

May 5, 2011

Mr. John Tegtmeier
CMRR-NF SEIS Document Manger
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Via e-mail to NEPALASO@doeal.gov <mailto:NEPALASO@doeal.gov>

Dear Mr. Tegtmeier:

We, the undersigned, respectfully request that three additional public hearings be held and the comment period be extended by 75 days for the draft Chemistry and Metallurgy Research Replacement Project-Nuclear Facility Supplemental Environmental Impact Statement (draft CMRR-NF SEIS). Thus, our request is that comments on the draft CMRR-NF SEIS be due on August 26, 2011.

Additional public hearings should be held in Albuquerque, Taos, and Washington, DC. There is substantial interest in the CMRR-NF both in New Mexico and nationally. About 40 percent of New Mexico's population lives in the Albuquerque area, which is downstream from LANL, and it is not reasonable for people to have to travel to Santa Fe as the closest location to attend a public hearing. People in Taos are downwind of LANL and it is not reasonable for people to have to travel to Española as the closest location to attend a public hearing. Both Santa Fe and Española are approximately 60 miles from Albuquerque and Taos, respectively.

Additionally, because of the billions of dollars needed for the project, funding for the nuclear weapons complex and the CMRR-NF in particular has been a central focus of a significant national debate. The CMRR-NF SEIS indicates that the CMRR-NF is intended to support "manufacturing, development, and surveillance of nuclear weapons pits." Because its "need for action" is related to nuclear weapons production and because of the enormous resources required, the CMRR-NF has national implications. As a result, it is appropriate that policy makers and experts who debated funding for the CMRR-NF be given a chance to speak in a Washington, DC hearing.

Given the importance of the CMRR-NF and the substantial public interest, we believe that there will be substantial numbers of people interested in providing public comment at all of the hearings. Thus, the additional hearings are necessary so that those interested may provide public comments at reasonable times and locations, and may each have ample time to provide public comment. This will enhance the public participation process under the National Environmental Policy Act (NEPA), which we know is a common goal.

We believe this requested time extension is merited because:

1. The proposed scale of the CMRR-NF SEIS has grown dramatically, with the addition of a second modified construction alternative – the “Shallow Excavation Option.” Further, the Project has seriously grown in complexity in order to address seismic issues, with, for example, added related subprojects, such as the concrete batch plant and the pouring of a 250,000 yd³ foundation of a lean concrete basemat to mitigate concerns about increased seismic risks. Because the CMRR-NF SEIS provides no preferred construction option at this time, research and technical review to prepare informed comments will have to be performed on multiple construction options.
2. The “Extensive Upgrades to the Existing CMR Building” (CMR Alternative 2) was removed as an alternative in the draft CMRR-NF SEIS from the alternatives provided in the October 1, 2010, Notice of Intent. Those members of the public who believe this to be the best alternative will still have to do research and technical review for this important omission. It will require even more work from the public because the baseline impacts have not been provided by NNSA.
3. Further, the CMRR-NF is not scheduled to be completed any earlier than FY 2022. Given all this, a 75-day extension, which we argue is the right thing to do, is inconsequential compared to the Project’s increased scope and long schedule. Consequently, we think that granting the extension places no significant burden on NNSA, while not granting the extension would place a significant burden on the public.
4. Public scoping hearings are currently scheduled to be held May 24, 25, and 26, which will provide the public with an opportunity to interact with NNSA personnel, ask questions, discuss concerns, and likely become better informed. Then unfortunately the proposed comment period would end just 18 days later. We believe that is not sufficient time for the general public to research, prepare and submit informed comments on the draft CMRR-NF SEIS after having the benefit of interacting with NNSA officials.
5. Another Department of Energy (DOE) NEPA process involving the Lab is being held concurrently with the scoping comment period for the CMRR-NF SEIS. This is the draft Greater Than Class C EIS (GTCC EIS), which provides a 120-day comment period (the same as we are requesting for the draft CMRR-NF SEIS) with comments due on June 27 – a mere two weeks after the CMRR-NF comments are due. This limited timeframe places an undue hardship on NGOs and the public who are providing DOE with informed public comments about both important matters at LANL. A 75-day extension would make the comments on the draft due August 26, which is a reasonable time after the draft GTCC EIS comments are due.

In sum, given the national interest and importance of the Project, at least three additional public hearings are necessary; the growth in project size, construction options and complexity, and the overlapping conflict with the draft GTCC EIS NEPA process, make it absolutely necessary for NNSA to grant a 75-day extension for draft CMRR-NF SEIS comment period.

Please do not hesitate to contact us through our email addresses below should you have any questions or comments. We look forward to your reply at your earliest convenience.

Sincerely,
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