

THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

RESOLUTION NO. 2021 - 01

Introduced by:
Commissioner Anna Hansen and Commissioner Anna Hamilton

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

WHEREAS, Santa Fe County (“County”) has a longstanding tradition of promoting democracy and environmental protection in pending nuclear weapon decisions by requesting that “local governments be kept fully informed about [projects] to facilitate large-scale production of additional plutonium warhead cores at Los Alamos National Laboratory (“LANL”), so as to make citizens aware of potential safety and environmental hazards associated with the handling of plutonium and other dangerous materials in a timely fashion” (Resolution No. 2010-221); and

WHEREAS, the County has previously joined with the City of Santa Fe to support LANL expansion Environmental Impact Statements (“EISs”), calling for “a new EIS” to “reassure the citizens of Santa Fe County that the safety and environmental issues entailed in this growing project are being planned for in a careful and comprehensive way.” (Resolution No. 2010-221); and

WHEREAS, Resolution No. 2017-129 specifically documented nine nuclear safety incidents at LANL, including a 2017 National Nuclear Security Administration (“NNSA”) report to the independent Defense Nuclear Facilities Safety Board (“DNFSB”) that found that LANL was the only nuclear weapons production site that did not meet critical safety expectations; and

WHEREAS, Resolution No. 2019-43 urged the Department of Energy (“DOE”) Secretary to suspend DOE Order 140.1 and reissue an order that fully complies with the DNFSB’s legal authority under statute to continue to protect LANL workers and the community by providing the DNFSB access to information, personnel, and facilities; and

WHEREAS, the DNFSB has recently reported the possibility of exposure of potentially lethal radioactive doses as high as 760 rem to workers at LANL's plutonium pit production facility ("PF-4"), with a possible public exposure of 24 rem, because LANL "do[es] not appropriately analyze energetic chemical reaction hazards involving transuranic waste," such as the improperly prepared radioactive waste drums from LANL that in 2014 ruptured, which contaminated and closed the Waste Isolation Pilot Plant for nearly three years; and

WHEREAS, DNFSB's calculations of potential exposure to workers and the public are orders of magnitude greater than those disclosed by the NNSA in any of its past analyses related to expanded plutonium pit production; and

WHEREAS, plutonium pits are used as the "triggers" for the nation's nuclear weapons; and

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

WHEREAS, independent experts have found that plutonium pits have an estimated lifetime of at least 60 years, and many reports support that they last a century, thus making expanded production unnecessary, and providing more than sufficient time (over 20 years) to do a SWEIS; and

WHEREAS, plutonium pit production will continue to generate radioactive, hazardous and toxic wastes that generally will be transported and disposed of off-site; and

WHEREAS, radioactive, hazardous and toxic wastes generated by nuclear weapons activities over seven decades have been buried in unlined pits, trenches, and shafts in the volcanic tuff of the Pajarito Plateau, which pits are leaking, resulting in the waste migrating to the regional drinking water aquifer and the Rio Grande; and

WHEREAS, the independent Government Accountability Office ("GAO") has recently reported that "in the last 2 decades, LANL has twice had to suspend laboratory-wide operations after the

discovery of significant safety issues” and “a 2018 LANL study found that LANL is ‘marginally capable’ of meeting NNSA’s plan to ramp up pit production to 30 pits per year by 2026,”; and

WHEREAS, federal agencies are required by the National Environmental Policy Act (“NEPA”) to allow the public the opportunity to review, analyze, and provide informed comments about major federal proposals such as expanded plutonium pit production; and

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

WHEREAS, NEPA requires new analysis when there is new information and changed circumstances, which in this case includes a major wildfire; up to \$13 billion in proposed new construction at LANL; increasing seismic risks on the Pajarito Plateau, including seismic faults near PF-4; the discovery of serious groundwater contamination; planned massive releases of radioactive tritium into the air; etc.; and

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

WHEREAS, a SWEIS process which considers all reasonable alternatives to NNSA’s proposed actions and incorporates mitigation plans is the only available means by which the public, tribes, and local and state governments can review and understand the nature and consequences of NNSA’s proposed actions and provide their comments; and

WHEREAS, the citizens of Santa Fe County should benefit from the National Laboratory’s presence through educational outreach, greater environmental remediation funding, workforce training and development and small business opportunities.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Santa Fe County, hereby requests that, in accordance with the requirements of the National Environmental Policy Act, the National Nuclear Security Administration immediately begin and complete a new Site-Wide Environmental Impact Statement for Continued Operations at the Los Alamos National Laboratory and, while it does so, it take more concerted action to benefit the citizens of Santa Fe County.

BE IT FURTHER RESOLVED that the Board of County Commissioners of Santa Fe County request that the National Nuclear Security Administration work closely with the Defense Nuclear Facilities Safety Board to correct nuclear safety concerns that will better protect the workers and citizens of Santa Fe County and speed the removal of hazardous materials generated by LANL.

BE IT FURTHER RESOLVED that the Board of County Commissioners of Santa Fe County request that the National Nuclear Security Administration and the Department of Energy significantly increase the budget for environmental remediation of the site.

BE IT FURTHER RESOLVED that the Board of County Commissioners of Santa Fe County request that the National Nuclear Security Administration and the Department of Energy expand both their educational outreach opportunities and workforce training efforts to further benefit the citizens of Santa Fe County.

BE IT FURTHER RESOLVED that the Board of County Commissioners of Santa Fe County request that the National Nuclear Security Administration further expand the procurement opportunities for our local small businesses vital to the generation of Gross Receipts Taxes needed for county operations.

BE IT FURTHER RESOLVED that the Board of County Commissioners of Santa Fe County request that the National Nuclear Security Administration suspend any planned expanded plutonium pit production until all outstanding nuclear safety issues are resolved, as certified by the independent Defense Nuclear Facilities Safety Board.

BE IT FURTHER RESOLVED that the Board of County Commissioners for Santa Fe County directs the County Manager's Office to send copies of this resolution to the New Mexico Congressional delegation, the Governor of New Mexico, the President Pro Tempore of the New Mexico Senate, the Speaker of the New Mexico House of Representatives, the All Pueblo Council of Governors, the Secretary of the Department of Energy, the Secretary of the New Mexico Environment Department, and the Administrator of the National Nuclear Security Administration, the Manager of the NNSA Los Alamos Field Office, and the Director of the Los Alamos National Laboratory.


PASSED, APPROVED, AND ADOPTED ON THIS 26th DAY OF JANUARY, 2021.

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**



Henry P. Roybal, Chair

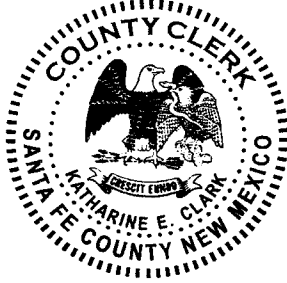


SFC CLERK RECORDED 01/28/2021

ATTEST:

Katharine E. Clark,
Santa Fe County Clerk

Date: 01/27/21

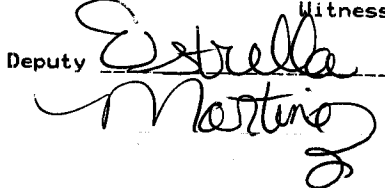
APPROVED AS TO FORM:

Gregory S. Shaffer
Santa Fe County Attorney



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC RESOLUTIONS
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I Hereby Certify That This Instrument Was Filed for
Record On The 28TH Day Of January, 2021 at 02:07:25 PM
And Was Duly Recorded as Instrument # **1941776**
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Katharine E. Clark
Deputy  County Clerk, Santa Fe, NM