

*Prepared for Tri-Valley CAREs' August 18, 2012 Annual Strategic Planning Retreat*

## **LOOKING BACK; PROVIDING A FRAMEWORK TO MOVE FORWARD**

### **A SUMMARY ANALYSIS OF THE PAST 12 MONTHS**

- *Goals and program priorities from our 2011 Strategic Planning Retreat*
- *Victories enjoyed and objectives yet to be achieved*

#### **Introduction:**

Our activities over the past 12 months have focused on changing U.S. policy regarding nuclear weapons, nuclear materials, cleanup and biodefense – at the Lawrence Livermore National Laboratory (LLNL) and throughout the Department of Energy (DOE) National Nuclear Security Administration (NNSA) nuclear weapons complex.

Tri-Valley CAREs has continued to serve as an effective “watchdog,” monitoring the DOE, NNSA, and, in particular, the Livermore Lab. Our ability to influence policy is often visible. These pages contain some of the examples of that work.

In winning on many of our issues, we used the Freedom of Information Act and other means to force public disclosure. Then, we shared the information with decision-makers and the public. To succeed, we also produced detailed analyses, comments and reports on nuclear issues to influence policy.

We met with members of Congress, the Obama Administration and other decision-makers. We spoke with members of the press. We organized rallies. We made common cause with numerous groups and individuals to amplify our message. Our local community organizing and public involvement activities also led to many victories. And, we pursued federal litigation to enforce our country’s environmental and public right to know laws.

Overall, we have achieved considerable progress on the issues we chose at our strategic planning retreat in 2011.

## **What we said we would prioritize coming out of last year's retreat:**

Tri-Valley CAREs' Board of Directors, staff and members met for strategic planning on August 13, 2011. Here are the program priorities that received a significant number of votes (listed in rank order):

- 1. Act to stop U.S. nuclear weapons and new bomb plants; shrink the nuclear weapons complex, including at LLNL***
- 2. Act to improve the cleanup of toxic and radioactive pollution at the LLNL main site and Site 300***
- 3. Act to stop or limit bio-warfare agent research, specifically in the DOE nuclear weapons complex***
- 4. Act to promote conversion of LLNL & Sandia, Livermore to a "Green Lab" that re-missions and removes them from the nuclear weapons complex***
- 5. Act to constrain the National Ignition Facility's utility to new nuclear weapons design/Conduct a truth-telling campaign about NIF***
- 6. Act to ensure justice for current and former workers at LLNL and Sandia, Livermore, especially those made ill by on the job exposures***
- 7. Act to promote global nuclear disarmament and nonproliferation***

## **Measuring our progress over the past 12 months:**

*This section speaks to our "accountability" in doing strategic planning. Did we do what we said we would at the last retreat? How faithfully did we hew to the priorities we chose in expending our collective time, energy and resources over the course of the year? Did we address each one? Did we make good use of our strategic "toolbox" and employ the appropriate methods to achieve our goals? Was our work plan strategic? What did our work accomplish? How well did we do overall? Where did we fall short? Here is our look back, which is foundational to our August 2012 strategic planning retreat in particular and to looking forward as a group in general.*

- 1. Act to stop U.S. nuclear weapons and new bomb plants; shrink the nuclear weapons complex, including at LLNL**
- Tri-Valley CAREs played a key role in organizing the March 2012 "DC Days" with the Alliance for Nuclear Accountability. Tri-Valley CAREs Staff Attorney, Scott Yundt, served on the Planning Committee for this year's event. ANA groups met with more

than 100 meetings with the Obama Administration and members of Congress. TVC conducted briefings and brought community and youth voices to Washington DC to participate and meet with congressional and agency officials.

- In March 2012, Tri-Valley CAREs released its analysis of the fiscal year 2013 nuclear weapons budget request. Our report was used by our group (including at DC Days when more than 100 copies were given to Congress and the Administration), and groups around the country also used it. The report was cited in numerous organizations' factsheets, newsletters, action alerts, and other materials. Dr. Robert Civiak, physicist and former Budget Examiner for DOE nuclear security activities at the White House Office of Management and Budget, prepared the detailed analysis. The report debunks the myths put forth by NNSA to justify the rise in recent and projected spending on nuclear weapons and identifies \$1.540 billion in potential savings in the nuclear weapons budget request.
- In February 2012, the San Francisco Chronicle published a lead op-ed written by Tri-Valley CAREs Executive Director, Marylia Kelley, on the just-released nuclear weapons budget request for fiscal year 2013. The op-ed placed Livermore Lab's funding request in the context of the national nuclear weapons budget. The piece also noted the welcome delay in construction for an unnecessary plutonium bomb core facility and pointed to additional budget cuts that can and should be made.
- In May 2012, Tri-Valley CAREs' Staff Attorney Scott Yundt's op-ed was published in the Times-Herald (the local Bay Area Newsgroup paper, which publishes the San Jose Mercury News, Oakland Tribune and others) expressing his objections to provisions in the National Defense Authorization Act and the action needed to fix it.
- Tri-Valley CAREs and colleagues initiated a national call in campaign to urge Congresspersons to co-sign two letters to the Super Committee. The first, written by Representative Lee called for common sense cuts to defense spending. The second written by Representative Markey was titled, "FREEZE THE NUKES, FUND THE FUTURE," and called for a re-ordering of our country's budget priorities. His letter was co-signed by 64 members of Congress. Including 10 bay area members thanks to everyone who took action to support the Letter. The Super Committee itself, on the other hand, was a huge failure.
- Tri-Valley CAREs and colleagues initiated a Virtual DC Days on the nuclear weapons budget. It included several telephonic meetings with Congressional staff as well as in person district meetings.
- Subsequently, the House of Representatives voted to cut some of the money out of the nuclear weapons budget request, including for a new mixed oxide nuclear fuel factory (called MOX).

- Likewise, the House and Senator appropriators have upheld the proposed delay of the CMRR-NF and have appropriated zero monies for it in the FY2013 budget process (which is still ongoing as we meet).
- The Ploughshares Fund continues to convene a coalition of national and local groups working on nuclear weapons and budget issues. And, Tri-Valley CAREs continues to be a key partner in this network. TVC is on the political advocacy, policy and media and messaging subcommittees. TVC is undertaking targeted, coordinated activities to curtail nuclear weapons and spending with this coalition.
- Tri-Valley CAREs submitted extensive comments pursuant to the National Environmental Policy Act on DOE NNSA nuclear weapons projects over the past 12 months. We submitted scoping comments on the Site-Wide Environmental Impact Statement for Sandia National Labs New Mexico. Our main question, where is the review for the Sandia, California site, and why is it not considered in the cumulative impacts of Sandia operations? For the record, the last time Sandia-California was reviewed under the National Environmental Policy Act was in a cursory 2003 Site-Wide Environmental Assessment.
- Tri-Valley CAREs also submitted detailed technical comments on the Draft Site-Wide Environmental Impact Statement (SWEIS) for the Continued Operation of the Department of Energy/National Nuclear Security Administration Nevada National Security Site (aka Nevada Test Site).
- Tri-Valley CAREs also submitted detailed technical comments on the NNSA's Final Supplemental Environmental Impact Statement for the Nuclear Facility Portion for the Chemistry and Metallurgy Research Building Replacement Project at the Los Alamos National Laboratory.
- Tri-Valley CAREs' members published more than 20 separate Letters to the Editor over the past 10 months on a range of topics, including on the need to stop the further development of nuclear weapons and the construction of new bomb plants like the CMRR and UPF. 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.
- Earlier this year, DOE NNSA announced that it had removed 93% 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 LLNL's weapons design activities. Tri-Valley CAREs will continue to advocate that these materials never be used again in weapons, that the plutonium oxides sent to the Savannah River Site not be used in mixed oxide fuel (MOX) and

that the smaller amounts of plutonium and highly enriched uranium that are to be left at LLNL not be used in the National Ignition Facility (NIF) or other bomb R & D programs. New on the horizon this year is a proposed “revised plutonium strategy” that would send plutonium pits from Los Alamos to Livermore despite the reduction of security at LLNL to “category III.” Our success so far this year is in beginning to make the contradictions in this new plan clear to decision-makers and the public.

## **2. Act to improve the cleanup of toxic and radioactive pollution at the LLNL main site and Site 300**

- In November 2011, Tri-Valley CAREs hosted a Community Meeting to discuss the pipeline extension project, i.e. Livermore Lab's plan to deal with the leading edge of the off-site contaminated groundwater plume. The meeting was well attended by members of the community, including new members, and a community consensus was reached that the community wanted air monitoring for radionuclides during the project.
- Dozens of Letters to the Editor on the pipeline extension project were published and Tri-Valley CAREs board member, Jo Ann Frisch, and Staff Attorney, Scott Yundt, appeared in a TV news piece about the project.
- Tri-Valley CAREs submitted technical comments on the TFA-West Draft-Final Addendum to the Remedial Design Report for Treatment Facility A: Arroyo Seco Pipeline Extension reiterating the community's requests.
- Tri-Valley CAREs went door to door and obtained around 150 letters signed by neighborhood residents requesting that the Department of Energy and Livermore Lab undertake the safety measures necessary to ensure that the cleanup of offsite contaminated groundwater emanating from Livermore Lab does not result in additional public health impacts by disturbing plutonium contaminated soil.
- After repeatedly asking Livermore Lab to conduct air monitoring for radiation during the construction phase of the project due to the legitimate concern that plutonium particles may become re-suspended in the dust kicked up by digging a trench to lay the pipeline and then cover it, the Lab agreed to monitor for wind speed and dust concentrations, but not radionuclides. Thus, at the request of our members, we began doing our own community-based monitoring project. Tri-Valley CAREs has a Radalert50 radiation detection device, manufactured by International Medcom. It has gamma detection capability and a special window that permits monitoring for alpha and beta emitters (plutonium-239 is an alpha-emitter). It is a well-made instrument, but is not as sophisticated or sensitive as the air monitors that we asked Livermore Lab to employ. Our citizen-watchdogs kept (and are continuing to keep) a daily log to monitor the construction project. They are also taking photos and reporting on visible dust, unattended open gates, and other sightings. Our success here is that we have witnessed major improvement in site

maintenance and dust suppression measures once LLNL and construction workers knew that the project was being monitored on a daily basis.

- Tri-Valley CAREs submitted technical comments on numerous documents pursuant to the Superfund cleanup at the LLNL main site, including comments on the Fourth Draft Five-Year Review for the Lawrence Livermore National Laboratory Main Site Superfund Cleanup.
- Tri-Valley CAREs sponsored a community meeting in Tracy to bring attention to and discuss the upcoming Superfund cleanup plans for Livermore Lab's Site 300 high explosives testing range, which lies just outside the city of Tracy. The meeting was extremely well attended (over 50 participants) and created significant momentum for community involvement in Tri-Valley CAREs in Tracy.
- Tri-Valley CAREs submitted technical comments on numerous documents pursuant to the Superfund cleanup at the LLNL's Site 300, including comments on the Building 812 Draft Baseline Risk Assessment Work Plan at the Lawrence Livermore National Laboratory (LLNL) Site 300 and comments on Draft Five-Year Review Report for the High Explosives Process Area Operable Unit at Lawrence Livermore National Laboratory Site 300.
- Tri-Valley CAREs organized an inside-the-fence tour of the LLNL main site with key Lab staff, Tri-Valley CAREs' Environmental Scientist and Superfund Technical Advisor, Peter Strauss, and about a dozen Tri-Valley CAREs members.
- Tri-Valley CAREs organized an inside-the-fence Superfund tour of LLNL Site 300 with key Lab staff, Tri-Valley CAREs' Environmental Scientist and Superfund Technical Advisor, Peter Strauss, and about a dozen Tri-Valley CAREs members (and a second Site 300 tour set up by TVC will take place next week).
- A case study on the Plutonium Sludge distributed around Livermore that was co-written by Tri-Valley CAREs' Executive Director Marylia Kelley was published in a new book entitled: "Tortured Science: Health Studies, Ethics and Nuclear Weapons in the United States." Other Community health activists and researchers also contributed. The book reflects 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.
- Tri-Valley CAREs meets with the DOE, Livermore Lab and state and federal regulatory agencies regularly (approximately quarterly) to discuss the Superfund cleanup of the LLNL Main Site and Site 300 and to offer community perspectives and recommendations for improving the cleanup.

**3. Act to stop or limit bio-warfare agent research, specifically in the DOE nuclear weapons complex**

- Staff Attorney Scott Yundt orally argued before a 3-judge panel in the 9<sup>th</sup> Circuit Court of Appeals our appeal of a bad lower court decision that rubber stamped Livermore Lab's National Environmental Policy Act review of the impacts of terrorism posed by its BSL-3 bio-warfare agent facility. Despite his best efforts, the panel affirmed the lower court. However, the case received substantial positive media attention.
- There was a lot of activity centered on the litigation to increase public knowledge of biodefense policy in general and the LLNL facility in particular. Some examples of additional activities include newsletter articles, media outreach and interviews, and letters to the editor.
- Tri-Valley CAREs joined other groups from around the United States in an open letter to biodefense decision makers, expressing concerns about the proliferation of high containment biodefense laboratories and making clear our united conviction that the spread of these labs makes us all less safe. The purpose of the letter is to urge federal and state decision makers to heed the call of those most affected and to place a moratorium on the opening of new biodefense facilities until there has been a serious and transparent reevaluation of the entire program.
- Scott Yundt was invited to speak on a panel about the potential impacts of a proposed large scale BSL-2 Synthetic Biology Laboratory proposed at the new Lawrence Berkeley Lab Campus in Richmond, CA. He was able to bring the story of Tri-Valley CAREs challenge of the LLNL BSL-3 to a new audience and share our valuable experiences.

#### **4. Act to promote conversion of LLNL & Sandia, Livermore to a "Green Lab" that remissions and removes them from the nuclear weapons complex**

- Local independent media outlet "Mediaroots" released a new short film titled, "Lawrence Livermore Lab & the Continued Nuclear Arms Race." The video features a brief history of Livermore Lab, "person on the street" interviews with local residents and cameo appearances from Tri-Valley CAREs staff. The film makes the case for ending nuclear weapons research at Livermore Lab.
- Tri-Valley CAREs continued its own investigation of the Livermore Lab/Sandia Lab "Livermore Valley Open Campus" (LVOC) plan, where the Lab's scientists would work alongside partners in academia and private industry to "accelerate research and commercialization of technologies". TVC received a large and detailed document production in response to FOIA requests about the LVOC plan.
- Tri-Valley CAREs won a first place trophy for its float in the 2012 Livermore Rodeo Parade. This year's entry focused on the shifting Livermore Lab a facility where 88% of the budget goes to nuclear weapons, to one focused on green energy and other

civilian science pursuits. TVC members handed out more than 1,000 leaflets promoting the “green lab” idea along the parade route.

- Tri-Valley CAREs “green lab” banner, created for our summer Rodeo Parade entry has been on display at the Livermore main library during July/August 2012.

#### **5. Act to constrain the National Ignition Facility’s utility to new nuclear weapons design/ Conduct a truth-telling campaign about NIF**

- TVC's executive director, Marylia Kelley appeared on national CBS Sunday Morning speaking truth about the National Ignition Facility. CBS did not include the part of her interview that explained that NIF is funded as a nuclear weapons activity, but did include other key facts about NIF's failures.
- Tri-Valley CAREs was called on as the local NIF experts by other news media and decision-makers throughout the year. For example, our Executive Director documented that NIF missed a technical milestone (i.e., alpha heating) in July 2012.
- Additionally, Tri-Valley CAREs further documented that NIF is not expected to reach its promised “ignition” in fiscal year 2012 (or at any date certain), and that even scientists within the program are doubting any near-term achievement of ignition. Most recently, our Executive Director spoke to the SF Chronicle about this.
- Tri-Valley CAREs pursued Freedom of Information Act requests to obtain needed information about LLNL and NNSA NIF activities.

#### **6. Act to ensure justice for current and former workers at LLNL and Sandia, Livermore, especially those made ill by on the job exposures**

- Tri-Valley CAREs continuously updated Sick Worker Support Group Members on important and pertinent information regarding the federal EEOICPA that could affect their eligibility for monetary and health care benefits via the Sick Worker Newsletter.
- TVC's staff attorney facilitated regular meetings of the Sick Worker Support Group, in part so that we could inform Lab workers of any recent developments that would help them with their claims, and provide them with help with filling out their application for benefits forms.
- TVC's staff attorney successfully represented several individual sick workers to assist them in their claim for compensation and benefits due to their illness.

#### **7. Act to promote global nuclear disarmament and nonproliferation**

- This August, Tri-Valley CAREs, along with colleague groups, coordinated up to 200 peace advocates for a rally at William Payne Park across from Livermore Lab on the 67<sup>th</sup> anniversary of the bombing of Hiroshima. TVC's Board Member, Tara Dorabji



did an excellent job speaking to the audience at the event about why we gather at Livermore Lab. For pictures and video from the day, go to [www.trivalleycares.org](http://www.trivalleycares.org)

- Also this August, our friends and allies in New Mexico invited our group's executive director, Marylia Kelley, to participate in a daylong conference, titled "Vision Without Fission," was part of the Los Alamos/Santa Fe "Nuke Free Now" series of events, spanning four days (August 3-6). The conference and related events marked an upsurge in awareness and activism regarding the Los Alamos National Laboratory, and Marylia helped to illuminate the links between the two nuclear weapons labs. Marylia joined Jay Coghlan on a Saturday morning panel to "follow the money" and reveal the present-day weapons activities at the two principal warhead design labs, Livermore and Los Alamos. In the afternoon, Marylia joined Joni Arends and Scott Kovac on a panel to explore the pollution that stems from nuclear weapons activities and the role community members can play to safeguard their health and environment.
- Together with the Campaign for a Nuclear Weapons Free World and colleague groups around the country, we actively collected signatures via a web based petition asking President Obama to dramatically reduce our reliance on nuclear weapons and move us closer to a nuclear weapons free world. The campaign surpassed its goal, with 52,939 signatures.
- Also in August 2011, Tri-Valley CAREs co-sponsored the Bay Area showing of the new documentary film, "In My Lifetime," that includes rare footage of the early days of the Manhattan Project and the bombings of Hiroshima and Nagasaki and the modern nuclear weapons complexes around the world. The event was well attended and Natalia Mironova from Russia, spoke afterwards.
- Our Executive Director, Marylia Kelley was invited to Hiroshima, Japan to speak at a conference called Exploring the Roles of Hiroshima, Nagasaki and Japan in the Wake of the 3/11 Nuclear Power Plant Disaster. Specifically she was invited to give an international perspective on how the Obama Administration views nuclear energy and weapons policy. As the American activist on the panel, her talk was entitled: U.S. Nuclear Policy in the Age of Obama and Fukushima.
- To mark the Global Day Against Military Spending (and tax-day April 15), Tri-Valley CAREs joined other bay area peace groups, and groups around the world, calling on the governments to change their priorities, specifically by spending less on war and weapons to free up more money for other programs. Tri-Valley CAREs volunteers spent the morning distributing informational pamphlets at our local BART station.

### **Other Program Accomplishments:**

- In the wake of the still unfolding Fukushima tragedy, Tri-Valley CAREs joined No Nukes Action for a series of events to commemorate the anniversary of the nuclear

meltdown at Fukushima Daiichi Nuclear Power Plant in Japan. Events included a rally at Bechtel Corporation's Headquarters in San Francisco, a march to the Japanese Consulate and our co-sponsorship of several speakers from Japan and screenings of documentary films about Fukushima.

- Representatives of more than 25 anti-nuclear activist and energy sustainability organizations, including Tri-Valley CAREs, gathered in San Clemente, California to discuss strategy and plan actions against nuclear power operations in California and to promote renewable energy sources and energy efficiency solutions.
- Tri-Valley CAREs staff met with the Defense Nuclear Facilities Safety Board site representative and the full board to discuss safety and security issues at LLNL.
- Tri-Valley CAREs staff made many media appearances, including radio, TV and many print and electronic media sources. These media opportunities often touched on multiple program areas. Check the press room at [www.trivalleycares.org](http://www.trivalleycares.org) for more.
- In its community right to know work, Tri-Valley CAREs reached a favorable settlement in 2011 on its litigation against the DOE for multiple violations of the Freedom of Information Act (FOIA).

**Internal Priorities Chosen at the 2011 planning retreat (in rank order):**

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| <ol style="list-style-type: none"><li><b><i>1. Technology</i></b></li><li><b><i>2. Fundraising</i></b></li><li><b><i>3. Outreach</i></b></li><li><b><i>4. Board development</i></b></li></ol> |
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**1. Expand office technology to increase efficiency and capacity.**

- Tri-Valley CAREs purchased modern fax/printer with additional wireless and print functions.
- TVC purchased 2012 Mac desktop to replace Executive Director's 1998 Mac.
- Staff made a decision to keep Democracy in Action platform for electronic alerts, at least for now.

- TVC did not update computer or software used by bookkeeper (decision deferred to future).

## **2. Continue current activities and Increase fundraising opportunities.**

- Tri-Valley CAREs continued with its individual donor campaigns (3 per year) and succeeded in the group's \$15k summer challenge match.
- TVC submitted all prospective grant proposals, complete and on time (per usual).
- A new addition to our fundraising was our August 2011 fundraising auction. TVC Board, members and our hosts at Awaken Chiropractic will be sponsoring a second event later this fall.

## **3. Continue current activities and increase outreach opportunities.**

- Tri-Valley CAREs welcomed several youth interns in the past 12 months; in particular, three fabulous interns this summer, thus continuing our focus on youth representation.
- In addition to the outreach listed above as part of program priorities, TVC continued its regular community activities, including speaking at High Schools and other venues locally and around the Bay Area.
- TVC has continued its newsletter and other outreach tools (including e-alerts using Democracy in Action's platform) and has substantially updated and added content to its website over the past year. This has resulted in increased "hits". TVC also launched and regularly updates a Facebook page and a "causes" page, among other outreach tools.
- TVC did not hand out materials at as many Farmers' Market days in 2011 as it did in 2010. The group may want to look at that fact in planning the rest of 2012.

## **4. Board Development**

- Two new Board Members welcomed in 2012.
- All regular Board activities are continuing. The Board may look at whether to take up new items at its upcoming August 27, 2012 meeting.

### **Conclusion:**

At Livermore Lab and other DOE sites, the continued development, testing and production of U.S. nuclear weapons is both proliferation-provocative and hazardous

to human health and the environment in surrounding communities. We who live around U.S. nuclear weapons facilities have the fundamental moral, legal and democratic right to participate in decision-making. Moreover, the broader public at large also has a right and responsibility to participate in these important policy decisions.

That said, it appears that the last thing DOE wants is an informed public exercising these rights. Many of DOE's most controversial program details and decisions are shrouded by techno-speak and buried in the middle of complex technical planning documents, if they are made public at all.

Tri-Valley CAREs serves as a unique watchdog and "counterweight" to the DOE in Livermore. Our meetings and events are well attended, and we continue to play an important role in catalyzing a wide range of groups to come together and influence decisions. The Livermore community, including many who work at the Livermore Lab, value the information and education services we provide. This can be seen in supportive letters to the editor, appreciative phone calls to our office and even in the receipt by our office of info from Livermore Lab employees who want to share what they know but are afraid of DOE reprisal.

Further, our ability to monitor DOE activities and influence policy can be seen in instances where DOE officials have modified decisions based on public pressure we have generated. Tri-Valley CAREs' combination of research, public education and grassroots advocacy is designed to help affected communities – here in Livermore and across the country – become better informed and exercise their rights.

We help pierce through DOE's veil of secrecy and bring nuclear weapons policy to a level that the community can understand. To this end, Tri-Valley CAREs has continued to use community right to know laws to involve the public and curtail nuclear weapons.

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