



Tri-Valley CAREs



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for use after 11am PDT, Tues., Aug. 26, 2003, San Francisco Federal Court News Conference
- *for telephone connection to the news conference, dial (412) 380-2000 code 9307363#* -

**GROUPS SUE TO HALT DEVELOPMENT OF BIOWARFARE AGENT FACILITIES
AT NUCLEAR WEAPONS LABS;
SAY U.S. ENERGY DEPT. DID NOT EVALUATE RISKS AND OPTIONS,
SEEK FULL ENVIRONMENTAL REVIEW**

A lawsuit filed in Federal District Court today seeks to suspend U.S. Department of Energy (DOE) work on new buildings designed to conduct biowarfare agent experiments using lethal pathogens, such as anthrax, plague and botulism, at the Lawrence Livermore and Los Alamos National Laboratories, pending a comprehensive review of the projects' environmental impacts.

Plaintiffs representing individuals and community groups located near the two nuclear weapons labs charged that DOE failed to produce legally required Environmental Impact Statements for either facility and a Programmatic Environmental Impact Statement for its nationwide Chemical and Biological National Security Program, which includes the contested facilities. The suit seeks an injunction barring DOE from breaking ground for biowarfare agent research labs at Lawrence Livermore and from introducing pathogens into a partially constructed facility at Los Alamos.

“DOE granted itself the go-ahead to construct and operate hazardous biowarfare agent facilities without conducting thorough analyses of the risks to lab workers and neighbors,” explained Marylia Kelley, the Executive Director of Tri-Valley CAREs who lives across the street from Lawrence Livermore. “A comprehensive environmental review, public hearings and serious consideration of safer alternatives are all legally required. Instead, DOE hastily and capriciously gave a ‘green-light’ to novel and dangerous operations in two states.”

“The cursory Environmental Assessments DOE conducted for the two new facilities dismissed as insignificant key threats such as sabotage, transportation accidents, escaping research animals, and natural disasters,” added Jay Coghlan of Nuclear Watch of New Mexico, a group which

monitors the Los Alamos National Laboratory. “We are not against enhanced defenses to stop bioterrorism. But we oppose allowing DOE to rush forward in a manner that may cause more problems than it solves. For the public good, proposals to locate biowarfare agent research programs at secretive nuclear weapons labs need the transparency our lawsuit seeks.”

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LAWSUIT CHALLENGES DOE BIOWARFARE RESEARCH LABS

Both Lawrence Livermore and Los Alamos have poor safety, security and environmental records, according to the lawsuit. Livermore is on the federal “Superfund” list of the nation’s most contaminated sites, and the state of New Mexico recently issued a sweeping “Corrective Action Order” to mandate cleanup at Los Alamos. Federal investigators have repeatedly criticized the University of California, which administers both labs, for security problems and lax management.

Lawrence Livermore is located about fifty miles from San Francisco in an active earthquake fault zone. Using a Department of Defense computer model, Dr. Matthew McKenzie calculated that an anthrax release resulting from “light damage” to the proposed biowarfare agent facility could blow across the East Bay into San Francisco, causing 9,000 deaths.

Los Alamos faced imminent evacuation during the huge Cerro Grande fire in 2000. The Lab’s security and management scandals have repeatedly been the subject of federal investigations. The proposed new research facility would generate an estimated 2,600 pounds of “special” infectious wastes annually.

“The National Environmental Policy Act (NEPA) requires an Environmental Impact Statement (EIS) for each of these new facilities and a Programmatic Environmental Impact Statement (PEIS) on the overall DOE program,” concluded Stephan Volker, the plaintiffs’ lead public interest attorney. “That is precisely what we are seeking in this lawsuit.”

“Mixing Bugs and Bombs,” an article detailing the dangers of conducting biowarfare agent research at DOE nuclear weapons labs, jointly authored by Ms. Kelley and Mr. Coghlan, is the cover story in the September - October, 2003 issue of the *Bulletin of the Atomic Scientists* (<http://www.thebulletin.org>)

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Large posters illustrating potential plume patterns from an anthrax release at the Livermore bio-facility, as predicted by the Defense Department model, will be available at the news conference.