

newsletter of
nuclear watch
new mexico
volume 4, issue 3
fall 2003

<http://www.nukewatch.org>

watchdog

"float like a butterfly, bite like a dawg"

We Sue DOE Over Biolabs

On August 26 Nuclear Watch of New Mexico and Tri-Valley CAREs of Livermore, California filed a federal lawsuit in San Francisco against the Department of Energy's (DOE's) expanding biological program. This action seeks to redress the DOE decision to build and operate advanced bioweapons agents research facilities at the Los Alamos and Lawrence Livermore National Laboratories based only on cursory environmental "assessments." These new biolabs will be handling dangerous pathogens such as anthrax, Q fever, plague and their genetic mutations. The lawsuit also seeks to expose the entire DOE biological program, documented to be operating in at least nine different sites.

Together, Nukewatch and Tri-Valley CAREs are seeking to enjoin operations at the Los Alamos National Laboratory (LANL) in New Mexico and the Lawrence Livermore National

Laboratory (LLNL), located 40 miles east of San Francisco, until comprehensive environmental impact statements are completed for both biolabs, and a broad programmatic environmental impact statement is completed for all of DOE's nation-wide bioweapons agents research activities.

Our joint lawsuit was filed under the National Environmental Policy Act, which requires federal agencies to complete public analyses of any major proposals to build new facilities. The reviews must examine and consider the potential impacts on human health and the environment of building and operating (in this case) new advanced bioresearch facilities. Unfortunately, the federal government has been increasingly restricting the scope of its analyses, as well as public discussion and input.

We argue that DOE has failed to adequately examine the high risks the LLNL and LANL bioresearch facilities could pose. The labs, both run by the University of California, share in common serious environmental, safety, security and management problems. Of particular note, DOE failed to address the impact an earthquake could have on the Livermore facility. This is particularly egregious given that LLNL sits near the infamous San Andreas fault system and suffered tens of millions of dollars of damage from a past quake. Geologic data for the region surrounding LLNL indicates that there is significant risk of a seismic event exceeding the engineering design of the bioresearch facility, which could lead to damage and public exposure. A scientist at the Natural Resources Defense Council, while using a Department of Defense modeling program, has calculated that if the Livermore facility experienced light earthquake damage with a subsequent release of anthrax as many as 10,000 deaths could occur in the Bay Area.

In addition to raising health, safety, and security concerns, we are also deeply troubled over the potential proliferation consequences that locating advanced bioresearch facilities at two of the nation's three secret nuclear weapons design laboratories could have. Without openness and transparency, bioagents research programs at DOE labs -- purportedly defensive in nature but inherently of possible "dual-use"-- could be viewed with suspicion by other nations.

Log on to www.nukewatch.org to see our joint press release, the complaint filed in California federal court and the extensive background article "Mixing Bugs and Bombs." For info on Tri-Valley Communities Against a Radioactive Environment (CAREs) please see www.trivalleycares.org.

—Colin King

N3

Nuclear Policies
National Security
New Mexico

Sunday, November 16, 2003

3pm to 5pm

Lensic Theater, Santa Fe

a public education event to benefit the
Center for Defense Information and
New Mexicans for DOE Accountability*

- Admiral Stansfield Turner (Ret.)
ex-CIA Director; former commander US 2nd Fleet
- Bruce Blair
President, CDI; former USAF missile officer
- Honorable Phil Coyle
Director, CDI; former Asst. Secretary of Defense
- Dr. Wayne Glass
senior advisor, CDI; Professor, USC School of
International Relations

Box Office 505/988-1234 \$10/\$20 students \$5 off
VIP seating available (includes reception)

www.cdi.org

www.ploughshares.org

*Nuclear Watch is an active member



Counter-Proliferation versus Non-Proliferation

On the one hand, the United States says that the proliferation of nuclear weapons must be fought. On the other, it perfects its own arsenal. This is not acceptable. Under the nuclear non-proliferation treaty [NPT] all states are committed to nuclear disarmament, including the United States... Either we take the risk emanating from proliferation seriously or we have to live with the consequences. So far, we rather act like firemen: Iraq today, North Korea tomorrow, and Iran the day after. And then?

Dr. Mohammed ElBaradei, Director General of the International Atomic Energy Agency (IAEA), August 2003.

In truth, I believe that the NPT was intended more as a confidence-building measure than as a real arms control treaty that we were willing to bet our country's survival on.... That's why I disagree with people who infer that the NPT is a real arms control treaty. It's not.

Paul Robinson, Director of the Sandia National Laboratories, August 2003.

The IAEA was in Iraq before the U.S. invaded and is now trying to get back into Iran and North Korea to verify that those countries don't develop nuclear weapons programs. Paul Robinson argues both for the preservation of the Cold War nuclear force and a new force for "To Whom It May Concern." The contrast between these two quotes illustrates the conflict that current U.S. policies are causing. How can the U.S. best enhance its national security by working to eliminate WMDs when its actions reinforce the appearance of their supreme value?

The U.S. has chosen to rely upon *counterproliferation* rather than *nonproliferation*. The first is warfighting against WMD threats, possibly preemptively with nuclear weapons. Nonproliferation, on the other hand, would seek to preempt potential threats through diplomacy, binding treaty and verification regimes and tight international control of weapons materials, while relying on a minimalist deterrent (one that nonetheless would retain mind-numbing destructive power). We argue that counter-proliferation in the absence of serious nonproliferation steps will result in a never-ending spiral of proliferation (see examples in *Dawgbites*).

WMD proliferation can never possibly end until there is a stringent non-discriminatory nonproliferation regime that requires all countries to disarm their WMD stockpiles and rigorously safeguard their weapons materials. Nuclear Watch advocates genuine engagement in the multilateral, progressive steps toward nuclear disarmament pledged to by the US at the 2000 NPT Final Review Conference. Among them: the entry-into-force of the Comprehensive Test Ban Treaty, the de-alerting of nuclear weapons and their continually diminishing role in national security policy. Sadly, current U.S. nuclear weapons policies are going in the opposite direction, a mistake from which someday we may well reap the whirlwind.

-- Jay Coghlan

LEGISLATIVE UPDATE

- In two congressional bills the Bush Administration sought to begin implementation of its regressive 2002 Nuclear Posture Review. Included were plans to design new nuclear weapons, shortening the lead time to return to full-scale tests, and funding for the design of the "Modern Pit Facility" (capable of producing up to 500 plutonium "triggers" per year).
- In its FY04 Defense Authorization bill the House voted to keep the decade-old ban on developing "mininukes," but agreed to research studies. The Senate overturned the ban, but required DOE to request permission before moving ahead with actual engineering.
- Remarkably, the House passed an Energy and Water Appropriations bill that cut \$15.5 out of \$21 million requested for "advanced nuclear weapons concepts." Further, the bill cut \$326 million from DOE's nuclear weapons program because the Bush Administration had given no specifics on reducing the existing stockpile and the need for new nuclear weapons. However, the Senate voted to fully fund. This will soon be resolved in Senate/House conference.

Louisiana Energy Services: A Consortium of Problems

In September Louisiana Energy Services (LES), a consortium of mainly nuclear power plant owners and operators (including the European giant Urenco), announced its intent to build a **uranium enrichment facility in Lea County** in southeastern New Mexico. The \$1.2 billion facility is slated to produce enriched uranium for nuclear power plants to use as fuel. This is where the problems begin.

The amount of enriched uranium in the world is extraordinary. **Why do we need another enrichment plant if there is so much enriched uranium already around?** The matter is easily summed up with the phrase "corporate greed." Because there is only one other enrichment facility in the US, American power plant operators have to look overseas for additional enriched uranium. Imported shipments of enriched uranium are subject to tariffs. The LES consortium doesn't want to pay tariffs on its nuclear materials so it intends to build a new enrichment facility.

Corporate greed is one thing, but fuel production for nuclear power plants also entails many environmentally damaging steps. The mining and milling of uranium to produce "yellowcake" is the first. Once the yellowcake has been produced, it is taken to a uranium processing plant where it is turned into highly toxic gaseous uranium hexafluoride (UF6) and then cooled into a solid again. From there it is taken to the enrichment facility (such as the future LES site), rendered again into a gas, while a concentration of uranium is added to the UF6. It is then cooled again and taken to a fabrication facility where the enriched uranium is turned into pellets and embedded in fuel rods for nuclear power plants.

The LES enrichment facility will produce an enormous amount of waste, primarily the UF6. A plant the size of the LES proposal will likely produce no less than 400 14-ton canisters of waste annually.

Where will we put this waste? This is a difficult question to answer. It isn't high-level waste (so it can't go to the proposed Yucca Mountain dump in Nevada), and it isn't transuranic waste (so it can't go to the Waste Isolation Pilot Plant near Carlsbad, New Mexico). Because of the waste's extremely long hazardous lifespan it can't go to a low-level mixed waste dump. In fact, there are no waste disposal sites in the US that can handle this waste. As it stands now, there are 450,000 tons of UF6 piled up at existing or closed uranium enrichment facilities around the country. Because of this, it seems likely that the waste will stay on-site in New Mexico.

These are only a few of the many problems with the Louisiana Energy Services uranium enrichment plant proposed for Lea County. There are **many other issues** such as future water use, past charges of environmental racism, and corporate economics and responsibility, all of which New Mexicans should watch very closely. LES has been kicked out of two other states; let's make New Mexico the third!

--Geoff Petrie

- In response to possible U.S. mini-nuke development, Russia has announced that it is considering their use in future regional conflicts and against "terrorism."

- Israel has reportedly deployed three submarines, for which it modified cruise missiles supplied by the U.S. to carry nuclear warheads. This, in turn, is complicating efforts by the U.S. and the UN to persuade Iran to abandon its suspected nuclear weapons program.

- Senator Domenici added language to the Energy and Water Appropriations Bill (Section 310) that would essentially eliminate characterization of waste destined for the Waste Isolation Pilot Plant. In the mean time, LANL has been ordered to stop waste shipments because it had been sending low-level waste to WIPP.

- The term "high-level waste" may lose all meaning, at least if DOE has its way. After being defeated in a federal court case, DOE is lobbying Congress to legislatively change the definition of high-level waste so that it can ship some of it to WIPP, a site that by law can only hold transuranic waste.

- The DoD's Defense Threat Reduction Agency has begun environmental studies to clear the way for weapons tests to destroy "hardened, deeply buried targets" at the White Sands Missile Range near Alamogordo, NM. These future tests could be related to the development of the Robust Nuclear Earth Penetrator.

- Los Alamos is planning to build a new complex for "dynamic experiments" that will blow up depleted uranium and likely some plutonium. The new complex will cost \$70 to 110 million for 15 - 21 new buildings. Nevertheless, the Lab completed only a cursory "environmental assessment" for which there was inadequate public notice.

DAWG BITES



Return Address for this mailing: Southwest Research and Information Center PO Box 4524 Albq. NM 87106
551 Cordova Road #808 Santa Fe, New Mexico 87505-4100 Phone: 505.989.7342 Fax: 505.989.7352



non-profit org.
US Postage PAID
Albuquerque NM
Permit No. 553

Return Service Requested

mission statement

The mission of Nuclear Watch New Mexico is to provide timely and accurate information to the public on nuclear issues in the American Southwest, and to encourage effective citizen involvement and activism in these issues. We seek to promote greater environmental protection, safe disposition of radioactive wastes, and federal policy changes that will curb the proliferation of nuclear weapons.

Inside this issue: We Sue DOE Over Biological Labs at Nuclear Weapons Sites; Counter-Proliferation Versus Non-Proliferation; and Do We Really Need More Enriched Uranium?

What To Do!

- The House and Senate will soon meet in conference on the Energy & Water Development Appropriations bill. The House version slashed over \$260 million in the nuclear weapons budget, including cuts to funding for the Modern Pit Facility and "advanced nuclear weapons concepts" such as the nuclear bunker-buster and "mini-nukes." The Senate did not pass these same cuts. Call your Representative and Senators with your opinions about cutting the nuclear weapons budget.
- The House also cut \$87 million in funding for environmental cleanup, for which New Mexico is a primary target. Should money cut from present nuclear weapons programs be used to clean up the mess from past nuclear weapons programs? Tell your congressional delegation how you feel about that!
- Give New Mexico Governor Bill Richardson your opinion on levying State gross receipts taxes on LANL so that our regressive food/medical tax can be repealed.
- Don't miss the Center for Defense Information/New Mexicans for DOE Accountability event at 3:00 pm, November 16 at the Lensic Theater in downtown Santa Fe! For a list of national speakers and topics please see promo on page one.

Sen. Jeff Bingaman: 202.224.5521 or 505.988.6647
 Sen. Pete Domenici: 202.224.6621 or 505.988.6511
 Rep. Tom Udall: 202.225.6190 or 505.984.8950
 Rep. Heather Wilson: 202.225.6316 or 505.346.6781
 Capitol Switchboard: 202.224.3121
 The White House: 202.456.1111
 Gov. Richardson: 505.476.2200

nuclear watch new mexico

Staff

Jay Coghlan	Director
Colin King	Research Director
Geoffrey Petrie	Media Director

Steering Committee

Mary Lou Cook
 Rico Johnson
 Shelby Miller
 Sasha Pyle
 John Stroud
 Cathie Sullivan

