-29, Table S-3. There is no discussion of impacts or changes in quality in the Groundwater section. The fact that there has been identification of groundwater contamination above standards (chromium) and of 1,4-dioxane not previously found should both be acknowledged in this section and in the main body of the SWEIS.
- 17) Page S-33, Table S-3. The increase in the employment levels to levels higher than projected has impacted Environmental Justice in that new employees are generally higher paid and are buying the available real estate in the area of LANL, forcing the lower income people to live further away with a consequent increase in their commuting costs and an increase in the likelihood of serious accidents while commuting (more time on the road = greater probability of accident).
- 18) Page S-33, Table S-3. Cultural Resources - The Cerro Grande fire also should have uncovered additional ancient sites. This is not mentioned- how may and where? Also, what consultation and actions are anticipated to mitigate expansion of Area G relative to adjacent Pueblo populations?
- 19) Page S-34, Table S-3. Water - What efforts are taking place at LANL to decrease water usage - a very valuable and scarce resource in New Mexico? And why should the lab be allowed to exceed Conservation limit? Do new buildings collect roof and parking lot water for conservation? Is gray water used for toilets and in other applicable situations?
- 20) Page S-35, Table S-3. The actual impacts discussion in the Waste Management and Pollution Prevention section should address whether the objectives for removal, repackaging, and off-site disposal were met. In particular, it should indicate whether or not all the low-level mixed radioactive waste was sent off-site by the end of 2005 as stated in the DOE Five Year Plan for Environmental Management, page 84.
- 21) Pages S-38 and I-16. The SWEIS states "The Expanded Operations Alternative for this SWEIS is based on an annual production rate of 80 pits per year in order to provide NNSA with sufficient flexibility to obtain up to 50 certified pits each year. NNSA does not believe it would need to produce 80 pits per year in order to obtain 50 certified pits." These two sentences appear contradictory, or at best inconsistent. If NNSA does not believe it needs to build 80 pits to obtain 50 that are certified, why is it requesting the production of 80 pits? Source reduction should be a primary tenet in protecting the environment. Since each pit produced contributes to the waste stream, NNSA should propose to build only as many as it believes it would need to produce 50 certified pits.
- 22) Page S-42, Table S-4. The discussion under Waste Management Operations: Solid Radioactive and Chemical Waste Facility should discuss the planned Area G expansion and particularly discuss why

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- 139-11** Expansion of low-level radioactive waste disposal operations into Zones 4 and 6 of Area G was evaluated as part of the 1999 SWEIS, as identified in Table S-3, Waste Management and Pollution Prevention, of the Summary, but was not evaluated as part of the Waste Management Facilities Transition Project. The paragraph referenced by the commentor, however, does refer to construction and operation of replacement low-level radioactive waste management facilities in TA-54. These replacement facilities, which would support disposal of low-level radioactive waste in the expanded disposal area, are evaluated in Appendix H, Section H.3.
- 139-12** This footnote was revised to state more clearly that, "NNSA is including impacts associated with Consent Order implementation in order to facilitate Consent Order compliance." A text box was added that states that NNSA intends to implement actions necessary to comply with the Consent Order, regardless of decisions made on other activities analyzed in the SWEIS.
- 139-13** The Summary presents an overview of the proposed projects. More detailed information is found in Appendix J, Section J.3. The impacts of the proposed expansion of the Off-Site Source Recovery Project are included in the impacts analyses provided in Chapter 5.
- 139-14** This referenced page does not list specific Key Facilities, but describes the criteria that define Key Facilities and refers the reader to Table S-2 and Figure S-4 of Summary Section S.5.2 for the location and names of the Key Facilities. Table S-2 shows that Waste Management Operations - Solid Radioactive and Chemical Waste Facilities (which includes TA-54) was a Key Facility in the 1999 SWEIS and is a Key Facility in this SWEIS.
- 139-15** The referenced paragraphs of the Draft LANL SWEIS discussed NNSA's responses to comments received during the scoping period. On page S-19 of the Summary of the Draft SWEIS, the first sentence in the second paragraph stated, "The alternatives and impacts described in the SWEIS include...continued management of transuranic waste at LANL." The reference to "waste management in Area G" in paragraph 4 was related to scoping comments requesting that NNSA reassess its previous decision to expand into Zones 4 and 6 of Area G and the use of lined versus unlined pits. To the extent that NNSA is proposing operational changes, the impacts are analyzed in the SWEIS (for example, the Waste Management

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the same expansion would be required under the Reduced Operations Alternative.

- 23) Page S-47. Air Quality. This section does not address the impacts on air quality related to the increased commuter miles required under the Expanded Operations Alternative. The discussion on Page S-50 under Socioeconomics indicates that the increase in staff would result in growth in Santa Fe and Rio Arriba County which in turn would result in a significant increase in emissions of air pollutants due to the daily commutes to LANL.
- 24) Page S-50. Socioeconomics. This section ignores the potential impacts on the 'second ring' of counties, namely: San Miguel and Sandoval Counties under the Expanded Operations Alternative. The cost of housing in Santa Fe and Los Alamos will force many of the new employees to live in one of those three counties but the tax revenue will probably be disproportionate since the most of the sources of retail items are in other counties. Thus, the strain on local resource, such as law enforcement, may require tax increases.
- 25) Page S-50 Infrastructure. Usage of 101% of water available is not acceptable. Water usage should stay the same or decrease through recycling, water caching, etc. The extended operations scenario competes for water with other large NM users (Santa Fe, Albuquerque, etc.)
- 26) Page S-51. Waste Management. First comment: The discussion about the No Action alternative only mentions the expansion into Zone 4 of Area G. Does this mean that there would not be any expansion into Zone 6 as was planned by the 1999 SWEIS? (See Table S-3 on Page S-35). Second comment: This section should state whether the expansion of Area G would be required under the Reduced Operations Alternative. Third comment: The last paragraph of this section recognizes that the volumes of low-level radioactive waste that may be generated during cleanup would be more than can be disposed of at LANL and indicates that the SWEIS included an analysis for off-site disposal. That analysis should have evaluated the environmental benefits and impacts of disposing of all radioactive waste off-site rather than just those wastes generated by cleanup.
- 27) Page S-52. Transportation. Under the Expanded Operation. The additional traffic between Pojoaque and Santa Fe is traveling one of the most dangerous sections of NM roads. Recent road improvements should be beneficial, but increased traffic would result in additional accidents/fatalities. SWEIS estimates seem too low.
- 28) Page S-61 Cultural Resources. The completion of shipments to WIPP of barrels at Area G will take more than 5 years. How could the white domes be removed in this SWEIS 5-year period?
- 29) Page S-65, Table S-5. First comment: The Waste Management Section of this table is misleading in that all the categories of TRU waste are not included under the TRU waste heading - namely liquid TRU wastes are included under the low-level radioactive waste category. It would be expected that this TRU waste would be treated and converted to a form acceptable for the WIPP and the resultant volume should be presented. Second comment: Since waste units are given in both volumetric terms and generations terms over time (volumes/year), it is not clear if the quantities shown for a given waste category are the totals for ten years or the yearly totals. For example, is the liquid TRU waste volume expected to be 30,000 gals per year or 30,000 gallons for the ten year period?

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Facilities Transition Impacts Assessment in Appendix H). NNSA notes that, in the Final LANL SWEIS, a brief description of the scoping process replaced the detailed discussion of the scoping comments in the Draft SWEIS.

139-16 NNSA notes the commentor's concern regarding the impacts of terrorism. DOE gives high priority to the safety and security of all its facilities. Security and potential acts of sabotage are integral considerations in the designs and operating procedures for new and existing DOE facilities. DOE considers the threat of terrorist attack to be real and has an established safeguards and security process that assesses facility vulnerabilities to various threats, including intentional destructive acts such as terrorism. Chapter 4, Section 4.6, of the SWEIS was revised to include additional discussion of the measures taken to protect assets at LANL from terrorist activities. As discussed in Chapter 5, Section 5.12.6, the impacts of terrorist action are considered in a separate, classified appendix to the SWEIS. The impacts of a plane flying into the transuranic waste storage facilities at TA-54, Area G, would be the same, whether intentional (terrorism) or unintentional (accident). This event was not specifically included in the accident analysis, but was considered. The impacts of such an event are bounded by the wildfire accident, which was analyzed and is discussed in Chapter 5, Section 5.12, of the SWEIS.

139-17 The statement that an increase in the number of employees has a neutral or positive impact is made from a socioeconomics perspective. The higher number of current LANL employees above the projections included in the 1999 SWEIS has helped increase income levels in the surrounding communities due to the higher average salaries offered at LANL. Flowdown of this income through the local economy has had a beneficial impact by increasing the number of secondary jobs available. It is also true that increased employment and operational activities generate additional demands for water and other resources and increase local traffic volume. The impacts associated with these increased demands are discussed in Chapter 5, Section 5.3, Water Resources; Section 5.5, Ecological Resources; Section 5.8.2, Infrastructure; and Section 5.10, Transportation.

139-18 The 1999 SWEIS projected annual waste generation rates for Key Facilities, non-Key Facilities, and Remediation Services. The projections

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- 30) Page S-69. Water Resources. This section does not address the cumulative impacts of any of the alternatives. All alternatives involve either construction or DD&D which would have some potential impact on the water resources ranging from storm water runoff impacts to the potential impacts of spills or leaks during those activities. In addition, the increased activities envisioned for LANL under either the No Action or Expanded Operations Alternatives would increase water use by LANL which would impact the groundwater in terms of diminishing availability and may impact groundwater quality by the continued extraction of high quality groundwater thereby enhancing the movement of contaminated groundwater. How Santa Fe proceeds with Buckmann Wells is unknown. In general the water situation is much more complicated than indicated here.
- 31) Page S-71. Waste Management. First Comment: The projected TRU waste volume (37,000 cubic meters) can not be correlated with the volumes listed in Table S-5, page S-64 for the Expanded Operations Alternative; which is correct? Second comment: The last sentence of this section infers that new facilities to dispose of TRU waste would be built at LANL under Expanded Operations Alternative. This does not agree with earlier statements that only low-level radioactive waste will be disposed at LANL and with the DOE Five Year Plan for EM. Also, text implies that other, new storage facilities could be available - such as WIPP, but these take decades to put into place.
- 32) Page S-86. Summary of Impacts. The discussion should make the intent of DOE clear with respect to their plans for LANL should additional low-level and TRU radioactive waste disposal capacity be needed. Basically, the discussion should indicate if the intent is to locate those facilities at LANL or to assume off-site disposal. Further, the impacts should be evaluated as appropriate with respect to transportation, etc. Note: the discussion in Table S-18 under the Removal Option indicates that the increased volume of low-level radioactive waste would require use of off-site disposal capacity but does not address the disposal of the TRU waste even though it has been acknowledged earlier that WIPP may not be able to accommodate the increased volume.
- 33) Page 5-127. Please verify that any transuranic waste sent to LANL from off-site locations will be included in a LANL shipment to WIPP. LANL by permit is authorized to accept for on-site burial a maximum of 5 cubic meters of LLW from other sites. Despite the small quantities involved and the historic precedent, we question why LANL should receive any low level waste generated elsewhere. This waste should be sent to another DOE facility or a commercial facility for disposal.
- 34) Pages 5-131-132. Table 5-39 states that 11,000 cubic yards per year of LLW will be generated under the No Action Alternative. The expansion into Zone 4 of Area G is expected to accept waste at a rate of 3,900 cubic yards per year. The SWEIS states that together with off-site disposal, there is sufficient disposal capacity. This statement is totally unsubstantiated. Additional information about exactly where the off-site waste would go and any related issues should be added into this section.

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considered routine operations at the facilities, but did not anticipate one-time events such as chemical cleanouts. In Chapter 4, Section 4.9, of the SWEIS, the historical generation rates (1999 through 2005) are compared to the 1999 projections for Key Facilities, non-Key Facilities, and Remediation Services by waste type (such as chemical waste). Although LANL-wide projections of waste quantities are rarely exceeded, some facility-specific exceedances have occurred, mostly due to one-time events. In the example cited on Draft SWEIS Summary page S-24, the reference is to generation of chemical waste amounts that exceeded the 1999 SWEIS projections. More detail regarding this example is provided in the discussion of chemical wastes in Section 4.9.3. To answer the commentor's question, the 1999 SWEIS chemical waste generation projections were exceeded due to environmental cleanups at TA-16. Chapter 4, Tables 4-45 through 4-49, compare the 1999 SWEIS ROD projections with the actual quantities of waste generated from 1999 through 2005 and provide explanations for exceedances in the notes to the tables. NNSA acknowledges the difficulties that have occurred regarding repackaging and certifying transuranic waste for shipment to WIPP and is working to improve shipment rates. Shipment rates to WIPP have increased significantly over the past couple of years. Refer to Section 2.7, Waste Management, of this CRD for more information.

139-19 Forty-one acres is the amount of land that would be disturbed for low-level radioactive waste disposal; 72 acres is the area of land designated or reserved for waste disposal. Table S-3 of the Summary document and Chapter 2, Table 2-5, of the SWEIS were revised to clarify this difference.

139-20 This element of soil erosion was added to the Summary document as cited, as well as to Chapter 4, Section 4.2.3.2, of the SWEIS.

139-21 Chapter 4, Section 4.3.1.7, states that chromium was detected in stormwater runoff at concentrations greater than the New Mexico groundwater standards for chromium. Higher concentrations of some metals also were found upstream (north) of LANL; it is uncertain whether these concentrations were due to site operations.

Chapter 4, Section 4.3.2.2, states that chromium concentrations between 375 and 404 parts per billion were detected in two wells in Mortandad Canyon. LANL staff will conduct further drilling and sampling to

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characterize this contamination. Refer to Section 2.5, Water Resources, of this CRD for responses to comments regarding chromium contamination in the groundwater.

NNSA acknowledges that detection of dioxane was reported to the New Mexico Environment Department in July 2006, 1 year after the sample was collected from a well in Mortandad Canyon. The dioxane contamination level is between 20 parts per billion and 56 parts per billion, below the 61 parts per billion EPA risk-based cleanup level established through the Consent Order.

139-22 NNSA acknowledges the commentor's concern that increased employment levels at LANL could have affected the real estate market and the availability of housing in Los Alamos. This is not an Environmental Justice issue, as all members of the general population would experience such problems. The housing data in Chapter 4, Section 4.8.1.5, note the difference in the median price of a home in Los Alamos County (\$228,300) to that in the neighboring counties (\$107,300 in Rio Arriba County). However, because there are many factors that affect where workers choose to live, it is not possible to draw conclusions from this data.

139-23 Chapter 4, Section 4.8.2.3, of the SWEIS discusses NNSA's water use management and conservation measures undertaken at LANL, including gray water reuse projects and a cooling water conservation project. LANL's total and consumptive water use has actually decreased since 1999, as discussed in Chapter 4, Section 4.8.2.3, of the SWEIS, partly due to water conservation efforts. The text regarding the "conservation limit" in Table S-3 that was cited by the commentor was revised for clarity in the Final SWEIS. The cited "limit" is not a regulatory or other bona fide limit per se, but rather an internal target ceiling or goal established to gauge the performance of water use management efforts. Refer to Section 2.8, Water Use, of this CRD for more information. To date, LANL's water demands have not exceeded this quantity; Table S-3 was revised to reflect this fact. As cited throughout the SWEIS, proposed facility upgrades, renovations, and replacements at LANL are intended to increase operational efficiency as new structures, systems, and components replace those in antiquated, less resource-efficient facilities. As further detailed in the introduction to Appendix G of the SWEIS, all new facilities would be constructed

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according to Leadership in Energy and Environmental Design standards. Leadership in Energy and Environmental Design for New Construction and Major Renovations (LEED-NC) is a green building rating system designed to guide and distinguish high-performance commercial and institutional projects, with a focus on office buildings. The standards used for new LANL buildings would increase energy use efficiency and probably achieve net reductions in energy use. Leadership in Energy and Environmental Design emphasizes state-of-the-art strategies for sustainable site development, water savings, energy efficiency, material selection, and indoor environmental quality. Roof and parking lot water runoff may be used for landscape water system augmentation at LANL, and gray water is used for applicable and permissible situations at LANL, such as cooling tower water reuse.

- 139-24** The intent of Table S-3 is to compare actual impacts and performance changes with projections in the 1999 SWEIS, not the objectives defined in the DOE Five-Year Plan for Environmental Management. Consistent with the impacts discussion of the 1999 SWEIS, the waste management impacts were defined in terms of the quantities of each waste type generated. Specific management objectives, such as removal or repackaging goals, are useful to measure progress or efficiency, but are not indicators of environmental impacts, provided that storage space and management practices are adequate. Requirements for treating and disposing of mixed low-level radioactive waste are established under the Site Treatment Plan, which is required by the Federal Facility Compliance Order administered by the New Mexico Environment Department. All Site Treatment Plan deadlines and milestones for mixed low-level radioactive waste were met in 2005.

Regarding Zones 4 and 6, the decision for expansion was made as part of the 1999 SWEIS Record of Decision (64 FR 50797). This SWEIS does not modify that decision in any way. Zone 4 was selected for initial expansion and is expected to provide adequate capacity for onsite disposal through the period covered by this SWEIS and beyond.

- 139-25** The purpose of this description was to convey that there is uncertainty regarding the number of pits that must be produced to achieve a specific number of certified pits. Some pits may be produced that do not pass the stringent qualifications necessary to certify them for use in the stockpile.

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As this text indicates, NNSA does not believe it would need to produce 80 pits to obtain 50 certified pits, but it needs the flexibility to produce up to 80 pits per year to manage the possibility that some number of pits cannot be certified. In pit production and all other operations at LANL, the contractor looks for pollution prevention opportunities to minimize the amount of waste produced and the potential for harm to the environment.

- 139-26** Because the decision to expand the Area G disposal capacity was made as part of the 1999 SWEIS Record of Decision (64 FR 50797), Area G expansion is common to all of the SWEIS alternatives. The disposal statement in Summary Table S-4, the line for Waste Management Operations: Solid Radioactive and Chemical Waste Facility, was supplemented to acknowledge that Area G disposal operations will be expanded into Zones 4 and 6 as necessary. Because this is a summary table, no discussion was added to the Reduced or Expanded Operations Alternatives to explain why Zone 4 expansion is also included in these alternatives. Regarding the second comment, a statement was added to Summary Section S.9.1, Waste Management, to acknowledge that low-level radioactive waste would continue to be generated under the Reduced Operations Alternative and that expansion of disposal operations into Zones 4 and 6, as necessary, will be undertaken to provide disposal capacity.
- 139-27** Text was added to Summary Section S.9.1 and Chapter 5, Section 5.4.1.3, to discuss the potential increase in emissions from increased commuter traffic to LANL. Increased employment of 2.2 percent per year under the Expanded Operations Alternative could result in similar increases in LANL commuter-specific vehicle emissions from additional employee vehicles commuting from Santa Fe and Rio Arriba County and other locations. The actual change in overall traffic emissions would be much less than 2.2 percent because LANL-specific traffic is only a portion of the overall regional traffic volume.
- 139-28** If new LANL staff move increasingly into counties such as San Miguel or Sandoval, average income levels in these counties would be expected to increase due to the higher average salaries paid to LANL employees, resulting in a higher tax base. In addition, if higher-income employees move into these counties, NNSA would expect local demand for retail items to increase, leading to the opening of new commercial ventures in these counties.

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- 139-29** NNSA has actively implemented water use management and conservation measures at LANL that will be integral to the new construction proposed under the Expanded Operations Alternative. LANL's projected water demands under the Expanded Operations Alternative would remain within LANL's water use target ceiling. NNSA has updated the utility demand projections presented in this Final SWEIS. As discussed in Chapter 5, Section 5.8.2.3, LANL operational demands associated with the Expanded Operations Alternative, combined with the larger and growing demands of other Los Alamos County users, could require up to 97 percent, rather than 101 percent, of currently available water rights. Refer to Section 2.8, Water Use, of this CRD for more information on LANL's water use, available water rights, and water supply planning.
- 139-30** Decisions concerning the disposal of various wastes generated across the DOE complex were based on analyses conducted for a Programmatic EIS that evaluated the impacts of various disposal options for different waste types, including low-level radioactive waste. DOE determined that low-level radioactive waste generated at LANL would be disposed of at LANL and at two regional facilities (Hanford and the Nevada Test Site), as stipulated by the Record of Decision (65 FR 10061). In this SWEIS, the transportation analysis conservatively assumed that all low-level radioactive waste would be disposed of offsite, providing a bounding estimate of impacts associated with offsite disposal. See Chapter 5, Section 5.10, and Appendix K of the SWEIS for more information.
- 139-31** Whenever materials are shipped, it is possible that a traffic accident could result in vehicular damage and possible occupant injury or death. Even when drivers are trained in defensive driving and take great care, traffic accidents will occur. As stated in Chapter 5, Section 5.10, and Appendix K, Section K.6.2, the accident rates used for the traffic accident analysis were computed using all interstate shipments, regardless of cargo. It should be pointed out that shippers and carriers of radioactive material generally have a higher-than-average awareness of transportation impacts and prepare for such shipments accordingly. Separate accident rates for travel in rural, suburban, and urban population density zones were used. The traffic accident fatality rates used ranged from 1 to 2 per 62 million miles (100 million vehicle kilometers) traveled. A recent traffic facts report from the National Highway Traffic Safety Administration for the State of New Mexico indicates that the accident fatality rate ranged from

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1 to 2 per 62 million miles (100 million vehicle kilometers) traveled for all accidents during 1990 through 2004 (DOT 2006). The same report indicates that the fraction of fatalities involving large trucks is about 2 percent of all accident fatalities. Therefore, NNSA believes the values used for accident fatality rates in the SWEIS are appropriate for the purpose intended.

- 139-32** The impacts shown in Summary Table S-5 are not limited to those that could occur only within the next 5 years (through 2011). The impacts evaluated in this SWEIS can occur over a much longer period. For this SWEIS, it was assumed that the white-colored domes in TA-54 would be removed by 2015 to allow remediation of MDA G. Therefore, complete removal of transuranic waste storage drums from the domes probably would occur in 2014. An option is provided in Appendix H, Section H.3.2.3, that would move these drums to two new storage buildings associated with the new TRU Waste Facility if it were determined at a future date that all of the transuranic waste drums could not be removed and shipped for disposal on schedule to allow closure of MDA G in compliance with the current Consent Order schedule.
- 139-33** A header was inadvertently omitted from this table. The liquid wastes, both transuranic and low-level radioactive, should have appeared following the header, "Liquid Radioactive Waste." This header was added to Summary Table S-5 of the Final SWEIS. Additional details about the types and quantities of liquid waste and the resulting solidified waste are presented in Chapter 5, Tables 5-40, 5-43, and 5-48, for each of the alternatives.
- 139-34** The quantities of radioactive liquid waste provided in Summary Table S-5 represent annual quantities. For consistency with other waste quantities reported on the table, these values were modified in the Final SWEIS to reflect generation over 10 years. Corresponding changes were made to Chapter 3, Table 3-19, and Chapter 5, Table 5-37, in the Final SWEIS.
- 139-35** NNSA notes the commentor's concerns regarding cumulative impacts on water resources. Additional details about cumulative impacts on water resources are provided in Chapter 5, Section 5.13, including a discussion of sediment contamination from the past 50 years. Sediment contamination from LANL activities is reflected in the water quality of

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the receiving streams. Current water quality monitoring indicates that the State of New Mexico's water quality standards are not exceeded in downstream reaches of the Rio Grande, and existing water quality is expected to improve over time. Additionally, NNSA manages stormwater runoff from both industrial and construction activities under various Stormwater Pollution Prevention Plans. NNSA requires cleanup of any spills or leaks, monitoring of surface water runoff, and implementation of best management practices for the control of stormwater runoff quality and quantity. Additional details on stormwater management at LANL are included in Chapter 4, Section 4.3.1.3, Stormwater Runoff. Movement of groundwater contamination is discussed in Chapter 5, Section 5.13; however, questions about the rate and direction of contaminant movement must be more thoroughly investigated before the cumulative effects on groundwater resources can be evaluated. Section 5.13 also discusses LANL studies planned or underway to evaluate contaminant movement in groundwater. Availability of water and other utilities for LANL operations was analyzed cumulatively and the results are presented in Section 5.13, Table 5-83, which was revised in this Final SWEIS.

Since the Draft SWEIS was issued, DOE has removed the modern pit facility from further consideration at LANL. Without the contribution from a modern pit facility, LANL operational demands, combined with the larger and growing demands of other Los Alamos County users, are not projected to exceed the currently available water rights managed by Los Alamos County, as presented in revised Table 5-83. Further, LANL's projected water demands under the Expanded Operations Alternative would remain within LANL's water use target ceiling of 542 million gallons (2,050 million liters) per year, as discussed in Section 5.8. Refer to Section 2.8, Water Use, of this CRD for more information on LANL's water use, available water rights, and water supply planning.

An analysis of the potential cumulative impacts of the city of Santa Fe's Buckman Well Field Project, which is the subject of an ongoing EIS being prepared by the Bureau of Land Management and the U.S. Forest Service, is also presented in Section 5.13, Rio Grande Flows. As described in Section 5.13, the city of Santa Fe's proposal to directly divert Rio Grande water while reducing pumping from the Buckman Well Field would reduce the depletion of regional groundwater and help offset LANL and Los Alamos County water use projections. After the Buckman Well Field

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Project EIS is completed, the results will be considered in subsequent NEPA documentation prepared by NNSA, as appropriate. Any further quantitative analysis of the effects of the Buckman Well Field Project would be speculative at this point in time.

- 139-36** Table S-5 in the Summary includes waste quantities associated with the three alternatives for continued operation of LANL as defined in the SWEIS. The quantity of transuranic waste that is cited in Section S.9.2, Waste Management, of the SWEIS Summary is the maximum value estimated for cumulative waste generation. At the time the Draft SWEIS was prepared, the cumulative values included waste generation both from continued operation of LANL and from a modern pit facility. NNSA has since announced cancellation of the *Supplemental Environmental Impact Statement on Stockpile Stewardship and Management for a Modern Pit Facility* in its Notice of Intent to prepare a *Supplement to the Stockpile Stewardship and Management Environmental Impact Statement – Complex 2030* (now called the *Complex Transformation Supplemental Programmatic Environmental Impact Statement [Complex Transformation SPEIS]*) (71 FR 61731). Consequently, a modern pit facility is not included in the cumulative impacts discussion of the Final SWEIS. The cumulative impacts analysis of the Final SWEIS addresses the possible impacts from siting and operating a new consolidated nuclear production center at LANL as analyzed in the *Complex Transformation SPEIS* which was issued as a draft on January 11, 2008 (73 FR 2023). Therefore, the cumulative transuranic waste volume cited in Section S.9.2, Waste Management, reflects the possible generation of transuranic waste from either of the new centers and therefore is larger than that projected in Table S-5 under the Expanded Operations Alternative.
- 139-37** The cited statement regarding the potential need for new waste disposal facilities was not intended to imply that transuranic waste disposal facilities would be constructed at LANL. As such, the waste management discussion in the Summary, Section S.9.2, was revised to remove ambiguity. Additional details about the cumulative impacts of waste management may be found in Chapter 5, Section 5.13, of the SWEIS. Regarding a replacement facility for WIPP, DOE recognizes that such a facility might be required (see the Record of Decision for the WIPP Disposal Phase, 63 FR 3624). This SWEIS recognizes that additional, future disposal options for transuranic waste may be necessary. The

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impacts associated with such options will be evaluated by DOE through the NEPA process when the need arises and alternatives are identified. Refer to Section 2.7, Waste Management, of this CRD for more information.

139-38 Current plans for expansion of Area G will provide LANL operations with sufficient onsite low-level radioactive waste disposal capacity for the foreseeable future, while WIPP will provide adequate offsite transuranic waste disposal capacity for many years to come. Should LANL site cleanup activities generate excessive amounts of low-level radioactive wastes beyond the current disposal site capacities present at LANL, other existing offsite disposal alternatives would be used. Most of the transuranic waste projected under the Expanded Operations Alternative results from the assumed removal of transuranic waste disposed of before 1970 from LANL material disposal areas that are subject to the Consent Order. Generation of this waste is uncertain and will depend on future regulatory decisions by the New Mexico Environment Department. WIPP disposal capacity is expected to be sufficient for disposal of all retrievably stored waste, including LANL's current inventory of legacy waste, and all newly generated transuranic waste from the DOE complex over the next few decades. As discussed in Chapter 5, Section 5.9.3, no credit was taken for LANL waste volume reduction techniques such as sorting, and it is assumed that all of the transuranic waste at LANL could be disposed of at WIPP. However, there may not be sufficient space at WIPP for disposal of all pre-1970 waste buried across the DOE complex. Because future decisions about disposal of transuranic waste will be based on the needs of the entire DOE complex, it is not possible to be definite about the disposition of waste from environmental remediation that may or may not be generated. Any transuranic waste generated at LANL without a disposal pathway would be safely stored until disposal capacity became available. Refer to Section 2.7, Waste Management, and Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

139-39 Transuranic waste at LANL that meets the waste acceptance criteria for disposal at WIPP will be transported there for disposal. Small amounts of low-level radioactive waste are sometimes generated at offsite locations during LANL-related research and development activities conducted at

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these offsite facilities. These small amounts of LANL-origin low-level radioactive wastes may be returned to LANL for disposal as long as they meet the LANL waste acceptance criteria.

- 139-40** The volumes of waste projected in the SWEIS (see Chapter 5, Section 5.9) are based on the original estimates in the 1999 SWEIS for Key Facilities, non-Key Facilities, and Remediation Services. A review of actual wastes generated by facility (see Chapter 4, Section 4.9) shows that, for the most part, the estimates are conservative; that is, the projections overestimate the amounts of waste generated. Decisions about the disposal of various wastes generated across the DOE complex were based on analyses conducted for the *Final Waste Management Programmatic Environmental Impact Statement for Managing Treatment, Storage, and Disposal of Radioactive and Hazardous Waste*, (DOE/EIS-0200) (DOE 1997a). This Programmatic EIS evaluated the impacts of various disposal options for different waste types, including low-level radioactive waste. In its related Record of Decision (65 FR 10061), DOE determined that low-level radioactive waste generated at LANL would be disposed of at LANL and at two regional facilities (Hanford and the Nevada Test Site), in addition to the option of disposal at commercial facilities. The cumulative impacts discussion in Chapter 5, Section 5.13, addresses offsite disposal options. Refer to Section 2.7, Waste Management, of this CRD for more information.

Commentor No. 140: Berta Hanna

September 20, 2006

Dear Mr. Skithus,

If you have any influence over the proposed expanded pit production of plutonium I urge you to use your influence to stop this dangerous practice.

How can this be good for our environment? Why do we need to do these horrible things to our country and our people?

Increased nuclear waste is detrimental to our health because it will in the end contaminate the air we breath + the water we drink.

I have children, grandchildren and great grandchildren I do not want them to suffer from the toxins actions of this generation.

Please, please do what you can to stop the activity at LANL.

Sincerely
Berta Hanna

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140-1 NNSA notes the commentor's concern regarding expanded pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information. A decision regarding expanded pit production will be made only after consideration of the environmental impacts identified in the SWEIS. The environmental impacts are addressed in Chapter 5 and summarized in Summary Table S-5.

140-2

140-2 NNSA notes the commentor's opinion that radioactive waste poses a threat to the air and water quality in the vicinity of LANL. NNSA does not agree with this opinion. Chapter 5 of the SWEIS includes the effects of LANL operation on surface waters, groundwater, and air. Chapter 5, Section 5.13 states that contamination from LANL or changes in Rio Grande flows are not likely to affect water quality. In addition, a special pathways analysis has been added to Appendix C to address concerns expressed regarding contamination of the Rio Grande. The analysis shows that the radiation dose from hypothetically drinking Rio Grande water that could potentially be impacted by LANL would be comparable to that from drinking water from the Jemez River, which is not downstream of LANL. The health impacts analysis in the SWEIS projects air emissions data to estimate dose to the population within a 50-mile (80-kilometer) radius of LANL. The maximum projected annual population dose would be 36 person-rem under the Expanded Operations Alternative. This dose would not be expected to result in any additional latent cancer fatalities in the affected population.

Commentor No. 141: Janet Greenwald,
Citizens for Alternatives to Radioactive Dumping

From: contactus@cardnm.org [mailto:contactus@cardnm.org]
Sent: Tuesday, August 29, 2006 2:28 PM
To: Withers, Elizabeth
Cc: dave@radfreenm.org
Subject: [Fwd: Requesting letter of support to hold public hearing in Albuquerque]

Dear Elizabet Withers:

We are writing to you today to ask that the U.S. Department of Energy host a public hearing in Albuquerque, New Mexico, to hear comments from the public concerning the proposed increased nuclear bomb production at the Los Alamos National Laboratory (LANL), New Mexico.

LANL is proposing to quadruple its nuclear bomb production, from 20 plutonium pits - the trigger of a nuclear bomb - to 80 pits per year. Increased pit production at LANL could result in devastating long-term impacts to the health of surrounding communities, lab workers, our drinking water and environment, and on international peace-keeping efforts.

The Department of Energy (DOE) and the National Nuclear Security Administration (NNSA) has held three public hearings in northern New Mexico on what's known as the LANL Site-Wide Environmental Impact Statement or SWEIS. To date the DOE/NNSA has refused to include the voices of citizens who live in Albuquerque, located a mere 60-miles downstream from Los Alamos.

Sandia National Laboratories plays a key role in the atomic bomb building with Los Alamos National Laboratory (LANL):

- * The plutonium triggers produced at LANL will be transported to Sandia on our highways where they will be loaded with Tritium.
- * Sandia will be involved in fitting atomic weapons to ICBMs, nuclear submarines and bombers.
- * Sandia has responsibility to guarantee the nuclear weapons will work under the extreme conditions of a nuclear war.
- * Sandia's prior involvement in weapons production resulted in toxic waste dumps over Albuquerque's sole source aquifer. Long-lived radionuclides such as Plutonium, Strontium-90 and uranium abandoned in dumps on the east mesa endanger our aquifer.
- * Tritium wastes and cancer causing chemicals like PCE now threaten Albuquerque's regional groundwater resource and municipal wells. We don't want more of the same!

141-1

141-2

141-1 NNSA notes the commentors' request for a public hearing in Albuquerque, New Mexico. Although no public hearings were held in Albuquerque, other means of commenting on the Draft SWEIS were provided, such as U.S. mail, e-mail, a toll-free telephone line, and a toll-free fax line. It should be noted that all comments, whether written or provided orally, are given equal weight and consideration. See Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

Chapter 5 of the SWEIS addresses the environmental impacts of the Expanded Operations Alternative, which includes increased pit production. Impacts to health of the public and employees, as well as impacts on groundwater and other media are all described. The analysis in Chapter 5 indicates that there would be only minor impacts as a result of increased pit production. Analysis of the impact on international peacekeeping efforts is not included in the SWEIS, which focuses on the environmental impacts of carrying out the missions assigned to LANL by the Congress and the President.

141-2 The focus of the LANL SWEIS is analysis of the environmental impacts of current and proposed operations at LANL. As discussed in Appendix I, environmental contamination from past operations at LANL is being remediated to meet applicable requirements, including those of the Consent Order signed in March 2005 by representatives from the State of New Mexico, DOE, and the LANL contractor. Sandia operations in support of NNSA's mission are addressed in the *Final Site-Wide Environmental Impact Statement for Sandia National Laboratories/ New Mexico* (DOE/EIS-0281) (DOE 1999b). Cleanup at Sandia National Laboratories is being addressed under a Consent Order dated April 29, 2004, that addresses solid waste management units and areas of concern, including three identified areas of groundwater contamination.

**Commentor No. 141 (cont'd): Janet Greenwald,
Citizens for Alternatives to Radioactive Dumping**

Decades of nuclear bomb activities and production of nuclear weapons at LANL, New Mexico, has already resulted in the following:

* Release of radioactive waste, chemicals and heavy metals to lakes, rivers, streams and wetlands. This includes the Rio Grande, Albuquerque's future source of drinking water.

141-3

* The ground water that provides drinking water to communities in Northern New Mexico - including Santa Fe - is contaminated with dangerous cancer-causing materials.

141-4

* Worker contamination and accidents at LANL are commonplace.

141-5

* LANL facilities are vulnerable to terrorist attacks due to their location above-ground.

141-6

* Rocky Flats, the former pit production plant in Colorado, was shut down in 1989 due to severe environmental contamination that will forever prohibit residential development.

141-7

Should Albuquerque have a voice in the production of atomic bombs at Sandia National Laboratories and LANL? Yes!

The multi-billion dollar costs of these weapons programs deprive citizens of health care, education, a clean environment and fosters a new international arms race.

Sincerely,

Janet Greenwald
Citizens for Alternatives to
Radioactive Dumping
202 Harvard SE
Alb. NM 87106

141-3 LANL operations are in compliance with Federal and state regulations for the protection of human health and the environment and, as shown in Chapter 5 of the SWEIS, would remain in compliance under all alternatives, including the Expanded Operations Alternative. Chapter 5 describes the impacts for each resource area; Section 5.14 discusses mitigation actions to address adverse effects. Refer to Sections 2.6, Offsite Contamination, and 2.7, Waste Management, of this CRD for more information.

141-4 NNSA notes the commentors' concerns regarding possible contamination of groundwater in the region. The LANL contractor operates a monitoring program to detect contamination in area waters, both surface water and groundwater. The results of this monitoring program are published annually in LANL environmental surveillance reports (available at www.lanl.gov/environment/all/esr.shtml). In accordance with applicable regulations and agreements, NNSA evaluates occurrences of contamination in surface waters and groundwater at LANL and takes corrective actions. NNSA is required to follow the Consent Order that stipulates applicable groundwater cleanup levels and is committed to protecting drinking water sources. NNSA is also committed to decreasing or eliminating all discharges that have a potential to release contaminants to the environment. Refer to Chapter 4, Section 4.3.2, of the SWEIS for a discussion of groundwater quality in the vicinity of LANL. See Sections 2.5, Water Resources, and 2.6, Offsite Contamination, of this CRD for more information.

141-5 NNSA does not agree with the statement that worker contamination and accidents at LANL are commonplace. As reported in Chapter 5, Section 5.6.3.1, occupational injury and illness rates at LANL over the past 6 years (1999 through 2005) are below industry averages. LANL's average rates during this period were 2.40 recordable cases and 1.18 cases when workers missed days or their activities were restricted or transferred due to an occupational injury or illness for every 200,000 hours worked; industry averages were 4.8 recordable cases and 2.5 cases where days were missed. NNSA and its operating contractors have internal organizations dedicated to safe operation of its nuclear facilities. DOE has issued regulations, standards, and guidance for nuclear facility operations, including requirements for performance of safety evaluations and risk assessments that become the basis for facility operating parameters.

*Commentor No. 141 (cont'd): Janet Greenwald,
Citizens for Alternatives to Radioactive Dumping*

DOE's goal is to eliminate accidents; these regulations and standards of operations reduce the likelihood of accidents, but do not eliminate them completely. Chapter 4, Section 4.6.3, discusses accidents and safety at LANL facilities. The LANL contractor applies lessons learned from past accidents to improve overall safety performance. LANL staff uses procedures, training, inspection, and component upgrading and replacement to address the root causes of accidents and preclude their recurrence.

- 141-6** DOE gives high priority to the safety and security of all its facilities. Security and potential acts of sabotage are integral considerations in the designs and operating procedures for new and existing DOE facilities. DOE considers the threat of terrorist attack to be real and has an established safeguards and security process that assesses facility vulnerabilities to various threats, including intentional destructive acts such as terrorism. Chapter 4, Section 4.6, was revised to include additional discussion of many measures taken to protect assets at LANL from terrorist activities. As discussed in Chapter 5, Section 5.12.6, the impacts of terrorist action are considered in a separate, classified appendix to the SWEIS.
- 141-7** The Rocky Flats Plant was closed due to a combination of factors, including the end of the Cold War, which led to a reduction and cancellation of various weapons programs, as well as environmental and safety concerns. LANL operations are not comparable to operations at the Rocky Flats Plant due to newer facilities and technologies, a much lower level of pit production, improvements in controlled operational and management practices, and additional independent oversight. Refer to Section 2.12, Comparison to Rocky Flats Plant, of this CRD for more information.

Commentor No. 142: Susan Dayton, Director,
David B. McCoy, Assistant Director, Citizen Action New Mexico

September 11, 2006

U.S. Department of Energy, National Nuclear Security Administration
Los Alamos Site Office
Ms. Elizabeth Withers, Office of Environmental Stewardship
528 35th Street
Los Alamos, New Mexico 87544.

Dear Ms. Withers:

We are submitting the following press release (pasted below) and letters (attached) from Senator Jeff Bingaman's and New Mexico Attorney General Patricia Madrid's offices re: their request and support for a public hearing in Albuquerque, New Mexico, regarding the LANL SWEIS. We request that these attached letters and all communications from Citizen Action be placed in the LANL SWEIS as comments for DOE response. We believe that sufficient public demand and factual grounds have been expressed by government officials, citizen organizations and individuals within and outside the state of New Mexico so that the DOE should hold a hearing in Albuquerque. The 50 mile radius that DOE uses for holding such hearings actually includes portions of Albuquerque and Bernalillo County. Again, DOE uses a wider radius than that for holding hearings regarding the Idaho National Laboratory in Jacksonhole, WY for a town of less than 10,000. Albuquerque is a town of at least 500,000 with the Sandia National Laboratory a mere 60 miles distant from LANL. Refusal by DOE to hold hearings in Albuquerque is arbitrary and capricious decision making not in accord with environmental law. Thank you.

Sincerely,


Susan Dayton, Director


Dave McCoy, Assistant Director

Citizen Action New Mexico
PO BOX 4276
Albuquerque, NM 87196-4276
(505) 262-1862

142-1

142-1 NNSA notes the commentor's desire for a public hearing on the Draft LANL SWEIS in Albuquerque, New Mexico. NNSA does not use a 50-mile (80-kilometer) radius (or any other specific distance criterion) to determine the locations of hearings on draft NEPA documents. Selection of venues for the LANL SWEIS public hearings was based on past experience with LANL NEPA documents. Although no public hearings were held in Albuquerque, other means of commenting on the Draft SWEIS were provided, such as U.S. mail, e-mail, a toll-free telephone line, and a toll-free fax line. It should be noted that all comments, whether written or provided orally, are given equal weight and consideration. See Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

**Commentor No. 142 (cont'd): Susan Dayton, Director,
David B. McCoy, Assistant Director, Citizen Action New Mexico**

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P R E S S R E L E A S E

FOR IMMEDIATE RELEASE

Contact Citizen Action: (505) 262-1862

Date: September 11,
2006

**Bingaman, Madrid Support Public Hearing in
Albuquerque on Increased Nuclear Bomb
Production
at Los Alamos National Laboratory**

In response to requests from Citizen Action New Mexico, an Albuquerque-based public interest group and numerous Albuquerque-area residents, Senator Jeff Bingaman and New Mexico Attorney General Patricia Madrid, have sent letters to the Department of Energy's National Nuclear Security Administration (DOE/NNSA), requesting that the DOE/NNSA conduct a public hearing in Albuquerque concerning the Los Alamos National Laboratory's (LANL) plan to quadruple its plutonium "pit" or nuclear bomb production.

The term "pit" refers to a softball-sized plutonium sphere that acts as the "trigger" in a nuclear bomb. The proposal to increase pit production at LANL was revealed in a lab document called the LANL Site-Wide Environmental Impact Statement (SWEIS).

In a letter sent to the DOE/NNSA dated August 22, 2006, Senator Bingaman noted the high level of interest and concern among residents living in Albuquerque concerning the "operational impacts of the various proposed operation alternatives" at LANL and requested that the DOE/NNSA give "every consideration" to requests from his constituents to share their views on the increased nuclear bomb production at LANL.

The same sentiments were echoed in a letter sent to the DOE/NNSA on August 25, 2006, from New Mexico Attorney General Patricia Madrid, stating her support for a public hearing in Albuquerque concerning LANL's increased nuclear bomb

142-2

142-2 NNSA notes the request for a public hearing in Albuquerque. Please note that DOE/NNSA is proposing increased pit production as part of the Expanded Operations Alternative; nuclear bombs are not assembled at LANL.

While NNSA did not schedule a public hearing in Albuquerque, other means of commenting on the Draft SWEIS were provided, such as U.S. mail, e-mail, a toll-free telephone line, and a toll-free fax line. It should be noted that all comments, whether written or provided orally, are given equal weight and consideration.

*Commentor No. 142 (cont'd): Susan Dayton, Director,
David B. McCoy, Assistant Director, Citizen Action New Mexico*

production. Attorney General Madrid added that "operations at LANL affect the entire state and are not a local matter."

Madrid's letter also asserted that Albuquerque is the state's largest population center, and noted its "close proximity to LANL and directly downstream from LANL." She said that residents of Albuquerque should have the same opportunity as residents of Los Alamos, Espanola and Santa Fe to hear about the LANL SWEIS and offer their comments and concerns, particularly with regard to the level of public interest regarding the "direct or collateral consequences of changed operations at LANL" on Sandia National Laboratories, in Albuquerque, New Mexico.

Sandia has primary responsibility for the design and engineering of new nuclear weapons; design of the individual non-nuclear components and casings for nuclear bombs; "weapons effects" research to guarantee that nuclear weapons will work in severe radioactive environments; and loading of tritium into neutron generators that comprise the guts of a nuclear weapon.

Letters and phone calls to Congresswoman Heather Wilson from representatives of Citizen Action requesting her support for a public hearing in Albuquerque on the increased nuclear bomb production at LANL went unanswered.

Citizen Action's mission is to "provide information and take action to protect the public concerning past, present and future activities at the Sandia National Laboratories. This includes the impacts of nuclear weapons and the nuclear industry on human health and the environment, social and economic development, international peace treaties, nuclear non-proliferation and disarmament and policy-making."

Citizen Action is a project of the New Mexico Community Foundation and a member of the New Mexicans for Sustainable Energy and Effective Stewardship (NMSEES). For more information contact Dave McCoy, Assistant Director, Citizen Action, at: 505-262-1862 or dave@radfreenm.org.

142-2
cont'd

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Commentor No. 142 (cont'd): Susan Dayton, Director,
David B. McCoy, Assistant Director, Citizen Action New Mexico

JEFF BINGAMAN
www.bingaman.com

703 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510-2102
(202) 224-3621
IN NEW MEXICO: 1-800-443-8658
100 S. 20TH ST., SUITE 1787
SANTA FE, NM 87505

United States Senate

August 22, 2006

Mr. Ed Wilmot
Manager
Department of Energy
National Nuclear Security Administration-Los Alamos Site Office
528 35th Street, # A316
Los Alamos, New Mexico 87544

Dear Mr. Wilmot:

As you know, the recently released Draft Site-Wide Environmental Impact Statement (SWEIS) for Continued Operation of Los Alamos National Laboratory (LANL) has generated a great deal of public interest.

I understand that public hearings on the LANL SWEIS were recently held in the communities of Los Alamos, Espanola and Santa Fe and that you also extended the public comment period by two weeks; I thank you and commend your efforts to inform and solicit input from the public on the contents of this document.

In recent days it has been brought to my attention that Albuquerque, NM community members have requested that a public hearing on the LANL SWEIS be held there so that they too may have the opportunity to hear from your representatives and share their views on the operational impacts of the various proposed operation alternatives at the Los Alamos National Laboratory.

Given the level of interest, and concern, especially with regard to the preferred expanded operations alternative, I respectfully request that you give every consideration to my constituents request for a public hearing to be held in Albuquerque on the LANL SWEIS.

Thank you for your attention to this matter.

Sincerely,



Jeff Bingaman
United States Senator

JB/shdg

PLEASE REPLY TO

- 621 SILVER AVENUE SW, SUITE 1301
ALBUQUERQUE, NM 87102
(505) 346-9881
- 148 LOBBETT TOWNSHIP CENTRE
206 SOUTH MAIN, SUITE 148
LOS ALAMOS, NM 87501
(505) 576-6941
- P.O. BOX 1827
118 BRIDGES STREET, SUITE 2
LAS VEGAS, NM 87701
(800) 454-8824
- 106 WEST THIRD, SUITE 405
ROSELLE, NM 87507
(505) 832-7111
- 119 EAST MARCY, SUITE 101
SANTA FE, NM 87505
(505) 968-6147

142-2
cont'd

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Commentor No. 142 (cont'd): Susan Dayton, Director,
David B. McCoy, Assistant Director, Citizen Action New Mexico



Attorney General of New Mexico

PATRICIA A. MADRID
Attorney General

STUART M. BLUESTONE
Chief Deputy Attorney General

August 25, 2006

GLENN R. SMITH
Deputy Attorney General

Mr. Ed Wilmot
Manager
Department of Energy
National Nuclear Security Administration-Los Alamos Site Office
528 35th Street #A316
Los Alamos, New Mexico 87544

Dear Mr. Wilmot:

The release of the Draft Site-Wide Environmental Impact Statement (SWEIS) for Continued Operation of Los Alamos National Laboratory (LANL) is of considerable importance to the State of New Mexico and its citizens. My own experience overseeing settlement negotiations of the litigation between the Department of Energy and the State of New Mexico over the LANL Administrative Order on Consent has made me acutely aware that operations at LANL affect the entire state.

Recently, it has been brought to my attention that, while public hearings on the LANL SWEIS have been held in the communities of Los Alamos, Espanola and Santa Fe, there are no public hearings scheduled for the Albuquerque area. As you know, Albuquerque is not only the state's largest population center, it is in close proximity to LANL and directly downstream from LANL. In addition, Albuquerque is the home of Sandia National Laboratories and I understand there is public interest in what, if any, direct or collateral consequences changed operations at LANL may have on Sandia.

Given the above, it is clear to me that the residents of the Albuquerque area should have the same opportunity as the residents of Los Alamos, Espanola and Santa Fe to hear about the LANL SWEIS and to offer their comments and concerns. Operations at LANL are not a local matter. They are of state-wide importance and concern. For these reasons I hope you will agree to conduct a public hearing in Albuquerque on the LANL SWEIS.

Very truly yours,

Patricia A. Madrid
Attorney General

111 Lomas Blvd. NW, Suite 300 Albuquerque, New Mexico 87102 (505) 222-9000 Fax: (505) 222-9006

142-2
cont'd

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Commentor No. 143: Dr. Neil Goodman

From: Guruneil [mailto:guruneil@newmexico.com]
 Sent: Friday, October 13, 2006 8:55 AM
 To: LANL_SWEIS
 Subject:

Ms Elizabeth Withers

Office of Environmental Stewardship

Stop producing nuclear weapons. I don't want my tax dollars used for this purpose. || 143-1

Your scientists should be working on clean energy. That's what we need. || 143-2

Dr Neil Goodman
 Espanola

143-1 NNSA notes the commentor's opposition to producing nuclear weapons. The U.S. Congress and the President are responsible for determining funding priorities for government programs. The SWEIS evaluates the environmental impacts of the alternatives for continued operation of LANL.

143-2 NNSA notes the commentor's desire for activities at LANL to be focused on clean energy. In addition to activities supporting NNSA's stockpile stewardship mission, research on clean energy and many other areas is conducted at LANL. This research is part of current operations and as such is included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 144: G. Scott Brown

From: G. Scott Brown [mailto:gscottyb@earthlink.net]
Sent: Wednesday, September 20, 2006 12:34 PM
To: LANL_SWEIS
Subject: NO MORE NUKES

PLEASE DO NOT INCREASE PLUTONIUM PIT PRODUCTION (NUCLEAR WEAPONS PRODUCTION) AT LOS ALAMOS LAB. THIS IS A NATIONAL AND INTERNATIONAL ISSUE.

G SCOTT BROWN

|| **144-1**

144-1 NNSA notes the commentor's request to not increase pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 145: Marjorie Williams

From: MargieW12@aol.com [mailto:MargieW12@aol.com]
Sent: Monday, September 18, 2006 7:27 AM
To: LANL_SWEIS; PEACEACTIONNM@aol.com
Cc: MargieW12@aol.com
Subject: Elizabeth Withers

Elizabeth Withers
Los Alamos Site Office, 87544

Dear Ms. Withers,

I oppose any proposed expanded operations in the draft 2006 sweis for Los Alamos Laboratory. Do not support any increase in nuclear weapons or weapons research. || 145-1

Sincerely, Marjorie Williams
3440 Vail Ave. SE #B
Albuquerque, NM 87106

145-1 NNSA notes the commentor's opposition to the Expanded Operations Alternative and activities related to nuclear weapons research or production. Cessation of NNSA's core mission activities in support of NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. Therefore, ending these activities at LANL is not being considered in the SWEIS. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 146: Joyce Carlson-Leavitt, Ph.D.

From: Joyce Ann Carlson-Leavitt [mailto:jcleavi@unm.edu]
Sent: Sunday, September 17, 2006 11:24 PM
To: LANL_SWEIS
Cc: Joyce Ann Carlson-Leavitt
Subject: for Elizabeth Withers

Dear Ms. Withers,

I was very disappointed to learn that LANL is proposing to increase development and production of nuclear weapons and that the SWEIS draft approves of this. Thus, I strongly disapprove of this draft proposal. As we have seen from sites such as Rocky Mountain Flats and those in eastern Washington State, such activities cause serious pollution and environmental contamination. These are unacceptable risks for our environment and the land we will leave our grandchildren.

146-1

Since the "Cold War" is officially over, I do not see the need to develop more weapons, activities which encourage nuclear proliferation and which go against treaties we have signed. Lastly, besides the environmental damage, such activities make us less safe rather than more safe.

146-2

Thank you for your consideration of this letter.

Sincerely, Joyce Carlson-Leavitt, Ph.D.

- 146-1** NNSA notes the commentor's disapproval of the draft proposal. Refer to Section 2.12, Comparison to Rocky Flats Plant, of this CRD for more information about Rocky Flats and why NNSA believes that operations at LANL would not result in a similar outcome. LANL operations are in compliance with Federal and State regulations for the protection of human health and the environment, and, as shown in the impacts analysis in Chapter 5 of the SWEIS, would remain in compliance under all alternatives, including the Expanded Operations Alternative.
- 146-2** NNSA notes the commentor's opinions regarding nuclear weapons and compliance with treaties. As indicated in Chapter 1, Section 1.2, of the SWEIS, NNSA's purpose and need for agency action in this SWEIS remain the same as in the 1999 SWEIS. The purpose of continued operation of LANL is to provide support for NNSA's core missions as directed by the Congress and the President. NNSA's need to continue operating LANL is focused on its obligation to ensure a safe, secure, and reliable nuclear stockpile. The United States is meeting its obligations to all currently recognized nonproliferation treaties to which it is a signatory. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 147: Michael Gold

From: Michael Gold [mailto:susyhunter@gmail.com]
Sent: Sunday, September 17, 2006 9:13 PM
To: LANL_SWEIS
Cc: peaceactionnm@aol.com
Subject: eis and plutonium pit production at Lanl

Ms elizabeth withers
eis document manager
usdoe los alamos, NM

Dear Ms. Withers:

As a citizen of New Mexico and of the United States I do not support increased development or production of nuclear weapons at LANL. With the end of the cold war we should be reducing rather than expanding our arsenal. Furthermore, development of a new generation of lower yield, more "useable" weapons such as "bunker busters" can only lead to destabilization and push the world closer to disaster. An additional concern is the environmental impact of such dirty work on the cities of New Mexico and our beautiful state. For these reasons I oppose the proposed expanded operations alternatives in the draft 2006 site-wide environmental impact statement for :LANL.

Sincerely,

--

Michael Gold
1221 Las Lomas Rd NE
Albuquerque, NM 87106
susyhunter@gmail.com

147-1

147-1 NNSA notes the commentor's opposition to the Expanded Operations Alternative and increased development or production of nuclear weapons including new lower yield nuclear weapons. The United States is currently reducing its nuclear weapons stockpile in accordance with nonproliferation that have been signed. The potential environmental consequences associated with the Expanded Operations Alternative are identified in Chapter 5 of the SWEIS and summarized in Summary Table S-5. LANL operations are in compliance with the regulations that protect public health and the environment and, based on the SWEIS analyses, would continue to be in compliance under all alternatives, including the Expanded Operations Alternative. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information related to the concerns raised in this comment.

Commentor No. 148: Brad E. Eaton

From: Brad Eaton [mailto:brad@eaton-family.com]
Sent: Sunday, September 17, 2006 8:47 PM
To: LANL_SWEIS
Subject: LANL SWEIS
Importance: High

Gentlemen,

It has come to my attention that LANL wishes to increase its plutonium pit production. I can't express how disappointed I am to hear this. This is the last thing that New Mexico or our world needs right now. New Mexico is a place of great beauty and magical spirit that I want my children's children to be able to enjoy. Reckless decisions to dump pollutants into this fragile environment have irreversible consequences.

|| 148-1

|| 148-1
cont'd

Please take some time off this week and take your family to one of our beautiful state or national parks. Breathe the clean air, view some of wildlife and see if you can remember the things that are really important in the world. Look into your children's eyes and think about their future. It's time for us all to stand up and be responsible for our actions.

Sincerely,

Brad A. Eaton
Red River, New Mexico
"In nature is the preservation of the world"
~Henry David Thoreau

148-1 NNSA notes the commentor's opposition to increased pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of the CRD for more information related to this concern. NNSA contends that the decisions that will be made based on the environmental analyses presented in the SWEIS will not be reckless, but will be made with careful consideration of the possible environmental consequences identified in Chapter 5 of the SWEIS and national security needs as identified by the Congress and the President.

Commentor No. 149: Martha Bushnell, Ph.D.

From: Martha W D Bushnell [mailto:marthawdb@comcast.net]
Sent: Sunday, September 17, 2006 12:29 PM
To: LANL_SWEIS
Subject: Comment on the Los Alamos National Laboratory Site-Wide Environmental Impact Statement

Ms. Elizabeth Withers, SWEIS Document Manager
 NNSA Los Alamos Site Office
 528 35th St., Los Alamos, NM 87544

Dear Manager Withers:

I respectfully submit these comments on the Draft Site-Wide Environmental Impact ("DSWEIS") Statement for Continued Operation of the Los Alamos National Laboratory (LANL). Through its preferred "Expanded Operations Alternative" LANL plans to expand nuclear weapons research and production. DO WE NEED EXPANDED NUCLEAR?

- | | | |
|---|--|-------------------------|
| 1. The draft SWEIS process is seriously flawed and the DSWEIS must be reissued. | | 149-1 |
| 2. The public comment period should be extended. | | 149-2 |
| 3. The DSWEIS itself is seriously deficient and should be redone, which is primary. Should NNSA refuse, the rest of my comments should be considered and incorporated into the Final SWEIS. | | 149-1
cont'd |
| 4. LANL should disclose any plans for even greater plutonium pit production above the 80 pits per year considered in the DSWEIS. | | 149-3 |
| 5. Expanding pit production now is premature and must await pit lifetime studies and national review of "transformation" of the nuclear weapons complex, which are pending. | | 149-1
cont'd |
| 6. A new draft SWEIS should fully analyze the programmatic, infrastructure, production and nonproliferation implications of the Reliable Replacement Warhead Program. | | 149-4 |
| 7. The NonProliferation Treaty's mandate to disarm nuclear stockpiles must be honored. | | 149-5 |
| 8. The risks of potential terrorist acts must be analyzed in this DSWEIS. | | 149-6 |
| 9. Other alternative Laboratory missions, such as attaining national clean energy independence and addressing the threat of global climate change, must be considered. | | 149-6 |

- 149-1** NNSA believes that the LANL SWEIS presents appropriate and adequate analyses of LANL operations expected to occur through 2011. As discussed in Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD, NNSA has completed pit lifetime studies. While the studies show that degradation of plutonium in the majority of nuclear weapons would not impact weapon reliability for a minimum of 85 years, the analyses in this SWEIS are still valid. The analyses provide a bounding impact of annually producing up to 80 pits, which is the same level of production analyzed in the 1999 SWEIS. NNSA can decide to operate at a lower production rate, but this analysis provides NNSA flexibility in meeting its stockpile stewardship mission based on changing geopolitical conditions. Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD addresses the Reliable Replacement Warhead Program.
- 149-2** Responding to requests for additional review time, NNSA extended the comment period from the original 60 days to 75 days. See additional discussion on the NEPA process in Section 2.2, NEPA Process, of this CRD.
- 149-3** The SWEIS evaluates three alternatives for continued operation of LANL. The Expanded Operations Alternative evaluates production of up to 80 pits per year, the maximum production rate anticipated at this time. On January 11, 2008, NNSA issued the *Draft Complex Transformation Supplemental Programmatic Environmental Impact Statement (Complex Transformation SPEIS)* (DOE/EIS-0236-S4) which evaluates several DOE sites, including LANL, for a consolidated plutonium center or a consolidated nuclear production center that would have a production rate greater than 80 pits per year. Refer to Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for more information.
- 149-4** Operations at LANL that support NNSA's mission to ensure a safe and reliable nuclear stockpile are not in violation of the terms of the Treaty on the Non-Proliferation of Nuclear Weapons. Stockpile stewardship capabilities at LANL are currently viewed by the United States as a means to further the Nation's nonproliferation objectives and are likely to remain important in future arms control negotiations as the Nation moves to further reduce its overall stockpile size. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 149 (cont'd): Martha Bushnell, Ph.D.

- 10. Cleanup must not include "cap and cover" of unlined waste dumps. || 149-7
- 11. LANL must not allow contaminants to reach the groundwater aquifer or the Rio Grande. || 149-8
- 12. LANL must stringently minimize the use of our precious water. || 149-9
- 13. Construction of new nuclear weapons facilities should stop until seismic risks are fully understood. || 149-10
- 14. LANL's economic benefits should be more widely distributed across northern New Mexico. || 149-11
- 15. LANL's potential negative impacts on tourism must be analyzed. || 149-12
- 16. The DWSEIS must be more specific in all its data and risk analyses. || 149-1 cont'd
- 17. LANL should not generate or import more radioactive and chemical wastes until it cleans up what it already has. DSWEIS, is premature for consideration given its size and lack of information. It needs a separate and independent environmental impact statement. || 149-1 cont'd

Sincerely

Martha Bushnell, Ph.D., 502 Ord Drive, Boulder, CO 80303-4732.

- 149-5 DOE gives high priority to the safety and security of all its facilities. Security and potential acts of sabotage are integral considerations in the designs and operating procedures for new and existing DOE facilities. DOE considers the threat of terrorist attack to be real and has established safeguards and security processes to assess facility vulnerabilities to various threats, including those from intentional destructive acts such as acts of terrorism. Chapter 4, Section 4.6, of the SWEIS has been revised to include a description of physical security at LANL. Additional information has been added to Chapter 5, Section 5.12, and a separate, classified appendix to the SWEIS, regarding potential impacts of terrorism has been developed.
- 149-6 Research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.
- 149-7 Decisions about remediation measures at LANL will be made in accordance with established regulatory standards and processes, including those of the New Mexico Environment Department for the Consent Order, and of DOE. The intent of the SWEIS is not to prejudge these decisions but to provide environmental impact information to be used for the decisionmaking process, and for the benefit of the reader regarding potential remediation action options. Several alternative remedies may be considered for a contaminated site or waste disposal area, including containment in place, treatment, removal, or other remedies. Any selected remedy, or combination of remedies, must be protective of human health and the environment and attain applicable cleanup standards considering the designated future use of the site. Decisions about cleanup of sites subject to the Consent Order will be made by the New Mexico Environment Department in accordance with the cleanup and screening levels for groundwater, surface water, and soils that are documented in Section VIII of the Consent Order. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

Commentor No. 149 (cont'd): Martha Bushnell, Ph.D.

- 149-8** The LANL contractor operates a monitoring program to detect contamination in area waters, both surface water and groundwater. The results of this monitoring program are published annually in LANL Environmental Surveillance Reports (www.airquality.lanl.gov/esr/index.shtml). In accordance with applicable regulations and agreements, NNSA evaluates and takes corrective action for occurrences of contamination in surface waters and groundwater at LANL. NNSA is required to follow the Consent Order, described in Chapter 2, Section 2.2.6, that stipulates groundwater cleanup levels for human health and is committed to protecting drinking water sources. NNSA is also committed to decreasing or eliminating all discharges that have a potential to release contaminants to the environment. Refer to Chapter 4, Section 4.3.2, of the SWEIS for a discussion of groundwater quality in the vicinity of LANL. Also, see Sections 2.5, Water Resources, and 2.6, Offsite Contamination, of this CRD for more information.
- 149-9** NNSA notes the commentor's concern and is taking steps to conserve water across LANL. Green building requirements encouraging state-of-the-art strategies for sustainable site development, water savings, energy efficiency, and material selection would help to reduce water use for new facilities that replace older buildings. Refer to Section 2.8, Water Use, of this CRD for more information on water usage.
- 149-10** The SWEIS does not propose new nuclear weapons facilities under any of the alternatives. NNSA completed 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) (DOE 2003c) in November 2003, and in February 2004 issued a Record of Decision (69 FR 6967) announcing its decision to construct a new facility. This decision is included in the No Action Alternative and the Expanded Operations Alternative of this SWEIS. On January 11, 2008, NNSA issued the *Complex Transformation SPEIS* (DOE/EIS-0236-S4) (73 FR 2023), which evaluates the environmental impacts from the continued transformation of the nuclear weapons complex, referred to as Complex Transformation. The Reduced Operations Alternative in the Final SWEIS was revised to reflect continued use of the existing Chemistry and Metallurgy Research Building in the event that NNSA, in conjunction with its plans for Complex Transformation, decides not to construct the nuclear facility portion of

Commentor No. 149 (cont'd): Martha Bushnell, Ph.D.

the Chemistry and Metallurgy Research Replacement Facility. Refer to Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for more information.

The seismic risks associated with the Chemistry and Metallurgy Research Replacement Facility have been studied and are part of the updated LANL probabilistic seismic hazard analysis (LANL 2007a). Similarly, the seismic accident analysis was updated in the Final SWEIS to reflect the recent information in the updated seismic hazards analysis. Work performed at LANL, and new construction, are subject to DOE orders and standards for seismic concerns. Different construction requirements are imposed for new structures in accordance with the site locations relative to known fault lines, and in accordance with the planned future use of the structure. An update to the seismic hazard analysis was completed in 2007. Seismic activity at LANL is described in Chapter 4, Section 4.2.2.3 and in the 2007 seismic hazard analysis report (LANL 2007a). The estimated human health impacts from postulated facility accidents at LANL, including earthquakes, are described in Chapter 5, Section 5.12 and Appendix D, Section D.4. These sections also include a discussion of the significance of the updated understanding of seismic hazard from the 2007 seismic hazard analysis report.

The new geological information in the 2007 seismic hazard analysis report has been interpreted as indicating that the seismic hazard at LANL is greater than previously understood. The relevance of the seismic hazard to facility accidents will undergo a rigorous and thoughtful evaluation to determine what, if any, changes are needed for planned and existing facilities. In the interim, the LANL contractor has developed and NNSA has accepted a justification for continued operation which addresses controls on operations of certain nuclear and high hazard operations that mitigate the risks from seismic activities (LANL 2007b, NNSA 2007b).

Following the NEPA process but prior to the design and operation of specific facilities, safety studies in the form of Hazard Assessment Documents and Safety Analysis Reports that include seismic concerns and take into account the most current seismic information would be prepared to address a comprehensive set of accident risks. The results of these safety studies would be incorporated into facility design and operations to ensure protection of the health and safety of workers and the public.

Commentor No. 149 (cont'd): Martha Bushnell, Ph.D.

- 149-11** The economic benefits from LANL operations are felt throughout the State of New Mexico. Although the SWEIS focuses on those counties most directly affected due to the large number of LANL employees that reside in them, benefits accrue throughout New Mexico including the other counties of northern New Mexico as the income of LANL workers spreads through the community and LANL purchases are filled through local businesses.
- 149-12** The SWEIS impact analysis considers socioeconomic impacts of operating LANL on the general New Mexico economy of which tourism is a part.
- 149-13** The purpose of continued LANL operation is to provide support for DOE's core missions as directed by the Congress and the President. Although a pollution prevention and waste minimization program has been instituted at LANL (see Chapter 4, Section 4.9, of the SWEIS), operation of LANL in support of its core missions will continue to generate waste, which is safely managed pending disposal. Refer to Section 2.7, Waste Management, of this CRD for more information. The LANL environmental restoration program is investigating and remediating potential release sites under the oversight of the New Mexico Environment Department. Chapter 2, Section 2.2.6, of the SWEIS describes the progress made in the environmental restoration program at LANL, while Appendix I presents options and environmental analyses for conducting future remediation activities at LANL.

Commentor No. 150: Susan DeGrand

From: S L DE*GRAND [mailto:sldegrand@msn.com]
Sent: Sunday, September 17, 2006 10:55 AM
To: LANL_SWEIS
Subject: LANL Pit Production

Please add to citizen commentary regarding the proposed increased nuclear weapons production at Los Alamos labs:

I am opposed to the approval of increased nuclear weapon production facilities at LANL. First, the US, already having enough weapons to destroy the whole world, does not need additional nuclear weapons. Instead of wasting effort on something this futile and unnecessary, existing LANL resources should be used to develop solutions for positive needs such as development of non-oil based, non-environmentally harmful energy sources like solar power or development of anti-terrorism tools such as chemical or weapons threat detector technology.

150-1

Second, I am opposed to the lack of enforcement of adequate clean up and storage of existing LANL radioactive materials; no expansion of lab production should be considered at all until the lab is required and able to adequately remove the safety risks already imposed on the surrounding community.

150-2

Third, the water requirement proposed for lab nuclear production expansion is not available in this geographic area, and no solution to this problem has been proposed other than simply taking from existing water users who do not have excess water to give.

150-3

The lab is an integral component of the economy of Northern new Mexico: let's put these resources, human and financial, to a positive, sensible use.

Susan DeGrand
Santa Fe, NM
sldegrand@msn.com

150-1 NNSA notes the commentor's opposition to increased nuclear weapon production facilities at LANL. Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. In addition to these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

150-2 As addressed in Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD, pit production and similar activities comprise a core mission for DOE and LANL as determined by the Congress and the President. Although LANL has instituted a pollution prevention and waste minimization program (see Chapter 4, Section 4.9, of the SWEIS), operation of LANL in support of this core mission will cause the generation of waste that NNSA intends to safely manage as addressed in Section 2.7, Waste Management, of this CRD. Chapter 2, Section 2.2.6, of the SWEIS describes the progress that DOE has made in conducting the environmental restoration program at LANL. Decisions about environmental remediation will be made in accordance with established regulatory standards and processes, including those of New Mexico Environment Department for the Consent Order that was entered into in March 2005. NNSA is currently safely storing a variety of radioactive materials. For example, Appendix H, Section H.3, of the SWEIS describes DOE's program for characterizing and preparing stored transuranic waste for shipment to WIPP. Also, Appendix J, Section J.3, describes NNSA's program for collecting and safely storing unwanted sealed sources; failure to provide a mechanism for safe, temporary storage of these sources could present a public health and safety vulnerability. Detailed quantitative analyses of the environmental and public health and safety risks from LANL operations are presented in Chapter 5 and Appendices C, D, G, H, I, J, and K.

150-3 LANL's projected water demands under the Expanded Operations Alternative would remain within LANL's water use target ceiling of 542 million gallons (2,050 million liters) per year as discussed in Chapter 5, Section 5.8. DOE transferred 70 percent of its water rights for

Commentor No. 150 (cont'd): Susan DeGrand

LANL and leases the remaining 30 percent to Los Alamos County. DOE is a Los Alamos County water customer and is billed and pays for the water that LANL uses. DOE has no plans to otherwise obtain or purchase additional water rights for LANL and continues to work cooperatively with Los Alamos County in managing water use at LANL. Refer to Section 2.8, Water Use, of this CRD for more information on water use, available water rights, and water supply planning at LANL.

Commentor No. 151: Chris Mechels

September 15, 2006

Ms. Elizabeth Withers
U.S. DOE/NNSA
Los Alamos Site Office

Subject: My comments on the Draft LANL SWEIS

In keeping with the options described within the SWEIS for submitting comments, I have decided to submit my comments in electronic form, as more convenient for all parties. If you would prefer, I can of course mail you a copy.

The first comment I have, an overall impression of the Draft SWEIS, is that it is a shoddy piece of work. When I see, for example, on page S-40 of the SWEIS summary, “51 million gallons (19 million liters) of water”, and the many other such errors throughout the SWEIS, I am left to wonder if the document was proof read, by either the contractor or the DOE. I don’t believe that the DOE should ever again employ the contractor, SAIC, for such work. It seems that the document was prepared in the spirit of “grudging compliance” with NEPA; a minimal effort to “slide by” the requirements. It reflects a lack of respect for the NEPA laws, and the public, by SAIC, DOE and LANL.

My comments will focus on the water and power use by two major LANL facilities (the Metropolis Center and LANSCE) and the inadequate analysis of these two facilities. Neither of these facilities needs to be, or should be, at LANL as their functions can be done in other places, and their continued, and expanded, role puts great pressure on the LANL water and power supplies, while LANSCE is the major contributor to public radioactivity exposure.

The Metropolis Center

The SWEIS analysis of the Center is so flawed as to be useless in supporting decision making. It needs to be redone, updated, and corrected. The errors include the following:

- The analysis at J.2.3, and the summaries relying on this analysis, has profound errors and omissions. An example is table J-4 wherein the first column (No Action) is evaluated using different multipliers than the 2nd and 3rd column. (62,196/7.1=8760) (43800/6=7300) No explanation of why this is so is provided.
- The platform analyzed as No Action (63.1 million gallons), in fact was proposed the Center’s EA as zero. All water used was to be from recycled waste water, with none from new water usage.
- No explanation is provided as to why a tripling of power usage, from 6 to 18 megawatts, does not produce a tripling of water usage, since the water usage results from power usage. Is this some sort of magic? An explanation is needed!
- No explanation is provided as to why the 63.1 million gallons of water (No Action) for the 7.1 megawatt load contrasts with only 19 million gallons for the 6 megawatt load. More

151-1

151-2

151-1 NNSA does not agree with the commentor’s opinion of the SWEIS. The SWEIS was prepared to meet the letter and the spirit of CEQ and DOE NEPA implementing regulations. One of the benefits of the public review of the Draft LANL SWEIS is that members of the public may identify new alternatives, resources impacts that may require additional analyses, and factual errors. NNSA appreciates the assistance provided by identifying this error. The text has been revised to indicate “51 million gallons (193 million liters).”

151-2 The *Strategic Computing Complex EA* (DOE 1998) was originally completed in 1998 to evaluate the projected impacts of construction and operation of the facility now referred to as the Nicholas C. Metropolis Center for Modeling and Simulation (Metropolis Center). The EA conservatively estimated that operation of the facility would require approximately 7.1 megawatts of electricity, and 63 million gallons (239 million liters) of recycled water per year. At present, the Metropolis Center requires approximately 5 megawatts of electricity, and 19 million gallons (72 million liters) of water per year primarily derived from groundwater. Appendix J, Section J.2 and Table J-4, of the SWEIS have been revised to clarify the basis for the values presented and the status of recycled cooling water sources for the Metropolis Center. Table J-4 has also been revised to present the peak load associated with the electrical usage analyzed in the *Strategic Computing Complex EA* consistent with the peak load values presented for the existing and expanded Metropolis Center operating levels presented in the Draft SWEIS.

Actual operation of the Metropolis Center has shown that significant increases in computational capability (measured in teraflops, or trillion floating point operations per second) have correlated to only moderate increases in electricity and cooling requirements. The Final SWEIS has been revised to acknowledge the possibility that future operating levels on the order of petaflops (1,000 teraflops) might be requested in the future. Nonetheless, the electrical and water requirements necessary to support this increase in computational capability are projected to remain within the levels evaluated in this Final SWEIS.

Commentor No. 151 (cont'd): Chris Mechels

magic? Does this reflect some use of recycled water? Or magic? This needs to be explained as something more than sheer sloppiness by the authors.

- The figures shown as "LANL System Usage" are NOT LANL usage, but Los Alamos County Usage. This is reflected in the provided footnote, but the table heading, as shown, is simply incorrect. Is there a reason, or simply more sloppiness?
- The text on page J-41 and J-42 refers a number of times to the use of recycled water. No answer as to why recycled water has not been used, as planned in the Center's FONSI, and no reason as why recycled water will be, or will not be, available for cooling the Center in the future.

Lastly the whole analysis is obsolete, on its face, as LANL has already announced plans, over 4 months ago, for a 1-2 Petaflop machine and the SWEIS only covers systems in the 200 Teraflop range.

In summary, the whole analysis for the Metropolis Center needs to be redone. It is riddled with errors, and unexplained paradox, with sheer sloppiness as well. It also is obsolete, overtaken by the LANL plans. As it exists, the analysis is useless to support decisions, thus voiding its purpose and the intent of the SWEIS.

LANSCE

The analysis of LANSCE seems utterly, irretrievably flawed. It presents the "Reduced Operations" alternative as shutting down LANSCE, which suggest that this alternative can at least be considered. Not "same as No Action" mind you, but shut down. Then under G.5.2.3 the SWEIS explains how it is impossible to shut down LANSCE. This suggests that the shut down alternative is simply off the board, and "same as No Action" was the real option for "Reduced Operations". The "real" shut down option would have to consider not the absence of capabilities but their priorities and availability at other sites. An obvious place to obtain some of the capabilities is the Spallation Neutron Source (SNS) where a much more powerful beam line and neutron source is just coming on line. Failure to consider the SNS, and other DOE sites, to replace LANSCE capabilities is a fatal flaw in considering the "Reduced Operations" alternative, and reason enough to throw out the analysis, and redo it.

Other problems abound with the LANSCE analysis. Some of them follow:

- Table 3-16 has LANSCE operating 10 months (6400 hours) per year. It is this level of operation that the "Refurbishment Project", the "Expanded Operations" option would restore and sustain. However, the current level of LANSCE operations is described in G.5.3.2 as using 86,275 megawatt hours and ~77 million gallons (historical) for water annually. A quick calculation, using the 21 megawatts figure given shows that 6400 hours would require 134,000 megawatt hours and 119 gallons of water annually. The very large differences, due to the current unreliability of LANSCE, are not analyzed as to their effect on overall LANL power and water usage. This analysis needs to be supplied, as the additional 42 million gallons per year would push LANL well over its water capacity.
- The figures from the 1999 SWEIS cited for LANL, and LANSCE, power and water usage are so completely divorced from reality that some explanations needs to be provided. How

**151-2
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151-3

151-3 The Reduced Operations Alternative is considered in the SWEIS for the purposes of analyzing a range of reasonable alternatives in accordance with the NEPA, but does not necessarily satisfy NNSA's purpose and need as described in Chapter 1, Section 1.2, of the SWEIS. Appendix G, Section G.5.2.3 discusses the project options considered in lieu of undertaking the LANSCE Refurbishment Project, a project proposed under the Expanded Operations Alternative of this SWEIS in order to extend the reliable operation of LANSCE for the next 20 to 30 years. LANSCE is a Key Facility that is considered to provide critical infrastructure in support of LANL's national security and science-based missions. Consideration of the LANSCE Refurbishment Project does not preclude NNSA from considering selection of the No Action Alternative in whole or in part for selection in the SWEIS Record of Decision. Under the No Action Alternative, LANSCE would continue to operate at current levels as summarized in Chapter 3, Table 3-16 of the SWEIS. Further, as described in Appendix G, Section G.5.2.3, moving the LANSCE mission to another facility and consideration of similar capabilities at other sites has been considered by NNSA. These considerations, as cited in Section G.5.2.3, were ultimately dismissed in favor of LANSCE Refurbishment in part because no single facility or combination of existing DOE facilities was identified that could fulfill the mission of LANSCE without a new investment several times the cost of LANSCE Refurbishment.

In spite of the above, NNSA could still ultimately decide that the financial and infrastructure resources for LANSCE Refurbishment and those needed to continue to operate LANSCE could be better spent on other higher priority projects and mission needs at LANL or elsewhere. Analysis of the LANSCE Refurbishment Project and consideration of its implementation within the context of the LANL Expanded Operations Alternative in terms of environmental impact will provide the NNSA decision maker with the information needed to make an informed decision about the future of LANSCE. Appendix G, Section G.5.3.2 has been updated and expanded to reflect calendar year 2005 utility data for electrical power, electric peak load, and water demands for LANL and for LANSCE to provide a more complete perspective of LANSCE's utility infrastructure requirements. In addition, a discussion has been added to explain that the demand projections from the 1999 SWEIS, as cited in Section G.5.3.2, were based on rather conservative assumptions and which were specifically predicated

Commentor No. 151 (cont'd): Chris Mechels

can figures cited, at G.5.3.2, from the 1999 SWEIS annual forecasts of LANL (759,000,000 gallons) and LANSCE (265,000,000 gallons) have any possible use, when the total LANL usage allowed is 522,000,000 gallons? LANSCE water usage is listed as "about 15%" of LANL usage, and all the figures available refute this statement. This whole section needs to be revisited, and rewritten, as its current content seems to have no relation to reality.

In summary, the LANSCE analysis avoids any "real" analysis of the "Reduced Operations" option, which would include prioritizing the workload and looking around the DOE for real alternatives to LANSCE. Thereby, by this failure of honest evaluation, the "Expanded" option seems the only one left. In turn, the failure of the "Expanded" option to acknowledge the increased power and water usage incumbent to that choice avoids the very real problems of this option.

The LANL Site Infrastructure

The LANL infrastructure issues are very real, and they are not addressed, as required, in this SWEIS. The issues are avoided by a dishonest, sloppy, evaluation of such large power and water users as LANSCE and the Metropolis Center. The failure of the Center to use recycled water, as promised, is ignored and yet presented as a future direction, no explanation provided. This seems almost like "magical thinking" or blatant dishonesty. Not only should a proper evaluation be provided, an investigation should be made of those who did this awful bit of work. Likewise the LANSCE avoids the additional 43,000,000 gallons per year of water required for their "preferred" option and the simple fact that LANL does not have the water available.

Ultimately, the DOE/NNSA needs to address what functions are appropriate at LANL given their site location. LANL does not exist within a power grid, and exceeding the power available calls for the DOE to expend resources for power lines, etc., due to LANL's isolation. The water situation in New Mexico is precarious, and LANL needs to acknowledge and respond to that reality. LANL's water rights are, under the proposed "Expanded" option already oversubscribed, and this does not, apparently, include the 43,000,000 gallons per year incumbent on their LANSCE path.

The SWEIS does not address this problem and it is a major shortcoming. Dealing with this problem could suggest very different priorities and outcomes. For example:

- The large computers housed at the Metropolis Center, with their very large consumption of power and water, need not be at LANL. They could be housed anywhere in the country, and accessed via high performance networking, which already exists. That this is feasible is demonstrated by the simple fact that recent demonstrations of LANL weapons simulation capabilities, required by the Stockpile Stewardship initiative, were run on computer at Sandia Lab and Livermore Lab. There is no reason, technically, to have those computers at LANL, and a 2003 JASON report suggests that the DOE/NNSA should use networking and stop siting large computers at the various sites. The SWEIS evaluation fails to address the very real option of providing LANL users with computer located at a site with less infrastructure problems. For completeness, that evaluation should be presented.

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on full power operation of the Low-Energy Demonstration Accelerator, which operated only from late 1998 through 2001 and has now been decommissioned. The conservative nature of the utility infrastructure projections from the 1999 SWEIS, including operation of the Low Energy Demonstration Accelerator, is discussed in Chapter 5, Section 5.8.2.1, of the SWEIS, which has also been updated. Still, inclusion of the utility forecasts from the 1999 SWEIS is relevant because the 1999 Expanded Operations Alternative is the basis for the No Action Alternative analyzed in this new SWEIS.

Contrary to the commentor's statement, the analysis of the Expanded Operations Alternative presented in Chapter 5, Section 5.8.2.3, of the SWEIS does account for the restoration of operational capabilities at LANSCE as a result of implementing the LANSCE Refurbishment Project. The analysis specifically accounts for increased availability and for the higher levels of operations and associated increases in electric power and water demands that may be realized in the future as a result of implementing the LANSCE Refurbishment Project. It should also be noted that LANSCE Refurbishment would result in the replacement of antiquated component cooling and power systems with modern equipment that would be more cost effective and energy efficient. Nevertheless, NNSA has taken no credit for any economy of scale that might be realized in operating efficiency, so as to provide contingency in the projections.

151-4 NNSA notes the commentor's concerns regarding the location and operation of the Metropolis Center and LANSCE and specific concerns for their water and electricity use. NNSA believes that it has evaluated the projected electric power and water demands of the Los Alamos region in the broadest possible context that encompasses the programmatic needs to continue to operate LANL facilities such as the Metropolis Center and LANSCE. The Metropolis Center and LANSCE provide critical infrastructure to help ensure a safe and reliable nuclear stockpile in support of LANL's national security mission. As further described in Appendix J, Section J.2.1, LANL's Advanced Simulation and Computing Program supercomputers allow researchers to integrate past weapons test data, materials studies, and current experiments related to the physics of a nuclear detonation. The purpose and need for constructing and operating the Metropolis Center at LANL was originally established in the 1998

Commentor No. 151 (cont'd): Chris Mechels

- Likewise the SWEIS does not acknowledge a simple fact, that the LANSCE front end, the accelerator, is past its design life, and obsolete. Newer facilities, such as SNS, exist to replace the functions of LANSCE, and an evaluation needs to be made, on the merits, of the "essential" needs met by LANSCE. This evaluation is not provided thus the, unexamined, claims of the critical need for LANSCE is presented as a fact. It is not a fact.
- The "real" option for LANSCE is not that of refurbishment of this obsolete accelerator. It the capabilities are "essential" and they "must" be at LANL for the mission to be performed, then the "real" option is a new accelerator, and that is the option that should be analyzed in depth. The "preferred" option presented, and the dishonesty supporting it, needs to be reexamined.
- The infrastructure issues at LANL are paramount, and this SWEIS does not address this fact. If the "real" LANL picture is acknowledged, with the very real power and water problems, then the Metropolis Center should not be at LANL, and LANSCE should be shut down. These systems are huge consumers of power and water, and there is no need for them to be at LANL. Locating these systems elsewhere would not compromise LANL's mission!

In closing, I believe that this SWEIS fails to perform its role, which is to underpin and inform DOE/NNSA decision affecting the LANL site and its environment. By presenting a dishonest, shoddy evaluation of both the Metropolis Center and LANSCE, they simply support a decision already taken. This violates the spirit and letter of NEPA. I suspect that this problem infects the rest of the SWEIS.

The key issue of LANL infrastructure, especially power and water, was "ducked" by dishonesty, such as failing to account for the 43,000,000 million gallons of water required for increased LANSCE operations. It is past time for the DOE/NNSA to consider what is appropriate for LANL's remote site. Heavy users of power and water are NOT appropriate for LANL, and this fact needs to be considered. They were NOT considered in this draft SWEIS, but they still can be. I hope that my input helps the DOE/NNSA to reconsider this matter.

Chris Mechels
Retired LANL (1994)
1336 Bishops Lodge Rd.
Santa Fe, New Mexico 87506

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cont'd**

Strategic Computing Complex EA. The analysis presented in the Final SWEIS addresses the expansion of these capabilities at LANL. However, siting of these expanded capabilities at sites other than LANL is not within the scope of this SWEIS. LANSCE is a unique asset that enables proton radiography experiments for the Stockpile Stewardship Program. The option of moving the LANSCE mission to another facility was considered by NNSA in Appendix G, Section G.5.2.3, as discussed in response to Comment no. 151-3.

Utility demand projections have been updated in this Final SWEIS. This is based on the latest trend analysis and projections that include the use of calendar year 2005 data for LANL and for other Los Alamos County users. These conservative projections include other Los Alamos County users that rely upon the same utility system as LANL. The projections are compared to the current (baseline) capacity or authorization limits of the respective utility system, as appropriate, and do not include any proposed or future upgrades or capacity increases. For electric power, up to 96 percent of the electric peak load capacity of the Los Alamos Power Pool could be required to support demands under the Expanded Operations Alternative, including the Metropolis Center and LANSCE, and the growing demand on the part of other Los Alamos County users, as discussed in Chapter 5, Section 5.8.2.3, of the SWEIS. As also noted in Section 5.8.2.3 and detailed in Chapter 4, Section 4.8.2.1, of the Final SWEIS, ongoing upgrades to the electrical power transmission and distribution system including construction of a third transmission line would allow the import of additional power and support a higher electric peak load in the future. LANL's projected water demands under the Expanded Operations Alternative would remain within LANL's water use target ceiling of 542 million gallons (2,050 million liters) per year. These projections specifically account for expanded operations at the Metropolis Center and LANSCE. Refer to Section 2.8, Water Use, of this CRD for more information on water use, available water rights, and water supply planning at LANL.

151-5 The Metropolis Center provides critical infrastructure in support of LANL's national security mission. As described in Appendix J, Section J.2.1, the Metropolis Center is an integrated part of NNSA's tri-lab (LANL, Lawrence Livermore National Laboratory, and Sandia National

Commentor No. 151 (cont'd): Chris Mechels

Laboratories) mission to maintain, monitor and assure the performance of the nation's nuclear weapons through the Advanced Simulation and Computing Program. Each of these three laboratories is responsible for developing and maintaining distinct platforms supporting the Advanced Simulation and Computing Program, as well as providing secure, remote access to all of these platforms to tri-lab users when required. The purpose and need for constructing and operating the Metropolis Center at LANL was originally established in the Strategic Computing Complex EA as noted in response to Comment no. 151-4. Siting the facility at another location is not within the scope of this EIS. Refer to the response to Comment no. 151-4 regarding water and electricity use by the Metropolis Center and other facilities.

- 151-6** NNSA believes that the LANL SWEIS presents appropriate and adequate analysis of LANL operations that are expected to occur through 2011. Should decisions be made to change LANL operations in a manner that is not addressed by the LANL SWEIS, then additional NEPA evaluations would be performed at that time.

Commentor No. 152: Carol Wright

From: Carol Wright [mailto:cjcab@swcp.com]
Sent: Saturday, September 16, 2006 5:51 PM
To: LANL_SWEIS
Subject: oppose expanded plutonium pit prod.

Why spend millions to increase production of nuclear weapons and increase the nuclear materials storage and radioactive waste dump facility? LANL should be spending our hard-earned money on designing renewable energy programs. We need to lead the world by example in eliminating WMD. The increased toxic and radioactive waste that will be generated by expanded operations will harm all of us by polluting our limited water resources. Carol Wright

152-1

152-2

152-1 NNSA notes the commentor's opposition to production of nuclear weapons. The purpose for continued operation of LANL is to support NNSA's core missions as directed by the Congress and the President, which includes ensuring a safe and reliable nuclear stockpile. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information. The environmental impacts of waste generation and disposal are addressed in Chapter 5 of the SWEIS. While increased waste generation would occur as a result of expanded pit production, not all waste would be disposed of at LANL. Chemical waste and low-level radioactive mixed waste from LANL operations are sent off-site for treatment and disposal; transuranic waste is stored until shipped to WIPP for disposal, and low-level radioactive waste is either disposed of onsite at Area G or shipped offsite for disposal. Refer to Section 2.7, Waste Management, of this CRD for more information. In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. Section 2.3, Alternative Missions, of this CRD describes research in these areas.

152-2 Effluents from LANL facilities are discharged in accordance with an National Pollutant Discharge Elimination System permit that establishes limits on the volume and quality of the discharge. As discussed in Chapter 4, Section 4.3.1.2, which presents data for the past 6 years, LANL has a very good record of complying with permit conditions, which are set to protect health and safety. Under all alternatives, NNSA would continue to meet permit conditions designed to protect water resources at LANL.

As described in Section 4.3.2, past waste disposal practices at LANL have contaminated the shallow groundwater that in turn has the potential to contaminate portions of the regional aquifer under the Pajarito Plateau. Past disposal of waste was conducted in a manner consistent with standards in effect at that time. As standards have evolved, waste disposal practices have also evolved. Future disposal of waste in Area G would be performed in compliance with applicable regulations.

As described in Chapter 5, Section 5.3.2.1, groundwater modeling performed for the Area G performance assessment indicated that groundwater ingestion doses 330 feet (100 meters) downgradient from Area G at 4,000 years and in Pajarito Canyon at 700 years would be a

Commentor No. 152 (cont'd): Carol Wright

very small fraction of the 4 millirem per year standard for groundwater protection. NNSA is required to follow the Consent Order that stipulates that groundwater will be protected and that groundwater cleanup levels will be protective of human health.

In addition, the NNSA operates a monitoring program (described in Chapter 4, Section 4.3.1.5) to detect contamination that has resulted from past practices. NNSA evaluates and takes corrective action for occurrences of contamination in groundwater and surface waters at LANL, in accordance with applicable regulations and agreements.

NNSA intends to continue to safely manage waste and conduct environmental restoration activities at LANL as it carries out its missions. Refer to Section 2.5, Water Resources, of this CRD for more information.

Commentor No. 153: Charles W. Dubs

From: Charles Dubs [mailto:chwdu@usadatanet.net]
 Sent: Saturday, September 16, 2006 4:33 PM
 To: LANL_SWEIS
 Subject: BUILDING MORE NUCLEAR ARMS

'06 Sep 16

The US agreed on July 1, 1969, (37 years ago) to nuclear disarmament as specified in Article VI of the Non-Proliferation Treaty (NPT):

" Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a Treaty on general and complete disarmament under strict and effective international control."

For this pledge, the non-nuclear states agreed in the NPT not to develop their own nuclear weapons.

Since then, the US has not only ignored its pledge to disarm its nuclear weapons but also is now building new ones! We and the world need less, not more nuclear weapons!

Please do not produce any more plutonium pits. Please stop being hypocritical, both by violating the NPT and by trying to prevent other countries from developing nuclear weapons.

Charles W. Dubs
 Retired AF Physicist
 chwdu@usadatanet.net

153-1

153-1 NNSA notes the commentor's request not to produce plutonium pits. Operations at LANL are not in violation of the Treaty on the Non-Proliferation of Nuclear Weapons. Continuing to ensure a safe and reliable nuclear stockpile violates none of the terms of the Treaty on the Non-Proliferation of Nuclear Weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 154: Bob Tirk

From: BobTirk@aol.com [mailto:BobTirk@aol.com]
Sent: Saturday, September 16, 2006 1:08 PM
To: LANL_SWEIS
Subject: plutonium pit

Please do not expand the plutonium pit production at the Los Alamos National Laboratory.

Bob Tirk
736 Old Las Vegas Hwy
Santa Fe

|| 154-1

154-1 NNSA notes the commentor's request to not expand plutonium pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 155: Evelyn Cole

From: evelyn cole [mailto:evelynmcole@earthlink.net]
Sent: Saturday, September 16, 2006 10:19 AM
To: LANL_SWEIS
Subject: pit production at Los Alamos

Dear DOE and LANL,

I am alarmed at the expanded plutonium pit production at the Los Alamos National Laboratory. I am opposed to this and other nuclear bomb production for these reasons:

Increased radioactive wastes and toxins, which can end up in our water supplies. Radioactive wastes are now buried in unlined dumps, or sent on our highways to southern New Mexico, increasing chances of accidents.

155-1

Safety and environmental problems at LANL have been serious and chronic, and have not been resolved.

155-2

The Los Alamos Labs should de-prioritize nuclear weapons (of which this country has more than enough!) and work on treats of global climate change and clean energy independence.

155-3

Thank you for your attention to my concerns! Evelyn Cole, 2845 Plaza Rojo, Santa Fe, NM, 87507

155-1 NNSA notes the commentor’s opposition to increased pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information. LANL operations are in compliance with the regulations that protect public health and the environment and, based on the SWEIS analyses, would continue to be in compliance even under the Expanded Operations Alternative. The evaluation of human health effects from transporting radioactive materials offsite for disposal are detailed in Appendix K and summarized in Chapters 3 and 5 of the SWEIS. The results indicate that the risks to the public and crew per transport are very small. As indicated in Chapter 5, Section 5.9, the increase in pit production under the Expanded Operations Alternative is expected to lead to about 240 cubic yards (180 cubic meters) of contact-handled transuranic waste annually. This would result in about 25 additional shipments to WIPP annually. Using the risk factors provided in Appendix K, the impacts from transporting these additional wastes to WIPP would be very small; that is, a total population dose of about 0.18 person-rem to the individuals residing along the route. This is a very small fraction, about 0.002 percent, of the background dose the same population would receive annually. The probability of occurrence of such an accident is 1-in-10,000 trips, using the general truck trailer accident rate given in Appendix K. Historically, transports to WIPP have been very safe with no releases of any contaminants.

155-2 NNSA and its operating contractors have internal organizations dedicated to safe operation of its nuclear facilities. DOE has issued regulations, standards, and guidance for nuclear facility operations including requirements for performance of safety evaluations and risk assessments which become the basis for facility operating parameters. The DOE goal is to eliminate any accidents and these regulations and standards of operations reduce the likelihood of accidents, but do not eliminate them completely. Chapter 4, Section 4.6.3, of the SWEIS contains a discussion of the accidents and safety at LANL facilities. The LANL contractor applies lessons learned from past accidents to improve overall safety performance. LANL staff takes actions in the areas of procedures, training, inspection, and component upgrading and replacement in order to address the root causes of accidents and preclude recurrences. The impacts of postulated facility accidents, taking into account the likelihood of accidents, are described in Chapter 5, Section 5.12.

Commentor No. 155 (cont'd): Evelyn Cole

Chapter 5 addresses the environmental impacts associated with expanded pit production under the Expanded Operations Alternative. LANL operations are in compliance with the regulations that protect public health and the environment and, based on the SWEIS analysis, would continue to be in compliance under the alternatives evaluated in the SWEIS including the Expanded Operations Alternative. Refer to Section 2.6, Offsite Contamination, of this CRD for more information.

- 155-3** Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. In addition to these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 156: Diane and Mike Kenny

From: Diane Mike Kenny [mailto:thekennys@earthlink.net]
Sent: Saturday, September 16, 2006 9:51 AM
To: LANL_SWEIS
Subject: pit production public comments

Dear Ms. Withers,

We've procrastinated on writing you for too long and we wish to comment regarding LANL's proposed expansion of their pit facilities before it's too late to weigh in:

We are deeply concerned regarding the issues of air quality, water quality (seepage into our water supply over a period of years), water usage being diverted to pit production when we all have to be so conservative with our water consumption and the issues around storage and hauling of waste to WIPP (WIPP was originally not to be used for more than transuranic wastes, and now it seems that we must insist that that promise is kept). We lived in Denver for seven years of Rocky Flats' operation and we do not want a repeat experience. It is alarming to both of us that that area is now used for recreation; can it possibly be safe? We do not want environmental damage to increase in our beloved New Mexico, and we do not feel that LANL has been a good steward of its land or ours. In good conscience, we cannot wish for more of the same. And environment aside, although that is your issue, we do not want weapons production in our state. Thank you so much for listening.

Sincerely,

Diane and Mike Kenny
 2014 Hopi
 Santa Fe, NM 87505-2402
 (XXX) XXX-XXXX
 thekennys@earthlink.net

156-1

156-1 NNSA notes the commentor's concerns regarding air and water quality, water usage, and issues around storage and hauling of waste to WIPP. Chapter 5 of the SWEIS addresses the environmental impacts of LANL operations including air quality, water quality and usage, and waste generation and disposal. LANL operations are in compliance with the regulations that protect public health and the environment and, based on the SWEIS analyses, would continue to be in compliance under the alternatives evaluated in the SWEIS. LANL transuranic waste is shipped to WIPP for disposal and the impacts associated with this transportation are evaluated in Chapter 5, Section 5.10. By Congressional mandate, WIPP is to be used only for the disposal of defense transuranic wastes. Refer to Section 2.6, Offsite Contamination, of this CRD for more information.

156-2

156-2 Refer to Section 2.12, Comparison to Rocky Flats Plant, of this CRD for more information about Rocky Flats and why NNSA believes that operations at LANL would not result in a similar outcome. LANL operations are in compliance with Federal and State regulations for protection of human health and the environment, and, as shown in Chapter 5 of the SWEIS, would be expected to remain in compliance under all of the alternatives being considered. Chapter 5 describes the impacts for each resource area and Section 5.14 presents mitigation actions to address potential adverse effects.

156-3

156-3 NNSA notes the commentor's opposition to weapons production at LANL. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 157: Linda Klosky

From: Linda Klosky [mailto:lindak@sfcmf.org]
Sent: Friday, September 15, 2006 4:30 PM
To: LANL_SWEIS
Subject: Comments regarding on Site-Wide Environmental Impact Statement for Continued Operations

Attn: Ms. Elizabeth Withers
Office of Environmental Stewardship
National Nuclear Security Administration
Los Alamos Site Office

Dear DOE and LANL,

I am a resident of Santa Fe County living about 6 miles east of LANL as-the-crow-flies. I have a water well that would be effected by migrating contaminates from any LANL improper waste disposal, and this concerns me greatly.

I absolutely oppose expanded plutonium pit production at the Los Alamos National Laboratory. Quadrupling pit production will turn the Lab into a nuclear materials storage and radioactive waste dump facility, and a nuclear bomb factory.

I oppose the increased toxic and radioactive waste generated by expanded operations.

I oppose LANL's continuing pollution of our precious water resources.

I oppose LANL's continuing burial of radioactive and chemical wastes in unlined dumps.

I oppose the construction of new nuclear weapons facilities near earthquake fault lines.

LANL should prioritize cleanup and the development of improved cleanup technologies.

LANL should prioritize renewable energy programs such as wind and solar energy, instead of building yet more nuclear weapons.

The U.S should lead by example in the global elimination of weapons of mass destruction. LANL should support that need instead of designing and producing new nuclear weapons.

Respectfully,

Linda Klosky
P.O. Box 1071
Santa Fe, NM 87504

157-1

157-2

157-1 NNSA notes the commentor's opposition to pit production at LANL for the reasons stated. Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President, and is therefore not being considered in the SWEIS. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

The environmental impacts of waste generation and disposal are addressed in Chapter 5 of the SWEIS. While increased waste generation would occur as a result of expanded operations, not all waste would be disposed of at LANL. Chemical waste and low-level radioactive mixed waste from LANL operations are sent offsite for treatment and disposal; transuranic waste is stored until shipped to WIPP for disposal, and low-level radioactive waste is either disposed of onsite at Area G or shipped offsite for disposal. The future use of lined rather than unlined pits for low-level radioactive waste disposal is under evaluation through the Area G Performance Assessment and Composite Analysis required by DOE Order 435.1, which is periodically reviewed and updated. The Performance Assessment and Composite Analysis will guide decisions regarding operational procedures and waste disposal. This SWEIS considers impacts from the use of unlined pits as its No Action Alternative baseline; this impact analysis therefore bounds the long-term environmental consequences that could result from the use of lined disposal pits. Refer to Section 2.7, Waste Management, of this CRD for more information.

Effluents from LANL facilities are discharged in accordance with a National Pollutant Discharge Elimination System permit that establishes limits on the volume and quality of the discharge. As discussed in Chapter 4, Section 4.3.1.2, of the SWEIS, over the past 6 years, LANL has had a very good record of complying with permit conditions, which are set to protect health and safety. It is expected that LANL would continue to meet permit conditions designed to protect water resources under all alternatives. As described in Chapter 4, Section 4.3.2, past waste disposal practices at LANL (conducted in a manner consistent with standards in effect at that time) have contaminated the shallow groundwater, which in turn has the potential to contaminate portions of the regional aquifer under the Pajarito Plateau. As standards have evolved, waste disposal practices

Commentor No. 157 (cont'd): Linda Klosky

have also evolved to be more protective of the environment. As described in Chapter 5, Section 5.3.2.1, groundwater modeling performed for the Area G performance assessment indicates that groundwater ingestion doses 330 feet (100 meters) down gradient from Area G at 4,000 years and in Pajarito Canyon at 700 years would be a very small fraction of the 4 millirem per year standard for groundwater protection. NNSA is required to follow the Consent Order that stipulates that groundwater will be protected and that groundwater cleanup levels will be protective of human health. In addition, NNSA operates a monitoring program (described in Section 4.3.1.5) to detect contamination that has resulted from past practices. LANL staff evaluates and takes corrective action for occurrences of contamination in groundwater and surface waters in accordance with applicable regulations and agreements. NNSA intends to continue to safely manage waste and conduct environmental restoration activities at LANL as it carries out its missions. Refer to Section 2.5, Water Resources, of this CRD for more information.

No new nuclear weapons facilities are proposed under any of the alternatives evaluated in the SWEIS. NNSA completed 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) (DOE 2003c) in November 2003 and in February 2004 issued a Record of Decision announcing its decision to construct a new facility (69 FR 6967). This decision is included in the No Action Alternative and the Expanded Operations Alternative of this SWEIS. In January 2008, NNSA issued the *Draft Complex Transformation Supplemental Programmatic Environmental Impact Statement (Complex Transformation SPEIS)* (DOE/EIS-0236-S4) which evaluates the environmental impacts from the continued transformation of the nuclear weapons complex, referred to as Complex Transformation. The Reduced Operations Alternative in the Final SWEIS was revised to reflect continued use of the existing Chemistry and Metallurgy Research Building in the event that NNSA, in conjunction with its plans for Complex Transformation, decides not to construct the nuclear facility portion of the Chemistry and Metallurgy Research Replacement Facility. Refer to Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for more information.

Commentor No. 157 (cont'd): Linda Klosky

New construction at LANL is subject to existing DOE orders and standards for seismic concerns. Different construction requirements are imposed for new structures in accordance with site locations relative to known fault lines, and in accordance with the planned future use of the structure.

- 157-2** NNSA notes the commentor's preference that activities at LANL be focused on cleanup of the site and areas other than nuclear weapons technology. Stockpile stewardship capabilities at LANL are currently viewed by the United States as a means to further the Nation's nonproliferation objectives and are likely to remain important in future arms control negotiations as the Nation moves to further reduce its overall stockpile size. In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor, including nuclear nonproliferation. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

For many years, DOE has been working to implement and improve technologies for environmental restoration. Chapter 2, Section 2.2.6 describes the progress that NNSA has made in conducting its environmental restoration program at LANL. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Appendix I presents options and environmental analyses for conducting remediation activities at LANL, primarily related to the Consent Order that was entered into in March 2005. Appendix I also summarizes several technologies for cleanup of soil, water, and air, and references additional information about existing and emerging cleanup technologies. NNSA intends to implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

Commentor No. 158: Susan Dayton, Director,
Citizen Action New Mexico

From: Sue Dayton [mailto:sdayton@swcp.com]
Sent: Friday, September 15, 2006 2:46 PM
To: Withers, Elizabeth; LANL_SWEIS
Cc: dave@radfreenm.org
Subject: Comments for LANL SWEIS

September 15, 2006

Dear Ms. Withers:

Please accept for following editorial (below) as a comment to be added to the administrative record re: the LANL SWEIS.

The editorial published today in the Albuquerque Journal advocates the need for a public hearing in Albuquerque on the LANL SWEIS:

“Albuquerqueans deserve the chance to make their voices heard on an issue that has the potential to affect the environment they live in.”

Thank you.

Sincerely yours,

Susan Dayton, Director
Citizen Acton New Mexico
PO BOX 4276
Albuquerque, NM 87196-4276
(XXX) XXX-XXXX

.....
Albuquerque Journal
URL: <http://www.abqjournal.com/opinion/editorials/493097opinion09-15-06.htm>

Friday, September 15, 2006

City Deserves Hearing on Nuke-Trigger Plan .

Here's guessing that if there was suddenly going to be a lot more nuclear activity 60-some miles away, you would want to know about it. That if a national lab planned to quadruple the number of plutonium pits it produces and you lived downstream, you would want some answers and to maybe put your two cents in.

But, if you live in Albuquerque, you can't.

158-1

158-1 NNSA notes the commentor's desire for citizens of Albuquerque, New Mexico, to have an opportunity to comment on the Draft SWEIS at a public hearing. Although no public hearings were held in Albuquerque, other means of commenting on the Draft SWEIS were provided, such as U.S. mail, e-mail, a toll-free telephone line, and a toll-free fax line. It should be noted that all comments, whether written or provided orally, are given equal weight and consideration. See Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for additional information.

158-1
cont'd

Commentor No. 158 (cont'd): Susan Dayton, Director,
Citizen Action New Mexico

The U.S. Department of Energy's National Nuclear Security Administration hasn't scheduled a hearing in Albuquerque for comment on the Los Alamos National Laboratory Site-Wide Environmental Impact Statement.

That statement lays out plans to quadruple production of plutonium pits.

The lab has become the sole source for the hydrogen bomb triggers that used to be made at Rocky Flats, Colo. until contamination shut that DOE plant down.

Residents of Los Alamos, Española and Santa Fe got face time with officials to ask questions and express concerns. But the 650,000 or so Metro-area residents have gotten none. Despite a request from Citizen Action New Mexico to give Duke City folks the same consideration the 10,000 residents of Jackson Hole, Wyo., got for a hearing on the Idaho National Laboratory. Despite a letter Aug. 22 from Sen. Jeff Bingaman, D-N.M., requesting "every consideration to my constituents' request for a public hearing to be held in Albuquerque." Despite a letter from Attorney General Patricia Madrid saying "operations at LANL affect the entire state."

"Albuquerque is not only the state's largest population center (but) is in close proximity to LANL and directly downstream," Madrid wrote. "There is public interest in what, if any, direct or collateral consequences changed operations at LANL may have" on Sandia National Laboratory in Albuquerque.

And Albuquerqueans deserve the chance to make their voices heard on an issue that has the potential to affect the environment they live in.

***158-1
cont'd***

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Commentor No. 159: Hans

September 15, 2006

Yes,

I'm calling from Santa Fe. My name is Hans and I'm totally, and I mean totally, against more nuclear weapons.

We got enough s _ _ t (profanity) laying around, we don't know what to do with it. And Mr. Domenici, if you keep giving Los Alamos money, money, money and you need to get rid of him or use the money for good causes - medical research and what have you and also, you wonder why the world dislikes us with a passion? I can tell you. Because we tell other people they can't have this and this, and you have to do that and here we are building this poison and pollute the rest of the country.

Knock it off with the nuclear stuff!

|| 159-1

159-1 NNSA notes the commentor's opposition to nuclear weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 160: Christopher Doyle

September 15, 2006

Hi,

I'm calling about the plan to increase the amount of toxic and radioactive waste that would be generated by the expanded operations up there.

I am opposed to that and would like you to try to plan to reduce the amount of production and become an example for the world; for us to show how we can reduce the amount of this type of thing on our planet.

If you need to talk to me, my name is Christopher Doyle. My number is (XXX) XXX-XXXX.

Thank you.

160-1

160-1 Although a pollution prevention and waste minimization program has been instituted at LANL (see Chapter 4, Section 4.9, of the SWEIS), operation of LANL in support of its core missions will continue to generate waste, which is safely managed pending disposal. Refer to Section 2.7, Waste Management, of this CRD for more information. Note that much of waste projected for generation under the Expanded Operations Alternative would result from environmental restoration activities pursuant to possible regulatory decisions made by the New Mexico Environment Department. Generation of this environmental restoration waste is therefore uncertain.

Commentor No. 161: Jeff Hale

September 15, 2006

Hi,

My name is Jeff Hale. I am a resident of Santa Fe, New Mexico and I truly oppose what's going on at Los Alamos National Laboratories as far as Los Alamos quadrupling its pit production.

I oppose construction of new nuclear weapons facilities near earthquake fault lines and I oppose the labs continuing burial of radioactive and chemical waste in unlined dumps.

My phone number is (XXX) XXX-XXXX.

Thank you.

161-1

161-2

161-3

161-1 NNSA notes the commentor's opposition to increasing pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

161-2 NNSA notes the commentor's opposition to construction of new nuclear weapons facilities near faults. The SWEIS does not propose new nuclear weapons facilities under any of the alternatives. NNSA completed 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) (DOE 2003c) in November 2003, and in February 2004 issued a Record of Decision announcing its decision to construct a new facility (69 FR 6967). This decision is included in the No Action Alternative and the Expanded Operations Alternative of this SWEIS. On January 11, 2008, NNSA issued the *Draft Complex Transformation Supplemental Programmatic Environmental Impact Statement (Complex Transformation SPEIS)* (DOE/EIS-0236-S4) which evaluates the environmental impacts from the continued transformation of the nuclear weapons complex, referred to as Complex Transformation. The Reduced Operations Alternative in the Final SWEIS was revised to reflect continued use of the existing Chemistry and Metallurgy Research Building in the event that NNSA, in conjunction with its plans for Complex Transformation, decides not to construct the nuclear facility portion of the Chemistry and Metallurgy Research Replacement Facility. Refer to Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for more information.

New construction at LANL is subject to DOE orders and standards for seismic concerns. Different construction requirements are imposed for new structures in accordance with site locations relative to known fault lines, and in accordance with the planned future use of the structure.

161-3 NNSA notes the commentor's opposition to waste disposal in unlined pits at LANL. Except for low-level radioactive waste, all radioactive and chemical wastes generated at LANL are transported offsite for disposal in regulated disposal facilities authorized for the types of wastes each facility may receive. The future use of lined rather than unlined pits for low-level radioactive waste disposal is under evaluation through the Area G Performance Assessment and Composite Analysis required by DOE Order 435.1 that is periodically reviewed and updated. The Performance

Commentor No. 161 (cont'd): Jeff Hale

Assessment and Composite Analysis will guide decisions regarding operational procedures and waste disposal. This SWEIS considers impacts from the use of unlined pits as its No Action Alternative baseline; this impact analysis thereby bounds the long-term environmental consequences that could result from the use of lined disposal pits. Refer to Section 2.7, Waste Management, of this CRD for more information.

Commentor No. 162: Richard Arthur

September 16, 2006

Hi,

My name is Richard Arthur and I'm calling from Santa Fe, New Mexico. My number is (XXX) XXX-XXXX. I'm calling regarding the comments I'd like to make namely that I'm totally opposed to the expansion of plutonium pit production at LANL. The last thing we need is more nuclear bombs and more radioactive and toxic waste.

162-1

And I very strongly believe that the lab should prioritize renewable energy programs that can really benefit this country, instead of bringing the planet further towards destruction.

162-2

And of course we should prioritize the cleanup of existing waste which is still a huge problem with so much radioactive waste in unlined dumps.

So, please pay attention to these comments. It's very, very important. We care very, very much about what's happening and we don't need more nuclear bombs, please.

Thank you.

162-1 NNSA notes the commentor's opposition to increasing pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

162-2 NNSA notes the commentor's desire for activities at LANL to be focused on renewable energy programs and cleanup of the LANL site. In addition to LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program, research is conducted at LANL in renewable energy and other activities not related to nuclear weapons production. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Decisions about disposal of various wastes generated across the DOE complex were made following the *Programmatic EIS for Waste Management* (DOE/EIS-0200) (DOE 1997a). The programmatic EIS evaluated the impacts of various disposal options for radioactive and chemical wastes, and included the impacts of onsite disposal at LANL. Low-level radioactive waste is disposed of at LANL in a facility authorized for operation pursuant to DOE Order 435.1, and a decision to expand low-level radioactive waste disposal operations into Zones 4 and 6 of TA-54 at LANL was announced in the Record of Decision for the *1999 LANL SWEIS* (64 FR 50797). The future use of lined rather than unlined pits for low-level radioactive waste disposal is under evaluation through the Area G Performance Assessment and Composite Analysis required by DOE Order 435.1, that is periodically reviewed and updated. The Performance Assessment and Composite Analysis will guide decisions regarding operational procedures and waste disposal. The SWEIS considers impacts from the use of unlined pits as its No Action Alternative baseline. Refer to Sections 2.7, Waste Management, and 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

Chapter 2, Section 2.2.6, of the SWEIS describes the progress that NNSA has made in conducting its environmental restoration program at LANL. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made

Commentor No. 162 (cont'd): Richard Arthure

(and sites consolidated) such that only about 800 remain to be addressed. Appendix I of the SWEIS presents options and environmental analyses for conducting future remediation activities at LANL primarily related to the Consent Order that was entered into in March 2005. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

Commentor No. 163: Aleta Drumm

September 16, 2006

I would like to say that I oppose the increased toxic and radioactive waste generated by expanded operations, the continuing pollution of our precious water resources, continuing burial of radioactive and chemical waste in unlined dumps, the construction of nuclear weapons facilities near earthquake fault lines.

163-1

I believe that the history of safety violations compromises worker and public protection and should be corrected before the lab considers expanding nuclear weapons operations.

163-2

The lab should prioritize cleanup and development of improved cleanup technologies. It should prioritize renewable energy programs such as wind and solar energy instead of building more nuclear weapons.

163-3

I believe the United States should lead by example in global elimination of weapons of mass destruction. Los Alamos should support that need instead of designing and producing new nuclear weapons.

My name is Aleta Drumm. I reside in Santa Fe, New Mexico.

163-1 NNSA notes the commentor's opposition to the Expanded Operations Alternative. The environmental impacts of waste generation and disposal, and any impacts to water resources, are addressed in Chapter 5 of the SWEIS. Although waste generation would increase with the expanded operations, not all waste is disposed of at LANL. Chemical waste and radioactive mixed waste from LANL operations are sent offsite for treatment and disposal; transuranic waste is stored onsite until shipment to WIPP for disposal; and low-level radioactive waste is disposed of at Area G or offsite. Refer to Section 2.7, Waste Management, of this CRD for further information regarding the concerns related to waste management and disposal of low-level radioactive waste in unlined pits. None of the alternatives in the SWEIS proposes the construction of nuclear weapons facilities. Work performed at LANL and all new construction activities, however, are subject to DOE orders and standards for seismic concerns.

163-2 Chapter 4, Section 4.6.1, shows the radiation doses received over the past 10 years from LANL operations by the surrounding population and a hypothetical maximally exposed individual. The annual dose to the hypothetical maximally exposed individual has consistently been smaller than the 10-millirem radiation dose limit established for airborne emissions by the U.S. Environmental Protection Agency. The final LANL Public Health Assessment, issued on August 31, 2006, by the U.S. Department of Health and Human Services Agency for Toxic Substances and Disease Registry, reports that, "...there is no evidence of contamination from LANL that might be expected to result in ill health to the community," and that "...overall, cancer rates in the Los Alamos area are similar to cancer rates found in other communities" (ATSDR 2006).

163-3 NNSA notes the commentor's desire for activities at LANL to be focused on areas other than those related to nuclear weapons production, especially cleanup of the LANL site. Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. In addition to these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at

Commentor No. 163 (cont'd): Aleta Drumm

LANL regardless of the alternative selected. Chapter 2, Section 2.2.6, of the SWEIS describes the progress that NNSA has made in conducting its environmental restoration program at LANL. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Appendix I of the SWEIS presents options and environmental analyses for conducting future remediation activities at LANL primarily related to the Consent Order that was entered into in March 2005. Refer to Sections 2.3, Alternative Missions, and 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

Commentor No. 164: Barbara V. Mallery

September 17, 2006

It is immoral and dangerous to expand nuclear weapons production instead of working for renewable wind or solar energy. Ask your engineers to examine their consciences. || 164-1

Don't pollute our precious water supply. || 164-2

What happened to the United Nations idea of promoting a culture of peace and non-violence?

The message is from Barbara V. Mallery in Santa Fe, New Mexico. My phone number is (505) 983-6546.

Thank you.

164-1 NNSA notes the commentor's statements regarding pit production and the need to conduct research in the area of renewable energy. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information. Refer to Section 2.3, Alternative Missions, of this CRD for more information regarding non-weapons related activities at LANL.

164-2 NNSA shares the commentor's concern about pollution of water resources, and conducts operations at LANL accordingly. Effluents from LANL facilities are discharged in accordance with a National Pollutant Discharge Elimination System permit that establishes limits on the volume and quality of the discharge. As discussed in Chapter 4, Section 4.3.1.2, of the SWEIS over the past 6 years, LANL has a very good record of complying with permit conditions, which are set to protect health and safety. Under all alternatives, LANL would continue to meet permit conditions designed to protect water resources.

Current and future operations and waste disposal at LANL are and will continue to be conducted in compliance with applicable regulations. But as described in Chapter 4, Section 4.3.2, past LANL operations including waste disposal have contaminated the shallow groundwater that in turn has the potential to contaminate portions of the regional aquifer under the Pajarito Plateau. Past operations and waste disposal were conducted in a manner consistent with standards in effect at that time. As standards have evolved, operations and waste disposal practices have also evolved. As described in Chapter 2, Section 2.2.6, DOE is conducting an extensive program to remediate sites at LANL that are known or are suspected to be contaminated from past LANL operations. Remediation and cleanup are regulated by and coordinated between the New Mexico Environment Department and DOE.

In addition, NNSA operates a monitoring program (described in Chapter 4, Section 4.3.1.5) to detect contamination that may have resulted from past practices and current operations. LANL staff evaluates and takes corrective action for occurrences of contamination in groundwater and surface waters in accordance with applicable regulations and agreements. Refer to Section 2.5, Water Resources, of this CRD for more information.

Commentor No. 165: Trish Doherty

September 18, 2006

My name is Trish Doherty. I reside partially in New Mexico, and mostly I'm based right now in New York City, but I have a piece of land in Chimayo.

I am absolutely horrified that I even need to make this call. I am 100% against increasing plutonium pit production at the Los Alamos National Lab, in any form, in any way, for any reason.

There has already been found a radioactive plume in Dixon. Is that not enough for us to come to our senses of what we are doing? You have the power to destroy the world with your actions, and I am against it, and I have a right to have my voice heard.

It is absolutely unconscionable that we want to increase nuclear weapons production. There is completely no reason for that. Please, absolutely NO to increased weapons production at Los Alamos Labs. In fact, NO to any weapons production.

We can create jobs and other things in much more constructive and safe ways for our future.

Thank you. My number is (XXX) XXX-XXXX.

My address in New Mexico is P.O. Box 1, Chimayo, New Mexico 87522, and I'm at 285 Washington Avenue, Brooklyn, New York 11205 in New York City.

Thank you.

165-1

165-1 NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

165-2

165-2 It is assumed that this comment is in reference to a "plum", not a "plume". In May 2006, the New Mexico Environment Department reported detecting americium-241 above background levels in a single plum sample collected near Dixon. The New Mexico Environment Department data was subsequently examined by other scientists who concluded that this was likely a "false positive" result. Refer to Section 2.6, Offsite Contamination, of this CRD for more information.

165-1
cont'd

Commentor No. 166: Barbara

September 18, 2006

I strongly oppose expanded plutonium pit production at Los Alamos Nuclear Laboratory.

|| 166-1

My name is Barbara (last name not clear). I live in New York, New York.

I oppose the increased toxic and radioactive waste generated by expanded operations.

|| 166-1
cont'd

I oppose the labs continuing burial of radioactive and chemical wastes in unlined dumps.

|| 166-2

I oppose the construction of nuclear weapons facilities near earthquake fault lines.

|| 166-3

Thank you very much.

Barbara (last name not clear), New York, New York.

166-1 The commentor's opposition to expanded pit production and increased generation of waste is noted. Refer to Sections 2.1, Opposition to Nuclear Weapons and Pit Production, and Section 2.7, Waste Management, of this CRD for more information.

166-2 NNSA notes the commentor's opposition to waste disposal in unlined pits at LANL. Except for low-level radioactive waste, all radioactive and chemical wastes generated at LANL are transported offsite for disposal in regulated disposal facilities authorized for the types of wastes each facility may receive. The future use of lined rather than unlined pits for low-level radioactive waste disposal is under evaluation through the Area G Performance Assessment and Composite Analysis required by DOE Order 435.1 that is periodically reviewed and updated. The Performance Assessment and Composite Analysis will guide decisions regarding operational procedures and waste disposal. This SWEIS considers impacts from the use of unlined pits as its No Action Alternative baseline; this impact analysis thereby bounds the long-term environmental consequences that could result from the use of lined disposal pits. Refer to Section 2.7, Waste Management, of this CRD for more information.

166-3 NNSA notes the commentor's opposition to construction of nuclear facilities near faults. Work performed at LANL, and new construction there, are subject to DOE orders and standards for seismic concerns. Different construction requirements are imposed for new structures in accordance with the site locations relative to known fault lines, and in accordance with the planned future use of the structure.

Commentor No. 167: Dorothy Pearl

September 19, 2006

My name is Dorothy Pearl. I live in Santa Fe, and I am completely opposed to this new plan to produce more plutonium at Los Alamos Lab.

I think you're endangering the community - the surrounding areas. I think at a time when we should be putting our efforts and resources into solar power, wind power - there are so many other avenues we could proceed down.

I think that this is a misguided step and I think we are endangering the citizens all around Los Alamos Laboratory especially at a time of terrorism. I mean, who knows, maybe it would make it a target just because they would know about the plutonium.

I just think it's a...I'm just very opposed to it.

Thank you.

167-1

167-2

167-1 NNSA notes the commentor's opposition to activities related to nuclear weapons production and concerns for the safety of the surrounding community. Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. In addition to these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information. Chapter 5 of the SWEIS evaluates the potential environmental and health and safety impacts of continued operation of LANL for the three proposed alternatives. These analyses demonstrate that LANL can continue to operate safely under any of the three alternatives.

167-2 NNSA notes the commentor's opposition to plutonium operations at LANL. Plutonium research and pit production at the levels analyzed in the SWEIS is a continuation of the mission work assigned to LANL based on decisions following the preparation of the *Final Programmatic Environmental Impact Statement for Stockpile Stewardship and Management* (DOE/EIS-0236) (DOE 1996). Refer to 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information. With regard to terrorism, DOE gives high priority to the safety and security of all its facilities. Security and potential acts of sabotage are integral considerations in the designs and operating procedures for new and existing DOE facilities. DOE considers the threat of terrorist attack to be real and has established safeguards and security processes to assess facility vulnerabilities to various threats, including those from intentional destructive acts such as acts of terrorism. Chapter 4, Section 4.6, of the SWEIS has been revised to include additional discussion of the measures taken to protect assets at LANL from terrorist activities. As discussed in Chapter 5, Section 5.12.6, the impacts of terrorist action have been considered in a separate, classified appendix to the SWEIS.

Commentor No. 168: Matt Richter

Dear Ms. Withers

Alongside many other New Mexicans I too oppose expanding plutonium production at Los Alamos.

For years, (since the beginning of nuclear technology) New Mexico has hosted this burden.

Why is it that with so many here devoted to sustainable courses, the scientific community is still focused on nuclear development?

I strongly implore you to consider that our brightest minds and our most advanced technology could be used to develop more ecofriendly energy solutions. As a culture, and a society Los Alamos Labs is a valuable resource. This resource does not belong to the power hungry or the greedy. I am aware of the significant amount of energy available from plutonium, whether for war or for peace the power of this element is undeniable. However so is the destructive nature associated with processing and utilizing plutonium.

Once again the capabilities at Los Alamos do not belong to a select few. It is a serious violation of the public to not fully consider their interest in this matter. It is foreseeable that the labs at Los Alamos could be used for other ideals that do not increase

168-1

168-1 NNSA notes the commentor's opposition to expanding pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

168-2

168-2 Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. In addition to these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Please refer to Section 2.3, Alternative Missions, of this CRD for more information.

168-2

Commentor No. 168 (cont'd): Matt Righter

the threat of war & carnage in an unstable world.

If peace is our goal then our most valuable and advanced resources should be utilized in a manner that reflects that. No exceptions! Otherwise we will continue to progress in fear of ourselves and those around us. We cannot ask for peace and prepare for war, and expect a unified result.

I hope your listening.

-Sincerely

Matt Righter

paint4paths@yahoo.com

9/5/06

Comment side of this page intentionally left blank.

Commentor No. 169: Donal S. Kinney, CPA

Dear Ms. Withers,

9/11/06

As a citizen who lived in Colorado for six years while Rocky Flats was in operation, and ~~the~~ who has followed the cleanup process of that site, I have some familiarity with the potential impact of plutonium pit manufacture on surrounding communities. Please, do not expand the production of plutonium pits in Los Alamos, and move current operations generating hazardous waste to a more appropriate facility.

I am concerned with potential seismic activity, water borne pollution, and air emissions. I am especially concerned with the hazards posed by cleanup, both cleanup of legacy waste and cleanup of new waste.

Los Alamos is within ten miles (as the crow flies) of the state capital, it is upstream of the majority of New Mexico's population. It is in close proximity to both native and traditional hispanic communities, which provide the area with unique cultural and socio-economic diversity.

This is an area of uncalculable value, but also an impoverished area largely lacking the resources to stand up to the prejudice that is inherent (over)

169-1

169-1

NNSA notes the commentor's opposition to expansion of the production of plutonium pits at LANL and the request to move current operations generating hazardous waste to a more appropriate facility. As discussed in Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD, production of plutonium pits at LANL is consistent with past NEPA analyses and decisions. Chapter 5 of the SWEIS addresses the environmental impacts that could result from LANL operations considering all SWEIS alternatives, including impacts associated with discharges to water, air emissions, waste management, and environmental cleanup. LANL operations are in compliance with the regulations for protection of public health and the environment. Based on the SWEIS analyses, LANL can continue to operate safely and be in compliance under all alternatives evaluated in the SWEIS, including the Expanded Operations Alternative. Refer to Sections 2.6, Offsite Contamination, and 2.7, Waste Management, of this CRD for more information related to the concerns raised in this comment.

Commentor No. 169 (cont'd): Donal S. Kinney, CPA

in placing this facility in Northern New Mexico.

I have read a number of Los Alamos National Laboratory Environmental Impact Statements, and understand that they boil down to the judgement that Los Alamos has already been compromised, so additional waste has less marginal impact than elsewhere.

I do not accept this argument. There are far more appropriate places to undertake this activity, away from rivers, population centers, cultural centers, and in areas of less scenic beauty.

Please protect the people of Northern New Mexico, by moving dangerous operations elsewhere.

Donal S. Kinney, CPA
PO Box 458
Dixon, NM 87527

169-2

169-2 Decisions on the disposal of various wastes generated across the DOE complex were made through the *Final Waste Management Programmatic Environmental Impact Statement for Managing Treatment, Storage, and Disposal of Radioactive and Hazardous Waste* (DOE/EIS-0200) (DOE 1997a). DOE determined that low-level radioactive waste generated at LANL would be disposed of at LANL and at two regional facilities (Hanford and the Nevada Test Site), along with the continuing option of disposal at commercial facilities (65 FR 10061). Onsite disposal of low-level radioactive waste is under evaluation through the Area G Performance Assessment and Composite Analysis required by DOE Order 435.1 that is periodically reviewed and updated. The Performance Assessment and Composite Analysis will guide decisions regarding operational procedures and waste disposal. Hazardous waste, mixed low-level radioactive waste, and transuranic waste are disposed of at permitted facilities away from the LANL site. Refer to Section 2.7, Waste Management, of this CRD for more information.

Commentor No. 170: Deborah Binnion

Dear Ms Withers,

I, Deborah Binnion, am opposed to the proposed Expanded Operations at Los Alamos National Laboratory. Plutonium bomb factories do not make good neighbors. They pollute our air and water. They pollute our land.

I demand a Green Alternative for the Laboratory that will provide Non-Nuclear alternative energy that will address issues a global warming and will clean up Department of Energy pollution to the Superfund Cleanup Standard.

Sincerely,

Deborah Binnion

dbinnion@hotmail.com

9/65/06

170-1

170-1 NNSA notes the commentor's opposition to the proposed Expanded Operations Alternative at LANL. Chapter 5 of the SWEIS addresses the impacts of LANL operations, including increasing plutonium pit production, on air, water, and soils. LANL operations are in compliance with the regulations for protection of public health and the environment, and, based on the SWEIS analyses, would continue to be in compliance under all alternatives evaluated in the SWEIS including the Expanded Operations Alternative.

170-2

170-2 Chapter 3, Section 3.5, of the SWEIS provides a discussion of NNSA's consideration of, and decision to not analyze, a "Greener Alternative" in the SWEIS. A "Greener Alternative" was analyzed in the 1999 SWEIS but was not selected for implementation. NNSA does not believe, seven years later, that a "Greener Alternative" is reasonable for the future operation of LANL to meet its primary mission of supporting the Stockpile Stewardship Program as directed by the Congress and the President, and has identified the Expanded Operations Alternative as its Preferred Alternative. In addition to LANL's Stockpile Stewardship activities, research is conducted in areas promoted by the commentor. These activities would continue at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Decisions about environmental restoration will be made in accordance with established regulatory standards and processes, including those of the New Mexico Environment Department for the Consent Order, and of DOE. To arrive at a decision about remediating a contaminated site, several alternative remedies may be considered such as containment in place, treatment, or removal. Any remedy selected for a site requiring environmental restoration must be protective of human health and the environment, and attain applicable cleanup standards including those for ground and surface waters and soil. If a site is to remain under DOE ownership, cleanup standards commensurate with a restricted type of land use may be used, provided that offsite areas are protected. If the site is to be released for unrestricted access by the public, then the site would need to meet cleanup standards for unrestricted access. Decisions about cleanup of sites subject to the Consent Order will be made by the New Mexico Environment Department in accordance with cleanup and screening levels documented in Section VIII of the Consent Order. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

Commentor No. 171: Keith McHenry

Keith McHenry
PO Box 424
Arroyo Seco, NM 87514

I do not want any more bomb
making in New Mexico, please
convert to non weapons development.
we don't want any more nuclear
anything.

Thanks
K McHenry

171-1

171-1 NNSA notes the commentor's opposition to nuclear weapons production and nuclear technology. Besides supporting core missions related to maintaining the Nation's nuclear weapons stockpile, LANL currently supports research in other areas such as environmental remediation, climate change, renewable energy, and other areas of national importance. Refer to Section 2.3, Alternative Missions, of this CRD for more information regarding non-weapons related activities at LANL.

Commentor No. 172: Sheena Cameron

Dear Ms. Withers,

I strongly oppose the proposed expansion of plutonium pit production at LANL.

I support a Green non-nuclear alternative. Please - we can do something with clean technology using renewable technology. There are great winds at LANL. Why not use them for positive purposes doing something that is sustainable.

I am a long time acting member of the New Mexico Multiple Chemical Sensitivity Task Force. In this position I have spoken with hundreds and hundreds of people in New Mexico who have been injured by chemicals and ill thought out government policies. People are becoming disabled from toxins (usually a collection of insults from many sources over many years) at an alarming rate. If policy makers have no compassion for these people with ruined lives then consider the impact on society. For every disabled person 10 or others are profoundly affected. Untold #'s are also affected - no work - neighbors - community. People go from tax payers and contributors to society in countless ways to people who require the services

172-1

172-1

NNSA notes the commentor's opposition to plutonium pit production at LANL, and support of a green, non-nuclear alternative for LANL operations. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information. In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information. NNSA agrees with the commentor's statement that we must all be good stewards of the natural and cultural resources of the land. To that end, LANL has developed an Environmental Management System by which to conduct operations at LANL in accordance with DOE Order 450.1, "Environmental Protection Program."

Commentor No. 172 (cont'd): Sheena Cameron

of other people (preventing them from contributing to society). And as you must know we have very poor health care in this country.

Also we must be stewards of this beautiful land of New Mexico. LANL has polluted it enough.

Stop this madness and greed

Sheena Cameron

SheenaCameron

rare-earth@cybermesa.com

8/30/06

172-1
cont'd

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Commentor No. 173: Felicia White

I am opposed to expanding
operations at LANL !!
I support a more human-friendly
peaceful approach to solving
our wars.

Felicia White
verdele@yahoo.com

Felicia White 9/5/06

173-1

173-1 NNSA notes the commentor's opposition to implementing the Expanded Operations Alternative at LANL.

Commentor No. 174: Mark K. Dilg

08-30-2006

DEAR MS WITHERS;

MY NAME IS MARK DILG. I AM A RESIDENT OF DIXON AND A GENERAL CONTRACTOR. THIS LETTER IS TO EXPRESS MY CONCERN OVER PROPOSALS TO EXPAND PLUTONIUM PIT PRODUCTION. WE SHOULD BE MAKING CLEANUP A PRIORITY NOT BUILDING UP PIT PRODUCTION, CREATING HUGE AMOUNTS OF CHEMICAL, RADIOACTIVE, AND MORE TOXIC PLUTONIUM BE STORED IN LOS ALAMOS. THE AMOUNT ^{OF WATER} NEEDED AND POTENTIAL FOR WATER CONTAMINATION FROM SUCH PROJECTS IS NOT ACCEPTABLE. WATER IS A PRECIOUS TREASURE IN A DESERT CLIMATE, MORE IMPORTANT THAN INCREASED PRODUCTION OF ANYTHING TO DO WITH PRODUCTION. THANK YOU FOR YOUR CONSIDERATION.

SINCERELY,

Mark K. Dilg

MARK K. DILG

Box 251

DIXON, NM 85527

174-1

174-2

174-1
cont'd

174-1 NNSA notes the commentor's concern about proposals to expand plutonium pit production and the request to make cleanup a priority at LANL. As discussed in Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD, cleanup of past contamination is a priority at LANL. Appendix I of the SWEIS provides a detailed analysis of the environmental impacts of MDA remediation, canyon cleanups, and other actions that are taking place at LANL under the terms of the Consent Order entered into by the State of New Mexico, DOE, and the University of California. These impacts are included in the description of impacts of the Expanded Operations Alternative in Chapter 5. NNSA is aware that water is a scarce resource in New Mexico's desert climate. Chapter 5 of the SWEIS analyzes the impacts of all three alternatives on surface and groundwater and in terms of the amount of water needed to support each alternative. The impacts are expected to be minor, except that there would be long-term positive impacts due to environmental remediation. Refer to Sections 2.6, Offsite Contamination, and 2.8, Water Use, of this CRD for more information.

174-2 NNSA notes the commentor's concern about the amount of water needed for pit production. As stated in Chapter 5, Section 5.8.2.3, of the SWEIS, increased pit production at TA-55 under the Expanded Operations Alternative would entail a relatively minor increase in LANL infrastructure requirements, including water, because existing Plutonium Facility Complex operations currently constitute a relatively small percentage of LANL's total demands. The single largest contributors to total LANL water use are LANSCE and the Nicholas C. Metropolis Center for Modeling and Simulation, whose operations are not directly related to pit production. LANL's projected water demands under the Expanded Operations Alternative would remain within LANL's water use target ceiling of 542 million gallons (2,050 million liters) per year. Refer to Section 2.8, Water Use, of this CRD for more information on LANL's water use, available water rights, and water supply planning.

Commentor No. 175: Jeanne Treadway

8-30-06

Dear Ms Withers:

I appreciate receiving a copy of the SWES. I am profoundly distressed that several key environmental issues were overlooked. I refer specifically to:

- the exorbitant use of water - this is a well known fr. drought.
- radiation leakage - no matter how you store it, the stuff is toxic for generations and always leaks or leeches into soil and water

175-1

175-1 NNSA notes the commentor's concerns regarding water use by LANL. Refer to Section 2.8, Water Use, of this CRD for more information on LANL's water use, available water rights, and water supply planning.

175-2

175-2 Confinement of radioactive material and mitigation to avoid, minimize, reduce, or eliminate any impacts to the public and the environment are paramount to operation at LANL. Chapter 5, Section 5.14, describes existing, planned, and considered mitigation measures to prevent or minimize any leakage of radioactive material to the environment including the Groundwater Protection Management Program. Extensive monitoring for radioisotopes and chemicals in groundwater, surface water, sediment, and soils in and around LANL, as described in Appendix F, is used to confirm the efficacy of mitigation measures in protecting the environment. The results of this monitoring program are published annually in LANL's Annual Environmental Surveillance Reports.

I would really appreciate your consideration of these issues - bring consideration.

Sincerely
Jeanne Treadway

JEANNE TREADWAY
PO Box 457
DIXON 87527

Commentor No. 176: Dan and Barbara Pollock

05/30/06

To: Elizabeth Withers

From: DAN + Barbara Pollock

Subject: LANL expansion of Plutonium Storage

Ms. Withers,

With respect to the proposal to expand Nuclear waste storage at LANL, We are firmly opposed to the proposal to dispose Nuclear waste at LANL.

As New Mexico residents we are concerned about accidental releases of Plutonium into the community in which we live (we are residents of Dixon NM)

Thank you for your consideration,

Dan + Barbara Pollock

P.O. Box 297

DIXON NM 87527

176-1

176-1

NNSA notes the commentor's opposition to disposing of nuclear waste at LANL. Decisions on the disposal of various wastes generated across the DOE complex were made through the *Final Waste Management Programmatic Environmental Impact Statement for Managing Treatment, Storage, and Disposal of Radioactive and Hazardous Waste* (DOE/EIS-0200) (DOE 1997a). DOE determined that low-level radioactive waste generated at LANL would be disposed of at LANL and at two regional facilities (Hanford and the Nevada Test Site), along with the continuing option of disposal at commercial facilities (65 FR 10061). As a result, low-level radioactive waste generated by LANL operations is disposed of in onsite and offsite facilities. Mixed low-level radioactive waste and transuranic waste are disposed of offsite at permitted facilities. Refer to Section 2.7, Waste Management, of this CRD for more information.

176-2

176-2

NNSA notes the commentors' concern regarding accidental releases of plutonium. The Los Alamos Site Office Safety Authorization Basis Team assures the development and approval of adequate controls in support of operations at LANL in a safe manner. All LANL facility operations are based on authorization and approval by NNSA from evaluation of the acceptability of existing relevant safety documentation. Refer to Section 2.6, Offsite Contamination, of this CRD for more information regarding concerns about environmental contamination.

Commentor No. 177: Thea Spaeth

August 30, 2006
US Dept. of Energy
National Nuclear Security Admin.
Los Alamos Site Office
Attn: Ms. Elizabeth Withers
Office of Environmental Stewardship

528th 35th Street.
Los Alamos, NM 87544

love

I would
to talk
I
call me

I am a resident downwind of Los Alamos Laboratories.
Every day in the news it seems that someone somewhere
is a victim of Terrorism. Some days when the planes
fly low over my village I think "oh God, this is it,
They are bombing Los Alamos." Am I ready? Will I or my
children, my husband survive? How sick will ~~they~~ ^{we} get?
How will we eat, grow food, find clean water?"

HCR 65 Box 86
D. Sarcq, NM 87521
11

All of this happens in a flash, but it keeps me up
at night and worries me as I plan my life, my future.
I wish that Los Alamos would close down not expand.
I wish that Los Alamos employees and community residents
would come to understand that they produce terror.
Plutonium Pits are engines of Terror. Those who encourage
their production and use are agents of Terror. I am
terrorized by the idea that I live downwind of
a monster.

|| 177-1

Thank you,
Thea Spaeth

To have peace, we must act peaceful to each other.
Peace starts at home; In my home, my community my
state, my country.

I try to envision a United States that uses it engineers
to create a new beautiful reality. to create ~~a~~ ways
of keeping our comfortable way of life and keep our
earth from overheating, drying up and losing life.

|| 177-1
cont'd

The expansion of New Mexico Pit Production is Not
what I want for my children or my life. God has said
do unto others as you would have them do unto you.
Would you want others to be planning this?

177-1 NNSA notes the commentor's opposition to LANL operations and expanding pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 178: Kalia and Gregory Dixen

August 30th
Dear Ms. Withers

Do not make Bombs!!!!!!

178-1

Sincerely Kalia
Gregory

Dixen

178-1 NNSA notes the commentor's opposition to nuclear weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 179: Mark Lind

8-30-06

Dear Mrs. Withers

I strongly oppose plutonium
pit production at LANL.

179-1

I grew up in Boulder, Colo;
my father worked at Rocky Flats
and lat Rifle Colo. - he has
passed in part due to complications
and cancer.

We do not need anymore
of this endangerment - Please.

Please no pits @ LANL

179-1
cont'd

or future bombing in our state.

Thank You.

Sincerely.

Mark Lind

POB 544

Dixon, NM 87527

() -

179-1

NNSA notes the commentor's opposition to pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 180: Cheryl Martinez

Dear Ms. Withers:

please help us have a safe
environment, and help us keep
it safe, clean, and something
we can be very proud of.

Cheryl Martinez

P.O. Box 352
Allexon, NM. 87527

8-30-06

180-1

180-1 LANL operations are in compliance with Federal and State regulations for protection of human health and the environment, and, as shown in Chapter 5 of the SWEIS, would be expected to remain in compliance under all of the alternatives being considered. Chapter 5 describes the impacts for each resource area and Section 5.14 presents mitigation actions to address potential adverse effects.

Commentor No. 181: Hallie Hayden

8-30-06

Dear Ms. Witters,

I strongly oppose expanded plutonium pit production at Los Alamos National Laboratory. I consider this production to be extremely immoral. LANL can be used for peaceful purposes that are of benefit to the community surrounding area and the Nation.

Hallie Hayden

PO Box # 592

Solon, NM 87527

8-30-06

181-1

181-1

NNSA notes the commentor's opposition to expanding pit production and support for the use of LANL for other purposes. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information. Besides supporting core missions related to maintaining the Nation's nuclear weapons stockpile, LANL currently supports research in other areas of national importance. Refer to Section 2.3, Alternative Missions, of this CRD for more information regarding non-weapons related activities at LANL.

Commentor No. 182: Nora Drosin

August 30, 2006

Dear Ms. Withers

I strongly oppose expanded plutonium pit production at Los Alamos National Laboratory (LANL). Quadrupling pit production will turn The LANL into a radioactive storage and waste dump facility, and a BOMB FACTORY.

NO BOMB FACTORY IN MY BACKYARD
OR ANYWHERE!

We demand a Green, non-nuclear Alternative that solely addresses climate change, renewable energy & clean-up technology that restores environmental vitality to nuclear & non-nuclear industry devastated areas.

NORA DROSIN

117 WAVECREST Ave
Vance, CA 90291

182-1

182-1 NNSA notes the commentor's opposition to expanded plutonium pit production. Chapter 5 of the SWEIS addresses the impacts of LANL operations, including increasing plutonium pit production to up to 80 pits per year, on waste management. The SWEIS evaluation determined that waste associated with increased plutonium pit production could be managed within the waste management system without detrimental impacts on the environment.

182-2

182-2 Chapter 3, Section 3.5, of the SWEIS provides a discussion of NNSA's consideration of, and decision to not analyze, a "Greener Alternative" in the SWEIS. A "Greener Alternative" was analyzed in the 1999 SWEIS but was not selected for implementation. NNSA does not believe, seven years later, that a "Greener Alternative" is reasonable for the future operation of LANL to meet its mission as directed by the Congress and the President, and has identified the Expanded Operations Alternative as its Preferred Alternative. In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 183: Felicity Fonsera

August 30, 2006

Dear Ms. Withers,

I am commenting on the SWEIS.

I oppose expanded plutonium pit production at LANL. We don't need more bombs in our world.

We don't need plutonium pit production in the watershed above New Mexico's main river. Or near the oldest indigenous pueblos, continuously inhabited, in the U.S.

I support a new mission for LANL, one that focuses on sustainable technology and clean energy. We need science that protects our environment, not destroys it.

Sincerely,

Felicity Fonsera

PO Box 548

Dixie, NM 87527

183-1

183-1

NNSA notes the commentor's opposition to expanded pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information. LANL operations are in compliance with Federal and State regulations for protection of human health and the environment, and, as shown in Chapter 5, would be expected to remain in compliance under all of the alternatives, including the Expanded Operations Alternative. Chapter 5 addresses the environmental impacts, including impacts on water resources and cultural resources, of plutonium pit production and Section 5.14 presents mitigation actions to address potential adverse effects.

183-2

183-2

NNSA notes the commentor's desire for a new mission at LANL to be focused on areas other than those related to nuclear weapons production. Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. In addition to these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 184: Marilyn Abesir

8-30-06

Ms Withers

I oppose any weapon facilities, Their
condemnation, waste, and attitudes of offense
are morally wrong.

Marilyn Abesir
P.O. Box 179
The NM 87571

184-1

184-1 NNSA notes the commentor's opposition to weapons facilities. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 185: Jane Podberg

Dear Ms. Wickers,

I was so disappointed to learn that Los Alamos Labs are being privatized.

This is just the wrong thing to do. Businesses are oriented toward "bottom line" goals... and selling more, etc. In this field, I feel strongly that we should not be increasing production. Bombs involving Radio active materials are not in the best interest of life on our sweet planet. We're going in the wrong direction.

Please stand strong for reduction of this whole idea and in the meantime, handle everything with utmost care.

Jane Podberg
10 Box 550
Dixon NM 87527

30 Aug. 2006

185-1

185-1 Operation of LANL has not been privatized. In June 2006, however, the organization responsible for the management and operation of LANL changed from the University of California to Los Alamos National Security, LLC, a limited liability corporation which includes the University of California along with Bechtel, BWXT Technologies, and the Washington Group.

185-2

185-2 NNSA notes the commentor's concerns regarding pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 186: Elizabeth Carson

Dear Ms. Withers,

I strongly oppose expanded plutonium pit production at Los Alamos National Laboratory (LANL). Quadrupling pit production will turn the LANL into a radioactive storage and waste dump facility, and a BOMB FACTORY.

No Bomb Factory in my backyard or anywhere!

We demand a Green, non-nuclear Alternative that solidly addresses climate change, renewable energy and clean-up technology that can restore environmental vitality to nuclear and non-nuclear industry devastated areas.

Elizabeth Carson
P.O. Box 432 Dixon, NM 87527
eliza-halia@hotmail.com

Elizabeth Carson 8/30/06

186-1

186-1 NNSA notes the commentor's opposition to expanded plutonium pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for further information.

186-2

Chapter 3, Section 3.5, of the SWEIS provides a discussion of NNSA's consideration of, and decision to not analyze, a "Greener Alternative" in the SWEIS. A "Greener Alternative" was analyzed in the 1999 SWEIS but was not selected for implementation. NNSA does not believe, seven years later, that a "Greener Alternative" is reasonable for the future operation of LANL to meet its mission as directed by the Congress and the President, and has identified the Expanded Operations Alternative as its Preferred Alternative. In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

186-2

Commentor No. 187: Jay Zeiger

August 30, 2006

Dear Ms. Withers,

I am a teacher and have 2 children. ^{Expanded} Plutonium production will devastate our environment. It will pollute our water, air and our land.

Please - No Bomb factory here or anywhere. Most of us are against war + believe in negotiations to solve problems.

Thanks for reading this!
Jay Zeiger - Jay Zeiger
39 CRE 117A
Santa Fe, NM 87506

187-1

187-1

NNSA notes the commentor's opposition to increased plutonium production. Plutonium is not produced at LANL. The Expanded Operations Alternative in the SWEIS evaluates an increase in plutonium pit production at LANL. Chapter 5 of the SWEIS addresses the impacts of LANL operations, including proposed increased pit production, on water, air and soils. The SWEIS analyses found that increased plutonium pit production would not result in any major impacts on the environment. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 188: Paul J. Sowanick

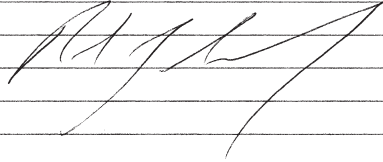
8/30/05

Ms. WITKOS,

NO, NO, NO. A THOUSAND TIMES
NO. NIMBY - NIMBY NIMBY
I OPPOSE THIS PLAN ON ALL GROUNDS
MORAL, ETHICAL, SPIRITUAL

I WILL BECOME MORE THAN A
PROTESTOR IF YOU TRY TO DRIVE THIS
POISONOUS COLLECTIVE THREATS

PAUL J. SOWANICK
PO Box 543
Dixon, NM 87527



188-1

188-1 NNSA notes the commentor's opposition. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 189: Jodie Arellano

30 AUGUST 2002

Dear Ms. Withers

I strenly oppose expanded plutonium pit production at Los Alamos National Laboratory (LANL). Myself and my family DO NOT want a bomb factory in New Mexico or anywhere.

189-1

189-1 NNSA notes the commentor's opposition to expanding pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

We want a Green, non-nuclear alternatives to address climate change renewable energy and clean-up technology that can restore environmental vitality to nuclear and non-nuclear industry devastated areas

189-2

189-2 Chapter 3, Section 3.5, of the SWEIS provides a discussion of NNSA's consideration of, and decision to not analyze, a "Greener Alternative" in the SWEIS. A "Greener Alternative" was analyzed in the 1999 SWEIS but was not selected for implementation. NNSA does not believe, seven years later, that a "Greener Alternative" is reasonable for the future operation of LANL to meet its mission as directed by the Congress and the President, and has identified the Expanded Operations Alternative as its Preferred Alternative. In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

I don't want my child to suffer from stupid decisions. What an earth are we leaving our children?

Jodie Arellano
P.O. Box 516
Dixon, NM 87527
jodie.arellano

Commentor No. 190: Carol Macomber

Dear Ms. Withers

I and my neighbors would like a green alternative. Common sense requires us all to consider a sound safe future for us all.

Carol Macomber
PO Box 393
Dixon, N.M.

August 30, 2006

190-1

190-1 Chapter 3, Section 3.5, of the SWEIS provides a discussion of NNSA's consideration of, and decision to not analyze, a "Greener Alternative" in the SWEIS. A "Greener Alternative" was analyzed in the 1999 SWEIS but was not selected for implementation. NNSA does not believe, seven years later, that a "Greener Alternative" is reasonable for the future operation of LANL to meet its mission as directed by the Congress and the President, and has identified the Expanded Operations Alternative as its Preferred Alternative. In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 191: Jeff Spicer

DEAR MS. WITHERS

I JEFF SPICER AM UNITED WITH MY NEIGHBORS
IN RIO ARriba COUNTY AND NORTHERN NEW MEXICO
IN OPPOSING THE PROPOSED EXPANDED OPERATIONS
AT LOS ALAMOS NATIONAL LABORATORY.

191-1

191-1 NNSA notes the commentor's objection to the Expanded Operations Alternative.

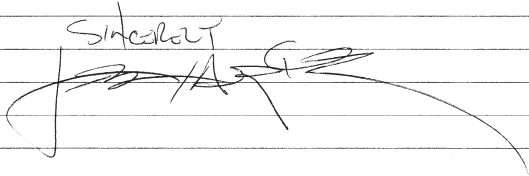
I FULLY SUPPORT A TRANSITION FROM WEAPONS
PRODUCTION TO A MORE ENVIRONMENTALLY SUSTAINABLE
OBJECTIVE OF THE FACILITY AT LOS ALAMOS.

191-2

191-2 NNSA notes the commentor's desire for activities at LANL to be focused on areas other than those related to nuclear weapons production. Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. In addition to these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

I COULD GO ON AND ON, BUT I'M SURE YOU
GET THE GIST.

THANKS FOR YOUR PROMPT
ATTENTION TO THIS MATTER.

Sincerely


Commentor No. 192: Joseph Ciddio

6:20 PM 8-30-06
DIXON NM

Dear Mr. Wether

I strongly oppose the expansion of the
Plutonium Pit Production at Los Alamos
National Laboratory. This increase will
take things to a level that in all
ways detrimental to the land, people and
all aspects of environment. At this time
the labs are not able to properly take care
of what is on the plate. I have no
confidence that they (LANL) can take proper
care of an expansion.

Joseph Ciddio
PO Box-100
Dixon - NM - 87527

Aug. 30, 2006

192-1

192-1

NNSA notes the commentor's opposition to expanded pit production at LANL. Chapter 5 of the SWEIS evaluates the potential environmental, health and safety impacts of continued operation of LANL under the three proposed alternatives. These analyses demonstrate that LANL can continue to operate safely under any of the three alternatives, including the Expanded Operations Alternative, which proposes an increase in the pit production rate.

192-2

192-1
cont'd

192-2

NNSA notes the commentor's opposition to increased plutonium pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information related to this concern. LANL operations are in compliance with the regulations for protection of public health and the environment, and, based on the SWEIS analyses, would continue to be in compliance under all alternatives evaluated in the SWEIS.

Commentor No. 193: Steven Tejse

8/24/06

Mr. Wilkins
 We need to stop manufacturing
 more plutonium pits.
 Our energy should be on
 peace and put an end to
 war.
 I am united with my
 neighbors and feel very strong
 with this issue

Steven Tejse
 Dixon, NM 87527

193-1

193-1 NNSA notes the commentor's opposition to pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 194: Linda Griffith

AUGUST 30, 2006

DEAR Ms. WITHERS -

I, LINDA GRIFFITH, AM UNITED WITH MY NEIGHBORS IN OPPOSITION TO THE PROPOSED EXPANDED OPERATIONS AT LOS ALAMOS NATIONAL LABS.

WE HAVE ALREADY SEEM EFFECTS OF THE POLLUTION IN OUR AREA & WE DO NOT NEED ANY MORE POLLUTION IN OUR DAILY LIVES !!

WE WANT A GREEN ALTERNATIVE FOR THE LABORATORY THAT WILL PROVIDE NON-NUCLEAR ALTERNATIVE ENERGY THAT WILL ADDRESS ISSUES OF GLOBAL WARMING.

LINDA GRIFFITH
P.O. Box 221
DIXON, NM 87527
momasita@cybermesa.com

194-1

194-1

NNSA notes the commentor's opposition to implementing the proposed Expanded Operations Alternative at LANL, the desire to see a non-nuclear alternative mission at LANL that addresses issues of global warming, and concerns about pollution. Chapter 3, Section 3.5, of the SWEIS provides a discussion of NNSA's consideration of, and decision to not analyze, a "Greener Alternative" in the SWEIS. A "Greener Alternative" was analyzed in the 1999 SWEIS but was not selected for implementation. NNSA does not believe, seven years later, that a "Greener Alternative" is reasonable for the future operation of LANL to meet its mission as directed by the Congress and the President and has identified the Expanded Operations Alternative as its Preferred Alternative. In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, and 2.3, Alternative Missions, of this CRD for more information. LANL operations are in compliance with the regulations for protection of public health and the environment, and, based on the SWEIS analyses, would continue to be in compliance under all alternatives evaluated in the SWEIS.

Commentor No. 195: Ivan Archuleta

Dear Mr. Withers,

I strongly oppose expanded
Plutonium pit production at Los Alamos
National Laboratory. Quadrupling pit production
will turn into a radioactive waste dump.
I don't want a bomb factory in my back
yard.

Yours Truly,

Ivan Archuleta

P.O. Box 55

Date August 30, 2006 Embudo, New Mexico 87531

195-1

195-1

NNSA notes the commentor's opposition to pit production at LANL. The purpose for continued operation of LANL is to support NNSA's core missions as directed by the Congress and the President, which includes ensuring a safe and reliable nuclear stockpile. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information. The environmental impacts of waste generation and disposal are addressed in Chapter 5 of the SWEIS. Although increased waste generation would occur as a result of expanded pit production, not all waste would be disposed of at LANL. Chemical waste and mixed low-level radioactive waste from LANL operations are sent offsite for treatment and disposal; transuranic waste is stored until shipped to WIPP for disposal; and low-level radioactive waste is either disposed of onsite at Area G or shipped offsite for disposal. Refer to Section 2.7, Waste Management, of this CRD for more information.

Commentor No. 196: Susan Verkamp

Dear Ms Withers

Sept 5, 2006

It seems such a shame that many of our brightest & most creative scientists at LANL are working at projects like plutonium pit production at a time when our nation and our world are desperately in need of clean, renewable sources of energy to support our everyday life. It is obvious that more & more destructive weapons are not the solution to a ~~more~~ better quality of life for the average citizen. If even some partial portion of the lab's budget could be targeted for NON-MILITARY purposes, we would all gain.

I am very concerned that discharge wastes could increase if lab activities expand in the direction of weaponry. Please make clean-up the HIGHEST priority, and move pits to the VERY bottom of the list.

Thank you for your efforts,

Susan Verkamp

Box 557

El Prado NM

87529

196-1

196-1 NNSA notes the commentor's suggestion that a portion of resources at LANL be committed to the research of alternative energy and other non-military initiatives. In fact, activities that support research of renewable energy are conducted at LANL. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

196-2

196-2 NNSA notes the commentors' concerns about increased wastes from expanded pit production activities at LANL. The potential environmental, health, and safety impacts of the continued operation of LANL under the three proposed alternatives are analyzed in Chapter 5 of the SWEIS, including management of radioactive and chemical wastes, monitoring of air emissions, and treatment or monitoring of wastewater discharged through National Pollutant Discharge Elimination System-permitted outfalls. The commentor is correct that the Expanded Operations Alternative would result in greater amounts of radioactive and chemical waste as well as increased air emissions and wastewater discharges, but as demonstrated in the SWEIS, these increases can be safely managed. Chapter 2, Section 2.2.6, of the SWEIS describes progress made by NNSA in conducting its environmental restoration program at LANL. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Continuation of cleanup activities at a pre-Consent Order level is included in the No Action Alternative, while actions necessary to comply with the Consent Order are evaluated under the Expanded Operations Alternative. As stated in Chapter 1, Section 1.4, of the SWEIS, however, NNSA intends to implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS. For more information about proposed activities in support of the Consent Order, refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD.

Commentor No. 197: Dee Finney, RN

Dee Finney RN POBox 327 Dixon, NM 87527

Sept. 12, 2006

Dear Ms Wittwer,

I'm writing about the plans I have heard about in relation to Los Alamos National Lab. I am a nurse in Dixon and very concerned about the dangerous impact the lab currently has on all human, animal and environmental health.

197-1

What I have observed here over the last six years is alarming. I have listened to many neighbors that have worked at the lab describe their health problems and their suspicions of the radioactive contamination adding to or causing their health concerns.

197-2

After the 2000 Cerro Grande fire more concerns surfaced related to increased human and animal health. I do not feel the increased community concerns have been adequately addressed, especially since May/June of 2000.

197-3

As we are being asked to support large scale plans at the lab. Many in our community are unaware of the plans. Many are opposed and afraid to speak out secondary to their employment with the lab. However, all my neighbors polled are vehemently opposed to expansion at the lab. Please contact me with questions. Dee Finney RN

197-4

197-1 NNSA notes the commentor's concern about the impact that LANL has on human, animal, and environmental health. Chapter 5 of the SWEIS addresses the environmental impacts of LANL operations on human health and ecological resources. LANL operations are in compliance with the regulations that protect public health and the environment and, based on the SWEIS analyses, would continue to be in compliance under the alternatives evaluated in the SWEIS. Refer to Section 2.6, Offsite Contamination, of this CRD for more information.

197-2 NNSA considers public and worker health and safety at LANL to be a key and integral part of operations. Chapter 4, Section 4.6.1.1, of the SWEIS provides information on current cancer mortality and incidence rates in New Mexico and counties surrounding LANL. Table 4-26 shows that some cancer rates in Los Alamos vicinity are lower than the national average and some are higher, which is typical of any area. This section also presents information from the final Public Health Assessment of LANL issued on August 31, 2006 by the U.S. Department of Health and Human Services, Agency for Toxic Substances and Disease Registry which determined that, "...there is no evidence of contamination from LANL that might be expected to result in ill health to the community," and "...overall, cancer rates in the Los Alamos area are similar to cancer rates found in other communities" (ATSDR 2006).

197-3 A number of studies have been conducted on the potential health impacts of the 2000 Cerro Grande fire. As noted in Chapter 4, Section 4.6.1.3, of the SWEIS an independent assessment of public health risk associated with LANL area air contamination as a result of the fire was conducted by Risk Assessment Corporation at the request of the New Mexico Environment Department (RAC 2002). The study examined data on contaminants that were measured in air, on smoke particles, and in soil from the potential release sites and concluded that exposure to LANL-derived chemicals and radionuclides released to the air during the Cerro Grande fire did not result in a significant increase in health risk over the risk from the fire itself. The Risk Assessment Corporation study concluded that there was some evidence of adverse health effects from breathing high concentrations of particulate matter in the smoke, but that "Such exposures are associated with any forest fire". It is estimated that nearly 7,500 tons of particulate matter were released to the atmosphere by the Cerro Grande fire, only 10 percent of which came from LANL

Commentor No. 197 (cont'd): Dee Finney, RN

sources. Many studies have correlated exposure to fine particles with respiratory-related emergency room visits and hospital admissions, work and school absences, premature death, asthma, emphysema, heart disease, chronic bronchitis, and acute respiratory symptoms. Children, the elderly, and people with heart or lung disease or respiratory infections are more sensitive to particulate matter. The Risk Assessment Corporation report stated that “It is probable that the calculated risk from PM₁₀ (particulate matter less than or equal to 10 microns in diameter) is greater than the risk from all chemicals and radionuclides combined” (RAC 2002).

The New Mexico State Department of Agriculture, Veterinary Diagnostic Services Division has stated that it is not aware of any pattern of adverse livestock health effects anywhere in northern New Mexico that could be correlated with exposure to smoke from the Cerro Grande fire.

- 197-4** NNSA has made reasonable efforts to inform the communities surrounding LANL of the alternatives for continued operation of LANL, including the potential for increased pit production and additional proposed specific projects with the issuance of the draft LANL SWEIS. The Draft LANL SWEIS or a Summary was mailed to everybody who had previously notified NNSA of their interest in receiving a copy. NNSA also announced the availability of the Draft LANL SWEIS and planned public hearings in the *Federal Register* and in newspaper announcements in Albuquerque and northern New Mexico. See Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information. All citizens are encouraged to comment on the Draft LANL SWEIS without fear of reprisal.

Commentor No. 198: Heather A. Gaudet

9/11/06

Dear Ms Withers,

I am very concerned about the proposed expansion of nuclear production at Los Alamos National Lab. I live close by and strongly oppose any further plutonium pit development. I don't believe that this development should happen without a thorough survey of all surrounding communities and their opinion of this proposal. I'm quite sure there would be an outcry for NO more nuclear production and waste in our community.

Morally, ethically and within a legal framework for just and responsible decision making, the Lab MUST listen to the people for whom this decision will mean the most. We don't want the pollution, the increased scrutiny of the world against our inappropriate proliferation of nuclear capacity, or the legacy of thoughtless action for our children to inherit.

Please STOP this expansion!

Heather A Gaudet
PO Box 333, Dixon, NJ 07507

198-1

198-1 NNSA notes the commentors' concerns about expanded nuclear weapons production activities at LANL. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information. The potential environmental, health, and safety impacts of the continued operation of LANL under the three proposed alternatives are analyzed in Chapter 5 of the SWEIS, including management of radioactive and chemical wastes, monitoring of air emissions, and treatment or monitoring of wastewater discharged through National Pollutant Discharge Elimination System-permitted outfalls. These analyses demonstrate that LANL can continue to operate safely under any of the three alternatives, including the Expanded Operations Alternative.

198-2

198-2 NNSA notes the commentator's statements regarding input of communities near LANL on the proposals included in the LANL SWEIS. NNSA believes that it has provided reasonable and adequate opportunities for the public to comment on the proposals included in the document through public hearings, mailings, newspaper advertisements, and *Federal Register* notices. Refer to Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

198-2
cont'd

198-3

198-3 NNSA notes the commentator's statements. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 199: Betsy Mitchell

Dear Ms. Withers, Sept. 11, 2006

I am opposed to the Expanded Operations Alternative at LANL.

I lived in Boulder County, Colorado, near Rocky Flats which became a superfund clean up site after manufacturing plutonium pits. If LANL continues to manufacture plutonium pits, the lab, and the surrounding communities, which have been inhabited continuously for centuries, will meet the same fate. I am against this happening. Please, stop the pit production.

Additionally, at a time when we have more than enough weapons in our nations arsenal, I am against putting any more resources into weapon production.

Instead, the incredible intelligence of the lab could make a positive impact by focusing of renewable energy production and technology development.

Thank you, Betsy Mitchell
P.O. Box 458 Dixon, NM 87527

199-1

199-1 NNSA notes the commentor's opposition to the Expanded Operations Alternative. Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. In addition to these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

199-2

199-2 The operations at LANL are different than those operations that occurred at the former Rocky Flats Plant. Refer to Section 2.12, Comparison to Rocky Flats Plant, of this CRD for more information.

199-3

199-3 NNSA notes the commentor's opposition to pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

199-3

199-1
cont'd

Commentor No. 200: Sage Asplund

9/5/06

Dear Ms. Withers,

I strongly oppose expanded plutonium pit production at Los Alamos National laboratory.

I have lived in Taos, NM with my family for 16 years and I do not want this near my community.

Thank You.

Sincerely,

Ms. Sage Asplund
Sage Asplund

HCR 74 Box 22154
El Prado NM 87529

200-1

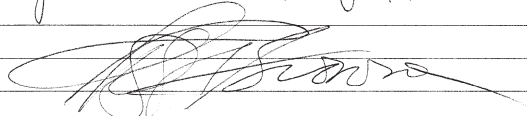
200-1 NNSA notes the commentor's opposition to expanded plutonium pit production at LANL. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 201: Phyllis Browne, Ph.D.

Dear Mrs Withers -
Please do not expand the
plutonium pit production.

It is unsafe & unhealthy!

Thank you for your
help in this matter -



Phyllis Browne, Ph.D.
PO 2219
El Prado, NM
87529

201-1

201-1 NNSA notes the commentor's concerns about expanded nuclear weapons production activities at LANL. The potential environmental, health, and safety impacts of the continued operation of LANL under the three proposed alternatives are analyzed in Chapter 5 of the SWEIS, including management of radioactive and chemical wastes, monitoring of air emissions, and treatment or monitoring of wastewater discharged through National Pollutant Discharge Elimination System-permitted outfalls. These analyses demonstrate that LANL can continue to operate safely under any of the three alternatives, including the Expanded Operations Alternative.

Commentor No. 202: Jasmine Roske-Jones

Dear Ms. Withers

I strongly oppose expanded plutonium pit production at Los Alamos National Laboratory (LANL). Expanding pit production will turn the LANL into a transactive storage and waste dump facility, and a Bomb Factory.

Jasmine Roske-Jones
92 El Tron Rd
Rancho de Taos, NM 87557
Jasmine Roske-Jones
9/5/06

202-1

202-1

NNSA notes the commentor's opposition to pit production at LANL. The purpose for continued operation of LANL is to support NNSA's core missions as directed by the Congress and the President, which includes ensuring a safe and reliable nuclear stockpile. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information. The environmental impacts of waste generation and disposal are addressed in Chapter 5 of the SWEIS. While increased waste generation would occur as a result of expanded pit production, not all waste would be disposed of at LANL. Chemical waste and mixed low-level radioactive waste from LANL operations are sent offsite for treatment and disposal; transuranic waste is stored until shipped to WIPP for disposal, and low-level radioactive waste is either disposed of onsite at Area G or shipped offsite for disposal. Refer to Section 2.7, Waste Management, of this CRD for additional information.

Commentor No. 203: Tonya Miller

Dear Ms. Withers

I strongly oppose expanded Plutonium
Pit production at Los Alamos
National Laboratory.

We demand a green, non
nuclear Alternative that solely
addresses climate change, renewable
energy and clean-up technology
that can restore environmental
viability to nuclear and non-nuclear
industry devastated areas.

Tonya Miller

Tonya Miller

9/5/06

118 Maestas Rd

Rancho De Taos 87557

203-1

203-1

NNSA notes the commentor's opposition to expanded plutonium pit production at LANL. Chapter 3, Section 3.5, of the SWEIS provides a discussion of NNSA's consideration of, and decision to not analyze, a "Greener Alternative" in the SWEIS. A "Greener Alternative" was analyzed in the 1999 SWEIS but was not selected for implementation. NNSA does not believe, 7 years later, that a "Greener Alternative" is reasonable for the future operation of LANL to meet its mission as directed by the Congress and the President, and has identified the Expanded Operations Alternative as its Preferred Alternative. In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 204: Tamara Roske

I strongly oppose expanded plutonium pit production
at Los Alamos National Laboratory

204-1

Tamara Roske
92 El Paso Rd
Ranchos del Taos 87557
Tamara Roske

204-1

NNSA notes the commentor's opposition to expanded plutonium pit production at LANL. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

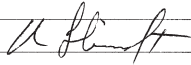
Commentor No. 205: RH Schmidt

MS. WITHERS:

AS A DOWNWINDER I AM DEEPLY
RESENTFUL OF LANL'S 'LOST ELEMENTS.'

AS A RESPONSIBLE HUMAN I AM
OUTRAGED THE US CONTINUES TO
IGNORE INTERNATIONAL LAW IN
NUCLEAR MATTERS.

SINCERELY,



RH SCHMIDT PO BOX 511 EL PRADO
NM 87529 5 Sept 06

205-1

205-1

The NNSA Administrator replied to recent allegations of the accounting discrepancy of plutonium at LANL (NNSA 2006a). There are stringent procedures for the control and accountability of special nuclear material and NNSA affirms that it takes these responsibilities very seriously. This apparent discrepancy is a result of the different tracking and reporting procedures for site security and for waste management organizations. Comparison of the information contained in the two systems cannot be used to draw conclusions about the control and accountability of special nuclear material.

As a "downwinder," the commentor may be concerned about radiation exposure. The dose to a maximally exposed individual from LANL operations (from Chapter 4, Section 4.6.1.2: 6.46 millirem in 2005), when compared to background doses (approximately 400 millirem annually), are quite small for those nearby (East Gate on New Mexico 502) and would be even smaller for those further away from the LANL site boundary.

Commentor No. 206: Terrence Kopet

Dear Ms Withers,

I am morally opposed to expanded pit production at Los Alamos Nat'l Laboratory. The science up on that bill ought to be directed toward peace, health and environmental issues. Shame on their war production (s) and contamination that accompanies it.

Sincerely,

Terrence Kopet

P.O. Box 191

TAOS, NM
87577

206-1

206-1

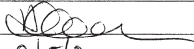
NNSA notes the commentor's opposition to pit production at LANL. Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. In addition to these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 207: Hilary Cushing-Murray

Dear Ms Withers

I strongly oppose expanded plutonium pit production at Los Alamos National Laboratory. Quadrupling pit production will turn the LANL into a radioactive storage and waste dump ~~storage~~ facility, and a Bomb Factory. No Bomb Factory in my back yard or anywhere!

We demand a Green, non-nuclear alternative that addresses climate change, renewable energy and clean-up technology that can restore our environment.

Hilary Cushing-Murray
23 Amarak Rd
Ranchos de Taos NM 87557

9/5/06

207-1

207-1 NNSA notes the commentor's opposition to pit production at LANL. The purpose for continued operation of LANL is to support NNSA's core missions as directed by the Congress and the President, which includes ensuring a safe and reliable nuclear stockpile. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

The environmental impacts of waste generation and disposal are addressed in Chapter 5 of the SWEIS. While increased waste generation would occur as a result of expanded pit production, not all waste would be disposed of at LANL. Chemical waste and low-level radioactive mixed waste from LANL operations are sent offsite for treatment and disposal; transuranic waste is stored until shipped to WIPP for disposal, and low-level radioactive waste is either disposed of onsite at Area G or shipped offsite for disposal. Refer to Section 2.7, Waste Management, of this CRD for additional information.

Chapter 3, Section 3.5, of the SWEIS provides a discussion of NNSA's consideration of, and decision to not analyze, a "Greener Alternative" in the SWEIS. A "Greener Alternative" was analyzed in the 1999 SWEIS but was not selected for implementation. NNSA does not believe, 7 years later, that a "Greener Alternative" is reasonable for the future operation of LANL to meet its mission as directed by the Congress and the President, and has identified the Expanded Operations Alternative as its Preferred Alternative. In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 208: Amy Kepfer

I strongly oppose expanded plutonium pit production at Los Alamos National Laboratory (LANL).

208-1

Amy Kepfer
PO Box #412
Angel Fire, NM 87710
9/5/06

208-1

NNSA notes the commentor's opposition to expanded plutonium pit production at LANL. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 209: Robin Poole

Dear Ms. Withers,

A strongly oppose expanded plutonium pit production at Los Alamos National Laboratory. Quadrupling pit production will turn the LANL into a radioactive storage and waste dump facility, and a BOMB FACTORY!

No bomb factory in my backyard or anywhere!

We demand a Green, Nonnuclear Alternative that solely addresses climate change, renewable energy and clean-up technology that can restore environmental vitality to nuclear and non-nuclear industry devastated areas.

Robin Poole
P.O. Box 2
Llano NM 87543

Robin Poole
9/6/06

209-1

209-1 NNSA notes the commentor's opposition to pit production at LANL. The purpose for continued operation of LANL is to support NNSA's core missions as directed by the Congress and the President, which includes ensuring a safe and reliable nuclear stockpile. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

The environmental impacts of waste generation and disposal are addressed in Chapter 5 of the SWEIS. While increased waste generation would occur as a result of expanded pit production, not all waste would be disposed of at LANL. Chemical waste and low-level radioactive mixed waste from LANL operations are sent offsite for treatment and disposal; transuranic waste is stored until shipped to WIPP for disposal, and low-level radioactive waste is either disposed of onsite at Area G or shipped offsite for disposal. Refer to Section 2.7, Waste Management, of this CRD for additional information.

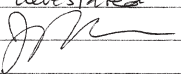
Chapter 3, Section 3.5, of the SWEIS provides a discussion of NNSA's consideration of, and decision to not analyze, a "Greener Alternative" in the SWEIS. A "Greener Alternative" was analyzed in the 1999 SWEIS but was not selected for implementation. NNSA does not believe, 7 years later, that a "Greener Alternative" is reasonable for the future operation of LANL to meet its mission as directed by the Congress and the President, and has identified the Expanded Operations Alternative as its Preferred Alternative. In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 210: Jesse Cross

Jesse Cross
 August September 5, 2006

De Ms. Withers,

I live in Santa Fe, New Mexico, a place that I enjoy for its clean air and its large number of people who care about the earth. Even as it stands currently, I find it difficult to live so close to LANL, knowing that it develops + produces technology for nuclear warfare. I am a strong advocate for nonviolence, and I believe it is highly hypocritical for the U.S. to declare other countries a threat when they start producing some nuclear weapons as we continue to add onto one of the largest stockpiles of WMD in the world = in this country. I strongly oppose expanded plutonium pit productions at LANL. Quadrupling pit production will turn the Labs into a radioactive storage + waste dump facility, and a bomb factory. We demand a green, nonviolent alternative that solely addresses climate change, renewable energy + clean-up technology that can restore environmental vitality to nuclear + non-nuclear industry devastated areas.

Sincerely, 
 Jesse Cross
 PO Box 22441 Santa Fe, NM 87502

210-1

210-2

210-1 NNSA notes the commentor's concerns with U.S. policies regarding its nuclear weapons program and nonproliferation; however, evaluation of these policies is not within the scope of this SWEIS, which analyzes the environmental impacts of the alternatives associated with LANL operations. The United States is not adding to its nuclear weapons stockpile, but is instead decreasing the size of the stockpile in compliance with international treaties. Operations at LANL support NNSA's stockpile stewardship mission of maintaining a safe and reliable nuclear stockpile. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

210-2 NNSA notes the commentor's opposition to pit production at LANL. The purpose for continued operation of LANL is to support NNSA's core missions as directed by the Congress and the President, which includes ensuring a safe and reliable nuclear stockpile.

The environmental impacts of waste generation and disposal are addressed in Chapter 5 of the SWEIS. While increased waste generation would occur as a result of expanded pit production, not all waste would be disposed of at LANL. Chemical waste and low-level radioactive mixed waste from LANL operations are sent offsite for treatment and disposal; transuranic waste is stored until shipped to WIPP for disposal, and low-level radioactive waste is either disposed of onsite at Area G or shipped offsite for disposal. Refer to Section 2.7, Waste Management, of this CRD for additional information.

Chapter 3, Section 3.5, of the SWEIS provides a discussion of NNSA's consideration of, and decision to not analyze, a "Greener Alternative" in the SWEIS. A "Greener Alternative" was analyzed in the 1999 SWEIS but was not selected for implementation. NNSA does not believe, 7 years later, that a "Greener Alternative" is reasonable for the future operation of LANL to meet its mission as directed by the Congress and the President, and has identified the Expanded Operations Alternative as its Preferred Alternative. In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 211: Nancy Hazen

9/5/06

Dear Ms. Withers:

I strongly oppose expanded
plutonium pit production at
NSA along National Lab.

Nancy Hazen
NANCY HAZEN

211-1

211-1 NNSA notes the commentor's opposition to expanded plutonium pit production at LANL. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 212: Priscilla Cross

Dear Ms. Withers

Priscilla Cross
258 Jones Hill Rd
Appleton, ME 04862
Sept. 6 2006

I oppose expanded plutonium pit production at Los Alamos Laboratory. Quadrupling pit production will turn the LANL into a Radioactive Storage & Waste dump facility & a BOMB Factory.

We demand a green non nuclear alternative that can restore environmental vitality to nuclear & non nuclear industry.

Sincerely
Priscilla Cross

212-1

212-1 NNSA notes the commentor's opposition to pit production at LANL. The purpose for continued operation of LANL is to support NNSA's core missions as directed by the Congress and the President, which includes ensuring a safe and reliable nuclear stockpile. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

The environmental impacts of waste generation and disposal are addressed in Chapter 5 of the SWEIS. While increased waste generation would occur as a result of expanded pit production, not all waste would be disposed of at LANL. Chemical waste and low-level radioactive mixed waste from LANL operations are sent offsite for treatment and disposal; transuranic waste is stored until shipped to WIPP for disposal, and low-level radioactive waste is either disposed of onsite at Area G or shipped offsite for disposal. Refer to Section 2.7, Waste Management, of this CRD for additional information.

Chapter 3, Section 3.5, of the SWEIS provides a discussion of NNSA's consideration of, and decision to not analyze, a "Greener Alternative" in the SWEIS. A "Greener Alternative" was analyzed in the 1999 SWEIS but was not selected for implementation. NNSA does not believe, 7 years later, that a "Greener Alternative" is reasonable for the future operation of LANL to meet its mission as directed by the Congress and the President, and has identified the Expanded Operations Alternative as its Preferred Alternative. In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 213: Ron Strauch

Dear Ms. Withers

Please, discontinue all nuclear ~~development~~ development & production as these activities are against national & international law. Alternatively, there is much work to be done & technology to be developed in order to remediate situations already created by LANL activities.

Ron Strauch

RON STRAUCH

7 AVENUE EL DORADO

Santa Fe, NM 87508

213-1

213-1 NNSA notes the commentor's opposition to nuclear weapon development and production. Continuing to ensure a safe and reliable nuclear stockpile violates none of the terms of nonproliferation treaties that the United States has signed. Stockpile stewardship capabilities at LANL and elsewhere are currently viewed by the United States as a means to further the Nation's nonproliferation objectives. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

213-2

213-2 NNSA notes the commentor's concerns about cleanup prioritization and the development of improved cleanup technologies. For many years, DOE has been working to implement and improve technologies for environmental restoration. Chapter 2, Section 2.2.6, of the SWEIS describes the progress that NNSA has made in conducting its environmental restoration program at LANL. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Appendix I presents options and environmental analyses for conducting remediation activities at LANL, primarily related to the Consent Order that was entered into in March 2005. Appendix I also summarizes several technologies for cleanup of soil, water, and air, and references additional information about existing and emerging cleanup technologies. NNSA intends to implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for additional information.

Commentor No. 214: Sharon Millstein

9-5-06

Dear Mr. Withers,

I strongly oppose expanded plutonium pit production at Los Alamos National Laboratory (LANL). Quadrupling pit production will turn the LANL into a radioactive storage ^{waste} dump facility, and a Bomb factory.

We demand a green, non-nuclear alternative that solely address climate change, renewable energy & clean-up technology that can restore environmental vitality to nuclear & non-nuclear industry devastated areas.

Sharon Millstein
1312 Amadore Lane
Rancho de Taos, NM 87557

214-1

214-1 NNSA notes the commentor's opposition to pit production at LANL. The purpose for continued operation of LANL is to support NNSA's core missions as directed by the Congress and the President, which includes ensuring a safe and reliable nuclear stockpile. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

The environmental impacts of waste generation and disposal are addressed in Chapter 5 of the SWEIS. While increased waste generation would occur as a result of expanded pit production, not all waste would be disposed of at LANL. Chemical waste and mixed low-level radioactive waste from LANL operations are sent offsite for treatment and disposal; transuranic waste is stored until shipped to WIPP for disposal, and low-level radioactive waste is either disposed of onsite at Area G or shipped offsite for disposal. Refer to Section 2.7, Waste Management, of this CRD for additional information.

Chapter 3, Section 3.5, of the SWEIS provides a discussion of NNSA's consideration of, and decision to not analyze, a "Greener Alternative" in the SWEIS. A "Greener Alternative" was analyzed in the 1999 SWEIS but was not selected for implementation. NNSA does not believe, 7 years later, that a "Greener Alternative" is reasonable for the future operation of LANL to meet its mission as directed by the Congress and the President, and has identified the Expanded Operations Alternative as its Preferred Alternative. In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 215: Thomas Ray

Dear Ms. Withers,

I strongly oppose expanded plutonium pit production at Los Alamos National Laboratory (LANL). Increased production will increase pollution of my water + land. It will also create the potential of a nuclear war which nobody wins. I do not want a bomb factory and a radioactive storage and waste dump ~~facility~~ facility which will cause illnesses for ~~thousands~~ everyone in the area for thousands of years.

Thomas Ray
#1114 W. # Rd.
Taos, NM 87571
Thomas Ray

9/5/06

215-1

215-1 NNSA notes the commentor's opposition to expanded plutonium pit production at LANL. The purpose for continued operation of LANL is to support NNSA's core missions as directed by the Congress and the President, which includes ensuring a safe and reliable nuclear stockpile. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for additional information.

The environmental impacts of waste generation and disposal are addressed in Chapter 5 of the SWEIS. While increased waste generation would occur as a result of expanded pit production, not all waste would be disposed of at LANL. Chemical waste and low-level radioactive mixed waste from LANL operations are sent offsite for treatment and disposal; transuranic waste is stored until shipped to WIPP for disposal, and low-level radioactive waste is either disposed of onsite at Area G or shipped offsite for disposal. Refer to Section 2.7, Waste Management, of this CRD for additional information.

Chapter 4, Section 4.6.1.1, of the SWEIS provides information on current cancer mortality and incidence rates in New Mexico and counties surrounding LANL. Chapter 4, Table 4-26 shows that some cancer rates in Los Alamos vicinity are lower than the national average and some are higher, which is typical of any area. This section also presents information from the final LANL Public Health Assessment, issued on August 31, 2006 by the U.S. Department of Health and Human Services, Agency for Toxic Substances and Disease Registry which determined that, "...there is no evidence of contamination from LANL that might be expected to result in ill health to the community," and "overall, cancer rates in the Los Alamos area are similar to cancer rates found in other communities" (ATSDR 2006).

Chapter 5 of the SWEIS describes the environmental impacts of each of the three alternatives for continuing to operate LANL and includes the effects on surface waters, groundwater, and air. Chapter 5, Section 5.13, of the SWEIS states that contamination from LANL or changes in Rio Grande flows are not likely to affect water quality. The health impacts analysis uses projected air emissions data to estimate dose to the population within a 50-mile (80-kilometer) radius of LANL. The maximum projected annual population dose would be 36 person-rem under the Expanded Operations Alternative. This dose would not be expected to result in any additional latent cancer fatalities in the affected population.

Commentor No. 216: Grace Clearsen

September 20, 2006

Hi,

This is Grace Clearson. I'm calling from Jersey City, and I have friends in New Mexico. But, even if I didn't, I have fellow human beings in New Mexico, and I am shocked and very, very, much against any more nuclear waste being deposited in that land.

There was already a plum that was found with nuclear waste in it, and people are living there, and children are there.

Please, please, please, do not put any more additional nuclear waste into the ground where people are suppose to get their food.

If you wish to contact me, my number is (XXX) XXX-XXXX. My address is 255 Armstrong Avenue, Jersey City, New Jersey 07305.

Thank you, and I do appreciate your hearing and taking an interest in this very serious matter.

Thank you.

216-1

216-1

Past disposal practices at LANL and elsewhere did not meet the standards of today's regulated disposal facilities. These past disposal practices led to releases to the environment from some sites. LANL's remediation services program is now investigating and cleaning up release sites as discussed in Chapter 2, Section 2.2.6 and Appendix I of the SWEIS. However, access at these sites is controlled and uses such as gardening are prohibited. At LANL, low-level radioactive waste is disposed of onsite at a location with controlled access; performance of Area G is evaluated periodically through the Area G Performance Assessment and Composite Analysis as required by DOE Order 435.1. Other radioactive wastes are transported offsite for disposal at licensed facilities. For example, transuranic waste is disposed of at WIPP, which is regulated by both the New Mexico Environment Department and the U.S. Environmental Protection Agency.

In May 2006, the New Mexico Environment Department reported detecting americium-241 above background levels in a single plum sample collected near Dixon. The New Mexico Environment Department data was subsequently examined by other scientists who concluded that this was likely a "false positive" result. Refer to Section 2.6, Offsite Contamination, of this CRD for further information on this incident.

Commentor No. 217: Sharon Horne

September 20, 2006

Hello,

This is Sharon Horne. My telephone number is (XXX) XXX-XXXX.

I just want to make the comment that I don't think there should be any more expansion there, because I don't think you've had the highest quality of water testing done.

I think there's been a lot of hedging on that, and that the actual water situation...the elements leaching into the water is a lot more likely than you suggest to the public.

And I just want to go on record that I...I think the...everything should be slowed down at the laboratory.

Thanks. Bye.

217-1

217-1 NNSA notes the commentor's opposition to the Expanded Operations Alternative due to concerns about further contamination of the area's water resources. The LANL contractor operates a monitoring program to detect contamination in area waters, both surface water and groundwater. The results of this monitoring program are published annually in the Environmental Surveillance Report. In accordance with applicable regulations and agreements, NNSA evaluates and takes corrective action for occurrences of contamination in surface waters and groundwater at LANL. NNSA is required to follow the Consent Order that stipulates groundwater cleanup levels for human health and is committed to protecting drinking water sources. NNSA is also committed to decreasing or eliminating all discharges that have a potential to release contaminants to the environment. Refer to Chapter 4, Section 4.3.2, of the SWEIS for a discussion of groundwater quality in the vicinity of LANL. Also, see Sections 2.5, Water Resources, and 2.6, Offsite Contamination, of this CRD for more information.

Commentor No. 218: Wendell Harris

September 17, 2006

National Nuclear Security Administration
Los Alamos Site Office
Office of Environmental Stewardship
528 35th Street
Los Alamos, New Mexico 87544

Although the arrogance of the administration of the Los Alamos National Laboratory in part answers the question, it is still difficult to understand how LANL can propose to quadruple plutonium pit production when

A) Areas contiguous to LANL have already been contaminated by toxic waste;

B) LANL has a known bad safety record—one which is probably worse if all the facts were not hidden by secrecy claimed to be justified in the name of security;

C) LANL has constantly resisted cleaning up the toxic mess it has already made;

D) The transportation and disposal of radioactive waste by LANL endangers a large populated area;

E) The pollution of the water resources upon which a very large area of New Mexico is dependent has already occurred (despite LANL denials) and will become worse if the plan for increased production of plutonium pits is carried out.

Sincerely yours,

Wendell Harris
Wendell Harris
1208 Vista Verde Ct.
Santa Fe, NM 87501

cc: Representative Udall
Senator Bingaman
Senator Domenici

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218-1 NNSA notes the commentor's opposition to pit production in New Mexico. Chapter 2, Section 2.2.6, of the SWEIS describes the progress that NNSA has made in conducting its environmental restoration program at LANL. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Appendix I presents options and environmental analyses for conducting future remediation activities at LANL primarily related to the Consent Order that was entered into in March 2005. These analyses address LANL waste disposal sites and other contaminated areas and provide environmental impact information to facilitate future environmental restoration decisions that will be made by the New Mexico Environment Department. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

218-2 NNSA and its operating contractors have internal organizations dedicated to safe operation of its nuclear facilities. DOE has issued regulations, standards, and guidance for nuclear facility operations including requirements for performance of safety evaluations and risk assessments which become the basis for facility operating parameters. The DOE goal is to eliminate any accidents and these regulations and standards of operations reduce the likelihood of accidents, but do not eliminate them completely. Chapter 4, Section 4.6.3, contains a discussion of accidents and safety at LANL facilities. The LANL contractor applies lessons learned from past accidents to improve overall safety performance. LANL staff takes actions in the areas of procedures, training, inspection, and component upgrading and replacement in order to address the root causes of accidents and preclude recurrences.

218-3 The proposed expansion of activities at LANL is consistent with its established national security mission as addressed in this and previous NEPA analyses. Operating LANL consistent with its national mission will generate radioactive waste that NNSA intends to safely manage. All wastes are stored onsite, primarily at TA-54, and managed protectively until disposed of. The disposal facility is selected based on the type of waste. At LANL, some low-level radioactive waste is disposed of onsite at TA-54. Onsite disposal is periodically reviewed through the Area G Performance Assessment and Composite Analysis required by

Commentor No. 218 (cont'd) : Wendell Harris

DOE Order 435.1. The updated Performance Assessment and Composite Analysis will guide decisions regarding operational procedures and waste disposal. Other radioactive wastes are transported offsite for disposal. For example, transuranic waste is disposed of at WIPP, which is regulated by both the New Mexico Environment Department and the U.S. Environmental Protection Agency. Hazardous waste is sent to offsite commercial facilities for treatment and disposal. Transportation impacts are evaluated in Chapter 5, Section 5.10 for both incident-free transportation and for a range of accident conditions. Based on this analysis, NNSA has determined that transportation of waste would present a very low risk to the public.

- 218-4** Effluents from LANL facilities are discharged in accordance with a National Pollutant Discharge Elimination System permit that establishes limits on the volume and quality of the discharge. As discussed in Chapter 4, Section 4.3.1.2, over the past 6 years, LANL has a very good record of complying with permit conditions, which are set to protect health and safety. Under all alternatives, NNSA would continue to meet permit conditions designed to protect water resources at LANL.

As described in Chapter 4, Section 4.3.2, past waste disposal practices at LANL have contaminated the shallow groundwater which in turn, has the potential to contaminate portions of the regional aquifer under the Pajarito Plateau. Past disposal of waste was conducted in a manner consistent with standards in effect at that time. As standards have evolved, waste disposal practices have also evolved. Future disposal of waste in Area G would be performed in compliance with applicable regulations.

As described in Chapter 5, Section 5.3.2.1, groundwater modeling performed for the Area G performance assessment indicated that groundwater ingestion doses 330 feet (100 meters) downgradient from Area G at 4,000 years and in Pajarito Canyon at 700 years would be a very small fraction of the 4 millirem per year standard for groundwater protection. NNSA is required to follow the Consent Order that stipulates that groundwater will be protected and that groundwater cleanup levels will be protective of human health.

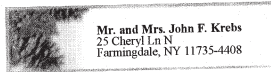
In addition, the NNSA operates a monitoring program (described in Chapter 4, Section 4.3.1.5) to detect contamination that has resulted

Commentor No. 218 (cont'd) : Wendell Harris

from past practices. NNSA evaluates and takes corrective action for occurrences of contamination in groundwater and surface waters at LANL in accordance with applicable regulations and agreements.

NNSA intends to continue to safely manage waste and conduct environmental restoration activities at LANL as it carries out its missions. Refer to Section 2.5, Water Resources, of this CRD for more information.

Commentor No. 219: Eleanor and John Krebs



Sept. 16, 2006

National Nuclear Security Admin.
Los Alamos Site Office
Attention Ms. Elizabeth Withers
Office of Environmental Stewardship
528 35 St.
Los Alamos, New Mexico 87544

Dear Ms. Withers;

~~My husband and I want to express our strong opposition to plans to expand nuclear weapons production at Los Alamos National Lab. Such expansion would almost double the amount of radio active bomb waste there.~~

The United States has more nuclear weapons than any other country. How can we complain about other countries possible developing of nuclear capability when we ourselves are by far the biggest stock-piler of nuclear weapons!

Also, the nuclear wastes at Los Alamos represent a toxic danger to Americans in the area plus the possible spread of these wastes to other areas.

Sincerely,
Eleanor Krebs
John F. Krebs
Eleanor and John Krebs

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219-1 NNSA notes the commentor's opposition to expanded pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

219-2 Under the Preferred Alternative (Expanded Operations), the amount of radioactive waste generated by LANL operations would increase. However, all wastes are stored onsite at LANL and managed protectively until disposed of in regulated facilities. At LANL, some low-level radioactive waste is disposed of onsite at a location with controlled access. Other radioactive wastes are transported offsite for disposal at licensed facilities. For example, transuranic waste is disposed of at WIPP, which is regulated by both the New Mexico Environment Department and the U.S. Environmental Protection Agency.

Chapter 5 of the SWEIS analyzes the impacts of management of wastes from LANL operations. Please see Section 2.6, Offsite Contamination, of this CRD for information about the mitigation impacts on areas around LANL.

Commentor No. 220: Elizabeth Riedel

9/19/06
 Dear DOE + LANL:
 I oppose increased plutonium
 pit production at LANL.
 I am concerned about the environment
 and ~~oppose~~ weapons production.
 Sincerely,
 Elizabeth Riedel
 Embudo, NM

220-1

220-1

NNSA notes the commentor's opposition to increased pit production and nuclear weapons production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information. Possible environmental consequences related to the No Action, Reduced Operations, and Expanded Operations Alternatives are evaluated in Chapter 5 and summarized in the Summary, Section S.9.

Commentor No. 221: Sr. Maureen Houlihan

CATHOLIC CHARITIES OF GALLUP, Inc.
Catholic Indian Center
P.O. Box 3146
Gallup, NM 87305
(505) 722-4407 FAX: (505) 722-4910

September 18, 2006

Ms Elizabeth Withers, EIS Document Manager
Los Alamos Site Office
National Nuclear Security Administration
U.S. Department of Energy
528 35th Street
Los Alamos, NM 87544

Dear Ms. Withers,

As a citizen of New Mexico and a member of Earth friendly groups, I do not support any increases in nuclear weapons research, development or production. I oppose the proposed expanded operations alternative in the draft 2006 Site-Wide Environmental Impact Statement for Los Alamos National Laboratory. This alternative will generate more radioactive and chemical waste as well as increase dangerous air emissions and wastewater discharges into the canyons that flow to the Rio Grande River.

LANL activities jeopardize both water quality and quantity. New Mexicans rely on this water which is already scarce. LANL should be held accountable at all times for any "treated" wastewater. Contaminants should not exceed acceptable levels for health.

LANL activities do have an effect on the population in this state! Not everyone, especially "minorities" can attend public hearings to give their input on these activities.

My recommendation and hope is that Congress change the mission of LANL to focus on research and development of renewable energy, such as solar, wind and biomass, and clean up technologies that support the environmental and public health.

Thank you for your attention to this note.

Sincerely,
Sr. Maureen Houlihan
Sr. Maureen Houlihan
P.O. Box 3146
Gallup, NM 87305

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221-5

221-1 NNSA notes the commentor's opposition to increases in nuclear weapons research, development, or production, and the Expanded Operations Alternative. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

221-2 Chapter 5 of the SWEIS analyzes the environmental impacts of expanded operations, including management of radioactive and chemical waste, monitoring of air emissions, and treatment or monitoring of wastewater before discharge through National Pollutant Discharge Elimination System-permitted outfalls. LANL operations are in compliance with regulations that protect public health and the environment and, based on the SWEIS analyses, would continue to be in compliance under all of the alternatives evaluated in the SWEIS. Refer to Sections 2.6, Offsite Contamination, and 2.7, Waste Management, of this CRD for more information.

221-3 Effluents from LANL facilities are discharged in accordance with a National Pollutant Discharge Elimination System permit that establishes limits on the volume and quality of the discharge. As discussed in Chapter 4, Section 4.3.1.2, over the past 6 years, the LANL contractor has a very good record of complying with permit conditions, which are set to protect health and safety. Under all alternatives, LANL operations would continue to meet permit conditions designed to protect water resources.

221-4 NNSA recognizes the potential for LANL activities to affect the public near LANL. The LANL SWEIS evaluates the impacts associated with three alternatives for the level of operations at LANL, including an alternative that includes 16 specific projects. The impacts of implementing the specific projects, including one that addresses activities necessary to implement the Consent Order for cleanup at LANL, are presented in Appendices G, H, I, and J. Impacts for the three alternatives are presented in Chapter 5 of the SWEIS. The Summary and Chapter 3 present a summary of the impacts. NNSA acknowledges the commentor's observation that not everyone can attend public hearings to provide their input and notes that other means of providing comment on the Draft SWEIS were provided, such as U.S. mail, e-mail, a toll-free telephone line, and a toll-free fax line. It should be noted that all comments, whether written or provided orally, are given equal weight and consideration.

Commentor No. 221 (cont'd) : Sr. Maureen Houlihan

Refer to Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

- 221-5** In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 222: Jean Nichols

Ms. Elizabeth Withers, EIS Document Manager
Los Alamos Site Office
National Nuclear Security Administration
U.S. Department of Energy
528 35th Street
Los Alamos, New Mexico, 87544-2201
August 15, 2006

Dear Ms. Withers,

I do not support any increases in nuclear weapons research, development or production. For this reason, I oppose the proposed expanded operations alternative in the draft 2006 Site-Wide Environmental Impact Statement (SWEIS) for Los Alamos National Laboratory (LANL). This alternative will generate more radioactive and chemical waste as well as increase dangerous air emissions and wastewater discharges into the canyons that flow to the Río Grande.

222-1

The draft SWEIS makes many references to a modern pit facility (MPF) capable of producing 450 plutonium pits per year, despite widespread opposition to a MPF by New Mexicans in 2003. These activities have dire local, national and international implications. The draft SWEIS lacks a discussion of how a MPF or increased pit production would not violate the Nuclear Nonproliferation Treaty. There should be no reference made to a MPF at LANL in the final SWEIS.

222-2

This draft SWEIS is not founded on accepted science and is based on studies that have not been finalized. The analysis of risks to human health relies on the draft Agency for Toxic Substances and Disease Registry (ATSDR) public health assessment for health impacts analysis. This assessment was rejected by the Environmental Protection Agency (EPA) and never finalized. Furthermore, the draft SWEIS was released before either the risk assessment for LANL's low-level waste dump at Area G or the 2006 seismic hazard study is completed. It is impossible to accurately determine the environmental and health impacts for future operations at LANL based on incomplete analysis. The SWEIS must include a reanalysis based on the findings in the 2006 Area G risk assessment and seismic hazard study. The ATSDR assessment must be rewritten with public oversight and review and only then can it be used in any analysis regarding LANL activities. And due to the increased rains this year, a study of Global warming and increased flash floods needs to be done. Past studies on the Flooding in the canyons will not be adequate if we are indeed facing a future of more storms and more runoff during the summer. This needs to be considered.

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The draft SWEIS does not have appropriate or adequate discussion of clean up,

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222-1 NNSA notes the commentor's opposition to any increases in nuclear weapons research, development or production and to the proposed Expanded Operations Alternative. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information. The various sections of Chapter 5 of the SWEIS analyze the environmental impacts of the Expanded Operations Alternative, including management of radioactive and chemical waste, monitoring of air emissions, and treatment or monitoring of wastewater before discharge through National Pollutant Discharge Elimination System-permitted outfalls. The commentor is correct that this alternative results in greater amounts of radioactive and chemical waste, as well as increased air emissions and wastewater discharges, but as demonstrated in the SWEIS, these increases can be safely managed to ensure that they do not expose the public to inordinate risks. Refer to Section 2.6, Offsite Contamination, of this CRD for more information.

222-2 Reference to a modern pit facility in the draft LANL SWEIS was in the context of ensuring that reasonably foreseeable future actions were addressed in accordance with the Council on Environmental Quality NEPA regulations regarding cumulative impacts. The LANL SWEIS alternatives addressing operational levels for the next 5 years limit the level of pit production to up to 80 pits per year (Expanded Operations Alternative). In October 2006, NNSA issued a Notice of Intent to prepare a *Supplement to the Stockpile Stewardship and Management Programmatic Environmental Impact Statement – Complex 2030* (now called the *Complex Transformation Supplemental Programmatic Environmental Impact Statement [Complex Transformation SPEIS]*) (71 FR 61731). In addition to announcing its intent to prepare the *Complex Transformation SPEIS* to assess the environmental impacts from the continued transformation of the nuclear weapons complex, NNSA announced cancellation of the previously planned *Supplemental Programmatic Environmental Impact Statement on Stockpile Stewardship and Management for a Modern Pit Facility* (DOE/EIS-236-S2). The final LANL SWEIS does not include analysis of a modern pit facility.

In discharging its responsibilities for nuclear stockpile management, NNSA is not violating the Treaty on the Non-Proliferation of Nuclear Weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, Section 2.2, National Environmental Policy Act (NEPA)

Commentor No. 222 (cont'd): Jean Nichols

environmental justice, the impacts of air & water emissions and waste disposal. Contrary to my belief and wishes it rejects even the possibility that the mission of LANL could be changed toward peaceful and life-affirming research. Now more than ever, we need our scientific minds to help solve environmental and energy problems in a way that is sustainable and does not create toxic waste.

I object to the fact that increased cleanup was only included in the Expanded Operations and not part of the No Action and Reduced Operations Alternatives. Compliance with the New Mexico Environment Department (NMED)/LANL Consent Order for cleanup at LANL by 2015 is not optional nor should it be tied to activities which threaten public health and the environment. Also it was explained that the lab would be able to pick and choose across the three alternatives. This means that if the Expanded Alternative is chosen, it is also possible that they will decide not to include any cleanup. Increased Consent Order cleanup analysis should be included in all three alternatives and should be mandatory before more waste is created.

When implementing cleanup, LANL must do so to the fullest extent possible. Lands must be cleaned up to the level that allows a future pregnant subsistence farmer and her children to live on the land, grow food, raise animals and drink the water for their entire lives with good health. All waste must be removed during cleanup. LANL currently has approximately 40,000 drums of transuranic waste sitting above ground in fabric tents awaiting shipment to WIPP. However, the proposed expanded operations focuses on a vast expansion of waste generation and removing drums that are currently buried in Area G. DOE should address permanent disposal of existing waste before further waste generation is even considered. And the SWEIS needs to address the risk of terrorism at Area G as well as other sites.

LANL activities jeopardize both water quality and quantity. New Mexicans rely on this water for drinking and farming. Contaminants exceeding accepted levels for health have already been found in surface water and the regional aquifer. DOE did not use the most current water quality standards or consider contaminants that are moved in running canyons when analyzing the impacts to our water. DOE finds no problem with increasing LANL's water usage above the amount allotted to it from the regional aquifer while proposing to dump 268 million gallons of treated wastewater into the canyons that flow to the Río Grande. It is unacceptable that LANL blatantly disregards laws regulating water quality and quantity.

LANL must be required to reevaluate and broaden their air sampling programs. Toxic and radioactive air emissions do have a detrimental impact on the surrounding area and population. Plums that grow wild in the Peñasco are now showing high levels of Americium. The draft SWEIS also allows for processing

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Process, and Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for more discussion.

222-3 The SWEIS makes use of current, accepted, and well-documented scientific models and data that have been, and continue to be used widely to analyze environmental impacts for the purpose of compliance with NEPA. The analytical methods used are essentially the same as were used in preparation of several DOE Environmental Impact Statements that have recently been published in final form or have been reviewed, in draft, by the public. In general, the data, models, assumptions, and other information used in the SWEIS are drawn from published sources and have been subjected to scientific peer review. Chapter 7 of the SWEIS and each of the Appendices list the documented sources of information and models used in the analyses.

The SWEIS presents an independent assessment of public health impacts from contaminants in the LANL environment. The SWEIS does not rely on the Agency for Toxic Substances and Disease Registry (ATSDR) *Public Health Assessment for Los Alamos National Laboratory* in any specific way for its conclusions. However, under the 1986 amendments to the Superfund law, ATSDR is responsible for conducting public health assessments at each site on the U.S. Environmental Protection Agency (EPA) National Priorities List, and it is appropriate for the SWEIS to acknowledge the conclusions of the *Public Health Assessment for Los Alamos National Laboratory* because it is a relevant Federal agency study. The draft *Public Health Assessment for Los Alamos National Laboratory* was available for public comment from April 26 to December 1, 2005. The EPA did not reject the draft document; it submitted comments that were by addressed by ATSDR in the final document. Appendix I to the final *Public Health Assessment for Los Alamos National Laboratory* describes how the comments on the draft received from the public, other Federal agencies (including EPA), and other stakeholders were addressed. As stated in the final *Public Health Assessment for Los Alamos National Laboratory* (ATSDR 2006), released August 31, 2006, ATSDR conducted its evaluations in accordance with guidance provided in the *Public Health Assessment Guidance Manual* (available at www.atsdr.cdc.gov/HAC/PHAManual/index.html).

Commentor No. 222 (cont'd): Jean Nichols

87,000 pounds of high explosives and up to 6,900 pounds of depleted uranium (DU) to be blown up in "dynamic experiments" annually. DOE must monitor and implement comprehensive sampling programs at all open burning and open detonation sites and for all activities using high explosives and DU. Beyond that, DOE must institute a program to stop all toxic air pollutant emissions from LANL facilities and activities.

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The Expanded Operations Alternative will result in higher demands for electricity, water and natural gas, which will impact the environment as well as increased car emissions from commuters. These impacts must be considered in the cumulative impacts of the Expanded Operations Alternative.

222-13

Operations at LANL are a major violation of environmental justice. New Mexico has the second highest minority population in the country. It is not possible that LANL activities would have no effect on these populations. The analysis uses six-year-old information and does not account for undocumented residents or low-income individuals above the poverty level. In addition, there are 15 Pueblos within the 50-mile radius of LANL, and yet the public hearings took place during Pueblo feast days. I request a reanalysis in the final SWEIS, with public input and review and more public hearings.

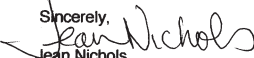
222-14

My recommendation is that Congress reevaluate the mission of LANL and change it to focus on research and development of renewable energy, such as solar, wind and biomass, and clean up technologies that support environmental and public health. The SWEIS must include a fourth alternative that focuses on these activities. While DOE doesn't think that such a shift is possible, it is my belief that LANL must transition to peaceful and sustainable research. The DOE and other agencies did not believe in global warming until very recently. Now it is fast becoming an accepted fact that we are going to have to deal with or be destroyed by. We still have time to shift our priorities and political will and address these issues upon which our very survival depends. The SWEIS should include an analysis of the best science available on global warming as it relates to New Mexico and Los Alamos. Perhaps by looking at this bigger picture, we can get over our narrow shortsighted emphasis on world domination and war, and start to work for the good of the entire world.

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Sincerely,


Jean Nichols
PO Box 30
Llano, NM 87543

222-4 To the extent possible, the most recent technical documents, including an update to the seismic hazard analysis, completed in June 2007, are considered in the Final SWEIS analyses. Information under development that is not available for use in the Final SWEIS, such as the updated Area G performance assessment, will be considered as it becomes available and, in accordance with the NEPA compliance process, the SWEIS impact analyses will be reviewed and supplemented as necessary based on the newly available information. See Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

Seismic activity at LANL is described in Chapter 4, Section 4.2.2.3 and in the 2007 seismic hazard analysis report (LANL 2007a). The estimated human health impacts from postulated facility accidents at LANL, including earthquakes, are described in Chapter 5, Section 5.12 and Appendix D, Section D.4. These sections also include a discussion of the significance of the updated understanding of seismic hazard from the 2007 seismic hazard analysis report.

222-5 Chapter 5 of the SWEIS evaluates the potential environmental, health, and safety impacts of continued operation of LANL under the three proposed alternatives. These analyses demonstrate that LANL can continue to operate safely under any of the three alternatives. Although the potential effects of global warming on New Mexico and Los Alamos are not within the scope of the SWEIS analyses, LANL scientists continue to perform research on this and other important global issues. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

222-6 LANL scientists currently conduct research in areas such as renewable energy and global climate change, and support nonproliferation programs in addition to their efforts in support of LANL's Stockpile Stewardship mission. Refer to Section 2.3, Alternative Missions, of this CRD for more information. NNSA has prepared project-specific analyses in the appendices and Chapter 5 of the SWEIS that present appropriate and adequate analyses of LANL impacts. Appendix I provides an extensive discussion of actions to comply with the Consent Order for cleanup of LANL. The impacts of air and water emissions and waste disposal, and the potential for environmental justice impacts are addressed, as appropriate, in Chapter 5 and the appendices; the results of the analyses are summarized in both Chapter 3 and the Summary.

Commentor No. 222 (cont'd): Jean Nichols

- 222-7** NNSA does not consider compliance with the Consent Order to be optional, and is not linking Consent Order compliance with decisions about pit production, proposed new projects or activities, increased operational levels, or waste generated from other LANL activities. Chapter 1, Section 1.3, of the SWEIS defines the three alternatives and explains why activities to comply with the Consent Order are included only in the Expanded Operations Alternative. Chapter 1, Section 1.4 states that NNSA could choose to implement the alternatives either in whole or in part, and that NNSA intends to implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.
- 222-8** Although Appendix I, of the SWEIS evaluates the environmental impacts associated with potential remedial action alternatives, decisions about environmental restoration will be made in accordance with established regulatory standards and processes, including those of the State of New Mexico for the Consent Order. To arrive at a decision about remediating a contaminated site, several alternative remedies may be considered such as containment in place, treatment, or removal. Any remedy selected for a site requiring environmental restoration must meet several criteria including protection of human health and the environment, and attainment of applicable cleanup standards including those for ground and surface waters and soil. If the site is to remain under DOE ownership, then cleanup standards commensurate with a restricted type of land use may be used, provided that offsite areas are protected. If the site is to be released for unrestricted access by the public, then the site would need to meet cleanup standards for unrestricted access. Decisions about the appropriate levels of cleanup for sites subject to the Consent Order will be made by the State of New Mexico using cleanup criteria documented in Section VIII of the Consent Order. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.
- 222-9** Although a pollution prevention and waste minimization program has been instituted at LANL (see Chapter 4, Section 4.9, of the SWEIS), operation of LANL in support of DOE's core missions will cause the generation of waste that NNSA intends to safely manage as it continues to

Commentor No. 222 (cont'd): Jean Nichols

address existing waste in storage. Nearly all of the stored waste at LANL consists of legacy transuranic waste that is stored above ground within domes in TA-54. Most of this waste was originally stored below grade, but was retrieved and placed in an above ground, inspectable configuration as required by the State of New Mexico. NNSA is working to prepare all stored and newly generated transuranic waste for shipment to WIPP. Shipment rates for 2006 have increased significantly over past years and additional equipment and processes are being considered, as analyzed in Appendix H, Section H.3. Refer to Section 2.7, Waste Management, of this CRD for more information.

222-10 DOE gives high priority to the safety and security of all its facilities. Security and potential acts of sabotage are integral considerations in the designs and operating procedures for new and existing DOE facilities. DOE considers the threat of terrorist attack to be real and has an established safeguards and security process it undertakes to assess facility vulnerabilities to various threats, including those from intentional destructive acts, such as acts of terrorism. Chapter 4, Section 4.6, of the SWEIS has been revised to include additional discussion of the measures taken to protect assets at LANL from terrorist activities. As discussed in Chapter 5, Section 5.12.6, the impacts of terrorist action have been considered in a separate, classified appendix to the SWEIS. The impact of a plane flying into the transuranic waste storage facilities at TA-54, Area G, whether intentionally (terrorism) or unintentionally (accident) would be the same. This event is not specifically included in the accident analysis, but was considered. The impacts of such an event are bounded by the wildfire accident which was analyzed and is discussed in Chapter 5, Section 5.12.

222-11 The water quality standards in Chapter 4, Tables 4-7 and 4-9, have been updated to reflect standards recently issued by the New Mexico Water Quality Control Commission. The new standards have not yet been approved by the U.S. Environmental Protection Agency; nevertheless, they are used in the 2005 Environmental Surveillance Report and this SWEIS in evaluating water quality data. As Table 4-7 demonstrates, LANL staff compares surface water data to a variety of standards that legally apply, in order to identify contaminants and data trends that could indicate the need for corrective actions.

Commentor No. 222 (cont'd): Jean Nichols

DOE and Los Alamos County have combined water rights of 1,805.6 million gallons (6,850 million liters) per year, of which 542 million gallons (2,050 million liters) per year belong to DOE. In recent years, the largest amount of water used by DOE and the County was 1,515 million gallons (5,750 million liters) in 2000, when the Cerro Grande Fire occurred. As shown in Chapter 4, Table 4-43, and discussed in Chapter 5, Section 5.8.2, LANL water usage has been and is expected to remain below 542 million gallons (2,050 million liters) per year.

Effluents from LANL facilities are discharged in accordance with a National Pollutant Discharge Elimination System permit that establishes limits on the volume and quality of the discharge. As discussed in Section 4.3.1.2, over the past 5 years LANL has had a very good record of complying with permit conditions, which are set to protect health and safety. Under all alternatives, LANL discharges would continue to meet permit conditions designed to protect water resources. These treated effluents do not normally flow directly into the Rio Grande; surface waters may reach the river only a few times a year during large precipitation events.

222-12 Current air sampling programs at LANL include ambient non-radiological air monitoring programs, a radiological ambient air sampling network, AIRNET, and stack sampling for radionuclides, as discussed in Chapter 4, Sections 4.4.2.3 and 4.4.3.1, of the SWEIS. All LANL operations, regardless of when they began, currently comply with state (New Mexico Air Quality Control Act) and Federal (Clean Air Act, Toxic Substances Control Act, DOE and U.S. Environmental Protection Agency) regulations and have valid permits as described in Chapter 6. For more information on high explosives and depleted uranium, refer to Section 2.10, Depleted Uranium and the Dual Axis Radiographic Hydrodynamic Test (DARHT) Facility, of this CRD.

In May 2006, the New Mexico Environment Department reported detecting americium-241 above background levels in a single plum sample collected near Dixon. The New Mexico Environment Department data was subsequently examined by other scientists who concluded that this was likely a “false positive” result. Refer to Section 2.6, Offsite Contamination, of this CRD for further information on this incident.

Commentor No. 222 (cont'd): Jean Nichols

222-13 The cumulative impacts of the Expanded Operations Alternative for electricity, water, and natural gas demands were evaluated and are discussed in Chapter 5, Section 5.13. Although not anticipated, future expansion of the LANL infrastructure to supply additional electricity, water, or natural gas would be preceded by appropriate environmental documentation. Changes made to the offsite infrastructure to meet LANL demands would be required to meet applicable state and Federal environmental regulations.

NNSA has revised Sections 5.4.1.3 and 5.13 and the Summary to discuss the potential increase in emissions from increases in commuter traffic to LANL. Increased employment of 2.2 percent per year under the Expanded Operations Alternative could result in similar increases in LANL commuter-specific vehicle emissions from additional employee vehicles commuting from Santa Fe and Rio Arriba Counties and other locations. The actual change in overall traffic emissions would be much less since LANL-specific traffic is only a portion of the overall regional traffic volume.

222-14 As discussed in Chapter 5, Section 5.11, no disproportionately high and adverse environmental impacts on minority and low-income populations would be expected to result from LANL operations. The analyses presented in the SWEIS used the latest Census data available. In collecting data for the Census, the Census Bureau does not ask about the citizenship of respondents. The Census Bureau expects, however, that undocumented residents are among those included in the population counts given the success of the Census in counting nearly every person residing in the United States. DOE, and by extension NNSA, defines low-income populations in terms of the Census Bureau's statistical poverty level. This is the definition used in the SWEIS. Since the draft EIS was published, the Census Bureau has released revised projections through mid-2005 for select counties in New Mexico, including Santa Fe County. This information was compared to the data for 2000 and these more recent projections would not change any of the analyses presented in the SWEIS since the level of minority or low-income populations in the available counties did not change substantially from the levels reported in 2000.

NNSA planned and implemented its public participation activities for the Draft SWEIS consistent with past practices for other NEPA documents

Commentor No. 222 (cont'd): Jean Nichols

prepared for LANL. Meetings were held on a number of different days in Los Alamos, Española, and Santa Fe. For people who were unable to attend the meetings, NNSA provided a number of other ways to comment on the Draft SWEIS. Refer to Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

- 222-15** As noted in responses to Comment no. 222-5, other research areas important to the Nation are included in the SWEIS as part of the No Action Alternative. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 223: Joni Arends

P. O. Box 8313
Santa Fe, NM 87504
September 18, 2006

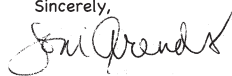
Ms. Elizabeth Withers
Office of Environmental Stewardship
Los Alamos Site Office
National Nuclear Security Administration
U.S. Department of Energy
528 35th Street
Los Alamos, New Mexico 87544

Re: Personal Comments about the draft Site-Wide Environmental Impact
Statement for Continued Operation of Los Alamos National Laboratory
DOE/EIS-0380D, June 2006

Dear Ms. Withers:

Please find enclosed my personal comments about the hollow draft Site-Wide
Environmental Impact Statement for Continued Operation of Los Alamos
National Laboratory which provides no scientific, technical or public policy
basis for the statement that there will be no impact to the environment or
public health from the production of 530 plutonium pits per year at LANL.

Sincerely,



Joni Arends

223-1

223-1 NNSA notes the commentor's dissatisfaction with the analyses presented in the SWEIS. The SWEIS analyzes the impacts of increasing pit production to up to 80 total pits per year, as part of the Expanded Operations Alternative, not 530 pits per year as stated by the commentor. NNSA believes it has accurately analyzed and reported the likely impacts to the environment and public health from each of the alternatives in the SWEIS.

Note: There was no enclosure with this letter.

Commentor No. 224: LF

Ms. Withers-

I was able to access the reading room material but I had difficulty in reconciling the information I read in the Monitor with it.

I draw to your attention the following apparent disconnects that I would suggest be corrected – (1) the material in the reading room suggests a possible reduced operation scenario that would cease use of the accelerator at the lab whereas the Monitor reported that the lab, DOE, and our Senator are all in agreement to pursue its renovation; (2) the Monitor and the public meeting I attended seemed to focus on increased plutonium production yet most of the materials at the public meeting and in the reading room documents seem to talk about amounts of plutonium analyzed before and a lot of facility updates/replacements.

I also don't understand why several of the proposals are considering cleanup and facility removal. The documents in the reading room suggest that you will not pursue cleanup of toxic sites or remove old facilities until this process of decisions is complete. I urge you to pursue these with all haste while we focus on greater issues and areas of dispute within the community and nation. I don't know if the problem is that they are included in the options within the documents or not, but please do whatever it takes to allow site cleanup and facility removals to proceed.

Similarly I also noted some proposals to not dump treated waste into the environment, again it troubles me that this clogs up the document making it thicker and possibly delaying any action. It seems there should be a process to allow things beneficial to the public and environment to proceed while allowing you and us to focus on the areas of uncertainty. Again, this reads like filler, and I hope that you do not delay any activity beneficial to the environment while this process proceeds and documents are revised.

Thankyou and god bless

LF

224-1

224-1 The LANL SWEIS evaluates the environmental impacts of three alternatives for continued operation of LANL. One of the alternatives analyzed is a Reduced Operations Alternative in which the Los Alamos Neutron Science Center (LANSCE) would be placed in a standby condition and not operate; under the other two alternatives LANSCE would continue to operate. One of the proposed projects discussed in Appendix G of the SWEIS is the refurbishment of LANSCE. As explained in Chapter 1, Section 1.4, after the Final SWEIS is published, NNSA will make decisions on the levels of operations of the various LANL facilities, such as LANSCE, and the proposed projects. One of the other alternatives evaluated in the SWEIS is the Expanded Operations Alternative. Under this alternative, there are many proposed projects for refurbishment and replacement of aging LANL facilities, including LANSCE, as discussed in Appendix G. In addition, the Expanded Operations Alternative proposes an increase in pit production. Pit production has received the most attention by the press and the public.

224-2

224-2 NNSA intends to fully meet its cleanup obligations, including those defined in the Consent Order. Alternatives for performing cleanup activities were analyzed in this SWEIS to allow NNSA to consider their impacts in addition to the impacts of other actions that NNSA needs to take to support these activities. Depending on the cleanup option selected, impacts to the environment and human health could occur and therefore must be considered as part of the decision making process. However, NNSA notes and agrees with the commentor's concern about the NEPA process impeding progress in cleanup activities. In accordance with the requirements in the Consent Order, LANL staff is currently performing facility investigations, which require the preparation of an investigation work plan and the development of corrective measures evaluation reports that propose a corrective measure to be implemented for a site.

Commentor No. 225: Donald R., and Judith Machen

**Draft Site-Wide Environmental Impact Statement
for Continued Operation of Los Alamos National Laboratory,
Los Alamos, New Mexico (Draft SWEIS)**

**Comment Form
Forma para comentarios**

Thank you for your input
Gracias por su participación Date/Fecha: 20 September 2006

PLEASE PRINT / FAVOR DE ESCRIBIR CLARAMENTE

1. What comments do you have on the Draft SWEIS?
¿Que comentarios tiene usted sobre el Draft SWEIS?
As residents of Los Alamos and former members of the technical staff of the Los Alamos National Laboratory, we wish to convey to NNSA/DOE our serious misgivings over the proposed expanded manufacturing of plutonium pits in Los Alamos.
- . We worry that any increase in PU fabrication and machining will accompany an increase in pollution no matter how carefully the facility is operated-- witness Rocky Flats as a vivid example.
- . The concomitant increase in truck traffic, inspection stations and facilities devoted to the proposed expansion has no place in the Los Alamos environment. We worry that such increases will irreparably change the Los Alamos community, already under severe attack by other changes in the laboratory management.
- . We are convinced that the proposed expansion of pit manufacturing at Los Alamos will severely downgrade the status of the laboratory as an internationally recognized scientific institution of the highest caliber and a diminution of the laboratory's benefit to the nation. The diversion of funds to military and weapons technology has always impacted science in the most serious way.
- . Finally, we question the true need for such an increase in supply of PU pits to the Stockpile and whether the increase accords with the Nuclear Non-Proliferation Treaty?

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225-1 NNSA notes the commentor's misgivings over the proposed expanded manufacturing of plutonium pits at LANL under the Expanded Operations Alternative. Refer to Section 2.12, Comparison to Rocky Flats Plant, of this CRD for more information about Rocky Flats and why NNSA believes that operations at LANL would not result in a similar outcome.

225-2 Los Alamos County is working with the state and private transportation companies to expand regional and local transportation opportunities. The County is also working to start a local transit service that will involve 13 buses on 16 routes. Buses will circulate the Townsite, White Rock, and some LANL locations (yet to be determined). Also, the SWEIS discusses efforts at LANL to improve parking and traffic flow as new facilities and projects are being built as discussed in various sections of Appendix G related to the Expanded Operations Alternative.

225-3 NNSA does not agree that the proposed expansion of pit production would downgrade the status of the laboratory as an internationally recognized scientific institution; however, as discussed in Chapter 1 of the SWEIS, the purpose of the continued operation of LANL is to provide support for NNSA's core missions as directed by the Congress and the President, which includes ensuring a safe and reliable nuclear stockpile. Cessation of these activities would be counter to national security policy as established by the Congress and the President. Pit production is conducted to support maintenance of the existing nuclear weapons stockpile. Operations at LANL that support NNSA's mission to ensure a safe and reliable nuclear stockpile are not in violation of the Treaty on the Non-Proliferation of Nuclear Weapons. U.S. confidence in its stockpile stewardship capabilities is likely to remain important in future arms control negotiations as the Nation moves to further reduce its overall stockpile size. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

**** CONTINUE ON BACK FOR MORE SPACE **
** CONTINUAR AL DORSO PARA MAS ESPACIO ****

Name/Nombre: Donald R. & Judith Machen

Address/Dirección: 1110 First St.

City, State, Zip Code/Ciudad, Estado, Zona Postal: Los Alamos, NM 87544

NOTE: Please do not include personal information (such as address or phone number) if you object to it being included in the SWEIS; comments received are included in the SWEIS in their entirety.
NOTA: Favor de excluir información personal (dirección o número de teléfono) que no desea aparezcan en el SWEIS; todo comentario recibido es incluido en su totalidad en el SWEIS.



**PLEASE HAND THIS FORM IN OR MAIL BEFORE SEPTEMBER 5, 2006 to:
FAVOR DE ENTREGAR ESTA FORMA O ENVIARLA POR CORREO
ANTES DEL DIA 5 DE SEPTIEMBRE DE 2006 A:**

Ms. Elizabeth Withers, SWEIS Document Manager
Los Alamos Site Office • National Nuclear Security Administration • U.S. Department of Energy • 528 35th Street • Los Alamos, NM 87544-2201

Commentor No. 226: Tim Curry
Design Solutions

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PAGE 01



September 19, 2006

Ms. Elizabeth Withers, SWEIS Document Manager
 NNSA Los Alamos Site Office
 628 35th St., Los Alamos, NM 87644
 E-mail: LANL_SWEIS@doeal.gov, Fax: 505.967.5948

Dear Ms. Withers:

I am writing to comment on the proposed expansion of operations at LANL.

My comments are made because of the concern I have about my children being exposed to negative environmental issues due to increased LANL activities in Northern New Mexico.

In 1973 I moved to Boulder, Colorado and became immediately aware of the severe environmental impact that the Rocky Flats plant was causing in the Denver metro area. I joined with thousands of people in demanding that the plant be closed, that safety issues be addressed, and that clean-up efforts be undertaken to prevent further exposure.

The operations at the plant were a disaster to the environment, and hundreds of individuals down-wind from the plant were exposed to nuclear contaminants from fires, accidents, and plant mismanagement. It was a great victory, when the government was persuaded to close the plant, clean up the site, and abandon the production of the nuclear materials needed to make more nuclear bombs.

Twenty years later, I find my family, including two young children (aged 4 and 6), facing a potential repeat of the scenario at Rocky Flats. We are again facing the real possibility of accidents involving nuclear materials, inadvertent releases of nuclear contaminants, and unknown long-term effects on our environment. In the simplest of terms, it is simply a very bad idea to develop and produce additional nuclear materials in Northern New Mexico. There is a very specific lack of concern about the consequences of an accident in this region. Just as Rocky Flats was eventually closed due to its proximity to an urban area, so too it is very likely that the government will eventually realize that it is simply not a good idea, not common sense, to locate pit production adjacent to densely populated areas.

Although I am no scientist, I have reviewed the more technical analysis done by Nuclear Watch and other watchdog groups and found that the risks are too great to allow for this expansion at LANL. Therefore, I do not approve of any decision to expand the pit production at the plant and on the contrary request that clean-up efforts at LANL be increased immediately to protect our water and air in Northern New Mexico.

574 West San Francisco Street Santa Fe, NM 87501 Phone 505.989.3241
 Fax 505.989.1108

226-1 NNSA notes the commentor's concern that pit production activities at LANL could result in environmental contamination and accidents similar to those that occurred during operation of the Rocky Flats Plant. Design, procedural, and operational experiences at the Rocky Flats Plant formed the basis for many lessons learned that were recorded and used throughout the DOE weapons complex to further increase public and worker health and safety. Refer to Section 2.12, Comparison to Rocky Flats Plant, of this CRD for more information.

There have been numerous advancements in facility design, operations, equipment, procedures, and training at LANL to minimize the risk to the public, workers, and environment as a result of LANL activities. Chapter 4, Section 4.6.3 contains a detailed discussion of accident and safety history of LANL facilities.

For the preparation of the SWEIS, assessments were undertaken to quantify the health and safety impacts that may result from continued operations at LANL. The estimated human health and safety impacts from normal operations, postulated facility accidents, and transportation are described in Chapter 5, Sections 5.6 (Human Health), 5.10 (Transportation), and 5.12 (Facility Accidents); for the No Action, Reduced Operations, and Expanded Operations Alternatives.

Socioeconomic impacts of proposed actions are required to be evaluated under NEPA, and are included in Chapter 5, Section 5.8.1. Economic consequences of postulated accidents are not part of the scope of the SWEIS.

226-2 Proposed activities at LANL involving pit production are consistent with its national security mission and with prior NEPA analyses and decisions. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

NNSA is continuing its environmental restoration program as it carries out its national security mission. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed as summarized in Chapter 2, Section 2.2.6. Appendix I presents options and environmental analyses for conducting remediation activities at LANL, primarily related to the

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Commentor No. 226 (cont'd): Tim Curry
Design Solutions

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PAGE 02

I also request that you undertake a study to determine the economic consequences of an accident at LANL that reflects the accidents and incidents that actually occurred at Rocky Flats. This would provide the community and Northern New Mexico residents with valuable data and enable us to make a better-informed decision about the consequences of allowing additional nuclear production at LANL. Also, because we know about releases from specific accidents that occurred at Rocky Flats, we can develop an actual model of the consequences of a similar accident. Because these accidents and releases of contaminants occurred in the past it is a very real possibility, perhaps even a foregone conclusion, that similar events will occur again—only this time in our community.

Please stop the expansion of pit production at LANL, and provide our community with a detailed study of the risks to Northern New Mexico that an accident at LANL would have.

Sincerely,


Tim Curry

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cont'd

Consent Order that was entered into in March 2005. NNSA intends to implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS. Criteria for cleanup of sites subject to the Consent Order are documented in Section VIII of the Consent Order, and include standards for soil, surface water, and groundwater, as well as standards for screening for ecological risks. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

Commentor No. 227: Gaye Gravely Pollitt and Henry Edward Pollitt

09/19/2006 15:27 15059821899 POLLITT PAGE 01/01

GAYE GRAVELY POLLITT & HARRY POLLITT

24 Camino del Sol
Santa Fe, NM 87508
Cell: 505-795-8913
Home: 505-982-1899
gpp.hd1340@hotmail.com

September 19, 2006

VIA FAX - 505-667-5948
Office of Environmental Stewardship
National Nuclear Security Administration
Los Alamos Site Office

We cannot possibly communicate clearly enough how concerned we are about the existing conditions of pollution (to our critical water resources, and of radioactive, toxic and chemical wastes) associated with Los Alamos National Laboratory - conditions that go unremedied despite safety violations -- and about which we probably have only miniscule unbiased knowledge.

So we must try to express our utter horror at the possibility of expansion of plutonium pit production at LANL for which you seek public opinion. **Terrifyingly opposed** might sum it up in two words. We hope with all our might that you will consider our input and all other you undoubtedly are receiving regarding this matter and, at a **minimum**, will take the following actions:

1. Initiate and oversee an unbiased (not internally, self-investigated) technical review of **existing** LANL conditions with built-in "teeth" to correct matters.
2. Will receive professional & technical feedback regarding the amount of water usage required if the Labs are permitted to increase by many-fold their plutonium pit production. As well as what happens to these millions of gallons of water after they are contaminated and must be released.
3. Will weigh the consequences of the nuclear materials being transported on our highways to the Waste Isolation Pilot Plant - the consequences to our citizens of accidents or the not-so-unimaginable action by terrorists.
4. Will deliberate the affect of LANL continuing to bury radioactive and chemical wastes in unlined dumps that are no more than 30 miles as the crow flies and wind blows from Santa Fe.
5. Will question the insanity of building additional nuclear weapons facilities near earthquake fault lines and within spewing distance of volcanic possibility.
6. And, finally and equally importantly, will refer to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in all considerations and actions.

Please, step in and step up. You not only can, but you must make a difference here. Do not allow political pressure based on all the wrong reasons to have sway on this matter.

We urgently ask that you voice our concerns.

GAYE GRAVELY POLLITT

HENRY EDWARD POLLITT

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227-1 NNSA notes the commentors' concerns regarding the expansion of pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

227-2 The Congress established the Defense Nuclear Facilities Safety Board to provide independent safety oversight of the NNSA nuclear weapons complex. The Defense Nuclear Facilities Safety Board reviews safety issues and prepares reports regarding the safety of nuclear weapons complex facilities, which are submitted to NNSA. NNSA and the LANL contractor review the reports and respond with commitments to update and improve safety systems and safety basis documentation. Refer to Section 2.13, Recommendations of the Defense Nuclear Facilities Safety Board, of this CRD for more information. Regulatory agencies such as the New Mexico Environment Department and the U.S. Environmental Protection Agency provide oversight of NNSA regarding environmental monitoring and cleanup activities and can impose penalties if regulations are not being met.

227-3 As stated in Chapter 5, Section 5.8.2.3, of the SWEIS, increased pit production at TA-55 under the Expanded Operations Alternative would entail a relatively minor increase in LANL infrastructure requirements, including water, because existing Plutonium Facility Complex operations currently constitute a relatively small percentage of LANL's total demands. The single largest contributors to total LANL water use are LANSCE and the Nicholas C. Metropolis Center for Modeling and Simulation, whose operations are not directly related to pit production. Still, LANL's projected water demands under the Expanded Operations Alternative would remain within LANL's water use target ceiling of 542 million gallons (2,050 million liters) per year. Refer to Section 2.8, Water Use, of this CRD for more information.

227-4 Effluents from LANL facilities are discharged in accordance with a National Pollutant Discharge Elimination System permit that establishes limits on the volume and quality of the discharge. As discussed in Chapter 4, Section 4.3.1.2, over the past 6 years, the LANL contractor has a very good record of complying with permit conditions, which are set to protect health and safety. Under all alternatives, the LANL contractor would continue to meet permit conditions designed to protect water resources.

Commentor No. 227 (cont'd): Gaye Gravely Pollitt and
Henry Edward Pollitt

227-5 The evaluation of human health effects from transporting radioactive materials are detailed in Appendix K and summarized in Chapter 5 of the LANL SWEIS. The results presented in Appendix K, Section K.7 indicate that the risks to the public and crew per transport are very small. Historically, the transports to WIPP have been very safe with no releases of any contaminants.

The impacts from an act of sabotage or terrorism during transport discussed in the SWEIS are explained in Appendix K, Section K.6.6. The analysis is based on an accident that was evaluated in the *Final Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, Nevada (Yucca Mountain EIS)* (DOE/EIS-0250). The event analyzed in the *Yucca Mountain EIS* was assumed to involve a truck-sized cask containing spent nuclear fuel, which has orders of magnitude more radionuclide inventory than exist in any one of the shipments discussed in this SWEIS. Therefore, the analysis provided in the SWEIS envelopes the risks from an act of terrorism on waste transports to WIPP.

227-6 Except for low-level radioactive waste, all radioactive and chemical wastes generated at LANL are transported offsite for disposal in regulated disposal facilities authorized for the types of wastes each facility may receive. The future use of lined rather than unlined pits for low-level radioactive waste disposal is under evaluation through the Area G Performance Assessment and Composite Analysis required by DOE Order 435.1 that is periodically reviewed and updated. The Performance Assessment and Composite Analysis will guide decisions regarding operational procedures and waste disposal. This SWEIS considers impacts from the use of unlined pits as its No Action Alternative baseline; this impact analysis thereby bounds the long-term environmental consequences that could result from the use of lined disposal pits. Refer to Section 2.7, Waste Management, of this CRD for more information.

227-7 This SWEIS does not propose additional nuclear weapons facilities under any of the alternatives. NNSA completed 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) (DOE 2003c) in November 2003 and

Commentor No. 227 (cont'd): Gaye Gravely Pollitt and
Henry Edward Pollitt

in February 2004 issued a Record of Decision announcing its decision to construct a new facility. This decision is included in the No Action Alternative and the Expanded Operations Alternative of this SWEIS. On January 11, 2008, NNSA issued the *Draft Complex Transformation Supplemental Programmatic Environmental Impact Statement (Complex Transformation SPEIS)* (DOE/EIS-0236-S4) (73 FR 2023), which evaluates the environmental impacts from the continued transformation of the nuclear weapons complex, referred to as Complex Transformation. The Reduced Operations Alternative in the Final SWEIS was revised to reflect continued use of the existing Chemistry and Metallurgy Research Building in the event that NNSA, in conjunction with its plans for Complex Transformation, decides not to construct the nuclear facility portion of the Chemistry and Metallurgy Research Replacement Facility. Refer to Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for more information.

The seismic risks associated with the Chemistry and Metallurgy Research Replacement Facility have been studied and are part of the updated LANL probabilistic seismic hazard analysis (LANL 2007a). Similarly, the seismic accident analysis was updated in the Final SWEIS to reflect the recent information in the updated seismic hazards analysis.

New construction at LANL is subject to existing DOE orders and standards for seismic concerns. Different construction requirements are imposed for new structures in accordance with site locations relative to known fault lines, and in accordance with the planned future use of the structure.

- 227-8** NNSA is fully aware of the relationship of LANL operations to the Treaty on the Non-Proliferation of Nuclear Weapons. Operations at LANL that support NNSA's mission to ensure a safe and reliable nuclear stockpile are not in violation of the treaty. Stockpile stewardship capabilities at LANL are currently viewed by the United States as a means to further the Nation's nonproliferation objectives and are likely to remain important in future arms control negotiations as the Nation moves to further reduce its overall stockpile size. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 228: Patricia McCormick, Sister of Loretto

Sept. 12, 2004

Mr. Elizabeth Skithere
US DoE/NNSA
Los Alamos Site Office
528 35th Street
Los Alamos, NM 87544

Dear Mr. Skithere,

LANL's goal should be the research & development of present global & human needs, not an increase in the production of plutonium pits!

Mother Earth is already suffering, as are her children everywhere from the misuse of resources, global warming & the deprivation of basic human needs due to the militarization of every aspect of human life.

You have a moral obligation to decrease the threat of HMDs, not to further their development.

Sincerely,
Patricia McCormick
Sister of Loretto

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NNSA notes the commentor's opposition to activities related to nuclear weapons production. Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. In addition to these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 229: Rev. Dr. Judi West

September 15, 2006

National Nuclear Security Administration
 Los Alamos Site Office
 Attn: Ms. Elizabeth Withers
 Office of Environmental Stewardship
 528 35th Street
 Los Alamos, New Mexico 87544

Dear DOE and LANL:

I absolutely oppose the planned quadrupling of pit production at LANL. Not only is it the wrong message to send other nations who are considering increasing their nuclear weapon production and stockpiles, but as far as I know there has been little or no serious effort to clean up radioactive or chemical storage and its resultant pollution of groundwater resources.

My particular concern comes from most of a lifetime of watching the radioactive pollution of the Columbia River by Hanford and the Tri-Cities nuclear production, as well as by the Trojan Nuclear Plant. I have a background in science and technical writing for the Oregon legislature and have studied nuclear physics as a student and as a citizen. I have toured LANL in years past and am deeply concerned by the obvious lack of safety, technical and scientific knowledge exhibited by the staff. I have no confidence in this proposed program. It has no merit in any environmental, scientific, economic, governmental or historical framework.

LANL sits on a geologically-active area. When the road was widened up to LANL several years ago, an active chimney was cut into, exposing fairly recent smoke stains. The increase of earthquake activity on the Rio Grande Rift in recent years indicates the area is not stable. The "cones" on which LANL sits are barely eroded and I know that the Lab sits on a fault line.

The Rio Grande River is the major water source for millions of people and once it is radioactively polluted, it will be impossible to clean up. The Northwest's tragic experience with the Columbia River is a smaller reflection of what could happen with our river. Our limited rainfall and water resources will continue to concentrate the radioactive and chemical pollution, eventually affecting all life forms in its range.

The Lab should prioritize development of renewable energy sources, effective methods of cleanup of existing radioactive and chemical pollution, improved safety for workers and the public, and be an outstanding example of future scientific growth in the development a safe world for all of us.

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229-1 NNSA notes the commentor's opposition to expanding pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

229-2 As discussed in Chapter 2, Section 2.2.6, since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Appendix I presents options and environmental analyses for conducting remediation activities at LANL, primarily related to the March 2005 Consent Order. NNSA intends to implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS. Concurrently, DOE plans to continue to safely store radioactive and hazardous materials until they can be dispositioned. Chapter 3, Section 3.1.3.15 and Appendix H, Section H.3, address LANL's program for characterizing and preparing stored transuranic waste for shipment to WIPP. LANL has given the highest priority to transuranic wastes that present the greatest risks in the event of an accident, and plans to complete transfer of stored transuranic waste to WIPP within 10 years. Chapter 3, Section 3.6.3, and Appendix J, Section J.3, address NNSA's program for safe storage of unwanted sealed sources at LANL; failure to provide a mechanism for safe, temporary storage of these sources could present a public health and safety vulnerability. Temporary storage of chemical waste occurs in TA-54, as summarized in Chapter 2, Section 2.4.14, and in Appendix H, Section H.3, in accordance with permits issued by external regulatory agencies.

229-3 NNSA recognizes that LANL is a geologically-active area and has investigated the seismic risk to facilities, operations, and the public that is present. A description of the major features that pose potential risk are discussed in Chapter 4, Sections 4.2.2.2 and 4.2.2.3. These are based on past studies. NNSA has ongoing studies to provide continuous improvement in the understanding of the geologic setting at LANL. An updated seismic hazard analysis for LANL was completed in June 2007. Chapter 4, Section 4.2.2.3, Chapter 5, Section 5.12 and Appendix D, Section D.4, were revised to incorporate information from the 2007 seismic hazard analysis report.

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Commentor No. 229 (cont'd): Rev. Dr. Judi West


To summarize:

- I absolutely oppose the expanded production of pits and any form of nuclear weapons.
- I absolutely oppose the continued storage and lack of cleanup of existing radioactive and chemical stores at LANL.
- I absolutely oppose the lack of emphasis on safety for LANL employees, workers and the public.
- I absolutely oppose the continuing pollution of precious water resources by the Lab.

LANL should focus on developing renewable non-nuclear energy resources; develop and pioneer methods of efficient cleanup of already-stored radioactive and chemical storage around the nation and the world; set an example for the active elimination of nuclear weapons; retire our excess weapons storage and create a world standard for peaceful use of nuclear and leading-edge science. Environmental cleanup, preservation and remediation should be LANL's emphasis in its future role.

Finally, the short-sighted intention of developing "portable" nuclear weapons is totally destructive, in every sense of the word. Instead, LANL's scientists and employees can use their outstanding opportunity to create a better world for everyone. I want to be proud of LANL and our nation for our progressive and outstanding service to a flourishing environment and more livable world.

Sincerely,



Rev. Dr. Judi West
P. O. Box 5845
Santa Fe, NM 87502

229-1
cont'd

229-2
cont'd

229-6

229-4
cont'd

229-5
cont'd

229-4 Effluents from LANL facilities are discharged in accordance with a National Pollutant Discharge Elimination System permit that establishes limits on the volume and quality of the discharge. As discussed in Chapter 4, Section 4.3.1.2, over the past 6 years, the LANL contractor has a very good record of complying with permit conditions, which are set to protect the public's health and safety. Under all alternatives, NNSA would continue to meet permit conditions designed to protect water resources at LANL. These treated effluents do not normally flow directly into the Rio Grande; surface waters may reach the river a few times a year during large precipitation events.

In addition, the NNSA operates a monitoring program (described in Chapter 4, Section 4.3.1.5) to detect contamination that has resulted from past practices. In accordance with applicable regulations and agreements, NNSA evaluates and takes corrective action for occurrences of contamination in groundwater and surface waters at LANL.

The radiation dose to a member of the public who only consumed water from the Rio Grande was calculated using the 95 percentile upper confidence limit values of measured radioisotope concentrations from the 2005 LANL Environmental Surveillance Report (LANL 2006g). The calculated annual drinking water radiation dose from radioisotopes measured at locations upstream and downstream from LANL in the Rio Grande were equivalent and all were less than 10 percent of the allowable U.S. Environmental Protection Agency limit of 4 millirem per year. The specific radioisotopes present in the Rio Grande both upstream and downstream of LANL are naturally occurring and not indicative of any releases from LANL.

229-5 Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. In addition to these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 229 (cont'd): Rev. Dr. Judi West

229-6 NNSA and its operating contractors have internal organizations dedicated to safe operation of its nuclear facilities. DOE has issued regulations, standards, and guidance for nuclear facility operations, including requirements for performance of safety evaluations and risk assessments, which become the basis for facility operating parameters. The DOE goal is to eliminate any accidents and these regulations and standards of operations reduce the likelihood of accidents, but do not eliminate them completely. Chapter 4, Section 4.6.3, of the SWEIS contains a discussion of accidents and safety at LANL facilities. The LANL contractor applies lessons learned from past accidents to improve overall safety performance. LANL staff takes actions in the areas of procedures, training, inspection, and component upgrading and replacement in order to address the root causes of accidents and preclude their recurrence.

Chapter 4, Sections 4.6.1, shows that there has been a general decline in the population dose and the dose to the hypothetical maximally exposed individual over the past 10 years. The final LANL Public Health Assessment, issued on August 31, 2006 by the U.S. Department of Health and Human Services, Agency for Toxic Substances and Disease Registry, reports that, "...there is no evidence of contamination from LANL that might be expected to result in ill health to the community," and that "...overall, cancer rates in the Los Alamos area are similar to cancer rates found in other communities" (ATSDR 2006).

Commentor No. 230: Mimi Voegelin

Mimi Voegelin
825 Calle Mejia apt 633
Santa Fe, NM 87501

Attention: Ms. Elizabeth Withers
Office of Environmental Stewardship
528 35th Street , Los Alamos,
New Mexico, 87544

September 15, 2006

This is to register my opposition and anger concerning plutonium pit production – of al and any increased nuclear weapon activity at Los Alamos. Efforts should be expended to clean up already contaminated water and soil accumulations rather than add a greater supply of radioactive material that literally has no place to go.

This project is more frightening and infuriating when seen as partner to an administration that too often acts before knowing or concerning itself with future consequences.

And so I oppose any further pollution of this beautiful state ... its resources, its health, its future.

Most sincerely

Mimi Voegelin

230-1

230-1

NNSA notes the commentor's opposition to pit production and to all increased nuclear weapon activities at LANL. Proposed activities at LANL involving pit production are consistent with its national security mission and with prior NEPA analyses and decisions. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

NNSA is continuing its environmental restoration program and safely disposing of waste as it carries out this mission. Chapter 2, Section 2.2.6 describes the progress made in the environmental restoration program at LANL. Appendix I presents options and environmental analyses for conducting remediation activities at LANL primarily related to the Consent Order that was entered into in March 2005. Decisions about environmental restoration for any contaminated site will be made in accordance with established regulatory standards and processes. The wastes generated from environmental restoration will depend on these regulatory decisions. NNSA expects that solid wastes, hazardous wastes, and mixed low-level radioactive wastes from all LANL activities, including those from pit production and environmental restoration, would be disposed of in offsite disposal facilities. Transuranic wastes would be disposed of at WIPP. Disposal of low-level radioactive waste may safely occur partly in onsite and partly in offsite disposal facilities. Refer to Sections 2.7, Waste Management, and 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

Commentor No. 231: E.L. Johnson

I am ashamed that my country
killed hundreds of thousands of
innocents at Hiroshima and Nagasaki.
Never again! We must dismantle all
our nuclear weapons and produce no
more of them. The Non Proliferation
Treaty demands this. Nuclear weapons
make everyone in the world less
safe. Stop the insanity.

05 SEP 90

Sincerely,
E L Johnson

231-1

231-1 NNSA notes the commentor's statements. Continuing to ensure a safe and reliable nuclear stockpile violates none of the terms of nonproliferation treaties that the United States has signed. Stockpile stewardship capabilities at LANL and elsewhere are currently viewed by the United States as a means to further the Nation's nonproliferation objectives. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 232: Ann Morgan, Ph.D.

Sept. 15, 2006

Ms. Elizabeth Withers, EIS Document Manager
Los Alamos Site Office
National Nuclear Security Administration
U.S. Department of Energy
528 35th St.
Los Alamos, NM 87544-2201

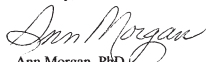
Dear Ms. Withers,

I am adamantly opposed to the production of plutonium pits at LANL. Why would the government want to put any community in this country in danger by making it another Rocky Flats?

This seems to me to be a no-brainer. Why not use all the knowledge that the scientists at LANL have to solve problems that benefit mankind? Surely they could solve our energy problem - that would certainly be better than contributing to the increase of nuclear weapons development and production. Or at the very least, they could solve the problem of disposal of nuclear waste. It's been fifty years - my entire adult lifetime - that we have been promised a solution to this problem.

Let's lead the world in the elimination of weapons of mass destruction, and regain the respect of the world by contributing to the well-being of all people.

Sincerely,


Ann Morgan, PhD
730 Juniper Dr.
Santa Fe, NM

|| 232-1

|| 232-2

232-1 NNSA notes the commentor's opposition to pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

232-2 Cessation of NNSA's core mission activities would be counter to national security policy as established by the Congress and the President; therefore, ending these activities at LANL is not being considered in this SWEIS. Activities that support research of other initiatives important to the Nation are conducted at LANL. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Operating disposal facilities exist and are being used for LANL-generated radioactive waste, including some low-level radioactive waste, mixed low-level radioactive waste (following treatment), and transuranic waste (mixed transuranic waste is disposed of in the same facility). DOE continues to work on the development and qualification of a geologic repository for disposal of high-level radioactive waste and spent nuclear fuel. However, activities at LANL do not generate high-level radioactive waste or spent nuclear fuel, therefore their disposal is not discussed in the SWEIS. At this time, Greater-Than-Class C low-level radioactive waste has no disposal path; however, DOE has issued a Notice of Intent to prepare an *Environmental Impact Statement for the Disposal of Greater-Than-Class-C Low-Level Radioactive Waste* (72 FR 40135). Several options for disposal of Greater-Than-Class C waste, as well as DOE waste having similar characteristics, are being considered. Refer to Section 2.7, Waste Management, of this CRD for more information.

Commentor No. 233: Theresa L. Coyle

180 Masonic Home Dr. #205
Masonic Home KY 40041
September 16, 2006

U.S. DOE/NNSA
Los Alamos Site Office, 528 35th Street
Los Alamos NM 87544-2201

To Whom It May Concern:

I vehemently oppose plans to increase production of plutonium "pits" for nuclear weapons at the Los Alamos National Lab. I oppose any funding by Congress that would benefit such a plan.

The United States ratified the Non-Proliferation Treaty in 1970; therefore, it is a moral issue on our part to honor this Treaty as intended. Time and again, the Citizens of our country have objected to Congressional funding that promotes any type of nuclear build-up. The current storage of such weapons has already caused uncountable health risks (even death) to workers, inhabitants in the area and the environment.

Geographically, LANL is situated on three major seismic fault lines. Perhaps, we will be successful in cooperating with Mother Nature in the destruction of many lives and a large portion our beautiful country if we continue in the direction DOE is pursuing.

Please STOP NOW! Change LANL's mission to research and development of real global needs.

Sincerely,


Theresa L. Coyle

233-1

233-1 NNSA notes the commentor's opposition to increasing pit production and related funding. Continuing to ensure a safe and reliable nuclear stockpile violates none of the terms of nonproliferation treaties that the United States has signed. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information. Nuclear weapons are not stored at LANL; environmental impacts of continued operation of LANL in support of its part of the stockpile stewardship program and other activities are presented in Chapter 5 of the SWEIS.

233-2

233-2 Work performed at LANL, and LANL structures, are subject to existing DOE orders and standards for seismic concerns. Different construction requirements are imposed for new structures in accordance with the site locations relative to known fault lines, and in accordance with the planned future use of the structure. Based on their use, existing LANL structures may be retrofitted and upgraded, as necessary and appropriate, or their operations may be limited to meet current seismic standards. Seismic activity at LANL is described in Chapter 4, Section 4.2.2.3. The estimated human health and safety impacts from postulated facility accidents, which include earthquakes, are described in Chapter 5, Section 5.12. These sections were updated to reflect the results of an updated seismic risk assessment (LANL 2007a).

233-3

233-3 Cessation of NNSA's core mission activities in support of NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. Therefore, ending these activities at LANL is not being considered in the SWEIS. In addition to performing these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 234: Emily Graeser

Sept. 14, 2006

Dear Ms. Withers:

I do not support any increases in nuclear weapons research, development or production and oppose the proposed expanded operations alternative (their preferred alternative) in the draft 2006 Site-Wide E.I.S. for Los Alamos National Laboratory.


234-1

LANL activities jeopardize water quality and quantity as well as air quality. New Mexicans rely on this water for drinking and farming. Contaminants exceeding accepted levels have already been found in surface water and the regional aquifer. DOE does not use the most current water quality standards or consider contaminants that are moved in running canyons when analyzing the impacts to our water. It is unacceptable that LANL blatantly disregards laws regulating water quality and quantity.

234-2

I would like to see LANL's mission changed to focus on research and development into renewable energy - there is a lot of sun and wind available here at no negative cost to our environment or our health. The SWEIS should include a fourth alternative that focuses on these activities. For the sake of our planet and its future generations, LANL must transition to peaceful, sustainable and life-affirming research.

234-3

Sincerely, 
Emily Graeser
PO Box 475
Cerrillos, NM 87020

234-1 NNSA notes the commentor's opposition to the Expanded Operations Alternative. NNSA will factor the environmental impacts identified in this SWEIS into its decisions regarding future operations. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD more information.

234-2 Effluents from LANL facilities are discharged in accordance with a National Pollutant Discharge Elimination System permit that establishes limits on the volume and quality of the discharge. As discussed in Chapter 4, Section 4.3.1.2, over the past 6 years, the LANL contractor has a very good record of complying with permit conditions, which are set to protect health and safety. Under all alternatives, NNSA would continue to meet permit conditions designed to protect water resources at LANL.

In addition, the NNSA operates a monitoring program (described in Chapter 4, Section 4.3.1.5) to detect contamination that has resulted from past practices. In accordance with applicable regulations and agreements, NNSA evaluates and takes corrective action for occurrences of contamination in groundwater and surface waters at LANL. Refer to Section 2.6, Offsite Contamination of this CRD for more information.

The water quality standards in Chapter 4, Tables 4-7 and 4-9 have been updated to reflect standards recently issued by the New Mexico Water Quality Control Commission. The new standards have not yet been approved by the U.S. Environmental Protection Agency; nevertheless, they are used in the 2005 Environmental Surveillance Report and this SWEIS in evaluating water quality data. As Table 4-7 demonstrates, LANL surface water data are compared to a variety of standards that legally apply, in order to identify contaminants and data trends that could indicate the need for corrective actions.

NNSA intends to continue to safely manage waste and conduct environmental restoration activities at LANL as it carries out its missions. Refer to Section 2.5, Water Resources, of this CRD for more information.

234-3 Chapter 3, Section 3.5, of the SWEIS provides a discussion of NNSA's consideration of, and decision to not analyze a "Greener Alternative" in the SWEIS. A "Greener Alternative" was analyzed in the 1999 SWEIS but was not selected for implementation. NNSA does not believe, 7 years later, that a "Greener Alternative" is reasonable for the future operation of

Commentor No. 234 (cont'd): Emily Graeser

LANL to meet its mission as directed by the Congress and the President, and has identified the Expanded Operations Alternative as its Preferred Alternative. In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 235: Josephine Ball

September 16, 2006

To: DOE and LANL
% National Nuclear Security Administration
Los Alamos Site Office

Attn: Ms. Elizabeth Withers
Office of Environmental Stewardship
528 35th Street
Los Alamos, New Mexico 87544

Dear Ms. Withers:

Kindly register my opposition to expanded plutonium pit production at LANL. In addition to turning LANL into a nuclear bomb factory, expanded production will increase toxic and radioactive waste being buried in unlined dumps. This leads to pollution of the ground and water resources.

The lab should prioritize improved clean-up technologies and development of renewable energy production such as solar and wind energy. The lab has the expertise to accomplish this, and it would be a great contribution to our world and mankind.

It is my hope that our country will lead by example in the global elimination of weapons of mass destruction, and that peace may reign in our world.

Sincerely,
(Mrs.) Josephine Ball
31 Camino Estrellas
Santa Fe, NM 87508

235-1

235-1

NNSA notes the commentor's opposition to expanded plutonium pit production at LANL. As described in the environmental impacts analysis in Chapter 5, Section 5.9, of the SWEIS, waste generation would increase with increased pit production, but not all wastes are disposed of at LANL. Chemical waste and mixed radioactive waste are shipped offsite for treatment and disposal, transuranic waste is stored onsite until shipped to WIPP for disposal, and low-level radioactive waste is either disposed of at Area G or shipped offsite for disposal. The use of lined pits is currently being evaluated in the updated Area G performance assessment and composite analysis. Refer to Section 2.7, Waste Management, of this CRD for more information.

235-2

235-2

Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. In addition to these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 236: Sylvia Sedillo, SL

September 15, 2006

Ms. Elizabeth Withers, EIS
 Document Manager
 U.S. DOE/NNSA
 Los Alamos Site Office
 528 35th Street
 Los Alamos, New Mexico 87544-2201

Dear Ms. Withers,

We should not be building nuclear weapons, whether they are ever used or not. Especially if we do not have safe places to store the nuclear waste. In the first place, the United States ratified the Non-Proliferation Treaty in 1970, committing us to work toward total elimination of our nuclear arsenals. It is a double standard for the U.S. to continue to build weapons of mass destruction when we demand of other nations and even go to war so that other nations not have them.

236-1

236-1 NNSA notes the commentor's opposition to building nuclear weapons. As discussed in Chapter 5, Section 5.9, waste generated by LANL activities would be managed using a combination of onsite and offsite capabilities. The United States is currently reducing its nuclear weapon stockpile in accordance with the Treaty on Non-Proliferation of Nuclear Weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

We do not want further production of plutonium pits in Los Alamos! We advocate the conversion of this kind of activity into research and development of renewable and sustainable technologies to deal with real national security issues such as energy independence and global climate change. Our taxpayer money ought to be spent on making this blessed country one of justice, peace and compassion. We need to concentrate on education especially for the poor, women, those with learning developmental problems and other domestic issues that could make our country one that we could all be proud of.

236-2

236-2 Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. In addition to these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Sincerely,



Sylvia Sedillo, SL
 2617 Kentucky St., NE
 Albuquerque, NM 87110
 (XXX)XXX-XXXX

Commentor No. 237: Phylis Collier, Danne Hanlon, Michael Majors,
Victoria Linden, Nancy Ryan, Bob Pederson, Cheryl Spangler

September 8, 2006

Dear Ms. Withers:

As a resident of Taos, New Mexico, we are writing to beseech you to put a stop to the proposed expanded plutonium pit production.

You know the dangers. They are infinite.

You have the responsibility and moral obligation to help protect us all.

Please rise to the occasion and do what must be done.

We are praying that you will have the backbone and courage to do this.

Written by Taos residents

Phylis Collier

Danne Hanlon

Michael Majors

Victoria Linden

Nancy Ryan

Bob Pederson

Cheryl Spangler

237-1

237-1 NNSA notes the commentor's opposition to increasing plutonium pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 238: Alison P. Martinez

Tony P. Martinez and Alison P. Martinez
6353 Casas de Milagros
Santa Fe NM 87507
apamtz@msn.com
phone/fax: XXX-XXX-XXXX

On time, every time!

When sending us a fax, there's no need to call ahead. When your fax begins, we'll hear it and push the button. If we're not here, please try again.

To: Elizabeth Withers # 667-5948 Pages including this sheet: 1

We oppose expanding LANL's plutonium pit production. The world doesn't need more nuclear weapons.

Let us beat our swords into plowshares. That way you won't have radioactive waste, and you can turn your God-given gifts to good works.

*Sincerely,
Alison P. Martinez*

238-1

238-1 NNSA notes the commentor's opposition to increasing pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 239: Patricia Ellen Taylor

Patricia Ellen Taylor
14 Alcalde Road
Santa Fe, NM 87508
505-466-6684
443-904-2926 (cell)

September 17, 2006

National Nuclear Security Administration
Los Alamos Site Office
ATTN: Ms. Elizabeth Withers
Office of Environmental Stewardship
528 35th Street
Los Alamos, NM 87544

RE: Comments on draft "Site-Wide EIS for Continued Operations at Los Alamos National Laboratory"

Dear Ms. Withers:

I strongly oppose the expansion of nuclear weapons activities at Los Alamos National Laboratory, including the huge proposed increase in plutonium pit production, on environmental, health/safety and ethical grounds.

239-1

Environmentally, LANL has a deplorable record. LANL should prioritize the cleanup of existing environmental degradation and the development of new technologies to ameliorate environmental damage from its past and current operations before even considering expanding plutonium pit production or increasing its storage capacity of nuclear materials. Secondly, the estimated increase in water use from 388 million gallons per year to 522 million gallons per year is unsustainable, especially given the drought in Northern New Mexico.

239-2

239-3

Regarding safety, it is my understanding that radioactive wastes will be transported over public highways to the Waste Isolation Pilot Plant in southern New Mexico and that radioactive and chemical wastes will continue to be buried in unlined trenches, threatening our water aquifers. This is unconscionable. Better methods must be developed to insure the safety and health of LANL workers, the public, and residents of Northern New Mexico, including the neighboring Pueblos.

239-4

Ethically, the continued and increased development of nuclear weapons by LANL in such an unstable world causes me great consternation. At this time, the United States has a capacity for mass destruction far more than it could ever need. Given the current geopolitical situation, where a few people can cause the loss of thousands of lives using box cutters, the idea of developing more powerful nuclear weapons is nonsensical. Whatever is needed, it seems unlikely that it is more plutonium pits. While nuclear power may be a viable option to the energy crisis – about which I have serious doubts – technologies must first be developed to insure safety of workers and of the surrounding communities, and to clean up, maintain and preserve the environment for us now, as well as for future generations. I would much rather see Los Alamos change its focus to the development of renewable energies and to cleaning up the environmental damage which has already occurred. Thank you for your consideration of my opinion.

239-4
cont'd

239-5

Sincerely,


Patricia Ellen Taylor

239-1 NNSA notes the commentor's opposition to the expansion of nuclear weapons-related activities and pit production at LANL. Refer to Chapter 5 for a discussion of environmental impacts of LANL operations including those expected under the Expanded Operations Alternative, and to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information related to this comment.

239-2 Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed (see Chapter 2, Section 2.2.6, of the SWEIS). Appendix I of the SWEIS presents options and environmental analyses for conducting remediation activities at LANL, primarily related to the Consent Order that was entered into in March 2005. Appendix I also summarizes several technologies for cleanup of soil, water, and air, and references additional information about existing and emerging cleanup technologies. NNSA intends to implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

239-3 While NNSA has projected an increase in water use over time, LANL's projected water demands under the Expanded Operations Alternative would remain within LANL's water use target ceiling of 542 million gallons (2,050 million liters) per year. Refer to Section 2.8, Water Use, of this CRD for more information on LANL's water use, available water rights, and water supply planning.

239-4 Except for low-level radioactive waste, all radioactive and chemical wastes generated at LANL are transported offsite for disposal in regulated disposal facilities authorized for the types of wastes each facility may receive. The impacts associated with this transportation are presented in Chapter 5, Section 5.10.

The future use of lined rather than unlined pits for low-level radioactive waste disposal is under evaluation through the Area G performance assessment and composite analysis required by DOE Order 435.1 that is periodically reviewed and updated. One of the issues considered in this evaluation is the impact of such disposal methods on worker and public

Commentor No. 239 (cont'd): Patricia Ellen Taylor

safety. The performance assessment and composite analysis will guide decisions regarding operational procedures and waste disposal. This SWEIS considers impacts from the use of unlined pits as its No Action Alternative baseline; this impact analysis thereby bounds the long-term environmental consequences that could result from the use of lined disposal pits. Refer to Section 2.7, Waste Management, of this CRD for more information.

- 239-5** Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. In addition to these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 240: Bonnie Bonneau

Ms. Bonnie Bonneau
PO Box 351
El Prado, NM 87529

September 15, 2006

Dear Ms. Elizabeth, and associates, et al;

But really Elizabeth, how brave to step up and tell my that your best suggestion is that i vote. Like am i going to see your name on a ballot soon? Will i see the dangers of escalation, the exports of war and terror upon the innocent and helpless as well as those who are putting up resistance to your imperialist idealism. you know i do vote whenever i can, but i never see any honest discussion of this subject in the campaign of our bought and sold politicians. Was your guidance, as i presume, a response to my oral comment that the reason people talk on and on about the hazardous of your ambitions, because this is a rare venue on the impacts to the local environment.

There is big money in death and destruction these days, and it is serving to undermine the health of our population; mentally, emotionally, toxically, morally, physically, both locally and all over globally.

So, Elizabeth, will you please, in your answer to comments section of this documentation, tell me where, on what ballot should i go to vote about your pet monster protection program? I have actually run around with voter registration cards, asking people to participate, and am an anti-war activist since college.

It has never been on any ballot on this continent, well at least in this country.

We can get our county commissioners and town councils to designate our county a "Nuclear Free Zone", but there is no way to regulate what the wind drags in, or what falls with the rains and either way gets into our food, bodies, world. There is no proper way to request a national, or even state referendum because New Mexico is not a referendum State. Exactly what did you have in mind?

When did you find a box to check for the sponsorship of eminent global demise? What state? When and where? I mean i like to vote, but i want paper ballots.

Perhaps Elizabeth has plans to call up a vote on public opinions of the afore mentioned issues and ideas? In which case we need to wait until the results are in, and it is proven that the election was both fair and free, unlike recent elections. Whatever...)

Also there are three important documents which have not been completed, and whose data needs to be included in the Draft EIS to make it an up to date assessment of what the Lab is willing to share with the public.

I suspect the Lab knows a lot more than what it shares, but the risk assessment for Area G, the earthquake report, and the new public health assessment, need to be released and reviewed before the comment deadline on this Draft.

240-1 To the extent possible, the most recent technical documents, including an update to the seismic hazard analysis completed in June 2007, have been considered in the Final SWEIS analysis. Information currently under development that is not available for use in the Final SWEIS will be considered as it becomes available and, in accordance with the NEPA compliance process, the SWEIS impact analyses will be reviewed and supplemented as necessary based on the newly available information. Refer to Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

Following a public comment period and after evaluating the comments received, the Agency for Toxic Substances and Disease Registry completed and issued the *Public Health Assessment, Final, Los Alamos National Laboratory* (ATSDR 2006). The conclusions in the report are unchanged.

Seismic activity at LANL is described in Chapter 4, Section 4.2.2.3 and in the 2007 seismic hazard analysis report (LANL 2007a). The estimated human health impacts from postulated facility accidents at LANL, including earthquakes, are described in Chapter 5, Section 5.12 and Appendix D, Section D.4. These sections also include a discussion of the significance of the updated understanding of seismic hazard from the 2007 seismic hazard analysis report.

240-1

Commentor No. 240 (cont'd): Bonnie Bonneau

EXHIBITS
NUMBERED
page 2

Maybe after the CDC completes all the cancer studies. After complete, deep assessment of mental and emotional effects, locally and global, are written up in concise detail, after the WIPP-remote handled waste EIS process is past, after your people come clean on all of the impacts of the BLACK BUDGET work; can you in any way begin to honestly analyze the impacts of Los Alamos.

But meanwhile, back to your decision process where your job is to minimize the value of our local cultures and our human lives, and glorify violence, ~~to~~ your world where good and evil are pretentiously bought and sold. The greater good, historic and cultural preservation, public well-being ^{need the decision}. I do agree with G-4 Appendix G, Employee safety and security needs to be improved and the facilities are aging and becoming unsafe. I think that this goal and the concept of downsizing and decontamination should be the center of our GREEN ALTERNATIVE.

I want to make sure you add this to my oral comments in Espanola, so you can get the whole idea and not just this continuation and addendum. *Please & Thank You* the ENVIRONMENTAL INTEGRITY of this sacred earth is not a value you can appreciate, but it is key to sustainable culture and tradition. But you know that this Draft SWEIS is supposed to update and this must include the scope of analysis.

Under the authority vested in me by God's Great Green Earth, it is my duty to inform you that you are really messing up. Environmental Justice issues are always understated. Cumulative impacts must be documented from day one of the first projects there on the "hill". That transient cloud envelopes for 60 years now. The science gets fuzzy. Millions of little reasons why it should be ended and too much "National Security Hype", and whose security are you talking about, mine or that of some supposedly sovereign people whose historic sites have become contaminated to both the cumulative background and some recognizable release patterns, whose sum total is never discusses, tallied or recognized. There must be a chapter on the cumulative radiological data as unravelled from LANL Surveillance documentation. (So sorry about the spelling, am dyslexic.) But in short, i believe that this document is so ineptly inadequate, that it should be rewritten in a way that the people of this valley country should be valued as dearly as a few mighty rich folks.

You value the security of ^{distant} oil investors and arms merchants over your neighbors. As i glance over the long list of Projects, i see nine presented as ^{too many to count?} smallish ones, then Center for Weapons Physics Research. ^{inadequate EIS?} Replacing office buildings impact assessment, and so much more all lumped into Appendix G's 154 pages. If the Department is not funding clean up, then you should stop the mess up, for sure. I wish you better luck on your infrastructure needs. Love and Peace;

bonnie bonneau
Legions of Living Light

Bonnie Bonneau

Is appendix G a large collection of inadequate EIS's?

240-2

240-2 Appendix G of the SWEIS evaluates projects proposed to maintain the existing operations and capabilities at LANL. Some of the projects evaluated would involve construction of new facilities while others focus on upgrading or refurbishing existing facilities. Projects proposed in Appendix H address the decontamination and demolition of excess facilities. As discussed in Chapter 3, Section 3.5, of the SWEIS, NNSA decided not to analyze a "Greener Alternative" in the SWEIS. A "Greener Alternative" was analyzed in the 1999 SWEIS but was not selected for implementation. NNSA does not believe, 7 years later, that a "Greener Alternative" is reasonable for the future operation of LANL to meet its primary mission of supporting the Stockpile Stewardship Program as directed by the Congress.

240-3

240-3 NNSA notes the commentor's opinion that environmental justice issues are always understated. Environmental justice has been analyzed in Chapter 5, Section 5.11, of the SWEIS. Additional information can also be found in Section 2.11, Environmental Justice, of this CRD.

240-4

240-4 Appendix F presents environmental surveillance data for radioisotopes and chemicals in groundwater, surface water, sediment, and soil in and around LANL. These monitoring results account for any contaminants that have accumulated since the beginning of operations at LANL; they are used for comparison to data from the 1999 SWEIS and for conservative dose analyses in Appendix C. Appendix C also presents LANL radiological emissions and radiation dose data. All doses are a very small fraction of the normal background dose received by the population in and around LANL. Chapter 4, Section 4.6.1.1 provides information on cancer mortality and incidence rates in New Mexico and all counties surrounding LANL. These data, along with the final LANL Public Health Assessment, issued on August 31, 2006 by the U.S. Department of Health and Human Services Agency for Toxic Substances and Disease Registry, show that,

240-5

"...there is no evidence of contamination from LANL that might be expected to result in ill health to the community," and "...overall, cancer rates in the Los Alamos area are similar to cancer rates found in other communities" (ATSDR 2006). Chapter 4, Table 4-26 shows that some cancer rates in Los Alamos County are lower than the national average and some are higher, which is typical of any area. Information on historical dose to the public is incomplete and is still being developed. The Centers for Disease Control and Prevention is in the early phase of the dose

240-6

240-7

Commentor No. 240 (cont'd): Bonnie Bonneau

reconstruction efforts at LANL; therefore, this information is not available to include in the cumulative impacts analysis. Chapter 5, Section 5.13 has been revised with cumulative impacts information provided in this response.

240-5 NNSA believes that the LANL SWEIS presents appropriate and adequate analysis of LANL operations that are expected to occur through 2011. Chapter 4, Section 4.6, of the SWEIS presents information regarding health studies in the counties around LANL; these studies indicate that incidents of cancer in the vicinity of LANL are comparable to the national average. Chapter 5 presents the impacts projected to occur for each of the three alternatives with the cumulative impacts presented in Section 5.13. As discussed in Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD, NNSA reviews and takes into consideration the input of all people who comment on the SWEIS.

240-6 Although Appendix G is not a collection of environmental assessments (which has a specific definition under NEPA), it does provide an evaluation of the environmental impacts for individual projects at LANL that would maintain existing LANL operations and capabilities. These projects replace outdated LANL facilities and the impacts are similar to the impacts from the existing facilities. The environmental impacts of each project are evaluated at a level of detail commensurate with the expected impact of the project.

240-7 Funding decisions are not within the scope of this SWEIS which evaluates the environmental impacts of proposed actions and alternatives. NNSA intends to conduct operations at LANL in accordance with its assigned missions while continuing the LANL environmental restoration program summarized in Chapter 2, Section 2.2.6. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Appendix I presents options and environmental analyses for conducting remediation activities at LANL, primarily related to the Consent Order that was entered into in March 2005. These analyses provide environmental impact information to facilitate environmental restoration decisions to be made by the New Mexico Environment Department. NNSA intends to implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

Commentor No. 241: Barbara Slitkin

Sent: Monday, September 18, 2006 9:51 PM
To: LANL_SWEIS
Subject: I join with those who -passed the resolution objecting to the expanse-

To Whom this may Concern:

I join in with 100's of fellow citizens who vocally opposed increased weapons production at recent DOE hearings! I join with the Santa Fe City Council who passed a formal resolution objecting to the expanse-of nuclear weapons activities at the Laboratory, including increased plutonium pit production.

241-1

241-1 NNSA notes the commentor's opposition to increasing pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

BARBARA SLITKIN NY. NY

**Commentor No. 242: LeRoy Moore, Ph.D.,
Rocky Mountain Peace and Justice Center**

To: Ms. Elizabeth Withers, SWEIS Document Manager
NNSA Los Alamos Site Office
528 35th St., Los Alamos, NM 87544
E-mail: LANL_SWEIS@doeal.gov

From: LeRoy Moore, Ph.D.
Rocky Mountain Peace and Justice Center
P. O. Box 1156, Boulder, CO 80306

Re: DSWEIS for LANL

Date: September 18, 2006

The following comments on the Draft Site-Wide Environmental Impact Statement (DSWEIS) for continued operation of the Los Alamos National Laboratory (LANL) are submitted on behalf of the Rocky Mountain Peace and Justice Center of Boulder, Colorado. Our comments focus exclusively on plans for increased plutonium pit production work at LANL.

1. The DSWEIS began as a supplemental SWEIS on short-term environmental and cleanup actions but along the way was changed into a completely new SWEIS that lays the groundwork for LANL to do on an enlarged scale the plutonium pit production work previously done here in Colorado at the Rocky Flats Plant. Failure to publish a new Notice of Intent and to hold a new round of scoping hearings regarding the change in content of the SWEIS violates NEPA requirements. Consequently, the DSWEIS should be set aside and the process begun anew so that the public has full opportunity to help define the scope of the SWEIS.
2. The DSWEIS envisions a fourfold increase in plutonium pit production at LANL from the current capacity of 20 per year to 80 per year. Given that Congress has repeatedly refused to provide funding to construct a proposed "Modern Pit Facility" anywhere in the country, does NNSA intend by means of the increased pit production envisioned by this SWEIS to shoe-horn the MPF into reality at LANL. More specifically, does NNSA or LANL expect in the future to increase pit production at LANL beyond the 80 per year envisioned in this DSWEIS?
3. Whatever the answer to the preceding question, the plan to increase pit production at LANL should be rejected because it represents a flagrant violation of law, namely, Article VI of the Nuclear Nonproliferation Treaty, by which the USA and all other signatories are required to "pursue negotiations in good faith on effective measures relating . . . to nuclear disarmament, and on a Treaty on general and complete disarmament under strict and effective international control." The plan envisioned in the DSWEIS makes NNSA and LANL personnel potentially subject

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242-1 NNSA prepared this SWEIS in accordance with Council on Environmental Quality regulations (40 CFR Parts 1500 to 1508) and DOE NEPA implementing procedures (10 CFR Part 1021). NNSA did originally announce its intent to prepare a supplement to the *1999 SWEIS* that would include all operations at LANL as well as newly proposed projects as part of an expanded operations alternative. Consistent with some of the comments received during the scoping period, NNSA decided to prepare a new SWEIS instead of the originally planned supplement. Refer to Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

242-2 The Expanded Operations level of pit production is consistent with analyses contained in previous NEPA documents such as the *Final Programmatic Environmental Impact Statement for Stockpile Stewardship and Management* (DOE/EIS-0236) (DOE 1996) and the *1999 SWEIS*. In January 2008, NNSA issued the *Draft Complex Transformation Supplemental Programmatic Environmental Impact Statement (Complex Transformation SPEIS)* (DOE/EIS-0236-S4) (73 FR 2023), which analyzes the environmental impacts of the continued transformation of the nuclear weapons complex to implement NNSA's vision of the complex. The *Complex Transformation SPEIS* analyses includes evaluating a production level of 125 pits per year at a number of alternate sites, including LANL. Pit lifetime studies have been completed. While the studies show that degradation of plutonium in the majority of nuclear weapons would not impact weapon reliability for a minimum of 85 years, the analyses in this SWEIS are still valid. The analyses provide a bounding impact of annually producing up to 80 pits and provide NNSA with flexibility in meeting its missions assigned by the Congress and the President. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, and Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for more information.

242-3 Operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons. Continuing to ensure a safe and reliable nuclear stockpile does not violate the terms of the Treaty. Stockpile stewardship capabilities at LANL and elsewhere are currently viewed by the United States as a means to further the Nation's nonproliferation objectives. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 242 (cont'd): LeRoy Moore, Ph.D.
Rocky Mountain Peace and Justice Center

to prosecution for violation of the law of the land. Accordingly, any plans for increased pit production at LANL should be rejected.

242-3
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4. Even if NNSA prefers to disregard the aforementioned law, plans for increased plutonium pit production are premature, given that NNSA is required by legislation to complete "pit lifetime studies." The results of such studies, expected by the end of this year, may show clearly the non-need for manufacture of new pits because of the long usable lifetime of extant pits. Plans for increased pit production should be set aside until the "pit lifetime studies" have been completed and can be considered in detail in any analysis of the need for increased pit production.

242-2
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5. Finally, any plan for increased plutonium pit production at LANL should include a detailed analysis of the history of pit production at the Rocky Flats Plant, a history punctuated by major accidents, routine releases, criminal behavior and unknown adverse health effects to both worker and offsite populations. Such an analysis could begin with a close examination of the great volume of evidence and testimony given in *Merilyn Cook, et al., v. Rockwell International Corporation and the Dow Chemical Company*, Civil Action No. 90-cv-00181(JLK), in the United States District Court for the District of Colorado. When this case was decided against the defendants on February 14, 2006, the jury recommended that the defendants be ordered to pay the plaintiffs \$553.9 million in damages. This case focused on offsite releases, not on worker health. For the latter, analysis of health effects among workers exposed to plutonium in the workplace at Rocky Flats could begin with two key studies: Gregg S. Wilkinson et al, *American Journal of Epidemiology*, vol. 125, no. 2 (1987), pp. 231-250; and a 2003 study by James Rutenber, <http://www.cdph.state.co.us/rfr/rfpworkerstudy/RockyFlatsFinalNIOSHReport.txt.pdf>.

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242-4

A detailed analyses of the history of pit production at the Rocky Flats Plant is not within the scope of the SWEIS analyses, which evaluate the environmental and human health impacts of current and proposed LANL operations.

If you have any questions regarding these comments, contact me by email at leroymoore@earthlink.net or by telephone at 303-444-6981.

Commentor No. 243: Connie Green

From: Connie Green [mailto:greenfamil@comcast.net]
Sent: Monday, September 18, 2006 7:43 PM
To: LANL_SWEIS
Subject: SWEIS comment period

To: MS Elizabeth Withers, EIS Doc. Mgr

Dear Ms. Withers,

I do not support the increase in nuclear weapons research, development or production. For this reason I oppose the proposed alteration in the draft 2006 SWEIS for LANL.

243-1

Connie Green
1505 Stanford Dr NE
Albuquerque NM 87106

243-1 NNSA notes the commentor's opposition to nuclear weapons research, development, or production and to the Expanded Operations Alternative. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 244: Sasha Pyle

COMMENTS RE: LANL DRAFT SWEIS
September 18, 2006

To: Ms. Elizabeth Withers, SWEIS Document Manager
NNSA Los Alamos Site Office
528 35th St., Los Alamos, NM 87544
E-mail: LANL_SWEIS@doeal.gov, Fax: 505.667.5948

From: Sasha Pyle
1672 Cerro Gordo Road
Santa Fe NM 87501
505-988-9210; 505-988-5388
sasha@visibleartis.com

The Site-Wide Environmental Impact Statement for Los Alamos Laboratory, now in Draft form, reveals quite clearly that the National Nuclear Security Administration and the Department of Energy plan a **future for Los Alamos of nuclear weapons design and manufacturing—and not much else**. There is little evidence to suggest that the ground is being laid for significant development in alternative energy, energy conservation technologies, clean industry R&D, or promising areas of health, transportation and environmental remediation.

244-1

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Moreover, it appears that future nuclear weapons programs will enjoy an enhanced level of **obscurity and secrecy that will render public scrutiny difficult**, while leaving many options open to DOE for **mission enlargement or shift** of which taxpayers or Congress might not approve. Vague facility names and descriptions, proposed underground tunnels linking plutonium facilities, and increasing allocation of square footage to factory-like manufacturing purposes all highlight the new role as “big big bomb factory.”

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The emphasis on facilities and infrastructure for actually manufacturing quantities of weapons represents a **shift from the Lab’s historical role** as a theoretical and experimental center. Los Alamos has prided itself on the amount of “pure science” supposedly conducted there. If it now becomes a hardcore bomb factory, that represents a waste of what are often said to be the nation’s most capable minds, as well as a dangerous shift in national policy with severe ramifications in international relations and proliferation issues. These issues are far too important to be guided by the blind pork-barrel “economic development” engine which appears to drive all facilities expansion in the nuclear industries here in New Mexico.

244-3

It seems that the expanded pit production infrastructure being planned at Los Alamos is an **attempt to replace, under a different name, the “Modern Pit Facility”** that has been rejected by Congress and the public.

And in order to justify this lopsided emphasis on plutonium pit manufacturing capabilities, it has been necessary for DOE to completely overlook a **mounting body of**

244-1 NNSA has recently completed a series of pit lifetime studies and has concluded that degradation of plutonium in the majority of nuclear weapons will not affect warhead reliability for a minimum of 85 years, as discussed in Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD. The weapons laboratories, including LANL, will annually re-assess plutonium in nuclear weapons. Since LANL has the only operational capabilities in the DOE complex for producing certified pits, LANL must have, at least in the near term, the responsibility of producing these pits in limited quantities so that the Nation can maintain a safe and reliable nuclear weapons stockpile. While LANL has a major role as a theoretical and experimental science center, its original role in the Manhattan Project was manufacturer of the original nuclear weapons. The LANL SWEIS analyzes a production rate of up to 80 pits per year as a bounding scenario to provide NNSA flexibility in being able to meet its stockpile stewardship obligations and to give the United States future flexibility to meet changing global geopolitical threats. Activities not related to stockpile stewardship will still continue at LANL, as discussed in Section 2.3, Alternative Missions, of this CRD. NNSA is analyzing its long-term vision of a more efficient nuclear weapons complex, which includes a consolidated plutonium center or consolidated nuclear production center, in the *Draft Complex Transformation Supplemental Programmatic Environmental Impact Statement (Complex Transformation SPEIS)*, as discussed in Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD. As stated in Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD, the United States is not in violation of the Treaty on the Non-Proliferation of Nuclear Weapons by performing stockpile stewardship activities.

244-2 Cessation of LANL’s primary mission activities supporting NNSA’s Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. In addition to these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

244-3 NNSA is analyzing the same maximum level of pit production that was analyzed in the *1999 SWEIS*, up to 80 pits per year. A modern pit

Commentor No. 244 (cont'd): Sasha Pyle

recent evidence concerning viable pit lifetimes, now widely conceded to be decades longer than once thought. If DOE's task at this time is truly "Stockpile Stewardship," a realistic assessment of what such stewardship might entail would logically drive the vision for the blueprint of the nation's weapons complex. Gearing up to produce dozens of brand-new pits annually sends a message to taxpayers and the rest of the world that DOE interprets its mission less in terms of maintaining and certifying the existing arsenal than the right to create new generations of new designs, blatantly violating the Non-Proliferation Treaty and driving a costly and politically volatile arms race.

Plutonium pit manufacturing is a costly business. Federal money that is spent on building bomb factories and building bombs could be spent on roads, schools, bridges, achieving energy independence and providing real aid to those who need it here and abroad. United States taxpayers have already invested over six trillion dollars since the end of World War II in the idea and reality of the nuclear deterrent. We have a huge arsenal, and it is in certifiably good condition. Gearing up to sneak new designs into the arsenal, or to enhance the military capabilities of existing weapons and delivery systems drains the Treasury, to the detriment of other vitally important national priorities.

Plutonium pit manufacturing is a filthy business. The public is well aware of why the notorious Rocky Flats plant was shut down. Now we in Northern New Mexico are being asked to host the new Rocky Flats. We are already struggling with potentially far-reaching environmental problems resulting from the nation's nuclear weapons programs. WIPP waste comes to us and travels on our roads from a wide range of locations, and is then placed in a seriously flawed facility that simply may not be able to contain the radioactive and chemical hazards. We have on-going revelations about on- and off-site releases at Los Alamos. Moreover, the consumption of **enormous quantities of water to build and run** the CMRR and other new facilities and the **exposure of our groundwater to illegal levels of contamination** pose a two-fold threat to the region's most precious resource.

Los Alamos began in secrecy during World War II and drew the mantle of "national security" tightly around it for the ensuing decades. There was a period of time when the haphazard waste disposal practices (pits, ponds, trenches, cardboard boxes, liquid effluent spewing directly out of pipes into Mortandad Canyon and watering the trees which then burned in the Cerro Grande Fire...) could somehow be justified in retrospect by saying, "Well, in those days, they just didn't know any better. They didn't know that these substances posed any threat to human health." That excuse can no longer be used. **Risks to human health and the environment** posed by the materials used in nuclear weapons manufacturing are, if not completely catalogued, much better known than in the early days of the Cold War. New pockets of radioactive and hazardous chemical contamination in soil and groundwater have been coming to light steadily over recent years--not just at Los Alamos but at all of the DOE facilities around the country. Los Alamos should be properly cleaned up before new messes are made there. **Cleanup is the only part of the Los Alamos budget that should receive increased funding.**

I have worked actively in nuclear weapons issues for two decades in Northern New Mexico. I have analyzed countless environmental impact statements and commented upon them in oral and written testimony. I have researched, written and edited fact sheets

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facility, which is no longer being pursued, had a production capacity much greater than that being analyzed in this LANL SWEIS. In an October 2006 Notice of Intent (71 FR 61731), NNSA announced plans to prepare a *Supplement to the Stockpile Stewardship and Management Programmatic Environmental Impact Statement – Complex 2030* (now called the *Complex Transformation Supplemental Programmatic Environmental Impact Statement [Complex Transformation SPEIS]*) (DOE/EIS-0236-S4). In addition to announcing its intent to prepare the *Complex Transformation SPEIS* to assess the environmental impacts from the continued transformation of the nuclear weapons complex, NNSA announced cancellation of the previously planned *Supplemental Programmatic Environmental Impact Statement on Stockpile Stewardship and Management for a Modern Pit Facility* (DOE/EIS-236-S2). Refer to Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for more information.

244-4 NNSA and the LANL contractor continue to remediate environmental releases from past LANL operations as further described in response to Comment no. 244-5. As for the commentor's concerns about water use for new facilities, new facility construction is forecast to have a minor impact on the overall trend in site-wide water and other utility demands. Operationally, a number of the new and more resource efficient facilities would replace older facilities resulting in a net decrease in utility demands over time, as discussed in Chapter 5, Section 5.8.2.3, of the SWEIS. Such is the case with the new Chemistry and Metallurgy Research Replacement Facility, which would replace the existing Chemistry and Metallurgy Research Building as a Key Facility as part of the No Action and the Expanded Operations Alternatives. Construction and operation of the Chemistry and Metallurgy Research Replacement Facility was analyzed in the *Final Environmental Impact Statement for the Chemistry and Metallurgy Research Building Replacement Project at Los Alamos National Laboratory, Los Alamos, New Mexico (CMRR EIS)* (DOE/EIS-0350) (DOE 2003c) and was the subject of a subsequent record of decision (69 FR 6967). As a result, the Chemistry and Metallurgy Research Replacement Facility construction and activities related to the transition of capabilities and operations from the existing Chemistry and Metallurgy Research Building are analyzed as part of the No Action Alternative in the SWEIS, as further described in Chapter 3, Section 3.1.3.1, of the SWEIS, with the utility infrastructure impacts of

Commentor No. 244 (cont'd): Sasha Pyle

and newsletters. I have testified in Congress and at innumerable hearings. I have traveled to Washington, D.C. to present citizen concerns to members of Congress and their staffs. I can unequivocally state that citizens of this area do not wish to be exposed to the health risks associated with the new Rocky Flats--what **would soon be the world's largest plutonium bomb factory**. With the absurd litany of security and safety violations we have seen at Los Alamos National Laboratory over recent years; with DOE's deplorable record sustaining its environmental cleanup programs to acceptable standards; with Bechtel Corporation assuming the complex and powerful contractor's role only this calendar year (presumably still unfamiliar with the lab's legacy of contamination and its organizational weaknesses) -- it would seem there are far too many variables in place to indicate that Los Alamos is ready to host the expanded weapons manufacturing role that DOE and NNSA clearly see for it.

I urge you to give careful consideration to the detailed comments prepared and submitted by Nuclear Watch of New Mexico, and the support documentation which is posted on the website www.nukewatch.org (many SWEIS support documents are there because LANL failed to make them publicly available.) As a founding Steering Committee member I can vouch for the standards of factual impeccability and thorough research adhered to by our professional staff as well as aspired to by all volunteers in our organization.

As an informed voting and taxpaying citizen, I reject the vision for LANL's future contained in the SWEIS and I protest at crucial national and international policy matters being steered by the pork barrel. The momentum of immediate money and jobs, regardless of future consequences, is all that seems to be considered in this blind rush to expand the weapons manufacturing capabilities of DOE and concentrate them in this one location. But some of us here in New Mexico have been paying attention and are not willing to turn a blind eye to activities "on the hill" as a misguided show of support for national security. I remind you that the money does not reach most of us, the jobs are temporary and the potentially lethal consequences of allocating so many of our precious national resources to this Cold War pursuit--or the even more appalling specter of hot-war useable weapons--represents **nuclear proliferation, taxpayer abuse, corporate graft, infrastructure neglect and environmental Russian roulette**. In short, a **national and international policy disaster**.

Sasha Pyle
September 2006

this project presented in Chapter 5, Section 5.8.2.1, of the SWEIS. NNSA revised the Reduced Operations Alternative in the SWEIS to reflect the possibility of not building the nuclear facility portion of the Chemistry and Metallurgy Research Replacement Facility and continued use of the existing Chemistry and Metallurgy Research Building. Water use for this alternative would be similar to that for other alternatives. Refer to Section 2.8, Water Use, of this CRD for more information on water use, available water rights, and water supply planning at LANL.

244-5 NNSA and the LANL contractor are continually conducting investigations to determine the amount and movement of contamination in the environment at LANL. An interim measures investigation was conducted by NNSA and reported in November 2006, in accordance with requirements in the March 2005 Consent Order between DOE, the LANL contractor, and the New Mexico Environment Department. The Consent Order describes work performed to address the chromium contamination problems in the groundwater at LANL and to ensure the protection of drinking water, while long-term measures are evaluated and implemented. In the interim measures investigation report, NNSA suggested that the scope of work defined in the Consent Order be modified and should focus on characterizing the nature and extent of all contaminants (not just hexavalent chromium) sufficient to support risk assessments and remedial actions. Refer to Section 2.5, Water Resources, of this CRD for more information.

244-6 Funding decisions are not within the scope of the SWEIS, which evaluates the environmental impacts of proposed actions and alternatives. NNSA intends to conduct operations at LANL in accordance with its assigned missions while continuing the LANL environmental restoration program summarized in Chapter 2, Section 2.2.6. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Appendix I presents options and environmental analyses for conducting remediation activities at LANL, primarily related to the Consent Order that was entered into in March 2005. These analyses provide environmental impact information to facilitate environmental remediation decisions to be made by DOE and the New Mexico Environment Department. NNSA intends to

Commentor No. 244 (cont'd): Sasha Pyle

implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

Commentor No. 245: Mary Ann Stenard

From: maryann8@optonline.net [mailto:maryann8@optonline.net]
Sent: Tuesday, September 19, 2006 3:37 PM
To: LANL_SWEIS
Subject: EXPANDING NUCLEAR PIT PRO. AT ALAMOS

DEAR SIRs:

I AM A GRANDMOTHER AND SICK OVER WHAT IS GOING ON IN THIS COUNTRY. I SAY NO, NO TO EXPANDING NUCLEAR PIT PRODUCTION AT LOS ALAMOS. OUR COUNTRY SHOULD BE LEADING THE WAY ON OUTLAWING NUCLEAR WEAPONS. SHAME.

MARY ANN STENARD, GARDEN CITY, N.Y.

245-1

245-1

NNSA notes the commentor's opposition regarding pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 246: Edwina Lieb

From: Edwina Lieb [mailto:edwina.lieb@gmail.com]
Sent: Tuesday, September 19, 2006 2:36 PM
To: LANL_SWEIS
Subject: Plutonium Pit Production

To Whom It May Concern:

As a 30-year resident of Los Alamos, I would like to express my absolute opposition to any expanded plutonium pit production in Los Alamos.

|| 246-1

I fear the environmental impact of this work, as the state is still coming to terms with problems resulting from Cold War weapons work.

|| 246-2

In addition, I believe that increased weapons production is the wrong direction for the laboratory to take. We need to be working toward non-proliferation, not stepping up the arms race.

|| 246-1
cont'd

Sincerely,
Edwina Lieb
4596 Fairway Drive
Los Alamos, NM 87544

--
home phone: XXX.XXX.XXXX
cell phone: XXX.XXX.XXXX

246-1 NNSA notes the commentor's opposition to activities related to expanding pit production at LANL. Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. Stockpile stewardship capabilities at LANL are currently viewed by the United States as a means to further the Nation's nonproliferation objectives and are likely to remain important in future arms control negotiations as the Nation moves to further reduce its overall stockpile size. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

246-2 NNSA notes that there are areas of known or suspected contamination due to historical site operations. In 2005, the State of New Mexico, NNSA and the University of California, as the LANL management and operating contractor, entered into a Consent Order that is currently being implemented to address the investigation and remediation of legacy environmental contamination at LANL. Refer to Sections 2.7, Waste Management, and 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for further information.

Commentor No. 247: Richard Johnson

**Comments to the National Nuclear Security Administration
On the Draft Environmental Impact Statement for
Continued Operation of the Los Alamos National Laboratory**

September 17, 2006
Ms. Elizabeth Withers, SWEIS Document Manager
NNSA Los Alamos Site Office
528 35th St.
Los Alamos, NM 87544
E-mail: LANL_SWEIS@doeal.gov
Fax: 505.667.5948

Dear Ms. Withers:

My name is Richard Johnson, a resident of Santa Fe, New Mexico. I am submitting these comments to the National Nuclear Security Administration (NNSA) on the Draft Site-Wide Environmental Impact Statement for Continued Operation of the Los Alamos National Laboratory (DSWEIS) with its stated preferred "Expanded Operations Alternative" of increased nuclear weapons research and production at the Los Alamos National Laboratory (LANL). NNSA proposes to:

- Quadruple the production of plutonium pits, the atomic "triggers" for today's thermo-nuclear weapons, from 20 to 80 per year.
- Because of increased production, radioactive bomb wastes will almost double, to be transported on public highways to the Waste Isolation Pilot Plant, the world's only permanent dump for bomb wastes, "coincidentally" also in New Mexico.
- Increase its storage capacity of "special nuclear materials, mainly plutonium" to 7.3 tons at the Lab. A decade ago the Department of Energy declared an inventory of 3 metric tons of weapons-grade plutonium at LANL.
- Create the infrastructure, which will enable Los Alamos to become the nation's permanent site for plutonium pit production. Even before this, Los Alamos is already the second largest production site in the American nuclear weapons complex.

I am joining with hundreds of fellow citizens and the Santa Fe City Council in opposing these plans.

The central issue discussed in the DSWEIS is the proposed expansion of plutonium pit production at LANL from 20 pits per year to 80. Pits are the atomic "triggers" for today's nuclear weapons, and their production was formerly done at the notorious Rocky Flats Plant until operations ceased there following a FBI raid investigating environmental crimes (i.e. dumping radioactive and hazardous waste from Rocky Flats into the water supply of Broomfield, CO). The DSWEIS not only proposes to increase production to 80 plutonium pits per year but also seems intent on creating a facility infrastructure to enable future pit production levels far above the 80 pits per year proposed in the DSWEIS. The Final SWEIS should directly address future pit production plans if Congress continues to reject plans for a new Modern Pit Facility.

In short, the DSWEIS seems intent on creating a facility infrastructure that could enable future plutonium pit production levels even above that of the 80 pits per year contemplated in the

247-1

247-1 NNSA notes the commentors opposition to the Expanded Operations Alternative. NNSA is not, as suggested by the commentor, creating the infrastructure at LANL to be able to produce in excess of 80 pits per year. The SWEIS alternatives addressing operational levels for the next 5 years limit the level of pit production to up to 80 pits per year (Expanded Operations Alternative). In October 2006, NNSA issued a Notice of Intent to prepare a *Supplement to the Stockpile Stewardship and Management Programmatic Environmental Impact Statement – Complex 2030* (now called the *Complex Transformation Supplemental Programmatic Environmental Impact Statement [Complex Transformation SPEIS]*) (71 FR 61731) to assess the environmental impacts from the continued transformation of the nuclear weapons complex. In addition to announcing its intent to prepare the *Complex Transformation SPEIS*, NNSA announced cancellation of the previously planned *Supplemental Programmatic Environmental Impact Statement on Stockpile Stewardship and Management for a Modern Pit Facility* (DOE/EIS-236-S2) (71 FR 61731). Therefore, the Final SWEIS does not include analysis of the cumulative impacts of a modern pit facility. In January 2008, NNSA issued the Draft *Complex Transformation SPEIS* (73 FR 2023); it includes alternatives in which LANL would be the site of a new consolidated plutonium center or a new consolidated nuclear production complex. The impacts from the Draft *Complex Transformation SPEIS* are included in Cumulative Impacts section of the Final SWEIS.

NNSA is not currently considering an alternative waste storage arrangement at LANL, such as the use of above ground waste storage mounds for the storage of low-level or mixed low-level radioactive wastes. The Records of Decision for low-level and mixed low-level radioactive wastes supported by the *1997 Waste Management Programmatic EIS* (DOE/EIS-0200) (DOE 1997a) state DOE's decisions for the management and disposal of these waste types for DOE operations, including LANL operations. LANL was identified as a facility that would continue to dispose of its low-level radioactive wastes onsite. Additional environmental impact analysis was provided through the *1999 SWEIS* for the expansion of the Area G low-level radioactive waste disposal site. DOE decided to expand into Zones 4 and 6 of Area G and announced this decision in the *1999 SWEIS* Record of Decision (64 FR 50797). Mixed waste generated by LANL is currently disposed of offsite, primarily at licensed commercial facilities.

Commentor No. 247 (cont'd): Richard Johnson

DSWEIS. The Final SWEIS should disclose how that might be true, especially in the event that Congress continues to reject a Modern Pit Facility.

A fourfold increase in pit production at LANL also means a significant increase in the likelihood of accidents – whether in the transportation of materials on our roads, in the handling and storage of these radioactive and hazardous materials, or in the production of the pits themselves. There is also an increase in the likelihood of terrorism. Lastly, the increase in pit production means more wasted products stored in our fragile environment or transported to WIPP in Southern New Mexico. The DSWEIS speaks in glowing terms about the economic benefits to three counties, Los Alamos, Rio Arriba and Santa Fe. However, the SWEIS should address how these benefits will be apportioned over these counties. An obvious expectation is that Los Alamos, all ready the richest county in the U.S. will receive the most benefit.

Here in New Mexico tourism represents our economic lifeblood. One in every ten jobs in New Mexico directly depends upon tourism and indirectly accounts for approximately 25% or all jobs in New Mexico. Our lifeblood is being threatened by LANL's proposed increase in pit production. Just one accident resulting in a radioactive release at LANL or on our highways could be a death blow to our fragile tourist-based economy. Attraction to New Mexico is tied to the public's perception of the state as a clean and unspoiled place. In the event of an accident related to the proposed new pit production, what is the half life of that perception? Alaska reported a 40% decline in tourism following the Exxon Valdez spill in Prince Edward Sound. (see "An assessment of the impact of the Exxon Valdez Oil Spill on the Alaskan Tourism Industry," prepared for Preston, Thorgrimson, Shidler, Gates and Ellis). The economic effects of a major accident related to the "Expanded Operations Alternative" should be addressed in the Final SWEIS. What would be the effect on New Mexico's economy if tourism declined by 40%?

There is also no mention in the DSWEIS about the long term health care costs associated with increased plutonium and other hazardous materials contamination. Los Alamos all ready has an unusually high cancer rate (i.e. breast cancer, brain cancer) associated with plutonium contamination. In addition multiple other health problems are associated with long term, low exposure to radiation A typical cancer case costs over \$200,000. The potential health related costs of the "Expanded Operations Alternative" should be included in the Final SWEIS.

In addition, living with the constant fear associated with having a nuclear pit production factory in ones backyard can strain the social fabric of nearby communities adding additional burder to the societal infrastructure. The costs to our society and our children growing up in the constant fear of living next door to this "bomb factory" is impossible to calculate but should be acknowledged in the Final SWEIS.

The socio-economic analysis presented in the DSWEIS is woefully incomplete. The "Expanded Operations Alternative" does not address the resulting contamination in our air, our water, our soil, our health and our future in socio-economic terms.

The DSWEIS lists 3 possible alternatives but **two additional alternatives should also be analyzed.**

1. LANL should develop an aboveground waste storage site on Lab property. Low-level radioactive and low-level mixed waste should be stored aboveground in environmentally engineered mounds. This aboveground waste storage site would be large enough to receive all of the Lab's legacy waste after it is

Comments on the Draft LANL SWEIS• Page 2

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In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

NNSA and its operating contractors have internal organizations dedicated to safe operation of its nuclear facilities. DOE has issued regulations, standards, and guidance for nuclear facility operation including requirements for performance of safety evaluations and risk assessments which become the basis for facility operating parameters. These regulations and standards of operations help reduce the likelihood of accidents. The estimated impacts from postulated facility accidents, that take into account the likelihood of accidents, are described in Chapter 5, Section 5.12, of the SWEIS. Considering the conservative nature of the accident analysis, there is no difference in the level of risk between the two levels of pit production. The increased transportation of special nuclear material and waste associated with a higher level of pit production is discussed in Chapter 5, Section 5.10. As shown Table 5–51, the incremental transportation risks are small.

With respect to terrorism, there is no reason to believe that a change in the level of pit production would make LANL more or less to likely to be the target of terrorists. DOE gives high priority to the safety and security of all its facilities. Security and potential acts of sabotage are integral considerations in the designs and operating procedures for new and existing DOE facilities. DOE considers the threat of terrorist attack to be real and has an established safeguards and security process it undertakes to assess facility vulnerabilities to various threats, including those from intentional destructive acts, such as acts of terrorism. Chapter 4, Section 4.6, of the SWEIS has been revised to include additional discussion of the measures taken to protect assets at LANL from terrorist activities. As discussed in Chapter 5, Section 5.12.6, the impacts of terrorist action have been considered in a separate, classified appendix to the SWEIS.

Commentor No. 247 (cont'd): Richard Johnson

exhumed, all of the debris from future demolished buildings, and all future waste from future operations. This alternative would protect the regional aquifer and would solve transportation issues such as the inevitable increases of transportation costs, and emissions. If there were no site large enough on LANL grounds, then waste-generating operations would be moved to a site where there is room for an aboveground waste storage site. This way, in the future, the waste would be easily retrievable when a technology that can actually make radioactive waste safe is developed. A program like this was recently completed at the Fernald, Ohio, Closure Project (see <http://www.fernald.gov/>).

2. LANL should initiate a Manhattan-Project-style assault on the world's global-warming, energy-economy-security complex of problems. Solving this global problem would do more for true national security than expanded nuclear weapons operations will ever do.

These comments and questions respectfully submitted,

Richard Johnson

**247-1
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247-3 The volume of low-level radioactive, mixed, transuranic, and chemical wastes that could be generated due to increased pit production at the Plutonium Facility Complex is specified in Chapter 5, Table 5-47. Existing onsite and offsite treatment, storage, and disposal facilities would be sufficient to manage these waste streams. Transportation impacts are addressed in Chapter 5, Section 5.10, and Appendix K of the SWEIS.

247-4 The benefits to the counties cited by the commentor would occur in proportion to the number of LANL workers from each of the counties. As shown in Chapter 4, Table 4-37, the highest percentage of LANL employees live in Los Alamos County followed by Santa Fe County and Rio Arriba County, respectively.

247-5 The SWEIS impact analysis considers socioeconomic impacts of operating LANL on the general New Mexico economy of which tourism is a part. Chapter 5, Section 5.12, analyzes the potential impacts from a variety of accident scenarios on members of the public, which would include visitors to the area. However, a speculative discussion of New Mexico's economy in the event of a decline in tourism is not within the scope of the SWEIS.

247-6 Chapter 4, Section 4.6.1, of the SWEIS provides detailed information on cancer mortality and incidence rates in New Mexico and all counties surrounding LANL. Chapter 4, Table 4-26, shows that some cancer rates in Los Alamos County are lower than the national average and some are higher, which is typical of any area. In addition, the final Public Health Assessment of LANL, issued on August 31, 2006 by the U.S. Department of Health and Human Services, Agency for Toxic Substances and Disease Registry, shows that, "...there is no evidence of contamination from LANL that might be expected to result in ill health to the community," and "...overall, cancer rates in the Los Alamos area are similar to cancer rates found in other communities" (ATSDR 2006).

Chapter 5 of the SWEIS describes the environmental impacts of each of the three alternatives for continuing to operate LANL and includes the effects on surface waters, groundwater, and air. Chapter 5, Section 5.13, states that contamination from LANL or changes in Rio Grande flows are not likely to affect water quality. In addition, a special pathways analysis has been added to Appendix C to address concerns expressed regarding contamination of the Rio Grande. The analysis shows that the projected

Commentor No. 247 (cont'd): Richard Johnson

doses from drinking Rio Grande water that could potentially be impacted by LANL operations are comparable to those from drinking water from the Jemez River, which is not downstream of LANL. The health impacts analysis projects air emissions data to estimate dose to the population within a 50-mile (80-kilometer) radius of LANL. The maximum projected annual population dose would be 36 person-rem under the Expanded Operations Alternative. This dose would not be expected to result in any additional latent cancer fatalities in the affected population.

247-7 NNSA notes the commentor's opposition to nuclear pit production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

247-8 As shown in the air quality, water resources, geology and soils, and human health sections of Chapter 5, while the Expanded Operations Alternative would result in slightly higher impacts, these impacts are not expected to significantly increase the risks to the public associated with LANL operations. In socioeconomic terms, these impacts would not be expected to result in adverse affects on New Mexico's future economy.

Commentor No. 248: George A. Yankura

From: George Yankura [mailto:george.a.yankura@comcast.net]
Sent: Tuesday, September 19, 2006 2:34 PM
To: LANL_SWEIS
Subject: National Environmental Policy Act

Attention: Ms. Elizabeth Withers
Office of environmental Stewardship
Subject: Your public review at Santa Fe of the Draft Site-Wide Environmental Impact Statement for Continued Operation of Los Alamos National Laboratory

Dear Ms. Withers:

I prefer that the nuclear weapons technology activities at the LANL be devoted solely to the safe maintenance of existing weapons; I hope that these weapons may never be used and that they eventually could be disposed of. I believe that the production and verification testing of new weapons by itself, apart from their eventual use, has a great potential of leading to unintended, unforeseen and dreadful, consequences.

248-1

I believe that the large quantity of nuclear weapons now on hand are sufficient to afford the United States with more than adequate deterrence against any foreseeable rational outside threat or to assure the overwhelming destruction of any national foreign power, or powers, foolish enough to send one of theirs our way. The latter is a risk we unfortunately imposed on ourselves by bringing nuclear weapons into fruition. The sheer numbers of nuclear weapons on our side would assure eventual victory, however desolate.

Finally I also believe that any future use of nuclear weapons by the United States in reaction to any perceived provocation, however localized or 'surgically' delivered, would enable any other nation or group to assume moral justification when using nuclear weapons against us or against any other nation or group.

The above statements summarize my conclusions after having attended the subject review, having followed the press reports and commentaries on the subject, and having discussed the subject with numerous other citizens.

Respectfully,
George A. Yankura
69 Avenida Frijoles
Santa Fe, NM 87507

248-1

NNSA notes the commentor's preference that nuclear weapons activities at LANL be devoted to safe maintenance of the nuclear weapons stockpile. As indicated in Chapter 1, Section 1.2, of the SWEIS, NNSA's need to continue operating LANL is focused on its obligation to ensure a safe and reliable nuclear stockpile. Stockpile stewardship capabilities at LANL are currently viewed by the United States as a means to further the Nation's nonproliferation objectives and are likely to remain important in future arms control negotiations as the Nation moves to further reduce its overall stockpile size.

Commentor No. 249: Erich and Samantha Decker-Hoppen

From: Decker-Hoppen [mailto:deerpeople@yahoo.com]
Sent: Tuesday, September 19, 2006 12:31 PM
To: LANL_SWEIS
Subject: opposition to expansion

We oppose expanded plutonium pit production at Los Alamos National Laboratory because of the increased toxic pollution it will generate and because we oppose our nation using nuclear weapons to threaten other nations. America should be leading the world in achieving a higher ideal of peace, not leading the world in the proliferation of weapons of mass destruction.

Erich & Samantha Decker-Hoppen
Truchas, New Mexico

249-1

249-1 NNSA notes the commentors' concerns regarding pit production and the existence and potential use of nuclear weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information. Chapter 5 evaluates the potential environmental impacts of LANL operations, including plutonium pit production. These impacts are summarized in Summary Table S-5 of the SWEIS. NNSA will take these impacts under consideration when making any decisions regarding the future of LANL operations.

Commentor No. 250: Christina Hope Brown

From: elberta@roy-elmorgans.com [mailto:elberta@roy-elmorgans.com]
Sent: Tuesday, September 19, 2006 12:00 PM
To: LANL_SWEIS
Subject: Plutonim Pit Production @ LANL

TO: Ms. Elizabeth Withers
U.S. DOE/NNSA
Los Alamos Site Office
528 35th St.
Los Alamos, NM 87544-2201

Re: Public Comment on SWEIS for Continued Operations of LANL

Dear Ms. Withers,

I am writing to voice my extreme opposition to any increased plutonium pit production at Los Alamos. I am also opposed to shipping any more radioactive waste from other nuclear sites in the U.S. to Los Alamos. In addition, I am opposed to any more experiments involving open air testing of high explosives and depleted uranium there. As a 30-year New Mexico resident who works in Espanola and lives in Chimayo, any increase in production of deadly, poisonous radioactive bomb-making elements in Los Alamos, directly effects my health and safety as well as that of my family and neighbors. I support the "no action" alternative to pit production.

250-1

What you all need to do up there, and have needed to do for many years, is CLEAN UP YOUR MESS, meaning the radioactive waste that is already poisoning New Mexico's land, air and water. I know you have highly contaminated sites up there, some that have been dangerous for decades. New Mexico and America does not need any more nuclear pollution OR nuclear weapons - I believe we have enough (around 6,000?) existing already to destroy ourselves and everything else on Planet Earth several times over. Nuclear Weapons are morally and ethically WRONG, we should be REDUCING proliferation of these evil things, not increasing them.

250-2

LANL's track record as far as safety infractions compromising its own workers, as well as dangerous releases of nuclear poisons to the public, is not exactly stellar. LANL needs to concentrate on CLEAN-UP at the lab and developing better nuclear waste clean-up technologies NOW, instead of building more weapons with the pollution that goes along with this build-up. CLEAN, SAFE energy alternatives researched and developed in Los Alamos could help reduce America's addiction to oil and perhaps then we wouldn't need to go to war with other countries for their oil. Why can't LANL concentrate their money and intelligence on life-affirming technology instead of how to create more death?

250-3

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250-1 NNSA notes the commentor's opposition to increased plutonium pit production and associated activities, including open air testing using high explosives and depleted uranium, and to receipt of waste from offsite locations. NNSA also notes the commentor's preference for activities at LANL to be focused on areas other than nuclear weapons production. Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. In addition to these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Protection of public health and cleanup of pollution are of paramount importance to NNSA. Chapter 5 of the SWEIS evaluates the potential environmental, health, and safety impacts of continued operation of LANL under the three proposed alternatives. These analyses demonstrate that LANL can continue to operate safely under any of the alternatives. Specifically, Chapter 5, Section 5.4.2, of the SWEIS provides information on radiological air emissions from LANL, including those from use of depleted uranium. Section 5.6.1 provides public radiological impact information for all emissions including depleted uranium under all three alternatives. For all alternatives, the average population dose within 50 miles (80 kilometers) of LANL is less than 0.1 percent of the dose from background radiation. LANL operations and procedures are designed to minimize any releases of depleted uranium to the environment during tests. For more information on high explosives, depleted uranium, and associated monitoring programs, refer to Section 2.10, Depleted Uranium and the Dual Axis Radiographic Hydrodynamic Test (DARHT) Facility, of this CRD.

Radioactive wastes from other locations are not received at LANL, with two exceptions. The first exception is that small amounts (less than 10 shipments per year) of radioactive waste may be received for disposal or storage and preparation for shipment to WIPP. The second exception is that NNSA has the responsibility for safely storing unwanted radioactive sealed sources for safety and national security purposes. These sealed

Commentor No. 250 (cont'd): Christina Hope Brown

The entire world is at a crossroads as far as War and Peace are concerned, and what Los Alamos does now is crucial to that balance. Having the capability to use Weapons of Mass Destruction as we (the United States) do gives us the responsibility NOT to use them! Do any of the people in charge of the decision to increase pit production have husbands, wives and children? Do they even live here? If they do, don't they care about future generations? Once again, I reiterate, continuing to produce nuclear weapons is MORALLY and ETHICALLY WRONG. Please stop this madness.

Respectfully submitted by:

Christina Hope Brown
P.O. Box 835
Chimayo, NM 87522

sources are brought to LANL if they cannot be reused or if there are no appropriate commercial facilities that can accept them. They are stored at LANL pending disposal at WIPP or at another appropriate facility.

Chapter 2, Section 2.2.6, of the SWEIS describes progress made by NNSA in conducting its environmental restoration program at LANL. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Continuation of cleanup activities at a pre-Consent Order level is included in the No Action Alternative, while actions necessary to comply with the Consent Order are evaluated under the Expanded Operations Alternative. As stated in Chapter 1, Section 1.4, of the SWEIS, however, NNSA intends to implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS. For more information about proposed activities in support of the Consent Order, refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD.

- 250-2** As discussed in Chapter 1, Section 1.3, of the SWEIS, DOE, the LANL management and operating contractor, and the State of New Mexico entered into a Consent Order that specifies cleanup activities to be undertaken for sites covered by the Order. DOE intends to meet its cleanup obligations as defined by the Consent Order and in accordance with its authority under the Atomic Energy Act, as amended. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.
- 250-3** NNSA and its operating contractors have internal organizations dedicated to safe operation of its nuclear facilities. DOE has issued regulations, standards, and guidance for nuclear facility operations including requirements for performance of safety evaluations and risk assessments which become the basis for facility operating parameters. The DOE goal is to eliminate any accidents and these regulations and standards of operations reduce the likelihood of accidents, but do not eliminate them completely. Chapter 4, Section 4.6.3, of the SWEIS contains a discussion of accidents and safety at LANL facilities. The LANL contractor applies lessons learned from past accidents to improve overall safety performance. LANL staff takes actions in the areas of procedures, training, inspection,

Commentor No. 250 (cont'd): Christina Hope Brown

and component upgrading and replacement in order to address the root causes of accidents and preclude their recurrence.

Chapter 4, Section 4.6.1, shows the radiation doses received over the past 10 years from LANL operations by the surrounding population and a hypothetical maximally exposed individual. The annual dose to the hypothetical maximally exposed individual has consistently been smaller than the 10-millirem radiation dose limit established for airborne emissions by the U.S. Environmental Protection Agency. The final LANL Public Health Assessment, issued on August 31, 2006 by the U.S. Department of Health and Human Services Agency for Toxic Substances and Disease Registry, reports that, "...there is no evidence of contamination from LANL that might be expected to result in ill health to the community," and that "...overall, cancer rates in the Los Alamos area are similar to cancer rates found in other communities" (ATSDR 2006).

Commentor No. 251: Marie Boyette

From: Marie Boyette [mailto:rieb7@hotmail.com]
Sent: Tuesday, September 19, 2006 11:11 AM
To: LANL_SWEIS
Subject: Los Alamos

I just want to let you know that I object to increased Plutonium pit production at Los Alamos national lab. I oppose the increased toxic and radioactive waste generated by expanded operations.

I oppose LANL's continuing pollution of our precious water resources. I oppose the Lab's continuing burial of radioactive and chemical wastes in unlined dumps. I oppose the construction of new nuclear weapons facilities near earthquake fault lines. Thank you very much for your consideration.

~Marie Boyette

251-1

251-1 NNSA notes the commentor's opposition to increased plutonium pit production at LANL and its related waste generation, management, and disposal; the continuing migration of existing contamination; and construction of new nuclear weapons support facilities near geologic faults. The environmental impacts of waste generation and disposal, and any impacts to water resources are addressed in Chapter 5 of the SWEIS. While waste generation would increase with increased pit production, not all wastes are disposed of at LANL. Chemical waste and radioactive mixed waste from LANL operations are sent offsite for treatment and disposal, transuranic waste is stored until shipment to WIPP for disposal, and low-level radioactive waste is either disposed of at Area G or shipped offsite for disposal. Refer to Section 2.7, Waste Management, of this CRD for information on disposal of low-level radioactive waste in unlined pits.

None of the alternatives analyzed in the SWEIS proposes the construction of new nuclear weapons facilities. However, work performed at LANL and all new construction are subject to DOE orders and standards for seismic concerns.

Commentor No. 252: Nancy King

From: Nancy King [mailto:nanking1224@earthlink.net]
Sent: Tuesday, September 19, 2006 9:42 AM
To: LANL_SWEIS
Subject: LANL's priorities

To Whom it May Concern,

LANL has a long history of safety violations that compromise workers and community health, Protection of public health and cleanup of pollution should be the first priority of LANL.

252-1

LANL should focus on the development of improved cleanup technologies that would benefit the world rather than focus on expanded nuclear technologies aimed at destroying part of the world.

252-2

LANAL should prioritize renewable energy programs such as wind and solar energy that would enhance our security rather than build more nuclear weapons that decreases our security.

LANL can lead by example in the elimination of global weapons of mass destruction instead of building more which only encourages other nations to do the same, thus DECREASING our security.

Thank you,

Nancy King
1224 Vallecita Drive,
Santa Fe, NM 87501

252-1 NNSA notes the commentor's concern regarding accidents, including instances of worker contamination. NNSA and its operating contractors have internal organizations dedicated to safe operation of its nuclear facilities. DOE has issued regulations, standards, and guidance for nuclear facility operations including requirements for performance of safety evaluations and risk assessments which become the basis for facility operating parameters. The DOE goal is to eliminate any accidents and these regulations and standards of operations reduce the likelihood of accidents, but do not eliminate them completely. Chapter 4, Section 4.6.3, of the SWEIS contains a discussion of accidents and safety at LANL facilities. The LANL contractor applies lessons learned from past accidents to improve overall safety performance. LANL staff takes actions in the areas of procedures, training, inspection, and component upgrading and replacement in order to address the root causes of accidents and preclude their recurrence.

252-2 Protection of public health and cleanup of pollution are of paramount importance to NNSA. Chapter 5 of the SWEIS evaluates the potential environmental, health, and safety impacts of continued operation of LANL under the three proposed alternatives. These analyses demonstrate that LANL can continue to operate safely under any of the alternatives.

Chapter 2, Section 2.2.6, of the SWEIS describes progress made by NNSA in conducting its environmental restoration program at LANL. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Continuation of cleanup activities at a pre-Consent Order level is included in the No Action Alternative, while actions necessary to comply with the Consent Order are evaluated under the Expanded Operations Alternative. As stated in Chapter 1, Section 1.4, of the SWEIS, however, NNSA intends to implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS. For more information about proposed activities in support of the Consent Order, refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD.

Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security

Commentor No. 252 (cont'd): Nancy King

policy as established by the Congress and the President. In addition to these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 253: Tina Sanchez

From: Sanchez, Tina Marie [mailto:tsanch20@student.nmhu.edu]
Sent: Tuesday, September 19, 2006 10:38 AM
To: LANL_SWEIS
Subject: NO MORE!!

To Whom It May Concern;

Please cease and desist in perpetuating the development of Nuclear Weapons. I cannot condone the creation of weapons which can inflict such enormous and tremendous unknown or negative effects on our environment including the land, water and air or the people including our children.

New Mexico, specifically the Jemez Mountain Range and aquifer do not need additional impact from LANL.

LANL attention needs to focus on recognizing and repairing the damage that has already been done to our precious resources.

Thank you,
tina sanchez

253-1

253-1 NNSA notes the commentor's opposition regarding the development of nuclear weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information. In addition to supporting NNSA's mission of ensuring a safe and secure nuclear weapons stockpile, LANL staff also conduct other research activities in areas of importance to the Nation. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

253-2

253-2 LANL operations are in compliance with Federal and state regulations to protect public health and the environment, and, as shown in Chapter 5 of the SWEIS, would continue to be in compliance regardless of which alternative is selected. In 2005, the State of New Mexico, DOE and the LANL management and operating contractor, entered into a Consent Order that is currently being implemented to address the investigation and remediation of legacy environmental contamination at LANL. Refer to Sections 2.6, Offsite Contamination, and 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for further information.

**Commentor No. 254: Ron Curry, Secretary,
State of New Mexico, Environment Department**

Sep. 20. 2006 4:23PM

No.4510 P. 2



BILL RICHARDSON
GOVERNOR

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Harold Runnels Building
1190 St. Francis Drive, P.O. Box 26110
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RON CURRY
SECRETARY

DERRITH WATCHMAN-MOORE
DEPUTY SECRETARY

September 20, 2006

Elizabeth Withers
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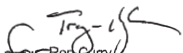
Dear Ms Withers:

**RE: DRAFT SITE-WIDE ENVIRONMENTAL IMPACT STATEMENT FOR CONTINUED
OPERATION OF LOS ALAMOS NATIONAL LABORATORY, LOS ALAMOS,
NEW MEXICO (SWEIS) (DOE/EIS-03880D)**

The report enclosed with this letter contains the New Mexico Environment Department's comments concerning the above- referenced Draft Environmental Impact Statement. These comments are submitted as a regulator of Los Alamos National Laboratory and not as a stakeholder.

We appreciate the opportunity to comment on this document. Please let us know if you have any questions.

Sincerely,



Ron Curry
Secretary

Enclosure: NMED Comments on Draft SWEIS

NMED File No. 2324 2ER

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State of New Mexico, Environment Department**

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**NEW MEXICO ENVIRONMENT DEPARTMENT (NMED) COMMENTS ON DRAFT
SITE-WIDE ENVIRONMENTAL IMPACT STATEMENT FOR CONTINUED
OPERATION OF LOS ALAMOS NATIONAL LABORATORY, LOS ALAMOS,
NEW MEXICO (SWEIS) (DOE/EIS-0380D), DATED JUNE 2006**

September 20, 2006

I. INTRODUCTION

The United States Department of Energy (DOE), National Nuclear Security Administration (NNSA) proposes to continue operating the Los Alamos National Laboratory (LANL or the Laboratory). The Draft Site-Wide Environmental Impact Statement (SWEIS) (DOE/EIS-0380D), dated June 2006, evaluates the potential environmental impacts associated with three alternatives for continued operation of LANL: 1) No Action, 2) Reduced Operations, and 3) Expanded Operations. The "Expanded Operations Alternative" is DOE's preferred alternative. The "No Action Alternative" has NNSA continuing the historical mission support activities of LANL at currently approved operational levels. The "Reduced Operations Alternative" would selectively eliminate certain activities. The "Expanded Operations Alternative" would allow NNSA to operate LANL at the highest levels of activity currently foreseeable with full implementation of the mission assignments. Under each of the alternatives, the affected environment is primarily within fifty miles of LANL. There would be significant differences in the environmental impacts among the three alternatives for most of the types of resources assessed. The SWEIS lists the primary discriminators as: a) public risk due to radiation exposure, b) collective worker risk due to radiation exposure, c) socioeconomic effects due to LANL employment changes, d) electrical power and water demand, and e) waste management and transportation.

We want to make an observation at the outset on a fundamental weakness of the Draft SWEIS: **This document considers compliance with the March 1, 2005 Compliance Order on Consent (Consent Order) only in the "Expanded Operations Alternative."** However, **under any operations scenario for LANL, compliance with the Consent Order is and will continue to be mandatory. For this reason alone, DOE's Draft SWEIS is fundamentally flawed. The analysis is inappropriately biased in favor of the "Expanded Operations Alternative," DOE's preferred alternative, as a result.**

The New Mexico Environment Department's (NMED) other comments are subdivided into a number of sections; following General Comments in Section II, Section III addresses site

254-1 NNSA does not consider compliance with the Consent Order to be optional and is not linking Consent Order compliance with decisions about pit production, proposed new projects or activities, increased operational levels, or waste generated from other LANL activities. Chapter 1, Section 1.3, of the SWEIS defines the three alternatives and explains why activities to comply with the Consent Order are analyzed under the Expanded Operations Alternative. Chapter 1, Section 1.4, states that NNSA could choose to implement the alternatives either in whole or in part, and that NNSA intends to implement actions necessary to comply with the Consent Order regardless of whether other actions in the Expanded Operations Alternative are implemented. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

Impacts resulting from activities related to implementing the Consent Order are evaluated in Chapter 5 and Appendix I. These impacts also are summarized in Chapter 3, Table 3-19, and the Summary. The SWEIS was revised to ensure that, where relevant, impacts associated with Consent Order implementation are clearly distinguished from other potential impacts of the Expanded Operations Alternative.

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remediation issues, including the March 1, 2005 Consent Order; Section IV covers the generation of wastes; Section V focuses on Surface Water Quality; Section VI addresses Ground Water Quality; Section VII focuses on Air Quality; the final segment lists key references.

II. GENERAL COMMENTS

1. The Draft SWEIS contains little information on the potential environmental impacts of the proposed pit production expansion under the "Expanded Operations Alternative," DOE's preferred alternative. It contains very little information on the additional solid, hazardous, and radioactive wastes that such increased production will generate, on the increased discharges of pollutants into groundwater and surface water that will result, and on the increased emissions of pollutants into the air that will result. Moreover, that minimal information is dispersed widely throughout the document. This lack of information is another serious flaw in the document. Consequently, it is not possible for NMED to provide comments on key aspects of the three alternatives.
2. Due to the length of the document and the multiple levels of evaluation, the SWEIS should provide in the glossary or in table S-1, a crosswalk or listing of each technical area so that a reviewer may be better able to follow each Technical Area (TA) through each alternative. In addition, the document should add the same crosswalk or listing for each of the resource categories (i.e., water resources, cultural resources, land resources, etc.).
3. The document should include definitions or explanations of the terms "short-term" and "long-term." Without some explanation of these terms, it is very difficult to evaluate "long-term" and "short-term" environmental impacts. This lack of explanation has limited NMED's ability to comment on the document.
4. Section 1.6 Summary of Major Scoping Comments and National Nuclear Security Administration Responses: NMED agrees with DOE's decision to conduct a separate and complete EIS for the Biosafety Level 3 Facility outside of this SWEIS and believes that the proposed increase in Pit Production should receive similar consideration.
5. Section 2.3 Technical Areas, Table 2-2: The description for TA-21 is incomplete and misleading. It mentions "two tritium facilities" at DP East at TA-21. However, it does not mention that TA-21 was used to research and process plutonium. The plutonium work resulted in much of the contamination found today at TA-21. The description understates the potential environmental impacts of future operations at TA-21.
6. Section 5.3.1.1 No Action Alternative, Los Alamos National Laboratory Site-Wide Impacts: The document should identify by permit number and facility the four outfalls proposed to be removed from the permit.
7. Section 5.3.2 Groundwater Resources, seventh paragraph, fifth sentence: The citation to Rogers and Gallaher is incorrect; it was published in 1995, not 2005.

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254-2 Chapter 5 of the LANL SWEIS addresses the impacts of increased pit production under the Expanded Operations Alternative discussion for each resource area. These discussions were revised to identify these impacts more clearly. Information regarding these impacts also was added to the Summary, Section S.9, and Chapter 3, Section 3.6. As discussed in Chapter 4, Section 4.9, hazardous wastes at LANL are generally shipped offsite for treatment and disposal; therefore, while there may be additional short-term storage, major changes in the management of hazardous waste would not be expected under any alternative. NNSA notes the commentor's observation that discussions of impacts associated with activities to comply with the Consent Order should be included not only under the Expanded Operations Alternative, but also under the other two alternatives. Chapter 1 explains the rationale for including these activities only under the Expanded Operations Alternative and that NNSA does not have to pick all of the elements of a single alternative. NNSA also notes in Chapter 1 that it intends to include actions in support of the Consent Order in a future Record of Decision, regardless of other decisions made.

To assist readers in understanding the impacts associated with environmental restoration, Table S-5 in the Summary and Table 3-19 in Chapter 3 were revised to distinguished these impacts from the other impacts discussed under the Expanded Operations Alternative for those resource areas dominated by environmental restoration impacts (for example, waste and transportation).

254-3 The proposed addition is not necessary based on the organization of the SWEIS. Discussions in Chapters 2, 3, and 5 of the SWEIS are organized to address those actions and impacts that are relevant at a site-wide level (that is, they affect the entire site or multiple technical areas), those relevant to a specific technical area, or those relevant to a Key Facility. In each case, the relevant technical areas are identified. For each of the specific projects analyzed in the appendices to the SWEIS, the technical areas affected are clearly identified in the description, as well as in the summary information included in Chapter 3 and the Summary.

Chapter 4 is organized by resource area. In Chapter 5, the impacts of each alternative are presented by resource area.

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8. Section G.1 Center for Weapons Physics Research Construction and Operation Impact Assessment: There is no discussion of any possible impacts to "Water Resources" under this assessment
9. Section I.3 Description of Options: All environmental remediation activities under the Consent Order and all decontamination, decommissioning, and demolition (DD&D) activities are discussed only under the "Expanded Operations Alternative" but not under the other alternatives. However, the terms of the Consent Order are legal requirements that DOE and its contractors must follow, regardless which of the three alternatives DOE ultimately chooses. The Consent Order is legally binding and enforceable in Federal or State court. Furthermore, DOE will presumably conduct essentially the same DD&D activities regardless which alternative it chooses. Therefore, the SWEIS is extremely misleading in suggesting that DD&D and environmental remediation activities will be conducted only under the "Expanded Operations Alternative." Moreover, because the environmental remediation activities, and perhaps the DD&D activities as well, will result in significant environmental benefits, including them under only one alternative will inappropriately favor that alternative.

III. SITE REMEDIATION

1. Section 1.3.1 No Action Alternative: The document should include remediation activities under the Consent Order under the "No Action Alternative."
2. Section 1.3.2 Reduced Operations Alternative: The document should include remediation activities under the Consent Order under the "Reduced Operations Alternative."
3. The term "potential release site" is used throughout the document. In the past, DOE has used this term to refer generally to sites that may require cleanup under various legal authorities. However, the Draft SWEIS does not include a definition for this term, or any other explanation of the term. Moreover, the term "potential release site" is not used in any of the environmental statutes or regulations applicable to LANL. Neither the Consent Order nor the Hazardous Waste Facility Permit for LANL uses the term. Rather, the Federal and State regulations, the Consent Order, and the Permit use the terms "solid waste management units" (SWMUs) and "areas of concern" (AOCs). These terms are defined in the Consent Order. These terms should be used in the SWEIS.
4. Section 1.3, Scope and Alternatives in this New Site-Wide Environmental Impact Statement for Los Alamos National Laboratory Operations, Figure 1-3: Remediation activities under the Consent Order should be included under each of the three alternatives.
5. Section 1.3.3 Expanded Operations, Projects Associated with New Infrastructure or Levels of Operation: This section discusses the construction of a bridge from TA-35 across Mortandad Canyon to TA-60 and a bridge across Sandia Canyon. It is unclear if these projects will delay or adversely affect the remediation or investigation

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254-4 NNSA has defined the terms "short-term impact" and "long-term impact" in the glossary as follows:

Short-term impact – In general, an impact that occurs during or for a short time after the action or activity that causes the impact.

Long-term impact – In general, an impact that endures beyond the timeframe of the action or activity that causes the impact.

The SWEIS was reviewed and, in those instances where it was unclear whether the impact is short- or long-term based on the context, the description of the impact was changed.

254-5 NNSA notes the commentor's opinion that a separate EIS should be prepared for increased pit production. The LANL SWEIS interim production level of up to 80 pits per year is consistent with earlier programmatic decisions made by DOE following preparation of the *Final Programmatic Environmental Impact Statement for Stockpile Stewardship and Management* (DOE/EIS-0236) (DOE 1996) and the *1999 LANL SWEIS* (DOE/EIS-0238) (DOE 1999a). On January 11, 2008, NNSA issued the *Draft Complex Transformation Supplemental Programmatic Environmental Impact Statement (Complex Transformation SPEIS)* (DOE/EIS-0236-S4) (73 FR 2023), which evaluates alternatives to support different levels of pit production and the location where pit production and supporting research would be conducted.

254-6 The description of "radioactive materials processing facility" in TA-21 was modified to indicate that plutonium was included in the materials processed.

254-7 The outfalls proposed for removal from the permit (03A024, 05A097, 03A047, and 03A049) are identified in the text that describes the impacts to each Key Facility under the No Action Alternative, Chapter 5, Section 5.3.1.1. Refer to Chapter 4, Figure 4–12 for locations of the outfalls.

254-8 The citation was corrected.

254-9 As described in Appendix G, Section G.1.3, initial assessment of the potential impacts of this proposed project identified that the site of the Physical Science Research Complex (previously called the Center for

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- activities required in the Consent Order for either canyon or nearby SWMUs. This question needs to be addressed
6. Section 2.2.6 Environmental Restoration Project: DOE refers to a "Corrective Measures Evaluation Work Plan" that is required as part of the Consent Order. Currently, there is no such document required.
7. Section 2.4.13 Los Alamos Neutron Science Center (Technical Area 53): The closure report discussed as being under review by NMED was approved on July 25, 2006. The text should be modified to reflect the approval.
8. Section 3.1.1.5 Disposition of Flood and Sediment Retention Structures: This section discusses the removal of flood and sediment retention structures built in response to the Cerro Grande Fire. Because many of these structures retain heavy loads of potentially contaminated sediment, this section needs to discuss the procedures for characterization of these sediments. Such characterization must be completed before the structures are removed to ensure that there is no release of contaminants or hazardous materials into the environment.
9. Section 3.1.1.5 Disposition of Flood and Sediment Retention Structures: This section notes that removal of the flood and sediment retention structures would be conducted in accordance with LANL's Construction Storm Water Permit. This section should also mention that a section 404 Dredge and Fill Permit from the Army Corps of Engineers and a section 401 New Mexico Water Quality Certification will also be required for removal of these flood and sediment retention structures. In addition, the Los Alamos flood control low-head weir should not be breached due to the mass and unknown toxicity of the materials that are currently located behind the structure. A low-head weir similar to that in Los Alamos Canyon needs to be installed in Pueblo Canyon in order to provide better legacy sediment retention.
10. Section 3.3.1.2 Remediation and Closure Activities: The Los Alamos County Solid Waste Landfill is a SWMU (61-002) currently listed for corrective action on LANL's Hazardous Waste Facility Permit. It will be investigated, including any necessary groundwater monitoring, under the Consent Order. This section of the SWEIS should reflect that the landfill will be addressed under the Consent Order.
11. Section 3.6.1 Comparison of Potential Consequences of Alternatives for Continued Operation at Los Alamos National Laboratory, Geology and Soils: This section states that the remediation of contaminated soils and shallow bedrock would have the greatest impact under the "Expanded Operations Alternative." This statement is inaccurate. Under the Consent Order, remediation of contaminated soil and shallow bedrock is required regardless which alternative is selected. By including the Consent Order requirements under only one alternative, the environmental consequences of that alternative are skewed to appear more favorable. This section needs to be revised.
12. Section 3.6.1 Comparison of Potential Consequences of Alternatives for Continued Operation at Los Alamos National Laboratory, Water Resources: This section states that "beneficial impacts on surface water quality due to the potential removal or stabilization of contaminants at the MDAs" would occur only under the "Expanded Operations Alternative." Again, this statement is inaccurate. Under the Consent

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Weapons Physics Research) is located in a developed area of TA-3; so operations would not result in new discharges that could affect water resources. Therefore, it was determined that no further analysis of water resources is necessary for this proposed project.

- 254-10 Clarifying definitions of "area of concern" and "potential release site" were added to Chapter 8, Glossary, of the SWEIS. The term "potential release site" is used in the SWEIS to describe a site suspected of releasing or with the potential to release contaminants into the environment. Potential release sites include solid waste management units and areas of concern that are subject to the Consent Order, as well as other sites that are not subject to the Consent Order.
- 254-11 It is not expected that the proposed bridges across Mortandad and Sandia Canyons would delay or adversely impact the remediation or investigation activities required by the Consent Order in either canyon or in nearby solid waste management units. If NNSA decides to construct these proposed bridges, they and the connecting roadways would be planned in coordination with other LANL activities, including implementation of Consent Order actions.
- 254-12 The reference to a "Corrective Measures Evaluation Work Plan" was deleted.
- 254-13 The text of Chapter 2, Section 2.4.13, was modified to reflect the July 25, 2006, approval by the New Mexico Environment Department of the closure report for two sanitary lagoons in TA-53.
- 254-14 Language was added to Chapter 3, Section 3.1.1.5, to reflect 404/401 permit and certification requirements. Sediments will be characterized and reused onsite or disposed of appropriately if contaminated. NNSA notes the commentor's opinion regarding the need to install a low-head weir in Pueblo canyons.
- 254-15 The currently operational Los Alamos County Landfill will be closed under the New Mexico Solid Waste Act. Following closure, any remaining requirements will be addressed under the Consent Order as part of investigating and remediating the Upper Sandia Canyon Aggregate Area. Under the current schedule, the Investigation Work Plan for the Upper Sandia Canyon Aggregate Area (including proposed groundwater monitoring) is due to the New Mexico Environment Department by the

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- Order, removal or stabilization of contaminants is required regardless which alternative is selected. Again, the "Expanded Operations Alternative" is incorrectly given a more favorable analysis.
- 13 Section 3.6.1 Comparison of Potential Consequences of Alternatives for Continued Operation at Los Alamos National Laboratory, Water Resources: This section further states that "[t]here would be no changes in the flow of contaminants to the alluvial or regional groundwater as a result of the No Action Alternative." On the other hand, it states that "under the Expanded Operations Alternative," capping or removal of contaminants at MDAs "would likely reduce very long-term migration of contaminants and corresponding impacts on the environment." These statements are inaccurate. In either alternative, remediation under the Consent Order will reduce the migration of contaminants into alluvial and regional groundwater. Again, the "Expanded Operations Alternative" is incorrectly favored
- 14 Section 4.2.3.1 Soil Monitoring: In addition to "improved air emissions from regional coal-fired manufacturing facilities," the document should include "improved disposal methods" as a reason for the declining trend in mercury concentrations in soils.
- 15 Section 4.3 Water Resources and in Table 4-4 Standards and References Used for Evaluating Water Quality: Secondary Contact should be added to the list of designated uses of water resources in the LANL region.
- 16 Section 4.3.1 Surface Water, general comment: The document should discuss the fact that surface waters onsite and offsite provide recharge to the regional aquifer via infiltration of surface water to alluvial ground water, to intermediate aquifers, and to the regional aquifer. A good example of this condition is the hexavalent chromium contamination at regional well R-28; the chromium originated as a constituent of surface water
- 17 Section 4.3.2 Groundwater, third paragraph, first sentence: A fourth mode of groundwater occurrence is present in the upper units of the Bandelier Tuff, which discharge as springs to several canyons. These waters supply an unknown but probably significant portion of recharge to the alluvial ground waters. Measured and estimated flow rates from all onsite perennial springs equate to an estimated discharge of 200 acre feet per year (unpublished data).
- 18 Section 4.3.2 Groundwater, third paragraph, second sentence: This statement is correct; however, the document neglects to mention that the alluvial aquifers also lie atop units other than the less permeable tuff, such as the highly conductive Cerro Toledo interval or the fractured Cerros del Rio basalts. These contacts often are located at the down-gradient extent of saturation, predominantly in the lower reaches of the wet canyons Los Alamos, Sandia, Mortandad, and Pajarito. Thus, these more permeable underlying units may transmit alluvial ground water downward
- 19 Section 4.3.2 Groundwater, first paragraph, first sentence: In addition to the canyons referenced, intermediate ground water also exists beneath Ancho Canyon, Canyon de Valle, DP Canyon, Guaje Canyon, Pajarito Canyon, and Water Canyon.
- 20 Section 4.3.2 Groundwater, second paragraph, fourth sentence: It should be noted that perched intermediate ground water was encountered during the drilling of well R-

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end of March 2008. The last paragraph in Chapter 3, Section 3.3.1.2, of the SWEIS was revised consistent with this discussion.

- 254-16 NNSA agrees with the commentor's suggestion. Chapter 4, Section 4.2.3.1, was modified to include "improved waste disposal methods" as a possible reason for decreasing levels of mercury in soils.
- 254-17 Chapter 4, Tables 4-7 and 4-9 (previously Tables 4-4 and 4-6), were revised to add "Secondary Contact" to the list of designated uses of water resources in the LANL region.
- 254-18 Language was added to the third paragraph of Chapter 4, Section 4.3.1, to discuss surface water infiltration into subsurface groundwater. Section 4.3.2.2 was revised to address chromium contamination in groundwater.
- 254-19 Although other divisions of groundwater are possible, past and present scientists have generally agreed in published documents that there are three modes of groundwater occurrence in LANL vicinity: (1) shallow groundwater in canyon-floor alluvium, (2) moderately deep perched groundwater in bedrock units of the vadose zone, and (3) deep groundwater. The SWEIS uses these common modes of groundwater occurrence.
- 254-20 The fourth paragraph in Chapter 4, Section 4.3.2, explains that the intermediate perched groundwater in the Puye Formation and the Cerros del Rio Basalt is recharged from the "overlying perched alluvial groundwater."
- 254-21 The fifth paragraph in Chapter 4, Section 4.3.2, states that intermediate perched groundwater occurs in Water Canyon and in canyons on the eastern flanks of the Sierra de los Valles. This statement includes the canyons referenced in the comment.
- 254-22 A reference to Appendix E, Section E.6.2.2, was added to the discussion of intermediate perched water in Chapter 4, Section 4.3.2. Section E.6.2.2 provides more detail on the occurrence of perched water.

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- 25, and boreholes CDV-16-1(i), CDV-16-2(i)r, CDV-16-3(i), CDV-37-2, and CDV-15-3. Intermediate perched ground water in the Technical Area 16 area appears to be extensive. Some recharge to these perched zones may be from onsite alluvial aquifers, e.g., Canyon de Valle. Intermediate aquifers were also encountered during the drilling of wells R-17, R-19, R-27, and R-31
- 21 Section 4.3.2 Groundwater, third paragraph, third sentence: It should be noted that noble-gas recharge temperature data collected by USGS during 2005 indicate that a significant amount of ground water at the regional aquifer water table is recharged east of the mountain front/Pajarito fault zone, which would point to wet-canyon bottom recharge (Manning et al., 2006)
- 22 Section 4.3.2 Groundwater, fifth paragraph, fourth sentence: This statement is not entirely correct. The perched zones beneath LANL may not provide enough water for municipal purposes but may be adequate for single or multi-family residential use. Prior to the late 1940's, the area's homesteaders used perched ground water in the canyons and the Sierra de Los Valles. The Laboratory used these water sources from about 1943 to 1996. During the early Manhattan Project years, the water system was supplied from groundwater sources in the Sierra de Los Valles.
- 23 Section 4.3.2 Groundwater, Flow and Transport of Groundwater, third paragraph, first sentence: The Bandelier Tuff can be resistant to flow but it can also be conductive to flow, both lateral and vertical
- 24 Section 4.3.2 Groundwater, Flow and Transport of Groundwater, fifth paragraph, first sentence: It should be noted that dacites can make up a significant portion of the canyon alluvium. The composition is dependent on the erosional aspects of the watershed, meaning that canyons that head in the mountain areas do contain dacites; canyons that head on the plateau do not.
- 25 Section 4.3.2 Groundwater, Groundwater Quality Standards, second paragraph, second and third sentences: These sentences identify relevant and appropriate groundwater quality standards, but with the qualifier "nonradioactive." However, the EPA has set maximum contaminant levels for radionuclides, including radium-226 and -228, beta particle and photon radioactivity, and uranium. 40 C.F.R. § 141.66. The State of New Mexico has adopted these drinking water standards. 20.7.10.100.A NMAC. Further, the New Mexico Water Quality Control Commission has set groundwater quality standards for uranium and combined radium-226 and radium-228. 20.6.2.3103 A(12) and (13) NMAC.
- 26 Section 4.3.2 Groundwater, Groundwater Quality in the LANL Area, second paragraph: The document states that recharge to the regional aquifer from the perched aquifer "occurs slowly," and that "little contamination reaches the regional aquifer from the shallow perched groundwater bodies." The document provides no reference for these statements. Based on data collected from wells R-4, R-11, R-25, R-28, and other wells, the rate and volume of contaminant migration to the regional aquifer appears to be greater than LANL personnel have previously maintained.
27. Section 4.3.2 Groundwater, Perched Alluvial and Intermediate-Depth Groundwater, first paragraph, first sentence: Alluvial ground-water contamination is also present in Pueblo Canyon.
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- 254-23 Appendix E, Section E.6.2.3, describes sources of recharge to the regional groundwater. Recharge to the regional aquifer by wet canyons upgradient from LANL has no bearing on possible contamination by LANL activities.
- 254-24 The sentence was changed to state that none of these perched water zones (shallow or intermediate) provides enough water to be suitable as a source of drinking water for municipalities.
- 254-25 LANL staff agrees that the Bandelier Tuff is also conducive to lateral and vertical flow under certain conditions. Appendix E, Section E.6.3, discusses the hydrologic characteristics of the Bandelier Tuff. A reference to Section E.6.3 was inserted into the text of Chapter 4, Section 4.3.2.
- 254-26 Appendix E, Section E.5.2, discusses the alluvium on the floors of canyons that begin in the mountain areas west of LANL. The alluvium there consists of detritus from the Bandelier Tuff and Tschicoma Formation. Section E.5.1 describes the Tschicoma Formation as thick dacite and low-silica rhyolite lava flows.
- 254-27 The text in Chapter 4, Section 4.3.2, was revised to more explicitly acknowledge the water quality standards used to assess radioactive constituents in groundwater.
- 254-28 The text in Chapter 4, Section 4.3.2, is based on the rationale that perched aquifers occur where there is some type of impermeable barrier preventing downward percolation through unsaturated rock to the deep regional aquifer. Therefore, movement of waterborne contaminants will be slow. The second paragraph of Appendix E, Section E.6.2.2, provides more information on perched aquifers.
- 254-29 Appendix E, Section E.7.1.1, provides more information on tritium concentrations in groundwater. Note that tritium concentrations of 100 to 200 picocuries per liter are a very small percentage (0.5 to 1 percent) of the drinking water maximum contaminant level of 20,000 picocuries per liter.

The drinking water in the Los Alamos area has not been adversely impacted by DOE actions. All drinking water produced by the Los Alamos County water supply system meets Federal and state drinking water requirements. Low levels of tritium and perchlorate (levels below

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- 28 Section 4.3.2 Groundwater Regional Groundwater Quality, second paragraph, second sentence: It should be noted that tritium is present in the regional aquifer at significant levels beneath Mortandad and Pajarito Canyons. For example, tritium at well R-28, located in Mortandad Canyon, ranges from 152 to 185 pCi/L, far above background levels of less than 0.1 pCi/L. Tritium was also found in 2001 at 18.45 pCi/L in the regional aquifer, 500 feet below the water table, at well R-22 (Longmire, 2002). This well is located about 500 feet east and downgradient of Area G
- 29 Section 4.3.2 Groundwater, Regional Groundwater Quality, second paragraph, first sentence: Note that the chromium present at well R-28 and other nearby regional wells is in the more toxic hexavalent chromium ion
- 30 Section 4.3.1.5 Watershed and Sediment Monitoring: The document should include "spills" as a source of sediment transport
- 31 Section 4.12 Environmental Restoration: This section states that "[a] small percentage of sites, currently estimated at less than 10 percent, will go through the entire corrective action process, a task that is expected to take until 2015 to complete." These estimates of the number of sites that will undergo remediation, and the year that such remediation will be completed, are based on very limited information and are necessarily tentative. Because a majority of the SWMUs and AOCs listed in the Consent Order have not been investigated, information is currently lacking. This section should be revised to reflect the tentative nature of these estimates.
- 32 Section 5.0 Environmental Consequences: Many of the favorable impacts discussed under the "Expanded Operations Alternative" that are related to environmental restoration activities help support its choice as DOE's preferred alternative. DOE even states in Section 3.4 of the SWEIS (Preferred Alternative) that "[a]ctivities that would facilitate compliance with the Consent Order and remediation of MDAs would be undertaken" under the "Expanded Operations Alternative." Favorable impacts from cleanup of waste and contaminated soil and the resulting improvement in surface water and groundwater quality, and favorable impacts from cleanup of contaminated groundwater, should be evaluated with each alternative. By excluding the Consent Order requirements from the other alternatives, DOE has biased the results of this impact study towards DOE's preferred alternative.
- 33 Section 5.3.2 Groundwater Resources, Groundwater Resources, fourth paragraph: It should be mentioned that additional recharge from artificial sources or focused infiltration via artificial structures may saturate alluvial or vadose zone material containing legacy contaminants, leading to potential remobilization and migration of contaminants.
- 34 Section 5.4.1.3, Air Quality and Noise, Nonradiological Impacts: The document states that MDA capping and removal operations under the "Expanded Operations Alternative" would result in "additional air pollutant emissions." However, these remediation activities would occur regardless of the alternative selected.
- 35 Section 5.6.1 Radiological Impacts on the Public: Under the "Expanded Operations Alternative," the document states "there could be an additional temporary or one-time dose to the public from the cleanup of the MDAs, lasting until the MDA exhumation is

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current or proposed drinking water standards) have been detected since 2000 in one water supply well (Otowi 1) that is not currently used in the county drinking water system. Refer to Section 2.5, Water Resources, of this CRD for more information.

- 254-30 Chapter 4, Section 4.3.2.2, describes the recent discovery of chromium in some intermediate and regional aquifer wells within the Mortandad, Los Alamos, and Sandia watersheds. Chromium contamination was not detected in water supply wells. An interim measures investigation was conducted by NNSA and reported in November 2006, in accordance with Consent Order requirements. The interim measures investigation report describes work to be performed to address chromium contamination in the groundwater at LANL and to ensure the protection of drinking water while long-term measures are evaluated and implemented. Where the LANL interim measures investigation report refers to "chromium contamination," it means all forms of chromium, not just hexavalent chromium.
- 254-31 "Spills" was added to the list of sediment transport mechanisms in Chapter 4, Section 4.3.1.5.
- 254-32 Chapter 4, Section 4.12, was revised to indicate that a total of 829 potential release sites remained within the environmental restoration program at the end of 2005 (LANL 2006f).
- 254-33 NNSA agrees that some legacy contaminants in the soil or in canyon bottoms can be remobilized when events increase infiltration. Chemicals such as tritium, perchlorate, and nitrates move easily through hydraulically conductive materials, but some constituents such as uranium, strontium, and barium can undergo adsorption to rock matrix surfaces, be absorbed into the structure of the minerals that are present, or undergo precipitation-dissolution processes, reduction-oxidation processes, or radioactive decay. Discussions in Chapter 4, Section 4.3.1.2, Industrial Effluents; Section 4.3.1.6, Floodplains; and Section 4.3.1.7, Overview of Cerro Grande Fire Impacts; show that NNSA is committed to reducing the amounts of effluent and increasing effluent quality. In past years, effluent discharges and concentrations of contaminants in the effluent have declined.

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completed." DOE further estimates a "conservative dose estimate (6.2 person-rem per year) assuming all MDAs were being exhumed at one time." This estimate should be included in the dose calculated for the other alternatives. The radiological dose DOE presents for the other alternatives is underestimated because the Consent Order requirements will be implemented regardless of which alternative is chosen

36. Section 5.6.3 Worker Health: The document states that "[r]emediation of the MDAs under this Alternative is also expected to add to the site-wide collective worker dose." The estimated dose for these activities under the "Expanded Operations Alternative" should be included in the dose calculated for the other alternatives. The radiological dose DOE presents for the other alternatives is underestimated because the Consent Order requirements will be implemented regardless of which alternative is chosen.

37. Section E.6.2 Groundwater Occurrence, first paragraph, first sentence: An additional mode of groundwater occurrence exists – onsite (plateau) and offsite (mountain front/block) shallow perched ground water that supplies an unknown but significant amount of recharge to alluvial aquifers in Water Canyon, Canyon de Valle, Pajarito Canyon, and Three Mile Canyon. This fourth mode of occurrence is very important with respect to contaminant transport. For example, this mode supplies recharge and the contaminant load to the alluvial aquifer in Canyon de Valle which, in turn, supplies recharge to the deep intermediate and regional aquifer beneath the canyon bottom. Both the intermediate and the regional aquifers show impacts from the contaminated alluvial aquifer.

38. Section E.6.2.1 Alluvial Groundwater, first paragraph, second sentence: Alluvial ground water in several canyons is also recharged by onsite perennial springs that discharge directly to the canyon-bottom alluvium. As noted above, some of these springs are contaminated and may be the sole source of contamination found at greater depths.

39. Section E.6.2.1 Alluvial Groundwater, second paragraph, second sentence: Perennial surface water flow in some canyons is an additional incision mechanism

40. Section E.6.2.2 Deep Perched Groundwater, second paragraph, second sentence: It should be noted that intermediate ground water is present beneath canyons that do not head in the Sierra de Los Valles, and they include Mortandad, Sandia, and DP Canyons, and possibly the mesa between Potrillo and Threemiles Canyons. The use of the word "usually" in this sentence is not appropriate.

41. Section E.6.3 Hydrogeologic Units, Bandelier Tuff, second paragraph, first sentence: Qbo and Qbog nomenclature respectively - note that they are switched per their reference.

42. Section E.6.3 Hydrogeologic Units, Bandelier Tuff, third paragraph: Units Qbt 3 and Qbt 4 are very significant in terms of transmitting groundwater and contaminants. In the western portion of the Laboratory, contaminated and non-contaminated springs discharge from these units and supply recharge to the alluvial, the intermediate, and potentially the regional aquifer (Dale and Yanicak, 1996; Dale, 1998; LANL, 1998)

43. Section E.7.1.1 Contaminant Distributions, second paragraph, first sentence: This statement is not correct given the instances in which perched ground water has been

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254-34 LANL staff agrees that groundwater may recharge the alluvial aquifer, as stated in the comment. The term "mode" is used in the SWEIS to describe a manifestation (occurrence). In this case, groundwater at LANL occurs in the alluvium (alluvial aquifer), in the vadose zone as a result of changes in permeability (perched water), or in the regional aquifer. The mode described by the commentor is a recharge process or mechanism.

254-35 Appendix E, Section E.6.2.1, was modified to include perennial springs as a source of recharge to the alluvial aquifer.

254-36 Appendix E, Section E.6.2.1, was changed to read, "The alluvium is derived from the mountains to the west and from rocks that have been incised by the ephemeral and intermittent streams that formed the canyons," (note: parts of some canyon streams have perennial flow).

254-37 The word "usually" was deleted from the referenced sentence in Appendix E, Section E.6.2.2.

254-38 The sentence was changed to read, "...Qbog and Qbo, respectively."

254-39 The Qbt 3 and Qbt 4 units are the youngest members of the Tschirege Member present in the upper reach of Pajarito Canyon near the Pajarito Fault Zone on the western edge of the LANL boundary, mostly upgradient of the LANL effluent discharge points. The LANL 1998 reference cited by the commentor (see page 3-439 for the reference) makes no mention of the significance of these units in terms of transmitting contaminants.

254-40 Appendix E, Section E.7.1.1, states that effluent releases impact alluvial and perched groundwater. Section E.7.1 and Chapter 4, Section 4.3.2, discuss natural characteristics that may inhibit contamination movement from perched groundwater.

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impacted. In most cases, intermediate ground water beneath these effluent releases has been impacted.		254-40 cont'd
44 Section E.7.1.1 Contaminant Distributions, second paragraph, second sentence: It is not clear what is meant by "little" in this sentence.		254-41
45 Section E.7.1.1 Contaminant Distributions, fourth paragraph, fourth sentence: The tritium activity can be described as "barely" detectable only in comparison to the detection limit used to quantify the activity. For example, the tritium activity in intermediate groundwater beneath Pueblo Canyon is about 1000 pCi/L, significantly above the levels found in present-day precipitation (18 pCi/L). Tritium in alluvial groundwater in Los Alamos Canyon is not detectable using analytical methods having detection limits exceeding 100 to 200 pCi/L. However, with the use of more robust analytical methods, having detection limits near 10 pCi/L or less, the activities are detectable and quantifiable (100 to 200 pCi/L), as was found by the NMED DOE Oversight Bureau during 1999 and 2000 (Yanicak, 2000; Yanicak, 2001).		254-42
46 Section E.7.1.1 Contaminant Distributions, first paragraph, first sentence: Contaminants in the alluvial groundwater reach the intermediate aquifers.		254-43
47 Section E.7.1.1 Contaminant Distributions, second paragraph, second sentence: The phrase "long time" in this sentence is not defined and unclear. Based on the presence of tritium and other solutes in the regional aquifer at many of the regional wells, the recharge or some component of recharge is less than 50 years.		254-44
48 Section E.7.1.1 Contaminant Distributions, page E-28, second paragraph, fourth sentence: Due to the lack of surface water and lower precipitation, it is highly unlikely that the 45 pCi/L tritium at the spring is from a surface water component, especially considering that other contaminants (chloride, perchlorate, etc.) are present in the spring, and the spring discharges and temperatures are very consistent over time.		254-45
49 Section E.7.2 Geohydrologic Conceptual Model, Topography and Surface Water Setting, first sentence: Watersheds in the Sierra de Los Valles also contain perennial surface waters that are supplied by perennial springs.		254-46
50 Section E.7.2 Geohydrologic Conceptual Model, Topography and Surface Water Setting, second sentence: The wet canyons referenced here also receive discharges from perennial springs located in the western and central portion of the Laboratory.		254-47
51 Table I-2 Updated Corrective Measure Report Schedules for Large Material Disposal Areas: The remedy completion report for MDA L is scheduled for submittal to NMED on July 9, 2011.		254-48
52 Section I.2.2.2 Consent Order: The document states that "[s]chedules as stated in the Consent Order may be adjusted to account for delays in NMED approvals." Schedules also have been, and may be in the future, adjusted to accommodate requests from DOE and its contractor for time extensions. The text should be modified to reflect these facts.		254-49
53 Section I.2.5.5.3 Material Disposal Area L: The document states that no possible perched water was found during early investigations at MDA L. This statement is		254-49

- 254-41** The sentence questioned by the commentor was changed to clarify the intent by adding more context. It now reads, "Little contamination from the perched groundwater zones under the mesas reaches the deep regional groundwater because the perched water is separated from the deep aquifer by hundreds of feet of unsaturated rock."
- 254-42** The 2005 LANL environmental surveillance report presents data on an analytical method of tritium detection that can detect tritium in groundwater at concentrations smaller than 100 picocuries per liter. The 2005 environmental surveillance data show a number of tritium detections in groundwater in Los Alamos Canyon that are smaller than 100 picocuries per liter. All tritium detections in groundwater continue to be well below the drinking water maximum contaminant level of 20,000 picocuries per liter. The Final SWEIS was updated to include information from the 2005 LANL environmental surveillance report.
- 254-43** As defined in Appendix E, the perched water zones are not extensive in nature. There are three "modes" of groundwater: alluvial, perched, and regional. Contaminants present in the alluvial groundwater will reach perched zones if the zones are in the path of the water flowing downward through the low permeability bases of the alluvial aquifers in the canyons, or if the alluvial aquifer laterally intersects a perched zone.
- 254-44** The text noted by the commentor (in the 6th paragraph) was changed to read, "Recharge through these rocks to the regional aquifer occurs over a longer time than under the alluvial aquifers. Contaminants are found below alluvial groundwater in canyon bottoms or in perched water below mesa-tops where large amounts of effluents had been discharged to the surface impoundments."
- 254-45** Prior to the statistic questioned by the commentor, the text states, "Some high [tritium] values are found in conjunction with effluent discharges...." It is likely that these effluent discharges are part of the surface water component that produces the elevated tritium readings.
- 254-46** The sentences identified by the commentor in Appendix E, Section E.7.2, are general statements about the occurrence of surface water that are intended to help the reader understand the model. In Section E.6.2.1, Alluvial Groundwater, first paragraph, the second sentence was changed to include "perennial springs."

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incorrect. In a letter dated April 7, 1995, DOE and the University of California (UC) acknowledges the presence of a perched water body beneath Mesita del Buey. This letter notified NMED of water encountered during the drilling of borehole 54-1016 at MDA L. Groundwater was encountered at a depth of 592 feet in an angled borehole (estimated elevation of 6188 feet above sea level). In the letter, DOE and UC state "[t]he evidence indicates this is a small perched water horizon within the basal section underlying the Bandelier Tuff."

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54 Section 1.2.6 Other Solid Waste Management Units and Areas of Concern, Including Aggregate Areas: This section should state that Section V of the Consent Order also sets forth requirements for reporting newly discovered releases from SVMUs and AOCs. This section should also state that submittal dates for aggregate area-specific investigation reports will be specified by DOE and its contractor and approved by NMED. NMED will not specify the due date unless it is not provided by DOE or its contractor.

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55 Section 1.3.3.2.2.2 Cover Materials: The document states that "[c]apping of the landfill should be completed by the remedy completion date in the Consent Order, March 31, 2007." The date in the revised schedule in the Consent Order is April 5, 2007, the due date for the remedy completion report. The document also states that "[t]he Consent Order requires remediation of MDA H by September 30, 2006. The Consent Order also allows for a delay in completion of remediation commensurate with a delay in a regulatory decision." This date is no longer valid. A new date is pending the collection and evaluation of additional data as well as a remedy selection.

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56 Table I-52 Temporal Assumptions for Capping Large Material Disposal Areas: DOE and its contractor are currently proposing to completely remove MDA B under the Investigation/Remediation Work Plan for Material Disposal Area B, Solid Waste Management Unit 21-015, at Technical Area 21. The assumed completion date listed in this table is no longer valid because it assumes stabilization and capping and because DOE and its contractor have proposed a new due date as part of this work plan. A new remedy completion report due date is pending approval of this work plan. In addition, the completion date listed in the table for MDA L should be July 9, 2011 to reflect the revised Consent Order schedule.

57 Section 1.3.3.2.4.2 Waste and Bulk Material Requirements for Removal of Large Material Disposal Areas: The document estimates the quantity of waste that will be generated at MDA B based on a limited investigation and remediation at the site. The current proposal from DOE and its contractor includes a complete removal of all waste and contaminated media to meet residential screening action levels. The document should include waste quantities based on the current proposed plan for MDA B. The waste description for MDA U also should be updated. DOE and its contractor submitted the investigation report for MDA U to NMED on February 6, 2006. The document states "[a]lthough disposal operations began at MDA G in 1957, it was used later than most of the other MDAs considered in this section. Therefore, it was assumed that MDA G was not used for disposal of both contaminated and uncontaminated materials, but was used exclusively for radioactive waste." This statement is unclear. There is evidence from recent investigations and documents provided by DOE and its contractor that shows waste containing RCRA constituents was disposed at MDA G. The assumption in the document is not based on facts. This statement should be revised.

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254-47 NNSA notes the commentor's statement; the Final SWEIS was modified to reflect the due date according to the current Consent Order schedule.

254-48 The text in Appendix I, Section I.2.2.2, was revised to include other reasons for schedule changes.

254-49 The results of the 1995 investigation do not indicate the presence of a perched aquifer at the MDA L site. The presence of wet cuttings in a borehole does not confirm the presence of a perched aquifer. The log for borehole 54-01016 indicates that 1 cup of water was recovered from the borehole at MDA L during drilling one day, and no water was produced the next day. One porous cup lysimeter was installed at the depth of saturation, and two were installed at deeper depths. No water was produced from any of the three lysimeters in quarterly sampling. Therefore, to date, there is no indication of a perched aquifer. In addition, the results of investigations required by the Consent Order and submitted to the New Mexico Environment Department in September 2005 did not indicate any perched groundwater zones to a depth of 660 feet (201 meters). Appendix I, Section I.2.5.5.3, was revised consistent with this discussion.

254-50 Appendix I, Section I.2.6, was revised to specify that the Consent Order also contains requirements for reporting newly discovered releases from solid waste management units and areas of concern, and that aggregate-area-specific investigation reports must be submitted by the dates specified in the approved investigation work plans.

254-51 Capping of the Airport Landfill is complete and the remedy completion report was submitted and approved by the New Mexico Environment Department. The discussion of MDA H was revised in Appendix I, Section I.3.3.2.2.2, and elsewhere in the SWEIS to reflect the November 2007 corrective remedy selected by the New Mexico Environment Department. At the time the SWEIS was prepared, the LANL Consent Order deliverables-tracking database indicated June 30, 2011, as the due date for transmitting the MDA L remedy completion report to the New Mexico Environment Department. The Final SWEIS was modified to reflect the due date according to the current Consent Order schedule. A footnote was added to Appendix I, Table I-52, stating that current plans call for complete removal of waste from MDA B, and that in January 2007 New Mexico Environment Department approved, with modifications, a

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58. Section I.3.3.2.7 Material Disposal Area B Investigation, Remediation, and Restoration Program: DOE and its contractor currently propose to completely remove MDA B under the Investigation/Remediation Work Plan for Material Disposal Area B, Solid Waste Management Unit 21-015, at Technical Area 21. This section should be revised to reflect the currently proposed work.
59. Section I.4.3 Water Resources, Groundwater, first paragraph: Perched ground water in the Banderier Tuff at a depth of less than 100 feet and beneath the mesa tops exist in the central and western portion of the Laboratory. These zones supply continuous recharge to canyon-bottom alluvial aquifers; therefore, they play a significant role in the ground-water flow system at the Laboratory
60. Section I.5.3.1.2 Groundwater, General Comment: The document should note that tritium has been detected in nearby intermediate and regional aquifers located in the vicinity of MDA G. Tritium was detected at 60 pCi/L (<http://wqdbworld.lanl.gov/>) at intermediate well R-23i which is located about 2500 feet downgradient of MDA G, and at 18.45 pCi/L (Longmire, 2002) in the regional aquifer 500 feet below the water table at well R-22 which is located about 500 feet east and downgradient of Area G
61. Section I.5.3.1.2 Groundwater, second paragraph, second sentence: This sentence needs to be edited
62. Section I.5.3.1.2 Groundwater, fifth paragraph: It should be noted that CH-2, a 500-foot galvanized pipe with the lower 20 feet perforated, was located on the MDA AB pad and has consistently collected, and potentially transmitted, water beneath the site. Numerous hydrodynamic shafts also exist beneath the water-producing pad, and were backfilled with sand down to maximum depth of 150 feet. The shafts were either 3 or 6 feet in diameter, depending on the type of experiment for which they were used. Consequently, many the shafts beneath the pad have likely collected and transmitted water to the subsurface during the period from 1961 to 1998. This issue is significant and should be addressed.
63. Section I.5.3.3.2 Groundwater, third paragraph: MDA-B is covered by an asphalt pad; it is therefore likely that water has moved to the subsurface. Characterization drilling along the perimeter of the MDA-B encountered ground water

IV. WASTE GENERATION

1. Section 5.9: The Draft SWEIS provides little information on the additional solid, hazardous, and radioactive waste that would be generated under the "Expanded Operations Alternative," DOE's preferred alternative. Surprisingly, Tables 5-39, 5-42, and 5-47 show little difference in the estimated quantities of wastes generated by "routine" operations among the three alternatives. These figures seem most implausible given the scope of the proposed expanded operations, and the SWEIS provides little basis for these estimates. Any additional waste generation could have a tremendous impact on the environment. The impacts could include increased spills and other releases of hazardous constituents into the environment resulting in further soil, groundwater, and surface water contamination; increased truck traffic hauling hazardous and radioactive wastes through Los Alamos County and other New Mexico communities en route to treatment and disposal facilities; and the need for

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revised investigation and remediation work plan for MDA B. Appendix I, Section I.3.3.2.2 and Tables I-45 and I-46, also were modified to reflect NNSA's current plans for MDA B. The Final SWEIS was changed to reflect the revised work plan (LANL 2006h) that was submitted to the New Mexico Environment Department on October 13, 2006. Final operations, however, have been delayed to approximately October 1, 2008, to October 1, 2010, with the duration of 24 months. Revisions to Appendix I, Table I-61, were made consistent with this discussion.

254-52 The quantities of waste listed in the text and tables in Appendix I, Section I.3.3.2.4.2, are based on conservative assumptions about the quantities and radiological characteristics of wastes generated from complete removal of wastes from MDA B. More recent projections of waste resulting from MDA B waste removal are contained in the October 2006 revised MDA B work plan and are summarized in a revised Section I.3.3.2.7. The total volume of waste estimated in the work plan and presented in Section I.3.3.2.7 is bounded by the conservative waste estimates used in the SWEIS analysis. Section I.3.3.2.7 was revised, however, to reflect the scope and schedule of the October 2006 revised MDA B work plan. The scope and schedule proposed in this work plan reflects the most current proposals for investigation and remediation of MDA B, and the work plan is awaiting New Mexico Environment Department approval under the Consent Order. Section I.2.5.2.4 was revised based on information from the MDA U investigation report referenced by the commentor and the September 28, 2006, approval of the report by the New Mexico Environment Department. Appendix I, Tables I-45, I-46, I-54, and I-55, and Section I.3.3.2.4.2, also were footnoted or revised based on the referenced MDA U investigation report and approval.

254-53 The statement referenced by the commentor was revised to clarify the distinction between MDA G and earlier MDAs that received both solid wastes and contaminated materials. The radioactive wastes disposed of at MDA G contained RCRA hazardous constituents, but with the exception of certain wastes disposed of at Pit 29 and Shaft 124, were not RCRA hazardous wastes.

254-54 A brief discussion of the groundwater hydrology system in the LANL area, including the presence of perched groundwater, is presented in Appendix I,

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greater hazardous waste treatment and disposal capacity. This omission is a potentially serious defect in the Draft SWEIS

2. Any increased generation of hazardous waste under the "Expanded Operations Alternative" could result in additional on-site treatment, storage or disposal of hazardous wastes. Major modifications would be necessary to the Hazardous Waste Facility Permit for LANL. The Draft SWEIS does not address this possibility
3. Section 5.9 Waste Management: DOE's estimates of remediation waste that would be generated under the "Expanded Operations Alternative" include the waste generated under two scenarios. The waste estimates from both scenarios should be considered as part of the other alternatives.
4. Section 5.10 Transportation: The total dose to the general public and the calculated latent cancer fatalities as a result of shipping radioactive waste for the expanded operations should be added to the other alternatives. The estimated increase in traffic under the expanded operations alternative should also be added to the other alternatives
5. Section 5.12 Facility Accidents: The consequences and risks associated with remediation activities required in the Consent Order should be evaluated under the other two alternatives.

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V. SURFACE WATER QUALITY

1. Throughout the document, when discussing all NPDES discharges and their current or projected effects to LANL's operations or the environment, the document should list the NPDES permit number in the body of the text in order to allow the reader to more easily identify and follow the source and related area of the associated impact. In addition, it should provide a map of the facility with all NPDES discharge points labeled in order to allow all readers to understand the discharge locations and their possible effects on the environment.
2. Coordination needs to be established between the Environment Remediation (ER) program site remediation Point of Contact (POC), the Construction Storm Water Permitting program representative and the FFCA storm water monitoring program representative regarding ER restoration activities that may impact FFCA storm water monitoring sites if releases or spill occur during the site remediation. This coordination effort may need to be established as a program policy at the upper levels of management. Coordination efforts could be as simple as an agreement by the ER program to have all restoration POCs contact the FFCA storm water monitoring representative when restoration activities are being planned. The FFCA storm water monitoring representative can then determine if any FFCA related sampling sites may be impacted and inform the ER POC and the Multi-Sector General Permit (MSGP) Construction Permitting Representative to include appropriate language in the Storm Water Pollution Prevention Plan (SWPPP) and/or permit. The SWEIS should describe how this coordination will be achieved

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Section I.4.3. Additional information about the groundwater regime at LANL is presented in Chapter 4, Section 4.3.2, and Appendix E.

- 254-55** The groundwater monitoring information in Chapter 4, Section 4.3.2, was updated. In addition, Appendix I, Section I.2.5.5.1, was updated to summarize the results of the 2005 MDA G investigation report (LANL 2005b) and to acknowledge the July 26, 2006, New Mexico Environment Department notice of disapproval of this report and LANL's response. In response to a September 13, 2006 letter from the New Mexico Environment Department, DOE agreed to extend the depth of a borehole downgradient of the active tritium disposal shafts to the basalt layer and to install monitoring equipment to sample for tritium. Monitoring results were reported to the New Mexico Environment Department in the May 2007 addendum to the MDA G investigation report. Monitoring results showed that tritium concentrations peaked at 50 feet (15 meters) below ground surface near the base of the nearby 60-foot (18-meter) deep tritium shafts. The concentrations decreased as the sampling depth increased to about 240 feet (73 meters).

254-56 The sentence was edited to improve readability.

254-57 The purpose of the cited portion of Appendix I, Section I.5.3.1.2, is to illustrate how dry mesa conditions can change when the water balance is perturbed. Section I.5.3.1.2 was modified to reference past incidents of standing water in Core Hole 2, the official abandonment of Core Hole 2 as part of an interim measure in 1989 and 1999, and the backfilling of the hydrodynamic shafts with sand and crushed tuff. Additional information about Core Hole 2 was added to Section I.2.5.3, which addresses the 1989–1999 interim measure in more detail, as well as the continued monitoring of soil moisture at selected MDA AB sites under the Consent Order. MDA AB boreholes indicate higher moisture content than undisturbed sites; however, no moisture data are yet available for legacy experimental shafts. MDA AB Investigation and Remediation Work Plans for TA-49 were submitted to the New Mexico Environment Department in October 2007.

254-58 Appendix I, Section I.2.5.2.2, was revised to include an updated summary of past site investigation programs at MDA B, including the results of field investigations that found the average moisture content in soils beneath the asphalt to be elevated compared with surrounding surface soils and

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3. Coordination and communication between the all construction staff and the Construction Storm Water Permitting LANS-VWQ/RCRA program representatives is important and needs to be done from the beginning and continued through any proposed project. These coordination and communication efforts may need to be established as a program policy at the upper levels of management and be followed through by all contractors and subcontractors as well as all LANS-PM-IP staff. Storm water Best Management Practices (BMPs) implementation should be discussed, reviewed, and budgeted throughout the project so that final stabilization can be achieved and the issuance of a Notice of Termination (NOT) can be done in a timely and cost effective manner.
4. During all construction and remediation projects, when any work is proposed to be performed at or near a FFCA monitored sites, any BMPs used on the site should be designed for full containment or "No Discharge" within the permit or SWPPP in order to prevent any site disturbance and associated contaminate release.
5. In discussing proposed construction projects, the document should address the design and implementation of permanent storm water containment measures that will be associated with the project. Many of these proposed construction projects will result in the loss of vegetative cover and related vegetative buffering capacity in addition to adding significant impermeable surfaces. This situation will augment each area's run-on/runoff potential and increase erosion of contaminated sediment to downstream areas. Because of these potential impacts, permanent structures such as diversion structures, detention ponds, sedimentation ponds, catchment basins, or storm water collection systems with storm water treatment systems or separators need to be designed into the structures in order to catch, treat, or store contaminants such as petroleum byproducts, heavy metals, and total suspended solids (TSS), before they can enter surface waters. In addition, these structures will reduce the cumulative impacts of increased storm water volume in contaminated Canyon systems. These BMPs need to be designed into the original construction specifications and their budgets and utilized when appropriate.
6. The SWEIS should differentiate the water quantity impacts (projected water use) for each table in the Summary, in addition to each proposed alternative. In all Summary Tables in the Summary Volume, the document should contain a "Resource Area" category that includes any potential impacts to a SWMU or AOC from the projects.
7. Table S-14, Summary of Impacts for the Remote Warehouse and Truck Inspections Station Project, Land Resources: The document should describe what impact this development and related loss of undeveloped land may have on the area's watersheds. In addition, it should describe the permanent storm water controls that will be implemented to mitigate the cumulative impacts from this increase in impermeable surfaces.
8. Section 3.6.3 Summaries of Potential Consequences from project-specific analysis: The second bullet should note that a required LANL Construction General Permit, a U.S. Army Corps of Engineers section 404 Dredge and Fill Permit, and a section 401 Water Quality Certification will be obtained, if needed, for any project-specific activities that may have an effect on surface water.

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subsurface materials. Nonetheless, it is unlikely that the elevated soil moisture is associated with groundwater. At the conclusion of excavation activities at MDA B, a sampling and analysis plan will be submitted to the New Mexico Environment Department for review and approval. The sampling and analysis plan will propose appropriate characterization that may be required to address post-remediation site conditions and the potential for any residual contamination.

The estimates for routine operational waste generation in this SWEIS are based on projections in the 1999 SWEIS that were increased as necessary for this SWEIS based on actual generation rates and recent waste generation forecasts. The values presented in Chapter 5, Tables 5-39, 5-42, and 5-47, are meant to bound the operational waste that could be generated for each alternative. In addition, the analyses in this SWEIS project waste generation from environmental remediation, construction, and decontamination, decommissioning, and demolition (DD&D) activities. Tables 5-41, 5-44, and 5-49 present projected waste volumes from all sources under each of the proposed SWEIS alternatives. Table 5-37 compares waste generation across all alternatives. Section 5.10 and Appendix K of this SWEIS present the projected impacts, including those that may occur from accidents, from waste transportation under all SWEIS alternatives.

Sufficient offsite treatment and disposal capacity exists for all solid and chemical wastes that may be generated. Onsite disposal capacity for low-level radioactive waste may be sufficient, depending on the actual volumes generated by remediation and DD&D activities; disposal capacity will be supplemented by offsite facilities if needed. Most of the transuranic waste projected under the Expanded Operations Alternative would be generated from the assumed removal of transuranic waste disposed of before 1970 from LANL material disposal areas that are subject to the Consent Order. Generation of this waste is uncertain and will depend in part on future regulatory decisions by the New Mexico Environment Department. WIPP disposal capacity is expected to be sufficient for disposal of all retrievably stored waste, including LANL's current inventory of legacy waste, and all newly generated transuranic waste from the DOE complex over the next few decades. As discussed in Section 5.9.3, no credit was taken for LANL waste volume reduction techniques (such as sorting). It is assumed that all of the transuranic waste at LANL could be disposed of at WIPP;

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| 9. Section 4.3.1 Surface Water, Table with Surface Water Terms: For consistency and to avoid misunderstanding, the document should use the terms defined in the New Mexico Surface Water Standards, section 20.6.4.7 NMAC. | 254-68 |
| 10. Section 4.3.1.1 Surface Water and Sediment Quality: The statement "Drinking water standards and aquatic life standards are used for comparison, although surface water on the Pajarito Plateau is not used for these purposes" should be deleted. It has been well documented in the scientific literature of the region that surface water on the Pajarito Plateau supports aquatic life. Acute aquatic life standards apply to all "waters of the state" and chronic standard apply to all perennial reaches (Anonymous, 1992a, Cross, S., 1994, Cross, S., 1995) | 254-69 |
| 11. Section 4.3.1.1 Sources of Impacts to Surface Water Resources: In addition to the listed impacts, the document should include "spills," both permitted under NPDES and un-permitted, as a source that might impact local surface water resources | 254-70 |
| 12. Table 4-4 Standards and References Used for Evaluating Water Quality: The entry of "N/A" under "aquatic life acute and chronic..." is incorrect. Many aquatic organisms live, survive, and reproduce in perennial, intermittent, and ephemeral environments located on LANL lands were applicable WQCC water quality standards apply | 254-69
<i>cont'd</i> |
| 13. Table 4-7 Estimated Average Annual Concentrations of Radionuclides for Persistent Waters in Pueblo and Mortandad Canyons Compared with the Derived Concentration Guides: The document should explain or define the term "persistent." It is not clear whether it refers to perennial and intermittent reaches only. | 254-71 |
| 14. Section 4.3.1.2 Industrial Effluent: There is a numerical mistake in the last paragraph. All other numbers show a decrease in the number of permitted outfalls from 36 in 1999 to 21 in 2004. This paragraph states that "Thirty-five" outfalls were identified in the 1999 SWEIS. | 254-72 |
| 15. Section 4.3.1.3 Storm Water Runoff: The reference "NMAC 20.6.4.900.J" should be cited when describing the New Mexico Human Health Standards | 254-73 |
| 16. Downstream LANL Runoff, Pre-Cerro Grande Fire to 2003 (Bullet 1): The phrase "native vegetative planting" should be added to the list of best management practices used to control runoff and sediment transport | 254-74 |
| 17. Section 4.3.1 Surface Water, first paragraph: The words "may" and "could" in this paragraph are inaccurate. Surface-water flows and associated contaminants do extend offsite to the Rio Grande | 254-75 |
| 18. Section 6.1 Clean Water Act of 1972, as amended (33 U.S.C. 1251 et seq.): In the third paragraph, it should be noted that on July 1, 2003, EPA issued the new construction general permits that replace those issued in 1998. The new permits require small construction activities to obtain a NPDES Construction General Permit for construction activities that disturb one acre or more, rather than five acres or more. | 254-76 |
| 19. Section I.4.3 Water Resources, Surface Water, first paragraph: These statements are somewhat misleading. On the Laboratory property, Sandia, Pajarito, and Water | 254-77 |

however, there may not be sufficient space at WIPP for disposal of all pre-1970 waste buried across the DOE complex. Because future decisions about disposal of transuranic waste will be based on the needs of the entire DOE complex, it is not possible to be definite about the disposition of waste from environmental remediation that may or may not be generated. Any transuranic waste generated at LANL without a disposal pathway would be safely stored until disposal capacity became available. Refer to Section 2.7, Waste Management, and Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

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| 254-60 | The NPDES permit number is included in Chapter 6, Table 6-2. NPDES outfall locations were added to Figure 4-12, the map of Watersheds in the Los Alamos National Laboratory Region. |
| 254-61 | There are LANL programs in place to provide this coordination between the Environmental Programs Directorate and the Environment, Safety, Health, and Quality Directorate. There is also a project review process that requires subject matter experts on all environmental media, including stormwater, to review the regulatory requirements for each project. Identifying individual organizations in the SWEIS is not useful because organizational changes are frequent at LANL. |
| 254-62 | This coordination between the Project Management Services Directorate and the Environment, Safety, Health, and Quality Directorate is formalized through the project review process.

If a Stormwater Pollution Prevention Plan is applicable to a construction or remediation project, it was developed because the activity is subject to requirements of the NPDES Construction General Permit. Per EPA, the goal of this permit is to "plan and implement appropriate pollution prevention and control practices for stormwater runoff during the construction period." The permit's function is to manage runoff from a site. It does not require "no discharge." In fact, if there are no discharges from the site, permit coverage is not required. The NPDES Construction General Permit requires that sediment yield and stormwater runoff velocity both during and after construction must be equal to or less than pre-development values; this is accomplished using appropriate best |

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- Canyons, and North Anchor East Basin, Starmers Gulch, and Canyon de Valle contain perennial surface water at varying lengths of flow
20. Section I.4.3 Water Resources, Groundwater, third paragraph, first sentence: The document should include a reference for this conclusion. Some indirect evidence provided by stable isotope data (Blake et al., 1995) and noble-gas data (Manning et al., 2006; Longmire et al., in preparation) suggests that ground water at the regional aquifer water table contains a significant amount of plateau or canyon bottom recharge.
21. Sections J.1.3.3 & J.1.3.4, Auxiliary Action(s) A & B, Water Resources: The document should note that a section 401 New Mexico Water Quality Certification as well as a NPDES Construction General Permit are required for any Bridge Construction Projects
22. Section 4.3.1.2 (page 4-42), Industrial Effluents/Quality of Effluent from NPDES Permitted Outfalls: The document states, "Since 2000, LANL has maintained an average compliance rate with permit conditions of 99.75 percent." NMED questions the accuracy of this statement. Data indicates that discharges from some outfalls at LANL may cause or contribute to exceedances of the State's Standards for Interstate and Intrastate Surface Waters, 20.6.4 NMAC. For instance, NMED has collected analytical data that indicate that discharges of polychlorinated biphenyls (PCBs) from NPDES outfalls 001, 13S, and 051 exceed numeric water quality criteria for human health. LANL currently uses an older EPA approved, albeit much less sensitive, analytical technique for measuring PCBs than was used by NMED. NMED has requested that LANL use the more sensitive EPA developed method for purposes of NPDES monitoring in a recent certification of an NPDES permit for the above named outfalls. LANL has appealed the State's certification on procedural grounds. LANL's failure to utilize more sensitive scientifically valid methods of analysis obscures the true nature of PCB discharges. NMED cannot ascertain the extent to which LANL's use of less sensitive monitoring techniques understates the environmental impacts of its discharges of pollutants, including PCBs, to surface waters. LANL should use the most sensitive EPA or State-approved analytical methods for all parameters for which the State has established water quality criteria, sufficient to truly assess the impacts of LANL's discharges on surface water quality. The SWEIS should discuss these impacts, and it should discuss the potential additional impacts that would result from expanded operations.
23. Section 4.3.1.1 (page 4-34), and Table 4.4: The document states that "[d]rinking water standards and aquatic life standards are used for comparison, although surface water on the Pajarito Plateau is not used for these purposes." This statement is incorrect. Aquatic life uses are designated and existing uses on the Pajarito Plateau. Similarly, Table 4-4 needs to be corrected to match the current version of 20.6.4 NMAC (as amended February 16, 2006). The "N/A" entry under "Aquatic life - acute" is also inaccurate. The table also should discern between intermittent waters within and outside of LANL property on the Pajarito Plateau. Intermittent waters within LANL are covered by the water quality standards in section 20.6.4.128 NMAC, which includes a designated use of Limited Aquatic Life and therefore associated acute criterion apply. Intermittent waters outside of LANL on the Pajarito Plateau are covered by the water quality standards in section 20.6.4.98 NMAC, which includes a

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management practices. Such measures may result in little or no discharge of stormwater from a permitted site.

- 254-63 NNSA agrees that appropriate best management practices should be designed into construction plans. These construction requirements are discussed in Chapter 4, Section 4.3.1.3, National Pollutant Discharge Elimination System Stormwater Construction Program, and in Appendix G.
- 254-64 Summary Table S-5, Summary of Environmental Consequences by Resource Area, presents the total water demand for each of the three SWEIS alternatives under the section Site Infrastructure. In addition, each of the project-specific analyses, which are part of the Expanded Operations Alternative, is described in Section S.9.3 of the Summary, along with a table summarizing the impacts; water use is presented under Socioeconomics and Infrastructure when there would be a change in demand caused by the project. Refer to Chapter 5, Table 5-32, Summary of Environmental Consequences, under Site Infrastructure, for changes in water demand at the site-wide, TA, and Key-Facility level for each alternative. This table is considered too detailed for inclusion in a summary-level discussion.
- 254-65 The text in Summary, Section S.9, and in Chapter 3, Sections 3.6.1 and 3.6.3, was revised to indicate that possible impacts from a project addressed in the SWEIS to a potential release site covered under the Consent Order would be addressed through the accelerated cleanup process documented in Section VII.F of the Consent Order.
- 254-66 Table S-14 in the Summary is meant to convey general impacts, not to present specific mitigative measures, unless major impacts are expected. Refer to Appendix G, Section G.9.3.2, for more details regarding the impacts of stormwater runoff and related mitigation measures. Because the Remote Warehouse and Truck Inspection Station Project would impact more than 1 acre (0.4 hectare) of land, it would be subject to the requirements of the NPDES Construction General Permit. Permanent stormwater controls would be managed under LANL's Integrated Stormwater Monitoring Program, as described in Chapter 4, Section 4.3.1.3.

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designated use of Aquatic Life, and therefore associated acute and chronic criteria apply.

- 24 Section 4.3.1.1 (page 4-34), Surface Water and Sediment Quality: The third paragraph, third sentence states: "Most surface water on the Pajarito Plateau is designated for use as wildlife habitat and livestock watering." This sentence should be stricken. It is incomplete and therefore inaccurate. There are more designated uses assigned to waters on the Pajarito Plateau than just wildlife habitat and livestock watering as of the most recent triennial water quality standards review, such as Aquatic Life, Limited Aquatic Life, Coldwater Aquatic Life, and Secondary Contact. See sections 20.6.4.126, 20.6.4.128, 20.6.4.97, 20.6.4.98, 20.6.4.99 of 20.6.4 NMAC (as amended February 16, 2006) for the appropriate designated uses for stream reaches on the Pajarito Plateau

VI. GROUND WATER QUALITY

1. The SWEIS should explain that up to seventeen outfalls at LANL need to be evaluated to determine if ground water discharge permits are required pursuant to section 20.6.2 NMAC. NMED is currently in the process of permitting four of these discharge locations.
2. Under the "Expanded Operations Alternative," DOE's preferred alternative, the total volume of wastewater that LANL discharges into groundwater would increase significantly. The SWEIS should describe the additional discharges to groundwater that would occur under the "Expanded Operations Alternative." The lack of such descriptions results in uncertainty as to the potential for groundwater impacts at LANL. Furthermore, pursuant to 20.6.2 NMAC, DOE and its contractor would be required to file a Notice of Intent to discharge for any new discharges of water contaminants or if they alter the character or location of an existing water contaminant discharge. If the NMED determines that the discharge has the potential to move directly or indirectly into ground water, a Discharge Permit will be required pursuant to 20.6.2.310 NMAC.

VII. AIR QUALITY

1. To further ensure air quality standards are met during construction, applicable local or county ordinances requiring noise and dust control must be followed; if none are in effect, measures to control construction-related air quality impacts during projects should be implemented to reduce the impact of fugitive dust and/or noise on community members. Areas disturbed by construction activities, within and adjacent to the project area, should be reclaimed to avoid long-term problems with erosion and fugitive dust. The document should address this issue.
2. The SWEISS proposes the renovation or demolition of older buildings at LANL. Asbestos-containing material may be present and could be disturbed during construction activities. If asbestos containing materials are disturbed without ensuring that proper and safe procedures are used, there is risk of asbestos contamination to

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254-67 Language was added to the second bullet under the third paragraph in Chapter 3, Section 3.6.3, to reflect the permits that may be required for new projects.

254-68 The definitions of perennial, ephemeral, and intermittent were modified to match the definitions in the New Mexico Surface Water Standards, Section 20.6.4.7, New Mexico Administrative Code, more closely.

254-69 In response to the comment, the reference to the aquatic life standards in Chapter 4, Section 4.3.1.1, was removed from the statement. In addition, the water quality standards in Tables 4-7 and 4-9 (previously 4-4 and 4-6) were updated to reflect the standards recently issued by the New Mexico Water Quality Control Commission. EPA has not yet approved these new standards; nevertheless, they are used in the 2005 environmental surveillance report and this SWEIS to evaluate water quality data.

254-70 "Spills" are listed as a possible source of surface water impact in Chapter 4, Section 4.3.1.1. Table 4-7 was corrected to reflect the current version of New Mexico Administrative Code 20.6.4, which was recently issued by the New Mexico Water Quality Control Commission and describes acute aquatic life as applicable to intermittent and ephemeral waters. EPA has not yet approved these new standards; nevertheless, they are used in the 2005 environmental surveillance report and in this SWEIS to evaluate water quality data. The column heading in Table 4-7 also was adjusted to show that this table covers the Pajarito Plateau within LANL boundaries. As this document is a SWEIS for LANL operations, surface waters upgradient and north of LANL are not considered relevant.

254-71 The title of Table 4-10 in Chapter 4 of the SWEIS was changed to reflect that the concentrations relate to the base flows of the surface waters in these canyons. It was also changed to present a revised measure of water quality. The new title is, "Estimated Average Annual Concentrations of Radionuclides in Base Flows in Pueblo and Mortandad Canyons Compared with the Biota Concentration Guides."

254-72 The paragraph indicates that of the 55 outfalls that were predicted to exist under all of the alternatives in the 1999 SWEIS, 35 have been removed from the NPDES permit and one has been reinstated, resulting in the current number of 21 outfalls permitted to discharge under the existing

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the environment as well as risk of asbestos exposure to the public. The document must address this issue.

3. As stated in the Draft SWEIS, hazardous air pollutants could increase by up to 2.5 percent from the higher level of explosives processing under the "Expanded Operations Alternative." The document should include information as to whether any of the other pollutants that might be emitted from LANL operations are listed under 20.2.72.502 NMAC- *Toxic Air Pollutants and Emissions*, the NSPS, or the NESHAPS

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Dale, M.R., Granzow, K.P., Englert, D.E., Yanicak, S.M., Ford-Schmid, R.E., Longmire, P.A., and Counce, D.A., 2005, An update on the surficial water resources in the Los Alamos Area, New Mexico. US Geological Survey Open File Report 2005-1130, p. 6.

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NPDES permit. The actual number of permitted outfalls at LANL at the end of 1999, reported in the annual *SWEIS Yearbook* for 1999 (LANL 2000), was 36.

- 254-73** The citation was added to Chapter 4, Section 4.3.1.3, where human health standards are mentioned.
- 254-74** "Native vegetative planting" was added to the list of best management practices in this section.
- 254-75** Language in this paragraph was revised to indicate that surface waters extend offsite to the Rio Grande under certain precipitation and flow conditions.
- 254-76** Chapter 6, Section 6.1, was revised to reflect the most recent NPDES Construction General Permit.
- 254-77** The introductory paragraph in Appendix I, Section I.4.3, was revised to include perennial surface water locations.
- 254-78** A reference was added as suggested. In addition, the third sentence was modified to indicate that little natural recharge occurs along the mesa tops.
- 254-79** Appendix J, Sections J.1.3.2, J.1.3.3, and J.1.3.4, were revised to add the Section 401 Water Quality Certification.
- 254-80** The compliance rate of 99.75 percent is correct, as documented in discharge monitoring reports submitted to EPA and the New Mexico Environment Department. Submission of discharge monitoring reports is required on a biannual basis by the LANL NPDES permit.
- Currently, the LANL contractor and the New Mexico Environment Department are using a different method (congener method) for outfall assessment purposes, but not for enforcement purposes. The New Mexico Environment Department attempted to require the PCB congener method in the LANL NPDES permit. The LANL contractor appealed this requirement to the New Mexico Water Quality Control Commission. A motion to stay the appeal was granted by the Commission to allow the New Mexico Environment Department and the LANL contractor time to work out a potential settlement.

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Yanicak, 2001, Release of ground-water (draft) data related to split-sampling and independent sampling at Los Alamos National Laboratory and surrounding areas during 2000: New Mexico Environment Department DOE OB, letter dated March 13, 2001.

- 254-81** This statement was revised to reflect the updated water quality standards recently issued by the New Mexico Water Quality Control Commission. EPA has not yet approved these new standards; nevertheless, they are used in the 2005 environmental surveillance report and in this SWEIS to evaluate water quality data.
- 254-82** Text was revised to reflect that 4 outfalls have permits or permit applications. Outfalls 13S from the TA-46 Sanitary Wastewater Systems Plant, 03A027 from the Metropolis Center, and 001 from the Power Plant are currently combined into a single groundwater discharge permit. The New Mexico Environment Department requested one additional groundwater discharge permit application; an application was submitted for Outfall 051 from the TA-50 Radioactive Liquid Waste Treatment Plant. Though the New Mexico Environment Department may be evaluating the need for additional permits, it has not requested additional permit applications from LANL; thus there are three permitted outfalls and an additional outfall permit in process.
- 254-83** Estimates of wastewater discharge were provided in Chapter 5, Table 5-5. The estimates included a 30 percent increase in cooling tower wastewater from the Metropolis Center and a 25 percent increase in wastewater from the Radioactive Liquid Waste Treatment Plant due to increased activities at facilities producing radioactive wastewater. Due to elimination of discharges from other outfalls, the total discharge under the Expanded Operations Alternative is estimated at 268 million gallons (1,014 million liters) per year, versus 280 million gallons (1,060 million liters) per year under the No Action Alternative. NNSA will apply for a discharge permit for new or altered discharges according to 20.6.2.1210 of the New Mexico Administrative Code, if required.
- 254-84** The SWEIS discusses construction work elements that apply to construction activities at LANL in Appendix G. In addition, Chapter 5, Section 5.14, discusses various mitigation measures. These discussions address construction dust control, potential noise mitigation measures, and protection of worker health and safety. DOE recognizes its responsibility to implement best management practices to control construction activity impacts and to comply with local regulations for controlling these impacts.
- 254-85** NNSA added a discussion of the applicability of and compliance with the National Emission Standard for Hazardous Air Pollutants for asbestos,

*Commentor No. 254 (cont'd): Ron Curry, Secretary,
State of New Mexico, Environment Department*

40 CFR Part 61 Subpart M, to Chapter 5, Section 5.4.1. Demolition and renovation activities could employ techniques such as wetting the asbestos or using plastic tents to contain and capture the asbestos and other airborne particulate during removal.

- 254-86** The increase in explosives processing activity would result from the increased processing of mock explosives. Chapter 5, Section 5.4.1.3, was revised to indicate the primary pollutants from explosives processing and the applicable permit limits. Chapter 4, Section 4.4.2.1, was revised to explain which pollutant emissions at LANL are regulated under New Source Performance Standards and National Emission Standard for Hazardous Air Pollutants regulations and to add a table showing emissions limitations in the current operating permit. In addition, a list of chemicals that were purchased for LANL operations in 2004 and could be emitted to the air during operations was added to Appendix B.

Commentor No. 255: Gabrielle Petrissans

September 22, 2006

Hi,

My name is Gabrielle Petrissans. I am a resident of Santa Fe, New Mexico. I'm calling to oppose the increased plutonium pit activity up at Los Alamos National Laboratory.

I am also opposed to increasing plutonium storage to 7.3 tons.

I'm also opposed to storing waste in unlined trenches, threatening the aquifer.

I will submit a written comment in addition to this.

Thank you so much. My number is XXX-XXXX.

255-1

255-1 NNSA notes the commentor's opposition to increased production of plutonium pits, increasing storage of plutonium, and disposal of waste in unlined trenches. Storage of up to 7.3 tons of plutonium is proposed in the No Action Alternative (and the other alternatives) and does not represent an increase in the amount of plutonium to be stored at LANL. Low-level radioactive waste is disposed of at LANL in a facility authorized for operation pursuant to DOE Order 435.1. This authorization was based on a performance assessment and composite analysis prepared in 1997 that provides reasonable assurance that disposal in TA-54 would not result in contamination that would be a threat to the public. The future use of lined rather than unlined pits for low-level radioactive waste disposal is under evaluation through an update to the Area G performance assessment and composite analysis. The performance assessment and composite analysis will guide decisions regarding operational procedures and waste disposal. The SWEIS considers impacts from the use of unlined pits as its No Action Alternative baseline. Refer to Section 2.7, Waste Management, of this CRD for more information.

Commentor No. 256: Anonymous

September 22, 2006

I have worked at the Berkley U.C. lab with other physicists and know that many share my feelings. The idea of developing newer nuclear weapons and the safety factor up at Los Alamos, we are well aware of.

It's a terrible future for everyone to elaborate on these nuclear weapons and Los Alamos not only should clean up, but move out of forested areas. The government has plenty of other desert areas in White Sand and Nevada to produce this...used to produce these follies.

I'm very concerned. My number is XXX-XXXX, although you do not need to call.

It leaves one quite angry and what's happening.

Thank you very much.

256-1

256-1 NNSA notes the commentor's concerns regarding the development of newer nuclear weapons and the location of LANL. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information. The relocation of LANL is not within the scope of this SWEIS.

Commentor No. 257: Mellis I. Schmidt, Ph.D.

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**Mellis I. Schmidt
1711 Camino de la Canada
Santa Fe, New Mexico 87501-2326**

National Nuclear Security Administration
Los Alamos Site Office
Attention: Ms. Elizabeth Withers
Office of Environmental Stewardship
528 35th Street
Los Alamos, New Mexico 87544

September 20, 2006

Via facsimile

Dear Ms. Withers:

I am writing to inform you of my extreme opposition to the expanded plutonium pit production at the Los Alamos National Laboratory (LANL). Currently we do not have any safe way to store or dispose of waste and other residues from such production. In addition, I am most concerned about LANL's pollution of water, worker safety, and public protection in light of LANL's location near earthquake fault lines.

Please redirect the enormous talent and funds at LANL to invest in health and the prevention of disease, renewable energy, and protection and restoration of our environment. In short, LANL would do better to support activities that are in the direction of peace instead of war.

Sincerely,


Mellis I. Schmidt, Ph.D.

257-1

257-2

257-1 NNSA notes the commentor's opposition to the expanded plutonium pit production at LANL and concerns about storage and disposal of wastes, water pollution, worker safety, and public health effects in light of LANL's location near earthquake fault lines. The environmental impacts of waste generation and disposal, and any impacts to water resources, worker safety, and public health are addressed in Chapter 5 of the SWEIS. Refer to Section 2.7, Waste Management, of this CRD for more information on waste management activities at LANL. Seismic activity and the current understanding of earthquake faults are addressed in Chapter 4 of the SWEIS. Work performed at LANL and new construction activities are subject to DOE orders and standards for seismic concerns. Different construction requirements are imposed for new structures based on their proposed location relative to known fault lines, and in accordance with the planned future use of the structure. Existing LANL structures may be retrofitted and upgraded, as necessary and appropriate based on their use, to meet current seismic standards if it is determined that they are at risk.

257-2 NNSA notes the commentor's desire for activities at LANL to be focused on areas other than those related to nuclear weapons production. Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President. In addition to these activities, however, research is conducted at LANL in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Commentor No. 258: Joseph Parko

FROM : MARGIE

FAX NO. : 4045251896

Sep. 21 2006 09:34AM P1

September 20, 2006

Ms. Elizabeth Withers, EIS Document Manager
Los Alamos Site Office
National Nuclear Security Administration
U.S. Department of Energy
538 35th Street
Los Alamos, New Mexico, 87544-2201

Dear Ms. Withers,

As a homeowner in Santa Fe who is very concerned about nuclear safety issues, I oppose the preferred Expanded Operations Alternative suggested for future operations at Los Alamos National Laboratory (LANL) as proposed in the draft 2006 Site-Wide Environmental Impact Statement (SWEIS). The proposed Expanded Operations will increase nuclear weapons design and research and therefore generate more waste and increase air emissions and discharges to surface and ground waters that flow to the Rio Grande.

258-1

I object to the fact that increased cleanup was only included in the Expanded Operations and not part of the No Action and Reduced Operations Alternatives. Compliance with the New Mexico Environment Department (NMED)/LANL Consent Order for cleanup at LANL by 2015 should not be made optional nor be tied the expansion of activities which threaten public health and the environment. Increased Consent Order cleanup should be included in all three alternatives.

258-2

When implementing cleanup, LANL must be required to do so to the fullest extent possible. One of the proposed cleanup plans consists of simply covering contaminated sites in such a way that it would be within health standards for people to work 40 hours a week in an industrial job on the site. This level of cleanup is not adequate for children at a day care facility on the formerly contaminated site, let alone a change in land use. In order to protect future drinking water supplies, all waste must be removed from the major material disposal areas (dumps), canyon cleanups and other NMED/LANL Consent Order actions as well as LANL's voluntary cleanup activities.

258-3

The Department of Energy (DOE) recommends that plutonium pit production increase from 20 to 80 pits per year. The draft SWEIS references a modern pit facility (MPF) 60 times. This facility would be capable of producing 450 plutonium pits per year, despite widespread opposition to the MPF by New Mexicans in 2004. This has dire local, national and international implications. The draft SWEIS lacks an adequate discussion of how a MPF or increase pit production would not violate Article VI of the Nuclear Nonproliferation Treaty, which calls for complete disarmament of nuclear weapons. I

258-4

258-1 NNSA notes the commentor's opposition to the Expanded Operations Alternative and concerns about proliferation of nuclear weapons. The potential environmental, health, and safety impacts of the continued operation of LANL under the three proposed alternatives are analyzed in Chapter 5 of the SWEIS, including management of radioactive and chemical wastes, monitoring of air emissions, and treatment or monitoring of wastewater discharged through National Pollutant Discharge Elimination System-permitted outfalls. The commentor is correct that the Expanded Operations Alternative would result in greater amounts of radioactive and chemical waste as well as increased air emissions and wastewater discharges; but, as demonstrated in the SWEIS, these increases can be safely managed. It should be noted that treated effluents do not normally flow directly into the Rio Grande; surface waters may reach the river a few times a year during large precipitation events. Refer to Section 2.6, Offsite Contamination, of this CRD for more information.

258-2 NNSA does not consider compliance with the Consent Order to be optional, and is not linking Consent Order compliance with decisions about pit production; proposed new projects or activities; increased operational levels; or waste generated from other LANL activities. Chapter 1, Section 1.3, of the SWEIS defines the three alternatives and explains why activities to comply with the Consent Order are included only in the Expanded Operations Alternative. Chapter 1, Section 1.4 states that NNSA could choose to implement the alternatives either in whole or in part, and that NNSA intends to implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

258-3 Although Appendix I of the SWEIS evaluates the environmental impacts associated with potential remedial action alternatives, decisions about environmental restoration will be made in accordance with established regulatory standards and processes, including those of the New Mexico Environment Department for the Consent Order, and of DOE. To arrive at a decision about remediating a contaminated site, several alternative remedies may be considered such as containment in place, treatment, or removal. Any remedy selected for a site requiring environmental restoration must be protective of human health and the environment,

Commentor No. 258 (cont'd): Joseph Parko

FROM : MARGIE

FAX NO. : 4045251896

Sep. 21 2006 09:35AM P2

am concerned that DOE is attempting to slip in a MPF at LANL without adequate analysis. Therefore, the final SWEIS should be void of all references to a MPF at LANL.

258-4
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The Expanded Operations would annually generate a total of 860 cubic yards of transuranic waste, 12,000 cubic yards of low-level radioactive waste and 2,750,000 pounds of chemical waste. Increased pit production alone would generate an additional 1,800 or more 55-gallon drums of transuranic wastes each year for disposal at the Waste Isolation Pilot Plant (WIPP). LANL currently has approximately 40,000 drums sitting above-ground in fabric tents awaiting shipment to WIPP. Likewise, the clean up plan focuses on removing drums that are currently buried in Area G, rather than providing safe and secure storage for those already above ground. DOE should make permanent disposal of existing waste a priority, rather than continue to generate more.

258-5

LANL is not in compliance with DOE and Defense Nuclear Facilities Safety Board (DNFSB) safety regulations and recommendations. Some LANL facilities are up to six years behind on preparing and submitting their safety documentation to DOE. Such lack of compliance poses an unacceptable risk to workers, the public and the environment. LANL needs to be up-to-date and in full compliance with all DOE and DNFSB safety regulations and recommendations. Furthermore, many of the buildings at LANL are not in compliance with existing earthquake building codes, despite the fact that LANL is built upon at least three major fault lines. Existing facilities and new construction must be up to code before any operations are done in them.

258-6

Many of the documents referred to in the draft SWEIS are based on studies that have not been finalized. For instance, the draft SWEIS was released before either the risk assessment for LANL's low-level waste dump at Area G or the latest seismic hazard study were completed, both of which are due to be released in 2006. Further, the draft SWEIS relies on an incomplete and inaccurate draft Agency for Toxic Substances and Disease Registry report for health impacts analysis. It is impossible to accurately determine the environmental and health impacts for future operations at LANL based on incomplete data. It was premature for DOE to release the draft SWEIS without these essential reports being part of the analysis. The SWEIS must include a reanalysis based on the findings in the 2006 Area G risk assessment and seismic hazard study. The ATSDR report should not be used in any analysis regarding LANL activities.

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LANL activities jeopardize both water quality and quantity for surface and ground water. New Mexicans rely on surface and groundwater for drinking and farming. LANL discharges approximately 163,000,000 gallons per year of industrial and sanitary effluent into the canyon systems. DOE did not use the most current water quality standards when assessing impacts in this draft SWEIS, nor did DOE use the most current data about the number of streams that are impaired on the Pajarito Plateau from LANL activities. Contaminants, such as perchlorate, hexavalent chromium and 1, 4-

258-9

and attain applicable cleanup standards including those for ground and surface waters and soil. If the site is to remain under DOE ownership, then cleanup standards commensurate with a restricted type of land use may be used, provided that offsite areas are protected. If the site is to be released for unrestricted access by the public, then the site would need to meet cleanup standards for unrestricted release. Decisions about cleanup of sites subject to the Consent Order will be made by the New Mexico Environment Department in accordance with the cleanup and screening levels documented in Section VIII of the Consent Order. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

258-4

Reference to a modern pit facility in the draft SWEIS was in the context of ensuring that reasonably foreseeable future actions were addressed in accordance with the Council on Environmental Quality NEPA regulations regarding cumulative impacts. The SWEIS alternatives addressing operational levels for the next 5 years limit the level of pit production to up to 80 pits per year (Expanded Operations Alternative). In October 2006, NNSA issued a Notice of Intent to prepare a *Supplement to the Stockpile Stewardship and Management Programmatic Environmental Impact Statement – Complex 2030* (now called the *Complex Transformation Supplemental Programmatic Environmental Impact Statement [Complex Transformation SPEIS]*) (71 FR 61731). In addition to announcing its intent to prepare the *Complex Transformation SPEIS* to assess the environmental impacts from the continued transformation of the nuclear weapons complex, NNSA announced cancellation of the previously planned *Supplemental Programmatic Environmental Impact Statement on Stockpile Stewardship and Management for a Modern Pit Facility* (DOE/EIS-236-S2) (71 FR 61731). The Final SWEIS does not include reference to a modern pit facility. In discharging its Stockpile Stewardship responsibilities, NNSA is not violating the Nuclear Nonproliferation Treaty. Please refer to Sections 2.1, Opposition to Nuclear Weapons and Pit Production, 2.2, National Environmental Policy Act (NEPA) Process, and 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for more information.

258-5

Although a pollution prevention and waste minimization program has been instituted at LANL (see Chapter 4, Section 4.9, of the SWEIS), operation of LANL in support of DOE's core missions will cause the generation

Commentor No. 258 (cont'd): Joseph Parko

FROM : MARGIE

FAX NO. : 4045251896

Sep. 21 2006 09:36AM P3

dioxane have already been found in the regional aquifer and test wells and yet DOE is not monitoring 1,405 sites that have the potential to release contaminants during storms and when the snow melts. The Expanded Operations will increase water usage by LANL above the amount allotted to it from the regional aquifer. DOE must analyze LANL's impacts against the latest water quality standards and the current impaired stream information in the SWEIS. In order to ensure that water quality is protected now and in the future, DOE must adopt the Removal Option for all clean up activities.

258-9
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LANL would process 87,000 pounds of high explosives and up to 6,900 pounds of depleted uranium (DU) will be blown up in "dynamic experiments" annually. The 1979 LANL Final Environmental Impact Statement estimates that 220,000 pounds of depleted uranium were used in dynamic experiments during the history of LANL. From 1979 to present we do not know how much DU has been used in experiments and remains in the environment. DOE must monitor and implement comprehensive sampling programs at all open burning and open detonation sites and for all activities using high explosives and depleted uranium.

258-10

LANL must be required to reevaluate and broaden their air sampling programs. DOE should no longer hide under the "grandfather clause," which allows for facilities existing before December 31, 1988 to emit toxic air pollutants without regulation. DOE recommends increasing activities at the Los Alamos Neutron Science Center, which has the highest amount of radionuclide air emissions and a long history of technical problems resulting in increased air emissions. DOE must institute a program to stop all toxic air pollutant emissions from LANL facilities and activities.

258-11

In conclusion, the Expanded Operations Alternative will result in higher demands for electricity, water and natural gas, which will impact the environment. These impacts must be considered in the cumulative impacts of the Expanded Operations Alternative.

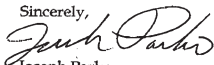
258-12

In addition, Congress must change the mission of LANL to focus on research and development into renewable energy, such as solar, wind and biomass, and clean up technologies that support the environmental and public health. The SWEIS must include a fourth alternative that focuses on these activities.

258-13

I urge you to act to protect the health and safety of the people of New Mexico.

Sincerely,



Joseph Parko
914A Hickox Street
Santa Fe, NM 87505

258-6

of waste that NNSA intends to safely manage as it continues to address existing waste in storage. Nearly all of the stored waste at LANL consists of legacy transuranic waste that is stored above ground within domes in TA-54. Most of this waste was originally stored below grade, but was retrieved and placed in an above-ground, inspectable configuration as required by the New Mexico Environment Department. NNSA is working to prepare all stored and newly generated transuranic waste for shipment to WIPP. Shipment rates for 2006 have increased significantly over past years. Refer to Section 2.7, Waste Management, of this CRD for more information.

The Defense Nuclear Facilities Safety Board does not regulate nor authorize operation of facilities at LANL. Its function, as mandated by the Congress, is to provide independent safety oversight of the NNSA nuclear weapons complex. As in the case of all NNSA nuclear weapons complex sites, the Defense Nuclear Facilities Safety Board reviews safety issues and prepares reports regarding the safety of nuclear weapons complex facilities, which are submitted to NNSA. NNSA and the LANL contractor have reviewed Defense Nuclear Facilities Safety Board reports and responded with commitments to update and improve safety basis documentation. The Los Alamos Site Office Safety Authorization Basis Team assures the development and approval of adequate controls in support of safe operations at LANL. All LANL facility operations are based on authorization and approval by NNSA following NNSA's evaluation of the acceptability of existing relevant safety documentation. Reports and recommendations made by the Defense Nuclear Facilities Safety Board that are relevant to NEPA are taken into account in analyses in the SWEIS. Refer to Section 2.13, Recommendations of the Defense Nuclear Facilities Safety Board, of this CRD for more information.

Seismic characteristics of the LANL environment are described in Chapter 4, Section 4.2.2.3, of the SWEIS. Chapter 5, Section 5.12 presents the estimated human health impacts from postulated facility accidents, including earthquakes. Over the years, based on new seismic information or changed requirements, NNSA has evaluated the survivability of LANL buildings and structures and implemented mitigation measures in terms of structural upgrades, reduction of hazardous materials inventories, or replacement of the structures to reduce the potential for harm to the workforce and the public. Construction

Commentor No. 258 (cont'd): Joseph Parko

requirements are imposed for new structures in accordance with the site locations relative to known fault lines, and in accordance with the planned future use of the structure. For proposed new buildings, safety studies in the form of hazards assessment documents that take into account the most current seismic information are prepared to fully address a comprehensive set of accident risks. The results of these safety studies are incorporated into facility design and operations to ensure protection of the health and safety of workers and the public.

258-7 To the extent possible, the most recent technical documents, including an update to the seismic hazard analysis, completed in June 2007, are considered in the Final SWEIS analyses. Information under development that is not available for use in the Final SWEIS, such as the updated Area G performance assessment, will be considered as it becomes available and, in accordance with the NEPA compliance process, the SWEIS impact analyses will be reviewed and supplemented as necessary based on the newly available information. See Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

Seismic activity at LANL is described in Chapter 4, Section 4.2.2.3 and in the 2007 seismic hazard analysis report (LANL 2007a). The estimated human health impacts from postulated facility accidents at LANL, including earthquakes, are described in Chapter 5, Section 5.12 and Appendix D, Section D.4. These sections also include a discussion of the significance of the updated understanding of seismic hazard from the 2007 seismic hazard analysis report.

258-8 The SWEIS makes use of current, accepted, and well-documented scientific models and data that have been, and continue to be widely used to analyze environmental impacts for the purpose of compliance with NEPA. The analysis methods used are essentially the same as were used in preparation of several DOE environmental impact statements that have recently been published in final form or have been reviewed, in draft, by the public. In general, the data, models, assumptions, and other information used in the SWEIS are drawn from published sources and have been subjected to scientific peer review. Chapter 7 of the SWEIS and each of the Appendices lists the documented sources of information and models used in the analyses.

Commentor No. 258 (cont'd): Joseph Parko

The SWEIS presents an independent assessment of public health impacts from contaminants in the LANL environment. The SWEIS does not rely on the Agency for Toxic Substances and Disease Registry (ATSDR) Public Health Assessment in any specific way for its conclusions. The ATSDR is the Federal agency responsible (under the 1986 amendments to the Superfund law) for conducting Public Health Assessments at each site on the U.S. Environmental Protection Agency (EPA) National Priorities List. It is thus appropriate for the SWEIS to acknowledge the conclusions of the LANL Public Health Assessment because the Public Health Assessment is a relevant Federal agency study. The ATSDR Public Health Assessment for LANL was prepared with public oversight and review. The Public Health Assessment was finalized and released August 31, 2006 (ATSDR 2006). The EPA provided comments on the draft Public Health Assessment which were addressed by the ATSDR in the final document. Appendix I to the final Public Health Assessment lists the comments on the draft that were received from members of the public and other Federal agencies and describes how those comments were addressed in the final document.

- 258-9** Effluents from LANL facilities are discharged in accordance with a National Pollutant Discharge Elimination System permit that establishes limits on the volume and quality of the discharge. As discussed in Chapter 4, Section 4.3.1.2, of the SWEIS, over the past 6 years, the LANL contractor has a very good record of complying with permit conditions, which are set to protect health and safety. Under all alternatives, LANL operations would continue to meet permit conditions designed to protect water resources at LANL. In addition, LANL staff conducts a monitoring program (described in Section 4.3.1.5) to detect contamination that has resulted from past practices. In accordance with applicable regulations and agreements, LANL staff evaluate and take corrective action for occurrences of contamination in groundwater and surface waters at LANL. The water quality standards in Chapter 4, Tables 4-7 and 4-9 have been updated to reflect standards recently issued by the New Mexico Water Quality Control Commission. The new standards have not yet been approved by the U.S. Environmental Protection Agency; nevertheless, they are used in the *2005 Environmental Surveillance Report* (LANL 2006g) and the SWEIS in evaluating water quality data. As Table 4-7 demonstrates, LANL surface water data are compared to a

Commentor No. 258 (cont'd): Joseph Parko

variety of standards that legally apply, in order to identify contaminants and data trends that could indicate the need for corrective actions.

In Section 4.3.2.2, it is stated that chromium concentrations between 375 and 404 parts per billion were detected in two wells in Mortandad Canyon. LANL staff will be conducting further drilling and sampling activities to characterize contamination at LANL as stated in the Interim Measures Work Plan for Chromium Contamination in Groundwater. Refer to Section 2.5, Water Resources, of this CRD for responses to comments regarding chromium contamination in the groundwater. NNSA notes that detection of dioxane was reported to the New Mexico Environment Department in July 2006, 1 year after the sample was collected from a well in Mortandad Canyon. The dioxane contamination level is between 20 parts per billion and 56 parts per billion, below the 61 parts per billion EPA risk-based cleanup level established through the Consent Order. As described in Appendix F, statistical analysis shows that perchlorate at most LANL locations are below the EPA No Observed Effect Level and New Mexico's screening level. Only Mortandad and Pueblo Canyons exceed the New Mexico limit and only Mortandad Canyon exceeds EPA's No Observed Effect Level.

NNSA does not agree with the statement that there are over 1,400 unmonitored discharge sites. As described in Section 4.3.1.3, NNSA had managed stormwater runoff from its solid waste management units under a Multisector General Permit Program, and then transitioned towards management under an individual National Pollutant Discharge Elimination System industrial activity permit.

DOE and Los Alamos County have combined water rights of 1,806 million gallons (6,836 million liters) per year, of which 542 million gallons (2,050 million liters) per year are allotted to DOE. In recent years, the largest amount of water used by DOE and the County was 1,515 million gallons (5,735 million liters) in 2000, when the Cerro Grande Fire occurred. As shown in Table 4-43 and discussed in Section 5.8.2, LANL water usage has been and is expected to remain below its 542 million gallons (2,050 million liters) per year allotment.

Decisions about environmental restoration will be made in accordance with established regulatory standards and processes, including those of

Commentor No. 258 (cont'd): Joseph Parko

the State of New Mexico for the Consent Order. The intent of the SWEIS is not to prejudge these decisions but to provide environmental impact information to be used for the decision-making process, and for the benefit of the reader regarding potential remediation action options. Several alternative remedies may be considered for a contaminated site, including containment in place, treatment, removal, or other remedies. Any remedy selected for a site requiring environmental restoration must meet several criteria including protection of human health and the environment, and attainment of applicable cleanup standards considering the designated future use of the site. Decisions about the appropriate levels of cleanup for sites subject to the Consent Order will be made by the State of New Mexico considering applicable groundwater and surface water quality standards. As indicated in Chapter 1, Section 1.4, of the SWEIS, NNSA intends to implement actions necessary to comply with the Consent Order regardless of decisions made on other activities analyzed in the SWEIS. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

- 258-10** Please refer to Section 2.10, Depleted Uranium and the Dual Axis Radiographic Hydrodynamic Test (DARHT) Facility, of this CRD for more information on how LANL staff ensures the safety of high explosives testing and the use of depleted uranium, as well as LANL's monitoring program.
- 258-11** All LANL operations, regardless of when they began, comply with applicable state (New Mexico Air Quality Control Act) and Federal (Clean Air Act, Toxic Substances Control Act) laws and regulations to protect public health and safety and have valid permits as described in Chapter 6, of the SWEIS. The LANL contractor complies with its Clean Air Act, Title V operating permit which includes requirements for monitoring air pollutant emissions from sources at LANL and recordkeeping for these sources. Current air sampling programs at LANL include ambient non-radiological air monitoring, an ambient radiological air sampling network called AIRNET, and stack sampling for radionuclides, as described in Chapter 4, Sections 4.4.2.3 and 4.4.3.1. The LANL contractor evaluates the results from these programs and makes changes in the sampling locations and constituents as appropriate. LANSCE does have the highest amount of radionuclide air emissions at the site. As discussed

Commentor No. 258 (cont'd): Joseph Parko

in Chapter 5, Section 5.6, if necessary, operational controls at LANSCE would limit the dose to the maximally exposed offsite individual from air emissions to 7.5 millirem per year to ensure compliance with the 40 CFR Part 61 (National Emission Standards for Hazardous Air Pollutants) limit of 10 millirem per year.

258-12 The cumulative impacts of the Expanded Operations Alternative for electricity, water, and natural gas demands are evaluated and discussed in Chapter 5, Section 5.13, Cumulative Impacts, under Infrastructure. Although not anticipated, future expansion of the LANL infrastructure to supply additional electricity, water, or natural gas, would be preceded by appropriate environmental documentation. Changes made to the offsite infrastructure to meet LANL demands would be required to meet applicable state and federal environmental regulations.

258-13 NNSA notes the commentor's statement that the Congress must change LANL's mission. In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations and as such are included in the SWEIS as part of the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

**Commentor No. 259: Kathy Wan Povi Sanchez, Spokesperson,
for the Sanchez Families and Others**



San Ildefonso Pueblo Tribal Enrolled members

September 20, 2006

Ms. Elizabeth Withers, EIS Document Manager
Los Alamos Site Office
National Nuclear Security Administration
U.S. Department of Energy
528 35th Street
Los Alamos, New Mexico 87544-2201

Dear Ms. Withers,

Thank you for this opportunity to comment on the draft Site-Wide Environmental Impact Statement (SWEIS) for Continued Operation of Los Alamos National Laboratory.

We are tribal member and reside at the Pueblo of San Ildefonso Pueblo. Pueblo feast days and other events held during this time of the year must be respected if you truly want input from tribal people. We feel that to achieve better documentation and response to the draft SWEIS, the Department of Energy must make every effort to educate the tribal public in and outside of the pueblo proper and be aware of the scheduling of annual events in the surrounding communities.

So, our pertinent and the priority in comments are: our first comment is that this draft document should have included alternative independent scientific studies. Not doing so makes for biased information, the final SWEIS must have alternative and independent scientific studies which should be in the main body of the findings. This draft document should have included more than Alternative and Expanded Operations focusing on nuclear weapons production. How can we trust continued operation ONLY. This is a forced one sided environmental impact. The final SWEIS must include activities that support life and ways this will also be supported by if harm is shown all will be stopped until all life is affirmed.

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259-2

259-3

259-1 NNSA understands that there are events unique to the Pueblos that could interfere with their participation in a public comment process. NNSA believes that the process implemented for public input on the Draft LANL SWEIS provided reasonable accommodation for such events. The comment period was extended from 60 to 75 days, and people of the northern New Mexico Pueblos, including the Pueblo of San Ildefonso, were invited to a special briefing on the Draft LANL SWEIS about 3 weeks after it was issued. Refer to Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information on the review and comment process for this SWEIS.

259-2 NNSA included the analyses of studies not sponsored by NNSA or DOE in the SWEIS when appropriate and available. For example, Chapter 4, Section 4.6.1, of the SWEIS includes discussion of the Public Health Assessment of LANL prepared by the Agency for Toxic Substances and Disease Registry (ATSDR 2006), as well as the *Analysis of Exposure and Risks to the Public from Radionuclides and Chemicals Released by the Cerro Grande Fire at Los Alamos* sponsored by the State of New Mexico (RAC 2002).

259-3 NNSA notes the commentor's desires regarding the mission of LANL. LANL scientists currently conduct research in areas such as renewable energy and global climate change and support nonproliferation programs in addition to their efforts in support of LANL's Stockpile Stewardship mission. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

NNSA does not consider compliance with the Consent Order to be optional and is not linking Consent Order compliance with decisions about pit production, proposed new projects or activities, increased operational levels, or waste generated from other LANL activities. Chapter 1, Section 1.3, of the SWEIS defines the three alternatives and explains why activities to comply with the Consent Order are included only under the Expanded Operations Alternative. Section 1.4 states that NNSA could choose to implement the alternatives either in whole or in part, and that NNSA intends to implement actions necessary to comply with the Consent Order regardless of whether other actions in the Expanded Operations Alternative are implemented. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

**Commentor No. 259 (cont'd): Kathy Wan Povi Sanchez, Spokesperson,
for the Sanchez Families and Others**

More aggressive and ambitious promotion of clean up efforts in all three Operation Alternatives, not just in the Expanded Operations must be stated as well. Many times the draft document said there were no impacts to health or environment. After 60+ years of operations, during many of which there were no environmental laws to protect the land, air and water, it's only common sense that there has been and will continue to be impacts to the environment and the health of people in surrounding communities. After doing research and learning that in it's analysis of risks to human health, the draft SWEIS uses the Agency for Toxic Substances and Disease Registry (ATSDR) public health assessment for impact analyses. Many know this to be true. The ATSDR assessment was criticized by the Environment Protection Agency (EPA). EPA recommended that the risk assessment be redone. This leaves me to question the validity of other assessments in this draft document. What is the true risk?

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259-4

It is a known fact that the Jemez Mountain, sacred to the Pueblo people and other tribes, is an ancient dormant but internally active volcano and there are major faults within and around this mountain. Volcanic activity and earthquakes are not controlled by man and are unpredictable. Doing research and learning that there were ten (10) recorded earthquakes in the Pajarito Fault System since 2002, the latest on August 7, 2006, makes us question the risk LANL Operations pose to the environment and human health even more. We also learned that a seismic hazard study was being done, but not included in this document. Why was it not included? Which confirms our doubt about the value of the assessments in this draft document. This process of doing documentation for the SWEIS is faulted and an unacceptable process.

259-5

Not much was discussed in this document as far as Environmental Justice. It seems to me that the existence of Area G which borders a sacred site, and located a couple miles from the baseball fields where many children from the Pueblos and the Espanola Valley play during the summer months, is a DIRECT violation of Environmental Justice. After drinking the water and breathing the air, and learning about the drum \barrels of transuranic waste that is there and the waste that is buried and the method of burial in unlined pits, trenches and shafts, and the fact that there are fifteen (15) Pueblos within a fifty (50) mile radius of Area G, the discussion of environmental justice should be elaborated and addressed or this SWEIS work to continue operations must find the truths to not continue the operations in this sacred homelands of ours.

259-6

We are aware also through our own with no latest information forth coming from your agency to affect this draft SWEIS the researching information on impacts to water, We learned that on September 15, 2006, a Notice of Violation was sent to LANL from the State of New Mexico Environment Department in the amount of \$795,620, for not reporting for almost two years, elevated toxic hexavalent chromium contamination in the groundwater, in the regional aquifer, where the surrounding Pueblos rely on this water for survival. This document noted the Consent Order which was made because of previous violations. This practice of violations is not of merit to LANL. Also looking at the data published in this document and asking for expert opinions about the data, it is agreed by

259-7

259-4 The SWEIS presents an independent assessment of public health impacts of contaminants in the LANL environment. The Agency for Toxic Substances and Disease Registry (ATSDR) is the Federal agency responsible (under the 1986 amendments to the Superfund law) for conducting public health assessments at each site on the EPA National Priorities List. The Public Health Assessment of LANL is a therefore a relevant Federal agency study, and it is appropriate that the SWEIS acknowledge its conclusions. The SWEIS does not rely on the ATSDR Public Health Assessment of LANL in any specific way for its conclusions. The Public Health Assessment of LANL examined data from 1980 through 2001, whereas the SWEIS evaluates health data through 2005 and projects impacts from operations over the next 5 years. EPA did not reject the draft Public Health Assessment; however, it did submit comments. As detailed in Appendix I to the final Public Health Assessment (released August 31, 2006), EPA comments on the draft were addressed by the ATSDR in the final document and the results of the study remain unchanged (ATSDR 2006).

259-5 NNSA recognizes the presence of volcanic activity, and seismic and geologic features in and around LANL, as discussed in Chapter 4, Sections 4.2.2.2 and 4.2.2.3, of the SWEIS, and conducts ongoing studies to update the large base of research in this area. These studies are focused on continuously improving the understanding of the seismic setting at LANL. Thus far, the seismic events that have been observed fall within the range of safe operations for LANL facilities. An update to the seismic hazard analysis was completed in June 2007. Seismic activity at LANL is described in Chapter 4, Section 4.2.2.3 and in the 2007 seismic hazard analysis report (LANL 2007a). The estimated human health impacts from postulated facility accidents at LANL, including earthquakes, are described in Chapter 5, Section 5.12 and Appendix D, Section D.4. These sections also include a discussion of the significance of the updated understanding of seismic hazard from the 2007 seismic hazard analysis report.

The new geological information in the 2007 seismic hazard analysis report has been interpreted as indicating that the seismic hazard at LANL is greater than previously understood. The relevance of the seismic hazard to facility accidents will undergo a rigorous and thoughtful evaluation to determine what, if any, changes are needed for planned and existing

**Commentor No. 259 (cont'd): Kathy Wan Povi Sanchez, Spokesperson,
for the Sanchez Families and Others**

all that the data is not clear. Not to mention the other existing problems caused by the use of drilling fluids in characterization wells and the many unmonitored contaminated sites. How can there be continued Operations allowed to such precious lands?

**259-7
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Where is the inclusion of animal toxicology studies in this process? As we write these comments and visualize the hunters that are in our sacred mountain at this time of the year, bringing down the elk to provide food for the winter months, it saddens us to realize that the wildlife, especially the Bull elk, which are known to migrate, drink water and eat the plants in and on LANL property, present health risks which truly exists upon consumption. This we are not even told about in any SWEIS assessments. How can there be justice ? What exist is environmental racism.

259-8

To our understanding, the Expanded Operations will utilize more regional water, which is supposed to be for future generations, and increase hazardous waste without ensuring proper clean up. There is also the concern of increased air emissions. Where is the SWEIS justice in its positioning as continued operations without the mentioning or options for NO need to continue this type of operations which harm the chances of water, pristine water supply for our future generations?

259-9

I realize that some of the buildings are old and contamination in the workplace is unacceptable. LANL should take them down , and clean up the areas. There again the options should also be No More dirty business. It is important to provide better and safer workplaces away from here. I also realize that LANL provides much needed funds to the surrounding communities for education and programs. This should be with NO strings attached. Or not be with conditions of ONLY reflecting LANL in a positive light if we know that with only outside monitoring can there be accountability.

259-10

Because of the above stated comments, We conclude that LANL should **NOT** expand the Operations for Plutonium Pit Production or a Modern Pit Facility.

Respectfully Submitted,

Kathy Wan Povi . Sanchez, Spokesperson
For the Sanchez Families & Others

J.Gilbert and Kathy Sanchez
Corrine Sanchez
Liana Sanchez
Gilbert A. Sanchez
Wayland Sanchez

facilities. In the interim, the LANL contractor has developed and NNSA has accepted a justification for continued operation which addresses controls on operations of certain nuclear and high hazard operations that mitigate the risks from seismic activities (LANL 2007b, NNSA 2007b).

Following the NEPA process but prior to the design and operation of specific facilities, safety studies in the form of hazard assessment documents and safety analysis reports that include seismic concerns and take into account the most current seismic information would be prepared to address a comprehensive set of accident risks. The results of these safety studies would be incorporated into facility design and operations to ensure protection of the health and safety of workers and the public.

259-6 Chapter 5, Section 5.11, of the SWEIS was revised to include additional information related to environmental justice concerns and to explain why NNSA believes that no disproportionately high and adverse environmental impacts on minority and low-income populations are expected to result from LANL operations. Dose calculations were performed for minority and low-income populations; the results are presented in Chapter 5, Tables 5–56 to 5–58, of the SWEIS. As shown in these tables, the collective doses and average individual doses from normal LANL operations are very low under all of the alternatives and are not be expected to present a significant risk to individuals living nearby. Refer to Section 2.11, Environmental Justice, of this CRD for more information.

259-7 Refer to Section 2.5, Water Resources, of this CRD for responses to comments regarding well construction, chromium contamination, and groundwater monitoring. The new LANL contract with Los Alamos National Security has incentive fee awards for operating the facility in a prudent manner that avoids violations of environmental laws and regulations.

259-8 Efforts to consider LANL operational impacts with respect to “special pathways” were initiated in the 1990s through the LANL environmental cleanup project and the *1999 SWEIS*. The “special pathways” receptor was developed to represent Native Americans, Hispanics, and other residents whose traditional living habits and diets could increase their exposure to environmental contaminants beyond that experienced by

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the hypothetical “offsite resident.” Foodstuffs and pathways of specific interest include ingestion of game animals, including consumption of some organ meats, nongame fish, native vegetation through use of Indian Tea (cota), surface water, and incidental ingestion of soil and sediments in surface water and from swallowing inhaled dust; these pathways are in addition to the meat, milk, produce, water, and sediment consumption reflected in the “offsite resident” pathway assumption. These pathways are described in detail in Appendix C of the SWEIS.

The special pathways analysis was performed again for this SWEIS; based on the results, it was determined that a person subsisting on such a diet would receive a higher dose than someone who subsisted on a less traditional diet, but that the increase in risk as a result of these special pathways would not be considered significant. The annual dose to an individual subsisting on all of the special pathways shown in Appendix C, Table C-41, of the SWEIS would be between 4.5 and 10.7 millirem per year higher due to these special pathways. For comparison, the average resident of northern New Mexico receives a dose of approximately 400 millirem per year from natural background radiation sources. The average annual dose to those individuals subsisting on all of the special pathways would increase by between approximately 1.1 to 2.7 percent due to these special pathways.

259-9 NNSA notes the commentor’s concerns regarding increased water use, pollutant emissions, and hazardous waste generation under the Expanded Operations Alternative, as well as the suggestion that activities related to nuclear weapons production at LANL are not necessary. Cessation of LANL’s primary mission activities supporting NNSA’s Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President, and is therefore not considered in the SWEIS. Although the Expanded Operations Alternative would increase water usage, radioactive and chemical waste generation, air emissions, and wastewater discharges, as discussed in Chapter 5 of the SWEIS, these increases can be safely managed. LANL’s projected water demands under the Expanded Operations Alternative would remain within LANL’s water use target ceiling, as discussed in Chapter 5, Section 5.8. Refer to Section 2.8, Water Use, of this CRD for more information on water use, available water rights, and water supply planning at LANL.

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for the Sanchez Families and Others**

Chapter 2, Section 2.2.6, of the SWEIS describes NNSA's progress in conducting its environmental restoration program at LANL. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Continuation of cleanup activities at a pre-Consent Order level is included under the No Action Alternative, while actions necessary to comply with the Consent Order are evaluated under the Expanded Operations Alternative. As stated in Chapter 1, Section 1.4, of the SWEIS, however, NNSA intends to implement actions necessary to comply with the Consent Order regardless of whether other actions in the Expanded Operations Alternative are implemented. See the response to Comment no. 259-3 above.

- 259-10** NNSA recognizes that some processes, buildings, and structures at LANL should undergo DD&D. Many of the activities proposed in the SWEIS are meant to provide better and safer workplaces. Analyses in Appendix H of the SWEIS evaluate the environmental impacts of DD&D of processes and structures in TA-18, TA-21, and TA-54, Area G. Some or all structures in TA-18 may be relocated or removed from this technical area. Structures in TA-21 are proposed to be removed to allow remediation of material disposition areas and potential release sites in compliance with the Consent Order. Portions of TA-21 are designated for conveyance to the County of Los Alamos or for transfer to the U.S. Department of the Interior in trust for the Pueblo of San Ildefonso. In TA-54, Area G, processes and structures associated with waste management operations are proposed to be removed or relocated to allow closure of MDA G in compliance with the Consent Order, as well as closure of certain disposal units that are not subject to the Consent Order. Appendix G of the SWEIS evaluates alternatives for replacing old office buildings and replacing or refurbishing nuclear facilities to make them safer to operate.

Cessation of NNSA's core mission activities would be counter to national security policy as established by the Congress and the President; therefore, ending these activities at LANL is not considered in the LANL SWEIS, as discussed in Chapter 5, Section 3.5. Activities that support other technical needs of national importance are also conducted at LANL.

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**Comments on the Los Alamos Site Wide Environmental Impact Statement,
DOE/EIS-0380D, June 2006**

Arjun Makhijani, Ph.D.
President, Institute for Energy and Environmental Research

20 September 2006
Typos corrected and clarifications added 25 September 2006

By e-mail to
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1. The Department of Energy Site Wide Environmental Impact Statement on the Los Alamos National Laboratory (DOE/EIS-0380D, June 2006, referred to below as the SWEIS), contains some data on water and soil that should be of considerable concern to all those interested in the integrity of groundwater and surface water resources in the environs of the laboratory. There also appear to be significant issues with the quality of the data. The SWEIS does not address the problem of a 300 kilogram discrepancy in plutonium waste accounts and its implications for the environment and for security. Finally, the presentation of the data is done in a manner that is non-transparent, so that a detailed independent assessment of trends is not possible.

These comments focus on a few areas and a few radionuclides of concern, in large measure because the time allowed for comment on a vast topic was too short. They are presented in the form of issues to which IEER seeks response and recommendations in terms of implementation in the next version of the SWEIS. The recommendation in that regard is that this version of the Draft SWEIS should be scrapped and the process should be started anew with a new scoping document for the SWEIS.

The radionuclides on which we focus here are plutonium-238, plutonium-239/240, americium-241, and strontium-90. We will use drinking water standards as a benchmark, but want to make clear that their use does not indicate that there is a violation of the rules when the levels are exceeded, since the rules apply to public drinking water systems. The exception is uranium, where the data indicate that Santa Fe public water supply wells are in violation of the EPA drinking water rule.

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260-1 The SWEIS presents a summary description of the environmental conditions near LANL. Because of the large volume of information characterizing the environment near LANL, the detailed information contained in the reference documents is not presented. Although some of the studies suggested by the commentor may have merit and will be considered by DOE, the recommended studies are not needed to complete the NEPA process. Refer to Section 2.5, Water Resources, of this CRD for responses to comments regarding radionuclide contamination and well construction.

260-2 As stated in the Summary and in Chapter 1 of the SWEIS, the issue of historical differences in the plutonium inventory is not within the scope of the SWEIS. LANL materials control and accountability procedures are conducted in compliance with DOE Orders. In a letter to the president of the Institute for Energy and Environmental Research dated February 28, 2006, the NNSA Administrator replied to recent allegations of a plutonium accounting discrepancy at LANL (NNSA 2006a). This apparent discrepancy resulted from the use of different tracking and reporting procedures by site security and waste management organizations. Comparison of the information contained in the two systems cannot be used to draw conclusions about the control and accountability of special nuclear material. As described in Chapter 1, mission support work assignments to LANL are based on the site's ability to perform the work; the SWEIS analyses will not be used to change LANL's overall work assignment.

260-3 The Final SWEIS was revised to include additional and new groundwater information. Chapter 4, Section 4.3.2; Chapter 5, Section 5.3.2; and Appendix F include the changes made to the SWEIS regarding groundwater.

See the previous response to Comment no. 260-2 regarding alleged discrepancies in plutonium accounting.

Regarding the alternatives, only the Expanded Operations Alternative proposes expanding pit production. With respect to the commentor-suggested alternatives regarding use of other sites, Chapter 1, Section 1.4, discusses decisions to be supported by the LANL SWEIS. On January 11, 2008, NNSA issued the *Draft Complex Transformation*

***Commentor No. 260 (cont'd): Arjun Makhijani, Ph.D.
Institute for Energy and Environmental Research***

Storm water

Table 1 shows data read from the graphs in Appendix F of the SWEIS relating to americium and plutonium isotopes for storm water runoff. The storm water samples even averaged over four years are very high – well above the drinking water standard of 15 picocuries per liter if each isotope were present alone and 5 picocuries per liter if all were present in equal amounts (which is approximately the case).

Table 1: Data from the SWEIS showing some storm water data for canyons

	Onsite Canyons pCi/liter	Mortandad Canyon pCi/liter	Drinking water standard, pCi/liter, alone	Drinking water standard, pCi/liter, all 3 present equally
Am-241	15	40	15	5
Pu-238	15	50	15	5
Pu-239/240	10	30	15	5

Values estimated from graphs in the SWEIS, Appendix F, Figures F-13, F15, and F-16; Standard from 40 CFR 141.66 2005.

Storm water either seeps into the ground and the radionuclides in it would eventually pose a threat to the groundwater, or, in intense storm events, the plutonium and other radionuclides would be washed into the Rio Grande. It is not possible to infer from the data presented whether (i) the high contamination values are due to colloidal or dissolved plutonium and americium or (ii) the sediment that is swept up in the storm water represents most of the contamination. If the former is true, some canyons would likely be much more contaminated than indicated by the sediment data. If the latter is the case, much of the contamination would settle out in the sediments of the Rio Grande or Cochiti Lake when intense storms carry the water into the river.

Recommendation for revision: *Given the magnitude of the plutonium and americium mobilization in storm events, a careful canyon-by-canyon, storm event by storm event analysis is necessary to understand the pattern of transuranic radionuclide mobilization.*

When the Rio Grande does receive the storm water, it would be considerably diluted. Hence it is unlikely that the contamination levels measure by LANL would exceed present drinking water standards, which are annual averages. This is, however, cold comfort, since the present standards are too lax by a factor of about 100. This was shown in an analysis done by the Institute for Energy and Environmental Research and sent to the EPA in 2005.¹ In other words, the Maximum Contaminant Limit for each of the radionuclides listed above should be 0.15 picocuries per liter. We have asked the EPA to review its present Maximum Contamination Level of 15 picocuries per liter as part of its legally mandated review in 2006 of the drinking water standards. That request has been supported by Governor Richardson. The EPA has stated that it is considering the analysis in our report. Of course, if more than one radionuclide is present, then the MCL

¹ Arjun Makhijani, *Bad to the Bone*, Institute for Energy and Environmental Research, Takoma Park, Maryland, 2005 at www.ieer.org.

Supplemental Programmatic Environmental Impact Statement (Complex Transformation SPEIS) (DOE/EIS-0236-S4) (73 FR 2023), which evaluates the continued transformation of the nuclear weapons complex, including where mission work will be performed. Refer to Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for more information.

- 260-4** LANL operations are conducted in compliance with applicable regulations. As addressed in Chapter 4, Section 4.3.1.3, of the SWEIS, stormwater runoff is managed at LANL in accordance with NPDES-regulated programs, including a Stormwater Permit Program, an integrated Stormwater Monitoring Program implemented in response to a 2004 Federal Facility Compliance Agreement between EPA and DOE, and a Construction Stormwater Program. NNSA intends to continue complying with the standards for pollutants in stormwater that are promulgated by authorized regulatory bodies such as EPA and the State of New Mexico. The proposed standard of 0.15 picocuries per liter for long-lived alpha-emitting transuranic radionuclides is not a current standard; the current standard is 15 picocuries per liter.

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260-4

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for each is reduced. For instance if all three items in Table 1 are present in equal amounts, the limit for each would be 0.05 picocuries per liter.

The contamination of storm water in the “onsite canyons” is about 300 times the level suggested by our analysis of drinking water standards. That analysis is based on the dose delivered to the maximally exposed organ, accepted and published by the EPA in its Federal Guidance Report No. 13. Hence a dilution of 300 times would be needed before the water could be used for drinking were the standard to be changed as we have recommended.

Recommendation for revision: *The SWEIS should analyze the impact upon surface water systems of high storm water content of transuranic radionuclides in light of the proposed reduction of the drinking water standard for long-lived alpha-emitting transuranic radionuclides to 0.15 picocuries per liter.*

Groundwater

Table 2 shows some of the groundwater data for the radionuclides that are of the greatest concern as indicated by the data.

Table 2: Groundwater contamination, picocuries/liter, 2001-2004

	Canyon alluvial groundwater systems	Other springs	San Ildefonso Pueblo	Drinking Water standard
Americium-241	0.5	0.03	0.02	15
Plutonium-238	0.6	0.015	2.0	15
Plutonium-239/240	0.25	0.015	0.01	15
Strontium-90	20	50	0.2	8

Values estimated from graphs in the SWEIS, Appendix F, Figures F-1, F-3, F-4, and F-5 ; Standard from 40 CFR 141.66 2005.

Many of these values are considerably above the level of groundwater contamination to be expected from fallout. For instance, the level of plutonium-238 in Santa Fe water supply wells for 2001—2004 was reported as 0.00420 picocuries per liter, which is well over two orders of magnitude less than the contamination level for this radionuclide in the San Ildefonso well. Strontium-90 groundwater contamination is much higher than expected from nuclear bomb testing fallout (Santa Fe level reported as 0.147 picocuries per liter).² The data indicate that strontium-90 contamination of the water in the canyons is high – above the drinking water limit for the canyon alluvial groundwater systems and “other spring.” The strontium-90 may be migrating rapidly. The data reported indicate no clear trend between the aggregates for 1991-1996 and those for 2001-2004 for strontium-90.

The source of the high Sr-90 is unclear, especially as LANL does not have any reprocessing. There is an absence of characterization of the Sr-90 source term.

² Data for Santa Fe water supply wells are reported in Table F-19 of the SWEIS.

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Recommendation for Strontium-90: A clear and complete account of the source term for Sr-90 is needed. A detailed analysis of the migration of Sr-90 into groundwater is also needed. It is urgent to establish the full extent of the contamination, whether there is a plume, and the possible future evolution of that plume. The canyon and spring data are averages over many locations. Separate analyses, each connected to the major source terms for Sr-90 are needed for a clear understanding of groundwater contamination. The potential for Sr-90 to migrate into groundwater that could be used for drinking needs to be carefully assessed. This is also an environmental justice issue. The implications of the high levels of strontium-90 contamination in surface water outcrops for the surface water quality in the region needs to be addressed.

Data quality

The interpretation of groundwater data is complicated by problems that might affect sampling wells. Specifically, the bentonite clay used in well drilling may trap many of the radionuclides, including the ones discussed here. The use of organic solvents may also have a similar effect by more complex mechanisms. The problem appears to be pervasive. The DOE Inspector General's office concluded that there was a significant problem in this regard.³ This report, as well as analyses by NGOs pertaining to this topic, should be cited and analyzed in the SWEIS. It is not possible at present to determine the extent of the underestimate, since that must be done on a well-by-well, year-by-year basis. That is impossible to do from the data presented in the SWEIS. Indeed, it is unclear if it can be done at all.

The problem is very serious for the four radionuclides discussed here and perhaps for others. Strontium-90 is already above the drinking water limit in several areas. Further, the San Ildefonso groundwater average for plutonium-238 is well above the maximum contaminant level recommended by Institute for Energy and Environmental Research.

Recommendation for SWEIS revision: The SWEIS should clearly state that the data for groundwater radionuclide pollution are systematic underestimates. It should specify the radionuclides that may be significantly affected by the problem. It should also identify those wells where data are suspect or known to be underestimates. An attempt should be made to determine if scientifically defensible adjustment factors can be developed. These adjustment factors must be verified by data from new characterization that are drilled according to sound procedures. If adjustment factors that are scientifically defensible cannot be developed, new wells should be drilled and new, reliable data should be gathered before the SWEIS is revised.

Recommendation for SWEIS revision: Since a large portion of critical groundwater data are basically flawed, this draft SWEIS should be discarded and a new scoping

³ Office of Inspections and Special Inquiries, Office of the Inspector General, *Characterization Wells at Los Alamos National Laboratory*, DOE-IG/0703, September 2005. On the web at <http://ig.energy.gov/documents/CalendarYear2005/ig-0703.pdf>

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document followed by a new draft SWEIS with sound groundwater data should be published.

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Santa Fe Water

The mean level of uranium contamination shown in Table F-19 (SWEIS, p. F-40) is considerably higher than the EPA drinking water standard. Table 3 shows the mean values and the standard deviations for the three uranium isotopes present in natural uranium.

Table 3: Uranium data for Santa Fe Water Supply Wells, 2001-2004

	Mean, picocuries/liter	Standard Deviation
Uranium-234	22.6	20.4
Uranium-235/236	1.58	1.41
Uranium-238	24.6	19.8

260-5

The total of all three mean values, representing total uranium contamination of these wells is about 49 picocuries per liter (rounded). This amounts to about 73 micrograms of uranium per liter (since natural uranium is indicated by the isotopic composition). This is about 2.4 times above the EPA drinking water standard of 30 micrograms per liter.

Recommendation: It appears that the groundwater component of Santa Fe water is being contaminated by natural uranium – at least, this is the common assumption among those who are familiar with the problem. However, it is necessary for the SWEIS to do an analysis to ensure that none of the uranium pollution can be traced to LANL.

Accounting for plutonium in waste

The SWEIS summary refers to a 1996 memorandum regarding plutonium accounting problems at LANL.⁴ This memorandum is almost beside the point, since EPA has prepared a more up-to-date figure of WIPP waste and since there is now a comprehensive analysis of the whole issue that was prepared by IEER.⁵ In the 1996 memorandum, the retrievable TRU waste inventory for WIPP was estimated at 1323.70 kilograms. Currently, the EPA WIPP accounts indicate a total of only about 200 kilograms (rounded to the nearest 10 kilograms). The IEER report, *Dangerous Discrepancies*, referenced here and published in 2006, provided a detailed analysis *not* of book-physical inventory differences in plutonium accounts, but of the plutonium that is supposedly accounted for in waste streams. There is a discrepancy of about 300 kilograms between the national security plutonium account (the “NMMSS” account) and the waste accounts. The report further showed that either the WIPP account is wrong or the NMMSS account is wrong.

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⁴ Richard J. Guimond and Everet H. Beckner, “Plutonium in Waste Inventories,” DOE Memorandum, January 30, 1996.

⁵ Arjun Makhijani and Brice Smith, *Dangerous Discrepancies: Missing Weapons Plutonium in the Los Alamos National Laboratory Waste Accounts*, Institute for Energy and Environmental Research, Takoma Park, Maryland, April 21, 2006, p. 15. The report and other documents related to this analysis can be accessed from <http://www.ieer.org/reports/lanl/weaponsreport.pdf>.

260-5

The LANL Environmental Surveillance Report for 2005 evaluated groundwater radioactivity and stated: “In 2005, no regional aquifer radioactivity analyte activity or concentration values exceeded the 4-millirem DOE DCGs [derived concentration guides] applicable to drinking water in groundwater samples, other than naturally occurring radionuclides (for example, radium-226 and uranium-234). The main radioactive element detected in the regional aquifer is naturally occurring uranium, found in springs and wells throughout the Rio Grande Valley. The large gross alpha values found in samples from springs and wells in the Rio Grande Valley result from the decay of naturally occurring uranium in the water” (LANL 2006g).

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It also raised the possibility that both may be wrong. It is also possible that the account of buried TRU waste is wrong. Both the WIPP account and the buried TRU waste amounts have huge implications for LANL environmental management and remediation. Yet, the DOE, NNSA, and LANL responses have not substantively addressed the issues raised – that is, no analysis of the 300 kilogram discrepancy has been provided to show that it does not exist, or at least that the buried waste and WIPP accounts are correct (in which case the NMMSS waste account would be wrong by about 300 kilograms).

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Recommendation: LANL cannot be a considered a suitable site for existing weapons-grade plutonium work, much less expanded work. The SWEIS should substantively address the analysis in Dangerous Discrepancies. It should also explore other sites for the work proposed for LANL, since LANL has ostensibly failed to maintain its plutonium accounts by an amount equivalent to about 60 nuclear bombs and also failed to respond with a substantive analysis once the problem was pointed out.

Data Transparency

The SWEIS is seriously deficient both in the manner of presentation of the data and in its failure to acknowledge the problems with groundwater data. Moreover, the limits of detection, the measurement uncertainties, and the 95 percent confidence intervals are not presented.

**260-1
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Recommendation: The data should be presented on an annual rather than a multiyear average basis. Measurement uncertainties, limits of detection, and 95 percent confidence intervals should be shown for each radionuclide.

Recommendation regarding Alternatives to Be Considered and Context

The SWEIS proposes to greatly expand pit production at LANL. This expansion is inappropriate given that problems for surface and groundwater from past pollution are considerable. A new draft SWEIS should include a full and scientifically defensible analysis of the source terms for plutonium, americium, and strontium-90 and the migration of these radionuclides, and a clear analysis with documentation of the 300 kilogram discrepancy in plutonium waste accounts. It should analyze other sites where all national security work now done at LANL and any proposed expansion of work could be relocated or located. Such an analysis is especially needed in view of LANL's failure to maintain proper plutonium accounts to the tune of about 60 nuclear bombs worth of plutonium. Specifically, the SWEIS should assess the environmental and proliferation risks of continuing plutonium activities at a site where LANL has failed to substantively address large problems in plutonium waste accounts even after these problems have been repeatedly called to its attention. The alternatives of (i) not pursuing expansion, (ii) carrying out all nuclear weapon related activities that involve significant amounts of plutonium (more than a kilogram) at another site, and (iii) carrying out proposed additional activities at another site should also be examined in the revised SWEIS.

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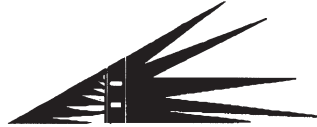
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***Commentor No. 261: Don Hancock,
Southwest Research and Information Center***

SRIC

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Sep 20 '06 18:29 No.001 P.01



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September 20, 2006

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VIA FAX 505-667-5948

RE: LANL Draft Site-Wide EIS (DSWEIS)--DOE/EIS-0380D

Dear Ms. Withers:

Southwest Research and Information Center (SRIC) is a private, nonprofit organization based in Albuquerque, NM. For more than 25 years, SRIC has been concerned about the environmental impacts of Los Alamos National Laboratory (LANL).

The following comments primarily focus on the major deficiencies of the DSWEIS with regards to transuranic (TRU) waste management. SRIC also agrees with many other people that there is no justification for the preferred alternative, or any alternative, to consider an increase of up to 50 certified pits per year and a total of 80 pits per year using multiple shifts to be produced at TA-55. That alternative should be rejected as a preferred alternative because of its environmental impacts and its being contrary to U.S. treaty commitments under Article VI of the Nuclear Non-Proliferation Treaty (NPT) to pursue nuclear disarmament

1. The DSWEIS is legally insufficient. A new supplement DSWEIS must be issued for public comment before a final SWEIS can be issued.

The National Environmental Policy Act (NEPA) and its caselaw clearly identify the twin aims of this important law.

First, it "places upon an agency the obligation to consider every significant aspect of the environmental impact of a proposed action." [citation omitted] Second, it ensures that the agency will inform the public that is has indeed considered environmental concerns in its decisionmaking. [citation omitted.] Baltimore Gas & Electric Co. v. Natural Resources Defense Council, 462 U.S. 87, 97 (1983).

The DSWEIS fails to fulfill either of those requirements. First, among other things, the document does not consider the environmental impacts of the long-term indefinite storage and disposal of TRU waste at LANL. That reality is neither included as a reasonable alternative, nor is it analyzed in any way.

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261-1 NNSA notes the commentor's opposition to expanding pit production at LANL. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for information on increased pit production and the relationship to the Nuclear Non-Proliferation Treaty.

261-2 There is no need for a supplement to the Draft LANL SWEIS to address management of transuranic waste at LANL. NNSA's intent for the management of the transuranic waste stored in domes in TA-54 at LANL has been established in a number of analyses and decisions preceding this LANL SWEIS. In the Record of Decision for DOE's WIPP Disposal Phase (63 FR 3624) (January 23, 1998), DOE announced that WIPP would be used for disposal of defense transuranic waste placed into retrievable storage after 1970 and newly generated transuranic waste. In the Record of Decision (63 FR 3629) (January 23, 1998) for the *Final Waste Management Programmatic Environmental Impact Statement for Managing Treatment, Storage, and Disposal of Radioactive and Hazardous Waste* (DOE/EIS-0200) (DOE 1997a), DOE announced that sites like LANL would prepare and store their transuranic waste until it is shipped to WIPP. In the Record of Decision for the *1999 SWEIS* (64 FR 50797) (September 20, 1999), DOE announced selection of a level of operations that included retrieval of transuranic waste from earth-mounded storage and movement of that waste into the current storage domes until it can be prepared and shipped to WIPP for disposal. NNSA is not considering changes to these previous decisions. Therefore, indefinite storage and disposal of the transuranic waste stored in domes at LANL is not an alternative for management of these wastes and is not appropriate for consideration in this SWEIS. All SWEIS alternatives include shipment of legacy and newly generated transuranic waste to WIPP. Chapter 5 of the SWEIS does discuss the impacts of managing the transuranic waste, including radiological emissions from TA-54 (where the Decontamination and Volume Reduction System is used to reduce the size of transuranic-contaminated items), potential accidents involving the stored transuranic waste, and preparation of the waste in TA-50.

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Second, the document does not show the public that the well-known concerns that the public has about the environmental impacts of LANL's TRU waste storage and generation has been adequately considered. Indeed, as will be further discussed, LANL is unable to describe the scope and volume of its TRU waste storage plans, the impacts of such handling of TRU waste, and how it will mitigate those effects, as required by NEPA.

Thus, NNSA must issue a supplemental DSWEIS for public comment that includes an adequate discussion of the amounts of TRU waste that are at LANL and their significant environmental impacts; alternatives for their management, storage, and disposal; and mitigation measures, including consideration of near surface monitored bunkers for long-term storage of the wastes.

2. The DSWEIS is fundamentally inadequate and extremely misleading about transuranic waste generation and storage.

A. LANL's preferred, Expanded Operations Alternative will turn the site into a permanent, large-scale transuranic (TRU) waste dump, a fact that is not mentioned.

Buried on page 5-196 (Table 5-79), the DSWEIS estimates that the Expanded Operations Alternative from 2007 to 2016 would generate more than 25,000 cubic meters of TRU waste and the Modern Pit Facility would generate an additional almost 11,500 cubic meters of TRU waste during the same 10 years. The only TRU waste disposal site is the Waste Isolation Pilot Plant (WIPP), which in its most recent regulatory document (the Environmental Protection Agency Recertification Application) provides for 17,130 cubic meters of disposal capacity for LANL. DOE/Sandia, TRU Waste Inventory for the 2004 Compliance Recertification Performance Assessment Baseline Calculation, Table 7, September 29, 2005.

Thus, the majority of the TRU waste that LANL would generate would not go to WIPP, but rather would very likely stay at LANL. The DSWEIS merely states: "Transuranic waste would be stored onsite until additional disposal capacity, at WIPP or elsewhere, was [sic] identified." Page 5-197. Of course, all of the TRU waste generation from continuing operations after 2017 would further add to the waste with "no disposal path" that would stay at LANL.

The DSWEIS is misleading in that it repeatedly does not fully report the amount of TRU waste that would be generated under the Expanded Operations Alternative. For example, Table 3-17 on pages 3-51 to 3-53, shows much smaller amounts of TRU waste transport, receipt and acceptance than 36,500 cubic meters. The table shows 8,400 cubic meters of legacy TRU, 2,000 cubic meters of newly generated TRU (200 cubic meters x 10 years), 190 cubic meters of additional TRU and 100 cubic meters of remote-handled TRU, for a total of 10,690 cubic meters. That table also states that an unspecified amount of TRU waste from DD&D and remediation activities would go to WIPP. Page 3-54 states that TRU wastes "are prepared for disposal and shipped to WIPP." That statement does not indicate that some TRU waste, let alone most of it, could not go to WIPP.

Table 5-37 on page 5-128, entitled "Summary of Total ... Waste Generation Projections" (emphasis added) shows that the total amount of TRU waste from the Expanded Operations Alternative would be 25,230 cubic meters. The large amounts of additional TRU waste from the Modern Pit Facility are not included. Table 5-49 on page 5-143 includes the same misleading underestimate of the amount of TRU waste. Table 5-50 on page 5-147 showing offsite TRU waste shipments also does not include Modern Pit Facility TRU wastes. That same misleading shipment information is shown on Table K-5, page K-25.

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261-3 The estimates for operational transuranic waste generation are based on projections in the 1999 SWEIS, which were increased as necessary in this SWEIS based on actual generation rates and recent waste generation forecasts. The projections of transuranic waste generated by routine operations are designed to be conservative and to provide an upper bound for measuring the impacts. In addition, most of the transuranic waste projected under the Expanded Operations Alternative (shown in Chapter 5, Table 5-49) derives from the assumed removal of transuranic waste disposed of before 1970 from LANL material disposal areas that are subject to the Consent Order. Therefore, generation of this waste is uncertain and will depend on future regulatory decisions by the New Mexico Environment Department.

The original WIPP baseline inventory estimated 741,608 cubic feet (21,000 cubic meters) of contact-handled transuranic waste originating from LANL (see the *Waste Isolation Pilot Plant Disposal Phase Final Supplemental Environmental Impact Statement* [DOE/EIS-0026-S-2] [DOE 1997b]). As noted by the commentor, these estimates are updated periodically. WIPP disposal capacity is expected to be sufficient for disposal of all retrievably stored transuranic waste, including LANL's current inventory of legacy waste, and all newly generated transuranic waste from the DOE complex over the next few decades. As discussed in Chapter 5, Section 5.9.3, of the SWEIS, no credit was taken for LANL waste volume reduction techniques, such as sorting, and it is assumed that all of the transuranic waste at LANL could be disposed of at WIPP. However, there may not be sufficient space at WIPP for disposal of all pre-1970 waste buried across the DOE complex. Because future decisions about disposal of transuranic waste will be based on the needs of the entire DOE complex, it is not possible to be certain about the disposition of waste from environmental remediation that may or may not be generated. Any transuranic waste generated at LANL without a disposal pathway would be safely stored until disposal capacity became available. Disposal of transuranic waste at LANL is not considered under any alternative. Refer to Section 2.7, Waste Management, and Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

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Southwest Research and Information Center***

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The supplemental DSWEIS should correct the misleading information so that the total amount of TRU wastes from all of the various sources is disclosed in each place in the document where the amounts of TRU waste are located. In addition, the supplemental DSWEIS should specifically state that the current planned capacity of LANL waste at WIPP is less than half of the entire amount of LANL TRU waste generation and that there is no disposal path for such waste. The supplemental DSWEIS should also describe all of the reasonable alternatives to manage such large amounts of TRU waste and also the alternatives to prevent the generation of such large amounts of TRU waste.

B. The DSWEIS provides no analysis of the impacts of some of the TRU waste that is proposed for LANL.

One element of the Expanded Operations Alternative is to increase the type and quantity of sealed sources brought from other sites to LANL. However, the DSWEIS does not include all of the off-site sealed sources as TRU waste even under the largest waste estimates. On page J-47, the DSWEIS states: "At this point, sufficient information is not available to predict the total number of [actinide-bearing] sources to be managed." Thus, the DSWEIS proposes unlimited amounts of TRU waste in those sealed sources could come to LANL with no adequate analysis of their environmental impacts. And since those actinide-bearing sources are legally barred from being disposed at WIPP because they are not defense TRU wastes, those sources have no disposal path and would likely stay at LANL.

The supplemental DSWEIS should include the type and quantity of all sealed sources that could be brought to LANL, consideration of alternatives to bringing such sealed sources to LANL, adequate discussion of the environmental impacts of having such sealed sources at LANL in perpetuity, and a full analysis of the potential mitigation measures.

3. The DSWEIS does not acknowledge that LANL is already storing increasing amounts of TRU waste, nor does it adequately analyze their impacts.

Since the issuance of the 1999 LANL SWEIS, WIPP has opened. The DSWEIS does not include any information about the amounts of TRU waste shipped to WIPP from LANL. Table 4-52 on page 4-149 shows that LANL made 47 shipments of TRU waste to WIPP from 2002 to 2004 but includes no information about the amounts of TRU waste (which was 344 cubic meters). Information from WIPP shows that from 1999 through 2004, LANL shipped 598 cubic meters of TRU waste to WIPP. Table 4-40 on page 4-134 of the DSWEIS shows that during that same time period, LANL generated about 1,440 cubic meters of TRU and TRU mixed waste. Thus, even though TRU waste was being shipped from LANL, the lab was generating and receiving substantially larger amounts of TRU waste. Thus, LANL's mission is increasingly one of being a long-term TRU waste site, a fact that is not acknowledged in the DSWEIS and there is no adequate analysis of the impacts of that mission.

The supplemental DSWEIS should clearly provide accurate figures about the amounts of TRU waste and TRU mixed waste being generated since the issuance of the 1999 SWEIS and being planned for the next ten years. It should also include the actual amounts of TRU waste shipped offsite since the SWEIS was issued as well as the plans for annual shipments to WIPP in the future. It should analyze the environmental impacts of increasing amounts of TRU waste being managed at LANL.

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Chapter 3, Table 3-17 documents the facility capabilities for each key facility. For the Solid Radioactive and Chemical Waste Facilities, the waste volumes projected for various management activities such as waste characterization are based on historical volumes managed and waste volume forecasts. As such, the waste volumes shown in Table 3-17 reflect the planned capabilities of the Solid Radioactive and Chemical Waste Facilities. While recognizing that the amount of transuranic waste to be generated through DD&D and remediation activities is uncertain, Table 3-17 shows that additional waste from these activities will be shipped, but does not indicate a specific quantity. The transportation analyses presented in Chapter 5, Section 5.10, and Appendix K, however, consider the maximum projected amount of transuranic waste under the Expanded Operations Alternative, including waste generated through DD&D activities and through remediation under the Removal Option (discussed in Appendix I) to provide an upper bound to the impacts associated with transportation of transuranic waste. To accommodate the processing and storage of both legacy and newly generated transuranic waste from LANL operations under the Expanded Operations Alternative, NNSA proposes to install and operate additional waste management equipment and facilities and to upgrade existing processes (see Appendix H, Section H.3). The amounts of transuranic waste that would be generated under each of the alternatives are included in Chapter 3, Table 3-19, and Chapter 5, Table 5-37, of the SWEIS. These tables do not include any waste associated with a modern pit facility. This waste was included in Section 5.13, Cumulative Impacts, of the Draft SWEIS; however, in October 2006, NNSA issued a Notice of Intent (71 FR 61731) to prepare a *Supplement to the Stockpile Stewardship and Management Programmatic Environmental Impact Statement – Complex 2030* (now called the *Complex Transformation Supplemental Programmatic Environmental Impact Statement [Complex Transformation SPEIS]*) (DOE/EIS-0236-S4). In addition to announcing its intent to prepare the *Complex Transformation SPEIS* to assess the environmental impacts of continued transformation of the nuclear weapons complex, NNSA announced cancellation of the previously planned *Supplemental Programmatic EIS on Stockpile Stewardship and Management for a Modern Pit Facility* (DOE/EIS-236-S2) (71 FR 61731). Thus, the Final LANL SWEIS does not reference a modern pit facility in the cumulative impacts analysis. In January 2008, NNSA issued the Draft *Complex*

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4. The DSWEIS does not describe the substantial problems that have occurred in managing TRU waste and preparing it for shipment to WIPP.

According to the DSWEIS under any of the three alternatives, LANL will ship its legacy TRU waste (8,400 cubic meters) as well as 2,000 cubic meters of newly generated TRU waste (200 cubic meters per year) to WIPP. Table 3-17, page 3-51. However, as already noted, the DSWEIS does not acknowledge that in six years LANL shipped less than 600 cubic meters of waste to WIPP. During some of that period, LANL was prohibited from shipping TRU wastes because it did not comply with characterization procedures. The document does not describe the major changes and their environmental impacts that would be made in its operations in order to increase characterization and shipments of TRU waste by more than 10 times -- from an average of less than 100 cubic meters per year from 1999 to 2004 to more than 1,000 cubic meters per year from 2007 through 2016.

In fact, its past history shows that LANL does not have the capability to characterize and ship all of its legacy TRU waste to WIPP, so the DSWEIS statement that all legacy TRU will have been shipped to WIPP "by the end of 2015" (page 5-99) cannot be supported. Instead, the supplemental DSWEIS must discuss the reasons for past failures to meet projected shipments, analyze the impacts of further increasing amounts of TRU waste being managed at LANL, and describe mitigation measures that could be taken.

Thank you for fully considering and responding to these comments and those of all commentors.

Yours truly,


Don Hancock

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Transformation SPEIS (73 FR 2023); it includes alternatives in which LANL would be the site of a new consolidated plutonium center or a new consolidated nuclear production complex. The impacts from the Draft *Complex Transformation SPEIS* are included in Cumulative Impacts section of the Final SWEIS.

The Expanded Operations Alternative includes the proposed project described in Appendix J of the SWEIS, an expansion of the Off-Site Source Recovery Project to increase the types and numbers of sealed sources that could be stored at LANL if no commercial or other Federal facility were appropriate for their management. None of these additional sealed sources would meet the criteria for transuranic waste, which is defined as "radioactive waste containing more than 100 nanocuries (3,700 becquerels) of alpha-emitting transuranic isotopes per gram of waste, with half-lives greater than 20 years" (DOE Order 435.1). The Off-Site Source Recovery Project is currently responsible for managing plutonium-239, americium-241, and plutonium-238 sealed sources that, if disposed of as waste, would exceed the Class C concentrations for these actinides as established in 10 CFR Part 61. This issue was addressed in the 1999 SWEIS and a supplemental analysis to that SWEIS (DOE/EIS-0238-SA-01) (DOE 2000). These sealed sources have been stored at LANL as waste; those with a defense transuranic waste determination will be disposed of at WIPP. Those without a defense transuranic waste determination will be disposed of consistent with Public Law 99-240 (see below). The Off-Site Source Recovery Project estimated the number of sealed sources to be recovered for the duration of the program and the volume of waste that would be stored; these estimates are part of the No Action Alternative analysis. The expansion program would require the Off-Site Source Recovery Project to manage sealed sources that contain all concentrations of the previous isotopes, rather than only the Greater-Than-Class C levels included in the previous scope. That is, the expanded Off-Site Source Recovery Project would manage sealed sources containing lower concentrations of these actinides that, if designated waste, would be eligible for disposal in existing commercial and DOE low-level radioactive waste disposal facilities. Other sealed sources included in the expansion program also would not be designated transuranic waste, but would be eligible for disposal in existing commercial and DOE disposal facilities, or managed as Greater-Than-Class C or similar DOE waste. As

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noted in Appendix J, Section J.3.2.2, the Off-Site Source Recovery Project recognizes that there is uncertainty in the number of sealed sources of this type that would be managed annually. Many of these sources would not be stored at LANL because this material would only be brought to LANL for national security purposes if no commercial or other Federal facility were appropriate for their disposition. For the purposes of the accident analyses, it was assumed that the facility contained the maximum amount of the isotope that would result in the highest exposure. At this time there is no identified Greater-Than-Class C waste disposal facility; however, as part of fulfilling its obligations under Public Law 99-240, DOE has issued a Notice of Intent to prepare an *Environmental Impact Statement for the Disposal of Greater-Than-Class-C Low-Level Radioactive Waste* (72 FR 40135). DOE intends that EIS to enable DOE to select any new or existing disposal locations, facilities, and methods for disposal of Greater-Than-Class C waste and DOE waste with similar characteristics. Clarifying language was added to Appendix J.

261-5 NNSA notes that there have been difficulties with repackaging and certifying transuranic waste for shipment to WIPP. Although there have been delays in meeting the planned schedule for transuranic waste shipments, process improvements have been made and shipment rates to WIPP have increased; therefore, the amount of stored transuranic waste is expected to decrease. Section 4.9.4 was added to Chapter 4 of the SWEIS to document the amount of waste shipped offsite. In addition, NNSA is proposing to install and operate additional equipment and facilities and to upgrade existing processes, as discussed in Appendix H, Section H.3.2.2.3. Section H.3 also considers an option to construct additional transuranic waste storage buildings if not all of the legacy transuranic waste in the Area G storage domes can be shipped for disposal on a schedule that comports with the Consent Order. If implemented, the design of these optional storage buildings would consider the amount of transuranic waste to be stored, seismic concerns, and other factors that would be evaluated in safety documentation for these structures. The risks to the offsite population from an accident at the TA-54 storage domes are summarized in Chapter 5, Table 5-65. The volumes of transuranic and mixed transuranic waste generated since issuance of the 1999 SWEIS are presented in Chapter 4, Tables 4-47 and 4-48, by facility. Projections of future waste generation are presented in Chapter 5. Refer to Tables 5-39,

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5-42, and 5-47 for waste projections by facility under each alternative. These projections are conservative and are designed to bound the impacts of waste generation. A “best estimate” of transuranic waste generation under the Expanded Operations Alternative is presented in Table 5-49 as the lower end of the range of transuranic waste volumes that might be generated across all LANL facilities.

- 261-6** As discussed in the previous response to Comment no. 261-5, NNSA notes that there have been difficulties with repackaging and certifying transuranic waste for shipment to WIPP. NNSA is working to prepare all stored and newly generated transuranic waste for shipment to WIPP. Shipment rates to WIPP have increased significantly over the past several years.

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Concerned Citizens for Nuclear Safety,
Sheri Kotowski, Embudo Valley Environmental Monitoring Group

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Re: Comments by Concerned Citizens for Nuclear Safety and the Embudo Valley Environmental Monitoring Group about the draft Site-Wide Environmental Impact Statement for Continued Operation of Los Alamos National Laboratory, DOE/EIS-0380D

Dear Ms. Withers:

Concerned Citizens for Nuclear Safety (CCNS) is a non-governmental organization that formed in 1988 to give a voice to citizen concerns about the transportation of nuclear waste from Los Alamos National Laboratory (LANL) to the Waste Isolation Pilot Plant (WIPP) through the Santa Fe, New Mexico. Since the Cerro Grande Fire in May 2000, which burned over 7,700 acres of LANL property, CCNS has focused its efforts on contaminant transport from LANL to the Rio Grande.

Embudo Valley Environmental Monitoring Group (EVEMG) is a non-governmental organization that formed in 2003 to address community concerns about the risks generated by the Cerro Grande Fire. EVEMG focuses on air emissions generated by LANL activities and their relationship to public and environmental safety. EVEMG also conducts independent citizen based air monitoring in the wind shed of LANL.

CCNS and EVEMG make the following general and specific comments about the draft Site-Wide Environmental Impact Statement for Continued Operation of Los Alamos National Laboratory (draft LANL SWEIS). DOE and the National Nuclear Security Administration (NNSA) has provided a very limited amount of time to review and comment about the draft LANL SWEIS.

Thank you for your email this morning explaining that you will consider all comments received by September 30, 2006 as if they were

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received by today. We are submitting abbreviated comments this evening due to computer problems. We will be amending our comments and providing them to you by September 30, 2006.

In our review, we found the draft LANL SWEIS to be inadequate, incomplete and technically indefensible. The draft LANL SWEIS is inadequate because DOE/NNSA limited the scope of the environmental and public health analyses. It is incomplete because essential analyses are still in draft form. The draft LANL SWEIS is technically indefensible because it relies upon draft analyses that have been rejected by other federal agencies. The specific documents are discussed in more detail below.

For these reasons, DOE/NNSA must withdrawal the draft LANL SWEIS at this time. The draft documents must be released for public review and comment. The public must received responses to comments from DOE/NNSA. Only then may the documents be finalized and incorporated into a new draft LANL SWEIS.

General Comments

National Environmental Policy Act (NEPA). NEPA procedures are designed to insure that "environmental information is available to public officials and citizens *before* decisions are made and *before* actions are taken." 40 C.F.R. § 1500.1 (emphasis added). Ultimately, of course, "it is not better documents but better decisions that count." Id. NEPA's "purpose is not to generate paperwork - even excellent paperwork - but to foster excellent action - to help public officials make decisions that are based on an understanding of environmental consequences, and take actions that protect, restore, and enhance the environment." Id.

Timing for Commenting and Attending Public Hearings. DOE/NNSA have improperly undertaken the draft LANL SWEIS comment process. The people of Northern New Mexico have been asked to attend hearings and provide comments on a complex and lengthy document during a demanding time for many. Harvests, Market, Feast and Fiesta Days are all seasonal events that limit the public's ability to comment effectively. We are concerned about the lack of time allowed for the public to thoroughly review and comment about the draft LANL SWEIS.

Critical "Data Call" Reference Document. The reference document of greatest importance that is not readily available to the public is the Data Call. It was referenced over 175 times in the draft LANL SWEIS and contains approximately 700 documents. DOE/NNSA did not provide it as an appendix because it contains material prepared for the draft LANL SWEIS. The documents referenced in the Data Call provide the bulk of references for key sections of the draft LANL SWEIS, such as public health, waste disposal, accident scenarios and infrastructure.

262-1

262-2

262-1 NNSA has made reasonable efforts to inform the communities surrounding LANL of the alternatives for continued operation of LANL. In response to requests for additional review time, NNSA extended the comment period from 60 to 75 days. For those unable to attend any of the public hearings, other means of commenting on the Draft SWEIS were provided, such as U.S. mail, e-mail, a toll-free telephone line, and a toll-free fax line. It should be noted that all comments, whether written or provided orally, are given equal weight and consideration. Refer to Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

262-2 The commentor is correct that NNSA did not make the reference materials available over the Internet. During the comment period, NNSA made the references, including the "Data Call," available in three DOE Public Reading Rooms located in Los Alamos, Santa Fe, and Albuquerque, New Mexico. As with other elements of this public comment period, this was consistent with past practices for NEPA documents associated with other LANL operations. Refer to Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

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Many documents referenced in the draft LANL SWEIS are not readily available to the public other than through the DOE reading rooms. Citizens interested in providing comments commonly work during the day when the reading rooms are open. DOE/NNSA did not make documents available electronically.

CCNS requested a set of the reference documents on CDs prior to the commencement of the hearings, but did not receive them until the final public comment hearing, almost one month following the beginning of the comment period. Unfortunately, the Data Call was not included on the CDs and is not available in the DOE Reading Rooms. Nuclear Watch of New Mexico received a copy of the Data Call and we rely on their detailed comments about this issue.

Draft Agency for Toxic Substances and Disease Registry Public Health Assessment. The draft Agency for Toxic Substances and Disease Registry (ATSDR) Public Health Assessment was released for public comment last summer. The draft LANL SWEIS relies on conclusions made in this draft document "that there was no data to link environmental factors with the observed incidence of any cancer in Los Alamos County" and "that no harmful exposures due to chemical or radioactive contamination detected in groundwater, surface soil, surface water and sediment, or biota are occurring or expected to occur in the future."

In comments about the draft assessment, the Environmental Protection Agency (EPA) stated, "ATSDR may have been overly conservative in their risk assessment approach and makes a blanket statement that there is no problem. ATSDR should redo their risk assessment to reduce conservatism and not assume that there is no risk." An inaccurate, incomplete and inadequate public health assessment misdirects policy, undermines pollution prevention and thereby increases the risk to human health. The draft LANL SWEIS must be withdrawn until a technically defensible draft ATSDR assessment is re-analyzed is released to the public for comment and subsequently finalized. Only then may a new draft LANL SWEIS be released for review and comment by the public.

Documents Still Not Available. Safety Analysis for Area G and the Report in Preparation by the LANL Seismic Hazards Geology Team. Two important draft documents have not been completed prior to the release of the draft LANL SWEIS. These reports are the report in preparation by the LANL Seismic Hazards Geology Team and the risk assessment for LANL's low-level radioactive waste dump at TA-54 Area G. DOE/NNSA must withdraw the draft LANL SWEIS at this time until the drafts of these two documents are made available to the public for review and comment. The public must have the opportunity to comment about these draft documents and receive responses to comments prior to these documents being used for analysis purposes in the new draft LANL SWEIS.

CCNS and EVEMG Comments about draft LANL SWEIS * September 20, 2006 * Page 3

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262-3 The SWEIS presents an independent assessment of public health impacts from contaminants in the LANL environment. The SWEIS does not rely on the Agency for Toxic Substances and Disease Registry (ATSDR) *Public Health Assessment for Los Alamos National Laboratory* in any specific way for its conclusions. However, under the 1986 amendments to the Superfund law, ATSDR is responsible for conducting public health assessments at each site on the U.S. Environmental Protection Agency (EPA) National Priorities List, and it is appropriate for the SWEIS to acknowledge the conclusions of the *Public Health Assessment for Los Alamos National Laboratory* because it is a relevant Federal agency study. The draft *Public Health Assessment for Los Alamos National Laboratory* was available for public comment from April 26 to December 1, 2005. The EPA did not reject the draft document; it submitted comments that were by addressed by ATSDR in the final document. Appendix I to the final *Public Health Assessment for Los Alamos National Laboratory* describes how the comments on the draft received from the public, other Federal agencies (including EPA), and other stakeholders were addressed. As stated in the final *Public Health Assessment for Los Alamos National Laboratory* (ATSDR 2006), released August 31, 2006, ATSDR conducted its evaluations in accordance with guidance provided in the *Public Health Assessment Guidance Manual* (available at www.atsdr.cdc.gov/HAC/PHAManual/index.html).

262-4 To the extent possible, the most recent technical documents, including an update to the seismic hazard analysis, completed in June 2007, are considered in the Final SWEIS analyses. Information under development that is not available for use in the Final SWEIS, such as the updated Area G performance assessment, will be considered as it becomes available and, in accordance with the NEPA compliance process, the SWEIS impact analyses will be reviewed and supplemented as necessary based on the newly available information. See Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

Seismic activity at LANL is described in Chapter 4, Section 4.2.2.3 and in the 2007 seismic hazard analysis report (LANL 2007a). The estimated human health impacts from postulated facility accidents at LANL, including earthquakes, are described in Chapter 5, Section 5.12 and Appendix D, Section D.4. These sections also include a discussion of the

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LANL Mission. CCNS and EVEMG are very concerned that DOE/NNSA is opening the door to construct and operate the Modern Pit Facility (MPF) at LANL. The cumulative impacts analysis for the draft LANL SWEIS contains substantial information, references and analysis to a MPF at LANL. In our scoping comments, CCNS requested that no mention of the MPF be made in the draft LANL SWEIS. We renew our request for the preparation of a new draft LANL SWEIS. It has come to our attention that DOE/NNSA have begun the NEPA process for its *Complex 2030* analysis. That document is the appropriate place for analysis of a MPF. However, CCNS and EVEMG state that we oppose the construction or operation of a MPF anywhere. Please recall the public outcry against a MPF - "No New Bomb Factory - No Where, No Way."

262-5

CCNS and EVEMG request that a legitimate "no action alternative" be included in the reanalysis of the draft LANL SWEIS. Such an alternative would seriously consider the impacts of ceasing active nuclear weapons operations at LANL and begin cleanup of the 63-year toxic legacy. Also, we ask for the inclusion of a "greener alternative," which focuses on sustainable operations and environmentally just practices at LANL. We were among the many groups who requested these alternatives during the scoping session.

CCNS and EVEMG object to the statement that the "NNSA is not evaluating a similar alternative in this [2006] SWEIS because, as stated in the 1999 SWEIS...a Greener Alternative would not support the nuclear weapons mission assigned to LANL." It is revealing that the DOE/NNSA and LANL emphasize nuclear weapons manufacturing over environmental and public health. CCNS and EVEMG believe that DOE/NNSA must seriously consider a mission for LANL that focuses on research and development of renewable energy, such as solar, wind and biomass, and clean-up technologies that support environmental and public health. This transition will enhance national security. While DOE/NNSA does not think that such a shift is possible, it is our belief that LANL must transition to peaceful and sustainable research.

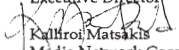
262-6

Thank you for providing the flexibility in submitting our comments. Should you have any questions or comments, please contact us either by email or phone.

Sincerely,



Joni Arends
Executive Director



Kalliroi Matsakis
Media Network Coordinator

Sadaf Cameron
Public Education and Outreach Director

significance of the updated understanding of seismic hazard from the 2007 seismic hazard analysis report. Typically, technical studies and reports do not go through a public comment process like that conducted for EISs.

262-5 Reference to a modern pit facility in the Draft LANL SWEIS was in the context of ensuring that reasonably foreseeable future actions were addressed in accordance with the Council on Environmental Quality NEPA regulations regarding cumulative impacts. The LANL SWEIS alternatives, which address operational levels for the next 5 years, limit the level of pit production to up to 80 pits per year (Expanded Operations Alternative). In October 2006, NNSA issued a Notice of Intent (71 FR 61731) to prepare a *Supplement to the Stockpile Stewardship and Management Programmatic Environmental Impact Statement - Complex 2030* (now called the *Complex Transformation Supplemental Programmatic Environmental Impact Statement [Complex Transformation SPEIS]*) (DOE/EIS-0236-S4). In addition to announcing its intent to prepare the *Complex Transformation SPEIS* to assess the environmental impacts of continued transformation of the nuclear weapons complex, NNSA announced cancellation of the previously planned *Supplemental Programmatic Environmental Impact Statement on Stockpile Stewardship and Management for a Modern Pit Facility* (DOE/EIS-236-S2). Thus, the Final LANL SWEIS does not include a modern pit facility in the cumulative impact analysis. The cumulative impacts analysis of the Final SWEIS addresses the possible impacts from siting and operating a new consolidated nuclear production center at LANL as analyzed in the *Complex Transformation SPEIS* which was issued as a draft on January 11, 2008 (73 FR 2023). Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production; Section 2.2, National Environmental Policy Act (NEPA) Process; and Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for more discussion.

262-6 NNSA notes the commentor's desire for two new alternatives, one that would eliminate activities related to nuclear weapons production and another characterized as a "Greener Alternative." Cessation of LANL's primary mission activities supporting NNSA's Stockpile Stewardship Program would be counter to national security policy as established by the Congress and the President, and therefore is not considered reasonable in the SWEIS. NNSA stands by the discussion in Chapter 3, Section 3.5, of the SWEIS that states that a "true No Action Alternative (or shutdown

**Commentor No. 262 (cont'd): Joni Arends, Executive Director,
Concerned Citizens for Nuclear Safety,
Sheri Kotowski, Embudo Valley Environmental Monitoring Group**

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CCNS

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John Hoffmann
Intern

Sheri Kotowski
Embudo Valley Environmental Monitoring Group

alternative)” and a “Greener Alternative” do not meet NNSA’s mission assignment. In addition to LANL’s primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations; as such, they are included in the SWEIS under the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

Chapter 2, Section 2.2.6, of the SWEIS describes NNSA’s progress in conducting its environmental restoration program at LANL. Since the early 1990s, when LANL staff identified over 2,000 sites potentially requiring environmental remediation, progress has been made (and sites consolidated) such that only about 800 remain to be addressed. Appendix I of the SWEIS presents environmental analyses and options for conducting future remediation activities at LANL that are primarily related to the Consent Order entered into in March 2005. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

**Commentor No. 263: Greg Mello, Executive Director,
Los Alamos Study Group**

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Los Alamos Study Group

Nuclear Disarmament • Environmental Protection • Social Justice • Economic Sustainability

September 20, 2006

By fax to 505-667-5948 and email to LANL_SWEIS@doeal.gov

Elizabeth Withers, EIS Document Manager
Los Alamos Site Office
National Nuclear Security Administration, U.S. Department of Energy
538 35th St.
Los Alamos, NM 87544-2201

Re: Comments on the Draft Site-Wide Environmental Impact Statement [SWEIS] for Continued Operation of Los Alamos National Laboratory (LANL), DOE/EIS-0380D

Dear Elizabeth –

It was good to see you at the recent hearings. Our formal comments on the above document follow. I hope you and others who read them – others who, like you, have little power either to make or to mend the terrible process that has produced this document – will find food for thought here, and not see personal criticism. For you, none is intended.

Some people, however, must be held responsible. Congress' ongoing failure to hold senior DOE and NNSA management responsible for mismanagement of the weapons complex, including LANL, is leading to the waste of many billions of dollars, among other problems.

From the outset of this National Environmental Policy Act (NEPA) process there has been little point in investing in a detailed critique of the draft SWEIS, which seems to have begun without even the legally-required scoping process. In any case, experience shows that public comments given in Department of Energy (DOE) NEPA processes at LANL have never been taken into account in final decisions. They do serve the far more limited purpose of improving a final environmental impact statement (EIS) or environmental assessment (EA), the production of which is not at all the purpose of NEPA.

I believe this SWEIS is being prepared in such a way as to minimize citizens' voice in policy decisions – in effect complying with as little of the spirit and intent of the National Environmental Policy Act (NEPA) as is possible – or less. The letter of NEPA and its implementing regulations has also been violated.

I also believe this is not an accidental outcome but the willful product of careful planning by NNSA and its predecessor the Department of Energy (DOE) Defense Programs (DP), undertaken to circumvent meaningful NEPA compliance. NNSA and its contractors have learned to maximize the mass of NEPA documents while minimizing the meaning and import for federal decisions. This is the opposite of NEPA's intent.

These remarks are not lightly considered. I make them as a long-time participant in DOE NEPA processes, a person who at one time was even flown to Washington DC at government expense to advise DOE on its NEPA practices. Also, I am the executive director of an organization with a mailing list of 6,000 people interested in what happens at LANL. Most of these people reside in New Mexico and many reside near LANL, some in Los Alamos County. We have an email subscription list of more than 2,200 activists and another "inner" list of about 400 core activists, not counting hundreds of other interested parties who receive our information and analyses via secondary listserves. Over the past 14 years I have personally spoken to a great many of these

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The comments on the DOE and NNSA NEPA process are noted. NNSA believes that it has complied with the spirit and intent of CEQ and DOE implementing regulations. Please refer to Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD and Chapter 1 of the SWEIS for a description of the NEPA process for this SWEIS.

On January 5, 2005, NNSA published a Notice of Intent to prepare a Supplemental SWEIS in the *Federal Register* (70 FR 807). NNSA provided the public an opportunity to participate in the scoping process through a public scoping meeting held on January 19, 2005 in Pojoaque, New Mexico and through receipt of comments via the U.S. Postal Service, a special DOE Internet address, a toll-free phone line, and a facsimile phone line. Subsequently, partially as a result of comments received, NNSA made a determination that changes in the LANL environment and proposed new actions were significant enough to warrant preparation of a new SWEIS. NNSA believes that the scoping comments apply equally to a supplement to the previous SWEIS or to a new SWEIS.

As discussed in Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD, all references used in the preparation of this SWEIS have been made available to the public.

**Commentor No. 263 (cont'd): Greg Mello, Executive Director,
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people about DOE's NEPA processes and practices. These NEPA practices have been heavily criticized. By the late 1990s dozens of people had begun to tell me that DOE's NEPA processes were so "crooked" or "unresponsive" or "such a charade" that they did not wish to be attend NEPA hearings or comment on EISs or EAs ever again. The process producing this SWEIS is the worst I have seen, for reasons which follow.

I remain sympathetic with most of those involved in preparing a document such as this. It is an enormously complex affair. Too complex, in fact - this SWEIS is case of the trees obscuring the forest, a common outcome when disempowered analysts work on a project, the outcome of which was determined before they began. It is the big picture about which they are not allowed to think, and it is the big picture which has been kept from the public and the news media in this SWEIS, rendering the public participation process and indeed the entire exercise moot.

I will skip many of detailed references and citations; these can follow later or upon written request.

I will also avoid "nitpicking" the draft SWEIS, for which not even remotely enough time is available. I have tried to stick entirely to comments which go to the heart of the process and the document.

Today and on subsequent days I will be filing Freedom of Information Act (FOIA) requests to attempt to fill in some of the missing information needed to review the draft LANL SWEIS. Only in the last week have I become aware of the existence of some of this information. In other cases I have tried to obtain information needed to review and comment on the draft SWEIS, such as the Area G Performance Assessment, to take one prominent example, only to be ignored and rebuffed by NNSA and LANL for years. It is not possible to comment intelligently on some aspects of the SWEIS without this information, and until these particular FOIAs are satisfied these comments must be considered only preliminary and incomplete.

Even in that case my comments will remain ill-informed, an intentional outcome on the part of NNSA, despite great efforts throughout this organization. It is not possible to conduct good-faith NEPA processes in the face of long-term, concerted day-to-day efforts to deny key information to the public.

1. There are too few realistic alternatives included, unnecessarily and unrealistically limiting the scope of the SWEIS both as to alternatives and as to impacts. Specifically, there should be a true "no action" alternative and more than one genuine "reduced operations" alternative, reflecting the actual state of uncertainty and range of federal choice about the lab's future.

Upon information and belief LANL managers were told earlier this year to plan for budget levels that decline at about 4% per year. Between now and 2012, which I will assume to be the final year for which this SWEIS is applicable, this rate of budget attrition amounts to about 19% overall. In addition, LANL Director Mike Anastasio recently told employees to search for \$200 million in economy measures, presumably reflecting the immediate application of greater costs for management fees, gross receipts tax payments, and pension fund deposits.¹ I had previously calculated these three sudden new costs at about this aggregate amount², and others, including Senator Domenici, have noticed this problem as well. If these two sources of budget attenuation are considered together, LANL budgets and total activity might decline about 30% between now and

¹ Michael Anastasio, memorandum of July 21, 2006, DIR-06-0561, archived at <http://lanl-the-real-story.blogspot.com/2006/07/lanl-real-story.html>.

² Mello, "Is plutonium pit production somewhat toxic to science?" May 25, 2006, article for "LANL: The Real Story" blog, available from author.

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263-2 NNSA notes the commentor's desire for additional alternatives in the SWEIS, one characterized as a "true no action" alternative and other reduced operations alternatives reflecting lower levels of operation. As discussed in Chapter 3, Section 3.5, of the SWEIS, ceasing operations would severely reduce support to nonproliferation efforts and research aiding the fight against terrorism. These activities are vital to U.S. security and are among the major components of the mission assigned to LANL by NNSA. Due to the impacts on national security and safety that would result from ceasing operations and closing LANL, as well as the requirement that LANL continue supporting the missions assigned to it by NNSA, this alternative is not considered a reasonable alternative. In addition, the SWEIS updates previous EISs that supported a number of decisions about operations at LANL. Thus, an alternative that assumes LANL would cease all mission-related work is unreasonable. Alternatives considering lower levels of operation are unnecessary because selecting any of the three alternatives discussed in the SWEIS would not mean that the activities described under that alternative would function at the maximum levels evaluated. Therefore, the impacts of lower operational levels than those evaluated under the Reduced Operations Alternative are enveloped by the Reduced Operations Alternative analyses.

***Commentor No. 263 (cont'd): Greg Mello, Executive Director,
Los Alamos Study Group***

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2012 if replacement funds are not found. Such a decline is far from certain, but it is also far from unreasonable.

So instead of assuming the 1999 level of activity as the "no action" level, it would be prudent to assume that a lower level of activity is possible and even likely. The current "reduced operations" alternative does not capture this degree of attenuation.

Another alternative that should be closely considered is a "mature stewardship" alternative, akin what the JASON group of defense advisors once called "curatorship."³ On the basis of extensive analysis and dozens of meetings and interviews, many people have come to the conclusion that LANL could perform its basic nuclear weapons mission with only a fraction of current nuclear weapons program costs, somewhere in the range of 30% of the current amount, if the requirement to design and certify new nuclear weapons in the absence of nuclear testing were left behind along with costs to produce plutonium warhead cores ("pits"), now running in the neighborhood of \$200 million (or roughly 10% of the total LANL budget) annually. Current stockpile stewardship costs are not uniformly embraced in Congress, and as we approach the certification and then the manufacturing stage for the new weapons now under design, there will be further budgetary questions.

Given the dominance of nuclear weapons budgets in LANL's overall budget (about 75%), a "mature stewardship" alternative of about 40% of current total LANL funding should be considered. This funding level is about on a par with LANL budgets during the Cold War, when LANL often had as many as a dozen types of new weapons under design, if compared using constant dollars.

There are those who would go further. House Energy Committee member Bart Stupak (D-MI) asked in May 2005, "Why do we have to have this place [Los Alamos] any longer?" and "Is there any really unique science that can only be done at Los Alamos and nowhere else?"⁴ NNSA deputy administrator Jerry Paul had no immediate answer to Stupak at the time, and in the final analysis neither do I. The true "no action" alternative involves a glide path to the closure of the nuclear weapons mission at LANL and an orderly cessation of those activities aimed solely at supporting the nuclear weapons stockpile for the long term.

Such an alternative is implied by the Treaty on the Nonproliferation of Nuclear Weapons (NPT), a binding domestic law as well as a ratified treaty and according to the U.S. State Department a cornerstone of U.S. security today.⁵ This legal imperative and its implications will be discussed again below.

Others approach much smaller LANL budgets from a more hawkish perspective. They are hardly speculative, coming as some of them do from DOE itself. In its "Complex 2030" plan the NNSA advocates removing all Category I and II quantities of plutonium and highly-enriched uranium from

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NNSA notes the comments. In January 2008, NNSA issued the *Draft Complex Transformation Supplemental Programmatic Environmental Impact Statement (Complex Transformation SPEIS, previously called the Complex 2030 SEIS)* (73 FR 2023). The *Complex Transformation SPEIS* evaluates the environmental impacts of the continued transformation of the nuclear weapons complex. It does evaluate consolidation of nuclear materials throughout the complex and includes alternatives in which LANL would be the site of a new consolidated plutonium center or a new consolidated nuclear production center. The impacts from the *Draft Complex Transformation SPEIS* are included in Cumulative Impacts section of the Final SWEIS. Refer to Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for more information.

³ JASON, "Science-Based Stockpile Stewardship," November 1994. MITRE Corp., JSR-94-345, Chapter 10. There is an extensive literature on this subject. See for example Greg Mello, Andrew Lichterman, and William Weida, "The Stockpile Stewardship Charade," *Issues in Science and Technology*, Spring 1999, National Academy Press, archived at http://www.issues.org/15_3/mello.htm, and references cited there, as well as affidavits at <http://www.lasg.org/technical/stewardship-management.htm>.

⁴ Cited in anon., "Los Alamos National Laboratory: A good enough performance?" *The Economist*, Jun 15th 2006, http://www.economist.com/science/displaystory.cfm?story_id=7055808.

⁵ U.S. Constitution, Article VI, Clause 2. U.S. Department of State, at <http://www.state.gov/t/np/rtry/16281.htm>.

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LANL by 2022, which would have a major effect on the laboratory mission – and its environmental impact.⁶

This date of 2022 exceeds the end date of the draft SWEIS analysis by 10 years, but the impact of such a decision would apply now and would surely result in the cancellation of more than a billion dollars in new construction projects listed and analyzed in the SWEIS.

What is especially noteworthy in this NNSA proposal, which has been submitted to Congress in testimony by Deputy Administrator D'Agostino, is that NNSA itself acknowledges for the first time that LANL is not a good long-term site for any plutonium or highly-enriched uranium operations.

Prior to this proposal, the Secretary of Energy Advisory Board (SEAB) said that 2015, not 2022, is a realistic date to rid Los Alamos of its special nuclear material (SNM), part of a transition the SEAB views as necessary.⁷ Indeed the Chairman of the SEAB Nuclear Weapons Complex Infrastructure Task Force, Dr. David Overskei, told Congress this year that the status quo – *including the complete range of alternatives considered in the LANL SWEIS* – “is neither technically credible nor financially sustainable.”⁸

After this report was published, DOE abolished its venerable advisory board.

As the General Accounting Office has stressed in a review of these and other proposals this year, “Many of the recommendations in the SEAB report are not new. A number of studies over the past 15 years have stressed the need transform the weapons complex. However, for a variety of reasons, DOE and NNSA have never fully implemented these ideas.”⁹ It would be helpful if DOE included them in the scope of its NEPA analysis at LANL. The failure to hold scoping hearings for the LANL SWEIS was not just an illegal procedural gaffe but has led to problems of real substance as well.

In considering whether such “reduced activities” alternatives are realistic, it is helpful to remind ourselves of the views of the Subcommittee on Energy and Water Development of the House Appropriations Committee and of its Chair, David Hobson (R-OH), a committee which must approve NNSA’s budget. While sometimes Mr. Hobson’s views are thought of as his own, in fact they are shared by the Committee as a whole, which has been trying with very mixed success to reform the weapons labs for a decade at least. In addition the budget actions of that subcommittee have been readily endorsed by the entire Committee and subsequently by the House as a whole. It is very clear from appropriations markups as well as from press interviews and speeches by Mr. Hobson and his ranking Democratic counterpart Mr. Vislosky that in the view of that committee it is not only possible but imperative to plan for a much smaller nuclear weapons complex – including and perhaps especially the laboratory complex. It appears that NNSA, in its narrow choice of alternatives in its draft LANL SWEIS, is not being responsive to the views of House appropriators.

The NEPA issues raised by NNSA’s Complex 2030 proposal are particularly thorny and are addressed again below.

⁶ NNSA, “Complex 2030: A Preferred Infrastructure Planning Scenario for the Nuclear Weapons Complex,” May 2006 briefing. See also materials at http://www.nnsa.doe.gov/future_of_the_nuclear_weapons_complex.htm.

⁷ Secretary of Energy Advisory Board, *Recommendations for the Nuclear Weapons Complex of the Future*, at http://www.seab.energy.gov/publications/NWCIF/Report_2.1.1_05.pdf.

⁸ David Overskei, testimony to the Strategic Forces Subcommittee of the House Committee on Armed Services, April 4, 2006, at <http://www.house.gov/hasc/4-5-06OverskeiTestimony.pdf>.

⁹ General Accounting Office, Testimony of Gene Aloise to the House Appropriations Committee, Subcommittee on Energy and Water Development, April 26, 2006, GAO 06-606T, <http://www.gao.gov/new.items/d06606t.pdf>.

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***Commentor No. 263 (cont'd): Greg Mello, Executive Director,
Los Alamos Study Group***

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2. The "expanded operations" alternative, which NNSA prefers, is not realistic. Furthermore, NNSA knows it is unrealistic. This alternative intentionally scrambles and obscures federal decisions rather than clarifying them and their environmental impacts.

In the "expanded operations" alternative, which NNSA prefers, NNSA sets up a policy alternative for environmental analysis which it will not choose. It is a deliberate "straw man," *elements from which* NNSA will choose to compose its actual suite of decisions. I'll explain why this is so in a moment. Meanwhile, if this is true it means that the federal action to be taken does not actually appear in the draft SWEIS, nor are its environmental impacts analyzed. This is deemed acceptable because an artificial "bounding analysis" has been created which NNSA states will provide an upper bound for the impacts of its hypothetical (but unrealistic) actions.

The "expanded operations" alternative includes both expanded plutonium warhead core ("pit") production *and also* dramatically expanded LANL cleanup, a combined policy which NNSA has no intention of pursuing, has never and does not now appear in any public budget documents, but which *does* have the effect of obscuring the environmental impacts of pit production while creating a higher "bounding case" for environmental impacts.

The combination of a) accelerated on-site disposal of nuclear wastes resulting from a multi-billion dollar investment in pit production at LANL and b) a billion or more dollar cleanup of the same or similar wastes from a set of landfill cells just a few feet away from active disposal cells on the same mesa is just not credible. The underlying values and federal priorities involved are diametrically opposed. Neither is it credible to suppose that both projects could be funded simultaneously. The enhanced cleanup option is included just to sweeten an otherwise nasty pot.

3. The practice of creating a "bounding analysis" for impacts under NEPA, especially when combined with hypothetical, synthetic alternatives, produces a NEPA analysis disconnected from realistic federal choices.

The use of a "bounding" environmental analysis in combination with synthetic alternatives removes essentially all the federal policy content from NEPA analysis, leaving only an empty shell.

It is much like increasing the capacity of a circus tent by raising the poles. Contrary to the intent of NEPA, NNSA understands NEPA to be concerned only with the skin of the tent, not with the federal actions that go on in the tent. As long as the "poles" in a NEPA document can be raised high enough, any and all real policy choices and activities can then take place under the so-called "NEPA coverage" tent, no matter how disparate the actual environmental impacts of these policy choices may be. The tent, let us remind ourselves, *exists only in a document*. The real environmental impacts of these federal choices, though all supposedly under "the tent," may vary extremely.

Further, if the tent poles can be raised sufficiently high with highly popular but totally insincere proposals like complete removal of all buried wastes from Material Disposal Areas (MDAs) at LANL, it is not a difficult matter to later substitute more short-term impacts from activities which are NOT popular. This can be done using a supplemental NEPA analysis, which need have no public participation or any significant media exposure. Once the hypothetical environmental impacts from cleanup, which loom large for the duration of the cleanup, are removed from the equation, supplemental analysis can be readily be jiggered to show that new unpopular activities, such as further increases in pit production, have less short-term impact than digging up the old waste pits would have had.

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263-4 NNSA is not linking expanded cleanup under the Consent Order with decisions about pit production, proposed new projects or activities, increased operational levels, or waste generated from other LANL activities. Chapter 1, Section 1.3, of the SWEIS defines the three alternatives and explains why activities to comply with the Consent Order are included only under the Expanded Operations Alternative. Section 1.4 states that NNSA could choose to implement the alternatives either in whole or in part. Chapter 5 of the SWEIS evaluates the potential environmental, health, and safety impacts of continued operation of LANL under the three proposed alternatives, including the impacts of implementing the Consent Order. These impacts also are evaluated in Appendix I and are summarized in Chapter 3, Table 3-19, and the Summary. The SWEIS was revised to ensure that, where relevant, impacts associated with Consent Order implementation are clearly distinguished from the other potential impacts of the Expanded Operations Alternative.

The Congress and the President are responsible for establishing funding levels for various government programs. As noted in Section 1.3.4, implementation of decisions made in a ROD based on the SWEIS is contingent on the level of funding allocated. NNSA intends to comply with all environmental requirements pertaining to cleanup, including the Consent Order entered into in March 2005 by the State of New Mexico, DOE, and the LANL contractor.

263-5 The commentor's opinion regarding a bounding impact analysis and supplemental analyses is noted. NNSA disagrees with comments regarding the selection of a 5-year period to define the reasonably foreseeable period for proposals to be supported by the SWEIS. This short period was selected as the maximum reasonably foreseeable period because of the magnitude of international, national, and local events that have occurred over the past 7 years, but were unforeseeable when the 1999 SWEIS was prepared, as well as developing programmatic changes that are undergoing recently initiated NEPA impact analyses and may affect LANL beyond the 5-year period. NNSA identified the Expanded Operations Alternative in the Draft SWEIS as its Preferred Alternative; this alternative remains NNSA's Preferred Alternative for operating LANL during the next 5 years. Activities that would occur in the next 5 years have potential impacts that would last beyond this period; these potential impacts are analyzed.

**Commentor No. 263 (cont'd): Greg Mello, Executive Director,
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Needless to say, the very great long-term environmental benefits of removing buried wastes from unlined shallow pits lie outside the SWEIS analysis period, here truncated to an absurd degree (just 5 years).

NNSA justifies its NEPA-vitiating "bounding analysis" approach on the theory that a) the agency must preserve its operational flexibility in the face of an uncertain future, and b) LANL is a complex site with many activities. The first of these excuses simply means the LANL SWEIS process is premature, not ripe for analysis. It means that NNSA doesn't know what it wants to do – or else doesn't want to say what it wants to do. Normally, this would prevent a clear articulation of alternatives as well as the purpose and need served by those alternatives, but with a "bounding analysis" there is no real need to specify the federal actions that will be taken at all. It could be this action, or that action, or it could be a combination of the two, or perhaps still a third, as long as the impact lies beneath "the big tent."

The failure to plan is a perennial problem at DOE, where one failed or failing project frequently precedes (and provides the justification for) another.¹⁰ NEPA analysis should not enable DOE's pervasive addiction to poor planning to continue.

In the matter of LANL's supposed baffling complexity, floridly presented in this SWEIS, it is NNSA's responsibility to highlight as clearly as possible the full and exact scope of alternative futures for LANL, and then to show the differences in environmental impacts resulting from those choices in a clear, accurate, and comprehensive way. Neither has been done here.

In past practice, NNSA and DOE DP routinely limited alternatives in such a way as to simply omit policy choices they did not like, although some of these choices omitted were in fact legally required, vastly popular, objectively realistic, and managerially sound. This time around it appears that the policy content of the LANL SWEIS was sufficiently controversial, even in Congress and at LANL, that NNSA managers apparently thought it best to scramble the real alternatives in a synthetic option it will never choose, truncate the analysis period, skip the scoping hearings, and in all these ways and more hide the full range of environmental impacts expected from reasonable and foreseeable federal choices.

3. The LANL SWEIS is a direct continuation of the national Draft Supplemental Programmatic Environmental Impact Statement on Stockpile Stewardship and Management for a Modern Pit Facility (draft MPF PEIS, DOE EIS-0236-S2).

The actions described in the LANL SWEIS and its referenced NEPA documents, specifically the Chemistry and Metallurgy Research Replacement (CMRR) EIS, amount to a decision to produce plutonium pits at LANL for the long term and at an even larger scale than is discussed in the LANL SWEIS. This is properly a national decision, and there was a national NEPA process to support that decision, which NNSA has placed in indefinite abeyance: the MPF PEIS. MPF funds have not been entirely placed in abeyance however. Instead, the "realignment of prior Modern Pit Facility funding

¹⁰ Between 1980 and 1996, for example, DOE cancelled some 31 out of 80 "Major System Acquisitions" (MSAs), on which more than \$10 billion had already been spent. As of the end of this period, only 15 of the 80 projects that were begun during the period had yet been completed; of these, "most of them were finished behind schedule and with cost overruns." Of the 34 MSAs still continuing in 1996, "cost overruns and 'schedule slippage' have occurred and continue to occur on many of the ongoing projects." Government Accounting Office, "Department of Energy: Major System Acquisitions from 1980 through 1996," RCED-97-85R, March 4, 1997. This dismal record has not improved since this study and may have grown worse, with some individual projects now underway exceeding original costs by more than a factor of 10 and with aggregate cost overruns in the billions of dollars.

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As discussed in Chapter 1, Section 1.4, the LANL SWEIS focuses on decisions to be made regarding operational levels and actions to be taken at LANL over the next 5 years. Pending different decisions that would result in a dramatic difference in LANL's operational levels or capabilities, impacts from LANL operations would be expected to continue. As seen in Chapter 5 and the appendices, the impact analysis period extends beyond the 5-year period.

The SWEIS is not intended to be a continuation of the modern pit facility EIS, as suggested by the comment. In October 2006, NNSA issued a Notice of Intent to prepare a *Supplement to the Stockpile Stewardship and Management Programmatic Environmental Impact Statement – Complex 2030* (now called the *Complex Transformation Supplemental Programmatic Environmental Impact Statement [Complex Transformation SPEIS]*) (71 FR 61731) to assess the environmental impacts of continued transformation of the nuclear weapons complex, including development of a consolidated plutonium center or a consolidated nuclear production center that would include plutonium pit production among its functions. Additionally, NNSA announced cancellation of the previously planned *Supplemental Programmatic Environmental Impact Statement on Stockpile Stewardship and Management for a Modern Pit Facility* (DOE/EIS-236-S2) (71 FR 61731). In the interim, LANL will continue providing the nuclear weapons complex pit production capability up to the level to be announced in the record of decision for the SWEIS. Refer to Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for more discussion.

**Commentor No. 263 (cont'd): Greg Mello, Executive Director,
Los Alamos Study Group**

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starting in FY 2007 will support NNSA planning to increase pit manufacturing capacity at LANL.¹¹

According to NNSA budget submittals and the SWEIS, the rate of pit production, now zero, is supposed to reach between 30 and 50 stockpile pits/year at LANL by 2012 if not before, or up to 80 pits/year including test pits and rejects. The first pits to be made are for W88 475-kiloton submarine-launched warheads, to be made at a rate of 10 per year. Congressional budget submittals indicate that a total of 70 W88s are to be produced between early FY2008 and FY2014.

In addition, by 2012 if not well before (conflicting accounts are given) pits for at least one version of the "Reliable Replacement Warhead" (RRW), if not two, are slated to begin production.

According to NNSA chief Linton Brooks, RRWs are supposed to replace all the pits in the stockpile, expected to number about 6,000 in 2012. The first weapons to be replaced are the two Trident warheads, the W76 and W88. The W76 is now in the beginning stages of a \$2.5 billion upgrade, expected to extend its life for another 30 years.

What will happen after 2012, the end of the SWEIS analysis period? That depends on decisions that will be made during the SWEIS analysis period, which ought to be analyzed in the SWEIS.

How many pits might LANL make? Possibly all of them. Look at the SEAB report on the future of the nuclear weapons complex. The SEAB, while generally endorsing the concept of a "Consolidated Nuclear Production Center" (CNPC) that would integrate all major nuclear activities at a single site, also advised that LANL's main plutonium building (PF-4) could produce 20 times as many pits per year as it "now" does (is that 10 pits per year now, or 20?). PF-4's alleged potential production thus appears to be in the range of 200-400 pits/year, especially with CMRR in operation.

The MPF was NNSA's most recent admitted plan for large-scale pit production. The MPF was a roughly \$4 billion project capable of making 125-450 pits/year, and was originally to come on line circa 2020. LANL was the preferred site for the MPF from the technical perspective.

NNSA now requests no funding for the MPF through at least 2011. Instead, as noted, the "realignment of prior Modern Pit Facility funding starting in FY 2007 will support NNSA planning to increase pit manufacturing capacity at LANL."

Looking year by year at total pit-manufacturing sunk costs at LANL since 1995, I believe DOE and NNSA have already spent about \$2.5 B in 2006 dollars laying the groundwork for pit production at LANL. A decade from now NNSA, if its requests are funded, will have spent a few more billions of dollars on pit production at LANL, the exact number depending on what you want to count. So ten years from now if all goes according to published plans, funds comparable in size and purpose to those anticipated for the MPF will have been spent at LANL, and a production capacity comparable to the MPF will have been achieved. *Why is this not a SWEIS alternative?*

How would such production be achieved at LANL? NNSA plans to enable greater pit production capacity at LANL by a number of means. The first is new and refurbished facilities, centrally the CMRR, which is now in the early stages of design/build and slated to begin operation in 2014. In addition to the CMRR there is the "Plutonium Facility Complex Refurbishment Project," major security and transportation investments, expansion of the nuclear waste disposal area at TA-54, the

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263-7 In the Expanded Operations Alternative, the SWEIS addresses the impacts of production of up to 80 pits per year. LANL was one of several sites under consideration in the *Modern Pit Facility Programmatic EIS*; however, NNSA announced that Programmatic EIS has been cancelled. Please note that the draft Modern Pit Facility Programmatic EIS did not identify a preferred site for the Modern Pit Facility.

Acting Administrator D'Agostino has told the Congress (March 29, 2007) that a total of \$1.4822 billion will have been spent from FY 1996 through the end of FY 2007 on: establishing pit manufacturing production infrastructure to manufacture war reserve pits, manufacturing pits for development, qualification of processes, and supporting physics and engineering testing; quality acceptance of pits and manufacturing processes; manufacturing production war reserve certified pits; and conducting physics and engineering tests and developing analytical performance baselines necessary to certify the LANL-produced W88 pit. The projects listed by the commentor, such as the Plutonium Facility Complex Refurbishment Project, the Chemistry and Metallurgy Research Building Replacement Project, the Radioactive Liquid Waste Treatment Facility Upgrade Project and the Radiography Facility at TA-55 and other investments would support the production goal of up to 80 pits per year.

Analysis of a consolidated plutonium center or a consolidated nuclear production center to support future production levels are part of the scope of the *Complex Transformation SPEIS*. Scoping hearings have been held and a draft document was issued on January 11, 2008 (73 FR 2023).

¹¹ DOE FY2007 Congressional Budget Request, Vol. I, NNSA, p. 188.

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"Radioactive Liquid Waste Treatment Facility Upgrade Project" in TA-50, and a TA-55 radiography facility, to pick only the most obvious.

Second, the Department of Energy (DOE) and NNSA hope to relocate plutonium-238 activities from PF-4 to the Idaho National Laboratory (INL), roughly doubling the floor space available to pit production in PF-4.

Third, the RRW will be designed for automated manufacture, with fewer "hands-on" steps, fewer hazardous materials, looser tolerances in key places, and fewer manufacturing steps and work stations overall. These design changes, taken together and combined with other "agile" manufacturing innovations would enable, it is thought, much greater production rates.

Finally, reconfiguration of production equipment and relocation of stored material and light laboratory functions may liberate more PF-4 space and enable what is available to be used more efficiently for pit production.

If made, all these investments will likely commit LANL to being the U.S. pit production facility. What other billions of dollars would be available for another?

For these reasons, I believe the LANL SWEIS is a continuation of the national MPP NEPA process but lacks its relative rigor, its national public comment process, and its straightforward approach.

4. The LANL SWEIS is also a central part of the programmatic environmental impact statement (PEIS) process which NNSA is about to announce for its new plan to reconfigure the infrastructure of the national nuclear weapons complex, "Complex 2030".

The "Complex 2030" plan has already been mentioned. Here is the single passage from the LANL SWEIS describing how this national planning process relates to the SWEIS.

On July 13, 2005, a Task Force of the Secretary of Energy Advisory Board issued its report entitled, *Recommendations for the Nuclear Weapons Complex of the Future*. This report contains a comprehensive review of the nuclear weapons complex, which includes LANL, and a vision for a modern nuclear weapons complex of the future that would address the needs of the nuclear weapons stockpile. NNSA is developing a strategy for continuing the transformation of the weapons complex, which began with the cessation of manufacturing at the Rocky Flats Plant, the end of the Cold War, and the U.S.'s suspension of nuclear weapons testing. NNSA refers to this strategy as a "planning scenario for Complex 2030;" it will set NNSA's vision of the complex in 2030. Budgetary requests to Congress, beginning with the President's Budget for Fiscal Years 2007 through 2011, will influence the evolution of this strategy. *When the strategy has become sufficiently defined so that proposed actions can be identified, NNSA will need to determine what NEPA analyses it needs to conduct for the proposals.* In the short term, over the next 5 years, LANL operations are not expected to change dramatically regardless of the strategy NNSA develops for continuing the transformation of the nuclear weapons complex. However, in recognition of the uncertainties associated with future work assignments to LANL, the "foreseeable future" for the purposes of proposed actions in this SWEIS has been changed from the 10 years of LANL operations considered in the 1999 SWEIS to consideration of proposals regarding LANL operations over the next 5 years. While uncertainty remains about the future work NNSA will assign to LANL to support NNSA missions, the overall need to continue operation of LANL is unlikely to change over the next several years. [Emphasis added.]

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The LANL SWEIS addresses continued operations at LANL for the next 5 years. At this point, there is no decision on LANL's role in Complex Transformation, NNSA's vision of the configuration of the nuclear weapons complex. NNSA does not believe that the LANL SWEIS is prejudicing the *Complex Transformation SPEIS*, which was issued in draft form in January 2008. Note that the Reduced Operations Alternative in the Final SWEIS was revised to reflect continued use of the existing Chemistry and Metallurgy Research Building in the event that NNSA, in conjunction with its plans for Complex Transformation, decides not to construct the nuclear facility portion of the Chemistry and Metallurgy Research Replacement Facility.

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***Commentor No. 263 (cont'd): Greg Mello, Executive Director,
Los Alamos Study Group***

The quoted portion in bold is apparently not true; NNSA is poised to begin a NEPA process for Complex 2030 this fall and according to NNSA may announce it in the Federal Register as soon as this month.¹² Reportedly, the schedule has slipped somewhat since August, with public hearings now slated to begin in December of 2006.

The Complex 2030 plan will require a programmatic environmental impact statement (PEIS). One or more records of decision (RODs) subsequent to this PEIS will then set the framework for what happens at LANL. Some of the PEIS alternatives, *unless their scope is very narrow*, will conflict with the alternatives in the LANL draft SWEIS. In this way, the LANL SWEIS process is illegally prejudicing the Complex 2030 PEIS.

NNSA claims "LANL operations are not expected to change dramatically regardless of the strategy NNSA develops for continuing the transformation of the nuclear weapons complex." This can hardly be true unless the big suite of construction projects proposed in the SWEIS, which build out LANL for the coming several decades, would not be affected by NNSA's own long-term plans for the weapons complex, which include a dramatic reduction of LANL's nuclear materials responsibilities. This, to quote Rep. Hobson, is "absurd," "irrational," and "stupid."

Put differently, the SWEIS includes a grab bag of large new projects which collectively assume, *and may ensure*, that the various hopes expressed by the SEAB, by NNSA in its Complex 2030 plan, and by the House Appropriations Committee will never become realities.

It may be true that the hypothetical "upper bound" for environmental impacts at LANL won't change, since it is lifted up by the "tent pole" of all these hypothetical projects and activities. If the PEIS indicates fewer activities at LANL than the SWEIS, that's no problem, right? It is no problem for the SWEIS *as an empty shell*. This type of NEPA analysis, divorced as it is from the actual decision-making process, is a total waste of money and accomplishes no worthwhile public purpose at all.

NNSA's stated lack of clarity about the future should be a reason to a) expand the range of alternatives considered and b) pay particular attention to the scoping process. The opposite has occurred.

5. The LANL SWEIS, like the "Complex 2030" plan, is dependent upon a national decision to pursue an ill-defined but massive (upon information and belief, greater than \$100 billion) 25+ year program called the "Reliable Replacement Warhead" (RRW), in which replacement weapons for the entire U.S. nuclear arsenal are to be designed, certified, and manufactured – and for which no NEPA process has yet been announced. Many of the dirtiest and riskiest portions of this work will take place at LANL.

Many of the projects in the LANL SWEIS as well as in Complex 2030 are needed only if the entire U.S. nuclear stockpile is going to be replaced by brand-new warheads with brand-new pits. This includes many of the facilities and programs with the greatest environment impacts. For others, for example hydrotesting at DARHT, the schedule and pace of activity assumed in the SWEIS and related documents is, I believe, dependent upon the RRW program going forward.

To take another example, NNSA budget documents show a total production of only 70 W88 pits at a rate of 10 per year. I conclude from this that it is primarily RRW pits which drive the acquisition of pit production capacity and a number of associated capital projects and programs at LANL. No

¹² Xavier Ascanio, NNSA, "Update to the Energy Federal Contractors Group," August 2006, at www.efcog.org/docs/council_meeting/SAM11_082006/Xavier%20Ascanio.pdf.

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NNSA notes the comment. As stated above, the SWEIS addresses the continued operations at LANL for the next 5 years. The projects that are proposed in the SWEIS support increased operations to increase pit production to up to 80 pits per year, as was analyzed in the 1999 SWEIS, as well as other requirements, such as activities associated with implementation of the Consent Order. At this point, there is no decision on LANL's role in the Complex Transformation. See Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for information about transformation of the nuclear weapons complex and the Reliable Replacement Warhead (RRW).

**Commentor No. 263 (cont'd): Greg Mello, Executive Director,
Los Alamos Study Group**

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other clear mission need has been articulated; indeed the warhead to be first replaced by the RRW, the W76, is now entering a \$2.5 billion upgrade which will carry this warhead (and its pits) forward into the future another 30 years *without* the RRW. The environmental impact (as well as the cost and negative security impacts) of producing the RRW are massive compared to other policy options available to NNSA. NNSA has not clarified the purpose and need of the activities described in the LANL SWEIS or disentangled them from its hoped-for RRW program, which must have a full programmatic NEPA analysis prior to proceeding.

6. The LANL SWEIS analysis period is artificially short – so short it omits planned activities which, if conducted, would significantly change the SWEIS alternatives and their impacts.

It is not clear why NNSA chose to write a new LANL SWEIS three years ahead of schedule, given its lack of clear direction for the future at LANL and nationwide. Then, instead of writing a 10-year document as it has done in the past, NNSA offers a 5-year environmental analysis.

In fact, the initiatives proposed in this draft SWEIS make sense only when evaluated over a much longer time frame. DOE's life-cycle cost regulations as well as ordinary engineering practice consider time in terms of decades, not half a decade. There is a disconnect in time scales here, in which a 5-year glimpse of environmental impact is offered for projects which will be completed only much later and which attain their full purpose and need much later as well.

For this reason the LANL SWEIS cannot be properly read, let alone commented upon, without access to documents describing longer-range plans for LANL. These might be include the LANL portion of the Complex 2030 PEIS, together with an RRW PEIS if this is not in fact the same document. The planned growth in pit production at LANL beyond the SWEIS analysis period has already been discussed, and is a prime example of this inadequacy. Like the other problems discussed here, the problem of inappropriate time scales divorces the analysis in the draft LANL SWEIS from meaningful federal choices.

There is another, longer time scale at work, and that is the one applicable to disposal of nuclear waste at LANL. This is the terrain of the Performance Assessment (PA) for nuclear disposal at LANL, a document long overdue according to DOE's own regulations. According to senior cognizant DOE environmental staff, the PA is not even available even to them. The owner of this document today is the nuclear manufacturing directorate at LANL, which does not respond to my inquiries.

It is not so much that this document, the purpose of which is to evaluate the long-term impacts of waste disposal at LANL, should be available and referenced in this SWEIS. Rather, given its subject matter, it is a missing piece of the SWEIS itself, which is grossly incomplete without it.

7. Key background information necessary to evaluate the LANL SWEIS is not available, was obtained only recently, and in any case appears in a context of official secrecy that vitiates the NEPA public comment process.

The basic problem – NEPA assumes an ease of access to unclassified information which does not occur in the case of LANL – is described above on the first page of this letter. In addition to this, there is a problem with timeliness of access to key information, and a problem as well as with the total volume of information involved in relation to the SWEIS comment period.

On August 10, you kindly gave us 19 CDs of SWEIS reference materials, which were not otherwise publicly available. (Thank you for this; we had been trying to get a few of those materials for years.) On those disks there are 3,739 documents files comprising 7.74 gigabytes of information. 1

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263-10 As discussed in Chapter 1 of the SWEIS, NNSA selected the 5-year period as a basis for considering activities that are expected to occur and decisions that NNSA intends to make regarding operations at LANL. Activities that may be initiated beyond the 5-year period (after 2011) are not considered because of their conceptual nature; note, for instance, that NNSA is preparing the *Complex Transformation SPEIS*, which may result in a new direction for LANL. The analyses in the LANL SWEIS project environmental impacts beyond the 5-year period when activities that will be initiated or are already occurring are planned to continue over a longer period. For example, activities associated with cleanup activities are analyzed beyond the 5-year period to their full duration. It should be noted that many of the impacts are presented on an annual basis that would be assumed to continue beyond the 5-year period, unless otherwise stated. See the response to Comment no. 263-3.

263-11 Until an update to the performance assessment for Area G is completed, thoroughly reviewed, and released, the existing document remains valid; therefore, it is entirely appropriate to use the current approved version of this document as a reference in the LANL SWEIS. When an updated version of the document is released, its significance to the analyses in the LANL SWEIS will be evaluated.

With respect to seismic hazards information, a multiyear effort to update the understanding of seismic hazard has been now been completed. In June 2007, the *Update of the Probabilistic Seismic Hazard Analysis and Development of Seismic Design Ground Motions at the Los Alamos National Laboratory* (LANL 2007a) was completed and is now available. Refer to Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

263-12 NNSA believes that it has provided reasonable and adequate opportunities for the public to comment on this document. The references cited in the SWEIS were made available in DOE Public Reading Rooms in Los Alamos, Santa Fe, and Albuquerque, New Mexico. The Draft SWEIS was mailed a week prior to publication of the *Federal Register* notice, which marked the beginning of the comment period. In response to public input requesting additional review time, NNSA extended the public comment period from 60 to 75 days. Refer to Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

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have not read all this – I have only been able to skim a few key documents and flag them for later study. Virtually *anything* could be hiding in those documents, including facts which could change the SWEIS environmental analysis significantly.

The SWEIS itself, which was available to us only well after the comment period had already begun, weighs in at what are probably nearly 2,000 pages. It contains 60 megabytes of information in its current, information-efficient form. It is the product of several years of work by the LANL SWEIS team in addition to millions of dollars in expert contracted labor. It is quite unreasonable to expect members of the public to read such a thing and comment incisively and usefully on it in 45 days, minus the 10 or so days at the beginning when the documents were not available.

The only way to deal with this problem is by changing the entire way NNSA relates to the public. Dialogue and openness need to be continuous, not confined to tiny NEPA "windows" in which NNSA minimizes its openness to comply with the basic letter of the law and no more. (In this case, the public process does not reach as far as the letter of the law). The problem NEPA was meant to solve cannot be fixed just by tweaking the NNSA NEPA process, let alone extending the comment period a few days or adding a hearing or two.

As noted, the Performance Assessment for Area G is a key document missing and is a necessary component of this EIS.

In this office we have attempted to obtain key information about seismic hazards at LANL. At great trouble, we have obtained some of this information. We have also attended oral talks which give us a pretty good idea of the seismic situation, although not in a written form to which third parties could readily refer. We do not have full and accurate information on the seismic response of LANL facilities, however. For these reasons we cannot evaluate this draft SWEIS on this matter.

8. There have been enough irregularities of process in this SWEIS process to require NNSA to start over with a proper scoping process and additional hearings.

I have mentioned the late arrival of documents. There have also been too few hearings, as many have noted; the population of Albuquerque is affected environmentally both in terms of chronic and of acute, contingent consequences stemming from accidents, sabotage, terrorism, and natural hazards. It is also affected economically and socially.

As mentioned, the SWEIS process deals with national issues and is a cryptic continuation of a national process, namely the MPF PEIS.

I would like to observe that the approach to NEPA hearings of offering a short explanation of the NEPA process, a court reporter, and a microphone at a "one-night stand" type of hearing, with no senior managers actively present explaining the program and its policy implications, let alone any in-depth discussion of the policy issues involved, falls considerably short of the creative possibilities inherent in the NEPA process. I am saying that given the subject matter, the scale of the decisions and the extremely long duration (essentially permanent) nature of some of the impacts, not to mention the genuinely apocalyptic quality of much of the purpose and "need," a dramatically new approach is required. NNSA genuinely needs the public's help; its responsibilities are too great for a small number of people. The nation cannot afford the consequences of planning in a small "echo chamber" of bureaucrats and contractors, who in many cases must by law apply due diligence to maximize their corporate profits.

What I want goes very far beyond the letter of NEPA law; NNSA has not even risen to that letter in this process.

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263-13 NNSA prepared the SWEIS in accordance with Council on Environmental Quality regulations (40 CFR Parts 1500 to 1508) and DOE NEPA implementing procedures (10 CFR Part 1021). Refer to Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information, including the transformation of this process from preparation of a supplement to the 1999 SWEIS to preparation of this new SWEIS; the opportunities available for people to comment on the Draft SWEIS; and the relationship of this SWEIS to a modern pit facility.

Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD discusses the Reliable Replacement Warhead Program and Complex Transformation. Should NNSA decisions resulting from the analyses in the *Complex Transformation SPEIS* include proposed changes at LANL, these changes will be considered in future site-specific NEPA analyses, as necessary. Chapter 1 describes the decisions to be supported over the next 5 years by this SWEIS. Chapter 3 describes the alternatives proposed to fulfill the mission set by the President and the Congress.

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Los Alamos Study Group**

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As mentioned earlier, federal choices were not clarified prior to writing this draft SWEIS. Neither was this done in the CMRR EIS, a crucial piece of analysis, which contains about 32 (as I recall) different variations of alternatives - none of which really gets at the purpose of the building as understood by some cognizant members Congress. This and a great deal of other data suggests a pattern of wanting to get NEPA "out of the way" so that projects can go forward, using the vaguest possible approach to environmental analysis and the merest scrim of a public process. For these reasons, the SWEIS should be stopped and begun again, after the Complex 2030 and RRW PEIS(s).

9. All the alternatives proposed in the SWEIS would violate the NPT, as well as other treaties.

It is a very big problem, well beyond the scope of NEPA but including all of it, when the federal government and its contractors willfully break international and domestic laws to pursue pet projects and programs which offer career advancement as well as personal and corporate gain, in the service of what they suppose is greater national power. A nation which knowingly harbors these practices on a large scale, particularly as regards weapons of genocide, is not a democracy or nation of laws.

At NNSA and LANL, responsibility for breaking a ratified treaty - the NPT - is evaded by citing presidential authority. This excuse, however, was laid to rest by the outcome of the Nuremberg Trials at the end of World War II.

This is not a theoretical problem but goes to the purpose and need of NNSA programs and actions, including those analyzed in the LANL SWEIS. The weapons NNSA would develop are an attempt to deter the very dangers those weapons exacerbate, if not create altogether. Thus the legal problem stands above and informs very real, practical ones and is relevant to programs, facilities, budgets, profits, and impacts.

Further, the legal status of nuclear weapons also sheds an authoritative light on the moral questions regarding nuclear weapons. Laws are enforceable standards of behavior, and there is applicable and binding law that speaks to nuclear weapons - their retention, threats made with, and use in war.

Some of this law has been referenced in resolutions passed by two local affected New Mexico jurisdictions, namely Santa Fe and the village of Madrid.¹³ As you know, Santa Fe has also passed a more recent resolution condemning "increased" pit production at LANL. (This is a minor error; pit production is slated to begin, not increase).

A very brief introduction to these issues can be found in the references cited in a proposed draft resolution for use by local New Mexico municipalities, available at <http://www.lasg.org/DraftRes.htm>.

10. The current NEPA process is taking place in a troubling context of declining federal oversight and associated management problems, as well as a context of increasing concentration of private corporate interests in the nuclear weapons complex.

I have discussed aspects of this multi-faceted set of problems in recent testimony to the Defense Nuclear Safety Board (DNFSB) and in recent white papers.¹⁴ As with the problem arising from the

¹³ The text of these resolutions is the same; see <http://www.lasg.org/SantaFeCivCouncilResolution.htm>.

¹⁴ Damon Hill and Greg Mello, "Competition - or Collusion? Privatization and Crony Capitalism in the Nuclear Weapons Complex: Some Questions from New Mexico," May 30, 2006, at <http://www.lasg.org/NNSAPrivatization.pdf>; Greg Mello, "Declining Federal Oversight at Los Alamos, Increasing Production Incentives: A Dangerous Divergence," testimony to the Defense Nuclear Facilities Safety Board, March 22, 2006, at <http://www.lasg.org/DNFSBMar06.htm>; "About the LANL partners," Jan 18, 2006, at

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263-14 None of the alternatives evaluated in the SWEIS, all of which support NNSA's mission to ensure a safe and reliable nuclear stockpile, violates the terms of the Treaty on the Non-Proliferation of Nuclear Weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

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Los Alamos Study Group**

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murky (to say the least) legal context surrounding the long-term retention of nuclear weapons – the purpose of most of the activities described in the SWEIS – it is not clear that the goals of NEPA can be achieved without more fundamental reforms. I mention the problem here with that goal in mind. Management issues at NNSA are widely perceived as very serious, prompting calls from Congress for the immediate resignation of the senior managers under whose supervision this draft SWEIS is being prepared.¹⁵

These ten issues encompass most of the major problems with this draft SWEIS. I am sure there are others. Given the very serious problems in the way this process and draft document have been framed, I urge you to halt further work on it and begin again at the proper beginning, with scoping hearings applicable to the SWEIS.

You should do so, however, only after clarifying what you are trying to decide, what alternatives should be considered, how decisions regarding the LANL site relate to the nuclear weapons complex as a whole and to NNSA's major initiatives, and so on. The NNSA decision-making process is very broken; this NEPA process is a symptom of deep-seated maladies. NEPA *could* be a tool NNSA uses to dig its way out of the mess it is in, but to accomplish this NEPA must be embraced fully and openly, with full recognition that it is meant to help guide federal decisions, just as the law and its implementing regulations state.

Sincerely,



Greg Mello, Executive Director

Nota bene: FOIA requests, the response to which is necessary to comment on this SWEIS, will follow under separate cover.

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<http://www.lasg.org/technical/LANS.htm>; "Plutonium and Profit: A 20-Year, No-Bid Contract to Manage Los Alamos?" Greg Mello, Dec 28, 2005, at <http://www.lasg.org/articles/PUprofit12-28-05.htm>; Damon Hill & Greg Mello, Dec 16, 2005, "An Overview of the Principal Sites in the U.S. Nuclear Weapons Complex and their Operating Contractors," Dec 15, 2005, at <http://www.lasg.org/technical/WeaponsComplexTable.htm>.
¹⁵ Ralph Vartabedian, Nuclear Spending Comes Under Fire," Los Angeles Times, July 30, 2006, at http://www.latimes.com/news/nationworld/nation/la-na-nuke30jul30.1.4905196_story?coll=la-headlines-nation&ctrack=1&cset=true.

**Commentor No. 264: Susan Dayton, Director,
David B. McCoy, Assistant Director, Citizen Action New Mexico**

September 20, 2006

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Dear Ms. Withers and Mr. Wilmot:

The following comments are submitted on the DRAFT Site-Wide Environmental Impact Statement (SWEIS) for Continued Operations at the Los Alamos National Laboratory (LANL).

The LANL SWEIS proposes to adopt the "Expanded Operations Alternative" which consists of expanded nuclear weapons research and production. We oppose these plans due to the following:

1. **The public comment period should be extended after a new DRAFT LANL SWEIS is reissued.** The minimal statutory requirement under NEPA for submitting comments on an ordinary environmental impact statement is 45 days. However, the DRAFT LANL SWEIS is voluminous, some five inches high, comprising approximately 2,000 pages of often-dense material. Yet DOE/NNSA granted only a 60-day comment period that was later extended by 15 days because of public pressure. This is *not* sufficient time for the public to make informed comments. The DRAFT LANL SWEIS has 59 pages of lists of approximately 700 reference documents that are necessary for thorough review of the LANL SWEIS.

2. **No expanded operations at LANL should be considered until LANL makes all reference documents that support the DRAFT LANL SWEIS publicly available in their entirety.** For example, the Data Call reference document was not publicly available - as it should be - at the LANL Citizen's Advisory Board office in Santa Fe. All reference documents associated with the DRAFT LANL SWEIS should be made available on-line as well as at the 3 controlled locations for public review. The DOE/NNSA expects interested citizens from around the country to travel to three of the "controlled reading rooms" in New Mexico (Los Alamos, Santa Fe and Albuquerque) in order to review these documents. Since a Federal Register notice was required for the DRAFT LANL SWEIS and given the national involvement and concerns regarding pit production issues the DOE/NNSA should have provided the SWEIS and its references documents at ALL DOE locations, but fails to do so. After and only after these deficiencies are corrected by DOE/NNSA a new public comment period should begin.

3. **Refusal by DOE to hold public hearings in Albuquerque is arbitrary and capricious decision making, not in accord with environmental law of the National Environmental**

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264-1 NNSA notes the commentor's request for an extension to the comment period. Responding to requests for additional review time, NNSA extended the comment period from the original 60 days to 75 days. See additional discussion in Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD.

264-2 During the comment period, NNSA made the references available in three DOE Public Reading Rooms located in Los Alamos, Santa Fe (at the LANL Citizens' Advisory Board Office), and Albuquerque; this included a paper copy of the data call materials. As with other elements of this public comment period, this was consistent with past practices for other LANL operations NEPA documents. Refer to Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information.

264-3 NNSA prepared this SWEIS in accordance with the Council on Environmental Quality regulations (40 CFR Parts 1500 to 1508) and the DOE implementing procedures (10 CFR Part 1021). In implementing the NEPA process, NNSA provided reasonable opportunities for the public to provide input, both during the scoping period and the review period for the Draft LANL SWEIS. NNSA does not apply a particular distance such as 50 miles in deciding the locations of public hearings; as with previous LANL operations NEPA documents, public hearings were scheduled at venues in the region near the LANL site - Los Alamos, Española, and Santa Fe. However, for people in other locations or who were unable to attend the hearings, NNSA provided a number of other ways that they could comment on the Draft SWEIS such as U.S. mail, e-mail, a toll-free telephone line, and a toll-free fax line. Refer to Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information. It should be noted that all comments, whether written or provided orally, are given equal weight and consideration.

As discussed in Chapter 1 of the SWEIS, it evaluates the environmental impacts of the continued operation of the LANL site. The larger issue of the NNSA's nuclear weapons complex and the missions assigned to Sandia and Livermore National Laboratories was previously addressed in the *Final Programmatic Environmental Impact Statement for Stockpile Stewardship and Management* (DOE/EIS-0236) (DOE 1996). On January 11, 2008, NNSA issued the *Draft Complex Transformation*

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Policy Act (NEPA) and in violation of the Administrative Procedures Act. A public hearing on the reissued DRAFT LANL SWEIS should be held in Albuquerque, New Mexico, located 60-miles from nuclear bomb making activities at LANL. New Mexico's largest population center, which has been left out of the process, deserves a voice in making comments and asking questions concerning what may be the most important decision made by our country since the Cold War.

Letters from a number of concerned citizens requesting a hearing in Albuquerque have been sent to DOE/NNSA. More importantly, Senator Jeff Bingaman, Congressman Tom Udall, New Mexico Attorney General Patricia Madrid and Jim Baca, candidate for New Mexico State Land Commissioner – have sent letters to DOE/NNSA requesting a public hearing on the DRAFT LANL SWEIS in Albuquerque as well as an extension for public comments. Both the Albuquerque Tribune and the Albuquerque Journal newspapers have written editorials supporting a public hearing in Albuquerque on the LANL SWEIS. Moreover, the Tribune recommends public hearings around the State of New Mexico and across the United States as was done in the past for hearings on nuclear weapons issues. A public hearing in Albuquerque on the Programmatic Environmental Impact Statement (PEIS) for the “Complex 2030 Transformation” should not be considered as a substitute for a public hearing on the DRAFT LANL SWEIS in Albuquerque.

Citizen Action does not view the refusal and failure by DOE/NNSA to hold public hearings in Albuquerque as a discretionary matter to be decided by the DOE, but rather DOE has a duty to hold such hearings to comply with the intent and policy of the NEPA. The LANL SWEIS involves connected actions which will automatically trigger other actions at Sandia National Laboratories (SNL) and Lawrence Livermore Laboratory with a potentially significant effect on the environment. The actions at LANL and SNL are an interdependent part of a larger action of bomb making activities in New Mexico and nationally that have had a devastating impact on water resources, release of hazardous and radioactive wastes, and storage and disposal of wastes.

The arbitrary 50 mile radius that DOE uses for holding such hearings includes portions of Albuquerque, Rio Rancho and Bernalillo. A 60-miles radius from LANL includes the South Valley which takes in the SNL. Therefore, why is DOE/NNSA refusing to hold such hearings when such hearings should legitimately be held in Albuquerque, the South Valley, and the cities of Rio Rancho and Bernalillo? Again, DOE uses a wider radius than that for holding public hearings for the Idaho National Laboratory (INL) in Jackson, WY. Jackson is located 120 miles from INL with a population of less than 10,000. Albuquerque is a town of at least 600,000 with the Sandia National Laboratories a mere 60 miles distant from LANL.

The DOE has failed to properly carry out the NEPA requirements for identifying and presenting these important issues along with any alternatives for consideration. The issues involved in pit production are national and international in scope. DOE has failed to perform adequate scoping which is to include inviting participation by the public and affected agencies. DOE has not contacted the citizen, civic and governmental organizations of Albuquerque for their participation in the EIS process. Instead, the DOE has turned a deaf ear and a blind eye to the requests of citizens and state representatives who have requested a public hearing in Albuquerque on the DRAFT LANL SWEIS.

4. No expanded operations at LANL should be considered until Sandia National Laboratories releases copies of its Ten-Year Comprehensive Site Plans (TYCSPs). Over a year ago Citizen Action filed two separate FOIAs for the release of the last three consecutive

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264-4

Supplemental Programmatic Environmental Impact Statement (Complex Transformation SPEIS) (DOE/EIS-0236-S4) (73 FR 2023), which evaluates the impacts associated with the continued transformation of the nuclear weapons complex. Refer to Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD and Chapter 1, Section 1.6.2, of the SWEIS for more information.

264-4 Information contained in Sandia National Laboratories' *Ten-Year Comprehensive Site Plan* would have no bearing on analyses in the LANL SWEIS. DOE prepared the *Final Programmatic Environmental Impact Statement for Stockpile Stewardship and Management* (DOE/EIS-0236) (DOE 1996), which evaluates the environmental impacts of the nationwide nuclear weapons complex, including the weapons support activities at LANL and Sandia National Laboratories. Subsequently, environmental impacts of operating the individual sites were evaluated in the *Final Site-Wide Environmental Impact Statement for Sandia National Laboratories/ New Mexico* (DOE/EIS-0281) (DOE 1999b) and the *Final Site-Wide Environmental Impact Statement for Continued Operation of Los Alamos National Laboratory (1999 LANL SWEIS)* (DOE/EIS-0238) (DOE 1999a). This new LANL SWEIS addresses the environmental impacts of continued operations at LANL, including the production of the plutonium pits that are used in nuclear weapons. NNSA has issued the Draft *Complex Transformation SPEIS* (DOE/EIS-0236-S4) which analyzes the environmental impacts from the continued transformation of the nuclear weapons complex by implementing NNSA's vision of the complex as it would exist in the future (71 FR 61731). Thus, future roles for both LANL and Sandia are being considered in the *Complex Transformation SPEIS*.

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Sandia TYCSPs with no response. In August, 2006, Citizen Action filed a lawsuit for the release of the Sandia TYCSPs. All nuclear weapons laboratories and nuclear weapons production plants run by the DOE/NNSA are required to complete annually these plans which serve as the foundation for the strategic planning of the U.S. nuclear weapons complex and the implementation of the Bush Administration's 2001 Nuclear Posture Review (NPR). The NPR expanded the rationale for the potential use of nuclear weapons and targeted countries, and argued the need for the new design of nuclear weapons.

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5. No expanded operations at LANL should be considered until Sandia National Laboratories releases its determination concerning the SNL SWEIS. At the minimum, a supplement to the SNL SWEIS is called for in light of the expanded pit production at LANL and the restructuring proposed by the "Complex 2030 Transformation" and the RRW program. Additionally, the environmental impacts of the above activities and alternatives to these activities were not contemplated or included in the 1999 SNL SWEIS.

264-5

6. No expanded operations at LANL should be considered until the DRAFT LANL SWEIS examines the secondary impacts of increased pit production on all aspects of nuclear weapons work at Sandia National Laboratories in Albuquerque. The scope of the LANL EIS is far too narrow. Actions are connected when they:

- 1) Automatically trigger other actions that may require environmental impact statements;
- 2) Cannot or will not proceed unless other actions are taken previously or simultaneously;
- 3) Are interdependent parts of a larger action and depend on the larger action for their justification.

Connected actions triggered by increased pit production include the start-up of the Sandia Pulse Reactor (SPR) in the "hardening" of plutonium pits which will result in increased radiological emissions from the reactor. Sandia will also be heavily involved in many aspects of the increased pit production at LANL. A review of the FY07 DOE budget regarding the Reliable Replacement Warhead (RRW) program states that the pit certification process will involve testing the pits in the neutron flux from the newly re-commissioned SPR. This clearly implicates Sandia National Laboratories in pit production, (i.e.), atomic bomb building activities, slated for LANL.

264-6

The October 1999 Sandia National Laboratories (SNL) Site-Wide Environmental Impact Statement (SNL SWEIS) makes no reference to the potential public health and environmental consequences related to use of the Annual Core Research Reactor (ACRR) for certification of pits. It is an open question whether DOE would next seek additional yet-to-be-designed reactors to be added to the ACRR facility as is stated on p. 3-18 of the October 1999 SNL SWEIS.

7. No expanded operations at LANL should be considered until the DRAFT LANL SWEIS examines the cumulative impacts of increased pit production on all aspects of nuclear weapons work at Sandia National Laboratories in Albuquerque. The re-commissioning of reactors at Sandia associated with increased pit production at LANL are also part of cumulative actions. Cumulative actions, which when viewed with other proposed actions, have cumulatively significant impacts, should be discussed in the same impact statement. DOE has failed to analyze the impacts of cumulative actions at Sandia National Laboratories that are directly associated with increased pit production at LANL.

264-7

264-5 NNSA notes the commentor's opinion regarding the relationship of this LANL SWEIS and other NEPA documents and activities within the nuclear weapons complex. DOE prepared the *Final Programmatic Environmental Impact Statement for Stockpile Stewardship and Management* (DOE/EIS-0236) (DOE 1996) in 1996 to address the configuration of the weapons complex. In accordance with the ensuing Record of Decision, LANL is to provide a limited pit production capability, up to the Expanded Operations level evaluated in the current SWEIS of up to 80 pits per year. This LANL SWEIS evaluates the environmental impacts of continuing to operate LANL to fulfill the mission established in the Record of Decision. The *Final Programmatic Environmental Impact Statement for Stockpile Stewardship and Management* (DOE/EIS-0236) (DOE 1996) and Record of Decision (61 FR 68014) also established mission support functions for other sites in the complex including Sandia National Laboratories. The environmental impacts of operating these sites in support of their assigned missions are addressed in separate, site-specific NEPA documents and not included in the current SWEIS. See the previous response to Comment no. 264-4.

If the missions assigned to different sites in the complex change as a result of the *Complex Transformation SPEIS* Record of Decision, additional site-specific NEPA compliance reviews will be conducted as necessary. Therefore, continued pit production at LANL in accordance with earlier programmatic decisions supported by the LANL SWEIS, is not contingent on the *Complex Transformation SPEIS*. The association of LANL and Lawrence Livermore National Laboratory with Sandia National Laboratories referred to by Mr. D'Agostino relates in the near term to design of a Reliable Replacement Warhead. This does not change the current mission work assignments to the three laboratories and therefore does not require any new NEPA analysis. As the commentor notes, NNSA did not hold a public hearing on the Draft LANL SWEIS in Albuquerque. Please refer to the response to Comment no. 264-3.

264-6 Environmental impacts of operating Sandia National Laboratories in support of NNSA's mission are addressed in the *Final Programmatic Environmental Impact Statement for Stockpile Stewardship and Management* (DOE/EIS-0236) (DOE 1996), which evaluates the environmental impacts of the nationwide nuclear weapons complex and the *Final Site-Wide Environmental Impact Statement for Sandia National Laboratories/New Mexico* (DOE/EIS-0281) (DOE 1999b). See also the response to Comment no. 264-5.

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The statement of Ed Wilmot, DOE/NNSA Program Manager, in a letter sent to Senator Bingaman's office dated September 7, 2006, refusing to hold a public hearing in Albuquerque, refers to a 2005 statement by Thomas D'Agostino to the House Armed Services Committee on the "Complex 2030 Transformation." The statement indicates that the design of a Reliable Replacement Warhead (RRW) will involve "Two teams from our nuclear weapons labs—one from Los Alamos and one from Livermore, both supported by Sandia."

A Programmatic Environmental Impact Statement (PEIS) will be required for this action and the National Nuclear Security Administration (NNSA) "will soon issue a Notice of Intent to prepare a programmatic environmental impact statement (PEIS) on Complex 2030 Transformation." Mr. Wilmot states further, "We anticipate that many of the public comments that have been made and will be made yet on the Draft SWEIS will be more directly applicable to this broader-based programmatic NEPA document that the nuclear weapons complex of the future will address, in part, the overall pit production need in context with the NNSA's production requirements in a fashion that is beyond the scope of the Draft SWEIS. We will recommend strongly that hearings for the PEIS be held in Albuquerque." Again, the PEIS for the "Complex 2030 Transformation" is NOT a substitute for a public hearing on the DRAFT LANL SWEIS in Albuquerque or elsewhere.

Issues that emerge from NNSA Wilmot's statement are:

- 1) Pit production is part of a program that involves Sandia;
- 2) Current comments regarding the LANL SWEIS are viewed as sufficient for a public hearing on the PEIS for Complex 2030 Transformation to be given for a contemplated future public hearing in Albuquerque. However, with no logical explanation by DOE, somehow those same concerns and comments mysteriously do not justify a hearing in Albuquerque for steps in production to be taken in advance that will be necessary to accomplish the Complex 2030 Transformation;
- 3) Wilmot's statement presents the illogical and illegal procedure under NEPA of DOE/NNSA going forward in committing valuable federal resources to a program of pit production for which it knows a PEIS is necessary. The pit production is tied to a larger transformation of the weapons complex, and the status and relationships of the various weapons laboratories will all change in relation to pit production. Why does DOE not proceed first with the PEIS for the Complex 2030 Transformation prior to the LANL SWEIS as required by NEPA? **Without the PEIS, DOE has no actual justification for the number of pits to be produced at LANL.**

The interactions between SNL and LANL are set forth in the D'Agostino statement:

"Today's nuclear weapons enterprise consists of eight, geographically separated sites that comprise the R&D and production capabilities of the complex. There are three nuclear weapons design laboratories: Los Alamos National Laboratory (LANL), Lawrence Livermore National Laboratory (LLNL) and Sandia National Laboratories (SNL). In addition, numerous R&D activities, including sub-critical experiments, are carried out at the Nevada Test Site (NTS). The production complex, which has undergone significant downsizing since the end of the Cold War, consists of the following "one of a kind" facilities: the Y-12 Plant (uranium and other components), Pantex Plant (warhead assembly, disassembly, disposal, HE components), Kansas City Plant (KCP) (non-nuclear components), and Savannah River Site (SRS) (tritium extraction and handling). **In addition, production activities for specific components occur at two national labs: Sandia (neutron generators) and Los Alamos (plutonium/beryllium parts, defonators).** Each of these sites, with the exception of KCP, routinely conduct operations with

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- 264-7 This SWEIS addresses the impacts of LANL operations, and not Sandia National Laboratories. Refer to Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for more information regarding the incorporation of activities associated with the *Complex Transformation SPEIS*.

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substantial quantities of plutonium, or highly-enriched uranium, or both. War reserve nuclear warheads are assembled at Pantex.”

The increased pit production at LANL involves similar actions as a part of the RRW program to transform the weapons complex, such as: common timing; geography; transportation; increased nuclear and other toxic waste by-products; increased waste treatment and processing; increased potential for accidents; increased environmental contamination; increased worker exposures; and potential exposures to the public as a result of the expanded pit production operations at LANL. DOE has failed to consider these issues for Sandia National Laboratories and in relation to the community that surrounds SNL as well as for the larger weapons complex throughout the United States.

8. **No expanded operations at LANL should be considered in the DRAFT LANL SWEIS until the 300 kilograms of missing plutonium reported to be lost at LANL are found and secured.** This missing Pu amounts to about 60 bombs-worth of Pu. LANL should not be allowed to process Pu and/or make any PITS until the Pu is found.

9. **No expanded operations should be considered in the DRAFT LANL SWEIS until ALL deficient monitoring wells for waste sites at LANL are re-drilled using appropriate construction methods with an independent assessment conducted.** The well monitoring program for waste sites at LANL is not RCRA compliant. The DRAFT LANL SWEIS failed to acknowledge and address the factual issues stated by Mr. Robert Gilkeson, a registered geologist, concerning the deficient monitoring wells at LANL. These wells were constructed using Bentonite clay and organic drilling additives that hide contaminants instead of detecting them.

The lack of a RCRA compliant well monitoring program at LANL to monitor releases of radioactive and hazardous wastes that will be generated as a result of increased pit production indicates that LANL can not comply with environmental statutes that are designed to protect the public and environment. The inability to protect the public and environment from contaminants argues conclusively for a no action alternative for pit production, i.e., no increase in pit production. It also argues strongly for an immediate and complete cessation of pit production at LANL.

10. **No expanded operations should be considered in the DRAFT LANL SWEIS until all raw data is published and made available for citizen review.** One example of this is the raw data for the storm water run-off events at Los Alamos which contain significant amounts of contaminants. Americium-241, strontium-90 and plutonium-238 & 239 in particular have been measured at levels up to ten times the drinking water standard. This does not include the hundreds of other contaminants in the soil at the bottom of the canyons and contaminated wetlands. Contaminated stormwater either seeps into the ground, posing a threat to groundwater, or, in intense storm events, drains to the Rio Grande. During every storm event, these contaminants migrate closer to the Rio Grande. LANL must publish its raw data, including storm-by-storm migration reports and the totals and locations of all the contaminants released.

The Lab was self-serving in its choice of references that it used for the DRAFT LANL SWEIS. Independent, outside research by experts such as Bob Gilkeson and George Rice were not included – and should be included.

11. **The DRAFT LANL SWEIS should disclose any plans for expanded plutonium pit production above the 80 pits per year in the current SWEIS.** The central issue discussed in *Comments on the Draft LANL SWEIS- Page 5*

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264-8 As stated in Chapter 1 of the SWEIS, the issue of historical differences in the plutonium inventory are not within the scope of the SWEIS. LANL materials control and accountability procedures are in compliance with DOE Orders. In a letter to the president of the Institute for Energy and Environmental Research dated February 28, 2006, the NNSA Administrator replied to recent allegations of the accounting discrepancy of plutonium at LANL (NNSA 2006a). This apparent discrepancy is a result of the different tracking and reporting procedures for site security and waste management organizations. Comparison of the information contained in the two systems cannot be used to draw conclusions about the control and accountability of special nuclear material.

264-9 NNSA is committed to complying with RCRA. Refer to Section 2.5, Water Resources, of this CRD for information on monitoring well construction issues.

264-10 Surface water and groundwater monitoring results are summarized in the annual LANL Environmental Surveillance Reports. Raw analytical data for a variety of media including base flow, storm water, and sediments are available on the CD provided along with hard copies of the Environmental Surveillance Report and may also be accessed via the LANL website (www.lanl.gov/environment/all/esr.shtml). Storm runoff data are published in regular reports to the EPA and the New Mexico Environment Department; 2005 data are reported in *Los Alamos National Laboratory Storm Water Pollution Prevention Plan for SWMUs and AOCs (Sites) and Storm Water Monitoring Plan (LA-UR-06-1840)*. All water monitoring results are also available to the public through the LANL online water quality database [wqdbworld.lanl.gov/]. NNSA is aware of concerns Bob Gilkeson and George Rice have expressed regarding groundwater characterization at LANL; actions to address some of these concerns are part of the characterization and monitoring programs underway at LANL.

264-11 The LANL SWEIS addresses LANL operations for the next 5 years. The Expanded Operations Alternative addresses the production of up to 80 pits per year, but there are no plans to expand pit production above that level at LANL within the timeframe covered by the SWEIS. On January 11, 2008, NNSA issued the *Draft Complex Transformation Supplemental Programmatic Environmental Impact Statement (Complex Transformation SPEIS)* (DOE/EIS-0236-S4) (73 FR 2023), which addresses possible changes in the long-term configuration of the nuclear

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the DRAFT LANL SWEIS is the proposed expansion of plutonium pit production at LANL from 20 pits per year to 80. Congress has repeatedly rejected funding for a proposed "Modern Pit Facility" (MPF) to be built at one of 5 potential sites which would be capable of producing between 450-500 pits per year. In one reference document an aerial photograph of LANL's plutonium complex at Technical Area (TA)-55 is superimposed with speculative "Modern Pit Annexes" and "Additional Facility Sites" which implies the LANL facility will eventually be the replacement for the "Modern Pit Facility" (MPF) of which funding for the MPF was eliminated by Congress.

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12. A new DRAFT LANL SWEIS should fully analyze the programmatic, infrastructure, production and nonproliferation implications of the Reliable Replacement Warhead (RRW) program. The RRW program is a program for new designs of nuclear weapons. U.S. nuclear weapons have already been proven reliable through extensive full-scale testing and subsequent certification since the testing moratorium began in 1992. It should also analyze the potential implications of a RRW program on the Non-Proliferation Treaty, which calls for nuclear disarmament.

264-12

13. The 1970 Non-Proliferation Treaty (NPT) obliged all nuclear weapons states signatories to Article VI, which states "Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament..." The SWEIS' prefers the "Expanded Operations Alternative" of increased nuclear weapons research and production at LANL that directly contradicts that Treaty obligation, especially given the DOE/NNSA's plans to increase nuclear weapons production including new designs under the RRW program.

264-13

14. No expanded operations at LANL should be considered in the DRAFT LANL SWEIS until the risks of potential terrorist acts are analyzed. The DRAFT LANL SWEIS fails to fully analyze and consider the effects of potential terrorist actions at LANL under an expanded operations alternative. DOE security at LANL has been less than stellar, especially considering the missing Pu issue.

264-14

15. The potentially negative impacts of expanded operations at LANL on the state's tourism industry should be analyzed. Tourism is a major contributor to Santa Fe's and northern New Mexico's economy. The DRAFT LANL SWEIS should analyze the effects of a major accident at LANL and other potential negative press associated with a dirty and dangerous full scale nuclear bomb factory overlooking "The City Different."

264-15

16. No expanded operations at LANL should be considered until LANL cleans up its act – specifically, radioactive and hazardous legacy waste sites at LANL. New Mexico should not be a national sacrifice state for the nuclear weapons industry. The DRAFT LANL SWEIS states: "Many contaminated sites [at LANL] will be remediated to industrial use standards, in part because cleaning up to residential or unrestricted use standards is prohibitively expensive." Waste sites should be cleaned up to residential standards and nothing less.

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17. New Mexico should not be a national sacrifice state for the nuclear weapons industry. Citizen Action, and the members it represents, along with many others who love New Mexico's unspoiled beauty, reject the DOE/NNSA/nuclear weapons industry, (i.e.), Los Alamos and Sandia National Laboratories, proceeding in violation of NEPA law to despoil the environment of New Mexico. New Mexico's population, canyons, rivers, wetlands and land is burdened with the legacy of the last round of bomb making activities.

264-17

weapons complex. In May 2003, NNSA did issue a *Draft Supplemental Programmatic Environmental Impact Statement on Stockpile Stewardship and Management for a Modern Pit Facility* (DOE/EIS-0236-S2) (DOE 2003a), in which LANL was considered one of the alternative sites. However, NNSA announced cancellation of the modern pit facility supplemental PEIS in the October 2006 NOI for the *Complex Transformation SPEIS* (71 FR 61731). Refer to Section 2.4 of this CRD, Modernization of the Nuclear Weapons Complex, for more information.

264-12 Refer to Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for more information regarding an analysis of the Reliable Replacement Warhead Program.

264-13 NNSA is not proposing to expand nuclear weapons production; that is, the United States is not increasing the number of nuclear weapons in its stockpile. The United States is currently reducing its nuclear weapons stockpile. NNSA is performing activities to ensure the safety and reliability of the current stockpile, which includes replacing the plutonium pits using existing designs and possible future designs, including the Reliable Replacement Warhead, if funded by the Congress. Operations at LANL that support NNSA's mission to ensure a safe and reliable nuclear stockpile are not in violation of the Treaty on the Non-Proliferation of Nuclear Weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production and Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for more information.

264-14 NNSA notes the commentor's opinion regarding terrorist attacks under the Expanded Operations Alternative. DOE gives high priority to the safety and security of all its facilities. Security and potential acts of sabotage are integral considerations in the designs and operating procedures for new and existing DOE facilities. DOE considers the threat of terrorist attack to be real and has an established safeguards and security process it undertakes to assess facility vulnerabilities to various threats, including those from intentional destructive acts, such as acts of terrorism. Chapter 4, Section 4.6, of the SWEIS has been revised to include additional discussion of the measures taken to protect assets at LANL from terrorist activities. As discussed in Chapter 5, Section 5.12.6, the impacts of terrorist action have been considered in a separate, classified appendix to the SWEIS. As stated in Chapter 1 of the SWEIS, historical differences

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18. The weapons industry is thrusting an increasing cumulative burden upon New Mexico's citizens and environment. An additional future legacy of renewed bomb making activities would only exacerbate the existing contamination of New Mexico. Cleanup that will protect ongoing generations cannot be dictated by today's short-term fiscal considerations. If more money is needed for comprehensive cleanup, it should be taken from the ever-expanding budget for LANL's nuclear weapons programs. Don't generate more radioactive and chemical wastes when cleanup costs are already "prohibitively expensive."

19. The consequences of the activities proposed in the DRAFT LANL SWEIS are staggering, both on a local and international level. The diversion of federal economic resources toward more weapons of mass destruction, the use of which can only cause more worldwide disease, environmental destruction, insecurity, poverty, disease, proliferation and the threat of annihilation from nuclear confrontations is foolhardy at best. Those who propose the further use of taxpayer monies for weapons of mass destruction do so in the mistaken delusion that they are making the United States a safer place. The money would be better spent on protecting ports, borders, and health and education programs at home and abroad. The only means to provide genuine security for the United States is to build a network of international goodwill by addressing the social issues that are engendering worldwide tensions that result in violence and war.

20. The risks associated with nuclear weapons production transcends the environmental contamination that will be created as a result of these activities and the production of new nuclear weapons places our entire country at risk for nuclear proliferation. We should be leading the world in nuclear disarmament instead of designing and developing a new line of atomic weapons that will ultimately inflict fear, illnesses and environmental damage to both present and future generations.

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in the plutonium inventory are not within the scope of the SWEIS. See the response to Comment no. 264-8.

264-15 The SWEIS impact analysis considers socioeconomic impacts of operating LANL on the general New Mexico economy, inclusive of tourism. The commentor's concerns related to the effect a major accident would have on New Mexico's economy as a result of reduced tourism are noted. Chapter 5, Section 5.12, of the SWEIS analyzes the impacts possible from a variety of accident scenarios on members of the public, which would include visitors to the area. Analyzing negative "press," however, is beyond the scope of a NEPA compliance impact assessment.

264-16 Cleanup of environmental contamination is ongoing at LANL and has been at some level for the past 20 years. NNSA intends to continue the LANL environmental restoration program summarized in Chapter 2, Section 2.2.6. The commentor's opinion regarding the level of cleanup is noted. Although Appendix I evaluates the environmental impacts associated with potential remedial action alternatives, decisions regarding cleanup levels will be made in accordance with established regulatory standards and processes; decisions regarding sites subject to the Consent Order will be made by the New Mexico Environment Department using criteria documented in Section VIII of the Consent Order. NNSA notes that the "prohibitively expensive" statement cited by the commentor does not appear in the SWEIS and also that funding priorities and NNSA's national security mission are not within the scope of this SWEIS.

264-17 As indicated in Chapter 1, Section 1.2, of the SWEIS, NNSA's purpose and need for agency action in this SWEIS remain the same as in the *1999 SWEIS*; that is, the purpose of the continued operation of LANL is to support NNSA's core missions as directed by the Congress and the President, which includes ensuring a safe and reliable nuclear stockpile. Cessation of these activities would be counter to national security policy as established by the Congress and the President. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

NNSA has complied with NEPA, the regulations of the Council on Environmental Quality (40 CFR Parts 1500 to 1508), and the implementing procedures of DOE (10 CFR Part 1021), with respect to LANL and Sandia National Laboratories. Chapter 5 of the SWEIS

*Commentor No. 264 (cont'd): Susan Dayton, Director,
David B. McCoy, Assistant Director, Citizen Action New Mexico*

presents the environmental consequences of the continued operation of LANL. Future operations will be in compliance with applicable regulations and are not projected to result in illness or environmental damage. Comments regarding the use of federal funds are noted; however, the Congress and the President are responsible for determining funding priorities and these priorities are not within the scope of this SWEIS.

Commentor No. 265: Valerie Peterson

Att: Ms. Elizabeth Withers
Office of the
Environmental Stewardship

Please take a few minutes
of your time to read my enclosed
letter the world is such a
very fragile place already
without starting this fight more
again Don't let them kill New Mexico
like they have Colorado

Thank you

Home [redacted] Valerie Peterson
(digits) cell [redacted] 207 E. Simpson
[redacted] Lafayette, Colo
80026

265-1 NNSA notes the commentor's letter.

Commentor No. 265 (cont'd): Valerie Peterson

Attachments to Commentor Number 265

Letter dated Dec. 22, 2001 from Valerie Peterson, her personal experiences with Rocky Flats

To Be War, Poem written by Charles Castaway, Son of Valerie Peterson

I Cried Today, Poem written by Valerie Peterson, November 15, 2004

"Plutonium pancakes," *Tuesday Colorado Daily*, by Brian Hansen

"Bombs Away!" Part 1 of a series "Rocky Flats from Cold War to Hot Property," by Eileen Welsome, printed in the *Westword*, July 20-26, 2000

"This Place is a Dump," Part 2 of a series "Rocky Flats from Cold War to Hot Property," by Eileen Welsome, printed in the *Westword*, July 27 - August 2, 2000

"Chain Reaction, The Cold War has ended, but the fight over where to put a Rocky Flats museum has just begun," by Stuart Steers, printed in the *Westword*, September 28 - October 4, 2000

"Forbidden Fruit," printed in the *Westword*, August 10-16, 2000

"Arvada Wants to Bite Off a Chunk of Rocky Flats," by Stuart Steers, printed in the *Westword*, August 10-16, 2000

"The Cure for the Common Cold Warrior," Part of a continuing series "Rocky Flats from Cold War to Hot Property," by Eileen Welsome, printed in the *Westword*, September 28 - October 4, 2000

"U.S. to make nuke triggers, However, Rocky Flats won't be involved this time, spokesman says," by Ann Imse, *Rocky Mountain News*

"Bush-Bin Laden Money Connection," *Montelibre Monthly*, Volume 14, Numero 5, October 2000

"Colorado Disarmament Alert! Comment on the Los Alamos National Laboratory Site-Wide Environmental Impact Statement," page 5, *The Rocky Mountain Peace & Justice Center*, September/October 2006

Comment side of this page intentionally left blank.

Commentor No. 266: Jeremy Maxand, Executive Director,
Snake River Alliance



September 20, 2006

Ms. Elizabeth Withers, SWEIS Document Manager
NNSA Los Alamos Site Office
528 35th Street
Los Alamos, NM 87544
E-mail: LANL_SWEIS@doeal.gov

Dear Ms. Withers:

The Snake River Alliance is an Idaho-based grassroots group working through research, education, and community advocacy for peace and justice, the end to nuclear weapons, responsible solutions to nuclear waste and contamination, and sustainable alternatives to nuclear power. The Idaho National Laboratory is the focus of much of our work, but we are also concerned about activities across the Department of Energy complex. I submit these comments on the **draft Site-Wide Environmental Impact Statement for Continued Operation of the Los Alamos National Laboratory** on behalf of our dues-paying members.

Plutonium-238 production

The Department of Energy's draft EIS on plutonium-238 consolidation envisages moving LANL's plutonium-238 activities to the Idaho National Laboratory. LANL's draft SWEIS clearly assumes that the no-action alternative of the plutonium-238 draft EIS will be chosen in the final record of decision. For instance, on page 3-56, the SWEIS outlines the no-action alternative to process 25 kg of Pu-238 annually and recover another 18 kg per year. The preferred alternative of the draft SWEIS incorporates this no-action alternative. If the DOE has indeed decided to forego further plutonium-238 consolidation, we laud that decisions and urge the agency to publish the final EIS on plutonium-238 with "no action" as the preferred alternative.

Complex 2030

The National Nuclear Security Administration has announced the beginning of a national programmatic review of the nuclear weapons complex intended for the year 2030 and has clearly indicated that much of that review will center on future plutonium pit production. That review may also involve consolidation of special nuclear materials, particularly

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(208) 344-9161 voice
(208) 344-9161 fax

200 West River Street
PO Box 4090
Ketchum, Idaho 83340
(208) 726-7271 voice

310 E Center Street
PO Box 425
Pocatello, Idaho 83204
(208) 234-4762 voice

- 266-1** Since NNSA has not yet made a decision regarding consolidation of plutonium-238 operations, it is appropriate for the LANL SWEIS to assume the status quo for plutonium-238 operations at the LANL site. Therefore, continuation of plutonium-238 operations in the Plutonium Facilities Complex is included among the alternatives described in Chapter 3 of the SWEIS.
- 266-2** DOE prepared the *Final Programmatic Environmental Impact Statement for Stockpile Stewardship and Management* (DOE/EIS-0236) (DOE 1996) in 1996 to address the configuration of the nuclear weapons complex. In accordance with the ensuing Record of Decision (61 FR 68014), LANL is to provide a limited pit production capability, up to the Expanded Operations level evaluated in the current SWEIS, of 80 pits per year. The LANL SWEIS evaluates the environmental impacts of continuing to operate LANL to support NNSA's mission to ensure a safe and reliable nuclear stockpile. As discussed in Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD, the proposed Complex Transformation is being evaluated in a supplement to the above-referenced programmatic environmental impact statement. If NNSA decisions following completion of the *Complex Transformation Supplemental Programmatic Environmental Impact Statement (Complex Transformation SPEIS)* (DOE/EIS-0236-S4) require changes at LANL, additional site-specific NEPA analyses for LANL will be considered at that time, as necessary.
- 266-3** NNSA is not expanding nuclear weapons production; that is, the United States is not increasing the number of nuclear weapons in its stockpile. The United States is currently reducing its nuclear weapons stockpile. NNSA is performing activities to ensure the safety and reliability of the current stockpile, which includes replacing the plutonium pits using existing designs and possible future designs, including the Reliable Replacement Warhead (if authorized by the Congress). LANL operations that support NNSA's mission to ensure a safe and reliable nuclear stockpile are not in violation of the Treaty on the Non-Proliferation of Nuclear Weapons. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, and Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for more information.

266-1

266-2

**Commentor No. 266 (cont'd): Jeremy Maxand, Executive Director,
Snake River Alliance**

plutonium, at a site other than LANL. This draft SWEIS, which proposes dramatically expanded pit production and plutonium storage at the Los Alamos, is in conflict with the pending programmatic environmental impact statement of "Complex 2030." The LANL study must be halted until that broader review is completed and LANL's role in the future nuclear weapons complex is better defined.

**266-2
cont'd**

US obligations under the Nuclear Non-Proliferation Treaty

The Nuclear Non-Proliferation Treaty obligated all nuclear weapons states signatories to Article VI, which states "Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament..." The SWEIS's preferred "Expanded Operations Alternative" of increased nuclear weapons research and increased pit production at LANL directly contradicts that treaty obligation, especially given NNSA plans to increase nuclear weapons production, including new designs under the so-called Reliable Replacement Warhead Program. The final SWEIS for Continued Operations at LANL should comport not only with the NPT's mandate to disarm nuclear stockpiles, but also with the critical need for the US to lead by example toward nuclear disarmament.

266-3

Water use

Many DOE sites were built near abundant water supplies since nuclear activities are so water intensive. INL, for instance, was built above the second largest unified aquifer on the continent. Such is not the case at LANL. As LANL moves increasingly into production, it intends to increase its water rights. But the SWEIS must be very forward-looking in an analysis of the overall impacts of more and more water being monopolized by LANL. What affect will this have on surrounding communities, particularly since LANL often contaminates the water it uses? Alternative missions such as sustainable energy work that would lessen LANL's future water use should be analyzed in the SWEIS.

266-4

Irresponsible waste disposal

INL and LANL are two of the DOE sites that continue to dispose of nuclear waste in unlined pits near old disposal sites. That practice must cease, and the SWEIS is a good place to analyze alternatives to it.

266-5

Cap and cover / Hide and hope

The draft SWEIS seems to conclude that much of the buried nuclear waste at LANL will be left in place and covered with a precipitation barrier, "in part because cleaning up to residential or unrestricted use standards is prohibitively expensive." The polluter cannot reach such a decision unilaterally. A decision affecting the health of future generations cannot be based on short-sighted fiscal considerations, particularly at a site awash with weapons.

266-6

266-4 NNSA notes the commentor's concerns regarding projected water use and water availability. LANL's projected water demands under the Expanded Operations Alternative would remain within LANL's water use target ceiling. Refer to Section 2.8, Water Use, of this CRD for more information on LANL's water use, available water rights, and water supply planning. Effluents from LANL facilities are discharged in accordance with a National Pollutant Discharge Elimination System permit that establishes limits on the volume and quality of the discharge. As discussed in Chapter 4, Section 4.3.1.2, over the past 6 years, the LANL contractor has had a very good record of complying with permit conditions, which are set to protect health and safety. Under all alternatives, LANL would continue to meet permit conditions designed to protect water resources. In addition, NNSA operates a monitoring program (described in Chapter 4, Section 4.3.1.5) to detect contamination resulting from past practices. In accordance with applicable regulations and agreements, LANL staff evaluates and takes corrective action to address contamination in groundwater and surface waters.

NNSA's need to continue operating LANL is focused on its obligation to ensure a safe and reliable nuclear stockpile in support of its national security mission. In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, however, research is conducted in areas promoted by the commentor. These research areas are part of current operations; as such, they are included in the SWEIS under the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

266-5 NNSA is required by DOE Order 435.1 to review onsite disposal of low-level radioactive waste periodically. Such a review is currently underway at LANL through an update of the Area G performance assessment and composite analysis. This current review is evaluating the benefits of using lined burial trenches for low-level radioactive waste disposal. Refer to Section 2.7, Waste Management, of this CRD for more information.

266-6 Decisions about environmental restoration will be made in accordance with established regulatory standards and processes, including those of the New Mexico Environment Department for the Consent Order. Several alternative remedies for remediating a contaminated site, including

**Commentor No. 266 (cont'd): Jeremy Maxand, Executive Director,
Snake River Alliance**

DNFSB

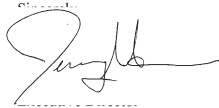
Risk analyses in this draft SWEIS are based on normal operations. The Defense Nuclear Facilities Safety Board, however, often reports that operations at LANL are chronically unsafe. The Safety Board has repeatedly declared that federal safety oversight at LANL has deteriorated over recent years and that many safety issues at the there remain unresolved. Instead of the bland assurances that all is well, the draft SWEIS should fully incorporate, analyze, consider, and resolve the serious safety issues raised by the DNFSB.

266-7

Conclusion

The Snake River Alliance firmly opposes nuclear weapons design and production. We recognize the substantial harm already done at Los Alamos and the inevitability of increased harm if weapons work is expanded there.

266-8



containment in place, treatment, or removal, would be considered as needed. Any selected remedy must meet several criteria such as protection of human health and the environment and attainment of applicable cleanup standards that consider the designated future use of the site. NNSA notes that the “prohibitively expensive” statement cited by the commentor does not appear in the SWEIS. The New Mexico Environment Department will make decisions about appropriate levels of cleanup for sites subject to the Consent Order and will consider cleanup standards for groundwater, surface water, and soils, as documented in Section VIII of the Consent Order. Refer to Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

266-7

The Defense Nuclear Facilities Safety Board does not regulate or authorize operation of facilities at LANL. Its function, as mandated by the Congress, is to provide independent safety oversight of the NNSA nuclear weapons complex. For all NNSA nuclear weapons complex sites, the Defense Nuclear Facilities Safety Board reviews safety issues and prepares reports regarding the safety of nuclear weapons complex facilities for submission to NNSA. NNSA and the LANL contractor have reviewed the Defense Nuclear Facilities Safety Board reports and responded with commitments to update and improve the safety issues raised. The Los Alamos Site Office Safety Authorization Basis Team assures the development and approval of adequate controls in support of safe operations at LANL. All LANL facility operations are based on authorization and approval by NNSA after its evaluation of the acceptability of existing relevant safety documentation. Reports and recommendations made by the Defense Nuclear Facilities Safety Board that are relevant to NEPA are taken into account in the SWEIS analyses. Refer to Section 2.13, Recommendations of the Defense Nuclear Facilities Safety Board, of this CRD for more information.

266-8

NNSA notes the commentor’s opposition to nuclear weapons design and production. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information.

Commentor No. 267: Don Brown

From: DONALD W SUE BROWN [mailto:sbrown1928@msn.com]
Sent: Wednesday, September 20, 2006 5:28 PM
To: Withers, Elizabeth
Cc: Tom Carpenter
Subject: SWEIS Comments

Good afternoon Ms Withers:

I have been trying to get my cooments emailed to the NNSA website after several attempt to no avail.

- 1. I am concerned about the lack of specific quality assurance requirements, and provisions to monitor performance/compliance within LANS & LASO.
- 2. Have metrics been established (including indepentendt audits) within LANS to ensure the public the compliance to enviromental requirements have been achieved, and maintained. Will that information be made available to the public?
- 3. Will sufficient funds/resources be available to perform federal overview by LASO of LANS? Please provide a brief discription of managements plans to meet those requirements.
- 4. Does the NNSA have a comment resolution process in place to assure all public comments are addressed?
- 5. The structure, and format of the SWEIS is not very user frindly is there any way to restructure it for ease of review to ensure all applicalbe requirements have been addressed? Is there a DOE Order governing Eniroment Impact Statements development, and format?

Sincerely,

Don Brown
Concerned Citizen
1952 42nd Street Apt G
Los Alamos, NM 87544
Phone XXX-XXXX

267-1

267-2

267-3

267-1 NNSA notes the commentor’s concerns regarding quality assurance requirements, performance monitoring, environmental compliance audits, and resources for oversight. Compliance with applicable laws, regulations, and DOE Orders, including those dealing with environmental compliance and quality assurance, is a requirement of the contract between NNSA and the LANL contractor. The LANL contractor publishes an annual environmental surveillance report that is available to the public (www.lanl.gov/environment/all/esr.shtml). These annual reports summarize environmental data that are used to determine compliance with applicable Federal, state and local environmental laws and regulations, and DOE Orders and policies. Issues related to quality assurance requirements, performance monitoring, audits, and government oversight of the contractor are not within the scope of the SWEIS.

267-2 NNSA has a comment resolution process in place that is described in Section 1.0, Overview of the Public Comment Process, of this CRD.

267-3 NNSA prepared this SWEIS in accordance with the Council on Environmental Quality regulations (40 CFR Parts 1500 to 1508), DOE implementing procedures (10 CFR Part 1021) and the DOE Order and guidance. DOE Order 451.1B, “National Environmental Policy Act Compliance Program,” does not explicitly identify the development and format of an EIS; however, the DOE Office of NEPA Policy and Guidance has established a series of guidance documents for the preparation of EISs and other aspects of the NEPA process. These regulations, orders, and documents define the information that is to be included in a NEPA document and a general organization for that information. NNSA has strived to develop this SWEIS in a structure and format that most concisely and clearly conveys the proposed action and alternatives, along with corresponding impacts.

**Commentor No. 268: Jay Coghlan, Director,
Scott Kovac, and John Witham, Nuclear Watch of New Mexico**



**Comments to the National Nuclear Security Administration
On the Draft Environmental Impact Statement for
Continued Operation of the Los Alamos National Laboratory**

September 27, 2006

Ms. Elizabeth Withers, SWEIS Document Manager
NNSA Los Alamos Site Office
528 35th St.
Los Alamos, NM 87544
E-mail: LANL_SWEIS@doeal.gov
Fax: 505.667.5948

Dear Ms. Withers:

Nuclear Watch New Mexico hereby submits these final comments to the National Nuclear Security Administration (NNSA) on the Draft "Site-Wide Environmental Impact Statement for Continued Operation of the Los Alamos National Laboratory" (hereinafter "DSWEIS"). Whereas the announced deadline was September 20, we rely on your written assurance that comments received before September 30th will be accepted. Nevertheless, we still submit these comments under protest. As explained in our section on the inadequacy of the SWEIS process itself, we strongly believe that NNSA has failed both procedurally and substantively, which includes the following:

- Once a decision was made to dramatically expand plutonium pit production a new Notice of Intent should have been issued, thereby triggering a new round of required public scoping comment on this absolutely central issue that was absent in the previous scoping process;
- An inadequate comment period for the DSWEIS, which required the public to review and comment on some 30,000 pages of crucial reference documents that NNSA did not make easily available;
- Incomplete, outdated, or totally absent reference documents; and
- What we believe to be a willful attempt to avoid the "hard look" that the National Environmental Policy Act requires, including woefully inadequate discussion of "Purpose and Need" that intentionally avoided discussion of the programs that are driving NNSA's proclaimed need for expanded plutonium pit production to begin with.

We call upon NNSA to correct the clear deficiencies of this DSWEIS and its process to date by withdrawing it and preparing a new one. Should NNSA choose not to do so, that unfortunate decision must not categorically invalidate the many points we make. Each point should stand on its own merits and be objectively considered, wherever that consideration takes place.

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info@nukewatch.org www.nukewatch.org

Nuclear Watch New Mexico • Comments on the Draft LANL SWEIS • September 27, 2006 • page 1

268-1

268-1 NNSA prepared this SWEIS in accordance with Council on Environmental Quality regulations (40 CFR Parts 1500 to 1508) and DOE NEPA implementing procedures (10 CFR Part 1021). A recurring comment during the scoping period was that a SWEIS, rather than a supplement to the 1999 LANL SWEIS, should be prepared. Thus, the decision to prepare a new SWEIS rather than a supplement was consistent with the sentiment expressed in the scoping comments. NNSA believes that the scoping comments apply equally to a supplement to the previous SWEIS or to a new SWEIS. Consistent with past practices performed for other LANL NEPA documents, during the comment period, NNSA made the references available in three DOE Public Reading Rooms located in Los Alamos, Santa Fe, and Albuquerque, New Mexico. For security reasons, NNSA exercises caution when making decisions about posting documents on its website. Also consistent with past practices, NNSA provided a 60-day period for public comment on the Draft SWEIS, which was extended to 75 days in response to public requests. Refer to Section 2.2, National Environmental Policy Act (NEPA) Process, of this CRD for more information concerning the scoping and public comment process.

In this SWEIS, NNSA is evaluating whether to increase LANL pit production capabilities from 20 pits per year to up to 80 pits per year to meet its near-term national security mission. A decision to determine the DOE site for a consolidated plutonium center or a consolidated nuclear production center will not be made until completion of the *Complex Transformation Supplemental Programmatic Environmental Impact Statement (Complex Transformation SPEIS)* (DOE/EIS-0236-S4). LANL is one of the sites being considered for such a facility.

NNSA does not disregard reports and recommendations of the DNFSB. Refer to Section 2.13, Recommendations of the Defense Nuclear Facilities Safety Board, of this CRD for a discussion of LANL's relationship with the Board.

While NNSA is pursuing the design of a Reliable Replacement Warhead, no decision has been made as to whether it will be produced. Refer to Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for some information on the Reliable Replacement Warhead.

Regarding the Ten-Year Comprehensive Site Plan, much of the information contained in prior versions issued for fiscal years 2000

**Commentor No. 268 (cont'd): Jay Coghlan, Director,
Scott Kovac, and John Witham, Nuclear Watch of New Mexico**

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and 2001 is still relevant. The data in the SWEIS was compared to the information in more recent revisions of the Ten-Year Comprehensive Site Plan to ensure consistency; however, the Plan is not referenced in the SWEIS because, as an Official Use Only document, it is not publicly available.

Reference documents were available in DOE public reading rooms in Los Alamos, Santa Fe, and Albuquerque. The document identified by the commentor, *LANL SWEIS Information Document, Data Call Materials*, is available as a hardcopy. When informed at the beginning of the comment period that the copy was missing from the Los Alamos DOE Reading Room, NNSA immediately provided a replacement copy.

**Commentor No. 268 (cont'd): Jay Coghlan, Director,
Scott Kovac, and John Witham, Nuclear Watch of New Mexico**

Executive Summary

Among other things, through its stated preferred "Expanded Operations Alternative" of increased nuclear weapons research and production at the Los Alamos National Laboratory (LANL), NNSA proposes to:

- Quadruple the production of plutonium pits, the atomic "triggers" for today's thermonuclear weapons, from 20 to 80 per year.
- Because of increased production, radioactive bomb wastes will almost double, to be transported on public highways to the Waste Isolation Pilot Plant, the world's only permanent dump for bomb wastes, "coincidentally" also in New Mexico.
- Increase its storage capacity of "special nuclear materials, mainly plutonium" to 7.3 tons at the Lab. A decade ago the Department of Energy declared an inventory of 3 metric tons of weapons-grade plutonium at LANL.
- Create the infrastructure, including up to nine new or upgraded facilities (nearly half of them with multiple buildings) directly related to nuclear weapons programs or in support of them. This could enable Los Alamos to become the nation's permanent site for plutonium pit production. Even before this, Los Alamos is already the second largest production site in the American nuclear weapons complex.

Nuclear Watch joins with hundreds of fellow citizens and the Santa Fe City Council in opposing these plans.

Because of the many deficiencies in the current Draft SWEIS document we argue that NNSA must prepare a new Draft SWEIS correcting omissions.

We maintain it was a violation of National Environmental Policy Act regulations for NNSA to prepare a completely new SWEIS instead of the "Supplemental" specified in the Notice of Intent published in the Federal Register in January of 2005. Further, important reference documents are not incorporated into the substance of the DSWEIS, such as the Fiscal Year 2006 LANL Ten Year Comprehensive Site Plan. In some cases referenced documents are difficult for reviewers to access, such as the *LANL SWEIS Information Document Data Call Materials*, which is available only in hard copy at two locations. This Draft SWEIS is insufficient also in that it relies on numerous invalid, incomplete or future studies.

We suggest that through the expansion of plutonium activities and infrastructure, which the SWEIS seeks to implement, a *de facto* decision is being made to have Los Alamos become the nation's permanent, consolidated plutonium center.

This Draft SWEIS intentionally disregards reports and recommendations made by the Defense Nuclear Facilities Safety Board about the potentially high hazard operations at LANL and its demonstrably poor safety record. It is reasonable to assume expanded operations will result in more accidents.

The Reliable Replacement Warhead Program is becoming a means unto itself, justifying the resurgence and revitalization of the nuclear weapons complex. We assert that it is absolutely central to any credible LANL SWEIS that there must be full analysis of the programmatic, infrastructure, production and proliferation implications of the RRW program.

**268-1
cont'd**

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**Commentor No. 268 (cont'd): Jay Coghlan, Director,
Scott Kovac, and John Witham, Nuclear Watch of New Mexico**

LANL is still burying its radioactive wastes in unlined dumps. This whole concept should be reexamined and a new DSWEIS must consider the benefits of lining Lab dumps. Also, the Lab's legacy of operations has created a witch's brew of hundreds of contaminants in the soils and perched aquifers at the bottom of canyons. A new DSWEIS must contain accurate and independent data on threats to the Sole Source Aquifer and the migration of contaminants into the Rio Grande.

We suggest that construction of new nuclear weapons facilities with significant inventories of Materials At Risk should cease until seismic risks are more completely understood.

The DSWEIS is misleading in that it does not fully report the amount of transuranic waste that would be generated under the Expanded Operations Alternative. This waste will turn the site into a permanent, large-scale transuranic waste dump.

Nuclear Watch New Mexico requests that other alternatives be analyzed in a new DSWEIS. Among these alternatives there should be an "Energy Security Alternative" in which LANL should initiate a Manhattan-Project-styled assault on the world's global warming, energy-economy-security complex of problems. Solving this global problem would do more for national security than expanded nuclear weapons operations ever will.

The SWEIS Process Is Seriously Flawed

On January 5, 2005 NNSA published in the Federal Register a Notice of Intent to prepare a "Supplemental" Site-Wide Environmental Impact Statement For Continued Operations at LANL. At the time, NNSA stated that the Supplement would focus primarily on environmental impacts and cleanup actions that could occur over the next 5 to 6 years. Notably, nothing was said about increasing plutonium pit production from the then-sanctioned level of 20 pits per year. "Scoping" meetings were held and public comments considered to determine the scope of consideration in the Supplement.

In the interim, NNSA decided to prepare a completely new SWEIS in contrast to a supplement. On July 7, 2006, NNSA finally published a Notice of Availability for the draft, which explicitly stated the agency's intent to increase plutonium pit production to 80 pits per year, a dramatic change from the supplement.

We maintain that it was a violation of National Environmental Policy Act (NEPA) regulations to not have published a new Notice of Intent once a decision was made to prepare a completely new SWEIS, and subsequently hold a new round of scoping hearings and consideration of public scoping comments.

With respect to the granted public comment period, first the minimal statutory requirement under NEPA for any run-of-the-mill environmental impact statement is 45 days. The DSWEIS is voluminous, some five inches high, in all comprising approximately 2,000 pages of often-dense material. Yet NNSA granted only a 60-day comment period (later extended by 15 days only because of public pressure).

Moreover, the draft SWEIS has 59 pages of lists of approximately 700 reference documents (some redundant) that largely act as the backbone of the SWEIS, and whose distribution in electronic CD form was severely limited both in number and to the regional area. In short, clearly NNSA's expectation was that citizens from around the country interested in the LANL DSWEIS would have to physically travel to the three official "Reading Rooms" in northern New Mexico and Albuquerque in order to view the reference documents that comprise at least 30,000 pages. That is an unreasonable expectation, which

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**268-1
cont'd**

**Commentor No. 268 (cont'd): Jay Coghlan, Director,
Scott Kovac, and John Witham, Nuclear Watch of New Mexico**

NNSA should correct in future NEPA processes by posting both the NEPA document itself and all of its reference documents online.

The body of the reference documents itself is deficient by omissions. One example is that NNSA describes Ten Year Comprehensive Site Plans from its individual sites as the key planning documents for the future “intended” nuclear weapons complex. Yet, the DSWEIS lists only the LANL Plans for Fiscal Years 2000 and 2001, which are obviously not current. The FY 2006 LANL Ten Year Comprehensive Site Plan should be incorporated into the body of reference documents and made publicly available (and the pending FY 2007 Plan as well). Since we were able to obtain the 2006 Plan through litigation under the Freedom of Information Act, it figures prominently in our comments. However, the public at large was deprived of that right.

Another example is that the *LANL SWEIS Information Document, Data Call Materials*, is not available in any electronic document, and apparently hard copies are available at only two of the three Reading Rooms.¹ The meaning of the term Data Call is literal in that the preparers of the DSWEIS requested of LANL’s individual key facilities the necessary information that is then aggregated into forming the backbone of the DSWEIS. The Data Call is referenced more than 180 times in the DSWEIS (likely more than any other reference document, even the 1999 LANL SWEIS, which this new SWEIS is essentially in comparison to). The Data Call is where, for example, the DSWEIS’ future Lab activities and waste generation figures are derived from. It is unacceptable that the public is deprived of an opportunity to review the Data Call and thereby make better-informed comment on the DSWEIS. NNSA should make the Data Call publicly available and then restart the comment period 45 days from that time.

Toward that end, our attorney Alletta Belin wrote to NNSA on August 28. No answer was received. She wrote again on September 12, return receipt requested. In a response dated September 14, while refusing our demand, NNSA stated:

...requests for copies of the reference materials that have been made to date to the SWEIS Document Manager, Ms. Elizabeth Withers, have all been satisfied... no explicit request for specific reference materials have been denied by NNSA, and no reference requests from out-of-state parties has been made to NNSA with regard to the Draft SWEIS... We believe that the Draft SWEIS and its reference documents have been made publicly accessible by placing these documents in the three aforementioned DOE Reading Rooms, and these documents have been provided as requested to various individuals, stakeholders and organizations.²

There are a number of misstatements here. First, a concerned citizen e-mailed the following to Nuclear Watch:

It is my opinion that the DOE failed to make the SWEIS references available to the public or, even the NMED [New Mexico Environment Department], in any adequate way. In Santa Fe they chose to give a set to the CAB [Citizen Advisory Board], but the CAB

¹ Nuclear Watch personnel verified at the LANL Reading Room that hardcopy of the Data Call was absent. The Reading Room’s “electronic kiosk” had one Data Call electronic file with one paragraph saying “Please see the *Los Alamos National Laboratory Site-Wide Environmental Impact Statement Information Document, “Data Call Materials” notebook (hardcopy only)*”, instead of its ~2,000 pages.

² Letter to Ms. Alletta Belin, Attorney at Law, from Ms. Elizabeth Withers, NNSA SWEIS Document Manager, September 14, 2006.

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seemed to think this was for the CAB use only, and they were very uncooperative when I approached them. The public did not know, or have a way of knowing, that the CAB had the references, until my complaint to Withers, which led her to put out an information sheet at the Santa Fe meeting, letting those present know that they could find the references at the CAB...

In summary, the handling of this matter was totally inadequate. Ms. Withers made no mention, on the SWEIS web site, where the SWEIS references could be found, other than the suggestion that NEPA documents were available on the DOE web site, which was untrue. The result was a lot of personal frustration on my part. I was left with the feeling that the DOE did not want, or make allowance, for ready public access to the SWEIS references. This was a grave failing, as this SWEIS draws heavily on the 1999 SWEIS and the documents since that time. Without the references those who would comment on the draft SWEIS are severely handicapped. This failure on the part of the DOE, and Ms. Withers, would be suitable material for a "Lesson Learned" as it would not serve the taxpayers to repeat this shoddy performance.³

Secondly, at the end of August, the Executive Director of PeaceAction New Mexico telephoned the LANL Reading Room and requested all reference documents. She was referred to the Environmental Outreach Office and was told that DOE had informed that Office to not to give out any further sets of the reference documents in CD form. She was further informed that once Nuclear Watch got its set of CD reference documents there would be no further distributed sets. Finally, she was told that should she choose to pursue her request for reference documents she would have to submit a formal request detailing who, what, when and why, and for what purpose the reference documents would be needed.⁴

Finally, the Institute for Energy and Environmental Research (which has long taken a keen interest in LANL issues) based in Takoma Park, MD, had the following e-mail correspondence with the NNSA SWEIS Document Manager:

To: "LANL SWEIS" <lanl_sweis@doeal.gov>
From: Lois Chalmers:IEER
Subject: RE: LANL SWEIS - background documents on CD-ROM

Dear Ms. Withers:

Thank you for this information. But I don't understand. Obviously these are public documents -- but only for the public which has the time and means to visit the Reading Rooms?... The delay is, as you understand, especially burdensome since the comment period ends on September 20. The Department of Energy and Los Alamos National Laboratory has an obligation to do better than this. Sincerely yours, Lois Chalmers

At 03:05 PM 8/15/2006 -0600, you wrote:

Dear Ms. Chalmers: We have a set of CDs of the references for the SWEIS (18 CDs total) and have made these sets available to our DOE Reading Rooms for people to use in the Reading Room... Sincerely, Elizabeth Withers

From: Lois Chalmers:IEER
Sent: Tuesday, August 15, 2006 1:13 PM
To: LANL SWEIS
Subject: LANL SWEIS - background documents on CD-ROM

Dear Ms. Withers:

We have heard that there are background reference documents available on CD-ROM from DOE concerning the LANL SWEIS. Would you be able to send those documents to us? Please let me know if I should send my request to a different office or if you have questions about my request.

³ E-mail from Chris Mechels to Jay Coghlan, Nuclear Watch New Mexico, September 19, 2006.

⁴ Telephone conversation between Peggy Prince, Executive Director of Peace Action New Mexico, and Jay Coghlan, Nuclear Watch New Mexico, September 19, 2006.

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Sincerely yours, Lois Chalmers...
Institute for Energy and Environmental Research (IEER)
website: <http://www.ieer.org> - <http://www.ieer.org/>

Thus we conclude that that the Draft SWEIS reference documents have not been made adequately publicly accessible, nor provided as requested to various individuals, stakeholders and organizations.

In numerous instances the DSWEIS relies on invalid, incomplete or future studies. An example of an invalid study is the *Public Health Assessment for Los Alamos National Laboratory* by the Agency for Toxic Substances and Disease Registry (ATSDR) of the U.S. Department of Health and Human Services. The DSWEIS relies on that assessment's conclusion that there is nothing to link environmental factors with the observed incidence of any cancer in Los Alamos County. However, that assessment was rejected by the Environmental Protection Agency who said, "ATSDR should redo their risk assessment to reduce conservatism and not assume that there is no risk." That assessment has not been redone, but yet the DSWEIS relies upon it to assert that Laboratory operations have no appreciable negative effects on public health.

The *Mitigation Action Plan*, as per the Record of Decision for the 1999 LANL SWEIS, states "activities will be reported in a LANL Mitigation Monitoring Annual Report to be published each September beginning September 2000. The Annual Report will discuss activities accomplished in the previous year and activities to occur within the next year with specific actions to be taken."⁵ The Mitigation Action Plan is included as a DSWEIS reference document. It annual monitoring reports are not, which prevents the public from commenting in this DSWEIS on the effectiveness on LANL mitigation measures.

The draft SWEIS was released before either an updated risk assessment for LANL's "low-level" radioactive waste dump at Area G or the 2006 seismic hazard study by the LANL Seismic Hazards Geology Team were completed. The Modern Pit Facility environmental impact statement, so heavily used and quoted in the DSWEIS as the bounding analysis for the risks of increased plutonium pit production, remains a draft document. Additionally, a word search of the reference documents shows that 16 other draft documents are used as references. The draft LANL SWEIS cannot honestly and completely inform the citizens of Northern New Mexico of LANL's potential impacts until the draft ATSDR public health assessment, the *Area G Performance Assessment and Composite Analysis for the LANL Material Disposal Area G* (the last available is from 1997) and the report of the LANL Seismic Hazards Geology Team have all been finalized. References to these and all draft and outdated documents in this draft SWEIS need to be qualified. Furthermore, the SWEIS process itself is invalid until those deficiencies are corrected.

In closing this section of comment, given its Notice of Intent in January 2005, NNSA was not exactly hurried in releasing the draft SWEIS in July 2006, but yet mandated an impractical period of time in which the public is supposed to review some 2,000 technical pages in the DSWEIS and an estimated 30,000 pages in reference documents and prepare comments. Moreover, to this day NNSA impedes convenient public access to the crucial reference documents and substantially bases the DSWEIS on invalid, uncompleted or omitted studies. Hence the DSWEIS process is severely flawed and should be started all over again.

The NonProliferation Treaty

The 1970 NonProliferation Treaty (NPT) obliged all nuclear weapons states signatories to Article VI, which states "Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament..." In 1996, the

⁵ Mitigation Action Plan For the LANL SWEIS, U.S. DOE Defense Programs, Washington, D.C., DOE/EIS-0238, October 1999, p. 16.

268-2 The *Public Health Assessment for Los Alamos National Laboratory (LANL Public Health Assessment)* was finalized by the Agency for Toxic Substances and Disease Registry and released on August 31, 2006 (ATSDR 2006). The conclusions in the final LANL Public Health Assessment are essentially unchanged from the draft: "... there is no evidence of contamination from LANL that might be expected to result in ill health to the community," and "...overall, cancer rates in the Los Alamos area are similar to cancer rates found in other communities." The SWEIS does not rely on the *LANL Public Health Assessment* in any specific way for its conclusions. The Agency for Toxic Substances and Disease Registry is the Federal agency responsible (under the 1986 amendments to the Superfund law) for conducting public health assessments at each site on the EPA National Priorities List. The *LANL Public Health Assessment* is a relevant Federal agency study; therefore, it is appropriate that the SWEIS acknowledge its conclusions. EPA did not reject the draft LANL Public Health Assessment; however, it did submit comments. As detailed in Appendix I of the final LANL Public Health Assessment, EPA's comments on the draft were addressed by the Agency for Toxic Substances and Disease Registry in the final document.

Actions identified in the 1999 SWEIS Mitigation Action Plan have been largely completed, so a status report has not been prepared for a number of years. In preparing the Mitigation Action Plan for the new SWEIS, one of the steps NNSA will take is a reassessment of mitigation actions from the 1999 SWEIS, as well as other NEPA documents prepared since the 1999 SWEIS was issued. These mitigation actions will be evaluated for inclusion in the Mitigation Action Plan for the new SWEIS.

To the extent possible, the most recent technical documents, including the current version of the Area G performance assessment, were considered in the Final SWEIS analyses. The seismic hazard analysis report was released in June 2007 (LANL 2007a) and incorporated into Chapter 4, Section 4.2.2.3, Chapter 5, Section 5.12, and Appendix D, Section D.4. Information that is currently under development and is not available for use in the Final SWEIS will be considered as it becomes available. In accordance with the NEPA compliance process, the SWEIS impact analyses have been reviewed and supplemented as necessary based on the best available information. As the commentor observes, a number of documents referred to in the SWEIS are drafts, including a number of

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International Court of Justice ruled that the use or threat of use of nuclear weapons was illegal, except for extreme cases of dire national survival, and concrete steps toward disarmament were required. At the 2000 NPT Review Conference the nuclear weapons signatories pledged to 13 specific disarmament steps, which included an "unequivocal undertaking by the nuclear-weapons States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament to which all states are committed under Article VI."

The DSWEIS's preferred "Expanded Operations Alternative" of increased nuclear weapons research and production at LANL directly contradicts that Treaty obligation, especially given NNSA plans to increase nuclear weapons production, including new designs under the so-called Reliable Replacement Warhead Program. The final SWEIS for Continued Operations at LANL should comport with not only the NPT's mandate to disarm nuclear stockpiles, but also with the critical need for the U.S. to lead by example in ridding the world of weapons of mass destruction, of which nuclear weapons are unquestionably both the most militarily useful and the most destructive.

The LANL SWEIS Needs to Consider "Complex 2030" Issues

The DSWEIS states:

NNSA is developing a strategy for continuing the transformation of the weapons complex, which began with the cessation of manufacturing at the Rocky Flats Plant, the end of the Cold War, and the U.S.'s suspension of nuclear weapons testing. NNSA refers to this strategy as a "planning scenario for Complex 2030;" it will set NNSA's vision of the complex in 2030. Budgetary requests to Congress, beginning with the President's Budget for Fiscal Years 2007 through 2011, will influence the evolution of this strategy. *When the strategy has become sufficiently defined so that proposed actions can be identified, NNSA will need to determine what NEPA analyses it needs to conduct for the proposals.* In the short term, over the next 5 years, LANL operations are not expected to change dramatically regardless of the strategy NNSA develops for continuing the transformation of the nuclear weapons complex. However, in recognition of the uncertainties associated with future work assignments to LANL, the "foreseeable future" for the purposes of proposed actions in this SWEIS has been changed from the 10 years of LANL operations considered in the 1999 SWEIS to consideration of proposals regarding LANL operations over the next 5 years. *While uncertainty remains about the future work NNSA will assign to LANL to support NNSA missions, the overall need to continue operation of LANL is unlikely to change over the next several years.* DSWEIS, pp. S-4 & 5, emphases added.

First of all, it is not a question of the "next several years", but instead five, the declared time period of analysis for this SWEIS. Further, we believe that Complex 2030 issues are already beginning to impact Laboratory operations, for example with the Reliable Replacement Warhead Program and the pending transfer of special nuclear materials from the Lawrence Livermore National Laboratory to LANL (which apparently could begin as early as 2008). To add to all this, NNSA now clearly believes, less than two months after the release of the DSWEIS, that the Complex 2030 "strategy" has become sufficiently defined so that proposed actions can be identified and that the initiation of its NEPA process is now required.

Senator Jeff Bingaman requested that the DSWEIS public comment period be extended and a public hearing held in Albuquerque. NNSA responded with the following:

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DOE EISs, other agency EISs or related information from other Federal agencies, a Los Alamos County comprehensive plan, a LANL wildfire management plan, and a borrow source survey. For the most part, these documents were used in the cumulative impacts analyses because they provide the best information available regarding reasonably foreseeable future actions. The documents are clearly identified as drafts.

Regarding the *Draft Supplemental Programmatic Environmental Impact Statement on Stockpile Stewardship and Management for a Modern Pit Facility* (DOE/EIS-236-S2), NNSA announced its cancellation in October 2006 in its Notice of Intent to prepare the *Complex Transformation SPEIS* (DOE/EIS-0236-S4) (71 FR 61731).

268-3 Evaluating compliance with international nonproliferation treaties is not within the scope of this SWEIS, which evaluates the environmental impacts of the Proposed Action and alternatives. It should be noted, however, that operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons. Continuing to ensure a safe and reliable nuclear stockpile violates none of the terms of the Treaty. Refer to Section 2.1, Opposition to Nuclear Weapons and Pit Production, of this CRD for more information, and Section 2.4, Modernization of the Nuclear Weapons Complex, for a discussion of the Reliable Replacement Warhead Program.

268-4 The LANL SWEIS addresses operations that are ongoing or would be initiated in the next 5 years; however, NNSA believes it is likely that LANL would continue to operate beyond that period. The 5-year period was selected as the timeframe for this SWEIS because NNSA could not predict how decisions made about the future weapons complex would affect LANL operations beyond 5 years.

NNSA's Draft *Complex Transformation SPEIS* issued in January 2008, evaluates the environmental impacts of the continuing transformation of the nuclear weapons complex, including where specific mission work would be performed. Refer to Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for more information. If decisions from the record of decision for the *Complex Transformation SPEIS* affect LANL operations such that the analyses in this SWEIS do not apply, additional NEPA review would be conducted as necessary.

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Many of the comments we have received to date in the Draft SWEIS have focused on the proposed interim increase in plutonium pit production at LANL. On April 5, 2006, the then Acting Deputy Administrator for Defense Programs, NNSA, Thomas P. D'Agostino, made a statement before the House Armed Services Committee, Subcommittee on Strategic Forces, on the nuclear weapons complex of the future. In his statement, Mr. D'Agostino identified certain proposed changes to the nuclear weapons complex and the Stockpile Stewardship Program that would require compliance with the National Environmental Policy Act (NEPA); he also stated that NNSA would begin such a regulatory compliance process in 2006. *NNSA will soon issue a Notice of Intent to prepare a programmatic environmental impact statement (PEIS) on Complex 2030 Transformation.* This Notice of Intent will include information about the public scoping process for that document. We anticipate that many of the comments that have been made and will be made yet on the Draft SWEIS will be more directly applicable to this broader-based programmatic NEPA document that the nuclear weapons complex of the future will address, in part, the overall pit production need in context with the NNSA's production requirements in a fashion that is beyond the scope of the Draft SWEIS. We will recommend strongly that hearings for the PEIS be held in Albuquerque.⁶

The Department of Energy's website for "Schedules of key environmental impact statements" now says that a Notice of Intent will issued for the Complex 2030 PEIS next month, a draft issued in July 2007, and its Record of Decision reached in June 2008. Clearly this will impact Lab operations within the SWEIS's 5-year planning horizon.

In the congressional testimony referenced above, while mentioning his desire to "restore us to a level of capability comparable to what we had during the Cold War", Mr. D'Agostino stated:

There are two key recommendations from the Task Force with which we partially agree, but differ on specifics. The most sweeping recommendation was for DOE to establish, by 2015, a Consolidated Nuclear Production Center (CNPC) to be the single site for all R&D and production involving significant amounts (i.e., Category I/II quantities) of SNM. The CNPC would provide a production capacity of, among other things, about 125 pits per year to the stockpile. We generally agree with the stated production capacity requirements, but disagree on a single site for all Cat I/II SNM-related R&D and production...

Plutonium operations: All R&D (except sub-critical experiments at NTS), surveillance, and production involving Cat I/II quantities of plutonium would be transferred to the consolidated plutonium center. The center would have a baseline production capacity of 125 pits per year net to the stockpile by 2022. The location of the center remains to be determined but it would be situated at an existing Cat I/II site. To support interim pit production needs prior to 2022, the plutonium facility at Tech Area 55 at LANL would be upgraded by 2012 to a production rate of 30-50 war reserve pits per year continuing until the center can meet the needs of the stockpile. To support plutonium operations at LANL, and to absorb Cat I/II plutonium R&D currently being carried out at Building 332 at LLNL, the Chemistry and Metallurgy Research-Replacement (CMRR) facility would be operated

⁶ Edwin Wilmot, NNSA Los Alamos Site Office Manager, to Senator Jeff Bingaman, September 7, 2006, emphasis added.

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Scott Kovac, and John Witham, Nuclear Watch of New Mexico**

as a Cat I/II facility up to 2022. Once the consolidated plutonium center is operational, all Cat I/II activities at TA-55 and CMRR would be transitioned there.

Perhaps the single most key question we pose in this whole process is whether the SWEIS lays the foundation for a *de facto* decision to make Los Alamos the nation's consolidated plutonium center through major expansion of the Lab's current plutonium activities and infrastructure. We don't pull this question out of thin air. Our concern is shared by others, notably Senator Bingaman, who wrote:

I have further indicated to NNSA officials that I am very concerned about the change in LANL's mission predominately from research to actual plutonium pit manufacturing. I am well aware that there is currently no other facility in the United States that is capable of producing these pits, and also that as a matter of national security, additional pits are needed as part of the Stockpile Stewardship Program in order for our country to maintain a safe and reliable stockpile. I have been told that the increased pit production proposed in the SWEIS is intended to serve as an "interim bridge" until a consolidated plutonium complex can be built for maintaining our future stockpile in the 2020 time frame. I am concerned, however, that the NNSA may make a substantial investment in this "interim" capability and then later determine it unwise to invest in an entirely new consolidated plutonium complex.⁷

While we discuss some of the plutonium activities and infrastructure issues in a following section, here we review some of the recent congressional legislative history.

In May, the congressional House Subcommittee for Energy and Water Development Appropriations cut Fiscal Year 2007 construction funding for the Chemistry and Metallurgy Research Replacement Project (CMRR) from the requested \$112,422,000 to \$12,422,000. CMRR is a new advanced plutonium facility now being built next to LANL's existing pit production facility. As the House Subcommittee put it, because of the transition to Complex 2030, "CMRR will serve its primary production support function for only eight years before it is made obsolete by the new [consolidated] plutonium facility. . . . *The Committee finds this type of planning by the NNSA simply irrational.* It appears designed to maximize future budgets and the number of new facilities required. . . . The Committee directs the Department [of Energy] to terminate the CMRR project and instead co-locate future production capacity and the radiological chemistry materials research work."

The subcommittee further noted "*A billion dollar investment in the CMRR at Los Alamos only makes sense if the NNSA is prepared to site the Consolidated Nuclear Production Center, or at a minimum the Consolidated Plutonium Production Center, at the same location.*" This distinctly raises the possibility that long-term plutonium pit production could remain and be expanded at LANL. Emphases added.

In a contrary fashion, in July the Senate Subcommittee for Energy and Water Development Appropriations, chaired by New Mexico's Pete Domenici (long an ardent supporter of LANL's nuclear weapons programs), fully funded the construction of CMRR. The Subcommittee was "skeptical" that other new plutonium storage and manufacturing facilities can be built anywhere else in the foreseeable future. The Subcommittee reminded the Department of Energy "that it has been unable to secure funding in the current year to support planning for a Modern Pit Facility. As such, the Committee directs the Department to consider alternatives to making changes to the CMRR facility to accommodate an expanded mission scope." The Subcommittee required completion of a report by NNSA on that subject by June 1, 2007.

⁷ E-mailed letter from Senator Bingaman to Sue Dayton, Citizen Action Executive Director, September 21, 2006.

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268-5 The LANL site is not the "de facto" site for processing, manufacturing, and storing nuclear weapons plutonium. Production of up to 80 pits per year at the LANL site is considered an interim action to address NNSA's overall long-term need for pit production in support of the nuclear weapons stockpile. Neither the age of LANL's existing, 30-year-old Plutonium Facility nor its limited operational flexibility would allow it to support NNSA's need for pit production into the twenty-first century at the identified production level of 125 pits per year. The *Complex Transformation SPEIS* considers NNSA's implementation of a long-term strategy to manufacture nuclear weapons pits somewhere within the nuclear weapons complex, possibly at the LANL site. Decisions about a consolidated plutonium center or a consolidated nuclear production center will be partly based on the results of the environmental impact analyses conducted for the *Complex Transformation SPEIS*. In the LANL SWEIS, NNSA is not proposing any changes to the role of the Chemistry and Metallurgy Research Replacement Facility that were identified in the 2003 *Final Environmental Impact Statement for the Chemistry and Metallurgy Research Building Replacement Project at Los Alamos National Laboratory, Los Alamos, New Mexico (CMRR EIS)* (DOE/EIS-350) (DOE 2003c), to provide analytical chemistry and materials characterization capabilities; however, in the Reduced Operations Alternative NNSA assumes that in conjunction with Complex Transformation plans, the nuclear facility portion of the Chemistry and Metallurgy Replacement Facility is not constructed. The Chemistry and Metallurgy Research Replacement Facility vault is not expected to become operational until around 2014; therefore, no movement of material into the Chemistry and Metallurgy Research Replacement Facility vault could occur in 2008. In an April 5, 2006 statement before the House Armed Services Committee Subcommittee on Strategic Forces, Thomas P. D'Agostino, NNSA's Deputy Administrator for Defense Programs, stated (NNSA 2006b):

"Plutonium operations: All R&D [research and development] (except subcritical experiments at NTS [Nevada Test Site]), surveillance, and production involving Cat(egory) I/II quantities of plutonium would be transferred to the consolidated plutonium center. The center would have a baseline production capacity of 125 pits per year net to the stockpile by 2022. The location of the center remains to be determined, but it would be situated at an existing Cat I/II site. To support interim pit production

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In context, the clear implication is that CMRR, linked via underground tunnels to the pit production facility, could take on more of a direct production role over time. Moreover, the combination of the two subcommittees' statements, to wit CMRR makes sense only if Los Alamos is to become the nation's consolidated plutonium center and that new nuclear weapons-related plutonium facilities other than at LANL are unlikely, show a strong congressional trend to create a "Modern Pit Facility-lite"⁸ in northern New Mexico. Nuclear Watch New Mexico believes this SWEIS is creating the plutonium infrastructure that will enable that to happen.

In all fairness, at first glance recent NNSA viewgraphs seemingly contradict our thesis, as follows:

[Goal] Transform to a modernized, cost-effective nuclear weapons complex.

- Go to a consolidated plutonium center by 2022 with distributed modernization in place for remaining capabilities...
- Consolidate CAT I/II special nuclear (SNM) materials – no CAT I/II SNM at national labs in the long-term, fewer locations within production plants. Create a consolidated plutonium center for CAT I/II quantities of materials.

By 2022 LANL (the Laboratory) will not operate facilities containing CAT I/II quantities of SNM. The location and operator of the consolidated plutonium center will be determined following NEPA compliance actions... [parens in the original]

- Plan, construct, and start up a consolidated plutonium center at an existing CAT I/II site for long-term NNSA plutonium CAT I/II R&D, surveillance, manufacturing, and storage/disposition operations.
- Complete the consolidated plutonium center with a capacity to support 125 RRW war reserve pits per year by 2022.⁹

However, in keeping with the dictum that the future consolidated plutonium center will be built at an existing Category I/II special nuclear materials site, LANL is, of course, already such a site. We repeat the argument that past and future investments in the Lab's plutonium infrastructure will likely increase momentum to have LANL be the nation's permanent site for plutonium pit production, largely out of fiscal constraints alone. Finally, we note that the location and operator for the future center remain unknown. But we find the phrase "LANL (the Laboratory)" to be curious. Of course LANL is the Laboratory. But we can't help but ask if there is any future possibility that there could be different entities at Los Alamos, one on the nuclear weapons research and development side that remains "the Laboratory", and a different entity that would be responsible for Los Alamos's ever-increasing production role.

Our speculation here may not be so far-fetched. The visible initiating driver for "Complex 2030" was the July 2005 Draft Final "Report of the Nuclear Weapons Complex Infrastructure Task Force Recommendations for the Nuclear Weapons Complex of the Future", which reported at length:

⁸ Briefly, the Modern Pit Facility (MPF) is a former NNSA proposal to build and operate a super facility capable of producing up to 450 plutonium pits per year. Five candidate sites were proposed, including LANL. NNSA completed a draft MPF environmental impact statement in 2003, but to date has not gone further due to "congressional concerns." Congress has declined to fund MPF design work for the last two consecutive years.

⁹ "Complex 2030, A Preferred Infrastructure Planning Scenario for the Nuclear Weapons Complex", NNSA viewgraphs, May 2006, <http://www.doeal.gov/LLNLCompetition/BriefingAndSiteTourInfo/03TransformationComplex2030BriefWithLLNLActivities.ppt>

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needs prior to 2022, the plutonium facility at Technical Area 55 at LANL would be upgraded by 2012 to a production rate of 30-50 war reserve pits per year continuing until the center can meet the needs of the stockpile. To support plutonium operations at LANL, and to absorb Cat I/II plutonium R&D currently being carried out at Building 332 at LLNL (Lawrence Livermore National Laboratory), the Chemistry and Metallurgy Research Replacement (CMRR) Facility would be operated as a Cat I/II facility up to 2022. Once the consolidated plutonium center is operational, all Cat I/II activities at TA-55 and CMRR would be transitioned there."

(For the full text of the April 2006 congressional statement, see: [www.nnsa.doe.gov/docs/congressional/2006/2006-04-05_HASC_Transformation_Hearing_Statement_\(DAgostino\).pdf](http://www.nnsa.doe.gov/docs/congressional/2006/2006-04-05_HASC_Transformation_Hearing_Statement_(DAgostino).pdf).)

Continuing to operate the Chemistry and Metallurgy Research Building and constructing and operating the new Chemistry and Metallurgy Research Replacement Facility to meet NNSA mission needs up to the year 2022 does not make it inevitable that LANL, and only LANL, would be chosen for future nuclear weapons pit production. Such program decisions will be supported by the *Complex Transformation SPEIS* analyses, and operations at the Chemistry and Metallurgy Research Replacement Facility are independently justified whether or not LANL is selected for construction and operation of a consolidated plutonium center or consolidated nuclear production center. Note that the Reduced Operations Alternative in the Final SWEIS was revised to reflect continued use of the existing Chemistry and Metallurgy Research Building in the event that NNSA, in conjunction with its plans for Complex Transformation, decides not to construct the nuclear facility portion of the Chemistry and Metallurgy Research Replacement Facility.

The SWEIS considers shipments of special nuclear materials and other radioactive and nonradioactive materials and wastes to and from LANL under the No Action Alternative and both action alternatives (see Chapters 3 and 5 and Appendix K). The commentator's mathematical exercise actually argues against this case, rather than for it. The referenced proposed Radiological Sciences Institute is a replacement facility for existing LANL operations. It is anticipated that the Security Category I storage vault would be connected to the associated user laboratories within the proposed Institute via underground tunnels; however, it

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Scott Kovac, and John Witham, Nuclear Watch of New Mexico**

We considered production perspectives that a commercial company, with experience in comparable materials, might have on the Complex pit production operations and facilities... The Task Force feels that the Complex would benefit greatly from a greater reliance on advanced manufacturing tools, methodology, and experienced personnel drawn from the commercial state of the art manufacturing industry rather than a modernization of approaches developed 40 years ago within the Complex. The inclusion of such outside experts would likely have a great impact on cost of the CNPC [future Consolidated Nuclear Production Complex] and productivity of the future production complex...

One potential enabler of consolidation and efficiency would be functional contracting. Under this concept, contract awards for mission areas would be based on functional task leads as discussed in Section 5.5.1, without regard to geographic boundaries. For example, the pit production mission could be assigned to an industrial contractor who could be the production contractor at the CNPC as well as the pit production manager in TA-55 at LANL...

NNSA should consider contracting on the basis of functionality within the Complex, as opposed to contracting on the basis of geographical location; in particular, NNSA should contract for the management of pit production at the new CNPC that also covers interim pit production at TA-55.

The Study group reviewed the current TA-55 pit production facility at LANL, the proposed plan and cost estimate for the Modern Pit Facility (MPF). We were looking for the perspectives that a commercial company, with experience in comparable materials, might have on operations and facilities for the task of making pits.

The conclusions are:

- 1) Using standard industrial approaches rather than DOE designs would substantially reduce the cost of the MPF facility with no compromise in capability...
- 2) The TA-55 facility is not being run as a production unit, but rather as a research and compliance driven facility. Productivity is about 5% of what would be required and achievable of an industrial operation in the same facility with the same task.

TA-55 is a remarkable facility. The attention to detail at every level of manufacture is to be commended. It is obvious that processes have been laboriously developed to provide a quality product safely. However, the manufacturing priorities appear to be: (1) Safety, (2) Security, (3) Quality. *The one missing element is: Productivity...* Modern manufacturing techniques... if applied rigorously could yield unprecedented reductions in TA-55 pit manufacturing costs and cycle time... The enormous investment made in the TA-55 facility has not yielded anywhere near the productivity levels this facility should be capable of attaining.

From a modern industry standpoint, world class productivity, quality, and safety can all be attained at the TA-55 facility by thorough and rigorous analysis and hard work on the production floor. The cursory analysis of the TA-55 facility yields a ratio of value-added to non-value-added work of perhaps 1:20 or much worse. This indicates a tremendous opportunity for improvement...

should be noted that this facility has not been built and its construction is proposed under the Expanded Operations Alternative in this SWEIS. Funding requests for this project are currently projected no earlier than the 2012 timeframe. The detailed facility planning process, which would follow a decision to proceed with the project, would determine the inclusion of Security Category I structures and any connecting tunnels internal to the proposed Institute buildings or other structures in the area. Nonetheless, connecting this proposed facility to the existing Plutonium Facility (PF-4) and the Chemistry and Metallurgy Research Replacement Facility would still not create an infrastructure for manufacturing more than 80 pits per year at LANL. The *2006 LANL Ten-Year Comprehensive Site Plan* is not a reference in the SWEIS because as an Official Use Only document it is not generally available to the public. Nonetheless, the statement in the plan states that, "...the CMRR (Chemistry and Metallurgy Research Replacement Facility) and PF-4 buildings provide a programmatic bridge to future plutonium facilities"; is not intended to refer to a physical bridging or connection of facilities into a comprehensive infrastructure as interpreted by the commentor. NNSA believes that the impact analyses are appropriately scoped in both the SWEIS and the *Complex Transformation SPEIS*.

- 268-6** On January 11, 2008, NNSA issued the Draft *Complex Transformation SPEIS*, as noted in the response to Comment no. 268-4. Thus, LANL's role in the nuclear weapons complex may change in the future. NNSA has no current plans for a new contractor and notes that issues related to contractual arrangements for operations at LANL are not within the scope of the SWEIS.

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In conclusion, the TA-55 facility is an expensive national asset, which has the opportunity to be a dramatically more effective and efficient facility if operated as a modern production facility, utilizing available automation and world class operations management techniques.¹⁰

Again, the “consolidation report” was the main visible initiator of Complex 2030. Given the confluence of events, that is growing congressional momentum toward making LANL the nation’s permanent plutonium pit production site because of fiscal constraints, the reported unlikelihood of building new nuclear weapons-related plutonium facility other than at LANL, and the consolidation report’s scathing indictment of the lack of pit production productivity at TA-55, it is not unreasonable to speculate that a commercial contractor could take over LANL’s ever-increasing production missions as an entity separate from “the Laboratory.” **A new DSWEIS must disclose any reasonably foreseeable possibility of a separate contractor assuming production responsibilities at LANL.**

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Alternatively, perhaps NNSA feels that it has already met that need by awarding the Lab’s new management contract to a limited liability corporation that now includes three commercial corporations. **In any event, a new DSWEIS must analyze and disclose how increased manufacturing efficiencies alone could substitute for the “Modern Pit Facility”, resulting in Los Alamos becoming the nation’s permanent plutonium pit production site.**

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The Defense Nuclear Facilities Safety Board

In our February 2005 SWEIS scoping comments Nuclear Watch New Mexico (NWNM) stated:

All Defense Nuclear Facilities Safety Board (DNFSB) reports and recommendations should be incorporated into the new SWEIS or S-SWEIS. DNFSB monitors the nuclear activities of LANL. The Board has made a number of critiques and suggestions over the years that should be incorporated into the new SWEIS or S-SWEIS to improve future operational safety at LANL. The effects of LANL not following DNFSB recommendations in a timely fashion should be considered. We also ask that DOE recalculate the accident scenarios and consequences used in the 1999 SWEIS in a manner that addresses the concerns and comments expressed by the DNFSB in the past five years.¹¹

The gravity of safety issues at LANL is made painfully clear by the widely publicized stand down to nuclear and other operations at the Lab for a six-month period during 2004/2005, costing the American taxpayer an estimated 365 million dollars. The only real independent safety oversight of the nuclear weapons complex is provided by DNFSB, created by Congress in the late 1980’s for that express purpose as the complex’s grave issues became more widely known. As the DNSFB has repeatedly reported, the operational shutdown at LANL has by no means solved the Lab’s serious safety issues, many of which remain unaddressed to this day.

268-7

268-7 The 2004 LANL operational stand-down and associated resumption efforts are described in Chapter 2, Section 2.2.4, of the SWEIS. The Defense Nuclear Facilities Safety Board does not regulate or authorize operation of facilities at the LANL site. Its function, as mandated by the Congress, is to provide independent safety oversight of the NNSA nuclear weapons complex. The Defense Nuclear Facilities Safety Board reviews safety issues at NNSA nuclear weapons complex facilities, prepares reports detailing the conclusions of the reviews, and submits the reports to NNSA. NNSA and the LANL contractor regularly review the Defense Nuclear Facilities Safety Board reports and respond with commitments to update and improve safety basis documentation. The Los Alamos Site Office Safety Authorization Basis Team is responsible for developing and approving adequate controls to support safe operations at LANL. NNSA authorizes all LANL facility operations based on its evaluation of the acceptability of existing relevant safety documentation. Cost and contractual issues are not part of the scope of the SWEIS. The results of the environmental impact analyses of potential accident scenarios and other types of initiating events that are presented in the SWEIS generally bound the Defense Nuclear Facilities Safety Board’s concerns. Safe operation is an inherent expectation for proposed operations, which is why it is included in the proposal descriptions in the SWEIS. Nevertheless, NNSA anticipates that operational accidents or naturally occurring events may occur and analyzes the impacts of potential accidents as part of the NEPA compliance process. NNSA recently revised its oversight practices for operations at LANL to better focus its limited resources on nuclear safety and security. NNSA will apply its greatest scrutiny to those activities that most need oversight.

¹⁰ Report of the Nuclear Weapons Complex Infrastructure Task Force Recommendations for the Nuclear Weapons Complex of the Future, Secretary of Energy Advisory Board U.S. Department of Energy, July 13, 2005, pp. 17, 30, 35, H-1 & H-5 to 6.

¹¹ LANL SWEIS Scoping Comments, Nuclear Watch of New Mexico, February 28, 2005, <http://www.nuke-watch.org/facts/nwd/NWNM-lanlsweis02-28-05.pdf>

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We repeat by incorporation here the same comments we made for SWEIS scoping. NNSA not only ignored our scoping comment while framing the DSWEIS, it neglected to even mention it as an issue that was commented upon and then rejected, and hence that rejection is not explained. Nevertheless, many DNFSB concerns are interwoven throughout our comments here.

A word search shows that DNFSB is mentioned in the DSWEIS only to list it as a federal agency to which the document was distributed to, and to note that the Safety Board expressed concern over inadequate electric transmission lines (DSWEIS p. 4-124), something which the Lab clearly wants to improve. So the only time the DSWEIS substantively references the DNFSB is to support something that LANL wants. Why are the hundreds of other DNFSB concerns, including many related to the Lab's highest hazard nuclear operations, not addressed as well? To us, the answer is that the DSWEIS is a seriously deficient document that intentionally seeks to paper over the potentially serious consequences of high hazard operations at LANL, which time and again the DNFSB has demonstrated have a poor safety record. The DSWEIS should be withdrawn, and a new one completed that fully addresses DNFSB concerns.

Plutonium Pit Production

The central issue discussed in the DSWEIS is the proposed expansion of plutonium pit production at LANL from 20 pits per year to 80. Pits are the atomic "triggers" for today's nuclear weapons, and their production was formerly done at the notorious Rocky Flats Plant until operations ceased following a FBI raid investigating environmental crimes. The NNSA has since struggled to establish "interim" production at the Lab, while at the same time proposing to build and operate a future "Modern Pit Facility" (MPF) capable of producing up to 450 pits per year at one of five candidate sites (including LANL). That proposal would truly represent a return by the U.S. to industrial-scale nuclear bomb production, but fortunately MPF funding has been rejected by Congress for two consecutive years.

While again that congressional rejection is fortuitous, it will inevitably have a negative boomerang effect on LANL. The danger now is that NNSA will seek to implement an "MPF-lite" at the Lab, for which the DSWEIS likely sets the stage. Although the DSWEIS explicitly states that no new additions will be built for LANL's existing pit production facility that is not the whole picture. An advanced plutonium laboratory called the Chemistry and Metallurgy Research Replacement Project (CMRR) is now being built next door to the pit production facility as part of the DSWEIS' "No Action Alternative." CMRR will clearly be in direct support of plutonium pit production through its planned assay and materials characterization of special nuclear materials, primarily plutonium.

But there is far more. In a DSWEIS reference document an aerial photograph of LANL's plutonium complex at Technical Area (TA)-55 has superimposed upon it speculative "Modern Pit Annexes" and "Additional Facility Sites" contiguous to the existing pit production facility. Taken together, their aggregated floor space seems to exceed that of the existing facility. Moreover, the Radiological Sciences Institute, the single biggest construction project proposed in the DSWEIS (up to 13 new buildings), could also directly add to plutonium pit production capability in the future. First, the Institute will be primarily located at TA-48, contiguous to TA-55. It will reportedly have a Security Category I/II vault for special nuclear materials and underground tunnels so that aboveground transport of SNM on roads can be avoided. It is not stated where the tunnels would lead to, but we assume they could lead to the plutonium pit production facility. The Institute is planned to have machining capabilities. In short, the DSWEIS seems intent on creating a facility infrastructure that could enable future plutonium pit production levels even above that of the 80 pits per year contemplated in the DSWEIS.

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The Final SWEIS should disclose how that might be true, especially in the event that Congress continues to reject a Modern Pit Facility.

Even the proposed production level of up to 80 pits per year is unjustified. First, NNSA claims that production of 80 pits per year may be necessary just to obtain the 50 pits “certified” for use in nuclear weapons in the active military stockpile (in other words, a substantial number may be rejected and not certified). The final SWEIS should disclose that once production of any kind of pit, certified or not, is approved at 80 per year, what is to prevent NNSA from producing 80 certified pits?

NNSA is required by legislation to complete “pit lifetime studies” and have independent senior nuclear weapons scientists review the results by the end of this year. Those senior scientists have repeatedly stated that operational plutonium pit lifetimes are more on the order of 60 to 90 years, rather than NNSA’s currently accepted 45 years. Those senior scientists to date have also refrained from establishing any outward date at which operational lifetimes would expire, meaning that plutonium pits could conceivably last more than a hundred years. The implications here are enormous, in that it strongly undermines the need for the production of 80 (or 50 certified) pits per year. The final SWEIS should fully incorporate the findings of the NNSA pit lifetime studies and their independent review. Even outside of the SWEIS process, any NNSA decision to increase plutonium pit production is premature before those results are reached.

Can LANL Safely Expand Plutonium Pit Production To Begin With?

Over the last decade or so, DOE/NNSA officials have repeatedly made assurances that lessons were learned from the notorious history of plutonium pit production at the Rocky Flats Plant and that future pit production elsewhere would be safe. The inside story suggests otherwise. Below we have excerpted at length in italics a very recent DNFSB LANL weekly report,¹² with our comments in plain text. **The essential question is whether LANL is even capable of safely expanding plutonium pit production and other plutonium operations. The DSWEIS is completely deficient in analyzing these issues.**

...NNSA and LANL envision dramatic increases in material through-put and operating tempo for the Plutonium Facility (TA-55) during the next six years, including an order-of-magnitude increase in pit production (~80 pits/yr), a Pu-oxide campaign to provide startup feed for the Savannah River Sites’s new mixed oxide fuel plant (~80 kg/yr), and a Pu-238 heat-source campaign (~9 kg/yr).

NNSA and LANL are also planning to complete roughly two billion dollars of nuclear facility investment by 2014, including an analytical chemistry and material characterization lab (CMRR), a radioactive liquid waste treatment facility (RLWTF), a TRU waste processing and shipping facility, a pit radiography facility, and TA-55 programmatic, security, and facility upgrades. By 2022, NNSA intends to consolidate such plutonium operations at an unspecified DOE site, as part of the new NNSA vision for the 2030 Complex. Indeed, the future consolidated plutonium site is not yet specified, but for the record a new DSWEIS needs to disclose whether LANL is excluded or not from being that future site. Further, a new DSWEIS should analyze how the \$2 billion investment mentioned above could prejudice that future decision toward LANL becoming the nation’s permanent nuclear weapons plutonium center.

While process knowledge exists, synthesis for the next decade’s objectives is largely lacking, particularly for support functions (e. g., residue and waste processing). Pre-conceptual studies on pit manufacturing options are the most mature of studies contemplated and are based on recent TA-55 experience. The

¹² DNFSB Los Alamos Report for Week Ending August 25, 2006, bolded emphases added.

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268-8 The issues identified by the commentor are primarily operational issues that require active management by the LANL contractor and safety oversight by NNSA to ensure they are addressed, regardless of whether NNSA elects to implement a higher level of pit production, implement the TA-55 Plutonium Facility Complex Refurbishment Project, or both. Certain Plutonium Facility Complex Refurbishment subprojects could affect the functioning of safety structures, systems, and components, as well as monitoring systems and confinement barriers. Operations at the Plutonium Facility Complex would be curtailed or stopped as necessary to ensure that safety is not compromised during implementation of these subprojects. As stated in the previous response, the Los Alamos Site Office Safety Authorization Basis Team is responsible for development and approval of adequate controls to support safe operations at LANL. NNSA authorizes all LANL facility operations based on its evaluation of the acceptability of existing relevant safety documentation.

The Defense Nuclear Facilities Safety Board issued Recommendation 2004-2 regarding active confinement systems, which expressed concern about the safety system designation (safety-class or safety-significant) strategy utilized in or planned for several facilities to confine radioactive materials during or following accidents. The Board noted that a passive confinement safety function may not be as effective as an active confinement safety function in a few postulated accident scenarios. The Secretary of Energy agreed with the Board that DOE cannot rely solely on passive building confinement when such reliance cannot be justified. DOE further agreed that active building ventilation confinement systems can provide an additional safety benefit and are normally the preferred alternative when a building confinement safety function is needed to provide adequate protection to the public or collocated workers. In accordance with DOE’s Recommendation 2004-2 Implementation Plan, in August 2006, NNSA listed the Plutonium Facility Complex (Building PF-4) and the Chemistry and Metallurgy Research Replacement Facility among its facilities that will undergo a Ventilation System Evaluation (NNSA 2006c).

The analyses in the SWEIS are based on the currently authorized material at risk in the Plutonium Facility Complex, as well as current and proposed levels of operation. Therefore, the possibility of a nuclear material container failure and the current TA-55 confinement design are accounted

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least desirable option from a safety perspective involves concurrently modifying rooms while conducting operations; this may become the choice by default without NNSA close engagement, not now evident. Here, the DNFSB may have perhaps erred in stating that this may become the choice by default. It appears to be precisely NNSA's and LANL's choice, as the DSWEIS explicitly states:

The Plutonium Facility Complex Refurbishment Project would enable an extension of the facility's lifetime by recapitalizing selected major facility systems to help ensure the facility's continuing capability and reliability to support NNSA's missions. In this project, major (also referred to as "critical") systems are defined as those facility and infrastructure systems whose loss of functionality or reliability due to an emergent disability could disrupt TA-55 Complex operations for an unacceptably long duration pending repair. ... The scope of the overall project is to modernize and upgrade facility and infrastructure portions of the TA-55 Complex that are approaching the end of life. DSWEIS, p. G-110 & 111, parens in the original.

A new DSWEIS must answer the question of how safety will not be compromised if critical systems are being modified while operations are ongoing.

Longstanding infrastructure problems have also allowed plutonium residue and TRU waste inventories to grow to where they impact both mission and safety, virtually ensuring failure unless addressed as a priority. For example: • half of LANL's 9,000 nuclear material containers are non-standard and suspect... • the LANL comprehensive nuclear materials packaging and storage plan - which was developed in response to the 2003 Pu-238 Type B investigation and the 2004 Secretary's 00-1 implementation plan - is still draft and unapproved by NNSA (ref: Secretary's ltr 7/23/04); this plan is a key element in LANL, systematically and safely addressing its large plutonium residue backlog. When are nuclear materials going to be adequately packaged? Why isn't this a stated high priority mission in the DSWEIS? Inadequate and deteriorating nuclear packages have lead to relatively recent, serious occupational exposures.

• the 1960s-era RLWTF [Radioactive Liquid Waste Treatment Facility] is a potential single point failure; it has not processed significant TRU liquid waste from TA-55 in two years. • as a result of RLWTF issues, TA-55 has been unable to process residues, is now near its residue storage capacity, and is within 6 months of having to curtail pit operations unless resolved. • LANL expects RLWTF TRU processing to resume during the next 18 months, starting in November, and needs it to ramp up to 2 to 5 times its previous throughput. • LANL has been slow to pursue options (e.g., CLEAR line) to capture more source term at TA-55, the more robust facility, and thereby reduce the load on RLWTF. How can LANL possibly be ready for expanded plutonium pit production at TA-55 if the RLWTF is in no condition to receive additional radioactive transuranic liquids wastes? Given all of LANL's past faulty assumptions and failures, what is to guarantee that RLWTF will not only resume processing, but also be able to increase operations 2 to 5 fold?

• TA-55 needs to remove 30 to 60 contaminated glove-boxes within the next few years to make space for new equipment, but LANL has no capability now for large item size reduction. How is expanded pit production feasible if there is no way to get rid of the contaminated gloveboxes?

• LANL has 50,000 TRU waste drums to ship to WIPP by 2010; shipment rate is limited by facility authorization basis and material condition issues; hundreds of higher activity drums still have no approved pathway off-site... • the off-site risk from TA-54 TRU waste drums remains high until nearly

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for in the accident analyses. Both solid and liquid transuranic waste generation would increase under the Expanded Operations Alternative. The volume of liquid waste is accounted for in Chapter 5, Section 5.9, of the SWEIS and can be managed within the capabilities of the existing or upgraded Radioactive Liquid Waste Treatment Facility. Solid waste volumes associated with expanded plutonium operations (also addressed in Section 5.9) would be managed using current facilities such as the Radioassay and Nondestructive Testing Facility and the Waste Characterizing, Reduction, and Repackaging Facility, as well as the proposed TRU Waste Facility.

268-9 NNSA recognizes that having the capability to treat radioactive liquid wastes generated by LANL operations onsite is preferable to utilizing offsite treatment capabilities for various reasons. Therefore, a proposed replacement facility for the aging Radioactive Liquid Waste Treatment Facility is included under the Expanded Operations Alternative, which is the Preferred Alternative in the SWEIS. In recent years, primarily the late 1990s to 2002, substantial improvements made to the treatment capabilities of the Radioactive Liquid Waste Treatment Facility increased the quality of effluent from the facility. Recent monitoring demonstrates that the effluent quality, which is monitored prior to release to ensure regulatory compliance, is frequently better than that required by current regulations.

LANL is nearing completion of the first of three construction projects to restore its capabilities to receive and treat transuranic radioactive liquid wastes. In November 2006, the leaking caustic waste storage tank was successfully decontaminated and removed from Building 50-66, and a new tank was installed in November 2007. The new caustic waste tank will re-establish the capability of the Radioactive Liquid Waste Treatment Facility to receive transuranic liquid waste from TA-55.

Design has started for the second construction project, which will replace degraded transuranic liquid waste treatment equipment within Building 50-01 and is scheduled for completion in late 2007. After this second project is completed, TA-50 will resume treatment of transuranic liquid wastes.

While treatment processes installed at the point of generation could reduce the concentrations of transuranic liquid waste received at the Radioactive

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all the drums are shipped, according to DOE approved accident analyses. That is an astounding number of TRU waste drums, which we can't possibly imagine LANL being capable of shipping in any timely fashion. A new DSWEIS should propose hardened structures for storage of TRU wastes, in contrast to the deteriorating fabric air buildings that now house them.

• TA-55 is nearly three decades old and at a point when equipment needs to be upgraded or replaced; however, NNSA is delaying and scaling back the TA-55 reinvestment project. How does the DNFSB's observation square with the DSWEIS? Is the DNFSB right or wrong? Obviously, the TA-55 Reinvestment Project is one of the dominant elements in the DSWEIS. How much will it cost? Will it be scaled down, as the DNFSB suggests?

These problems are linked to some of LANL's most fundamental nuclear safety issues. For example: resolution of the TA-55 confinement strategy issue may depend on TA-55 reinvestment project upgrades that are now being delayed or are unscheduled (e.g., ventilation, fire protection). NNSA has long fought the DNFSB's Recommendation that all major nuclear weapons facilities have active confinement for the event of any accidents. Instead, NNSA still chooses to follow passive confinement measures. A new DSWEIS should explain why active confinement is not pursued both while refurbishing TA-55 and in the design and construction of the Chemistry and Metallurgy Research Replacement Project. Active confinement would clearly better protect workers and the public. Is the refusal to do so primarily based on cost concerns?

We attempt to be objective and here exclude our policy reasons of why we are staunchly opposed to expanded plutonium pit production. But we have to conclude that LANL is simply not ready for expanded plutonium operations because of serious safety and waste management issues. A new DSWEIS must make a decision to expand plutonium operations far more defensible.

Other Plutonium Issues

The March 2005 Site-Wide Environmental Impact Statement for the Lawrence Livermore National Laboratory declared an "administrative limit" of 1,400 kilograms of plutonium and 500 kilograms of highly enriched uranium for that Lab. The LANL DSWEIS declares an administrative limit of 1,000 grams of tritium at the Weapons Engineering Tritium Facility, but according to a word search there is no other stated administrative limit for nuclear materials. A new DSWEIS should correct this. What are the plutonium and highly enriched uranium administrative limits for LANL as a whole and for TA-55 in particular? What about TA-18? What about future administrative limits for TA-48?

Also under this [expanded operations] alternative up to 460 pounds (210 kilograms) of plutonium oxide would be polished annually and stored pending shipment for use at the Mixed Oxide Fuel Fabrication Facility at the Savannah River Site... DSWEIS, p. 3-69. In addition, the restart of the Mixed Oxide Program, converting weapons-grade plutonium to a form usable in commercial reactors, could generate additional quantities of transuranic waste (LANL 2004i)... Radioactive liquid waste treatment volumes are expected to increase under the Expanded Operations Alternative, due to increased levels of pit production and restart of the Mixed Oxide Program. DSWEIS, p. 5-140. In addition, 46 cubic yards of transuranic waste per year is projected due to restart of Mixed Oxide Program (LANL 2004i). DSWEIS, p. 5-141. As we commented on expanded plutonium pit production, LANL's waste management and safety practices do not support these expanded operations with nuclear materials.

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Liquid Waste Treatment Facility, such processes are not needed because the Radioactive Liquid Waste Treatment Facility will be able to handle the quality and quantity of influents as necessary to meet established discharge limits.

For the longer term, LANL is proposing to install a new transuranic waste treatment process as part of the project to upgrade and replace the 1960s-era Radioactive Liquid Waste Treatment Facility (see Chapter 3, Section 3.3.3.8, of the SWEIS).

268-10 The LANL contractor uses well-established practices to manage radioactively contaminated material from excess gloveboxes in TA-55. The intact gloveboxes are decontaminated to remove the majority of transuranic isotope contamination, after which the seals and windows are removed. Additional decontamination is performed until the gloveboxes meet the waste acceptance criteria for onsite disposal as low-level radioactive waste. Transuranic waste materials from the decontamination are characterized and packaged for shipment and disposal at the Waste Isolation Pilot Plant (WIPP).

As with any project, funding for the subprojects that make up the Plutonium Facility Complex Refurbishment Project discussed in Appendix G, Section G.7, of the SWEIS is subject to Congressional decisionmaking. The cost of the project is not within the scope of the SWEIS analysis; however, this project is organized as a series of subprojects that would be implemented to maintain a safely operating facility. Funding for a subset of the subprojects would be requested each year and, if adequate funding were not available, additional time would be required to implement all of the subprojects.

268-11 NNSA notes that there have been difficulties with repackaging and certifying transuranic waste for shipment to WIPP. Although there have been delays in meeting planned transuranic waste shipment schedules, process improvements have been made and shipment rates to WIPP have increased; therefore, the amount of stored transuranic waste is expected to decrease. Section 4.9.4 was added to Chapter 4 of the SWEIS to document the amount of waste shipped offsite. Refer to Section 2.7, Waste Management, of this CRD for more information. In addition, NNSA is proposing to install and operate additional equipment and

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DSWEIS Table 3-18 states that the Expanded Operations Alternative will include the capacity to disassemble up to 500 plutonium pits per year, in contrast to the "No Action Alternative" of 200 pits per year. Almost no discussion ensues, except *Special recovery processes are performed, including demonstration of the disassembly and conversion of plutonium pits using hydride-dehydride processes and development of expanded disassembly capacity*. DSWEIS, p. 3-57. This is a significant failure that a new DSWEIS must correct.

"Hydride-dehydride processes" are probably the "Advanced Recovery and Integrated Extraction System" (ARIES), which a new DSWEIS should fully explain the merits and demerits thereof. What waste volumes in all categories will result from ARIES? What safety problems might there be with the process? Where will the recovered plutonium be stored? What might it be used for? What is the final disposition for unused plutonium?

A NNSA viewgraph states "De-inventory CAT I/II SNM [special nuclear materials] removed from LLNL by the end of 2014 (tied to CMRR). Move SNM in 2008 or earlier."¹³ Translated, that means that Lawrence Livermore National Laboratory's inventory of up to 700 kilograms of plutonium will be relocated to LANL's Chemistry and Metallurgy Research Replacement Project once it is completed by 2008, or earlier. And again, expanded operations include the dismantlement of up to 500 plutonium pits per year. We assume those pits would have to come from the Pantex Plant outside of Amarillo, TX, which has some 12,000 pits stored under arguably unsafe conditions awaiting final disposition.

The DSWEIS has a number of tables that depict shipments of special nuclear materials, some 60 per year, from LANL to other NNSA sites. However, as far as we can tell, there is nothing in the DSWEIS that substantively deals with shipments of special nuclear materials to LANL from other sites. A new DSWEIS should not only correct this, but also analyze the related serious issues. **Is LANL becoming the *de facto* permanent site for the processing, manufacturing and storage of nuclear weapons plutonium?**

For the sake of discussion, assuming that 5 kilograms of plutonium could be recovered per dismantled pit, up to 500 dismantled pits per year gives a theoretical maximum of 2,500 kilograms of recovered plutonium per year, or 12,500 kilograms over the SWEIS' 5-year planning horizon. Under this theoretical extreme it is not long before the stated storage capacity under expanded operations of 6.6 metric tons for special nuclear materials could be exceeded. Doesn't this prejudice future deliberations under the pending Complex 2030 PEIS, helping to predetermine that LANL will become the nation's designated consolidated plutonium center for nuclear weapons design and production?

The DSWEIS makes clear that LANL's Pu-238 operations will be retained. It does nothing to resolve the serious occupational exposures from those operations, which a new DSWEIS should address. Additionally it was proposed those operations be consolidated at the Idaho National Laboratory (INL), although it was never clearly stated that plutonium-238 operations would completely end at LANL. Is the proposed consolidation at INL now dead? Alternatively, could the plutonium-238 operations at LANL's plutonium pit production facility be transferred to the Lab's proposed Radiological Sciences Institute, thereby increasing production floor space at the plutonium pit production facility?

In our scoping comments we stated:

¹³ Complex 2030, A Preferred Infrastructure Planning Scenario for the Nuclear Weapons Complex, NNSA viewgraphs, May 2006, slide 17.

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facilities and to upgrade existing processes, as discussed in Appendix H, Section H.3.2.2.3. Section H.3 also discusses an option to construct additional transuranic waste storage buildings if not all of the legacy transuranic waste in the Area G storage domes can be shipped for disposal on a schedule that would comply with the Consent Order. If implemented, the design of these optional storage buildings would consider the amount of transuranic waste to be stored, seismic concerns, and other factors that would be evaluated in the safety documentation for those structures. The risks to the offsite population of an accident at the TA-54 storage domes are summarized in Chapter 5, Table 5-65.

268-12 Administrative limits are limits set below the allowable material at risk established for individual facilities. For example, the administrative limit established for TA-48 facilities is 90 percent of the allowable material at risk, and compliance with the limit is controlled by monitoring any radioactive material that enters or leaves the technical area. The administrative limit is neither necessary nor useful to the SWEIS analyses because the accident analyses are based on the material at risk for a particular facility or operation.

268-13 The impacts of Key Facility capabilities and activities, rather than specific projects, are analyzed in the SWEIS. There are a number of reasons for this. In particular, projects begin and end; change names; change focus and definition; and can occur in more than one Key or non-Key Facility. The capabilities remain, however, and projects are implemented using the identified capabilities. Therefore, individual project impacts are included among the impacts of the Key Facilities where they are implemented. The only projects specifically addressed are those evaluated in the project-specific analyses in the SWEIS appendices. These are newly proposed projects that require NEPA analysis prior to implementation, and the appendices provide that analysis.

Plutonium recovered from disassembly of pits under any of the alternatives would be stored in vault space in the Plutonium Facility in TA-55. The plutonium would be used primarily to fabricate mixed oxide (MOX) fuel at the MOX Fuel Fabrication Facility that is under construction at the Savannah River Site in South Carolina. Chapter 3, Section 3.3.3.11, was revised to indicate that the plutonium recovered from pits would be part of the plutonium feedstock for the MOX facility discussed in this section.

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In particular, the new SWEIS or S-SWEIS should analyze the effects of unstabilized nuclear materials. In August 2004 report, the DOE IG stated that LANL has not completed or accelerated the stabilization of fissionable and other radioactive material at Los Alamos. Rather, it has extended the completion schedule until 2010. Furthermore, the Department has missed interim milestones and project tasks that are likely to further impact the schedule. Workers could be exposed to radiation, resulting in serious health consequences. In addition, the lack of stabilization could pose increased risks to the public. We suggest that the stabilization of nuclear materials at LANL should be given the highest priority, and be given such priority in a new or supplemental SWEIS.

The DSWEIS failed to do so in any serious fashion. A new DSWEIS must analyze the effects of unstabilized nuclear materials and/or their improper or deteriorating packaging and storage, which have already have led to serious occupational exposures, and which the DNFSB has repeatedly noted. Workers could be exposed to future contamination incidences and the public subject to increasing risks. **The stabilization of nuclear materials and their safe packaging and storage should be prioritized as a top Laboratory mission**, and a new DSWEIS should reflect that.

The Institute for Energy and Environmental Research, Concerned Citizens for Nuclear Safety and Nuclear Watch New Mexico have repeatedly raised the issue, including in scoping comment, of discrepancies between LANL's plutonium accounting systems that resulted in up to a 600 kilogram difference. The DSWEIS rejected discussion of this issue, which a new DSWEIS should correct. How is it reasonable to dramatically expand both plutonium operations and storage capacities at the Lab when such serious questions remain over such a large amount of an extremely expensive, dangerous and sensitive material?

The Reliable Replacement Warhead

Contrary to public scoping comment NNSA refuses to discuss the so-called Reliable Replacement Warhead (RRW) Program in the Site Wide EIS. Under the RRW Program, NNSA is already designing and plans to produce new-design nuclear weapons that purportedly would be more "reliable" in long-term performance and easier and less costly to manufacture. The absolute centrality of the RRW Program to "Purpose and Need for Agency Action" under this DSWEIS is illustrated by a 2005 Tri-Lab study that waxed enthusiastic over how the RRW Program is the "enabler" for transforming the nuclear weapons complex and the deployed nuclear weapons stockpile. The NNSA Deputy Administrator for Defense Programs testified that the "enabler for transformation [of the nuclear weapons complex] is our concept for the RRW."¹⁴ The DSWEIS itself references the report *Recommendations for the Nuclear Weapons Complex of the Future* by the Secretary of Energy Advisory Board, which recommended further consolidation of the complex that RRW would make possible.

Nevertheless, the DSWEIS rejected consideration of those recommendations because:

In the short term, over the next 5 years, LANL operations are not expected to change dramatically regardless of the strategy NNSA develops for continuing the transformation of the nuclear weapons complex. However, in recognition of the uncertainties associated with future work assignments to LANL, the "foreseeable future" for the purposes of proposed actions in this SWEIS has been changed from the 10 years of LANL operations considered

¹⁴ Statement of Thomas P. D'Agostino, Deputy Administrator for Defense Programs, NNSA, House Armed Services Committee Subcommittee on Strategic Forces, April 5, 2006.

268-15

268-16

268-14 DOE issued the *Draft Environmental Impact Statement for the Proposed Consolidation of Nuclear Operations Related to Production of Radioisotope Power Systems* (DOE/EIS-0373D) (DOE 2005b) in June 2005 to evaluate the environmental impacts of the proposed consolidation of production operations for radioisotope power systems that use plutonium-238. A final EIS has not been prepared nor has a decision been made regarding any changes to the current infrastructure. Therefore, the LANL SWEIS analyses are based on continuing plutonium-238 operations at the Plutonium Facility Complex. Even if the decision were made to relocate plutonium-238 operations to the Idaho National Laboratory, these operations would continue at LANL during the period analyzed in this SWEIS. There are no current plans to move these operations to either the Chemistry and Metallurgy Research Replacement Facility or the Radiological Sciences Institute within the 5-year period covered by the LANL SWEIS. As indicated in Chapter 4, Section 4.6, of the SWEIS, in general, individual worker doses at LANL have been below the As Low As Reasonably Achievable Program goal of 2 rem per year. In those instances where an accident has resulted in a higher dose, the event was evaluated and corrective measures were taken to prevent recurrence.

268-15 The SWEIS analyzes the environmental impacts of reasonable alternatives for the continued operation of LANL, including analysis of accident scenarios that bound the possible consequences of a loss of containment of radioactive materials that are packaged for storage and shipping. The LANL contractor is actively addressing packaging concerns in accordance with commitments made in response to Defense Nuclear Facilities Safety Board recommendations.

268-16 As stated in the Summary and in Chapter 1 of the SWEIS, the issue of historical differences in the plutonium inventory is not within the scope of the SWEIS. Materials control and accountability procedures at LANL are in compliance with DOE Orders. The NNSA Administrator replied to the allegation of a plutonium accounting discrepancy at LANL (NNSA 2006a). This apparent discrepancy resulted from the different tracking and reporting procedures used for site security and waste management organizations. Comparison of the information contained in the two systems cannot be used to draw conclusions about the control and accountability of special nuclear material.

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in the 1999 SWEIS to consideration of proposals regarding LANL operations over the next 5 years.
DSWEIS, p. S-4.

But operations at LANL are changing dramatically now because of RRW. Media reports have stated that weapons designers worked feverishly on the competitive Los Alamos RRW design that was submitted to NNSA. The NNSA FY07 Congressional Budget Request states:

Starting in FY 2008, with expected completion in FY 2012, the NNSA plans to increase LANL pit capacity from 10 pits per year to 30-40 pits per year within FYNSP [Future Years Nuclear Security Plan] funding. Limited pit manufacturing capacity will also be provided at LANL to support other pit manufacturing requirements (e.g., RRW)...

The outyear funding for pit manufacturing capability will demonstrate, with a goal of 2009, the manufacturing processes necessary to manufacture other stockpile pits, including RRW. By 2012, the program will manufacture other RRW pits using improved equipment and processes. Outyear funding will ensure the development of pit manufacturing processes and equipment that can be used to increase capacity at LANL or at a long-term pit manufacturing facility.

By 2012, manufacture initial pit EDUs for reliable replacement pits...
FY 2007 will initiate an acceleration of increasing pit manufacturing capacity at LANL. Additional personnel will be hired and additional equipment procured to support manufacture of existing pit types (or a RRW pit).

FY 2007 funding will be used to ensure progress in development of manufacturing processes for replacement pits currently in the stockpile or replacement pits with the manufacture of engineering demonstration units by the end of FY 2012. By 2010, manufacture certifiable RRW pits using the necessary equipment and processes being developed...

Additional funding of \$13,222 initiates work to increase pit manufacturing capacity to support existing pit types (or RRW pit)...

Technology development activities are focused on sustaining interim manufacturing at LANL, achieving a flexible, long-term capability to manufacture pits other than the W88, and addressing the manufacturing process requirements for RRW pits.¹⁵ [All parens in the original.]

The FY06 LANL Ten Year Comprehensive Site Plan states:

If the RRW mission is assigned to the Laboratory, a significant development and manufacturing program would be anticipated... The Laboratory, through existing capabilities and planned nuclear facility consolidation and construction activities, has established a stable weapons infrastructure and is poised to provide additional capacity for

¹⁵ Weapons Activities/ Pit Manufacturing and Certification Campaign, NNSA, FY 2007 Congressional Budget Request, Volume 1, pp. 188 to 191.

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expanded pit production missions (for an accelerated RRW or current warheads) over the long-term.¹⁶ [Parens in the original.]

The irony is that this DSWEIS was prompted by and is driven by the NNSA's desire to begin producing RRW plutonium pits. We contend that is really what it is all about. A NNSA viewgraph notes the goal of:

Complete the consolidated plutonium center with a capacity to support 125 RRW war reserve pits per year by 2022. *Upgrade PF-4 to support an interim production rate of 30 to 50 RRW war reserve pits/year by 2012.*¹⁷

By our logic, NNSA knew that it was compelled to prepare a completely new SWEIS because of its newly stated intent to produce 50 certified plutonium pits per year at LANL. Now it turns out that 30-50 of those 50 certified pits are to be RRW pits. Therefore, it is obvious to us that the DSWEIS is really about producing RRW pits, and the rest is merely poorly done window dressing toward that end. Therefore, we assert that it is absolutely central to any credible LANL Site-Wide Environmental Impact Statement for Continued Operations that there must be full discussion of the Reliable Replacement Warhead Program. A new DSWEIS should correct this serious omission.

Ironically, U.S. nuclear weapons have already been proven reliable through extensive full-scale testing and subsequent certification by the three Lab directors ever since the testing moratorium began in 1992. To introduce new, untested designs will undermine stockpile confidence and could well lead to resumed full-scale testing in the future, which would have disastrous non-proliferation implications. Further, RRW is likely a Trojan Horse whose real purpose is to introduce new-design nuclear weapons with different military characteristics for new purposes, again with potentially disastrous nonproliferation implications. Finally, RRW is becoming a means unto itself, justifying the resurgence and revitalization of the nuclear weapons complex when it should be ramping down under the framework of the NonProliferation Treaty. For all of these reasons and more, Nuclear Watch strongly opposes the RRW Program. A new draft SWEIS should fully analyze the programmatic, infrastructure, production and nonproliferation implications of the Program.

A 9/11/06 LANL press release describes:

The expanding fireball from the September 6 RRW hydrotest is depicted at the DARHT firing point a fraction of a second after detonation. The Reliable Replacement Warhead Project conducted its first fully integrated high-explosives experiment last week, a hydrotest shot at the Dual Axis Hydrodynamic Test facility that produced a very high-quality radiograph and excellent additional data...

Hydrodynamic experiments at DARHT and subcritical experiments in Nevada, small-scale experiments, and computer simulations, are the three-tiers of stockpile stewardship at Los

¹⁶ FY06 LANL Ten Year Comprehensive Site Plan, pp. 3-15 to 3-16. The Plan was obtained by Nuclear Watch New Mexico (NWNM) through litigation under the Freedom of Information Act.

¹⁷ Complex 2030, A Preferred Infrastructure Planning Scenario for the Nuclear Weapons Complex, NNSA viewgraphs, May 2006, slide 17. Emphasis added.

268-17

268-17 cont'd

268-17 As stated in Chapter 1, Section 1.0, of the SWEIS, several factors led to NNSA's decision to issue a new SWEIS. These include activities analyzed through NEPA compliance documents completed since 1999, newly proposed activities for LANL, existing and developing changes to the LANL environmental setting, and changes in site security issues. The Expanded Operations Alternative in the SWEIS includes enhanced operations to produce up to 80 pits per year. However, the SWEIS does not address the Reliable Replacement Warhead Program. It is premature to evaluate site-specific impacts at this time because no decisions have been made regarding moving forward with the program, much less where various individual activities would be conducted. Please refer to Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for more discussion regarding the Reliable Replacement Warhead Program.

Regarding the use of "helpful planning tools like formalized project management," these tools are not offered in the LANL SWEIS because the purpose of the SWEIS is to analyze the human health and environmental impacts of current and proposed activities. DOE sites such as LANL must implement DOE Orders and policies regarding the detailed management of projects to protect public health and the environment and to ensure safety and design standards are met. NNSA project management activities now conform to national standards and industrial practices that were not in place throughout much of the history of the Cold War. Safety documentation is regularly reviewed and corrective action plans are used to address any deficiencies that may be discovered.

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Alamos, assuring the safety and reliability of the U.S. nuclear deterrent without a return to underground testing.¹⁸

This is crazy. First, Los Alamos is abysmally behind in its hydrotesting program that is suppose to "baseline" the existing U.S. nuclear weapons stockpile for the purpose of ensuring safety and reliability. As one example:

...Los Alamos was to conduct a total of 15 hydrotests in Fiscal Years 2002 through 2004. Of the scheduled tests, nine experienced delays of up to two years, including three tests which had yet to be performed at the time of our audit. Further, we found that Los Alamos may not have the capacity to meet future hydrotest needs. . . Without critical hydrotest data, scientists lose one of their most important tools for evaluating, among other things, the performance of key weapons components and the reliability of the stockpile.¹⁹

In our view, the import of this is clear. In its headlong rush to design and produce new-design nuclear weapons under the Reliable Replacement Warhead Program, LANL is willing to sacrifice concerns about the safety and reliability of the U.S. nuclear weapons stockpile, which for the sake of emphasis is the Lab's declared reason for being, in order to push through new speculative designs that may or may not need full-scale testing in the future. Should RRW designs be full-scale tested in the future, that would assuredly have very serious nonproliferation consequences. Moreover, given that LANL is now in intense competition with Lawrence Livermore National Laboratory for NNSA selection of the first RRW design, its smacks of heavy self-interest for the Lab to have conducted a RRW hydrotest shot while it is behind in other tests meant to ensure stockpile safety and reliability.

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In the FY06 LANL Ten Year Comprehensive Site Plan the Lab admits:

The fast paced weapon design, test and delivery "schedule" during the Cold War forced the Laboratory and DOE to use resources for meeting near-term deliverables, while strategic investments were often deferred and key facilities allowed to decay. The Laboratory also avoided helpful planning tools like formalized project management in the race to field weapons systems as quickly as possible. P. 3-21.

Is this *déjà vu* all over again? Only this time there is a race to field new designs under the speculative Reliable Replacement Warhead Program while efforts to guarantee the safety and reliability of the existing stockpile may suffer as a result? Additionally, the DSWEIS does not offer "helpful planning tools like formalized project management", and in fact seems to avoid them.

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The NNSA Complex 2030 viewgraphs state as a goal:

¹⁸ "Reliable replacement warhead hydrotest yields valuable data", LANL Press Release, September 11, 2006; a Quick Time video is archived at <http://www.lanl.gov/news/index.php>, showing poor environmental containment of the blast.

¹⁹ "The Los Alamos National Laboratory Hydrodynamic Test Program", DOE Inspector General, DOE/IG-0699, September 2005.

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Improve the capability to design, develop, certify, and complete production of new or adapted warheads in the event of new military requirements. Produce required quantities of warheads in time to meet military requirements.²⁰

We take this as concrete evidence that the real purpose of the Reliable Replacement Warhead Program is to enable the design and production of new-design nuclear weapons, as directed by the Bush Administration's 2001 Nuclear Posture Review.²¹ This is in contrast to the repeated justifications for the continuing existence of the nuclear weapons complex so that the safety and reliability of the U.S. nuclear weapons stockpile can be guaranteed. We believe it is highly dissembling for this DSWEIS to intentionally avoid discussion of the Reliable Replacement Warhead Program, which a new DSWEIS should correct.

**268-17
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The Dual-Axis Radiographic Hydrotest Facility

Quotes from the DWEIS in this section are italicized.

The DARHT [Dual-Axis Radiographic Hydrotest Facility] facility began commissioning operations of its first axis in fiscal year 2001. The load level is about 1 megawatt for the first axis. The second axis became operational in late fiscal year 2004 adding about 2 megawatts of load (LANL 2005g). DSWEIS, p. 4-123. This is a falsehood. It is well documented that DARHT's second axis has been mired in technical difficulties that the Lab at first apparently intentionally refrained from informing NNSA. In fact, the problems have been so severe that funding for remedial actions is now a dedicated \$89.9 million line item in the NNSA's FY07 Congressional Budget Request called the "DARHT 2nd Axis Recovery and Commissioning Project." Please explain the "12 steps" involved in this recovery program. More fundamentally, the quoted statement is yet another example of the deficiencies in this DSWEIS.

This is on top of past repeated claims by the Lab that the DARHT project was on schedule and on budget. However, that was shown to be false in a 2003 DOE Inspector General audit report, which stated:

The audit disclosed that DARHT will not be complete before June 2004, 15 months behind schedule. In addition, scope changes have reduced or eliminated work elements; critical activities had been shifted to other programs; and, at least two activities that were part of the original scope of work are being completed with non-project funds. These activities gave the erroneous appearance that total project costs had remained within planned budget.²²

268-18

268-18 Chapter 2, Section 2.4.6, and Chapter 4, Section 4.8.2, of the SWEIS were changed to reflect that the second axis of the Dual Axis Radiographic Hydrodynamic Test (DARHT) Facility did not officially become operational in 2004, although tests of the second axis were performed to determine its operational status. These 2004 tests did, and subsequent operations will, use electric power and this fact is appropriately stated in the SWEIS text regarding the existing LANL environmental setting. The planned DARHT 2nd Axis Recovery and Commissioning Project involves removal, repair, and refurbishment, and reinstallation of equipment housed in the second axis at DARHT so that it functions as intended. NEPA compliance documents, such as the SWEIS, are not the appropriate venue for implementing or correcting quality assurance programs or programs to assure fiscal responsibility, nor are they the correct venue for establishing or changing national policy.

The audit report further found that DARHT had grown from its original cost of \$30 million in the 1980's to \$270 million, not including the \$57.5 million in DARHT costs that were shifted to other LANL programs. In combination with the above 2nd axis recovery costs, DARHT will cost something on the order of \$400 million or above and will not be fully ready until 2008. This whole sad story is indicative of the way that business is done at the Lab, with inadequate quality assurance and the squandering of taxpayers' money, following bad national policy. The DSWEIS not only does nothing to correct this, but also sets the stage for yet more of the same for nuclear weapons facilities that are not really needed and

²⁰ Complex 2030, A Preferred Infrastructure Planning Scenario for the Nuclear Weapons Complex, NNSA viewgraphs, May 2006, slide 21.

²¹ For excerpts of the NPR see <http://www.globalsecurity.org/wmd/library/policy/dod/npr.htm>, and Nuclear Watch commentary at <http://www.nukewatch.org/watchdavg/newsletters/nprbulletin.pdf>

²² "Dual Axis Radiographic Hydrodynamic Testing Facility", DOE IG-0599, May 2003.

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Scott Kovac, and John Witham, Nuclear Watch of New Mexico**

may harm our long-term national security by encouraging nuclear weapons proliferation through the combined example they set.

In July 1999, with the appropriate DOE authorization, the DARHT Project Office initiated DARHT facility (a High Explosive Facility) operations on the DARHT first axis. In late fall of 2000, the first major hydrotest using the DARHT first axis was completed and testing has continued. DSWEIS, p. 4-82.

Nuclear Watch New Mexico is prepared to analyze the effects of DARHT not meeting its Phased Containment Option chosen in the 1995 Record of Decision for the DARHT EIS. In the Fall of 2006, six years after the first axis came online, the tests were required to be 40% contained. We calculated this was not reasonably foreseeable. Annual releases of depleted uranium would range from 450 pounds to 1,460 pounds per year under the Phased Containment Option. But the DSWEIS states:

The increased use of foam and vessels for high explosives testing under all of the alternatives could further reduce air pollutant emissions, such as beryllium and depleted uranium, from these activities. The use of foam has been shown to reduce emissions by 50 to more than 80 percent (LANL 2006). The use of vessels for certain tests could reduce emissions by close to 100 percent. DSWEIS, p. 5-209.

The referenced 50 to 80% reduction in plume containment is a great start. The DU containment was only 30% on one shot and containment of other materials was not mentioned. The DSWEIS must state if all shots now use foam, what the releases of other contaminants are and if the releases are above 40%. Please analyze the impacts of contaminated foam generated from these tests. This foam was not mentioned in the 1999 SWEIS. What is its disposal path?

As a matter of policy, dynamic experiments involving plutonium would be conducted inside containment vessels. DWEIS, p. 3-26. As a matter of reality, are all plutonium tests conducted inside vessels?

This section provides information and data that supports the radiological and chemical impacts of facility accidents for each alternative presented in Chapter 5. It includes the accident frequency of occurrence and impacts, scenarios, material at risk, source terms and factors used in the calculation of source terms. These scenarios represent potential accidents at individual facilities. DSWEIS, p. D-2.

DARHT was not analyzed in Table D-1 because it was declared to be a "non-nuclear" facility. But the DARHT Record of Decision informs us that:

Under the accident scenarios examined, an unexpected high explosives detonation would result in 15 fatalities (all personnel present) at the facility under all alternatives analyzed. No additional latent cancer fatalities would be expected over 50 years among members of the general public from accidental release of depleted uranium under any of the alternatives. Between 5 and 12 additional latent cancer fatalities could occur from the accidental release of vaporized plutonium. DARHT Record of Decision, October 1995.

Therefore a new DSWEIS must consider the consequences of vaporized plutonium from an accident at DARHT as part of "radiological accidents."

The Risks of Potential Terrorist Acts

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268-19 Phase 1 of the Phased Containment Option for the *Dual Axis Radiographic Hydrodynamic Test Facility Final Environmental Impact Statement (DARHT EIS)* (DOE/EIS-0228) (DOE 1995a) has been completed. During Phase 2, material releases are to be reduced by 40 percent. Foam was used during the early part of Phase 2 on all shots at DARHT involving certain materials, such as beryllium, to meet the planned level of emissions reduction. As Phase 2 proceeds, these types of shots are to be conducted in containment vessels. The foam waste was included in the waste management analyses for all alternatives (see Chapter 5, Section 5.9.1). NNSA also added text to Sections 5.4.1, Nonradiological Impacts, and 5.14.3, Other Mitigation Measures Considered, to clarify these activities. For more information on the DARHT Facility, the use and management of foam, and material releases, see Section 2.10, Depleted Uranium and the Dual Axis Radiographic Hydrodynamic Test (DARHT) Facility, of this CRD.

268-20 All plutonium tests would be conducted inside vessels.

268-21 NEPA guidelines require consideration of a spectrum of accidents that represents and bounds all potential accidents to be analyzed. In the event of an accident that was not explicitly addressed in the LANL SWEIS, there is reasonable assurance that the impacts of such an accident to workers and the public would be no greater than those that were analyzed. Consistent with the evaluation of the potential hazards associated with LANL facilities, the focus of the accident analyses is on Hazard Category 2 and 3 facilities. As stated in Appendix D, the spectrum of accidents analyzed in the SWEIS envelope the accidents analyzed in the *DARHT EIS*.

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The DSWEIS rejected any consideration of the adverse effects of potential terrorist acts at the Lab. However, in the recent Federal 9th District decision on “San Luis Obispo Mothers for Peace v. Nuclear Regulatory Commission” a court found that the NRC erred in determining that the National Environmental Policy Act does not require the agency to consider the potential impacts of terrorist attacks at nuclear facilities. The NRC had denied Mothers for Peace its attempts to introduce terrorism as a concern under NEPA for four reasons: (1) terrorist attacks were considered too speculative; (2) the risk of terrorist attacks can't be determined, rendering analysis meaningless; (3) NEPA does not require “worst-case” analyses; and (4) NEPA's public process is not an appropriate forum for security issues.

In response, the Court determined that the possibility of terrorist attacks is not so “remote and highly speculative” and that their probability need not be precisely quantifiable in order for its potential environmental impacts to be considered. The Court also found that NEPA does require analysis of potential catastrophes, even if their probability is low. Finally, the Court held that “[t]here is no support for the use of security concerns as an excuse from NEPA's requirements” and that allowing a “security exemption” from NEPA would be inconsistent with the Act's purpose to ensure that the public can contribute to the body of information being considered by the agency.

NNSA should follow that judicial decision and fully analyze and consider the effects of potential terrorist acts at the Los Alamos National Laboratory in a new DSWEIS.

|| 268-22

Quality Assurance

DSWEIS Chapter 6 lists “Applicable Laws, Regulations, and Other Requirements”, including:

DOE Order 414.1C, Quality Assurance (June 17, 2005)—The objectives of this Order are to ensure that DOE, including NNSA, products and services meet or exceed customers' expectations and to achieve quality assurance for all work based upon the following principles:

- That quality is assured and maintained through a single, integrated, effective quality assurance program (management system);
 - That management support for planning, organization, resources, direction, and control is essential to quality assurance;
 - That performance and quality improvement require thorough, rigorous assessment and corrective action;
 - That workers are responsible for achieving and maintaining quality; and
 - That environmental, safety, and health risks and impacts associated with work processes can be minimized while maximizing reliability and performance of work products.
- DSWEIS, p. 6-19 & 20.

Nuclear Watch New Mexico believes that many of the problems and so-called scandals that have plagued LANL over the last decade could have been avoided had there been a rigorous “single, integrated, effective quality assurance program.” Yet quality assurance is mentioned only in passing in the DSWEIS - - there is no substantive discussion of a formalized program that should pervade all Laboratory activities, better protect the environment and conserve taxpayers' dollars. A new DSWEIS should not only seriously discuss such a program but also propose how to exponentially improve quality assurance at LANL.

|| 268-23

Nuclear Safety at the Los Alamos National Laboratory

268-22 NNSA revised the SWEIS to consider potential terrorism impacts consistent with the decision of the U.S. Court of Appeals for the Ninth Circuit. DOE gives high priority to the safety and security of all its facilities. Security and potential acts of sabotage are integral considerations in the designs and operating procedures of new and existing DOE facilities. DOE considers the threat of terrorist attack to be real and undertakes an established safeguards and security process to assess facility vulnerabilities to various threats, including those from intentional destructive acts such as terrorism. Chapter 4, Section 4.6, of the SWEIS was revised to include additional discussion of the measures taken to protect assets at LANL from terrorist activities. As discussed in Chapter 5, Section 5.12.6, the impacts of terrorist action are considered in a separate, classified appendix to the SWEIS.

268-23 The SWEIS is not the appropriate venue for the suggested quality review of LANL operations; quality assurance of facility operations is a contractual issue. Improved contractor performance is expected of the new managing and operating contractor, Los Alamos National Security, LLC (LANS), and contract incentives are in place to promote improvements to the operational quality assurance process at LANL.

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Scott Kovac, and John Witham, Nuclear Watch of New Mexico***

1) For TA-55 the accidents analyzed involved a container breach, 2.5 rem to the Maximally Exposed Individual (MEI, a hypothetical member of the public who would receive the largest dose), and a release due to an ion exchange column rupture (1.28 rem to the MEI). Both accidents assumed a Facility Leak Path Factor (the fraction of material that escapes the building in an accident) of 1 and involve less than 10,000 grams total. The TA-55 facility allows 0.5 kg of ²³⁸Pu per glovebox (this is the equivalent of about 119,000 grams of equivalent ²³⁹Pu per glovebox). Assuming each lab allows something like 2,000 grams of ²³⁸Pu in it, in the 200 area this would equate to about 476,000 grams of equivalent ²³⁹Pu per laboratory available in a release during an accident like a fire or explosion. Expanded work at TA-55 would be expected to INCREASE the accident "Material At Risk" (MAR) in the 100, 300, and 400 areas resulting in larger dose consequences.

A facility fire in the TA-55 PF-4 facility in the 200 or 300 areas (300 area stores a lot of ²³⁹Pu for operations) is not even analyzed as a bounding event in the Draft SWEIS and would give much larger doses to the public MEI. Scaling the doses (at least a factor of 50) would yield doses in the 65 rem to 125 rem range for the fire and possibly more. Even the CMR HEPA filter fire (involving less than about 20 grams of ²³⁹Pu equivalent) gave doses to the MEI of about 0.77 rem. Analyzing the CMR HEPA filter fire in place of a TA-55 fire is nonsensical but does show that the TA-55 fire would involve large doses to the MEI. The choice of accidents in the Draft SWEIS was not prudent and cannot be defended. The Draft SWEIS did not adequately address the suite of accidents necessary to quantify the differential risks among the three alternatives.

MEI doses due to seismic "Scenario 2" at TA-55-PF-185, MAR 48.9 kg, are given in the Draft SWEIS as 5.98 rem. The seismic source term in TA-55, PF-4 is on the order of many metric tons of Pu-239 equivalent including powders, liquids, solids, etc. (factors on the order of 50-200 larger for the MAR). Yet the seismic doses for the MEI are given in table D-16 as only 4.21 rem. This is not consistent and is not defensible. Comparing the doses from PF-185 to the TA-55 MAR should give on the order (50-200) x 5.98 = 300 rem to 1200 rem to the MEI.

2) For the Material Disposal Area B Fire, the MEI dose at 45 meters is given as 1.26 rem and the 100 meter worker dose is given as 0.280 rem. The MACCS 2 Code Manual as well as the input parameters for Tamor and Gur, as were used for the draft EIS, state that the dispersion parameters range of applicability is 0.5 to 5.0 km. 0.5 km is 500 meters. According to The Workbook of Atmospheric Dispersion Estimates (Turner), the sigma-y function (Table 2.3) is undefined at very low ranges near zero. All of the nomograms (graphs) start at 100 meters because at very close distances transport phenomena dominate rather than diffusion/dispersion phenomena. Therefore, calculation of the MEI dose using MACCS 2 as was done in the Draft SWEIS at 45 meters cannot be defended and is invalid.

3) After more than 100 million dollars in upgrades to the old Chemistry and Metallurgy Research Building (CMR), NNSA decided to abandon the project after a seismic fault trace was found under the facility. NNSA then decided to build a "Chemistry and Metallurgy Research Replacement Project" (CMRR) at TA-55, now under construction. Table D-1 of the Draft SWEIS entitled "Evaluation of Accident Data from the 1999 SWEIS" states that the "CMRR doses are bounded by CMR" and that "DOE 2003a [2003 Final EIS for the CMRR] considered accidents from both CMR (no action) and the replacement facility, CMRR (preferred action). The results (Tables C-3 and C-5 of that document) show that CMRR accident risks are bounded by those of CMR. Therefore, the latter is analyzed here."

It is very hard to envision how a maximum facility "Materials At Risk" or MAR allowed in CMR on the order of 20 kg is bounded by the 6 metric tons of Pu-239 equivalent that will be allowed in the

268-24

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268-24 The Plutonium Facility Complex accident impacts presented in Chapter 5, Section 5.12, of the SWEIS were revised to reflect the most recent LANL contractor safety studies of that facility and to include a seismic event and fire.

268-25 The calculation of a maximally exposed individual dose at 45 meters is a reasonable approximation. This was validated by recalculating the maximally exposed individual dose at 45 meters from the Material Disposal Area B Fire using MACCS2, but replacing the dispersion parameters previously used with those of Eimutis and Konicek (for example, see U.S. Nuclear Regulatory Commission Regulatory Guide 1.194, *Atmospheric Relative Concentrations for Control Room Radiological Habitability Assessments at Nuclear Power Plants*, pp. 25-26, June 2003). The latter are valid at the distance of interest. The maximally exposed individual dose presented in the SWEIS was found to be similar to that calculated using the Eimutis and Konicek parameters. Furthermore, as noted by the commentor, the release conditions affect the plume concentrations close to the release point. The maximally exposed individual dose presented in Appendix D, Table D-27, of the SWEIS for this scenario was calculated assuming no thermal energy associated with the fire and no near-field mixing caused by turbulence associated with the fire. In practice, buoyancy from the heated plume would tend to lift it and thus decrease the dose to nearby ground-level receptors. Likewise, mixing the release with the atmosphere due to turbulence near the fire would decrease the dose to nearby ground level receptors. Therefore, the maximally exposed individual dose at 45 meters from the Material Disposal Area B Fire is both reasonable and bounding.

268-26 NNSA completed the *CMRR EIS* in 2003 and issued a Record of Decision to construct a new facility in February 2004 (69 FR 6967). All activities for which NEPA analyses have been completed previously are included in the SWEIS. The *CMRR EIS* provides a quantitative comparison of calculated accident risks for the existing Chemistry and Metallurgy Research Building and the Chemistry and Metallurgy Research Replacement Facility (DOE 2003c). The accident risks from the existing building are greater than those of the planned replacement facility. Accident risks are a function of the source term released and the frequency of an accident, as discussed in Appendix D of the SWEIS. The Chemistry and Metallurgy Research Replacement Facility incorporates design safety

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new CMRR, several hundred kgs of which will be allowed out in CMRR for operations. In fact, the quoted statement is so wrong that it cannot be fathomed or defended. The accident doses for the CMRR Maximally Exposed Individual (MEI) will greatly outstrip (by orders of magnitude) the doses of CMR for accidents to the MEI. This patently wrong statement invalidates the Draft SWEIS for comparison among the 3 alternatives.

**268-26
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4) Table D-1 states that the Decontamination and Volume Reduction System (DVRS) glovebox is nominally a seismic Performance Category-2 system. ("DVRS glovebox processing campaign added (DOE 2004b) Nominally PC-2.") This is not correct. It was discovered that the DVRS facility was built over a waste pit for which no soil constants are known (this is captured in the NNSA Safety Evaluation Report which approves the Safety Analysis for DVRS). The facility cannot be credited even to PC-1 and also had not been shown to even meet the requirements for seismic design of an office building per Executive Order 12699. It should also be noted that it has been shown that the Nuclear Hazard Category 2 Radioactive Assay and Nondestructive Test Facility (RANT), which should be seismically robust enough to withstand a PC-3 seismic event, is also not even structurally sound to a below PC-1 event and, like DVRS, falls far short of nuclear safety seismic standards (this is the subject of an Unreviewed Safety Question and Occurrence Report). The releases would potentially occur for rather small earthquakes because there is no NNSA or LANL enforced plan to upgrade either facility. Therefore, neither DVRS nor RANT should be operating at this time or be used under any of the DSWEIS alternatives.

268-27

In a similar vein, occurrence reports exist which show that the Safety Class domes at TA-54 Area G for transuranic waste storage have never been properly maintained and have consequently degraded to the point that they cannot perform their safety class function. In a seismic event, the rotted fabric of the domes will not hold the dome ribs together as a seismic system. There is no NNSA plan to repair these domes. Therefore, the risk during a low threshold seismic event would be large. This is not captured in the DSWEIS risk alternatives. DSWEIS page H-68 states "the Hazard Category and Performance Assessment would need to be upgraded to Hazard Category 2 and Performance Category 3 for the Decontamination and Volume Reduction System; Waste Characterization, Reduction, and Repackaging facility; and modular units." Since DVRS was built over a waste pit for which no soil constants are known, how is it even possible to consider upgrading it to PC-3 structurally?

5) The DSWEIS states that almost none of the LANL nonnuclear or radiological or chemical facilities have been officially categorized and it is uncertain of the inventories in the shops of chemicals like beryllium. Since this is the case, how is it possible to defensibly differentiate among the three alternatives from a DSWEIS risk perspective?

268-28

6) A lot of the information from which the DSWEIS was derived was taken from LANL Safety Analyses. The Defense Nuclear Facilities Safety Board (DNFSB) has repeatedly identified in its weekly LANL reports that the safety analyses, which were good when developed, have not been maintained and are now obsolete. How is it possible to defend the DSWEIS when the information upon which it is based was extracted from obsolete Safety Analyses as per the DNFSB Site Representatives weekly reports that are on the web?

268-29

7) Throughout the DSWEIS statements are made about safety risk mitigation at TA-50, LANSCE, TA-55, etc., applicable to the various alternatives like: "Potential worker exposure to radiological contamination and asbestos during DD&D. Impacts would be mitigated through safe work practices, procedures, and personal protective equipment." And for "Human Health":

**268-7
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features such as the leak path factor and damage ratio that affect the source term factors and thereby reduce the amount of radioactive materials that would be released to the environment in the event of an accident. Any specific accident source term depends only on the portion of the facility material at risk that is subject to accident conditions and existing design safety features. Therefore, a larger amount of material at risk at the Chemistry and Metallurgy Research Replacement Facility does not imply a larger source term because of mitigating factors that are inherent in the facility design. Additional information on the factors used to calculate accident source terms is provided in Appendix D, Section D.3.1, and Table D-3.

268-27 NNSA acknowledges that there are seismic issues related to safe operation of the some of the waste management facilities. Due to structural performance issues, the Decontamination and Volume Reduction System is not operating and will not resume operations until the LANL contractor develops a means of addressing the seismic concerns and receives NNSA approval. The accident analysis in Chapter 5, Section 5.12, is based on a fully functioning facility, so it assumes an amount of material at risk that is not currently allowed in the facility. Therefore, the accident analysis would be expected to bound operations that may be authorized in the future, which may limit the amount of material at risk due to seismic concerns.

There are also concerns about the structural performance of the Radioassay and Nondestructive Testing Facility during a seismic event. Consequently, the material at risk allowed in the facility has been reduced significantly to address these safety concerns. The LANL contractor is evaluating possible resolutions that would address the structural performance concerns and allow an increase in the material at risk. As noted above, the accident analysis in the SWEIS would be expected to bound the current situation.

NNSA has issued a Potentially Inadequate Safety Analysis finding regarding the waste management domes in TA-54 that are in disrepair. The LANL contractor is evaluating the finding in preparation for developing a corrective action plan. In the past, one of the domes in disrepair was taken down to address safety concerns.

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“Temporary construction- and DD&D-related impacts and accident potential for workers. Impacts would be mitigated through safe work practices, procedures, and personal protective equipment.” And, “Operations impacts may increase as a result of increased accelerator usage. However, the maximum dose to the MEI as a result of emissions would be limited to 7.5 millirem per year.” “Operations would involve high radiation fields. Worker health would be protected by facility design, radiation control procedures, and personal protective equipment.”

“*DD&D Impacts*—Under this option, workers could be exposed to radiologically or chemically contaminated materials during demolition activities. Worker risks would be mitigated by use of personal protective equipment and preestablished safety procedures. Based on an estimated 60,000 person-hours and construction accident rates, one to three recordable injuries could be expected to occur from DD&D (DOE 2004, BLS 2003).”

“If mitigation measures are needed for potential sealed source accidents, they would include placing sealed sources in locations where they would not be susceptible to damage from an aircraft crash, fire, or seismic event (kept underground like strontium-90 at TA-54). Another potential mitigation measure might include the use of lower limits for maximum allowable source radioisotope activity in shipping containers, the TA-54 dome, and Wing 9 of the CMR Building. Storage containers that can be shown to maintain their integrity under fire, crash, and seismic event loads also would mitigate the consequences of these potential accidents.”

In short, safety risk mitigation is claimed throughout the DSWEIS document as a means of justifying the acceptability of various alternatives. However, there are numerous DNFSB weekly reports on the web written by the DNFSB Site Representative as well as many occurrence reports and even recent assessments of the NNSA Los Alamos Site Office (LASO) that show safety controls at LANL are systemically not working. One reason that they are not working is because they have never been adequately verified as operational through required independent and qualified oversight by federal personnel or the contractor.

Moreover, the DNFSB has repeatedly raised alarms over how federal oversight of LANL (i.e., NNSA's) is dramatically deteriorating. This is compounded by the fact that even though “this is a significant risk based on the past performance of the Laboratory”, the NNSA Administrator has ordered the LASO Manager to grant even more self-oversight to the LANL management contractor.²³ This flies in the face of the serious operational safety challenges that the Laboratory has still not resolved, despite a half-year shutdown to Lab operations that cost American taxpayers at least \$365 million.

Incredibly, NNSA grants this greater contractor self-oversight even as it is fully aware of the safety problems at LANL. As made clear below, the agency at the highest levels is fully aware that Lab safety controls are inadequate:

SUBJECT: Verification of Implementation of Safety Controls at Los Alamos National Laboratory

²³ Memorandum from Linton Brooks, NNSA Administrator, to Edwin Wilnot, LASO Manager, undated (circa April 2006), http://www.nukewatch.org/facts/nwd/LASO-Brooks_B_Oversight.pdf

**268-7
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268-28 Chapter 2, Section 2.1, of the SWEIS states, “All facilities at LANL, including those that are proposed, under construction, preoperational, operational, or idle, have been categorized according to hazards inherent to their actual operations or planned use.” Later sections of Chapter 2 describe subsequent changes to activities and facilities, particularly related to their unique associated hazards. As indicated in Chapter 3, Section 3.1.3.3, the level of operations for the machine shops does not differ among the three alternatives. All of the accident scenarios presented in Chapter 5, Section 5.12, that involved either radiological or chemical exposure impacts hypothesized uncertainties in various factors, including chemical inventories. The choice of such factors in the impact analyses was made to bound those impacts.

268-29 The SWEIS accident analyses are based on the most appropriate and currently available information, including information derived in part from LANL safety analyses, which are operational tools designed to enhance safety performance at subject facilities. The SWEIS accident analyses are based on the most appropriate and currently available information, including information derived in part from LANL safety analyses, which are operational tools intended to enhance safety performance at a facility. The contractor and the Los Alamos Site Office are in the process of updating and reviewing LANL safety analysis reports. As new information becomes available, it will be reviewed to determine if additional NEPA analyses are necessary.

**Commentor No. 268 (cont'd): Jay Coghlan, Director,
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Purpose: The Chief of Defense Nuclear Safety (CDNS) conducted a review at the Los Alamos Site Office (LASO) from June 21-23, 2005, to evaluate the processes used to identify, track, and verify implementation of controls necessary to ensure the safe operation of hazardous nuclear facilities at the Los Alamos National Laboratory (LANL). The review was conducted in response to concerns raised by members of the LASO staff about the implementation of controls at LANL and specifically about LASO efforts to verify implementation of safety controls.

Summary: LASO currently does not have an adequate system to identify and track the status of safety controls important for each nuclear facility at LANL. Without such a system it is difficult to conclude the state of implementation of the controls or to hold LANL accountable for performing as required.

The LASO system needs improvement in three areas: 1) identification of applicable controls and requirements; 2) initial implementation of controls and requirements once approved; and, 3) periodic reverification to maintain confidence that controls are effective...

Using only LASO systems and information it is difficult to determine the complete set of controls relied upon for the safe operation of the nuclear facilities at LANL or determine the status of implementation... The current process by which LASO verifies LANL's implementation of controls is ad hoc and does not take advantage of the work and evidence required of the laboratory or ensure that LASO holds the laboratory accountable for fulfilling its requirements in a quality manner. The current guidance to FRs [facility representatives] is not specific enough to ensure that TSR [nuclear Technical Safety Requirements] level controls will be verified as implemented on a continuing basis. The NNSA Line Oversight program for LANL needs to be strengthened to resolve this issue.
24

Table D-5 gives a "Criticality Scenario" which states:

SHEBA [Solution High-Energy Burst Assembly] (TA-18) criticality considered in DOE 2002a [a DSWEIS reference document] and risks to the public and non-involved workers shown (Table C-5 of that document) to be inconsequential and bounded by the SHEBA Hydrogen Detonation scenario analyzed in this SWEIS. Criticality scenario impacts are short range and affect involved workers only.

First, this passage apparently mistakenly references "DOE 2002a", which in DSWEIS Chapter 7 "References" is listed as *Natural Phenomena Hazard Design and Evaluation Criteria for Department of Energy Facilities*. That document's Table C-5 is "Elastic Response to Reference 1.0g NUREG/CR-0098 Spectrum (7% damping)" related to the seismic probabilities of individual buildings. It in no way supports the assertion that risks associated with SHEBA criticality experiments are "inconsequential", hence there is no basis for the DSWEIS's assurances. To the contrary, the DNFSB has repeatedly stated that there are potentially very serious offsite consequences that could result from the systemic safety problems with criticality experiments at TA-18, including SHEBA, as follows:

24 MEMORANDUM FOR: Linton Brooks, Administrator, NNSA, FROM: James J. McConnell, Chief of Defense Nuclear Safety, NNSA, July 1, 2005.

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268-30 Appendix D lists its own set of references at the end of the appendix; these references are different from those listed in Chapter 7, which apply to the main chapters of the SWEIS. Reference DOE 2002a in Appendix D is the *Final Environmental Impact Statement for the Proposed Relocation of Technical Area 18 Capabilities and Materials at the Los Alamos National Laboratory (TA-18 EIS)* (DOE/EIS-0319). The reference in Appendix D, Table D-1, to Table C-5 of the *TA-18 EIS*, however, was corrected in the Final SWEIS to reference Table C-6 in the *TA-18 EIS*. This table demonstrates the attributes described in Table D-1 in the SWEIS: critically risks are bounded by the risks of the Solution High-Energy Burst Assembly hydrogen detonation accident. The Solution High-Energy Burst Assembly \$2.40 reactivity insertion accident scenario was evaluated along with other accident scenarios at TA-18 and, although its consequences are greater than the Solution High-Energy Burst Assembly hydrogen detonation accident scenario in the SWEIS, the hydrogen detonation accident scenario has a greater annual risk. NEPA guidelines do not require all potential accidents to be analyzed and addressed in an EIS. Analyses of a spectrum of accidents that represents and bounds all potential accidents are required. In the event of an accident that was not explicitly addressed in the SWEIS, there is reasonable assurance that the impacts of such an accident to workers and the public would be no greater than those that were analyzed.

Throughout the operating life of specific facilities, safety studies in the form of Hazards Assessment Documents, Safety Analysis Reports, and Bases for Interim Operations are prepared as required by DOE Orders that identify and evaluate a comprehensive set of safety hazards and potential accident risks. The results of these safety studies are incorporated into facility design, modifications, and operational procedures to protect the health and safety of workers and the public. Since the time of the commentor's referenced information, Pajarito Road in the vicinity of TA-18 was closed to the public. As described in the *TA-18 EIS*, prior to permanent closure of the road to the public, the road was temporarily closed during any operation that could result in a dose of more than 4.75 millirem of direct radiation to an individual who spent 1 hour along that road.

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Recent federal oversight at TA-18 has been minimal... The accident scenario for SHEBA indicates that the off-site consequences for an accident involving a \$2.40 reactivity insertion while operating with a postulated 700 gram plutonium sample can reach nearly 700 rem cumulative dose equivalent, essentially all of this amount is from vaporization of the sample. The \$2.40 limit is specified in the technical Safety Requirements for TA-18, but LANL personnel have reported that it is physically possible to insert up to \$3.40 excess reactivity... Therefore the seven COAs [conditions of approvals] shown below remain open:... Evaluate the potential direct radiation hazard to members of the public on Pajarito Road during SHEBA burst operations.²⁵

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As another example, the DSWEIS states:

For purposes of analysis, potential bounding accident scenarios were assessed for an aircraft crash with fire at Area G at TA-54, and a seismic event with fire at Wing 9 of the Chemistry and Metallurgy Research Building. Consequences of the Wing 9 event were also calculated for a release emanating from TA-48 because the Radiological Sciences Institute that would be built in TA-48 would provide a replacement for the Chemistry and Metallurgy Research Building Wing 9 hot cell. None of these accidents would result in a fatal dose to the noninvolved worker, the MEL, or the population within a 50-mile (80-kilometer) radius. The highest LCF risk to the population would result from the Wing 9 of the Chemistry and Metallurgy Research Building accident with consequences calculated at TA-3. This postulated accident could result in an increase in LCF risk of approximately 1 chance in 6 million for the noninvolved worker, 1 chance in 70 million for the MEL, and 1 chance in 600 for the population within a 50-mile (80-kilometer) radius. DSWEIS S-90 & 91.

268-31

268-31 Using a 50-mile distance to analyze radiological impacts via the air pathway is consistent with other analyses performed by DOE and the Nuclear Regulatory Commission. Nonetheless, an analysis of the impacts of extending the region of influence out to 100 miles found that the change in population dose was only a few percent. A description of the analysis was added to Appendix D, Section D.3.2, of the SWEIS.

First we note that the affected 50-mile is arbitrary, depending on where the center is on Laboratory property. If located at TA-21, the 100-mile diameter circle would have a population base of 271,600 and if at TA-16 404,900 people. DSWEIS D-17. If that radius was extended a mere 10 miles, it would capture to the south Rio Rancho and parts of Albuquerque, adding perhaps another 400,000 people. For prudence's sake a new DSWEIS should use a 60-mile radius in its affected population calculations centered mid-way north to south on the TA-15/TA-36 border, which given LANL's irregular shape is somewhat of a geographic center.

268-32

268-32 Chapter 5 of the SWEIS includes analyses of the impacts and risks from a representative range of accidents, including high-consequence accidents. Among these are an aircraft crash and a fire affecting Off-Site Source Recovery Project sealed sources, as well as a wildfire that impacts all of the transuranic waste drums at TA-54 Area G. Criticality at TA-18 is addressed in the response to Comment no. 268-30; all machines at TA-18 other than the Solution High-Energy Burst Assembly have been decommissioned. Additional scenarios, including a seismic event and a fire at TA-55 with plutonium-238 among the impacted source material nuclides, as well as a Radioassay and Nondestructive Testing Facility scenario that results in a fire, were added to the Final SWEIS.

As to the issues, the DNSFB has repeatedly stated that there are four accident scenarios with more serious consequences than the CMR Wing 9 fire, in order:

1. An airplane crash into high-activity transuranic waste drums at TA-54, potentially resulting in a 1,800 rem offsite dose;
2. A runaway criticality experiment at TA-18, potentially resulting in a 1,100 rem offsite dose;
3. A Pu-238 room fire at TA-55, potentially resulting in an 800 rem offsite dose; and
4. A fire and/or seismic event at the RANT facility, potentially resulting in a 500 rem offsite dose.²⁶

268-32

The Safety Board calculates a potential dose of a "mere" 200 rem with a CMR fire. Thus it seems that the DSWEIS intentionally avoids risk analysis of the most severe and highest consequence accidents, which a new DSWEIS should correct.

²⁵ DNFSB Staff Issue Report, March 24, 2004. All DNFSB Staff Issue Reports and Weekly Reports are archived at http://www.dnfsb.gov/pub_docs/lanl/wr_la.html

²⁶ DNSFB Staff Issue Report, May 3, 2004, "Status of Safety Bases at LANL."

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On an interesting tangent, it is instructive how the DNFSB came to be aware of the high potential doses in the worst scenario, that being from a TA-54 Area G safety analysis completed by the NNSA Los Alamos Site Office's senior nuclear safety analyst, excerpted below:

During the review it was discovered that major modifications to the Area G TSRs were required before they could be approved. Issues included safety controls that were missing from the TSRs... *A root cause to the lack of a full quality review is the fact that NNSA personnel were told by LANL personnel that LANL has no fully qualified Safety Analysts...* The lack of this full quality/independent review has resulted in a DSA and TSRs submitted to NNSA that were lacking in quality and should have been rejected per LANL's and NNSA's criteria... the previous TA-54, Area G Site Safety Basis, approved in 1995 by the doe Albuquerque Operations Office, *either underestimated the offsite doses due to postulated bounding accidents or did not evaluate the accidents altogether...* The 1995 safety basis stated that the highest postulated dose to the public to be 12 rem, while the more rigorous current analysis reveals bounding offsite doses in the several hundred to thousand rem ranges to the public... *Characterization of MAR [Material at Risk] is still not well understood by the Laboratory...* In this DSA, the Laboratory failed to include all MAR in developing accidents for analysis... *it is clear there is a lack of safety systems employed at TA-54 Area G...* There were numerous issues in the DSA and TSRs that had to do with the *miscalculations, misstatements, use of incorrect values, etc., that detract from the quality of the document...* again, this is indicative of inadequate QA [Quality Assurance] and lax independent review of the document.²⁷

In 2006, as reported in the media, this NNSA LASO senior nuclear safety analyst was transferred from his position over his objections. This is particularly telling in light of the presently diminishing NNSA oversight at LANL and the greater degree of self-oversight being granted to the new management contractor. A new DSWEIS should rigorously examine how the declining safety culture and lack of qualified analysts, both with NNSA LASO and LANL, could impact operations and potentially increase impacts to public/occupational health and the environment.

Inadequate safety measures are endemic to the Laboratory. As the Defense Nuclear Facilities Safety Board (DNFSB) noted:

"Section 202 of 10 CFR Part 830 [DOE Nuclear Safety Management Regulations] requires that safety bases be reviewed and that any required updates be proposed and approved once per year; however, *this has rarely occurred for LANL nuclear facilities...* LANL currently has 26 nuclear facilities, including 17 that are HC [nuclear Hazard Category]-2 and that have a number of safety bases issues."²⁸

Authorization Basis (AB): High quality safety bases are needed to provide reasonable assurance that nuclear facilities can operate safely in a manner that adequately protects workers, the public, and the environment, as required by the Nuclear Safety Management rule, 10 CFR 830... Overall, in spite of significant effort, *NNSA and LANL have been*

²⁷ Final Documented Safety Analysis, Technical Area-54, Area G, November 10, 2003, <http://www.drivehq.com/file/ShowFolder.aspx?G=1&shareID=282266>, emphases added.

²⁸ DNFSB Staff Issue Report, May 3, 2004, "Status of Safety Bases at LANL", emphasis added.

268-33

268-33 Examination of hypothetical accidents resulting from a declining LANL operational safety culture and contractual issues related to contractor performance are not within the scope of the SWEIS. However, NNSA analyzed a suite of potential accident scenarios for LANL operations and believes that the accident impact analyses provided in the SWEIS are bounding for the low-probability, high-impact accidents that could occur at TA-54 and are of concern to the commentor. The commentor's opinion regarding the continued operation of facilities at LANL is noted, as is the comment regarding the LANL contractor's self-oversight role. NNSA and the LANL management and operations contractor are working with the Defense Nuclear Facilities Safety Board to address concerns about the safe operation of LANL; as part of this operational improvement effort, NNSA is increasing funding for qualified safety analysts.

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unable to update a single AB [authorization basis] since the Board letter of May 27th, 2004 on this topic; 10 CFR 830 requires AB's be reviewed and updated annually.²⁹

LANL management has acknowledged a \$200M shortfall in its FY-07 budget (i.e., -10 %); the impact on necessary improvements to safety programs is uncertain. For example, the Operational Efficiency (OE) Project, which ends Oct 1st, identified that \$7.4M over 3 to 5 years is required to execute the OE-generated plan for technical baseline reconstitution of vital safety systems in nuclear facilities; FY-06 funding for this was \$0.2M. Similarly, the OE-related plan to systematically address about 600 institutional training issues identified during the last 3 years is estimated to cost \$44M and take 4 years; resolving these training issues appears fundamental to LANL improving other safety programs, such as work control, conduct of operations, and criticality safety. Currently, *neither LANL's priorities for these improvements nor NNSA's intentions to contractually incentivize the improvements is clear; their overall priority may be decreasing.*³⁰

Based on its own staffing analyses, LASO suffers from an insufficient number of technically-qualified staff to perform nuclear safety oversight: only 4 of 8 LASO managers in senior technical safety manager (STSM) positions have STSM qualification; 3 of the 5 safety analysts are fully qualified, compared to about 15 needed per responsible LASO management... LASO has no full-time criticality safety expertise on site, which seems inconsistent with the scale of LANL fissile material operations. *LASO has essentially no funding available this year for hiring or training staff and thereby beginning to alleviate this condition.*³¹

Authorization Basis (AB): *LANL now has about four dozen AB submittals at the NNSA Site Office for action, and LANL and NNSA are starting to lose track of them, including LANL's most recent recommendations for the TA-55 confinement strategy issue.*³²

Finally, the DNSFB has noted:

Plutonium Facility TA-55): The iTSRs [interim technical safety requirements] are supposed to be implemented July 31st, and without formal resolution and approval, the basis for continuing operation appears uncertain. Waste Operations... RANT's [Radioactive Assay and Nondestructive Test Facility's] authorization to operate to the older TSRs expires July 31st, and RANT is not prepared to operate to the new TSRs... Since March 2005, NNSA has intended for RANT to receive seismic upgrades... Los Alamos Neutron Science Center (LANSCE): The current LANLSCE safety basis, now ~5 years old, expires Aug 31st, and using old data, the target inventory is predicted to exceed a radionuclide-specific safety basis limit on Aug 9th, necessitating shutdown... Management: LANS [Los Alamos National Security, LLC, the new contractor] recognized before Jun 1st the looming TA-55, RANT, and LANSCE deadlines. NNSA could have taken appropriate actions before Jun 1st, but NNSA's attention has been elsewhere. As a result of late awareness, NNSA has relinquished opportunities to exert federal authority

²⁹ DNFSB Los Alamos Report for Week Ending August 20, 2004, emphasis added.

³⁰ DNFSB Los Alamos Report for Week Ending August 4, 2006, emphasis added.

³¹ DNFSB Los Alamos Report for Week Ending March 10, 2006, emphasis added.

³² DNFSB Los Alamos Report for Week Ending May 19, 2006, emphasis added.

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in these cases. *Collectively, these cases illustrate the slip in nuclear safety here in the last two years.*³³

These nuclear facilities and the others with chronic and longstanding problems with safety bases should cease operations until they are fixed. It is especially outrageous that these problems continue to persist despite the \$365 million standdown. All of this flies in the face of the DSWEIS's bland assertions that nuclear operations at the Lab are safe. A new DSWEIS must fully incorporate the full range of the DNFSB's safety concerns and then consider concrete steps that meet and resolve those concerns.

Safety risk mitigation is reputedly a cornerstone of the whole draft EIS analysis, but the safety controls (safety risk preventors and mitigators) are systematically corroded and broken from the fire suppression sprinklers at TA-55's plutonium pit production facility that were never inspected to the Safety Class domes at TA-54 Area G storing radioactive transuranic wastes to the Glovebox ventilation system at the Waste Characterization, Reduction and Repackaging Facility to the roof that may well cave in at RANT in a small seismic event (less than PC-1). Recent further examples are also included in the document release by the Project on Government Oversight on 9/12 of a \$1.1M fine of LANL for safety systems not working. This systemic safety problem has not been fixed. Since the risk mitigation arguments are central to the DSWEIS's analysis of the 3 alternatives, and the risk mitigations are systematically broken, then residual and differential risks among the 3 proposed alternatives are not understood and the DSWEIS is currently indefensible.

In sum, the DSWEIS's safety and potential accident analyses are woefully inadequate, even indefensible. On that basis alone, the DSWEIS should be redone. Furthermore, a new DSWEIS should vigorously defend and examine the potential safety impacts of the NNSA decision to grant the management contractor yet greater self-oversight. That decision is perverse, given the systemic, chronic and still unresolved safety failures that again cost American taxpayers at least 365 million dollars.

A Failure to Adequately Consider Accident Scenarios

In some instances, the DSWEIS treats potential accident scenarios in a very convoluted fashion that is nearly incomprehensible to the public. Our specific example here concerns DSWEIS Table D-1, "Evaluation of accident data from the 1999 LANL SWEIS." In it, the DSWEIS states that accident scenarios for the new Chemistry and Metallurgy Research Replacement Project is *bounded by those of the CMR [the old Chemistry and Metallurgy Research Building]. Therefore, the latter is analyzed here.* DSWEIS, p. D-5.

But the maximum risk accident from that document [the 2003 environmental impact statement for the CMRR] was selected to represent CMR. The scenario is called the CMR HEPA [high energy particulate arrester] filter fire. DSWEIS, p. D-3. First we question whether that is appropriate, given that the CMRR will have up to 7.3 tons of inventoried special nuclear materials, which are clearly "Materials at Risk" for the purpose of calculating the consequences of potential accident scenarios. In contrast, it is explicitly stated that the old CMR building will be de-inventoried of special nuclear materials, significantly because of potential seismic concerns. So how can it be that a new \$1 billion nuclear weapons facility is bounded by an existing facility slated for extinction? There seems to be some sleight-of-hand here in the relevant potential accident analyses.

³³ DNFSB Los Alamos Report for Week Ending July 28, 2006, emphasis added.

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268-34 Analyses of consequences and risks in both the *CMRR EIS* and the LANL SWEIS were based on commonly accepted scientific methods. The response to Comment no. 268-26 addresses the selection of the Chemistry and Metallurgy Research Building and Chemistry and Metallurgy Research Replacement Facility accident scenarios. Consequences are presented to document potential impacts if an event were to occur, and risks are presented to project the likelihood of an event occurring in any given year. The frequency of seismic events at LANL varies with the intensity of the event, and only seismic events that could result in releases to the environment and significant risk to workers and the public are included in the SWEIS. To the extent possible, the most recent technical documents were considered in the Final SWEIS analysis, including the 2007 seismic hazard analysis report (LANL 2007a).

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Even more serious is how annual accident consequences were arrived at in the 2003 CMRR EIS. That document is a major reference document to the DSWEIS, and is therefore a good example of how annual accident risks are severely downplayed in the DSWEIS as well. The CMRR EIS states:

The accident with the highest potential risk to the offsite population and maximally exposed offsite individual (see Table 4-15) would be a facility-wide spill caused by an earthquake that would severely damage the CMRR Facility with a risk of a latent cancer fatality for the maximally exposed offsite individual of 1.5×10^{-6} . In other words, the maximally exposed individual's likelihood of developing a fatal cancer from this event is about 1 chance in 666,000. 2003 CMRR EIS, p. 4-25.

On the face of it, it sounds very reassuring. However, when one goes to CMRR EIS Table 4-15, one finds that the potential severity of accident consequences are given on a per year basis, and not on the total severity of consequences should that accident occur during the operational lifetime of the facility. Further, one finds in the preceding CMMR Table 4-14 that should that accident occur, there are actually 100.6 predicted latent cancer fatalities, which begins to mean something even within what we believe to be NNSA's lowball estimates. But in that same table the estimated frequency per year of that accident is given as 5.0×10^{-6} , or in other words only once in 500,000 years. So NNSA/LANL play God and declare that such serious seismic events could occur only within a half million years in the second most volcanic (although currently dormant) state in the Union. They go on from there to divide that potential accident's total predicted latent cancer fatalities by 500,000 years, to arrive at the reassuring calculation that there could be only a risk of one fatal cancer per 666,000 individuals in any one given year.

This is not credible, especially given that this DSWEIS was prepared before soon-to-be released seismic studies. Over the years Lab seismic studies have repeatedly lowered the predicted time interval between serious events. A new DSWEIS must incorporate the pending studies and adjust accident scenarios accordingly.

Proposed DSWEIS Alternatives

There are three alternatives analyzed in this SWEIS:

No Action Alternative—Operations would continue at current levels consistent with previous decisions such as those announced in the 1999 SWEIS ROD.

Reduced Operations Alternative—Operations would be reduced at High Explosive Processing and Testing Facilities and eliminated at LANSCE and Pajarito Site.

Expanded Operations Alternative—Actions would be implemented to upgrade or replace aging facilities and systems, improve security, and remediate obsolete buildings and contaminated lands. Selected operations would increase, including the production of plutonium pits. **This is the preferred alternative.**

A "Greener Alternative" has already been rejected, as in:

A Greener Alternative was evaluated in the 1999 SWEIS, the name and general description of which were provided by interested citizens as a result of the scoping process for that SWEIS. This alternative evaluated LANL capabilities existing at that time with an emphasis on work performed in support of basic science, waste minimization and treatment, dismantlement of nuclear weapons, nonproliferation, and other areas of national and international importance. While the Greener Alternative contained components of both the No Action and the Expanded Operations Alternatives evaluated in the 1999 SWEIS, the

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operational focus was on science, waste management, and nuclear weapons dismantlement. NNSA is not evaluating a similar alternative in this SWEIS because, as stated in the 1999 SWEIS ROD (see Appendix A), a Greener Alternative would not support the nuclear weapons mission assigned to LANL. DSWEIS, p. S-43.

We could hardly say it better. The public hopes and aspirations that LANL could ever divest itself of weapons of mass destruction programs and begin to seriously meet long-term national security needs such as preventing global climate change and promoting clean energy independence are, in a piece of circular logic, never to be realized because that wouldn't support LANL's nuclear weapons programs. Although it falls on deaf ears, we reiterate our support for a "Greener Alternative", and submit that a new DSWEIS should consider and analyze it.

Nuclear Watch New Mexico also requests that two additional alternatives be analyzed:

Onsite Aboveground Waste Storage Alternative: LANL should develop an aboveground waste storage site on Lab property. Low-level and low-level mixed radioactive waste should be stored aboveground in environmentally engineered mounds. This aboveground waste storage site would be large enough to receive all of the Lab's legacy waste after it is exhumed, all of the debris from future demolished buildings, and all future waste from future operations. This alternative would protect the regional aquifer and would solve transportation issues such as the inevitable increases of transportation costs, and emissions. If there were no site large enough on LANL grounds, then waste-generating operations would be moved to a site where there is room for an aboveground waste storage site. This way, in the future, the waste would be easily retrievable when a technology that can actually make radioactive waste safe is developed. A program like this was recently completed at the Fernald, Ohio Closure Project (see <http://www.fernald.gov/>).

Energy Security Alternative: LANL should initiate a Manhattan-Project-style effort to address the world's global-warming, energy-economy-security complex of problems through clean, renewable and non-nuclear technologies. Solving this global problem would do more for true national security than expanded nuclear weapons operations ever will.

The Radiological Sciences Institute Should Not Proceed Until it Has a Separate EIS

Quotes from the DSWEIS and its reference materials are italicized in this section.

The information and data on this proposal is insufficient and the project itself is too preliminary. A complex of this size, with up to 13 new major buildings, and multi-purpose missions, including "support for weapons manufacturing, material property evaluations for stockpile stewardship... and nuclear-weapons-related research," should have its own environmental impact statement when the reference data are complete.

NNSA's preferred alternative of Expanded Operations requires the decontamination, decommissioning, and demolition (DD&D) of 52, or 80 percent, of LANL's existing radiological facilities and consolidating their missions in the RSI. This massive overhaul will involve handling and disposing of contaminated structures, contaminated equipment and adjacent soil contaminated from 40 to 60 years of nuclear weapons work. The DSWEIS states this DD&D "would result in some release of radionuclides", but amounts are not given. How can this lack of detail constitute a credible environmental impact statement? Construction and operations at the new RSI, like many other nuclear weapons facilities at LANL, have

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268-35 Chapter 3, Section 3.5, of the SWEIS discusses NNSA's decision not to analyze a "Greener Alternative" in the SWEIS. A "Greener Alternative" was analyzed in the 1999 SWEIS, but was not selected for implementation. NNSA does not believe, 7 years later, that a "Greener Alternative" is reasonable for the future operation of LANL to meet its mission as directed by the Congress and the President, and has identified the Expanded Operations Alternative as its Preferred Alternative. NNSA is not currently considering an alternative waste storage arrangement at LANL such as the use of aboveground waste storage mounds for the storage of low-level or mixed low-level radioactive wastes. DOE's Record(s) of Decision for low-level and mixed low-level radioactive wastes, as supported by the 1997 *Final Waste Management Programmatic Environmental Impact Statement For Managing Treatment, Storage, and Disposal of Radioactive and Hazardous Waste (Waste Management PEIS)* (DOE/EIS-0200) (DOE 1997a), state DOE's decisions regarding management and disposal of these waste types for DOE operations, including LANL operations. LANL was identified as a facility that would continue disposal of its low-level radioactive wastes onsite. Additional environmental impact analyses related to expansion of the low-level radioactive waste disposal site in TA-54 were provided in the 1999 SWEIS. DOE announced its decision to expand into Zones 4 and 6 of TA-54 in the 1999 SWEIS Record of Decision (64 FR 50797). Mixed waste generated by LANL is currently disposed of offsite, primarily at licensed commercial facilities. The commentor's recommendation for future LANL operations is noted. In addition to LANL's primary mission of supporting the Stockpile Stewardship Program, research is conducted in areas promoted by the commentor. These research areas are part of current operations; as such, they are included in the SWEIS under the No Action Alternative. These activities would continue to be conducted at LANL regardless of the alternative selected. Refer to Section 2.3, Alternative Missions, of this CRD for more information.

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268-36 The potential impacts of constructing and operating a new Radiological Sciences Institute are presented in Appendix G of the SWEIS. The analyses presented there are based on the functions such a facility would be expected to fulfill and the estimated number of structures required. As described in Appendix G, Section G.3, Phase 1 of the Radiological Sciences Institute Project, construction of the Institute for Nuclear

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so much potential for environmental impact that they should be analyzed far more closely than is done in this DSWEIS.

Does this DSWEIS Expanded Operations Alternative seek to sanction only Phase I of the Radiological Sciences Institute (RSI), which is the Institute for Nuclear Nonproliferation Science and Technology Projects? The SWEIS should be explicit in this. Is there more to RSI Phase 1 than the Institute for Nuclear Nonproliferation Science and Technology Projects?

The DD&D of the existing buildings being replaced in Phase I of the RSI project is summarized as resulting in: *1,100 cubic yards transuranic waste; 93,000 cubic yards low-level radioactive waste; 1,000 cubic yards mixed low-level radioactive waste; and 74,000 cubic yards demolition debris and 1,304,000 pounds of chemical waste.* DSWEIS, p. S-76.

This is a very large volume, yet no reference is cited for where these numbers came from. This undermines the credibility of the DSWEIS. The SWEIS must identify the source of this information.

In addition, DD&D associated with the Radiological Sciences Institute is expected to generate 467 cubic yards of remote handled low-level radioactive waste and 12 cubic yards of remote-handled transuranic waste. DSWEIS, p. 5-139. The SWEIS must identify the source of this information.

A review of the Data Request regarding waste generated during DD&D for the RSI revealed the following:
Transuranic radioactive waste... Unknown at this preliminary preconceptual stage.
Low-level radioactive waste... Unknown at this preliminary preconceptual stage.
Mixed low-level radioactive waste... Unknown at this preliminary preconceptual stage.
Hazardous waste... Unknown at this preliminary preconceptual stage. LANL SWEIS 2006 Data Call, Modern Radiological Science Complex (TA-48) Data Request, p. 1.

Likewise the Data Request for information on the following presents similarly inadequate answers:

Doses to involved workers... Unknown at this preliminary preconceptual stage.

Average dose... Unknown at this preliminary preconceptual stage.

Maximum exposure... Unknown at this preliminary preconceptual stage. Ibid., p.15.

Given that the RSI project is so "preliminary" and "preconceptual", how is it ripe for consideration in this SWEIS? The reference data are not complete and the impacts are not reasonably foreseeable from available information.

Problematic soil conditions are known to exist at the TA-48 site. A large potential release site encircles all of RC-1 and RC-45. Ibid. p. 2. Is this "problematic soil" cleanup part of the Expanded Operations Phase I for the RSI? How would cleanup, that presumably would need to be done before construction, comport with the New Mexico Environment Department's (NMED's) Consent Order, which the DSWEIS concedes will largely drive cleanup decisions? And isn't this whole RSI proposal premature for consideration in this SWEIS before that is known?

There are 13 potential release sites at TA-48. Seven require characterization to define the contamination and its extent and seriousness. Ibid. p. 4. The above remarks apply here as well. Moreover, how can estimates be made until this characterization is done? The data are incomplete.

The project would consolidate radiological laboratories and working spaces to a significantly smaller footprint of modern, flexible facilities in up to 13 buildings located at TA-48. DSWEIS, p. G-30. Will the smaller footprint

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Nonproliferation Science and Technology, is expected to start within the timeframe covered by the SWEIS. Subsequent project phases will be evaluated as they are further planned and defined. Based on these evaluations, NNSA will determine whether the impacts analyzed in this SWEIS bound the expected environmental impacts of constructing and operating a new Radiological Sciences Institute, or whether additional NEPA analysis and documentation are needed. Regarding the presence of soil contamination, as stated in Section G.3.3.2, prior to commencing ground disturbance, NNSA would survey potentially affected contaminated areas to determine the extent and nature of any contamination and required remediation in accordance with LANL procedures and the Consent Order requirements. Possible impacts of the project on a potential release site covered by the Consent Order would be addressed through the accelerated cleanup process presented in Section VII.F of the Consent Order. Radiological air emissions and associated radiological doses to workers and the public are quantified in Section G.3.3.2. Projected annual radiological air emissions from the Radiological Sciences Institute were estimated to be equal to the combined total of projected emissions from the individual facilities whose functions would be moved to the Radiological Sciences Institute.

268-37 As the commentor points out, source documentation regarding the Radiological Sciences Institute indicates that information on the waste to be generated from decontamination, decommissioning, and demolition is "unknown at this preliminary preconceptual stage." Shortly before a building undergoes decontamination, decommissioning, and demolition, it is characterized in terms of its building materials, dimensions, and radiological and other types of potential contamination levels. These data allow an accurate estimate of the different types of waste that would result from decontamination, decommissioning, and demolition activities. This characterization process has not yet been performed for the Radiochemistry Facility; therefore, the waste volumes that would be generated were conservatively estimated based on the type of building construction (for example, metal shell versus concrete), the size of the building, and the types of activities performed in the building (indicating the categories of waste to be expected). A more accurate estimate will be made when decontamination, decommissioning, and demolition is imminent, and analyses will be performed to ensure that the environmental impacts have been identified appropriately.

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for these radiological laboratories, which will be adjacent to the existing plutonium complex at TA-55, make the combined area a more likely target for terrorism?

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The complex would also include a Security Category I underground vault for storage of special nuclear material, eliminating (through underground tunnels) routine material transport on public roads. DSWEIS, p. G-33. To what other facilities do the tunnels connect? If the tunnels connect to the proposed CMRR facility and PF-4 is it reasonably foreseeable that this creates the infrastructure to manufacture more than 80 plutonium pits per year?

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For construction of the Security Category I underground vault for special nuclear material storage and the associated tunnel, excavation depths of up to 45 feet (14 meters) into the mesa may be necessary. DSWEIS, p. G-42. The 9-mile-long (14-kilometer-long) Rendija Canyon Fault is located approximately 0.5 miles (0.8 kilometers) east of the Radiochemistry Laboratory at TA-48. DSWEIS, p. G-41. Please identify, once they are buried, the distance this vault and tunnels will be above the structurally weak strata of volcanic ash that underlines the area. Also, how far will they be from the Rendija Canyon Fault?

New and developing projects that require radiological facilities include missions such as homeland security, advanced fuel cycle initiatives, separation processes for commercial-reactor spent fuel... DSWEIS, p. G-30. Does this mean that commercial spent reactor fuel will be transported to and be present at the RSI for the development of separation processes? If so, at what volumes? If not, how can there be serious R&D on spent fuel separation processes without spent fuel? In either event, how will this mission affect the volume and character of wastes produced by the new facility and the needed monitoring for safety and environmental impacts?

Data for the D&D of the facilities are not available at this point in the project. Each facility will have to be characterized separately. The TA-48 site has not been adequately characterized to determine doses associated with construction activities. LANL 2006 Data Call, att.12, p. 1. A separate, independent, and more complete EIS on the Radiological Sciences Institute (RSI) and the Institute for Nuclear Nonproliferation Science and Technology Projects is necessary to evaluate the scope of environmental impacts from activities at this site. What will the costs be in 30 or 40 years when these facilities are DD&D'ed? Can they be built in such a way as to minimize the expense to DD&D the structures and equipment when they are no longer useful?

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It was assumed that the new facility operations would not exceed current operations. LANL SWEIS 2006 Data Call, Modern Radiological Science Complex (TA-48) Data Request, att.12, p. 1. Is this assumption consistent with the increased plutonium pit production the SWEIS seeks to sanction?

The Radiological Sciences Institute that would be built in TA-48 would provide a replacement for the Chemistry and Metallurgy Research Building Wing 9 hot cell. DSWEIS, p. S-90. Will operations be duplicated during the proposed transition or will they cease at Wing 9 first? Where will the materials be stored during the transition?

The DSWEIS contains contradictions and misleading statements about the Wing 9 hot cells. *...others [programs and functions] that would be moved to the Radiological Sciences Institute that have measurable quantities of emissions or waste include those of the Sigma Complex (Buildings TA-3-66, TA-35, and TA-169), ...Chemistry and Metallurgy Research hot cells (located at TA-3-29)...* (DSWEIS, p. G-34.)

Not all Chemistry and Metallurgy Research capabilities would be moved to the new [CMRR] facility: Wing 9 hot cell operations, medical isotope production, uranium production, surveillance activities, and other capabilities would be eliminated. (DSWEIS, p. 3-15.)

The rocks beneath LANL consist of alluvium underlain by sediments and tuffs that are variably welded and indurated, as described in Chapter 4, Section 4.2.2.1, of the SWEIS. These tuffs, which make up the Bandelier Tuff, Otowi Pumice Bed, and Puye Formation, may form the upper 300 feet of rock beneath LANL. Although these are tuffs, they are not necessarily weak layers—they form the foundation for most of the facilities at LANL. In addition, any tunnel or vault construction would use best construction practices to mitigate structural weaknesses in the strata. Below the Puye Formation, the tuffs give way to the Cerro del Rios Basalt. NNSA assumes that the reviewer is referring to the identification of a thick, structurally weak, nonwelded tuff interval at depth beneath the Chemistry and Metallurgy Research Replacement Facility site at TA-55. The distance from the Radiological Sciences Institute vaults and tunnels to the nonwelded tuff depends primarily on the lateral continuity and structural characteristics of the layer. Additional site investigation is underway to determine the lateral extent of the ash layer and whether this is a significant issue for the Chemistry and Metallurgy Research Replacement Facility or other facilities such as the Radiological Sciences Institute. As stated in the SWEIS, as geological information becomes available, it will be factored into the planning process and building modification decisions for new or existing structures in the area of effect. New geological information would be evaluated in the context of seismic response at the site and any change to seismic risk for planned and existing facilities. Again, as stated in the SWEIS, new information regarding seismic safety would be included in the facility planning process and would be used to evaluate upgrades for existing facilities. Note that the 2007 seismic hazard analysis report (LANL 2007a) has been included in the Final SWEIS. The Radiological Sciences Institute as presently planned would be greater than 0.4 miles from the Rendija Canyon Fault.

A transition plan for moving materials and equipment from the Wing 9 hot cells to the hot cells proposed in the Radiological Sciences Institute has not been developed at this early stage. However, it is reasonable to expect that materials would be moved directly from one facility to the other and that the activities at the Chemistry and Metallurgy Research Building hot cells would ramp down as material is moved and activities are initiated in the new hot cells. Chapter 3, Section 3.1.3.1, of the SWEIS was revised to clarify that the Wing 9 hot cell capabilities would not be moved to

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It seems to be misleading and contradictory that, according to Appendix G, the (CMR) Wing 9 hot cells are being "moved" to RSI but "eliminated" according to Chapter 3. Is the preferred alternative analyzing the impact of Wing 9 operations being moved to RSI or eliminated?

The Sigma Complex Key Facility, located in TA-3, consists of the main Sigma Building and its associated support structures, including the Beryllium Technology Facility, the Press Building, and the Thorium Storage Building. (DSWEIS, pp. 3-15, 3-16.) Bulk depleted uranium is stored in the Sigma Building as supply and feed stock. (DSWEIS, p. 3-15.)

If as stated in Chapter 3 the programs and functions of the Sigma Complex are being moved to the new RSI, is it reasonable to assume the functional equivalent of the Beryllium Technology Facility will be moving to RSI? Is it reasonable to assume this further concentrates pit and mock pit production capabilities in the Pajarito Corridor? How much depleted uranium will be stored at RSI in support of the relocated Sigma Complex programs? Where will it be kept?

The Los Alamos Science Complex

This facility, collectively referred to as the "Science Complex", would aid NNSA in fulfilling its primary Defense Program Stockpile Stewardship mission, while supporting basic and applied scientific research and technology to be conducted on DOE-administered land that could be custodially transferred from one Federal agency to another or by long-term ground lease or government-approved land transfer. (DSWEIS, p. G-124. The meaning of this sentence is difficult to make out, but does provide a basis for us to make the following points.

When Nuclear Watch New Mexico finally obtained the LANL FY06 Ten Year Comprehensive Site Plan after litigating for it under the Freedom of Information Act one of the first things that struck us was that NNSA and LANL had convinced the United States Postal Service to provide "third party alternative financing" for construction of the Science Complex. Once we publicized it, only two days passed before the Postal Service announced that it was withdrawing from the arrangement. The USPS press release also made clear that there was indeed a *quid pro quo* with "the Postal Service assisting the Department of Energy in the development of a Science Complex in exchange for a parcel of land to build a new postal annex intended to relieve overcrowding at the existing downtown Los Alamos, NM mail processing facility." 34

The February 2004 Memorandum of Understanding between NNSA and USPS, also obtained by us through the Freedom of Information Act, shows that it would indeed have been a very sweet deal for the Lab, where NNSA designs the Complex to its specifications and then leases the buildings back from USPS at a rate that the NNSA was to approve.

Now that USPS has pulled out of the arrangement, will the Los Alamos Science Complex still go forward? Are other "third party alternative financing" schemes being pursued? What other projects proposed in the DSWEIS are candidates for such alternative funding? Why did USPS pull out so hastily? Can it be that in the light of day other executive agencies may not want to be publicly associated with a nuclear weapons design and production center?

Finally, NNSA repeatedly states in its proposals that it is ultimately only following the will of Congress. For example, the "Purpose and Need for Agency Action" of this DSWEIS declares *...many of these activities are conducted solely at LANL so stopping these activities would run counter to national security policy as established by Congress.* DSWEIS, p. S-4. However, don't third party financing schemes circumvent the constitutional right and duty of Congress to authorize and appropriate? A new DSWEIS should explain why or why not.

34 USPS press release, June 23, 2006, http://www.usps.com/communications/news/press/2006/pr06_0623.htm
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the Chemistry and Metallurgy Research Replacement Facility, but are proposed to become part of the Radiological Sciences Institute evaluated in Appendix G of the SWEIS.

In accordance with DOE practice, new facilities are designed with the lifecycle of the facility in mind. Therefore, to the extent practical and consistent with necessary safety requirements, features are designed into new buildings to facilitate future decontamination, decommissioning, and demolition, and thereby reduce radiation exposure and costs. The costs associated with decontamination, decommissioning, and demolition of the buildings in 30 to 40 years are not within the scope of this SWEIS. The cited statement from Attachment 12 of the LANL SWEIS 2006 Data Call, "...new facility operations would not exceed current operations..." was a radiological dose evaluation. The cited statement, although not clearly stated in the attachment, indicates that the expected dose from operations at the new Radiological Sciences Institute would not exceed the dose from current operations. It was not intended to limit the operations (new or expanded) that may be conducted at the new Radiological Sciences Institute, which currently is in the preliminary planning and development stages. As described, the Radiological Sciences Institute would consolidate and renew radiological and related capabilities to support LANL missions in a sustainable, efficient manner. While details of the proposed Radiological Sciences Institute may evolve, the SWEIS describes it as it is understood at the time of the current analyses. Sigma capabilities could be relocated to the Radiological Sciences Institute. If that occurs, uranium and other materials would be stored in a designed and approved manner. For the purpose of analysis, the SWEIS assumes that the materials associated with a Sigma-like capability in the Radiological Sciences Institute would be the same as those that are currently associated with Sigma in the SWEIS. Under current plans, the Beryllium Technology Facility would not be relocated to the Radiological Sciences Institute.

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Since the events of September 11, 2001, security at LANL was enhanced to protect personnel, property, and facilities. As part of these security improvements, access to the section of Pajarito Road along TA-48 and TA-55 was limited, as discussed in Chapter 2, Section 2.2.3. Any new structures and operations consolidated in this area would realize the benefit of the enhanced security. As discussed in Appendix J, Section J.1, Security-Driven Transportation Modifications, NNSA is considering

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Criticality Experiments and Nuclear Materials at Technical Area-18

...the only critical assembly that remains operational at TA-18 would be the Solution High-Energy Burst Assembly (SHEBA) in its Security Category III configuration. The Nuclear Criticality Safety Program would continue to operate the SHEBA critical assembly to maintain the capabilities for training and criticality experiments NNSA will analyze, through separate National Environmental Policy Act (NEPA) action, the relocation of SHEBA critical assembly from TA-18 to another site. DSWEIS, p. H-6. The current planning basis includes removal of SHEBA in 2009 and reconstituting it at another DOE Site by 2010. DSWEIS, p. H-9. Is it reasonably foreseeable that criticality experiments will be performed at RSI/ Institute for Nuclear Nonproliferation Science? Will new critical assembly machines be built for this purpose at the RSI, or anywhere else at LANL?

Relocate Security Category III and IV capabilities and materials that would remain at LANL from TA-18 to the Institute for Nuclear Nonproliferation Science and Technology. DSWEIS, p. 3-40. This SWEIS pertains to activities over the next 5 years. Will SHEBA be reconstituted at LANL? If so, where? Where will this material be kept? What are the volumes and composition of materials?

More than half of the programmatic special nuclear material was transported to the Device Assembly Facility at the Nevada Test Site. The remaining portion was transferred to TA-55 for temporary storage and excess special nuclear material sent to Y-12 disposition. DSWEIS, p. H-5. The current inventory of nuclear material at TA-18 consists of approximately 2.8 metric tons (3.1 tons) of Security Category 1 SNM and 18.5 metric tons (20 tons) of depleted and natural uranium and thorium. However, as a result of a concerted effort to reduce unnecessary site inventory, the forecasted mission support need would be to accommodate approximately 2.4 metric tons (2.6 tons) of security Category 1 SNM and 10 metric tons (11 tons) of depleted natural uranium and thorium (which do not require special security arrangements). DOE/EIS-0319, p. 3-6. Where will the balance (8.5 metric tons) of the depleted natural uranium and thorium be sent? If not removed, how will cleanup proceed at TA-18?

The Metropolis Computing Center

Nicholas C. Metropolis Center for Modeling and Simulation Increase in Level of Operations. This project would expand the computing capabilities of the Metropolis Center to support, at a minimum, a 100-teraflops capability, and could approach 200 teraflops. This action would consist of the addition of mechanical and electrical equipment, including chillers, cooling towers, and air-conditioning units. DSWEIS, p. S-88.

A recent media article has stated: Roadrunner will be housed at the Department of Energy's Los Alamos National Laboratory and will take up about 12,000 square feet of space, or roughly the size of three basketball courts. The system will also have advanced cooling and power management technologies.³⁵

Is the Metropolis Center in anyway connected to the new Roadrunner supercomputer? Please explain where Roadrunner will be located. What is the predicted water use by Roadrunner? A word search of "Roadrunner" yields nothing from the DSWEIS. Does the DSWEIS consider Roadrunner in some fashion?

Radioactive Liquid Waste Treatment Facility Upgrade

In the DSWEIS, NNSA enunciates three options for upgrading or functionally replacing in whole the Radioactive Liquid Waste Treatment Facility (RLWTF) at TA-50. The current RLWTF treats all liquid

35 <http://www.bizjournals.com/austin/stories/2006/09/04/daily19.html>

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additional security enhancements along this section of Pajarito Road. Refer to the response to Comment no. 268-22 for more information regarding consideration of terrorist acts.

268-39 NNSA continues to review possible options for securing funding for the Los Alamos Science Complex (Science Complex). No other proposed projects included in the SWEIS are currently identified for "third-party alternative financing" consideration; however, if the need arises, other projects that meet the basic screening criteria may be considered. In today's resource-constrained environment, alternative financing provides the Federal Government with viable means of acquiring the use of leased facilities to support departmental missions when U.S. Congressional budgets cannot provide line-item funding.

Over the past few years, DOE and NNSA have reviewed and approved several proposals submitted by management and operating contractors across the entire DOE complex through which the management and operating contractors have obtained office and light laboratory space via private sector financing and Government leases. DOE has a detailed policy and process for evaluating proposed alternative financing arrangements whenever a proposed facility is valued at \$5 million or more that apply to all DOE elements and include independent external reviews by both DOE and the Office of Management and Budget. During several steps in the process, the Congress is notified regarding pending DOE actions and oversees those actions that go forward. Therefore, these arrangements clearly do not circumvent the constitutional right and duty of the Congress to authorize and appropriate funding. Consideration of project financing issues is outside the scope of NEPA compliance documents like the SWEIS.

In the case of the Science Complex, the U.S. Postal Service initially indicated interest in facilitating the NNSA's request for assistance with financing of the Science Complex, but subsequently ceased its support for reasons outlined in its press release.

268-39 In accordance with the Record of Decision for the *TA-18 EIS* (67 FR 79906), all criticality experiments machines, except the Solution High-Energy Burst Assembly, will be moved to the Nevada Test Site. Under the No Action Alternative of this SWEIS, NNSA would continue to operate the Solution High-Energy Burst Assembly criticality experiment

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radioactive wastes generated at LANL, except those generated at TA-53 and occasionally those from TA-21. From a NEPA perspective, the DSWEIS utterly fails to state its preferred alternative for RLWTF upgrade/replacement, therefore how can a commentator make informed comment on the RLWTF? A new DSWEIS should explicitly state what the preferred alternative is for RLWTF. It is as if NNSA is hedging its bets on this crucial facility that is absolutely central to the proposed expansion of plutonium pit production.

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We believe that a few years ago the New Mexico Environment Department (NMED) was drafting a state permit for the RLWTF, the first in its ~40 year history. What is the status of that State permit? Reportedly, the permit would have required remedial actions for the perched aquifers in Mortandad Canyon that are heavily contaminated by decades of RLWTF operations. What is the status of those future remedial actions, both within and without any possible future State operating permit?

268-43

Where will liquid radioactive wastes be collected and stored while the facility is being updated? The specific seismic and accident risks during this period of time should be addressed in a new DSWEIS.

The building would consist of a partially below-grade basement... The building would be sited near the point where transuranic waste lines enter TA-50... DSWEIS, p. G-65.

Considering the location of this building, is it reasonable to assume there is a risk of damaging the transuranic lines during excavation? The SWEIS should address the risks and remediation of such an event.

268-44

An auxiliary action of installing a pipeline and constructing evaporation basins to treat effluent could occur with any of the options. DSWEIS, p. 3-102. The evaporation basins could be constructed at a site located about a mile east of the Radioactive Liquid Waste Treatment Facility... If evaporation basins were constructed, the pipeline to them would be routed east through TA-63 and TA-52 in areas with current land use designations of Physical and Technical Support, Experimental Science, and Reserve. The proposed location of the evaporation basins near the border of TA-52 and TA-5 is designated Reserve. DSWEIS, p. G-70.

Will this ~mile-long pipeline be seismically qualified? Does it cross any canyons or deep depressions? Is the treated effluent being pumped or is it gravity fed? What constituents will be evaporated? What will remain behind in the basin? What is the disposal plan for what is left after evaporation? Why will sludge from the evaporator bottoms possibly have to go to Tennessee for "drying out"? Does this have anything to do with the Toxic Substances Control Act, for which the Oak Ridge Lab has the only DOE TSCA-permitted incinerator?

The evaporation location is very near the San Ildefonso Pueblo Sacred lands, yet the DSWEIS Environmental Justice assessment for the project states: *The proposed project is mainly confined to already-developed areas of TA-50, with no disproportionate human health impacts expected.* DSWEIS, p. G-71. A reassessment of the impact of construction and operation of these 4-acre basins must be performed in a new DSWEIS.

It is anticipated that air emissions data would remain the same for the purposes of analyses within this new SWEIS, and therefore, would result in insignificant health-related impacts to the public relative to other sources. DSWEIS, p. 5-83. *It was anticipated that the replacement Radioactive Liquid Waste Treatment Facility would also have minimal radiological air emissions and therefore would not be modeled in this SWEIS.* DSWEIS, p. C-12.

268-45

If effluent is being evaporated in shallow lagoons rather than dumped into the canyon, how can it be said that air emissions would be the same for LANL as a whole? A new DSWEIS should address how the evaporation of effluent from the RLWTF would add to air emissions. Also, the DSWEIS has a "RLWTF Zero Discharge Option", which given the extensive radioactive and chemical contamination to perched aquifers in Mortandad Canyon certainly sounds like a good thing. However, the name of that option is misleading if liquid effluent

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machine at TA-18. The text in Appendix H, Section H.1.1, was revised to indicate that the Solution High-Energy Burst Assembly critical experiment machine would not be relocated with other Category III and IV capabilities and materials from TA-18 to another location at LANL. The Solution High-Energy Burst Assembly criticality experiment machine, because of its minimal shielding, has to be located in an isolated area away from population centers. NNSA will analyze the relocation and reconstitution of the Solution High-Energy Burst Assembly from TA-18 to the Nevada Test Site through a separate NEPA action. There are no plans to perform criticality experiments at the Radiological Science Institute. Regarding the inventory of depleted uranium and thorium currently stored at TA-18 (which would not be relocated along with the criticality experiments machines to Nevada Test Site), those machines required to support operational capabilities at LANL would be relocated along with other equipment to the new location at LANL. The excess materials would be evaluated for potential future use or would be classified as waste and disposed of accordingly. For transportation impact analyses purposes, both local and offsite disposition of potential excess materials were analyzed in the SWEIS. If the decision were made to decontaminate, decommission, and demolish TA-18 facilities, no materials (depleted or natural uranium, thorium, or other bulk materials) would be left at the site.

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The Roadrunner is the latest of several supercomputers that NNSA is planning to install to enhance the capabilities of the Nicholas C. Metropolis Center for Modeling and Simulation (Metropolis Center) in support of LANL's national security mission. Appendix J, Section J.2, of this Final SWEIS was revised to clarify that Roadrunner's infrastructure requirements and proposed future enhancements to the Metropolis Center would be limited to the water and electrical usage evaluated in this SWEIS.

268-42

The analysis presented in Appendix G, Section G.4, of the SWEIS addresses the environmental impacts of three options for configuration of the Radioactive Liquid Waste Treatment Facility upgrade. All of the options analyzed would occur within a previously developed area of TA-50. At this time, a preferred configuration for the upgrade has not been identified because other factors such as cost are being considered. The impacts presented under the Expanded Operations Alternative, NNSA's Preferred Alternative in the SWEIS, include the impacts of the upgrade option having the largest environmental impacts. In addition,

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discharges are to be eliminated, only to be replaced in whole or in part by evaporative air emissions. A new DSWEIS should fully discuss this, and make clear by volume what proportion of present liquid effluent would be possibly replaced by evaporation.

The chart on p. 4-136 of the DSWEIS shows that the RLWTF exceeded the 1999 SWEIS Record of Decision amounts of low-level radioactive waste generation in 5 of the 6 years listed. With Expanded Operations, is it reasonable to assume that the new projections of LLW from this facility are similarly misleading?

Offsite Recovery Project (OSRP)

Another component of the Expanded Operations Alternative is the increased onsite storage of highly radioactive sealed sources. A sealed radioactive source is a radioisotope that is fully encapsulated in metal or other container such that the radioactive material cannot be contacted. Sealed sources have medical and well-drilling applications. It has been estimated that 21,000 sealed sources within the commercial sector will become excess and need to be managed in this Off-Site Source Recovery Project. Except for those containers of defense-related sealed sources that would be eligible for shipment to the Waste Isolation Pilot Plant, this waste has no disposal path. The waste containers are placed in storage and held until an appropriate waste disposal facility becomes available. The total volume of actinide sources with no disposal path is expected to be approximately 260 cubic yards. Is there a plan to research technologies to dispose of these safely, or is the plan to bury these? Where? In 2004, 2 sources containing 60,510 Ci of Sr-90 were disposed of as LLW at Hanford.

Before the proposed increase of the Expanded Operations Alternative, sealed sources put LANL over its 1999 SWEIS transuranic waste limits at Area G. To alleviate this problem, the Lab is trying to convince DOE that sealed sources are different enough to remove them from the "Material At Risk" inventory. The sealed sources would still be at Area G, but they would not add to the Area G waste totals because, as the Lab's reasoning goes, they are a safer form of transuranic waste. This issue is due to be fully addressed in the yet unreleased amended Area G DSA.³⁶ **Please explain how this shell game of separately addressing sealed sources protects the health and safety of the public and the environment.**

LANL has not been able to handle sealed sources efficiently to date. The Lab's space currently provided for sealed sources has to be shared with other program offices activities. The sharing arrangement has resulted in frequent conflicting priorities for the space. OSRP will also have to plan for future international recovery opportunities since there are approximately 6,500 grams of Pu-239 sources located in other countries.

As a result of these concerns, NNSA management has initiated actions to provide OSRP with 2,000 grams of dedicated storage at Los Alamos' TA-55 by the end of Fiscal Year 2006. The Deputy Administrator for Defense Programs directed the Los Alamos Site Office Manager to incorporate this action into Los Alamos' contract performance execution plans. However, specific plans and schedules to provide the dedicated storage space had not been prepared at the time of our audit. Specifically, Los Alamos had not prepared plans to complete the safety authorization basis, risk assessment, management self-assessment, and a laboratory readiness review that are pre-requisites to providing the dedicated space. OAS-M-06-09, p. 2.

LANL's history with sealed sources and its problems with documents should exclude the Lab from receiving any more sealed sources.

Sealed sources that contain high activity or need special handling would be transported to Wing 9 of the CMR Building, removed from packages, and stored in the floor holes. The remaining sources would remain in their original DOT-compliant shipping containers and would be transported to Area G, TA-54. High activity

³⁶ LANL 2004d, Evaluation of OSRP Sealed Sources at TA-54, Area G, TD-SWO-012, R.0, FWO-Solid Waste Operations, Los Alamos, New Mexico, October 28, p. 7.

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268-43 The Radioactive Liquid Waste Treatment Facility at LANL has a National Pollutant Discharge Elimination System (NPDES) surface water discharge permit. In addition, a Groundwater Discharge Plan for the TA-50 Radioactive Liquid Waste Treatment Facility includes a groundwater discharge permit application that was submitted to the New Mexico Environment Department for the Radioactive Liquid Waste Treatment Plant outfall. This plan is discussed in Chapter 4, Section 4.3.1.1, of the SWEIS. Remedial actions to address possible contamination in Mortandad Canyon are being addressed within the framework and schedules of the Consent Order signed by the State of New Mexico, DOE, and the LANL contractor in March 2005.

268-44 Following the Cerro Grande Fire, NNSA authorized construction of an influent storage facility in TA-50 with a capacity of 300,000 gallons (1.1 million liters). As needed, liquid wastes would be stored in generating facilities or the influent storage facility during the Radioactive Liquid Waste Treatment Facility Upgrade Project. Seismic risks for the new facility and the pipeline to the evaporation tanks would be taken into account during design and construction to ensure that they are built to appropriate standards for their function. This includes considering the routing of the pipeline and ensuring that its construction is appropriate for the terrain over which it is laid. Impacts analyses of accidents associated with seismic events that could affect the Radioactive Liquid Waste Treatment Facility were discussed in Appendix D; these impacts would likely bound any accidents that could occur during construction of the new facilities. The proposed area for the evaporation tanks is down the mesa from TA-50, in TA-62, but the number and location of pumps needed would be addressed in the final design. It should be noted that the liquids to be transferred to the evaporation tanks are the same liquids that are currently discharged through a NPDES-permitted outfall. These liquids are treated to remove most of the solid radioactive constituents, but some tritium contamination would still be detectable. Periodic cleaning of the tanks would be performed to eliminate buildup of dissolved solids. During cleaning, salt (and blown-in dirt) on the floor and sidewalls of the

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strontium-90 sources and other high activity sources could be stored in a retrievable configuration in shafts. Radium-226, curium-244 and californium-252, if stored at LANL, would more than likely be stored in the pipe overpack container. (DSWEIS, p. J-49)

CMR is being relocated and is reducing its Materials At Risk due to seismic concerns. Are these sealed sources planned to be moved to CMRR? Are there new shafts being dug at Area G?

If mitigation measures are needed for potential sealed source accidents, they would include placing sealed sources in locations where they would not be susceptible to damage from an aircraft crash, fire, or seismic event (kept underground like strontium-90 at TA-54). DSWEIS p. J-58.

Why wouldn't sealed sources need mitigation from accidents? It looks like the mitigation plans are the same as the regular storage plans.

Except for those containers of defense-related sealed sources that would be eligible for shipment to WIPP, this waste has no disposal path. The waste containers are placed in storage and held until an appropriate waste disposal facility becomes available. DSWEIS p. J-46.

Is LANL the best pace for this waste? What other alternatives were analyzed? The DSWEIS estimates that if the Lab were to be fully cleaned up, 100,000 offsite shipments would be required. Why make or import more chemical and radioactive wastes when the legacy waste inventory is already so immense?

Socioeconomics

LANL's analyses of socioeconomic impacts are unverifiable and based on speculation. As the SWEIS says, "... it is not possible, as requested by one commenter, to verify projected socioeconomic benefits due to the lack of available data tied specifically to LANL's economic influence over the region." DSWEIS, p. S-23. Just because the data are unavailable, can the Lab speculate on this important topic? For this reason, the Lab must initiate an independent analysis of the socioeconomic impacts and republish this draft SWEIS.

For the most part, operations at LANL remained within the projections made in the 1999 SWEIS. Operations that exceeded projections, such as number of employees or amount of chemical waste generated from clean-up activities, produced a neutral or beneficial impact on northern New Mexico. A larger number of employees increases the tax base and results in a higher level of economic activity. DSWEIS, p. S-24. Please explain how increased chemical waste produces a beneficial impact.

Considering LANL positions are some of the highest paying positions in the region, the benefits associated with these positions in terms of increased revenues and taxes should more than offset any perceived drawbacks. DSWEIS, p. S-50. These employees have had a positive economic impact on northern New Mexico. DSWEIS, p. S-214.

Please state if Los Alamos County is expected to continue to receive a disproportionately large percentage of the economic benefits from the Lab and remain the richest county in the U.S. The DSWEIS must analyze whether alternative missions would be of greater economic benefit to all of northern New Mexico.

LANL's potentially adverse impacts on tourism must be analyzed. Tourism is a major contributor to Santa Fe's and northern New Mexico's economy. Please analyze the effects of a major accident at the Lab on tourism.

The construction costs of all proposed facilities should be given in a new DSWEIS.

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tanks would be flushed to a sump for solids removal. The filtrate from solids removal would be returned to the evaporation tanks. The solids would be packaged for disposal as low-level radioactive waste. The treatment process sludge that remains after most of the water evaporates from the waste has a high water content that prevents it from meeting the waste acceptance criteria for disposal. Therefore, the sludge is sent to a commercial facility where it is dried and repackaged, then returned to LANL for disposal as low-level radioactive waste. The material is not sent to the Toxic Substances Control Act incinerator at Oak Ridge National Laboratory.

268-45 Text was added to Appendix G, Section G.4, of the SWEIS to provide details on the impacts from the proposed evaporation tanks associated with the Radioactive Liquid Waste Treatment Facility. Potential doses from emissions from the tanks were calculated. These emissions would be dominated by tritium; the resulting health impacts would be small and would be enveloped by the calculated impacts to the public of operations at other Key Facilities, as discussed in Chapter 5, Section 5.6.1. The air emissions referred to by the commentor (page 5-83) are from the facility, not the evaporation tanks.

The 1999 SWEIS waste generation projections were based on past generation rates and future estimates by facility personnel. Chapter 4, Table 4-45, presents the actual generation rates since 1999 and indicates that the original 1999 estimates were low. Of these exceedances, two instances were within 20 percent of the original projection. The other three even greater exceedances were attributed to one-time events that are not part of routine operations; please see the footnotes to Table 4-45 for details. For all new waste projections presented in Chapter 5 of the SWEIS, the quantities were adjusted upward when the historical trends indicated that the 1999 SWEIS projections were not adequate. In such cases, the low-level radioactive waste generation projections for the Radioactive Liquid Waste Treatment Facility were increased under all alternatives. Refer to Chapter 5, Tables 5-39, 5-42, and 5-47, of the SWEIS.

268-46 NNSA is responsible for safely managing unwanted radioactive sealed sources for safety and national security purposes. In addition, DOE is the Federal agency responsible for ensuring safe disposal of commercially

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Cleanup Must Not Include “Cap And Cover” Of Unlined Waste Dumps

The DSWEIS analyzed two options for LANL’s legacy buried waste. The Capping Option would leave all radioactive and chemical wastes in place in the major disposal areas and cover them with a surface rain barrier. The Removal Option would remove all legacy waste from the ground.

The DSWEIS correctly notes that future cleanup decisions will be largely driven by the New Mexico Environment Department (NMED). However, internal Lab documents already point to predetermination, saying “Many contaminated sites will be remediated to industrial use standards, in part because cleaning up to residential or unrestricted use standards is prohibitively expensive.”³⁷ Cleanup that will protect ongoing generations cannot be dictated by today’s short-term fiscal considerations. If more money is needed for comprehensive cleanup, take it from the ever-expanding budget for the Lab’s nuclear weapons programs. Don’t generate more radioactive and chemical wastes when cleanup costs are already “prohibitively expensive.”

LANL still is burying its radioactive wastes in unlined dumps, in contrast to all other new State-regulated landfills in New Mexico. The 1999 LANL SWEIS allowed more unlined waste pits, called Zone 4, near the existing unlined waste pits that NMED may require to be exhumed. The whole concept of Zone 4 should be reexamined because waste volumes are substantially higher than in the 1999 SWEIS. A new DSWEIS must consider the benefits of lining Lab dumps.

LANL Must Not Allow Contaminants To Reach The Aquifer Or The Rio Grande

The DSWEIS states that recharge to the regional aquifer from the shallow contaminated perched groundwater bodies occurs slowly because the perched water is separated from the regional aquifer by hundreds of feet of dry rock. Is it suggesting, because the contaminants reach the aquifer slowly, that everything is OK? The fact is that tritium, perchlorates, chromium, and high explosives contaminants from Lab operations have already reached the regional aquifer. Lab computer models show a five-year travel time from the surface to the aquifer in some areas. LANL must prioritize protecting our precious aquifer.

Sadly, the interpretation of groundwater data is complicated by problems that affect the sampling wells. Specifically, the bentonite clay used in well drilling can mask many radionuclides and other contaminants. The use of circulating muds and other drilling fluids can have a similar effect by more complex mechanisms. The groundwater data in the DSWEIS could represent systematic underestimates of the actual contamination, and cannot be relied upon in the SWEIS.

Lab analysis of stormwater runoff and surface water also shows high contamination. Americium-241, strontium-90 and plutonium-238 & 239 in particular have been measured at levels up to ten times the drinking water standard. There is a witch’s brew of hundreds of other contaminants in the soil at the bottom of the canyons. Contaminated stormwater either seeps into the ground, posing a threat to groundwater, or, in intense storm events, drains to the Rio Grande. During every storm event, these contaminants migrate closer to the Rio Grande. LANL must publish its raw data, including storm-by-storm migration reports and the totals and locations of all the contaminants released. The Lab was self-serving in its choice of references that it used for this DSWEIS. Independent, outside research by experts such as Bob Gilkeson and George Rice were not included.

LANL Must Stringently Minimize The Use Of Our Precious Water

Estimated water usage for the expanded alternative will exceed LANL’s current capacity. Many DOE nuclear weapons facilities have been historically located next to abundant water sources, but LANL was not. When it

³⁷ LANL FY06 Ten Year Comprehensive Site Plan, p. 4-65.

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generated Greater-Than-Class C low-level radioactive waste (see below). Over a number of years, NNSA has been recovering and storing actinide-bearing sealed sources at LANL under its Off-Site Source Recovery Project, and proposes to store additional sources containing other isotopes (see Appendix J) if other appropriate and safe management options cannot be identified. Stored sources containing defense-related transuranic isotopes are eligible for disposal at WIPP, including all of the plutonium-239 sources that have been collected. As stated in Appendix J, 132 drums of plutonium-239 sealed sources have already been shipped to WIPP. Recently, some of the americium-241 and plutonium-238 sealed sources stored at LANL were determined to be defense-related and thus eligible for disposal at WIPP. Stored sources containing these and other isotopes that are not determined to be defense-related may be eligible for disposal at existing commercial and DOE disposal facilities, or considered Greater-Than-Class C or similar DOE waste.

At this time, there is no identified Greater-Than-Class C waste disposal facility; however, DOE has issued a Notice of Intent to prepare an *Environmental Impact Statement for the Disposal of Greater-Than-Class-C Low-Level Radioactive Waste (GTCC EIS)* (72 FR 40135). Several options for disposal of Greater-Than-Class C waste, as well as DOE waste with similar characteristics, are being considered. Clarifying language has been added to Appendix J.

The commentor refers to a LANL contractor proposal that the sealed sources not be considered part of the material at risk. The proposal, included in “Evaluation of Off-Site Source Recovery Project Sealed Sources at TA-54, Area G” (“Request for Approval for Continued Generation of Waste With No Disposal Path, Off-Site Source Recovery Project, U.S. Radiological Threat Reduction” [LANL 2004b]), is based on this statement in DOE Standard 1027-92, Hazard and Analysis Techniques for Compliance with DOE Order 5480.23, Nuclear Safety Analysis Reports: “Sealed radioactive sources that are engineered to pass the special form testing specified by the Department of Transportation in 49 CFR 173.469 or testing specified by ANSI N43.6, ‘Sealed Radioactive Sources, Categorization,’ may be excluded from summation of a facility’s radioactive inventory.” However, the accident analyses in the SWEIS do address the sealed sources as part of the material at risk.

NNSA does not agree with the commentor’s statement that LANL staff has not been able to handle sealed sources efficiently. LANL’s Off-Site

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was primarily a design laboratory, lack of water was not so large a problem. But now that the Lab is positioned to become the nation's plutonium pit production center, LANL is starting to covet the scarce water resources of the desert Southwest. The Lab plans to obtain more water rights, but what about the future? Will the Lab start buying up ever-increasing water rights, perhaps depriving others northern New Mexicans of their most precious resource?

**Construction Of New Nuclear Weapons Facilities Should Cease
Until Seismic Risks Are Fully Understood**

The seismic event that presents the largest risk to the public and workers would be a postulated Performance Category-3 earthquake with a frequency of once every 2,000 years. If this accident were to occur, there would be widespread damage at LANL and across the region resulting in a large number of fatalities and injuries unrelated to LANL operations. Facilities at LANL would be affected and the public and workers at the site would be exposed to increased risks from both radiological and chemical releases. DSWEIS, p. S-54. The DSWEIS also states that the most recent faulting event on the Pararito Plateau was 1,500 to 2,000 years ago. p. 4-23. This gives an idea of how LANL may be due for a seismic event.

The DSWEIS mentions the imminent completion of a new seismic report in the fourth quarter of 2006. *A report in preparation by the LANL Seismic Hazards Geology Team will document a comprehensive review and re-evaluation of geochronological constraints on paleoseismic activity in the Pajarito Fault system. This study is being prepared to recalculate the probabilistic seismic hazard at LANL. The reanalysis of the seismic hazard will incorporate data from studies completed since the 1999 SWEIS (LANL 2004e). Both the comprehensive review and reanalysis of seismic hazard are planned for completion in the fourth quarter of 2006. DSWEIS, p. 4-25.*

Yet, this unpublished report is already being quoted in this DSWEIS. *Presented below is a summary of data provided in "Information Document in Support of the Five-Year Review and Supplement Analysis for the Los Alamos National Laboratory Site-Wide Environmental Impact Statement" (LANL 2004e). It represents data derived from trench and borehole studies, as well as other studies conducted on seismic hazards in the vicinity of LANL. These studies have focused on the western third of LANL (shaded area in Figure 4-9) because the principal faults, and the principal seismic risks at LANL, are located in that portion of the area. DSWEIS, p. 4-21.*

The document mentioned above references the unpublished pending seismic report. *Recent work (Gardner et al., 2001; Reneau et al., 2002; Lewis et al., 2002; Schultz et al., 2003; LANL Seismic Hazards Geology Team, unpublished data) has shown that the Pajarito fault system is a broad zone of distributed deformation, and that the master Pajarito fault itself probably breaks the surface only along part of its length in the vicinity of LANL. LANL 2004e, p. 4-38.*

The LANL Seismic Hazards Geology Team Report must be released to the public as part of the reference documents. Otherwise, the public must rely on the sections that LANL wants to be part of this DSWEIS. Figure 4-9, Mapped Faults in the Los Alamos National Laboratory Area, is a good example of the DSWEIS quoting the unreleased report. The title of this figure is "mapped faults", but this term is not defined. We have to go to the reference document for a definition.

Shaded area is covered by detailed geologic mapping or in-progress mapping. Note that the eastern two-thirds of the Laboratory has not been mapped. Thin grey lines are roads, thick grey lines are LANL technical area boundaries. LANL 2004e, p. 4-27. But it is still unclear how the term "mapped faults" is defined. Are the "in-progress mapping" faults shown in this figure? Please define the terms "mapped fault" and "in-progress mapping."

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Source Recovery Program is in compliance with all safety and security regulations and has removed hundreds of sealed sources from potentially vulnerable locations throughout the country. The commentor refers to statements about difficulties in planning source recovery actions because of space constraints from the DOE Inspector General's report ("Follow-up on the Management of Plutonium-239 Sealed Sources Recovery Activities," United States Department of Energy, Office of Inspector General, Office of Audit Services, OAS-M-06-09, September 2006). This in no way compromises safety and security. Any facility used for management of sealed sources would have approved safety documentation.

As stated above, DOE has issued a Notice of Intent to prepare an EIS for disposal of Greater-Than-Class C low-level radioactive waste. DOE intends this EIS to enable DOE to select any new or existing disposal location, facilities, or methods for disposal of Greater-Than-Class C low-level radioactive waste, as well as DOE waste with similar characteristics.

DOE prepared the *Environmental Assessment, Radioactive Source Recovery Program* (DOE/EA-1059) (DOE 1995b), to address the establishment of a program to accept and recover neutron sources as a means of chemically salvaging the radioactive isotopes they contain. Other DOE facilities that were considered but not analyzed in detail because they did not meet the purpose and need include Oak Ridge National Laboratory, Idaho National Engineering Laboratory, the Savannah River Site, and Sandia National Laboratories. In addition, use of commercial facilities was considered, but was not analyzed in detail. Appendix J, Section J.3.1, of the SWEIS discusses the NEPA documentation for changes in the Off-Site Source Recovery Project. As discussed in that section, management of the sealed sources is part of LANL's national security mission.

268-47 During the timeframe covered by the LANL SWEIS, no operations would be moved from the Chemistry and Metallurgy Research Building Wing 9. At this time, there are no specific plans for digging new shafts at Area G. However, as indicated in Appendix J, Section J.3.3.2, of the SWEIS, shaft storage may be used if deemed necessary to mitigate hazards associated with storage of sources identified in the future (for example, sources similar to radioisotope thermoelectric generators). Appendix J presents

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Seismic activity at LANL is an important issue. Seismic issues are given as reasons why the old CMR building had to be moved, precipitating the construction of a new \$1 billion facility. The Waste Characterization, Reduction, and Repackaging Facility (WCRRF) is not authorized to repack drums that exceed 56 curies because of seismic concerns. The Radioactive Assay and Nondestructive Test facility (RANT) is not authorized to load a TRUPACT above about one-fifth of the TRUPACT radioactivity limit, also because of seismic issues. Both WCRRF and RANT are near to TA-55, and on the other side of TA-55 from the "mapped faults," yet the DSWEIS continues to downplay seismic issues at TA-55.

Surveying of Bandelier Tuff contacts at Mesita del Buey (TA-54) revealed 37 faults with vertical displacements of 2 to 26 inches (5 to 65 centimeters). These small faults appear to be secondary effects associated with large earthquakes in the main Pajarito Fault zone, or perhaps earthquakes on other faults in the region (LANL 2004e). DSWEIS, p. 4-24. Please explain why these 37 faults are not on the "mapped faults" map.

Comparison of the DSWEIS and the reference document show differences. *Five small earthquakes (magnitudes of 2 or less on the Richter scale) have been recorded in the Pajarito Fault since 1991. These small events, which produced effects felt at the surface, are thought to be associated with ongoing tectonic activity within the Pajarito Fault zone (LANL 2004e). DSWEIS, p. 4-23.*

Five small earthquakes (magnitudes of 2 or less) have been recorded in the Pajarito fault zone since 1991 (Gardner and House, 1999). These small events, which produced surprisingly strong felt effects, are thought to be associated with ongoing tectonic activity within the Pajarito fault zone. LANL 2004e, p. 4-31, emphasis added.

The Defense Nuclear Facilities Safety Board, as mentioned earlier in these comments, was only mentioned twice in this SWEIS. The DNFSB provides many independent comments on this issue.

Chemistry and Metallurgy Research Facility Replacement Project (CMRR): The project intends to use an interim seismic ground motion spectrum to support structure and component design for the next few months while the site-wide probabilistic seismic hazard analysis (PSHA) is finalized. Last month's staff review found that the PSHA and CMRR site characterization efforts were using different inputs (e.g., shear wave velocities, damping curves). While the project believes that the interim spectrum is conservative, timely resolution of differences would reduce programmatic risk.³⁸

LANL is struggling with many issues involving transuranic waste storage, repackaging, and shipment: the fabric on safety-class storage domes is ripped; the strength of safety-class banding is questionable; some of the +20,000 safety-class drums above ground have excessive weight (i.e., greater than 1,000 lb); many of the drums will need to be repackaged, but the single repackaging facility WCRRF – is several miles from the drums and is not authorized to repack the roughly 300 drums that exceed 56 Ci because of seismic concerns; the single shipping facility - RANT - is not authorized to load a TRUPACT above about one-fifth of the TRUPACT radioactivity limit, also because of seismic issues. At this point, neither NNSA nor LANL seems to understand and to be considering the relative risks of alternatives to address these issues - particularly, whether it is appropriate to take actions to address a seismic vulnerability that may also slow shipments.³⁹ LANL must not plan new missions or expand existing missions until all seismic and waste issues are corrected and resolved.

Since March 2005, NNSA has intended for RANT to receive seismic upgrades or shutdown. LANL has apparently not been pursuing the upgrades since last Fall, NNSA has not monitored the issue since last Fall

³⁸ DNFSB, Los Alamos Report for Week Ending July 21, 2006.

³⁹ DNFSB Los Alamos Report for Week Ending July 21, 2006.

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calculated consequences and risks associated with very conservative enveloping assumptions regarding the location, container integrity, and radioisotope content of sealed sources. For instance, the impacts analysis for storage in Wing 9 is based on the conservative assumption that the sealed sources are not in boreholes. Similarly, the analysis for storage at TA-54 conservatively assumes sealed sources are stored in the domes. Mitigation measures to preclude or ameliorate the consequences and risks of postulated accidents involving sealed sources at these two locations are described in Appendix J, Section J.3.3.2, of the SWEIS.

268-48 Additional information was added to the Final SWEIS to support the analysis presented in the Draft SWEIS regarding the effect of LANL operations on the local economy. Independent figures compiled for the Region of Influence by the U.S. Department of Commerce's Bureau of Economic Analysis indicate that, on average, another local job is indirectly created for every LANL position. Because the largest concentration of LANL employees is expected to continue residing in Los Alamos County, this county is likely to continue to receive the largest share of the economic benefits from LANL. However, as more LANL employees move into adjoining counties, as they have done in recent years, these counties are expected to receive a greater share of the benefits.

The text from the Draft SWEIS cited by the commentor regarding the socioeconomic impacts of operations that exceeded the 1999 SWEIS projections was not meant to show a beneficial impact of increased chemical waste generation. Instead, it was meant to show a neutral impact, as discussed further on page S-24 of the Draft SWEIS.

Analyzing alternative missions that would be of greater economic benefit to northern New Mexico is not within the scope of this SWEIS. The SWEIS impact analysis considers the socioeconomic impacts of operating LANL on the general New Mexico economy, including tourism. The commentor's concerns about the effects of a major accident on New Mexico's economy due to reduced tourism are addressed in Chapter 5, Section 5.12, of the SWEIS, which analyzes the potential impacts from a variety of accident scenarios on the public, including area visitors.

268-49 Evaluation of costs is not within the scope of this SWEIS, which presents analyses evaluating the potential environmental impacts of continuing operations at LANL. As discussed in Chapter 2, Section 2.2.6, decisions

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when it dropped its SSO oversight, and the issue remains open (site rep weeklies 4/28/06, 3/18/05).⁴⁰ How can LANL plan to generate more waste with this type of neglect affecting waste operations? LANL must not generate new waste until all DNFSB concerns are resolved to the Safety Board's satisfaction.

Even if TA-55 is not on a fault, most of TA-3 is, so what is the wisdom of continuing to build at LANL when the main administration area may be damaged during an earthquake? In fact, the FY06 LANL Ten Year Comprehensive Site Plan states that in "an earthquake, it is anticipated that SM-43 would experience extensive failures and could collapse." LANL FY06 TYCSP, p. 5-11. And, of course, LANL's seismic concerns extend well beyond TAs-55 & -3, with, for example, "the TA-50 RLWTF [Radioactive Liquid Waste Treatment Facility] fails to meet seismic requirements." LANL FY06 TYCSP, p. 4-105.

These serious seismic issues also extend beyond facilities that are considered in the SWEIS. The Chemistry and Metallurgy Research Replacement Project has already undergone its own environmental impact statement, and hence is treated as part of the DSWEIS' "No Action Alternative." However, just as with this DSWEIS, the CMRR EIS failed to adequately explore serious seismic concerns. It has recently come to light that:

Unusual volcanic geology created a thick, weak non-welded tuff (volcanic ash) stratum below more competent tuff at the site selected by LANL. The mostly below-grade facility, to be founded at a depth of about 60 feet, will be less than 20 feet above the weak ash, leading to concerns about the possibility of the ash matrix collapsing and densifying under earthquake loading and causing settlement of the facility.⁴¹

However, since the CMRR is now being constructed at TA-55, as a geology matter this applies to all of TA-55 and no doubt beyond, particularly to the DSWEIS's proposed Radiological Sciences Institute at TA-48, contiguous to TA-55. Why does the DSWEIS fail to even mention these serious seismic concerns, much less actually begin to substantively address them? A new DSWEIS should incorporate the latest LANL seismic studies and genuinely address these concerns.

Transuranic Waste Issues in the LANL DSWEIS

1. **The DSWEIS is fundamentally inadequate and extremely misleading about transuranic waste generation and storage.**

LANL's preferred Expanded Operations Alternative will turn the site into a permanent, large-scale transuranic (TRU) waste dump, a fact not mentioned in the document.

Buried on page 5-196 (Table 5-79), the DSWEIS estimates that the Expanded Operations Alternative from 2007 to 2016 would generate more than 25,000 cubic meters of TRU waste and the Modern Pit Facility would generate an additional almost 11,500 cubic meters of TRU waste during the same 10 years. The only TRU waste disposal site is the Waste Isolation Pilot Plant (WIPP), which in its most recent regulatory document (the Environmental Protection Agency Recertification Application) provides for 17,130 cubic meters of disposal capacity for LANL. Thus, the majority of the TRU waste that LANL would generate would not go to WIPP, but rather would very likely stay at LANL. The DSWEIS merely states: "Transuranic waste would be stored onsite until additional disposal capacity, at WIPP or elsewhere, was [sic] identified." P. 5-197. Of course, all of the TRU waste generation from continuing operations after 2017 would further add to the waste with "no disposal path" that would stay at LANL.

⁴⁰ DNFSB Los Alamos Report for Week Ending July 28, 2006.

⁴¹ A TUFF JOB – SITE CHARACTERIZATION FOR A NUCLEAR FACILITY AT LOS ALAMOS, Kuhn, Alan, PhD, PE, RG, CEG, Senior Principal Consultant, Kleinfelder, Inc., 2005, parns in the original.

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about cleanup levels for sites subject to the Consent Order will be made by the New Mexico Environment Department using standards documented in Section VIII of the Consent Order. The level of cleanup that is undertaken will likely be driven by the expected future land use. If a site is to be released for unrestricted public access, that site would need to meet cleanup standards for unrestricted access; however, sites that are to remain within LANL under restricted access could be cleaned up to different standards based on their expected uses.

268-50 NNSA notes the commentor's opposition to waste disposal in unlined pits at LANL. Except for low-level radioactive waste, all radioactive and chemical wastes generated at LANL are transported offsite for disposal in regulated disposal facilities authorized for the types of wastes each facility may receive. The future use of lined rather than unlined pits for low-level radioactive waste disposal is under evaluation through the Area G Performance Assessment and Composite Analysis required by DOE Order 435.1, which is periodically reviewed and updated. This analysis will guide decisions regarding operational procedures and waste disposal. The SWEIS considers the impacts of using unlined pits as its No Action Alternative baseline; this impact analysis thereby bounds the long-term environmental consequences that could result from using lined disposal pits.

Much of the low-level radioactive waste projected under the Expanded Operations Alternative is attributable to remediation actions. Waste volumes generated from environmental restoration will depend significantly on future cleanup decisions made by the New Mexico Environment Department, pursuant to the Consent Order. The analysis presented in Appendix I of the SWEIS bounds the volumes that could be generated if all buried wastes in material disposal areas covered under the Consent Order were removed and disposed of elsewhere. In this case, offsite disposal of low-level radioactive waste could be used to supplement onsite disposal. Refer to Sections 2.7, Waste Management, and 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

268-51 The text was modified to indicate that little "natural recharge" occurs along the mesa tops. Refer to Section 2.5, Water Resources, of this CRD for a response to comments on well construction.

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The DSWEIS is misleading in that it repeatedly does not fully report the amount of TRU waste that would be generated under the Expanded Operations Alternative. For example, Table 3-17 on pages 3-51 to 3-53, shows much smaller amounts of TRU waste transport, receipt and acceptance than 36,500 cubic meters. The table shows 8,400 cubic meters of legacy TRU, 2,000 cubic meters of newly generated TRU (200 cubic meters x 10 years), 190 cubic meters of additional TRU and 100 cubic meters of remote-handled TRU, for a total of 10,690 cubic meters. The table also states that an unspecified amount of TRU waste from DD&D and remediation activities would go to WIPP. Page 3-54 states that TRU wastes “are prepared for disposal and shipped to WIPP.” There is no indication that any TRU waste, let alone most of it, could not go to WIPP.

268-56
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Table 5-37 on page 5-128, entitled “Summary of Total ... Waste Generation Projections” shows that the total amount of TRU was for the Expanded Operations Alternative would be 25,230 cubic meters. The large amounts of additional TRU waste from the Modern Pit Facility are not included. Table 5-49 on page 5-143 includes the same misleading underestimate of the amount of TRU waste. Table 5-50 on page 5-147 showing offsite TRU waste shipments also does not include Modern Pit Facility TRU wastes. That same misleading shipment information is shown on Table K-5, page K-25.

B. The draft SWEIS provides no analysis of the impacts of some of the TRU waste that is proposed for LANL.

One element of the Expanded Operations Alternative is to increase the type and quantity of sealed sources brought from other sites to LANL. However, the draft SWEIS does not include all of the off-site sealed sources as TRU waste even under the largest waste estimates. On page J-47, the draft SWEIS states: “At this point, sufficient information is not available to predict the total number of [actinide-bearing] sources to be managed.” Thus, the draft SWEIS proposes unlimited amounts of TRU waste in those sealed sources could come to LANL with no adequate analysis of their environmental impacts. And since those actinide-bearing sources are legally barred from being disposed at WIPP because they are not defense TRU wastes, those sources have no disposal path and would likely stay at LANL.

268-57

2. The draft SWEIS does not acknowledge that LANL is already storing increasing amounts of TRU waste, nor does it adequately analyze their impacts.

Since the issuance of the 1999 LANL SWEIS WIPP, has opened. The draft SWEIS does not include any information about the amounts of TRU waste shipped to WIPP from LANL. Table 4-52 on page 4-149 shows that LANL made 47 shipments of TRU waste to WIPP from 2002 to 2004 but includes no information about the amounts of TRU waste (which was 344 cubic meters). Information from WIPP shows that from 1999 through 2004, LANL shipped 598 cubic meters of TRU waste to WIPP. Table 4-40 on page 4-134 of the draft SWEIS shows that during that same time period, LANL generated about 1,440 cubic meters of TRU and TRU mixed waste. Thus, even though TRU waste was being shipped from LANL, it was generating and receiving substantially larger amounts of TRU waste than it shipped. Thus, LANL's mission is increasingly one of being a long-term TRU waste site, a fact that is not acknowledged in the draft SWEIS and there is no adequate analysis of the impacts of that mission.

268-58

3. The draft SWEIS does not describe the substantial problems that have occurred in managing TRU waste and preparing it for shipment to WIPP.

According to the draft SWEIS under any of the three alternatives, LANL will ship its legacy TRU waste (8,400 cubic meters) as well as 2,000 cubic meters of newly generated TRU waste (200 cubic meters per year) to WIPP. Table 3-17, page 3-51. However, as already noted, the draft SWEIS does not acknowledge that in six years LANL shipped less than 600 cubic meters of waste to WIPP. During some of that period, LANL was prohibited from shipping TRU wastes because it did not comply with characterization procedures.

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268-52 More detailed information on surface water monitoring results is contained in the annual LANL environmental surveillance reports. Raw analytical data for base flow and snowmelt are included in a compact disc distributed with hard copies of the environmental surveillance report and may also be accessed via the LANL website (www.airquality.lanl.gov/esr/index.shtml). Storm runoff data are published in regular reports to the Environmental Protection Agency and New Mexico Environment Department; 2005 data are reported in the Los Alamos National Laboratory *Storm Water Pollution Prevention Plan for SWMUs and AOCs (Sites) and Storm Water Monitoring Plan* (LANL 2006c). All water monitoring results are also available to the public through DOE's online water quality database [wqdbworld.lanl.gov/]. NNSA and the LANL contractor are aware of the concerns expressed by Bob Gilkeson and George Rice regarding groundwater characterization at LANL, and actions to address some of these concerns comprise part of the monitoring program underway at LANL.

268-53 LANL's projected water demands under the Expanded Operations Alternative would remain within LANL's water use target ceiling of 542 million gallons (2,050 million liters) per year, as discussed in Chapter 5, Section 5.8.2.3. DOE transferred 70 percent of its water rights for LANL and leases the remaining 30 percent to Los Alamos County. DOE is a county water customer that is billed and pays for the water LANL uses. DOE has no plans to obtain or purchase additional water rights for LANL. Refer to Section 2.8, Water Use, of this CRD for more information.

Regarding pit production, the LANL SWEIS alternatives address the next 5 years and limit the level of pit production to up to 80 pits per year (under the Expanded Operations Alternative) and is consistent with earlier decisions supported by the *Final Programmatic Environmental Impact Statement for Stockpile Stewardship and Management* (DOE/EIS-0236) (DOE 1996). In January 2008, NNSA issued the Draft *Complex Transformation SPEIS* which assesses the environmental impacts of the continued transformation of the nuclear weapons complex. Refer to Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for more information.

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The document describe the major changes that would need to be made in its operations in order to increase characterization and shipments of TRU waste by more than 10 times -- from an average of less than 100 cubic meters per year from 1999 to 2004 to more than 1,000 cubic meters per year from 2007 through 2016.

In fact, its past history shows that LANL does not have the capability to ship all of its legacy TRU waste to WIPP, so the draft SWEIS statement that all legacy TRU will have been shipped to WIPP "by the end of 2015" (page 5-99) cannot be supported. Instead, the SWEIS must analyze the impacts of further increasing amounts of TRU waste being managed at LANL.

The DSWEIS states:

In Area G, NNSA needs to complete or move all storage operations and processing of transuranic waste for shipment to WIPP for disposal so that closure activities can be completed in compliance with the Consent Order. DSWEIS, p. H-63.

In the event of a wildfire that would impact LANL, and if the fire were to burn the waste storage domes at TA-54 and cause their contents to be released to the environment, the radiological releases from those waste storage domes would dominate the potential impacts to LANL workers and to the public from the fire. Should such an accident scenario occur in which the contents of the waste storage domes actually caught on fire and burned, the MEI would likely develop a fatal cancer during his or her lifetime and an additional 55 LCFs could be expected in the general area population. Any onsite worker located about 110 yards (100 meters) of the facility during such an accident would likely develop a fatal cancer during his or her lifetime. Taking into account the frequency of occurrence, the annual risks are estimated to be about 1 chance in 20 of an LCF for the MEI or for an offsite worker and an additional 3 LCFs in the offsite population. These risks assume that workers and members of the public do not take evasive action in the event of a wildfire. These risks would decrease as transuranic waste is removed from the domes and transported to WIPP for disposal. DSWEIS, p. S-53.

Conversely, as the waste in the domes increases, the risk would increase. Please analyze the risks on a year-by-year basis of the inevitable increase of TRU waste in the domes. Please analyze the increased risks of rips in the domes.

Under the Removal Option, extremely large quantities of wastes would be generated, including low-level radioactive waste and transuranic waste. The estimated quantities of low-level radioactive waste and transuranic waste would exceed the disposal capacity currently planned for LANL and the current LANL WIPP allocation. Therefore, additional waste disposal capacity for both types of waste would have to be identified. DSWEIS, p. S-86.

These would have to be identified now, in this SWEIS. Because if there is no additional disposal capacity for TRU, which there isn't, then additional storage impacts at LANL need to be analyzed.

In 2003, the volumes of transuranic waste and mixed transuranic waste processed by the Solid Chemical and Radioactive Waste Facility exceeded 1999 SWEIS projections by approximately five times the projected volumes due to the repackaging of legacy transuranic waste for shipment to WIPP. DSWEIS, p. 2-57. This is an example of LANL inability to predict waste volumes. Can the stated waste volumes be relied upon?

Waste management impacts from LANL operations under the Expanded Operations Alternative are expected to increase due to heightened operations at the Plutonium Facility Complex and increased characterization and management activities in the legacy waste retrieval program compared to the No Action Alternative. Although operational transuranic waste quantities are higher under this Alternative, waste disposal capacity at WIPP

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268-54 The reference document cited as LANL 2004e in Chapter 7 of the Draft SWEIS is a compilation of information updates that was prepared to facilitate preparation of the SWEIS and was made available to the public as part of the references for the SWEIS. Primary references are listed in the document, as appropriate. In addition to information summarized from other published documents, supplemental information, including interpretations and analyses offered by individual LANL subject matter experts, is included in the reference identified as LANL 2004e in the Draft SWEIS. Supplemental information contributed by LANL seismic hazards program staff members is simply cited as "LANL Seismic Hazards Geology Team, unpublished" in LANL 2004e. The citation does not denote any particular unpublished document. However, an update to the seismic hazard analysis for LANL was completed in June 2007 (LANL 2007a) and incorporated into Chapter 4, Section 4.2.2.3, Chapter 5, Section 5.12, and Appendix D, Section D.4. Relevant to the commentor's specific questions, the shading in Chapter 4, Section 4.2.2.3, Figure 4-9, indicates the area where recent mapping has been focused due to the potential impact on LANL operations. General mapping studies have been conducted in the eastern two-thirds of LANL, but the focus is on the western areas where greater potential risk exists. "Mapped faults" is a term used to describe structural discontinuities observed in studies that can be correlated over a significant distance and show displacement. "In-progress mapping faults" indicates potential fault structures that have been identified by studies and are being investigated to determine whether they meet the size and displacement criteria to be faults. Because they have not been substantiated by the appropriate level of review, "in-progress mapping faults" are not included in Figure 4-9. The significance of fault structures at LANL and in TA-55 is considered in some detail in the SWEIS. They are discussed in Section 4.2.2.3, and their significance to facility safety is considered in Chapter 5, Section 5.12.3. However, detailed risk assessments of LANL facilities show that the risk levels are moderate, and the discussion of consequences in the SWEIS is appropriate to that determination. The "small faults" mentioned in the comment are too small to be included in Figure 4-9. They would be detailed during evaluations of individual facilities.

268-55 NNSA is not required to halt planning for new or expanded work at LANL until all seismic and waste issues are resolved. Both LANL operations and new construction activities are subject to existing DOE Orders

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is expected to be adequate, assuming best estimates are realized. DSWEIS, p. 5-142. LANL is assuming, not scientifically analyzing. There is no room for assumptions in this DSWEIS.

**268-62
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To accelerate the processing of contact-handled transuranic waste from the fabric domes, DOE plans to install and operate three modular units at Area G to duplicate the capabilities provided by the Waste Characterization, Reduction, and Repackaging facility. In addition, processing functions would be consolidated in one of the large domes (such as Dome 375) to increase processing efficiency and speed. The net result is that 16 drums could be readied for shipment to WIPP in the same time that current operations at TA-50 can produce only one drum for shipment (DOE 2002a). DSWEIS, p. H-61. Dome 375 is full of drums and located over buried legacy waste. Is this the only alternative analyzed? What are the seismic implications?

268-63

Structures and processes for shipping contact-handled transuranic waste stored in the above-ground fabric domes to WIPP have been analyzed through the NEPA process in the 1999 SWEIS (DOE 1999a) and related Supplement Analysis (DOE 2002a) and the Environmental Assessment prepared for the Decontamination and Volume Reduction System (DOE 1999b), however, the retrieval and processing of transuranic waste in below-ground storage requires analysis through the NEPA process. DSWEIS, p. H-62. In other words, there is no plan yet for this process, yet LANL keeps implying that Area G will be closed by 2015.

Land Transfers

This SWEIS focuses on the impacts associated with those parcels of land that have already been or are expected to be conveyed or transferred by the end of 2007, when the authorizing legislation expires; however, it should be noted that the Conveyance and Transfer EIS addresses a larger suite of properties that could potentially be conveyed or transferred if additional authorization were received. DSWEIS, p. I-39. Please list the cleanup levels of all transfers and if these levels are not residential, please explain why. Has this authorizing legislation has been extended?

268-64

NEPA Categorical Exclusions

Since January 2004, there have been over 60 NEPA categorical exclusion determinations for operations at LANL. These exclusions include several D&Ds of vacant laboratory buildings. DOE NEPA regulations state that categorical exclusions should only be implemented if they “do not individually or cumulatively have a significant effect on the human environment” (10 CFR 1021.410). Please provide a reason why each of the exclusions should be excluded from NEPA review, and why each does not and together cumulatively have a significant effect on the environment.

268-65

Cumulative Impacts

DOE’s NEPA Implementing Procedures require a SWEIS to include “cumulative impacts of ongoing and reasonable foreseeable future actions at a DOE site” (10 CFR 1021.104). The cumulative impacts of all categorical exclusions, all other EISs pertaining to LANL, the 1999 SWEIS and this new SWEIS or S-SWEIS need to be considered together.

268-66

Endangered Species

Under both options, road and bridge construction would take place within the buffer zone of the Sandia-Mortandad Canyon and Los Alamos Canyon Mexican spotted owl Area of Environmental Interest.

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and standards for seismic and waste management concerns. Different construction requirements are imposed for new structures as determined by site locations relative to known fault lines and the planned future use of the structure. Existing LANL structures may be retrofitted and upgraded to meet current seismic standards as necessary and appropriate for their expected use.

The Radioassay and Nondestructive Testing Facility is used to survey packaged radioactive waste prior to its disposal and is one of several structures at TA-54 that are proposed for replacement with new structures to accommodate closure of MDA G under the provisions of the Consent Order, as well as certain existing disposal units that are not subject to the Consent Order. Therefore, temporary provisions and use requirements for operation of that facility are in place at this time until a decision on its replacement is made pursuant to a Record of Decision for the SWEIS. The SM-43 Building referenced by the commentor was replaced by the newly constructed National Security Sciences Building in May 2006 and is to be demolished as part of the No Action Alternative (see NNSA/EA-1375) (NNSA 2001). The Radioactive Liquid Waste Treatment Facility is one of the facilities proposed for upgrade at LANL, and the proposed upgrades are analyzed in the SWEIS. Temporary measures have been taken to allow operation of the existing facility.

The CMRR EIS (DOE 2003c) considered all seismic information available at the time the EIS was prepared; additional information, referred to in the comment, came to light during the preliminary design and site evaluation phase after NNSA’s decision to proceed with the project. Site evaluation is performed during the planning stage so that specific site information can be included in the plans for new construction. As discussed in the response to Comment no. 268-37, the ash layer identified at TA-55 creates minor impacts for the Chemistry and Metallurgy Research Replacement Facility foundation design; however, these impacts do not affect the safe design of the facility. The ash layer is not a significant issue for existing facilities, but it does have a minor effect on seismic attenuation at the site. Identification of a buried ash layer is not, per se, seismic information; rather, it is geologic information that is important to the building design and construction concerns. A detailed geotechnical report prepared for the Chemistry and Metallurgy Research Replacement Facility Foundation concluded that the preferred site was acceptable for the planned facility.

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Additionally, they would pass through the core zone of the Sandia-Mortandad Canyon Mexican spotted owl Area of Environmental Interest. DSWEIS, p. 5-78. Please protect the spotted owl and all the endangered species on LANL grounds. The effects of any proposed actions must take the Mexican spotted owl into account before further action. A new DSWEIS should propose and a final Record of Decision should implement specific mitigation measures for the Mexican spotted owl in particular, and all endangered species in general.

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The waste storage domes in MDA G would be removed as part of this project. Their removal would have a beneficial impact on both near and distant views. Since these domes are visible from the lands of the Pueblo of San Ildefonso, their removal would improve the views from traditional cultural properties. Accommodations for the Mexican spotted owl and willow flycatcher during removal, construction, and DD&D activities could be required. DSWEIS, p. 3-112. Are there Mexican spotted owls living in the domes?

268-68

Fiscal Year 2006 LANL Ten Year Comprehensive Site Plan

NNSA describes Ten Year Comprehensive Site Plans from its individual sites as the key planning documents for the future "intended" nuclear weapons complex. Yet, the DSWEIS lists only the LANL Plans for Fiscal Years 2000 and 2001 as reference documents, which are obviously not current, and this is yet another major deficiency in the whole SWEIS process.

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The FY 2006 LANL Ten Year Comprehensive Site Plan, which has already been released to the public under Freedom of Information Act litigation, should be incorporated into the body of reference documents and made publicly available as part of the directly relevant reference documents (and the pending FY 2007 Plan as well).

Since Nuclear Watch New Mexico was successful in obtaining the FY06 LANL TYCSP through FOIA litigation, we take the opportunity to comment on it here. While noting that the public at large was deprived of this right, we assert that it is very much central to commentary on the DSWEIS. In fact, we assert that the FY06 LANL TYCSP is one of the best windows of view into what is actually driving the DSWEIS. The issues below are as they were sequentially presented in the LANL FY06 Ten Year Comprehensive Site Plan.

Northern New Mexico's Groundwater Aquifer

All drinking water for Los Alamos County, the Laboratory, and Bandelier National Monument comes from the regional aquifer. FY06 TYSCP, p. 2-7. The Safe Drinking Water Act of 1974, as amended (42 U.S.C. 300(f) et seq.) established the Sole Source Aquifer Program to allow for special regulations concerning the impacts on drinking water from a single source. The SWEIS must address protection of this sole source aquifer in accordance with this standard. Why wasn't this even mentioned in the DSWEIS? The final SWEIS should address the implications of greater regulation required by a "single source aquifer", and from there go on to conscientiously protect it.

268-69

Responsive Infrastructure = New Military Requirements

Responsive infrastructure relies on sustainable nuclear weapons certification and manufacturing capabilities, and the capability to meet new military requirements. FY06 TYSCP, p. 3-1. The DSWEIS should discuss how meeting "new military requirements" in part drives the SWEIS.

268-70

Relocate Pu-238 Operations

Page 3-4 of the FY06 TYSCP lists key ongoing activities in Nuclear Facility Consolidation as including relocation of Pu-238 Missions. Are these missions at least in part being relocated to the Radiological Science Institute? How about CMRR? Is the drive to consolidate PU-238 operations at the Idaho National Laboratory dead?

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Additional site investigation is underway to determine the lateral extent of the ash layer in the TA-55 vicinity; as information becomes available, it will be factored into the planning process for construction of other structures within the affected area. Existing structures will be evaluated as information becomes available to determine whether they are at risk and whether appropriate action is needed to protect the public and workers.

As stated in the response to Comment no. 268-7, the Defense Nuclear Facilities Safety Board does not regulate or authorize operation of facilities at LANL. Its function, as mandated by the Congress, is to provide independent safety oversight of the NNSA nuclear weapons complex. The Defense Nuclear Facilities Safety Board reviews safety issues at NNSA nuclear weapons complex facilities, prepares reports detailing the conclusions of the reviews, and submits the reports to NNSA. NNSA and the LANL contractor regularly review Defense Nuclear Facilities Safety Board reports and respond with commitments to update and improve safety basis documentation. The Los Alamos Site Office Safety Authorization Basis Team is responsible for developing and approving adequate controls to support safe operations at LANL. NNSA authorizes all LANL facility operations based on the acceptability of existing relevant safety documentation. Refer to Section 2.13, Recommendations of the Defense Nuclear Facilities Safety Board, of this CRD for additional information.

268-56 The estimates for operational transuranic waste generation reflect the projections in the 1999 SWEIS, which were increased as necessary in this SWEIS based on actual generation rates and recent waste generation forecasts. The projections of transuranic waste volumes generated by routine operations are designed to be conservative to provide an upper bound for measuring impacts. In addition, most of the transuranic waste generation projected under the Expanded Operations Alternative would result from the assumed removal of transuranic waste disposed of before 1970 from LANL material disposal areas that are subject to the Consent Order. Generation of this waste is uncertain and will depend on future regulatory decisions by the New Mexico Environment Department.

The original WIPP baseline inventory estimated 741,608 cubic feet (21,000 cubic meters) of contact-handled transuranic waste originating from LANL (see the *Waste Isolation Pilot Plant Disposal Phase Final Supplemental Environmental Impact Statement* [DOE/EIS-0026-S-2])

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Expanded RRW Manufacturing Mission, RRW

If the RRW mission is assigned to the Laboratory, a significant development and manufacturing development program would be anticipated. FY06 TYSCP, p. 3-15. This, and RRW as whole, is omitted from discussion in the DSWEIS, which is a very serious omission and should be corrected.

The Laboratory... is poised to provide additional capacity for expanded pit production missions (for an accelerated RRW or current warheads) over the long term. FY06 TYSCP, p. 3-16. Same comment as the above.

P. 3-16. *SNM inventory may increase if the Lab's production missions are expanded. The SWEIS should fully disclose and discuss what these expanding production missions could be, including the resulting increased inventory of special nuclear materials.*

P. 3-21 states that during the Cold War LANL "avoided helpful planning tools" in its rush to deploy new-design nuclear weapons. LANL is now rushing to design and produce new-design nuclear weapons under the Reliable Replacement Warhead Program. Does this imply that LANL will continue to avoid implementing useful planning tools? If so, what might the consequences be? How does this square with efforts to correct recent LANL management failures?

P. 4-20 states that LANL has no Long Term Stewardship Program for environmental cleanup and monitoring, but nevertheless it is committed to seeking standards. The SWEIS should fully discuss and analyze this. What are the consequences of the lack of such a program? What is the plan for arriving at standards? Does the lack thereof imply no real commitment to cleanup at the Lab?

P. 4-21 states there is no funding for the D&D of excess facilities, and hence that cleanup objectives under the New Mexico Environment Department's Consent Order can't be met by the mandated date of 2015. What are the implications? What is LANL going to do about it? Will there be a concerted effort to acquire the necessary D&D funding? This is especially pertinent given that Los Alamos County clearly covets TA-21 for future economic growth, which is known to be heavily contaminated.

P. 4-22 states that cleaning up to residential or unrestricted standards is "prohibitively expensive." Does this imply predetermination of the outcome of cleanup at LANL? How will this affect the Lab's relationship with NMED? Why can't funding be transferred from the Lab's ever-growing nuclear weapons programs to meet needed and required cleanup needs? The SWEIS should fully discuss the prioritization of taxpayers' money.

P. 4-60 states that mercury is found in 5% of all sanitary plumbing traps at LANL, and that an even greater amount is found in radioactive liquid waste plumbing traps. What is being done to remediate this element that has long been known to have very dangerous human health effects? The SWEIS should fully discuss remediation of mercury contamination at the Lab, how it will be resolved, and NMED's role in that resolution.

P. 4-100 "CMRR and PF-4 provide a programmatic bridge to future plutonium facilities such as the MPF, MOX FFF, etc." The fact that the Lab is discussing how proposed facilities provide the infrastructure to implement a "MPF-Lite" facility in the ten year plan clearly indicates that the DSWEIS is deficient in its analysis of Lab programs and plans. The DSWEIS should address how the infrastructure is being built for ever-expanding plutonium operations.

P. 4-100 States: "The future mission set at Los Alamos is expected to include... Advanced Recovery and Integrated Extraction System (ARIES)." Yet this project, which receives plutonium pits shipped from the Pantex Plant for disassembly and use as nuclear weapons feedstock, is not mentioned in the DSWEIS.

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[DOE 1997b)]. As noted by the commentor, these estimates are updated periodically using more current projections. The WIPP disposal capacity is expected to be sufficient for disposal of all retrievably stored transuranic waste, including LANL's current inventory of legacy waste, and all newly generated transuranic waste from the DOE complex over the next few decades. As discussed in Chapter 5, Section 5.9.3, no credit was taken for LANL waste volume reduction techniques such as sorting, and it is assumed that all of the transuranic waste at LANL could be disposed of at WIPP. However, there may not be sufficient space at WIPP for disposal of all pre-1970 waste buried across the DOE complex. Because future decisions about disposal of transuranic waste will be based on the needs of the entire DOE complex, it is not possible to be definite about the disposition of waste from environmental remediation that may or may not be generated. Any transuranic waste generated at LANL without a disposal pathway would be safely stored until disposal capacity is available. Disposal of transuranic waste at LANL is not considered under any alternative. Refer to Section 2.7, Waste Management, and Section 2.9, Compliance Order on Consent (Consent Order) and Environmental Restoration Activities, of this CRD for more information.

Chapter 3, Table 3-17, of the SWEIS documents the capabilities of the Solid Radioactive and Chemical Waste Facilities. The waste volumes projected for various management activities (such as waste characterization) are based on historical volumes managed and waste volume forecasts. As such, the Table 3-17 volumes reflect the planned capabilities of the Solid Radioactive and Chemical Waste Facilities. To accommodate processing and storage of legacy transuranic waste and newly generated transuranic waste from LANL operations under the Expanded Operations Alternative, NNSA proposes to upgrade existing waste management processes and install additional equipment and facilities, as discussed in Appendix H, Section H.3.

Transuranic waste volumes projected under each of the alternatives are included in Chapter 3, Table 3-19, and Chapter 5, Table 5-37, of the SWEIS. These tables do not include any waste associated with a modern pit facility; this waste was included in Chapter 5, Section 5.13, Cumulative Impacts, of the Draft SWEIS. But as noted previously, in October 2006, NNSA issued a Notice of Intent to prepare the *Complex Transformation SPEIS* (DOE/EIS-0236-S4) (71 FR 61731). In this Notice, NNSA

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P. 4-101 States "construction of the Radiological Utility Office Building [of the CMRR Project]... provides for some contingency in case the existing CMR Building experiences operating problems..." The possibilities for these contingencies must be considered in the SWEIS, as should the operating problems that prompt them.

268-76

P. 5-1 "Alternative Financing." We know that NNSA and LANL sought "alternative financing" for the Los Alamos Science Complex. In fact, the United States Postal Service withdrew its "arrangement" with NNSA for such alternative financing for the Los Alamos Science Complex two days after we publicized it. The context of this page implies that alternative financing may apply to other proposed facilities, for example the Radiological Sciences Institute. The DSWEIS consistently states that LANL is following the mandated directives of Congress. Arguably, "alternative financing" circumvents those Congressional mandates. The final SWEIS should disclose all schemes for possible future alternative financing of all proposed facilities.

**268-39
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These comments respectfully submitted,

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also announced cancellation of the previously planned *Supplemental Programmatic EIS on Stockpile Stewardship and Management for a Modern Pit Facility* (DOE/EIS-236-S2). Thus, the Final LANL SWEIS does not include reference to a modern pit facility. The cumulative impacts analysis of the Final SWEIS addresses the possible impacts from siting and operating a new consolidated nuclear production center at LANL as analyzed in the *Complex Transformation SPEIS* which was issued as a draft on January 11, 2008 (73 FR 2023).

268-57 The SWEIS analyzes the impacts of all of the transuranic waste proposed for storage at LANL. Under the No Action Alternative, the Off-Site Source Recovery Project would continue to recover plutonium-239, americium-241, and plutonium-238 sealed sources and store them until it can be determined whether they are eligible for disposal at WIPP as transuranic waste. Because they were generated from defense activities, all plutonium-239 sealed sources that have been collected are eligible for disposal at WIPP, as well as some of the americium-241 and plutonium-238 sources. Other types of sealed sources are stored until they are determined to be defense-related transuranic waste, and thus eligible for WIPP disposal, or until a disposal site for Greater-Than-Class C and similar DOE waste is identified (see below). The impacts of storing the waste at LANL and of shipping the transuranic waste to WIPP are included in the discussion of the impacts of the No Action Alternative in Chapter 5.

Under the Expanded Operations Alternative, the Off-Site Source Recovery Project would expand the types of sealed sources that it would manage, and some of these could be stored at LANL if no appropriate commercial or other Federal facility is available for their management. None of these additional sealed sources would qualify as transuranic waste; those having isotope concentrations less than the Class C limits would generally not require storage but could be disposed of at existing commercial and DOE low-level radioactive waste disposal facilities. Sources that could not be disposed of or otherwise managed would be safely stored at LANL until a disposal site was available. As noted in the response to Comment no. 268-46, DOE has issued a Notice of Intent to prepare a *Greater-Than-Class C Waste EIS* (70 FR 24775). Several options for disposal of Greater-Than-Class C waste and other DOE waste with similar characteristics are being considered. As noted in Appendix J, Section J.3.2.2, the Off-Site Source Recovery Project estimated the

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number of additional sealed sources that would be managed annually. Many of these sources would not be stored at LANL under the expanded storage program because this material would only be brought to LANL for national defense purposes if no commercial or other Federal facility were appropriate for their management. For the accident analyses, it was assumed that the facility contained the maximum amount of any isotope that would result in the highest exposure. Clarifying language on this topic was added to Appendix J of the SWEIS.

- 268-58** Chapter 4, Section 4.9.4, was revised to include information about the volume of LANL transuranic waste shipped to WIPP. Issues impacting waste shipments are being addressed by the LANL contractor, as evidenced by increased transuranic waste shipments in the most recent year (detailed in the response to Comment no. 268-59). LANL transfers newly generated transuranic wastes to TA-54 for characterization and certification prior to transport to WIPP. Transuranic waste shipments to WIPP could include both newly generated and legacy wastes. LANL plans to ship all legacy wastes to WIPP within the next 10 years. The impacts of transuranic waste storage, characterization, certification, packaging, and shipping operations were evaluated in various sections of this SWEIS, including discussing normal operations, waste management, facility accidents, and transportation.
- 268-59** NNSA acknowledges that there have been difficulties with repackaging and certifying transuranic waste for shipment to WIPP. Section 4.9.4 was added to Chapter 4 of the SWEIS to document the amount of waste shipped offsite. Although there have been delays in meeting planned transuranic waste shipments, process improvements have been made and shipment rates to WIPP have increased; therefore, the amount of transuranic waste stored onsite is expected to decrease. Appendix H, Section H.3, describes an option for constructing additional transuranic waste storage buildings if legacy transuranic waste in the Area G storage domes cannot all be shipped for disposal on a schedule that would comply with the Consent Order.
- 268-60** Accident risks from scenarios involving releases from Area G transuranic waste storage domes were calculated, taking into account the maximum limit allowed in those domes. By calculating risks based on the maximum allowed limit, the annual risks presented in the SWEIS bound future

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annual risks. In the event of an increase in the maximum allowed limit, DOE Orders require appropriate safety evaluations, such as a Safety Analysis Report or Basis for Interim Operations, to ensure the continued protection of the health and safety of workers and the public. The possibility of rips in the domes has no significance to the accident analysis because the material covering the domes is not considered a safety barrier. During normal operations, LANL staff can enter the domes without respiratory protection, so rips in the domes would not be expected to result in releases to the environment that would measurably add to offsite doses.

- 268-61** The need for significantly larger low-level and transuranic waste disposal capacity would depend on future regulatory decisions by the New Mexico Environment Department. Therefore, it is premature to do a detailed analysis of waste disposal or storage needs. However, NNSA expects that any potential shortfall in LANL low-level radioactive waste disposal capacity can be met by using existing offsite disposal capacity. Therefore, this SWEIS considers the impacts of transporting all solid, chemical, and radioactive wastes off the LANL site, as well as the impacts of transporting all low-level radioactive waste for onsite LANL disposal.

The transuranic waste volume projected under the Removal Option primarily involves waste that was buried at LANL before 1970. WIPP's disposal capacity is expected to be sufficient for disposal of all retrievably stored transuranic waste and all newly generated transuranic waste from the DOE complex over the next few decades, but may not be sufficient for this waste and all pre-1970 waste buried across the DOE complex (63 FR 3624). It is not possible to be definite about the disposition of waste from environmental remediation that may or may not be generated because future decisions about disposal of transuranic waste will be based on the needs of the entire DOE complex. Any transuranic waste generated at LANL without a disposal pathway would be safely stored until disposal capacity becomes available. Refer to Section 2.7, Waste Management, of this CRD for more information.

Summary Sections S.9.1, S.9.2, and S.9.3 were revised based on the above discussion.

- 268-62** As previously detailed in the response to Comment no. 268-56, the estimates for operational transuranic waste generation are based on

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projections in the 1999 SWEIS. These projections were increased as necessary in this SWEIS based on actual generation rates and recent waste generation forecasts. The projections for waste generated by routine operations are designed to be conservative to provide an upper bound for measuring the impacts. Although some facility-specific projections occasionally have been exceeded, LANL-wide projections have generally bounded actual annual generation rates (see Chapter 4, Tables 4-44 through 4-49, for details).

- 268-63** NNSA analyzed an option (described in Appendix H, Section H.3.2.3, and evaluated in Section H.3.3.3) to move remaining transuranic waste drums from TA-54, Area G, to two new storage domes that could be collocated with the proposed new TRU Waste Facility. This option would allow closure of Material Disposal Area G in compliance with the Consent Order, as well as closure of certain other disposal units not subject to the Consent Order. The option would also allow the disposition of any waste buried below or in proximity to Dome 375 if it is determined that all of the transuranic waste drums cannot be removed, repackaged, and shipped for disposal in a timeframe that would allow closure to occur. Seismic impacts related to the Decontamination and Volume Reduction System (Dome 375) and waste storage domes are presented in Appendix D, Section D.4.2.2. NNSA recognizes the schedule constraints required by the Consent Order and is currently evaluating the best path forward for managing the transuranic waste in belowground storage.
- 268-64** LANL's conveyance of land to Los Alamos County and transfer of land to the Department of the Interior to be held in trust for the Pueblo of San Ildefonso (under Public Law 105-119, Section 632) are addressed in Chapter 4, Section 4.1.1, of the SWEIS. Should the conveyance of additional tracts not previously analyzed be undertaken, the action would be subject to future NEPA analysis. Parcels transferred to these entities are cleaned up to an appropriate level to protect human health; the cleanup level therefore depends on the expected use of the land. The 2007 Defense Authorization Bill provides an additional 5 years to complete the conveyance and transfer of land to Los Alamos County and the Pueblo of San Ildefonso, respectively. Specifically, the new legislation would extend the completion date through November 2012.

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- 268-65** As discussed in Appendix L of the SWEIS, NNSA makes categorical exclusion determinations in accordance with DOE NEPA implementing regulations (10 CFR 1021.410). Proposed projects are not excluded from NEPA review; instead, a NEPA review of each project is conducted prior to implementation to determine whether it meets the criteria for a categorical exclusion. If a project does not meet the criteria, additional NEPA analysis is performed. Examples of the types of activities that may be categorically excluded are presented in Appendix L of the SWEIS.
- 268-66** Chapter 5, Section 5.13, discusses the cumulative impacts of ongoing and reasonably foreseeable future actions at LANL, including pertinent actions covered by other NEPA documentation. As described in Section 5.13, the cumulative impact analysis for this SWEIS includes: (1) an examination of cumulative impacts presented in the 1999 SWEIS; (2) an analysis of impacts since the 1999 SWEIS was issued; and (3) a review of past, present, and reasonably foreseeable actions by other Federal and non-Federal agencies in the region. Council on Environmental Quality regulations (40 CFR 1508.4) define a categorical exclusion as “a category of actions which do not individually or cumulatively have a significant effect on the human environment.” Therefore, by definition, categorical exclusions rarely need to be considered when performing a cumulative impacts analysis.
- 268-67** As part of the Section 7 consultation process with the U.S. Fish and Wildlife Service, LANL staff prepared a *Biological Assessment of the Continued Operation of Los Alamos National Laboratory on Federally Listed Threatened and Endangered Species* (LA-UR-06-6679) (LANL 2006i), to which the U.S. Fish and Wildlife Service responded to in a series of letters (see Chapter 6, Section 6.5.2, of the SWEIS). Both the biological assessment and the U.S. Fish and Wildlife Service responses were incorporated into the Final SWEIS. Regarding the bridges over Mexican spotted owl Areas of Environmental Interest required under Auxiliary Actions A and B of the Security-Driven Transportation Modifications Project, the U.S. Fish and Wildlife Service concluded that it could not analyze the effects of the proposed actions because the exact locations and designs of the bridges have not been determined. Thus, if either or both of these auxiliary actions are selected, the agency requested NNSA to submit a new request for consultation when plans are finalized. NNSA will comply with this request. This commitment will be included

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in the Mitigation Action Plan for the actions selected for implementation in the Record of Decision for the SWEIS.

- 268-68** Following consultation with the U.S. Fish and Wildlife Service, it was determined that construction within TA-54 may affect, but is not likely to adversely affect, the southwestern willow flycatcher or its potential habitat. Further, construction was determined to have no effect on either the Mexican spotted owl or bald eagle. Owls do not reside within the domes located within TA-54; hence, their removal would have no impact on this species. Chapter 3, Table 3-31, and Appendix H, Section H.3.3.2, were updated to reflect this conclusion.
- 268-69** The regional aquifer has not been designated a “sole-source aquifer” under the Environmental Protection Agency sole-source aquifer program. This issue is not addressed in the SWEIS.
- 268-70** As discussed in Chapter 1, the SWEIS supports decisions to be made over the next 5 years regarding the level of operations and the implementation of identified projects. These activities are conducted under the auspices of the Stockpile Stewardship Program. Additional considerations for the mission of LANL are being evaluated in the *Complex Transformation SPEIS*. Refer to Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for more information.
- 268-71** Under the Expanded Operations Alternative, the SWEIS addresses the impacts of an increase in pit production to up to 80 pits per year. At this time, there are no plans to expand the production missions at LANL beyond this rate. See Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD for additional information about changes to the nuclear weapons complex.
- 268-72** NNSA is not rushing to produce a new-design nuclear weapon. It is taking a measured approach to evaluating a Reliable Replacement Warhead, if funded by the Congress, that would provide long-term confidence in a safe, secure, and reliable stockpile and enable transformation to a responsive nuclear weapons infrastructure. More discussion regarding the Reliable Replacement Warhead Program is provided in Section 2.4, Modernization of the Nuclear Weapons Complex, of this CRD. NNSA will employ modern project management tools as appropriate for the modernization of the nuclear weapons complex.

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268-73 NNSA acknowledges the comments, but notes that the funding priorities of the U.S. Government and statements in the cited Ten-Year LANL Comprehensive Site Plan are not within the scope of the SWEIS, which evaluates the environmental impacts of alternatives for continued operation of LANL. Regarding the long-term stewardship program, the planned implementation of an institutional environmental management system, coupled with the Consent Order, would functionally address the intent of such a program. This environmental management system was implemented in December 2005. Decisions about remediation measures at LANL are not predetermined; they will be made for each potential release site in accordance with established regulatory standards and processes, including those of the New Mexico Environment Department for the Consent Order. For those potential release sites subject to the Consent Order, the New Mexico Environment Department will make the remediation decision. As indicated in Chapter 1, Section 1.4, of the SWEIS, NNSA intends to implement actions necessary to comply with the Consent Order regardless of whether other actions in the Expanded Operations Alternative are implemented.

268-74 The funding priorities of the U.S. Government are not within the scope of the SWEIS, which evaluates the environmental impacts of alternatives for continued operation of LANL, including bounding the potential impacts associated with decontamination, decommissioning, and demolition of TA-21 facilities. NNSA intends to implement actions necessary to comply with the Consent Order and to work with the State of New Mexico within the framework of the consultative process to assure adequate and timely remediation of TA-21.

268-75 LANL staff is evaluating the source of this mercury, which is used in numerous experimental facilities at LANL. Mercury remediation consists of identifying the presence of mercury in plumbing traps and physically removing the mercury for appropriate disposal. NNSA has a program to identify alternative materials to mercury in its facilities with the goal of minimizing any future presence of mercury in plumbing traps.

The March 2005 Consent Order includes requirements for investigation and cleanup actions related to mercury. The health effects of mercury in the environment around LANL are analyzed in Appendix C, Section C.2.1, of the SWEIS.

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268-76 The contingency referred to in the comment involves timing. The Radiological Utility Office Building will be built prior to vacating the Chemistry and Metallurgy Research Building, so it provides some contingency for moving some operations (for example, low Special Nuclear Materials - Radiological Laboratory amounts) from the existing Chemistry and Metallurgy Research Building to the new building as needed. Although there are no specific known operating problems, it is prudent to establish contingencies to ensure smooth transition to the replacement buildings with minimal effects on operational requirements. In addition, the “contingency” referred to was analyzed in the *CMRR EIS* (DOE/EIS-0350) (DOE 2003c), and implementation of the related Record of Decision (69 FR 6967) is part of the No Action Alternative, so its impacts are carried through the SWEIS.