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**Submitted by the Alliance for Nuclear Accountability via email to: [NEPA-SRS@srs.gov](mailto:NEPA-SRS@srs.gov)**  
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The Alliance for Nuclear Accountability (ANA) is a longstanding network of more than thirty organizations around the country. A unique feature of ANA is that many of its member groups are located in communities adjacent to, or downwind or downstream from, major Department of Energy (DOE) sites including those of the National Nuclear Security Administration (NNSA).

ANA includes groups whose members live, work and recreate around the Savannah River Site (SRS) in South Carolina. Moreover, ANA represents groups around other sites listed in the Federal Register Notice, such as the Los Alamos National Laboratory (LANL) in New Mexico.

Importantly, ANA also represents groups whose members live, work and recreate around DOE sites not listed in the Federal Register Notice but that nonetheless may potentially suffer adverse impacts from the proposed expansion of plutonium pit (bomb core) production. The NNSA proposed action would not only affect the Savannah River Site and the Los Alamos Lab where the proposed production would take place at rates of 50 pits or more per year (SRS) and 30 pits or more per year (LANL), but also the multiple DOE sites that may handle raw materials, process resultant wastes, receive plutonium pits, be involved in transportation, or be otherwise impacted by activities arising from the production of plutonium pits at Savannah River Site or elsewhere.

#### PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT MUST BE THE FIRST STEP

It is with all ANA groups and DOE sites near their membership in mind that we comment now to remind DOE/NNSA of its obligation under the National Environmental Policy Act (NEPA) to conduct a fresh Programmatic Environmental Impact Statement (PEIS) on its plan to reinstate industrial-scale plutonium pit production in the United States at the rate of 80 or more nuclear weapon cores per year.

As the network stated in its earlier letter to NNSA of December 7, 2018: "Production above 20 pits per year and production at a second site will require nationwide public review under the National Environmental Policy Act. Taxpayers should demand an explanation for costly, provocative, expanded plutonium pit production and should insist that speculative new-design nuclear weapons driving pit production be canceled."

ANA has a three-decades long history of providing expert and public comment on U.S. pit production activities, including through various NEPA review processes. The present

production limit of 20 plutonium pits per year at LANL was established through an SPEIS on Stockpile Stewardship and Management (SSM) and codified in a Record of Decision (ROD) in 1996.

We felt strongly in our December 7, 2018 letter and reiterate today:

(1) If NNSA were to conduct a lesser environmental review for expanded pit production (now involving multiple locations), that decision would violate a plain reading of NEPA. Also,

(2) The proposal in the SSM PEIS was substantially distinct from the current plan, and the analysis on which it relied for its 1996 ROD is out of date by any standard. In this context we note that the ROD for the Complex Transformation SPEIS of 2008 essentially threw the decision on production quantities back to the prior SSM PEIS ROD.

We note also that the CT SPEIS ROD also chose to rely on the “fact” that there would be a CMRR-NF built - and the agency has since decided not to build it. Again, ANA notes that a fresh PEIS analysis is required as a logical and legal *first* step.

The agency must therefore place the site specific SRS Environmental Impact Statement (EIS) on hold after collecting all “scoping” comments and instead conduct the required national multi-site, i.e., Programmatic EIS first.

As ANA noted in its December 7, 2018 letter, the NEPA process begins when a federal agency, such as NNSA, develops a proposal to take a major federal action as defined at 40 CFR 1508.18. In fact, this has happened already. Further, NEPA requires that the appropriate level of review (a PEIS) take place early in the agency process, before NNSA actions might limit the choice of reasonable alternatives, prejudice the ultimate decision, or involve irreversible or irretrievable resources.

#### PEIS MUST INCLUDE A HARD LOOK AT THE W87-1 AND OTHER PLANNED NEW WARHEADS

A key “driver” for expanded plutonium pit production is the W87-1 warhead (formerly known as the Interoperable Warhead 1) that is now slated to sit atop a new ground-based missile. The NNSA in its December 2018 Report to Congress titled, “W78 Replacement Program (W87-1): Cost Estimates and Use of Insensitive High Explosives,” states on page 2 that the new weapon will have a pit “based on” a well-tested design. In other words, not the same design as a pit already in the stockpile. Likewise, a GAO report of November 2018 titled, “NNSA Has Taken Steps to Restart a Program to Replace the W78 Warhead Capability,” states on page 3 that the “program plans to replace the W78 pit with one based on the W87 design.” Again, “based on” is not “the same as” by definition. On June 4, 2019, *Exchange Monitor Publications* reported that, “the 80 [pits] a year that NNSA plans to produce by 2030 and beyond are all for the W87-1-style warheads that will sit atop Ground Based Strategic Deterrent missiles.”

Further highlighting that expanded pit production is for new nuclear weapons, the aforementioned NNSA report of December 2018 states on page 6 that “The campaign to establish a national pit manufacturing capability at required capacity must happen even if the W87-1 program must, for some unplanned reason, deploy with a reused pit.”

First, this is unequivocal in locating the expanded plutonium pit manufacturing plans centrally in service of new nuclear weapons. Even though the next new warhead design is not specified, let alone justified, it will “need” new production pits.

Also embedded in the NNSA statement on page 6 is the crux of a reasonable alternative under NEPA; if the pit is not a new-design (e.g., “based on” but not the same as existing designs) then pit reuse and not new production can occur. Pit reuse is a proven process that would happen at the Pantex Plant in Texas, where approximately 20,000 pits sit in storage that have been declared “excess” to the needs of the deployed stockpile.

The “lead lab” for developing the W87-1 is the Lawrence Livermore National Laboratory in California. At that site and others, the W87-1 program will have a waste stream as well as other potential impacts on worker and public health and the environment. Some of those impacts may involve other DOE/NNSA sites. A new warhead that serves as the driver for the pit production expansion cannot be left out of programmatic analysis. It too must be part of the PEIS. The alternative of not going forward with a design that “needs” a new pit must be thoroughly examined in that context. Indeed, the “purpose and need” for expanded pit production appears to be linked to the desires of weapons designers.

The proliferation-provocative nature of new design weapons with new design pits may make expanded pit production the *most* risky and destabilizing alternative for the nation, not the least risky one.

#### WASTE OF IRRETRIEVABLE RESOURCES

The scandal-ridden Mixed-Oxide (MOX) Fuel Fabrication Facility is estimated to have cost up to \$7 billion tax-payer dollars. What remains is a partially constructed facility that reportedly may have substandard parts and/or workmanship in its walls and ducts. Yet, NNSA intends to march full steam ahead with little analysis of what went wrong and, crucially, how those MOX missteps might impact the costs and schedule for the facility’s “repurposing.” Here, too, NNSA wants to metaphorically put the cart before the horse. Indeed, the agency could be conducting its analysis of what went wrong *while* the SRS EIS is on hold and a PEIS is being prepared. Without this analysis, NNSA is ill-prepared to move forward with “repurposing” decisions.

ANA and its member groups are not the only entities to highlight the high likelihood that NNSA’s plan to produce 80 or more pits per year by the year 2030 is extremely likely – if not certain – to result in failure. There will also be irretrievable financial expenditures that exceed current expectations.

The Institute for Defense Analyses (IDA) was commissioned by the Defense Department to

conduct an “Independent Assessment of the Two-Site Pit Production Decision.” The unclassified executive summary of May 2019 states: “IDA examined past NNSA programs and could find no historical precedent to support starting initial operations (Critical Decision-4, or CD-4) by 2030, much less full rate production. Many similar projects (e.g., the Modern Pit Facility, Chemistry Metallurgy Research Replacement-Nuclear Facility and Pit Disassembly and Conversion Facility) were eventually cancelled. Of the few major projects that were successfully completed, all experienced substantial cost growth and schedule slippage; we could find no historical major project that both cost more than \$700 million and achieved CD-4 in less than 16 years...”

Here ANA notes that the NNSA’s initial cost estimate for its preferred 2-site alternative sits at \$42.6 billion. Hence this overall proposal is more costly and complex than some considered in the negative assessment by IDA, which looked at \$700 million dollar projects to try and find some good news. The risk that billions will be squandered by NNSA moving ahead prematurely is too great to ignore. Under NEPA, decision-makers and the public at large are to be the beneficiaries; both Congress and tax-payers have a right to a comprehensive, national review of serious financial risks (in a PEIS) before NNSA moves ahead with a site-specific SRS EIS.

Further, ANA notes that this review of financial resource risks needs to be carried through both the Programmatic EIS and the subsequent site-specific EISs, if the programmatic decision is to move forward with the project.

## CONCLUSION

Eighty or more plutonium pits per year is significantly more than 20 per year, and the NNSA plan involves unexamined health, safety and environmental risks as well as financial costs. Further, the proposal would create a new mission at SRS and would involve newly created wastes and other consequences that would likely impact other sites in the nuclear weapons complex.

A PEIS, undertaken now, is required. The public must be given a full set of opportunities to provide input and participate in the decision-making process. Finally, if NNSA decides at the end of the PEIS to proceed with its current plan, site-specific environmental reviews, such as an SRS EIS, will also be required. Putting it on hold now to do proper NEPA analysis first is most likely to save irretrievable resources - and it does not spend them.

Finally, ANA member organizations have stated strongly that they request from NNSA an extension of the public comment period beyond July 25, 2019. ANA joins in their request.

Sincerely,  
Ralph Hutchison, President, ANA  
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