



FOR IMMEDIATE RELEASE

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Los Alamos Plans Start-up of Biolab Before Required Legal Review

Nuclear Watch of New Mexico has learned that the Los Alamos National Laboratory (LANL) plans to begin “interim operations” at an already-built “Biosafety Level 3” (BSL-3) lab that would handle potentially fatal pathogens such as anthrax and plague. In August 2003 Nuclear Watch sued LANL’s owner, the Department of Energy’s National Nuclear Security Administration (NNSA), over the adequacy of a cursory “environmental assessment” that approved operations. NNSA subsequently withdrew its approval and formally announced it would prepare a more comprehensive environmental impact statement (EIS) that would analyze and review three alternative missions. Amongst those declared alternatives was a “No-Action Alternative, under which the constructed facility would not be operated.” Nevertheless, Los Alamos has asked NNSA Washington, DC headquarters to approve interim operations, despite the fact that the biolab’s legally required draft EIS has yet to be released.

Today, Alletta Belin, attorney for Nuclear Watch, sent NNSA a letter declaring that LANL’s proposed “interim operations” are unlawful under the federal National Environmental Policy Act. The Act, effective since 1970, mandates the opportunity for public comment on major federal proposals and prohibits actions that could prejudice or predetermined an agency’s future decision. In her letter, Nuclear Watch demands “no work should take place at the LANL BSL-3 facility until a legally adequate environmental impact statement has been completed and NNSA has issued a formal Record of Decision to operate, as the National Environmental Policy Act requires.”

Jay Coghlan, Nuclear Watch’s Executive Director, commented, “LANL is trying to circumvent federal law by beginning operations at the biolab now. Our position is that no operations means just that, as spelled out in NNSA’s previously declared ‘No Action Alternative.’ A decision that allows startup of any prejudicial biolab operations would overthrow the entire legal process that mandates public review without hidden predetermination. We urge NNSA to make the right decision, which is to not allow so-called interim operations. In the event of a wrong decision, we will be exploring our own possible legal options.”

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Nuclear Watch’s letter to NNSA is available at

<http://www.nukewatch.org/facts/nwd/l-nnsa-interim-activs-032807.pdf>