Haz Waste Building Closure

The CA Department of Toxic Substances Control (DTSC) is considering approval of a Closure Plan for Livermore Lab’s Building 419 (B-419), a hazardous waste management facility. The public is asked to submit comments on the project by July 24, 2009.

B-419 is a 7,860 square-foot building located approximately 300 feet from Livermore Lab’s East Avenue site boundary. Between 1975 and 1989, it was used for equipment decontamination and hazardous and radioactive mixed waste treatment activities, such as size reduction and solidification. During a seismic evaluation in 1991, it was determined that B-419 could not meet applicable guidelines and hazardous waste management activities in the building were discontinued.

Prior excavation activities around B-419 revealed soil contamination with mercury and volatile organic compounds. In addition, it’s possible that parts of the building may be contaminated with radionuclides, since radioactive materials were managed there. Moreover, radioactive tritium was found in groundwater near the building. Debris resulting from demolition of B-419 will be classified as low level radioactive waste or mixed low level radioactive waste.

Because of the extensive contamination in and around B-419, the Closure Plan presents risks to public health and the environment. These risks include impacts to worker health, air quality, biological resources, water quality, and the generation of significant quantities of hazardous and radioactive waste. Public comments are essential to ensure that this project is conducted in a way that will not cause harm!

The Closure Plan for B-419 is regulated under the California Environmental Quality Act. As such, DTSC prepared an Initial Study for the project. Based on that, DTSC issued a draft Negative Declaration, in which DTSC states that it does not believe that implementation of the project will have a significant impact on human health or the environment, despite evidence to the contrary.

A list of constituents of potential concern has been developed for the project. The list includes volatile organic compounds, heavy metals and radionuclides. The closure project’s stated objective is to remediate soils to background levels for inorganic metals and non-detectable levels of organic chemicals. If these cleanup targets cannot be met, then B-419 will instead meet “health- or risk-based” cleanup standards.

Nuclear Bomb Budget: Action Alert

Even as President Obama proclaims a long-term vision of a world without nuclear weapons, too many in Congress are busy fattening the pig of the nation’s fiscal year (FY) 2010 nuclear weapons budget.

In general, Dept. of Energy (DOE) nuclear weapons programs are being larded up with additional funds, above the President’s request. And, programs needed to clean up toxic and radioactive pollution at DOE sites across the country are being robbed blind to pay for it.

This is not the change we need. Moreover, a hawkish U.S. nuclear weapons budget could stymie good policy changes from being incorporated into the Administration’s pending Nuclear Posture Review, while also undermining the President’s international disarmament initiatives.

The budget will likely take several months for Congress to complete, and thus public opinion could have a beneficial impact. We encourage all of our members and friends to speak with their members of Congress. Here are some key funding trends to discuss with them:

First, the “authorizing” committee actions. The House Armed Services Committee (HASC) increased the DOE National Nuclear Security Administration’s (NNSA) nuclear weapons activities budget by $152 million over the President’s request. The largest chunk ($32 million) went to the National Ignition Facility, whose budget for next year already exceeds $400 million. And, where does this money come from? More than $100 million of it came out of the DOE’s environmental cleanup funds, including for soil and groundwater detoxification at Livermore Lab.

The HASC also greases the skids for weapons development to occur covertly as part of the stockpile “Life Extension Programs” and for DOE to come back hat in hand for further “modernization” of the weapons complex. And, as the bill moved toward completion in the House, cleanup programs were subjected to additional funding raids.

Continued on page 3
Budget... Cont. from page 1

In the Senate, the Armed Services Committee (SASC) added $106 million to DOE NNSA weapons programs and robbed $100 million from the DOE environmental cleanup program, which is similar to what the HASC did.

In the budget process, authorizers allow funding, but it is appropriators who write the checks.

The House Energy & Water Appropriations full committee “markup” cuts the DOE nuclear weapons programs $64 million below the President’s request. That’s good, but, unfortunately, it also cuts DOE environmental cleanup by more than $100 million.

The Senate Energy & Water Appropriations subcommittee “markup” adds approximately $83 million to DOE nuclear weapons programs, while also adding funds above the President’s request for environmental cleanup. So, hooray for the cleanup funds in this “markup,” but not for the weapons.

While budget details are yet to be revealed, one key difference between the House and Senate appropriators is that the Senate wants more money than the House for a new plutonium bomb plant at the Los Alamos Lab.

Tri-Valley CAREs recommends initiating a conversation with your members of Congress on nuclear policy — and on the budget. In most offices, the defense aide is the right person to speak with.

Ask your Senators and Representative to support environmental cleanup. Ask him or her to reject an increase in nuclear weapons funding. Let your elected officials know that you support Obama’s efforts toward a nuclear weapons-free future, and that you don’t want to see them undermined by an aggressive nuclear bomb budget.

Call the Capitol switchboard at (202) 225-3121. And, check our blog and website at www.trivalleycares.org for details, budget updates and specific action alerts. THANK YOU.

Livermore Lab Security Failures... Cont. from p. 4

In addition, the inspection report identified serious deficiencies in the Lab’s programs intended to protect classified information, including in the handling and control of classified matter, as well as physical security measures. The inspectors also found that the Lab’s management feedback and improvement mechanisms do not effectively inform managers of protection program status, which allowed the security deficiencies to develop and/or worsen over the past several years.

Perhaps not surprisingly given the deficiencies, Livermore Lab’s protective force failed both of the large-scale force-on-force exercises, which were centered on the Lab’s Superblock, where SNM is stored. The objective of the first exercise was to effect the theft of Category I SNM, while the objective of the second was to create an onsite modified radiological sabotage event. The mock attackers breached the storage location within the Superblock through the back wall in one exercise and the roof in another.

The attackers’ tactics were based upon covert infiltration until being detected, multiple assault points, violence of action, speed of execution, and deliberate attempts to confuse the protective force response through diversionary activities designed to create a continuous state of chaos. It was assumed that the adversaries would have access to all-terrain vehicles, since these are allowed onsite to be advertised for sale. The exercises were conducted during off-shift hours, when protective force staffing levels would be at a minimum.

During the force-on-force tests, the attackers prevailed in both exercises, due to a number of factors. For instance, the Lab’s Dillon Aero gatling guns, which fire 3,000 shots per minute, experienced malfunctions, problems or failures during three of six deployment opportunities during the exercises. Of great concern for those living or working near the Lab, the inspectors found that administrative and logistical controls—such as exterior aiming markers and “no fire zones” to prevent unnecessary casualties—had not been established for these weapons.

The inspectors also found that there was no dedicated special response team at the Lab, so precious time was wasted assembling one to respond to the simulated attacks. In addition, a secondary alarm system was unable to rapidly disseminate critical information and various other communications problems occurred. Further, the inspectors determined that the Lab’s protective force supervisors did not demonstrate the skills and training necessary to effectively direct the actions of tactical units responding to an armed adversary attack. The Lab’s protective force also failed to demonstrate the effective use of team tactics to implement containment, denial, or recapture strategies.

Yet, it is clear that the force-on-force tests did not approximate real conditions. LSO was provided with a plan, which listed the specific dates during which the exercises were to be conducted and the criteria by which the security programs would be evaluated. Moreover, because the force-on-force tests were conducted at night, the Lab’s protective force did not have to deal with realistic hostage or bystander casualty situations. In addition, safety restrictions “severely restricted” activities conducted during the exercises, “further limiting the realism,” according to the inspection report. The Lab performed poorly under favorable circumstances.

In response, LSO and the Lab developed an interim corrective action plan. However, the Office of Independent Oversight found that some of the corrective actions require clarification or details. Moreover, a Government Accountability Office report released in March found that, in the past, Livermore Lab has not sustained corrective actions to address similar security deficiencies.
July 16, 2009

Dear Tri-Valley CAREs supporter:

I invite you to consider the unique role that Tri-Valley CAREs plays in stopping nuclear weapons. We are located in "the belly of the beast." Daily, we speak truth to power from the community surrounding the Livermore nuclear weapons laboratory.

When Livermore Lab scientists began to modify a megaton-yield bomb to make it into a nuclear bunker-buster for use in the "war on terror," we played a major role in convincing Congress to zero out its funding. Next, as you may recall, Livermore Lab scientists started to design the so-called Reliable Replacement Warhead (RRW). The first RRW was to have been a submarine-launched nuclear warhead. But, again, we stepped up and prevented a horrific new weapon from happening.

Tri-Valley CAREs stops nuclear weapons where they start -- at Livermore Lab.

Over the years, we have become widely known and respected for our research, analysis, political advocacy, litigation and community organizing. We have developed a uniquely powerful voice to stop nukes and promote peace and disarmament.

Tri-Valley CAREs is able to create change in ways that other groups cannot. But, we do not do this work alone. Your financial support is crucial to our continuing success.

We stand at an historic crossroad. President Barack Obama recently declared "America's commitment to seek the peace and security of a world without nuclear weapons." I cheered these words as harbingers of change. Perhaps you did, too. You and I know, however, that the hard work of creating that change still lies ahead of us.

For example, as you may have read in your April/May Citizen's Watch, the Dept. of Energy still plans to build new bomb plants at Livermore Lab and throughout the nuclear weapons complex. You and I both recognize that this is not a step on the road to nuclear abolition. It's a dangerous U-turn that we cannot allow. Your donation will be put to immediate good use to stop nuclear weapons -- and the construction of new facilities that would produce them.

As you may have seen recently on our web blog and in your latest newsletter, we are busy applying our research, analysis and advocacy skills to influence the nuclear weapons budget in the coming year.

Our efforts are pivotal. Right now, some members of Congress (Democrat and Republican) are robbing the money needed for environmental cleanup at Livermore and other sites and using those funds to "plus up" the weapons budget. One of the nuclear projects that would get a funding increase under this scheme is the National Ignition Facility.

(turn over)
Can I count on you to help us restore the money for dealing with toxic and radioactive contamination already in our environment, rather than giving it to weapons projects that will cause further pollution?

To win this year will be a struggle, but I promise you that we at Tri-Valley CAREs are committed to holding the government accountable for polluting our air, land and water. And, we will not rest until the environmental legacy of nuclear weapons is cleaned up!

One of the many reasons I love Tri-Valley CAREs is that this group addresses both the proliferation risks of nuclear weapons and their environmental consequences. You and I understand that these issues cannot be separated. Wherever nuclear development has occurred, the people and the environment have suffered.

Your contribution will create positive change in the here and now while also advancing us toward our larger vision of a more just and peaceful world.

Tri-Valley CAREs has a proven track record. In recent months, we:

✔ Enabled community members, including youth, to speak with members of Congress and the Obama Administration. We conducted nearly 70 meetings and our efforts were instrumental in curtailing new bomb plants.

✔ Joined with national and regional organizations to produce a major study offering the Obama Administration a comprehensive blueprint for actions leading to the goal of nuclear disarmament. Our report resulted in more than 150 media stories across the nation. One institute reprinted the report’s 19-page summary and list of recommendations in a publication for the United Nations.

✔ Focused public attention on the truth behind the National Ignition Facility. We brought our “Truth Telling Exhibit” to Livermore Lab’s NIF party. We set up “evidence tables” piled with documents detailing NIF’s weapons applications, plutonium use, scientific problems, cost overruns and other facts. Next, we installed our NIF poster in the library. Our actions resulted in newspaper, magazine, radio and TV coverage that reached millions with the NIF facts that the Lab was trying to hide.

✔ Succeeded in removing nuclear power and bomb subsidies from the stimulus bill that the President signed earlier this year, exposed Livermore Lab’s illegal experiments with bio-warfare agents, and much, much more!

Tri-Valley CAREs provides you with information that you won’t find anywhere else. I am asking you to help us keep our information flowing -- to you and to legislators and other key decision-makers. Every dollar you donate makes us stronger and more effective.

For peace, justice and a healthy environment,

Marylia Kelley
Executive Director

P.S. You know that we accomplish BIG goals with relatively SMALL money. Please give as generously as you can. I’m counting on you! And, to show my appreciation for your contribution of $50 or more, please choose one of the premiums on the reply card. THANKS.
Tri-Valley CAREs
Respected, Effective and in the News!

San Francisco Chronicle
Watchdog group calls Livermore laser dangerous
Jim Doyle  4/2/09

A local watchdog organization asserted Wednesday that experiments conducted with a new, giant laser at Lawrence Livermore National Laboratory could pose a health and environmental threat to thousands of workers and nearby residents.

“There will be experiments with plutonium, highly enriched uranium and thorium as well as fusion fuels,” said Marylia Kelley, executive director of Tri-Valley CAREs, a nonprofit environmental group. “The laboratory’s own documents show that there will be increased radioactive releases because of the use of these fissile materials as well as the fusion materials inside the target chamber.

“These experiments will generate radioactive emissions and radioactive waste,” she said...

Inside Energy
DOE fined for halting lab cleanup 1/12/09

The Energy Department is facing some stiff monetary penalties for curtailing cleanup operations of contaminated soil and groundwater at Lawrence Livermore National Lab outside of San Francisco... EPA said it expected DOE to pay the first penalty installment of $105,000 within 30 days.

A local community group that is active in lobbying for cleanup and increased security at the lab, Tri-Valley CAREs, supported the fine.

“We at Tri-Valley CAREs were dismayed by the lack of progress being made... in restarting the cleanup of heavily contaminated soil and groundwater at the Lab’s main site,” the group’s executive director, Marylia Kelley, said in a statement.

“The contaminated off-site plume emanates from the Livermore Lab main site and runs beneath some of our members’ homes (including mine) in the community of Livermore.”

CBS KPIX-TV
Livermore Lab Workers May Be Exposed To Toxic Dust  12/19/08

‘It was hard,’ said Joyce Brooks, talking about the loss of her husband to beryllium poisoning... ‘The dust was very toxic,’ she said. ‘And they did not have much protection except a paper mask.’ Eventually it destroyed his lungs. Carl Brooks died in 2000...

The report said, ‘It is possible that unprotected workers in (the) building were exposed to beryllium for years.’ Livermore Lab critic and activist Marylia Kelley said that’s unacceptable.

‘Beryllium had been used in that building for more than 50 years’, Kelley said. And now they’re assessing how many more workers were exposed: So far, 250 have been identified as having past exposure to beryllium and another 350 are being watched.

Tri-Valley CAREs runs a sick workers support group in Livermore. For more information contact staff attorney Robert Schwartz at 925-443-7148.

San Jose Mercury News
Anti-nuclear groups push to slash weapons stockpile
Suzanne Bohan  5/8/09

A coalition of six anti-nuclear groups, including the Natural Resources Defense Council and Livermore’s Tri-Valley CAREs, on Wednesday released its in-depth blueprint for steering Obama administration policy toward a nuclear weapons-free future. The timing of the report’s release was deliberate: It was intended to get to President Barack Obama’s desk ...

Complete articles available on request or at www.trivalleycares.org
Support effective action for peace and the environment!

Tri-Valley CAREs members and friends have stopped nuclear weapons and created many positive changes at Livermore Lab!
Help us to continue this important work!

Four Ways You Can Support Tri-Valley CAREs

1) Send in your check today!
Why put off until tomorrow the activism you can support today?

2) Donate online at www.trivalleycares.org.
Use our online system to make a one-time contribution, or set up a regular giving program.

3) Make a gift of stock.
Donating stock can bring you significant tax benefits. We have an E-Trade account and can process your donation simply and easily.

4) Make a bequest and include Tri-Valley CAREs in your will.
The Department of Energy is going to leave a toxic legacy in our community; will you leave a positive one?

Thank you!

Tri-Valley CAREs, stopping nuclear weapons where they start—at Livermore Lab!

YES! I want to stop nuclear weapons. Here is my tax-deductible donation.

$50 $40 $15 $100 $500 $1000 Other

I am contributing $50 or more. Please send me the gift I have selected (Put a checkmark or “X” on the line).

______ Gift #1 Tri-Valley CAREs T-shirt, please indicate your size S, M, L, XL, XXL.

______ Gift #2 Tri-Valley CAREs report, "Transforming the U.S. Strategic Posture and Weapons Complex for Transition to a Nuclear Weapons-Free World."

Tri-Valley CAREs, Communities Against a Radioactive Environment
2582 Old First Street
Livermore, CA 94550

Peace Justice Environment Since 1983
By and for Youth: Think Outside the Bomb

The 2009 conference will take place in Albuquerque, NM on August 13-16. For 5 years, Think Outside the Bomb has brought young people together to share resources, strategize collaboratively, and build a broad movement for nuclear disarmament.

TOTB aims to engage each participant intellectually, emotionally, and personally. We seek to impart not only the inspiration to work for a nuclear-free future, but also the tools and skills to do so. TOTB conferences are organized almost entirely by youth and have proven to be life-changing experiences for the participants.

Attendees can expect to receive info and to build skills during the conference in order to make their activism for peace and justice a reality in their communities and across the country. Emphasis is placed on training for direct political activism. Limited travel stipends are available. Once in Albuquerque, room and board will be provided. It is crucial, however, to sign up in advance.

To obtain more information -- and your conference application -- go to www.thinkoutsidethebomb.org. Or, call us at the Tri-Valley CAREs office.

Haz Waste...Cont. from p. 1

In the event that none of those standards can be achieved, Livermore Lab will be required to submit a post-closure permit application to DTSC. This permit would set out how the Lab will monitor or take care of the site to ensure that any remaining contaminants do not impact human health or the environment, now and into the future. This may include deep soil or groundwater treatment under the federal Superfund program. (Note: The entire Livermore Lab main site was placed on the EPA's Superfund list of most contaminated locations in the nation in 1987.)

The implementation of the Closure Plan will be overseen by a California-registered engineer, whose sampling results and closure certification report will be reviewed by DTSC as a part of closure verification. Because of the complexity of the closure project, DTSC granted an extension to the 180-day closure requirements under applicable regulations, which will allow the project to proceed on a 21-month schedule.

At this time, DTSC has not scheduled a public hearing, although one will be scheduled if DTSC receives such a request. The DTSC is currently holding a written public comment period to allow for input on the draft plan. Comments may be submitted by letter or e-mail.

As this goes to press, we are reviewing the details of the Closure Plan, and we will prepare technical comments. One of our initial comments is that additional sampling (especially for radionuclides) should occur before demolition of the building. Our reasoning is that if additional sampling takes place after the building is torn down (as is presently proposed), and new contaminants are found, the workers may already have been exposed during demolition.

We invite you to also submit comments. Additional information can be found on our website at www.trivalleycares.org.

Send your comments to Ryan Batty, Project Mgr., 8800 Cal Center Drive, Sacramento, CA 95826, or rbatty@dtsc.ca.gov.
New Details Emerge About Livermore Lab Security Failures

Tri-Valley CAREs recently obtained documents regarding Livermore Lab’s security deficiencies, including failures during force-on-force tests last year in which mock terrorists were able to gain access to the Lab’s nuclear materials.

We had requested the documents from the Dept. of Energy (DOE) under the Freedom of Information Act. While the documents were redacted (censored), the information that we obtained is crucial to understanding the magnitude of the security failures. Here we have used DOE’s own words and terms as much as possible. So, bear with the bureaucratic language. The substance is worth it.

The DOE gave the Lab the lowest possible rating in two crucial security areas: protective force performance and classified matter protection and control.

During March-April 2008, the DOE Office of Independent Oversight inspected safeguards and security and cyber security programs at Livermore Lab and the Livermore Site Office (LSO), which is responsible for oversight of the Lab. The inspection evaluated the performance of the National Nuclear Security Administration (NNSA), LSO and Lawrence Livermore National Security, LLC, the Lab management contractor, in the following areas: classified matter protection & control, personnel security, physical security systems, material control & accountability, protective force, protection program management, classification & information control, and cyber security. Since NNSA plans to remove Category I and II (bomb usable) quantities of plutonium and highly enriched uranium (called special nuclear material or SNM) from Livermore by the end of 2012, the Lab was exempted from meeting the requirements of NNSA’s 2005 design basis threat (DBT). Instead, the Lab only had to meet “the less stringent requirements of the 2003 DBT,” according to the report. The DBT identifies credible threats that are used to analyze security programs, systems, components, equipment, information or material.

The inspection was designed to be performance-oriented, where possible. For example, the Lab’s protective force was subjected to two force-on-force performance tests, which evaluated their ability to protect the Lab’s SNM from terrorist attacks. Agents from the Lab helped develop realistic conditions, in which adversaries were able to penetrate the site using false badges and by concealing equipment and weaponry within secret compartments in their vehicles. Although the inspection report noted several positive attributes of the Lab’s security programs, it found numerous weaknesses. According to the inspection, “a large number of significant deficiencies currently exist in program elements responsible for the protection of important national security assets.”

Alaramingly, “serious deficiencies” were found in the Laboratory’s programs designed to protect SNM, particularly in the planning basis underlying the protection system and the demonstrated capabilities of the protective force. The inspection report noted that the Lab didn’t have adequate plans in place to protect SNM and had not conducted the appropriate training exercises.

The inspectors wrote that the deficiencies “raise serious questions about the true effectiveness of the protection system that is in place” and “significantly degrade [the protective force’s] capacity to prevail over a prepared and determined adversary.” The inspection report also documented physical security system weaknesses, including voids in camera coverage at Protected Area portals, poor nighttime resolution of assessment cameras, and failure of the master control mechanism on the pan/tilt/zoom camera system used for assessment.

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