



Complex 2030 and the National Environmental Policy Act



On October 19, 2006, the National Nuclear Security Administration (NNSA), the semi-autonomous nuclear weapons agency within the Department of Energy (DOE), published a formal Notice of Intent to build “Complex 2030,” the nuclear weapons complex of the future. If allowed to move forward, this new Bombplex will design new nuclear weapons and resume industrial-scale bomb production.

How did we get here?

This process began in 1996. Under a program called Stockpile Stewardship, the Department of Energy was consolidating and transforming its nuclear weapons complex without adequate public involvement. Only after threat of citizen litigation did DOE complete a “Stockpile Stewardship and Management Programmatic Environmental Impact Statement (PEIS).”

The 1996 PEIS established “interim” production of plutonium pits, the central cores of nuclear weapons, at New Mexico’s Los Alamos Lab. Pit production had been halted in 1989 after the Rocky Flats Plant near Denver was shut down following a FBI raid investigating environmental crimes. Since 1996, NNSA has proposed various “supplements” to the 1996 Stockpile Stewardship and Management PEIS, most notably for a “Modern Pit Facility” designed to produce up to 450 pits per year. NNSA has now cancelled the Modern Pit Facility and instead is initiating this Complex 2030 Supplemental PEIS (or “SEIS”). In it, NNSA proposes a minimum production capacity of 125 pits per year at a future Consolidated Plutonium Center to be built at one of five candidate sites.

What happens next?

The next step in the NEPA process is to determine the “scope” of the environmental impact statement, for which NNSA must also solicit public comment. The NEPA definition states “scope consists of the range of actions, alternatives, and impacts to be considered in an environmental impact statement.” Therefore, public scoping comments are vital in framing and expanding the range of issues that need to be considered in this Bombplex SEIS.

Since the Bombplex is being offered as a supplement to an existing PEIS, scoping is not required by law. NNSA is holding scoping hearings anyway, perhaps out of concern over legal challenges to a “supplement” of this size bypassing public comment.

NEPA requires federal agencies to “briefly specify the underlying purpose and need” for the proposed action and to “rigorously explore and objectively evaluate all reasonable alternatives.” At a minimum, that must include the agency’s preferred alternative, a “no action alternative” and “other reasonable courses of action.”

Why is the Bombplex dangerous?

The NNSA’s Notice of Intent declares that the nuclear weapons complex needs to be transformed “into a responsive infrastructure that supports the specific stockpile requirements established by the President.” Those requirements were codified in the Bush Administration’s 2001 Nuclear Posture Review. That Review also broadened the rationale for the potential use of nuclear weapons and called for the development of earth-penetrating and low-yield (hence more usable) nukes. Coupled with the Bush Administration’s assumed right to pre-emptive war, this could include pre-emptive nuclear strikes as well.



Thus, the “underlying purpose and need” becomes critical in public comment on the proposed Bombplex. The public has every right to question the need for the Bombplex. To raise this question, we must transform the NEPA/SEIS process into a debate over the present course of U.S. nuclear weapons policies; particularly when those policies have shifted from the classic “deterrence” strategy of the Cold War era to the threat of nuclear first strikes.

Scientific reasons exist that call into question the need for the Bombplex. There are increasing indications that studies due out this November will show that the operational lifetimes of plutonium pits are in the range of 100 years, rather than the NNSA’s accepted 45 years. This would strongly undermine the NNSA’s claimed need for a minimum production capacity of 125 pits per year. Further, 100-year pit lifetimes would also challenge the need for new nuclear weapons designs under the so-called Reliable Replacement Warhead (RRW) program which the NNSA is aggressively pushing and has explicitly called the “enabler” for transforming the existing nuclear weapons complex into Complex 2030.

In reality, untested RRW designs are not needed to bolster the United States’ extensively tested stockpile. Instead, RRW will be the vehicle whereby NNSA creates the future stockpile that the Nuclear Posture Review unilaterally mandates. Finally, there is an existing obligation on the part of all nuclear weapons signatories to the 1970 Non-Proliferation Treaty to abide by its mandate to disarm nuclear stockpiles. Looking around the globe, there is an overarching need to strengthen the international nonproliferation regime. The Bombplex would inevitably undercut efforts to stop the spread of nuclear weapons.

Issues to Raise in Your Public Comments

The scope of the SEIS, as defined by the NNSA, does not give all reasonable alternatives. All of the options put forward by NNSA would result in an increase over current capabilities to produce nuclear weapons. *What is needed, and what the public should demand in scoping comments, is a true alternative option that advocates decreased reliance on nuclear weapons, no new designs, no expansion of pit production, increased weapon dismantlements, and adherence to U.S treaty commitments.* Let’s get rid of the old nuclear weapons, not produce new ones. Such an alternative would guarantee the safety and reliability of the existing deterrent stockpile while slating all nuclear weapons for eventual dismantlement.

Another issue to raise is the documented environmental impact of nuclear weapons production. Sites used for weapons production in the Cold War remain the most polluted places in our country. Radioactive contamination still threatens our health and the health of our environment. Until the problems of nuclear contamination from past weapons production have been solved, it is foolish to build more nukes.

Timeline

Once the scope of the SEIS is determined, the NNSA must release a detailed draft, currently expected July 2007. That will be followed by at least a 45-day comment period with more public meetings. From there, the NNSA says it will release its final Complex 2030 SEIS in May 2008, after which it could reach a formal Record of Decision in June 2008 to implement Complex 2030.

Twelve scoping hearings have been scheduled around the country at which the public can give oral comments or submit written comments. The calendar of hearings can be downloaded here: <http://www.ananuclear.org/Bombplex/CalendarOfHearings.doc>

All written comment must be submitted by January 17, 2007, and can be e-mailed to Complex2030@nnsa.doe.gov or mailed to Theodore A. Wyka, Complex 2030 SEIS Document Manager, Office of Transformation, U.S. DOE, NA-10.1, 1000 Independence Avenue, SW., Washington, DC 20585.

For those who love lots of technical analysis and details, check out the links below:

History of the Stockpile Stewardship and Management Environmental Impact Statement and its Supplements

DOE/EIS-0236

Stockpile Stewardship and Management, 61 FR 68014, 26 December 1996
<http://www.eh.doe.gov/nepa/rods/1996/26de6rod.pdf>

DOE/EIS-0236-S1F

National Ignition Facility Final Supplemental Environmental Impact Statement to the Stockpile Stewardship and Management Programmatic Environmental Impact Statement (January 2001)
<http://www.eh.doe.gov/nepa/eis/eis0236sa1/eis0236s1f.htm>

DOE/EIS-0236-S1

Record of Decision for the Final Supplemental Environmental Impact Statement for the National Ignition Facility (April 5, 2001)
<http://www.eh.doe.gov/nepa/rods/2001/18078.pdf>

DOE/EIS-0236-S2

Draft Supplemental Programmatic Environmental Impact Statement on Stockpile Stewardship and Management for a Modern Pit Facility (May 2003)
<http://www.eh.doe.gov/NEPA/docs/deis/deis0236S2/deis0236.htm>

DOE/EIS-0348 and DOE/EIS-0236-S3

Final Site-wide Environmental Impact Statement for Continued Operation of Lawrence Livermore National Laboratory and Supplemental Stockpile Stewardship and Management Programmatic Environmental Impact Statement (March 2005)
<http://www.eh.doe.gov/nepa/eis/eis0348/eis0348toc.htm>

DOE/EIS-0348 and DOE/EIS-0236-S3

Record of Decision for Final Site-wide Environmental Impact Statement for Continued Operation of Lawrence Livermore National Laboratory (DOE/EIS-0348) and Supplemental Stockpile Stewardship and Management Programmatic Environmental Impact Statement (November 29, 2005)
http://www.eh.doe.gov/nepa/rods/2005/bbs05Nov29LLNLSWEIS_and_SSMPEISROD.htm

DOE/EIS-0236-SA-06

Final Supplement Analysis for the Pit Manufacturing Facilities at Los Alamos National Laboratory (9/1/1999)
http://www.eh.doe.gov/nepa/sa/eis0236sa6/final/eis0236_sa6.html