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**CITY OF SANTA FE, NEW MEXICO**

**RESOLUTION NO. 2017-76**

**INTRODUCED BY:**

Councilor Renee D. Villarreal

Councilor Joseph M. Maestas

Councilor Carmichael A. Dominguez

Councilor Mike Harris

Councilor Signe I. Lindell

**A RESOLUTION**

**REQUESTING THAT THE NEW MEXICO ENVIRONMENT DEPARTMENT STRENGTHEN THE REVISED LOS ALAMOS NATIONAL LABS CLEANUP ORDER TO CALL FOR ADDITIONAL CHARACTERIZATION OF LEGACY NUCLEAR WASTES, INCREASED CLEANUP FUNDING, AND SIGNIFICANT ADDITIONAL SAFETY TRAINING; AND SUSPEND ANY PLANNED EXPANDED PLUTONIUM PIT PRODUCTION UNTIL SAFETY ISSUES ARE RESOLVED; AND DIRECTING THE CITY CLERK TO TRANSMIT COPIES OF THIS RESOLUTION TO ASSOCIATED PARTIES.**

**WHEREAS**, in June 2016, DOE and NMED signed a new revised Consent Order governing cleanup that incorporates giant loopholes whereby LANL can avoid comprehensive cleanup by simply claiming that it is too difficult or costly; and

**WHEREAS**, the new Consent Order bases LANL cleanup on projections of future funding availability instead of what is actually needed to accomplish comprehensive cleanup; and

**WHEREAS**, in August 2016, based on the new Consent Order, DOE released an estimated cleanup baseline that extended the timeframe for the completion of cleanup at LANL to 2040,

1 asserting that only 5,000 cubic meters of waste needs to be cleaned up, while an estimated 30 times  
2 that much legacy waste is anticipated to be subject to “cap and cover”, i.e., leaving said waste buried  
3 where it is currently located on LANL property; and

4 **WHEREAS**, the Department of Energy (DOE) is expanding the production of new  
5 plutonium pit triggers at LANL for the nation’s nuclear weapons from 20 to up to 80 pits per year,  
6 which is estimated to nearly double related radioactive and toxic wastes; and

7 **WHEREAS**, plutonium pits are used as the “triggers” for the nation’s nuclear weapons; and

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

9 **WHEREAS**, independent experts outside of the Department of Defense have found that all  
10 plutonium pits, including those created when the existing nuclear stockpile was created over the last  
11 60 years, have reliable lifetimes of a century or more, arguing that expanded production of plutonium  
12 pits is unnecessary; and

13 **WHEREAS**, the Department of Energy has determined that “Required improvements to the  
14 [Nuclear] Criticality Safety Program are moving at an unacceptably slow rate... [and] The number  
15 and latency of infractions in the plutonium facility is of concern”, for which LANL received the only  
16 “red grade” in nuclear criticality safety in the DOE nuclear weapons complex in the 2016 report of  
17 the Department of Energy to the Defense Nuclear Safety Facilities Board (DNSFB); and

18 **WHEREAS**, the nuclear weapons complex at Los Alamos National Laboratory has suffered  
19 several accidents in recent years, documented in a multi-part series from the Center for Public  
20 Integrity; and

21 **WHEREAS**, these events include:

22 1. In March 2011, in violation of nuclear material handing protocols, a manager placed  
23 an amount of nuclear material in a glovebox<sup>1</sup> that exceeded the criticality limit of the box; and

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<sup>1</sup> A “glovebox” is a specially constructed contained what permits the safe handling of hazardous and toxic materials, including radioactive materials, utilizing gloves that employees slip their hands into, allowing them to touch and manipulate those materials.

1           2.       In August 2011, technicians, seeking a photo-op, in violation of nuclear material  
2 handling protocols, placed eight rods of plutonium in close proximity to each other – several more  
3 rods would have triggered a deadly nuclear chain reaction;

4           3.       A 2013 LANL study found that glovebox leaks in PF-4 occurred roughly three times  
5 a month, often the result of avoidable errors;

6           4.       In December 2013, LANL sent a drum containing radioactive material to the WIPP  
7 storage facility near Carlsbad that ruptured inside the facility – a result of improper mixing of  
8 ingredients – costing the government \$1.5 billion to clean up.

9           5.       In May 2016, a trolley used to carry nuclear materials in a facility at LANL fell from  
10 the ceiling and crashed into a glovebox, which was fortunately empty and not in use;

11          6.       The DOE annual report to the DNSFB, released in February 2017, found that LANL  
12 was the only nuclear production site whose performance did not meet expectations in the functional  
13 area of criticality safety expectations;;

14          7.       In July 2017, a LANL employee sent “special nuclear material” across the country by  
15 air in direct violation of nuclear safety standards; and

16          8.       In August 2017, two further incidents of mishandling of plutonium metals occurred,  
17 one of which was acknowledged as a ‘criticality safety event’; and

18           **WHEREAS**, DOE should increase and allocate sufficient funding to ensure all contractor  
19 staff working with radioactive and hazardous material are trained in the handling of said material,  
20 overseen by more federal nuclear safety experts, in order to ensure the safety of the employees, the  
21 nuclear stockpile and the surrounding communities, including the city of Santa Fe; and

22           **WHEREAS**, DOE should ensure that DOE staffing targets are fully met on a priority basis,  
23 as the February 2017 report of DOE to the DNSFB noted that targeted staffing levels had not been  
24 met; and

25           **WHEREAS**, radioactive and hazardous contaminants produced as a result of nuclear

1 weapons research and production at LANL have been and may continue to be released into the Rio  
2 Grande and the Española Basin Aquifer, designated by the Environmental Protection Agency as a  
3 Sole Source Aquifer<sup>2</sup>; and

4       **WHEREAS**, LANL’s legacy radioactive and toxic wastes are located as close as eighteen  
5 miles from the Santa Fe Plaza and five miles from the City’s Buckman Well Field; and

6       **WHEREAS**, LANL’s radioactive and toxic wastes are buried in unlined pits and shafts,  
7 unlike the composite liners and leachate collection systems that the New Mexico Environment  
8 Department (NMED) requires of all local governments; and

9       **WHEREAS**, the Governing Body of the City of Santa Fe supports the total and permanent  
10 cleanup of all toxic and radioactive health and environmental hazards related to nuclear weapons  
11 research and production at Los Alamos; and

12       **WHEREAS**, sustainable futures for the Cities of Santa Fe, Española and Los Alamos, six  
13 Pueblo nations and the broader region depend on preventing groundwater contamination of the  
14 Española Basin Aquifer; and

15       **WHEREAS**, at the October 5, 2017 meeting of the Buckman Direct Diversion Board  
16 (BDDB), a motion was unanimously approved that authorized the Board Chair to sign the proposed  
17 Memorandum Of Understanding Between The U.S. Department Of Energy And The Buckman Direct  
18 Diversion Board Regarding Notification And Water Quality Monitoring after review and agreement  
19 on six proposed edits; and

20       **WHEREAS**, at the October 5, 2017 meeting of the BDDB, a representative from the Los  
21 Alamos DOE office committed that status updates would be provided to BDDB as requested  
22 regarding the overall cleanup program, including the plume demonstrated to have hexavalent  
23 chromium concentration above regulatory levels; and

24       **WHEREAS**, the Governing Body has previously passed Resolution Nos. 2003-64, 2006-104,

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<sup>2</sup> A Sole Source Aquifer is defined by the EPA as an aquifer that supplies at least 50% of the drinking water for its service area and where there are no reasonably available alternative drinking water sources should the aquifer become contaminated

1 2008-17 and 2013-111 opposing expansion of plutonium pit production at LANL and “cap and  
2 cover” of legacy wastes as a substitute for full cleanup; and

3 **WHEREAS**, full cleanup of LANL would be a win-win for New Mexicans, permanently  
4 protecting our precious groundwater resources and the Rio Grande while creating hundreds of high  
5 paying jobs for twenty years or more if the wastes were fully removed.

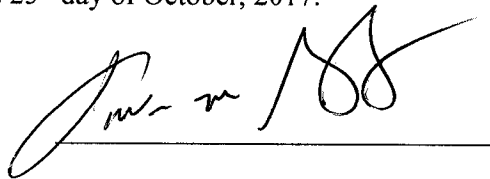
6 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**  
7 **CITY OF SANTA FE** that the Governing Body hereby requests that the New Mexico Environment  
8 Department strengthen the revised cleanup Consent Order to call for additional characterization of  
9 legacy nuclear wastes, increased cleanup funding, and significant additional safety training, thereby  
10 incentivizing DOE to seek increased funding for these tasks.

11 **BE IT FURTHER RESOLVED** that the Governing Body requests that the United States  
12 Department of Energy suspend any planned expanded plutonium pit production until all nuclear  
13 criticality safety issues are resolved, as certified by the Defense Nuclear Facilities Safety Board.

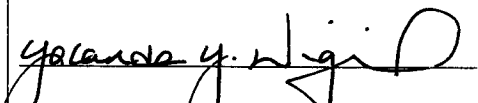
14 **BE IT FURTHER RESOLVED** that the Governing Body directs the City Clerk to send  
15 copies of this resolution to the New Mexican congressional delegation, the Governor of New Mexico,  
16 the President Pro Tempore of the New Mexico Senate, the Speaker of the New Mexico House of  
17 Representatives, and the Secretaries of the United States Department of Energy and the New Mexico  
18 Environment Department.

19 PASSED, APPROVED and ADOPTED this 25<sup>th</sup> day of October, 2017.


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22 ATTEST:



JAVIER GONZALES, MAYOR

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25 YOLANDA Y. VIGIL, CITY CLERK

1 APPROVED AS TO FORM:

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4 KELLEY A. BRENNAN, CITY ATTORNEY

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25 *M/Legislation/Resolutions 2017/2017-76 LANL Cleanup*