

**Executive Director Marylia Kelley's "Introduction of Terms and Background"  
Notes for State of Superfund Cleanup Meeting 9/18/2014**

1. Who We Are: Short history of Tri-Valley CAREs

**a.** Founded 31 years ago in Livermore to monitor nuclear weapons programs at the Lawrence Livermore National Laboratory (LLNL); we have grown to include 5,600 individuals and families as members.

**b.** TVC involvement with Superfund issues -

- Working for a healthy environment since 1983
- TVC was the first organization in Region 9 EPA to win a Technical Assistance Grant (TAG) for Superfund work in 1989
- TVC was the first group in the United States to win a federal EPA award for the quality of its work in 2000
- TVC has served on LLNL's "Community Work Group" to provide oversight and input to regulators and the community on the LLNL Main Site cleanup since 1989.

2. LLNL – Short background on Livermore Lab

**a.** More than 60 years of nuclear weapons and related activities have contaminated the air, soil and water, particularly groundwater aquifers, with hazardous chemicals and radioactive materials.

**b.** LLNL was founded in 1952 to provide "competition" for nuclear weapons designers at Los Alamos Lab in NM for the purpose of speeding the further development of nuclear weapons. Its fundamental nuclear weapons mission has not changed.

**c.** The U.S. Department of Energy National Nuclear Security Administration's Fiscal Year 2015 budget request to Congress shows that 89% of its LLNL funding would go to the "Nuclear Weapons Activities" budget line. About 3% would go to "Science," and around 2% would be allocated to fund the Superfund cleanup of toxic and radioactive contamination in soils and water, principally groundwater aquifers.

3. Superfund/CERCLA – Short definition and background on the law

**a.** CERCLA (Superfund) was passed in December 1980 to deal with sites that had uncontrolled, leaking hazardous wastes that posed a serious threat to both human health and the environment.

**b.** The law requires the Environmental Protection Agency to maintain the National Priorities List, a list of the nation's most environmentally contaminated sites. LLNL main site and Site 300 are both on that list.

#### 4. Our experience/Premise for this meeting

**a.** Over the years that TVC has been monitoring pollution at Livermore Lab and working to get it cleaned up, we have seen that “Community Involvement” concretely improves both the quality of the Superfund cleanup and the quantity, i.e., the amount, of cleanup that occurs.

**b.** Indeed, public pressure has proven to be the most effective – and sometimes the only – method for changing operations at a Dept. of Energy site like Livermore Lab.

**c.** I will offer four examples of how public involvement has changes LLNL plans for the better – 2 examples from the main site and 2 from Site 300 later in the program.

#### 5. Why now/What’s new that makes public involvement urgent?

**a.** The Lab’s public involvement is broken. For example, at the main site, the Lab has not called a meeting of its Community Work Group in two years; and at Site 300 there is no CWG.

**b.** Cleanup itself is at a crossroads; the easier to access contaminants have already been reached and now the challenge is to get at the harder to reach contaminants. The cleanup time frame is now 50-80 years, or longer before it will be completed. Public involvement mechanisms are imperative now that things have become more difficult to ensure a comprehensive and complete cleanup, i.e., one that meets with true community acceptance.

**c.** Dept. of Energy-wide we are seeing a trend toward the government proposing to do less actual cleanup and more babysitting of pollution, which means that it remains in communities indefinitely and, for some of the very long-lived pollutants, virtually forever.

**d.** The annual and longer-term funding needed to accomplish the cleanup is vulnerable. It is imperative that the DOE request enough money to do the job each year and that the Congress then appropriate the funding that was requested. Without public involvement, DOE and/or Congress are likely to “backpedal” over time, and the cleanup will not be completed.

#### 6. Introduce speakers – Short Bios

• ***Peter Strauss*** is President of the San Francisco-based **PM Strauss & Associates**. He began working for Tri-Valley CAREs in 1991 as Technical Advisor on the Superfund cleanup of the Livermore Lab's main site. In the mid-90s, he was also awarded a second contract by Tri-

Valley CAREs to analyze data and advise on the Superfund cleanup at the Livermore Lab's site 300 high explosives testing range. His responsibilities include providing detailed analysis of reports, well logs and other technical data on soil and groundwater contaminants and their migration through the environment. Strauss also provides analyses of remediation technologies.

- ***Marylia Kelley*** is Executive Director at Tri-Valley CAREs. She brings 31 years of research, writing and facilitating public participation in decisions regarding the Livermore Lab, nuclear weapons, waste and cleanup. Kelley has served on the Livermore Lab "Community Work Group" (since 1989) to advise the government and the community on the Lab's Superfund cleanup of toxic and radioactive pollution. Kelley has testified on issues related to the U.S. nuclear weapons complex before the House Armed Services Committee of the U.S. Congress, the California Legislature and the National Academy of Sciences, National Research Council, among other deliberative bodies.

- ***Scott Yundt*** is Staff Attorney at the Livermore-based Tri-Valley CAREs. He heads the group's environmental and "right to know" litigation, and is managing Tri-Valley CAREs analysis of the renewal of Livermore Lab's permit to store and treat hazardous and "mixed" radioactive wastes on site. Yundt also facilitates a support group for Livermore Lab and other workers made ill by on the job exposures.

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