

nuclear watch new mexico

# WATCHDOG

news that bites back



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## DE-NUKING OUR NATION AND WORLD

Barack Obama enunciated our ultimate policy objective when he declared in his April 5th speech in Prague that a world free of nuclear weapons is a national long-term security goal. He added that in the interim the safety and reliability of the US stockpile must be maintained. We agree in principle, as long as our stockpile is progressively diminished toward total verifiable global nuclear disarmament.

But there's the rub, the loophole through which vested nuclear weapons interests are already scheming to drive gravy trains. Both House and Senate versions of the FY 2010 Defense Authorization Act seek "modernization" of the nuclear weapons complex and a "spectrum" of options for weapons maintenance that includes "replacements." That can be code for new nuke designs, the so-called Reliable Replacement Warheads, previously rejected by Congress but not yet fully surrendered by the weaponeers.

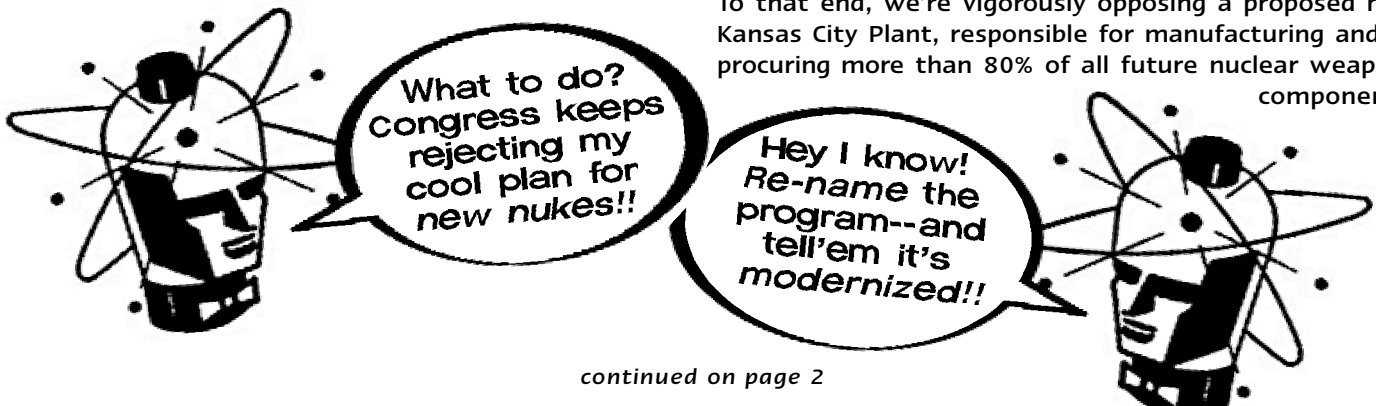
This also plays into future ratification of the Comprehensive Test Ban Treaty (CTBT), which we strongly support. We remember the mid-1990's, however, when the Department of Energy (DOE) launched its "Stockpile Stewardship Program" to counter the loss of full-scale underground testing. Ironically, full-scale testing had been used to advance new nuclear weapons designs, and never had anything directly to do with maintaining stockpile safety and reliability. That is in stark contrast to long-established, near-routine Stockpile Evaluation Programs that maintained safety and reliability through an engineered approach of surveillance and scheduled component exchange (for example, batteries and tritium reservoirs). All of this was documented long ago in the 1993 Sandia Stockpile Life Study, which concluded, "although nuclear weapons age, they do not wear out; they last as long as the nuclear weapons community desires."

We believe Stockpile Stewardship has all along been a Trojan horse for preserving design/production capabilities. DOE demonstrated this by pushing to produce up to 125 new-design RRWs per year without testing them. This also shows that our weaponeers believe they can circumvent the main purpose of a Test Ban, which is to prevent further advancement of nuclear weapons.

For 15 years we've seen the nuclear weapons community rewarded with lavish appropriations and new facilities. Over \$90 billion has been spent on Stockpile Stewardship, yet the weapons labs in effect admitted failure when they declared (for their own selfish purposes?) that stockpile safety and reliability could no longer be guaranteed without new designs. Further back, the labs' insipid support of the CTBT was its kiss of death in 1999--but they still got their Stockpile Stewardship money.

We want to keep this second round of CTBT debate honest. There should be no deals for RRW--in part or whole or by another name--in exchange for ratification. Similarly, there is an explicit attempt to enshrine very costly speculative facilities, such as the grossly over-budget and over-hyped National Ignition Facility at the Livermore Lab, as necessary prerequisites for ratification. We argue for no deals for CTBT ratification. Stockpile Stewardship should be replaced by conservative curatorship of the stockpile while it awaits dismantlement. If it ain't broke, don't fix it.

We also argue for a drastically shrunken nuclear weapons complex and against proposed new major production facilities. If we could possibly bump off its sites one by one, the weapons complex would stop getting broad congressional support, crucial to its continuing survival. As pork dries up in different districts, impetus for new nukes will weaken. To that end, we're vigorously opposing a proposed new Kansas City Plant, responsible for manufacturing and/or procuring more than 80% of all future nuclear weapons components;



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**de-nuking** continued from page 1

a new plutonium "Nuclear Facility" at Los Alamos; and a "Uranium Processing Facility" at the Y-12 production plant near Oak Ridge, Tennessee.

This geographic reach makes real our drive to shrink and ultimately shut down the entire nation-wide complex. Nuclear weapons production is never just a local issue!

After two decades of research and advocacy, we understand that each individual site is not an island, but an interlocking cog in a national complex, whose chief political site is (after all) Washington, DC. To further the President's vision of a world free of nuclear weapons, Nuclear Watch seeks to deconstruct the US weapons complex program-by-program, facility-by-facility, and site-by-site.

--Jay Coghlan

## Final Stretch of a Marathon: New Haz Waste Permit at LANL

After numerous meetings dutifully attended by NukeWatch, the New Mexico Environment Department (NMED) has released a **revised draft hazardous waste permit for the Los Alamos National Laboratory (LANL)**, to regulate future operations involving chemical wastes and "closure" of 26 waste treatment facilities. It is the result of extensive negotiations between parties that formally commented on the first draft, and is now open for public comment one last time.

### Waste 101 - a Quick Primer on Waste at the Lab

The Lab routinely generates hazardous and radioactive wastes from continuing nuclear weapons research, development and production; cleanup of Cold War wastes; and decontamination and decommissioning of old facilities. LANL's previous permit was set to expire in November 1999, but has been administratively extended by NMED since then. **This new Permit will govern waste operations until 2020 for both hazardous and "mixed" (i.e., also containing radioactive constituents) wastes.**

Despite opposing lawsuits by LANL and DOE, in 2005 NMED succeeded in promulgating a "Consent Order" that mandates ongoing cleanup at the Lab. This new haz waste permit is separate from that Order, but will govern cleanup after the Order's scheduled termination in 2015. To add to the confusing regulatory structure, under the 1956 Atomic Energy Act the Department of Energy will continue to have sole authority over "pure" (i.e. not mixed) radioactive wastes. However, since most radioactive contaminants are also "mixed" with chemical contaminants, NMED's Consent Order and new haz waste permit will effectively drive long-term cleanup at LANL.

NMED's new permit will not govern future hazardous waste disposal - only treatment and storage until the wastes are shipped offsite as required within one year. [Their likely final destination will be a haz waste dump in Utah, or alternatively a dump owned by "Waste Control Specialists" just over the state line near Andrews, Texas.] In the past hazardous and mixed wastes were buried at LANL's "Material Disposal Areas" G, H, and L in Technical Area 54. This new permit will require closure and ongoing monitoring of those dumps, but debate over the extent of their cleanup will take place under the "Consent Order." That is sure to become a heated issue, so stay tuned.

### Public Participation Wins!

The revised draft Permit requires LANL to issue e-mail notices to interested citizens when the Lab submits required reports to NMED. This is a step forward for transparency, and we appreciate the Lab's growing involvement (give credit when credit is due). The new draft permit also requires LANL to implement a community relations plan to foster public participation and an "information repository" for permit-related documents.

### Seismic Issues Addressed-- at 3 New Facilities Only

Haz waste regulations ban siting a new treatment facility less than 200 feet to a seismic fault known to be active in the last 10,000 years. But **this applies only to new facilities**, not --alas-- to 23 existing "grandfathered" facilities. Based on a new seismic report ([ftp://ftp.nmenv.state.nm.us/hwbdocs/HWB/lanl/Permit/LANL\\_seismic\\_report.pdf](http://ftp.nmenv.state.nm.us/hwbdocs/HWB/lanl/Permit/LANL_seismic_report.pdf)) and on the geologic strata, NMED has determined that seismic risks are not a significant threat to the three new haz waste facilities. Unfortunately, there's still insufficient data to determine the seismic safety of most of those "grandfathered" existing facilities.

### Financial Assurance for the Final Cleanup

Cost estimates for closure and post-closure exceed \$24 million for permitted haz waste treatment facilities. Regulations requiring financial assurance for closure and post-closure specifically exempt facilities owned and operated by State or Federal governments. However, **since a for-profit contractor operates LANL, the Lab must comply with financial assurance requirements.** This is important because the federal Department of Energy has not demonstrated a genuine commitment to comprehensive cleanup at LANL. Money talks! We salute NMED for requiring financial assurance.

### Join Us in Our Hard Work to Improve This Permit!

NMED's fact sheet to aid public review is posted at <http://www.nukewatch.org/lanl/rcra.html>. **The public is invited to submit written comments until September 4, 2009.** After considering those comments, and after a public hearing (if requested), the department will issue a final Permit. Procedures for sending comments or requests for a hearing, as well as a copy of the revised draft Permit are also available from NMED at: ([www.nmenv.state.nm.us/HWB/lanlperm.html](http://www.nmenv.state.nm.us/HWB/lanlperm.html)) under Revised Draft Permit (July 6, 2009). Many thanks!

--Scott Kovac and Jay Coghlan

## Los Alamos Historical Documents Retrieved

The Centers for Disease Control held a public meeting on June 25th to explain the draft final report of the Los Alamos Historical Document Retrieval and Assessment Project (LAHDRA). After ten years, numerous challenges, and hundreds of thousands of documents, the public still has a chance to weigh in on the report that provides a **chronology of past accidents** and potential release incidents, as well as a **ranking** of which events may have posed the most risk to the public.

Among the report's findings: early **airborne plutonium** releases were significantly underestimated. Plutonium was processed at the Lab in crude facilities during World War II, and many rooftop vents were unfiltered and unmonitored. After production was moved in 1945, there was some filtering, but releases for 1948-1955 alone were over 100 times the total reported by the Lab for operations before 1973. If true, this means that just one of the Lab's buildings emitted more airborne plutonium during these years than all of the government's plutonium processing facilities combined for all years.

Issues are also raised concerning airborne **beryllium** releases, public exposure during the **Trinity** test, airborne **uranium** releases, and pre-1967 **tritium** releases.

The report concludes that a complete dose reconstruction is feasible with the records available, and expresses confidence that "enough information exists to reconstruct public exposures from the most significant of LANL's releases, to a degree of certainty to allow health professionals to judge if significant elevations of health effects should be expected or measurable."

If you have comments on the report's contents, or about what should or should not be done as part of any follow-up work to be considered, please share your opinions.

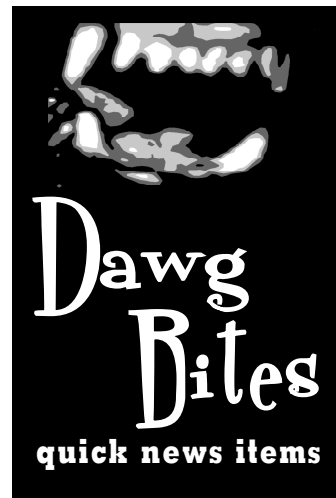
The draft final report and the summary of the public meeting are available at [www.lahdra.org](http://www.lahdra.org). Comments on the Draft Final Report of the LAHDRA project will be accepted through Friday, September 4th, 2009.

## Recovery Off to a Slow Start at LANL

Los Alamos National Security, LLC, the Lab's for-profit manager, is starting to spend "**stimulus**" money under the **American Recovery and Reinvestment Act** for cleanup. This comes right after the New Mexico Environment Department issued the Lab a Notice of Violation and a proposed penalty of \$1.87 million for failing to plug and abandon a **groundwater monitoring well that is acting as a conduit for contamination** to the region's sole groundwater aquifer. Failure to abandon the well in a timely and proper fashion **violates the 2005 fence-to-fence cleanup order**, that mandates cleanup requirements at the Lab.

The Notice raised questions about the **Lab's ability to meet cleanup milestones**, which was a primary objective for the use of Recovery funds. DOE headquarters has now started to release the \$212 million for approved projects. \$79 million is budgeted for demolition and decontamination of plutonium research and processing facilities. Another \$87.8 million is allotted to clean up one of the first hazardous waste disposal areas, known as Material Disposal Area B.

Newly funded by Recovery money is a \$41 million plan to drill additional water monitoring wells. One new well is planned for tracking **chromium contamination in the regional aquifer**, not far from a county water production well. The chromium is thought to have been discharged from the main administrative area of the laboratory before 1972. It is now believed to have found a "**rapid pathway**" into the deep underground aquifer, through rock once considered impermeable, miles away from where it was discharged.



The Recovery Program plans to hold a public meeting Aug. 18 at Fuller Lodge from 5:30 to 7:30 p.m.

## WIPP Turns Ten

This is the 10th anniversary of the opening of the Waste Isolation Pilot Plant (WIPP). To "celebrate," both **EPA and NMED are reviewing operations** of the bombwaste geologic repository outside of Carlsbad, NM. And **both agencies are inviting public comment** on these reviews.

The **Environmental Protection Agency** is in the process of **evaluating and recertifying WIPP's continued compliance (or not) with EPA's protection standards** for radioactive waste disposal. The official comment period on the application began on June 16, 2009 -- with no end date specified as of our press time. You can find info at <http://www.epa.gov/radiation/wipp/2009application.html>

The **WIPP Hazardous Waste Facility Permit** issued by **NMED** authorizes the Energy Department to manage, store, and dispose of contact-handled and very hot remote-handled mixed waste at WIPP. The **transuranic mixed waste** contains plutonium and other radioactive and chemically hazardous components. The public is invited to comment -- no word yet on the deadline.

See <http://www.wipp.energy.gov/> for more information.

  
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**mission statement**

Through comprehensive research, public education and effective citizen action, **Nuclear Watch New Mexico** seeks to promote safety and environmental protection; diversification away from nuclear weapons programs; greater accountability and cleanup in the nation-wide nuclear weapons complex; and consistent U.S. leadership toward a world free of nuclear weapons.

***In This Issue: De-Nuking Our Nation and World (Including Congress?);  
Final Stretch of a Marathon--the New Haz Waste Permit for Los Alamos Lab;  
and a Few Short and Sweet DawgBites of Nuclear News***

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