

Tri-Valley CAREs

Communities Against a Radioactive Environment

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*Peace Justice Environment
since 1983*

Tri-Valley CAREs 2011 Accomplishments

1. Stopping further development of nuclear weapons and new bomb factories to build them by reducing the budget for them

- Tri-Valley CAREs played a key role in the Ploughshares Fund's Nuclear Weapons Budget Campaign. Tri-Valley CAREs contributed information, intel and strategy, particularly in service of goals to influence the NNSA budget for the Chemistry and Metallurgy Research Replacement-Nuclear Facility (CMRR-NF), the mixed oxide plutonium fuel complex (MOX) and, more recently, the Uranium Processing Facility. Tri-Valley CAREs also contributed advocacy, media (including op-eds and letters to the editor) and other deliverables to support the Campaign goals.
- Tri-Valley CAREs played a key role in organizing the April 2011 "DC Days" event with the Alliance for Nuclear Accountability (ANA). This resulted in more than 100 meetings with the Obama Administration and members of Congress. Tri-Valley CAREs conducted briefings and brought community and youth voices to Washington DC to participate and meet with congressional and agency officials.
- In March 2011, Tri-Valley CAREs released an analysis of the Fiscal Year 2012 nuclear weapons budget request that was not only used by our group (including at DC Days when more than 100 copies were given to Congress and the Administration), but was also used by groups around the country. Our report was cited in numerous organizations' factsheets, newsletters, action alerts, and other materials. Dr. Robert Civiak, a physicist and the former Budget Examiner for Department of Energy (DOE) nuclear security activities at the White House Office of Management and Budget, prepared the detailed analysis. And, as the final appropriations bill in December 2011 showed, Congress listened to our analysis.
- Following the release of our budget report and our April 2011 DC Days in-person visits, Tri-Valley CAREs and colleagues initiated a national "call-in week" on the nuclear weapons budget. Many hundreds of calls and letters were generated by our collaborative efforts.
- Subsequently, as noted in this report introduction, in 2011 the House of Representatives voted to cut some of the money out of the nuclear weapons budget request, including for CMRR-NF and for MOX. They also voted to zero out billions in "loan guarantees" for the nuclear industry, another of Tri-Valley CAREs' requests made during DC Days and in our subsequent actions. As 2011 drew to a close, the final House and Senate "omnibus" appropriations bill, as noted above, cut about \$355 million overall out of DOE nuclear weapons activities, including \$100 million and \$126 million out of CMRR-NF and MOX, respectively. As for DOE "loan guarantees" for new nuclear power plants, those were zeroed out completely in the final bill.
- Tri-Valley CAREs submitted extensive comments pursuant to the National Environmental Policy Act (NEPA) on DOE National Nuclear Security Administration (NNSA) nuclear weapons projects over the

past year. For example, we submitted detailed comments criticizing the inadequate Draft Supplemental Environmental Impact Statement on the CMRR-NF at Los Alamos in NM and urging the Agency to consider scaling back the project and/or re-imagine it entirely.

- Tri-Valley CAREs also submitted detailed comments on the draft Site Wide Environmental Impact Statement for operations at the Nevada Test Site (now called Nevada National Security Site). Similarly, Tri-Valley CAREs submitted detailed “scoping” comments on the draft Site Wide Environmental Impact Statement being prepared for activities at Sandia National Laboratory. Finally, comments were submitted on the Environmental Impact Statement on Disposal of Greater-Than-Class C Low-Level Radioactive Waste and GTCC-Like Waste.
- Tri-Valley CAREs’ members published more than 20 different Letters to the Editor over the past year on a range of topics, including on the need to stop funding the further development of nuclear weapons and the construction of new bomb plants. These letters were published in numerous papers, including the Independent, Valley Times, Tri-Valley Herald, Contra Costa Times, The Pleasantonian, Oakland Tribune, San Jose Mercury News, San Francisco Examiner, The Montclairion, and the San Francisco Chronicle. One of our member’s letters was picked up by a national news service and several caught the attention of our Senators and Representative, according to their staff.
- In 2011, DOE NNSA announced that it had removed 80% of the weapons usable quantities of plutonium and highly enriched uranium from Livermore Lab. While this is a significant victory for our safety and security, and a step toward curtailing Livermore Lab’s weapons design activities, Tri-Valley CAREs will continue to ensure 100% removal by the end of 2012. Additionally, we will advocate that these materials never be used again in weapons, that the plutonium sent to the Savannah River Site not be used in MOX and that the smaller amounts of plutonium and highly enriched uranium that are to be left at the Lab not be used in the National Ignition Facility (NIF) or other bomb R & D programs.
- Mobilized hundreds of members to call their representatives to co-sign the Honorable Ed Markey’s bipartisan letter entitled, "FREEZE THE NUKES, FUND THE FUTURE," which urged the Super Committee to make common sense spending cuts to the nuclear weapons budget. This campaign to support the letter, resulted in a total of 64 members of Congress co-signing the letter. Including 10 bay area members.

2. Promote global nuclear nonproliferation and disarmament.

- Tri-Valley CAREs provided significant commentary and media response during the nuclear disaster at Japan’s Fukushima Daiichi Nuclear Power Plant. Together with independent scientists and other organizations that own radiation detection equipment along the coast of CA, OR, WA, AK and Canada, Tri-Valley CAREs began taking regular radiation readings as the crisis developed and deepened at the Fukushima Nuclear Power Plant in Japan. We posted these readings on our website as a service to the community and our members.
- Tri-Valley CAREs presented on nuclear weapons policy on numerous occasions over the past 12 months. For example, in November 2011, TVC’s Executive Director was invited by Hiroshima University and the Chugoku Shimbun newspaper to present on U.S. nuclear weapons policy and the links between nuclear weapons and nuclear power at an international conference of scholars, Hibakusha (atomic bomb survivors) and journalists gathered to explore nuclear issues in a post-Fukushima world.
- In August 2011, Tri-Valley CAREs, along with colleague groups, coordinated 250 peace advocates for a rally at William Payne Park across from Livermore Lab on the 66th anniversary of the bombing of Hiroshima. Three days later, nearly 60 activists gathered at the gates of Livermore Lab on the 66th

anniversary of the bombing of Nagasaki to demonstrate opposition to ongoing nuclear weapons development. 30 were arrested in a nonviolent direct action at the Lab gates.

- Also in August 2011, Tri-Valley CAREs co-sponsored the Bay Area premiere of the acclaimed documentary film, "The Forgotten Bomb." The event was well attended and the director of the film, Stuart Overbey, conducted a Q&A afterwards.
- Following up on the 2010 Non-Proliferation Treaty (NPT) Review Conference (in which Tri-Valley CAREs participated), in 2011 we sent additional materials to diplomats with whom we spoke and also continued some activities with the international activists and networks with whom we worked during the NPT Review Conference.
- Also on the international front, Tri-Valley CAREs has hosted several delegations of activists in Livermore. For example, in April 2011, to commemorate the 25th anniversary of the Chernobyl nuclear disaster, we co-sponsored a panel of three activists from Russia who presented new perspectives, first hand accounts and insights for Japan that they gleaned from witnessing Chernobyl. One of the panelists was a "liquidator" sent to the Chernobyl site following the explosion to take environmental samples and participate in the cleanup efforts.
- On April 5, the anniversary of the President's Prague speech committing the U.S. to the goal of a nuclear weapons free world, Tri-Valley CAREs joined a nationwide effort to encourage people to call or write to their Senators and Representatives to stop further U.S. development of nuclear weapons and support non-proliferation programs that secure vulnerable nuclear materials.

3. Conduct a National Ignition Facility "truth telling" campaign

- Tri-Valley CAREs testified at the National Academy of Sciences (NAS) meeting about inertial fusion energy (e.g. NIF). Tri-Valley CAREs' executive director then toured NIF with the NAS committee. Tri-Valley CAREs also provided written comments. The NAS final report is still pending and our activities will continue in 2012.
- Tri-Valley CAREs mobilized dozens of local residents to two public meetings in Livermore in spring 2011 on the DOE NNSA's 2011 Supplement to the Site-Wide Environmental Impact Statement for Continued Operations at Livermore Lab. We submitted detailed oral and written comments and were instrumental in assisting with scores of additional comments from area residents. A central focus of our comments was to call into question changes at the NIF that would increase both its radioactive tritium emissions and a radioactive "fallout" situation called "skyshine" caused by escaping neutrons. Our work on this topic resulted in a story in the New York Times.
- Previously, Tri-Valley CAREs released an internal DOE NNSA Office of Field Financial Management review of NIF overhead costs that revealed that Livermore Lab management was shifting overhead from NIF to other Lab programs – to the tune of \$80 million annually and in violation of the law. In 2011, TVC offered testimony on this situation before a National Academy of Sciences panel charged with evaluating DOE NNSA lab management. Additionally, Tri-Valley CAREs held meetings with numerous Obama Administration officials on this violation of the nation's cost Accounting Standards and Federal Acquisitions Act. In February 2012, when the FY 2013 budget request was transmitted to Congress, we achieved a major victory in that the NNSA explicitly stated in the budget request that the cost and accounting violations at NIF would not continue into the new fiscal year.
- The fact that the DOE NNSA abandoned its promise of "ignition" at NIF in 2010 and "kicked the can down the road" to 2012 became a core part of the group's analysis of the NNSA fiscal year 2011

Stockpile Stewardship and Management Plan (AKA the "green book"). TVC was the only group in the country to include any analysis of what the plan said about NIF in its press and outreach materials. As FY 2011 went by without ignition at NIF, TVC was able to get this issue in several Bay Area newspapers and one national outlet.

- In early 2012, Tri-Valley CAREs was able to further document that NNSA and LLNL were walking away from any date certain for ignition at NIF, resulting in national exposure on CBS Sunday Morning and in other media. It is particularly notable that the news crew at CBS Sunday Morning came to Tri-Valley CAREs after touring NIF and being completely smitten with the non-truths/half-truths that they had heard from LLNL NIF management. While LLNL PR still influenced the show, Tri-Valley CAREs was given a reasonable amount of airtime and respect in refuting some of what LLNL management said.

4. Promote a Green Lab at Livermore

- In July 2011, the San Francisco Chronicle published a lead op-ed by Tri-Valley CAREs' executive director, Marylia Kelley, detailing the actual Livermore Lab budget and how it contradicts the Lab's public relations materials. A major focus of the op-ed was to create a true green lab in Livermore (rather than the mere PR impression of one). This was followed up in February 2012 by a second lead op-ed in the San Francisco Chronicle, this one centered on similar aspects of the just-released FY 2013 budget request for nuclear weapons.
- In June 2011, Tri-Valley CAREs participated in a 4-day technical training on energy issues sponsored by the Institute for Energy and Environment Research in Takoma Park, MD. The training provided a deepening basis for TVC's green lab work.
- Tri-Valley CAREs began its own investigation of the Livermore Lab's "Livermore Valley Open Campus" (LVOC) plan, where Lab's scientists would work alongside partners in academia and private industry to "accelerate research and commercialization of technologies."
- Tri-Valley CAREs began the year by filing a major new Freedom of Information Act case against the DOE NNSA. Tri-Valley CAREs brought suit because NNSA failed to provide any responsive information to nine requests made by the group, some of which had been pending for over three years. Tri-Valley CAREs requests information about the dangers faced by our community from spills, accidents, releases and potential acts of terrorism at Livermore Lab and well as documents about the LVOC plans and developments. By the end of the year, all nine requests were adequately responded to and Tri-Valley CAREs had reached a favorable settlement in this litigation for violations of the Freedom of Information Act.

5. Cleaning up, and preventing, pollution at Livermore

- Ongoing monitoring the Superfund cleanups at LLNL Mainsite and Site 300, including: Pressing Livermore Lab to come up with an environmentally acceptable plan for the offsite plume; Preparing, and circulating to hundreds in the local community a comment letter detailing the importance of protecting workers and the environment during pipeline construction in plutonium contaminated soil (approximately 150 community members sent these comment letters in to the Lab); Actively involving community members in the decision (held a community meeting in November), pressing Livermore Lab to hold a public meeting; Successfully collecting several thousand signatures on our "Superfund Petition" to show community support for fully funding clean up activities at Livermore Lab; Presenting the signed petitions to important agency officials and members of congress during DC Days; And, assisting in the development of a technical memo, prepared by Peter Strauss, our contract environmental

scientist and technical advisor to Tri-Valley CAREs, on potential clean up methods for the Building 812 area at Site 300.

- Tri-Valley CAREs submitted comments in response to a Federal Registrar notice from the U.S. DOE announcing their intention to change the agency regulations that implement the National NEPA. Tri-Valley CAREs comments expressed concern with the proposed expansion of when the DOE will use categorical exclusions to NEPA, (worried about the potential impact on the environment if this expansion resulted in projects at Livermore Lab occurring without thorough environmental review). DOE provided detailed responses and in several cases minimized the changes to ensure that the use of categorical exclusions would not expand in ways that would result in unexamined environmental consequences.
- Tri-Valley CAREs submitted comments in response to a Federal Register notice from the DOE requesting information and comments on issues related to its current chronic beryllium disease prevention program. Because Tri-Valley CAREs continues to advocate on behalf of sick workers at Livermore Lab, Sandia (CA) and Lawrence Berkeley Labs and facilitates its Support Group for Sick Workers, we felt it was appropriate for us to respond with information regarding beryllium exposures to lab employees, specifically at Livermore Lab.
- A case study on the Plutonium Sludge distributed around Livermore, that was co-written by Tri-Valley CAREs' Executive Director Marylia Kelley, was included in a new book entitled: "Tortured Science: Health Studies, Ethics and Nuclear Weapons in the United States." The Book includes reflections from community health activists and researchers on the research program for addressing the health effects of nuclear weapons production at Hanford, WA, Rocky Flats, CO, Livermore Labs, CA, and Fernald, OH. The authors describe conflicts of interest, data suppression, technical inadequacies, and other examples of how researchers failed in their social responsibility to the affected human populations.
- Tri-Valley CAREs won first place in the annual Livermore Rodeo Parade for our category, where our float focused on the dangers of radiation to the environment and human health and reached many new members of the community.
- Tri-Valley CAREs legal team fully briefed its Ninth Circuit Court of Appeals NEPA challenge to the DOE's bio-warfare agent research activities at Livermore Lab. Specifically, the case focused on the potential impacts to the environment and public health from a successful malicious or terrorist attack on Livermore Lab's bio-warfare agent research facility. This case generated significant local and national media attention while pending oral argument in early 2012.