

Tri-Valley CAREs

Communities Against a Radioactive Environment

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Peace Justice Environment
since 1983

November 15, 2017

Brian Costner, Director of NEPA Compliance, HQ
Nicole Nelson-Jean, Manager, LFO
Daniel Culver, NEPA Compliance Officer, LFO
Lisa Dancy, NEPA Document Manager, LFO

Sent via email and postal mail to:

- LFOPublicComment@doe.gov
- Brian.Costner@hq.doe.gov
- NEPA Document Manager, NNSA, LFO P.O. Box 808, L-293, Livermore CA 94551-0808

Re: Request for Extension of the Public Comment Period, Inclusion of a Public Hearing and Issuance of a Corrected Notice of Availability for DOE/EA-2076, Draft Environmental Assessment for the Proposed Increase in the Weight of Explosives Detonated at LLNL Experimental Test Site, Site 300

To Whom It May Concern at DOE/NNSA HQ and the Livermore Field Office:

Tri-Valley CAREs writes this letter to formally request a 60-day extension of the public comment period, presently scheduled to close on December 7, which is a scant 30-days following issuance of the Draft EA. The current comment period is insufficient given the following factors...

1. The Draft Environmental Assessment (DOE/EA-2076) including its appendices is 177 pages long, densely written and highly technical. Tri-Valley CAREs' staff have specialized training and many decades of experience with environmental review, and we are finding the draft EA challenging. It's not a quick and easy read! Moreover, we are hearing directly from our community membership in the Livermore and Tracy communities closest to Site 300 that they are feeling overwhelmed and distraught due to the short time allotted for document review and public comment.
2. The Draft EA was released shortly before a major holiday (Thanksgiving) and public comments are due shortly after. Many of our community members and the public at large have major family responsibilities (often on top of demanding jobs) at this time of year. Indeed, many of our community members have told us that they will be gone for most or all of Thanksgiving week. Others are hosting out of town guests. It is not reasonable for the agency to imagine that the public can review 177 pages of highly technical material and provide their comments within a 30-day period during a major holiday season.
3. The public notice issued by the DOE/NNSA Office of NEPA Policy and Compliance is substantively and factually incorrect. It states that the **current** annual limit for high explosives detonated annually is 7,500 lbs. The current annual limit is actually 1,000 pounds. Importantly, the 7,500 pounds is the annual limit being sought by the proposed action. Thus, the notice mistakenly informs the public that the annual limit sought by the proposed action and the current limit are one and the same. Under that circumstance, it is unreasonable to

expect any member of the public who did not previously have specialized knowledge of the annual high explosives limit at the B-851 firing table to comment on the proposed action. This is not a mere random typographical error. Instead, by conflating the current situation with the proposed action it influences outcome by suppressing public comment. The DOE/NNSA must immediately withdraw the notice, correct it, publicize the correct limits via press release and other means and start the NEPA clock afresh, notwithstanding Tri-Valley CAREs request herein for an additional 60-days public comment period (or a total of 90 days).

For your convenience, we have pasted in the information from the agency website, below:

EA-2076: Proposed Increase in the Weight of Explosives Detonated at Lawrence Livermore National Laboratory Experimental Test Site, Site 300
Office of NEPA Policy and Compliance

You are here

[Home](#) » EA-2076: Proposed Increase in the Weight of Explosives Detonated at Lawrence Livermore National Laboratory Experimental Test Site, Site 300

The purpose of this Proposed Action is to perform research vital to stockpile stewardship, counterterrorism and counterproliferation program missions. The Proposed Action is to increase the weight of explosives used at the Lawrence Livermore National Laboratory (LLNL) Experimental Test Site (Site 300) Building 851 Firing Table up to 1,000 lbs./day to 7,500 lbs./year. The explosives weight is the actual mass, in pounds, of explosive mixtures or compounds for an experiment. Currently, research and development activities at LLNL's Site 300 Building 851 involve detonation of explosives up to 100 lbs./day up to 7,500 lbs./yr. The Proposed Action would not involve detonation of radioactive materials.

PUBLIC COMMENT OPPORTUNITY

Public comment period ends 12/7/2017.

DOE/NNSA is accepting written comments on the Draft EA. Please send written comments to:

- LFOPublicComment@doe.gov; or
- NEPA Document Manager, National Nuclear Security Administration, Livermore Field Office P.O. Box 808, L-293, Livermore CA 94551-0808.

Written comments received by 11:59 pm on December 7, 2017 via email or postmarked by that date will be considered. Comments submitted after that date and time will be considered to the extent practicable.

Documents Available For Download

[EA-2076: Draft Environmental Assessment](#)

OFFICE of NEPA POLICY and COMPLIANCE

1000 Independence Avenue, S.W.
Washington, DC 20585
Phone: 202-586-4600
Phone: 1-800-472-2756
Email: askNEPA@hq.doe.gov

Finally, Tri-Valley CAREs notes that open-air detonations at Site 300 are controversial in Tracy and the surrounding communities, a fact notably absent from the Draft DOE/EA-2076 and its appendices. Tri-

Valley CAREs recently hosted two public events in Tracy, including a community-wide meeting at City Hall.

In Tracy there is and has been considerable discussion and concern about the Site 300 Superfund cleanup, the relatively recent discovery in soils of 80 pounds of uranium-238 in chunks 3-inches in diameter or larger from past tests at the B-851 firing table, the ongoing sampling to determine the amount of uranium-238 still present in soils around the B-851 firing table, and the point at issue that present programmatic activity at the B-851 firing table would supplant and hinder timely Superfund cleanup of soils in the area. These concerns were expressed by Tracy residents prior to issuance of this Draft EA and proposed action.

In sum, there is more than sufficient controversy and other justification for DOE/NNSA to hold a public hearing during an extended public comment period on this proposal.

Tri-Valley CAREs stands ready to answer any questions you may have, or to discuss any aspect of our letter. Please call our office at 925.443.7148 or email our Executive Director at marylia@trivalleycares.org or our Staff Attorney at scott@trivalleycares.org.

Thank you in advance for your prompt attention and consideration of our request.

Sincerely,

Marylia Kelley
Executive Director

Scott Yundt
Staff Attorney